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**HOUSE OF COMMONS
OFFICIAL REPORT**

**PARLIAMENTARY
DEBATES**

(HANSARD)

Monday 29 June 2009

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IN THE FOURTH SESSION OF THE FIFTY-FOURTH PARLIAMENT OF THE
UNITED KINGDOM OF GREAT BRITAIN AND NORTHERN IRELAND
[WHICH OPENED 11 MAY 2005]

FIFTY-EIGHTH YEAR OF THE REIGN OF HER MAJESTY QUEEN ELIZABETH II

SIXTH SERIES

VOLUME 495

ELEVENTH VOLUME OF SESSION 2008-2009

House of Commons

Monday 29 June 2009

The House met at half-past Two o'clock

PRAYERS

[MR. SPEAKER *in the Chair*]

BUSINESS BEFORE QUESTIONS

SPEAKER MARTIN'S RETIREMENT

THE VICE-CHAMBERLAIN OF THE HOUSEHOLD reported to the House, on behalf of the Prime Minister, that the address of 22 June 2009 to Her Majesty, praying Her Majesty that she will be most graciously pleased to confer some signal mark of her royal favour upon the right hon. Michael J. Martin for his eminent services during the period in which he has, with such distinguished ability and dignity presided in the Chair of this House, has been presented to Her Majesty, and Her Majesty has been pleased to receive the same very graciously, and has commanded me to acquaint this House that Her Majesty is desirous, in compliance with the request of her faithful Commons, to confer upon the right hon. Michael J. Martin some signal mark of her royal favour.

Oral Answers to Questions

WORK AND PENSIONS

The Secretary of State was asked—

Remploy

1. **Mrs. Madeleine Moon** (Bridgend) (Lab): What estimate she has made of the cost to the public purse of Remploy's operations in the latest period for which figures are available. [282345]

The Parliamentary Under-Secretary of State for Work and Pensions (Jonathan Shaw): The last available figures, which are for the financial year ending March 2008, show that Remploy received £195.8 million of direct funding from the Department, comprising £145.8 million of grant in aid and an additional £50 million of modernisation payments to help with the restructuring of the company. Managing the level of funding for Remploy is one of the key aims of our modernisation plan, which was why we secured a £555 million modernisation fund over the five-year period.

Mrs. Moon: I thank my hon. Friend for that reply. In the response to my parliamentary question 270816, Members were able to see that, over the last three years, Remploy's senior managers have claimed £4.3 million in bonus payments, including £1.7 million in last year alone. That is six times the amount of money paid out in bonuses in 2000-01. Given that Remploy is losing money, that factories have closed and that job numbers are falling, does my hon. Friend not agree that it would be more appropriate for no bonuses to be paid until Remploy is making money, not losing it?

Jonathan Shaw: I am grateful to my hon. Friend. She will know that there are two parts to Remploy: the enterprise operation that runs the factory of about 3,000 employees, and the employment services, which got more than 7,000 people into jobs last year. Part of the bonus programme was that those managers whose pay is about £30,000 got a bonus of about £5,000 for getting disabled people into work. Their pay and performance terms compare favourably with those of other companies or comparable organisations. The bonus scheme is for the company, but it needs to be seen in perspective, in the context of the overall organisation.

Bob Spink (Castle Point) (Ind): People who are disabled or who have special educational needs—very good people who want work—can suffer more than others in trying to find work during the recession, so what more can the Minister do to promote sheltered employment units in privately owned companies?

Jonathan Shaw: I am grateful to the hon. Gentleman for that question. He will be aware that we are doubling the access to work fund, which has seen some 44,000 disabled people into work. Using access to work as an indicator, we are not seeing any of those who benefit from the fund losing their employment. I am sure that he would also welcome the learning disability employment strategy, which I and the Minister of State, Department of Health, my hon. Friend the Member for Corby (Phil Hope), launched last week. The hon. Gentleman is quite right that despite the world economic downturn, we will continue to concentrate on helping disabled people get into work and stay in it.

Employment (Benefit Claimants)

2. **Mr. Tom Harris** (Glasgow, South) (Lab): What recent assessment she has made of her Department's performance in moving people from economically-inactive benefits into employment. [282347]

The Secretary of State for Work and Pensions (Yvette Cooper): It is good to see you in the Chair, Mr. Speaker.

The Department is continuing to help people from incapacity benefit and income support back into the labour market and jobs. Despite the recession, and although unemployment has risen, the number of people on inactive benefits has not risen over the last year, which is in contrast to what happened during the recessions in the early '80s and early '90s.

Mr. Harris: High levels of economic inactivity inevitably mean high levels of poverty, particularly child poverty. Over the past decade in Glasgow, we have seen incremental reductions in the number of people claiming incapacity benefits, but if that incremental approach continues, we are going to see those levels of poverty inflicted on yet another generation. Does my right hon. Friend share my impatience? Is it not time that we moved from an incremental approach to a step change in moving vast numbers of people off benefits and into work?

Yvette Cooper: My hon. Friend is right that huge problems can be created for the families of those on incapacity benefit and those left out of the labour market for a long time, even though they may be able to come back into work. He will also know that after the numbers on sickness benefit rose for more than 20 years, they have, in fact, been falling since 2003. I think that some of the measures in the Welfare Reform Bill will help prepare people for work in the future as well as helping those who can get back into work do so in the short term.

John Mason (Glasgow, East) (SNP): Does the Secretary of State agree that the best incentive to get people into work would be a serious increase in the minimum wage?

Yvette Cooper: The minimum wage has played an important part in making work pay for a huge number of people who were previously stuck on poverty pay. We take the advice of the Low Pay Commission in setting the minimum wage so that we can support the economy more broadly, but there is no doubt that, along with tax credits and other measures, it has helped to ensure that people are better off in work.

Mr. Frank Field (Birkenhead) (Lab): Given that the number of workless claimants under retirement age has fallen only from 5.6 million to 5.2 million at a time when 3 million new jobs have been available—nearly all of them taken by people coming to this country to seek work—what plans does the Secretary of State have to free up local offices and give them their own budgets so that they can find more effective ways of moving people from benefit into work?

Yvette Cooper: As my right hon. Friend will know, we are introducing the flexible new deal, which will provide more flexible and personalised support. We are also seeking, both through the Welfare Reform Bill and through pilot programmes, to introduce more flexibility, focusing on individuals' personal problems and the reasons why they may not be able to return to the labour market. I hope that he will recognise that important progress has been made to reverse what was an inexorable rise in the number of people on sickness benefits, and that there have been no increases although the labour market is under considerable pressure as a result of the recession.

Mr. Mark Harper (Forest of Dean) (Con): I am afraid that the Secretary of State simply is not correct. The Government's target is to remove 1 million people from incapacity benefit and employment support allowance by 2015. The last set of official statistics showed an increase, as do early estimates from the Secretary of State's own Department. Let me return to the question asked by the hon. Member for Glasgow, South (Mr. Harris). How exactly will the Government hit that 1 million target, given that they have been singularly unsuccessful in doing so thus far?

Yvette Cooper: I am sorry to hear the hon. Gentleman ask that question, but the answer is clear: we will invest additional sums to help people back into work. Conservative Front Benchers have opposed that investment. It is tragic that they should oppose £5 billion of additional support to help people to return to work during a recession. It should also be recognised that in the early 1990s, between 1990 and 1991, the number of people receiving inactive benefits rose by more than 200,000, and that it has not increased over the past 12 months.

David Cairns (Inverclyde) (Lab): I was told by a very experienced individual who had been a job centre manager during the 1990s about the really tough targets for moving people from employment benefits to incapacity benefits at that time. We also discussed the fate of the cohort who have failed their employment support allowance medical and who have not so far turned up again on the jobseeker's allowance rolls, although they might have been expected to do so. Either they have found jobs, which would be a good thing, or they have fallen out of the system altogether, which would be a bad thing. What research is the Department conducting to ensure that no one who needs help and support is losing out as a result of the new system?

Yvette Cooper: My hon. Friend will know that we are monitoring all the changes to ensure that we support the most vulnerable, and that we help people back into work. He will also know that some people have managed to find work for themselves. However, we should also focus on more individual problems. We should examine

the individual reasons why people may not be receiving the support that they need, and ensure that we can provide it.

Financial Assistance Scheme

3. **Mr. Henry Bellingham** (North-West Norfolk) (Con): When she next expects to meet occupational pensioner groups to discuss the operation of the financial assistance scheme. [282348]

The Minister of State, Department for Work and Pensions (Angela Eagle): My office is currently arranging meetings with trade union representatives and members of the Pensions Action Group.

Mr. Bellingham: I am glad to hear that. Is the Minister aware that I represent a number of constituents who were members of the Albert Fisher pension scheme, which unfortunately failed? They all qualify for assistance under the financial assistance scheme and were originally promised that they would receive about 90 per cent. compensation, but they have now discovered that they will receive much less than that. The fine print shows that many will receive less than 60 per cent. Why have my constituents had their hopes raised only to see them dashed in such a cruel way?

Angela Eagle: I am happy to have more detailed discussions with the hon. Gentleman about the particulars of the pension scheme that he mentioned, but through the financial assistance scheme we have provided 90 per cent. assistance, subject to a cap of £26,000. That is what the scheme is designed to deliver, and it will do so.

Hugh Bayley (City of York) (Lab): Nothing is more frightening to people than paying into a pension scheme for many years only to find that it does not produce the benefits that they were expecting, so will my hon. Friend join me in congratulating the 53 members of staff in York who run the FAS, which has rescued 834 pension schemes and has some 12,000 pensioners in payment? Does she also agree that when the state provides a safety net it is important that that safety net is not so gold-plated that it creates perverse incentives for employers to close down schemes, and that it is extremely important, too, that the state safety nets that this Labour Government have introduced are maintained?

Angela Eagle *rose*—

Mr. Speaker: Order. It is also extremely important that the reply should be a little bit briefer than the question.

Angela Eagle: I shall see what I can do, Mr. Speaker.

Currently, 12,031 people are being helped by the FAS, which has paid out £55 million gross so far. It was never intended to replace benefits completely if schemes begin to be wound up without being fully funded, but it does provide 90 per cent. assistance subject to a cap of £26,000.

Steve Webb (Northavon) (LD): May I congratulate the Minister and the Secretary of State on their new appointments? Does the Minister not accept that the FAS pensioners feel like the poor relations because

they are told there is not the money to give them full compensation, when there was money, for example, when building societies were bailed out to put 100 per cent. of the shortfall of those pension funds in at the time? So this is clearly a matter of priorities. Does she also accept that this 90 per cent. figure that she uses is highly misleading—I am sure not deliberately so—because it is not just capped, but there are big issues about the inflation protection? Does she accept that many pensioners will get much less than 90 per cent., and that over the years they will see annual falls in their real pensions? Will she look at those cases again?

Angela Eagle: Without this Labour Government's having introduced the FAS, there would have been no help whatever. Clearly, there is indexation at 2.5 per cent. for post-1997 accruals. We have also extended early access for those with ill health who have had to retire within five years of retirement age, and for those with a progressive disease we have introduced early access which is unreduced. This is more than we promised to do when the FAS was created. I am happy to keep looking at this, but I think the hon. Gentleman ought to acknowledge that we are providing great assistance where there was none before.

Means-tested Benefits

4. **David Taylor** (North-West Leicestershire) (Lab/Co-op): What the rate of uptake of means-tested benefits was in 2008. [282350]

The Parliamentary Under-Secretary of State for Work and Pensions (Helen Goodman): The latest estimates of take-up across the five income-related benefits in 2007-08 were published last Thursday. For the income-related benefits that my Department measures, £35.2 billion was claimed, which represents overall take-up by expenditure of between 77 per cent. and 85 per cent.

David Taylor: Between £200 million and £300 million per day is going unclaimed in jobseeker's allowance, income support, pension credit and council and housing tax benefits because people—especially the poorest pensioners—are unaware of their entitlement, confused by complexity, or unwilling to take what are seen as handouts. Will the Minister step up a gear on take-up campaigning, and move at full speed out of the present means-measuring morass towards the automatic payment of benefits, as Help the Aged is urging her to do?

Helen Goodman: I agree with my hon. Friend that take-up is vital to tackling pensioner poverty. He has raised the Help the Aged campaign for the automatic payment of benefits. We are taking powers in the Welfare Reform Bill to enable us to undertake pilots to do precisely that. My hon. Friend is assiduous in defending the interests of his constituents, and I congratulate him on launching the first contact pilot in North-West Leicestershire, which brings together the work of the local authorities, the Department for Work and Pensions and the voluntary sector and is precisely aimed at increasing take-up.

Philip Davies (Shipley) (Con): Over the weekend, a constituent came to my surgery who has been a higher rate taxpayer but is now not entitled to any unemployment

benefit because of the levels of his savings. Does the Minister not agree that that kind of means-testing discriminates against those people who have paid substantial amounts in taxation over many years and gives perverse incentives to people not to save?

Helen Goodman: In response to the problems faced by people with large levels of savings, the Chancellor announced an increase in the capital disregard from £6,000 to £10,000, which should have a significant impact on constituents such as the hon. Gentleman's.

Mr. Nigel Waterson (Eastbourne) (Con): I welcome the hon. Lady to her new position. Is it any wonder that, with £5 billion of means-tested benefits going unclaimed by pensioners every year, 2.5 million are living in official poverty? Why are Ministers trying to sweep under the carpet the effect of means-tested benefits on the new system of personal accounts? Does she not care that many thousands could end up worse off as a result of being auto-enrolled into personal accounts?

Helen Goodman: The hon. Gentleman should be aware that 95 per cent. of people are covered by personal accounts. I am not sure whether he is conscious of the fact that since November it has been the case that claims for housing benefit and council tax benefit can be made in one telephone call, alongside those for pension credit. That will speed up the process and make it far easier for people to get their council tax benefit.

Jobseekers Allowance (Training Courses)

5. **David T.C. Davies** (Monmouth) (Con): What recent assessment she has made of the effects on the assistance available to jobseeker's allowance claimants of their participation in training courses; and if she will make a statement. [282351]

The Secretary of State for Work and Pensions (Yvette Cooper): Training can be an important part of helping people back into work and that is why we are increasing training support for jobseekers, particularly those who have been out of work for more than six months. For training support to be most effective for jobseekers, it needs to be accompanied by a continued search for new jobs.

David T.C. Davies: What would the Secretary of State say to a constituent of mine who wanted to renew his forklift truck driver's licence, which could have got him a job, and was told that, despite his being out of work for six months, he was not eligible to have the costs refunded or to have any training not because he was not entitled to it, but because he lived in the wrong area? Why is there a postcode lottery when it comes to giving training to people who want to find work?

Yvette Cooper: I am obviously very happy to look into the individual case that the hon. Gentleman raises. Across the country, we have provided increased support for training. He is right, I think, to raise the case of a constituent who has been out of work for six months, because the longer people are out of work, the harder it can be to find new jobs. Although new vacancies are being reported all the time, if someone does not have up-to-date skills or recent work experience, it can be

harder. That is why we have provided additional investment in training to help those people. I shall look into his individual case.

Julia Goldsworthy (Falmouth and Camborne) (LD): The Secretary of State has just said that the longer people are out of work the more difficult it is for them to get back into work. Is that not particularly true for young people? Unemployment rates have doubled in Cornwall over the past year. Does that not mean that help, such as training, needs to be introduced and to be available to people before they have been unemployed for a year, so that they do not get trapped in a vicious cycle?

Yvette Cooper: The hon. Lady is right that we need to provide help for young people in particular. We saw what happened not only in the early '80s, but the early '90s, when effectively we lost a generation to work because of the long-term unemployment among young people. That is why, as well as the future jobs fund, which will provide more than 100,000 additional youth jobs across the country, we want training at an earlier stage. Young people can also benefit from the additional training provided at six months that was introduced in April. It is an additional help to people who need support at this time, in the middle of a recession.

Mrs. Theresa May (Maidenhead) (Con): May I welcome you to your new role, Mr. Speaker? May I also welcome the Secretary of State to her new position, albeit that I note that she is the fourth Secretary of State for Work and Pensions in two years? May I also note that Lord Freud has been introduced into another place this afternoon, which we welcome?

The Secretary of State talks about more help after six months, but in an economy with rising unemployment and falling vacancies, many people need to be able to retrain immediately. When will the Government adopt our proposal and allow people to retrain, full time, from day one of their claim for jobseeker's allowance?

Yvette Cooper: I thank the right hon. Lady for her kind words. She and I were on the Select Committee on Education and Employment together 12 years ago. It is good to see that she has maintained her interest in these issues. On the question of what training support is provided from day one, people who have lost their job can already get up to 16 hours of part-time training and support from the skills for life qualifications and from the employability skills programmes. Last year alone, Jobcentre Plus referred just over 1 million people for skills and training in the first six months of their claims. A lot of support is provided already for training for people in the early months when they lose their jobs. She asks why we cannot introduce her policies. She would not be able to introduce her policies or most of ours because she opposes the £5 million additional investment that we are putting in to support the unemployed this year.

Mrs. May: The Secretary of State makes all these claims about the amount of help available for unemployed people but they ring hollow, given that, as from today, no new referrals to the new deal will be made across half the country, including in major cities such as Manchester and Birmingham. Why are the Government abandoning the unemployed in half the country?

Yvette Cooper: I do not think that the right hon. Lady understands what the employment programmes are. We have already introduced additional support that is stronger than the new deal in many areas since April. After someone has been unemployed for six months they can get additional job subsidies and additional training support; they can get all kinds of further help that is better than the new deal for adults, which was offered across the country. We are going further; we are introducing the flexible new deal. I must say to her that she can talk as much as she likes about “hollow words”, but the hollow words come from her party, which will not fund additional help for people whom it previously abandoned. We are determined to help these people get back into work, whereas she simply opposes the funding for them.

Jobcentre Plus

6. **Jessica Morden** (Newport, East) (Lab): What recent assessment she has made of the adequacy of staffing levels in Jobcentre Plus. [282352]

The Minister for Employment (Jim Knight): As announced in the Budget, Jobcentre Plus will be recruiting up to 10,000 more staff this year, on top of the 6,000 new staff already announced in, and recruited since, the pre-Budget report. Jobcentre Plus is coping well with the increased work load, paying benefits promptly and seeing people quickly to discuss help in finding them work. Every working day, its advisers see 50,000 people to support them in looking for work.

Jessica Morden: Extra help to support hard-pressed staff is welcome, but may I ask the Minister to examine the staffing of phone lines? Many constituents have complained to me in recent months that they have tried for days to get through on phone lines without success and have ended up frustrated at Jobcentre Plus when they have subsequently been told that they cannot have an appointment there and then because they have to call a phone line in order to get one.

Jim Knight: I have had some concerns relating to anecdotal stories such as the ones that my hon. Friend rightly raises with me. I am advised that about 95 per cent. of such calls are answered in our contact centres that deal with them, and that is a good figure by any commercial comparison. However, I am keen to look at this area in more detail to see whether or not we can improve the systems to ensure that people who are claiming can obtain a referral and get an appointment as quickly as possible with Jobcentre Plus.

Mr. James Gray (North Wiltshire) (Con): Perhaps I can help the Minister with his puzzlement as to why these people cannot get through. Since 2002, 520 jobcentres have been closed by this Government—one a week has closed in the past 12 months while the number of unemployed has been rising. Why is that?

Jim Knight: As the hon. Gentleman knows, the jobcentre closures have been suspended in response to what is going on in the jobs market as a result of the global recession. He will also know that those closures were part of efficiency changes designed to make public money go further. If he is saying that jobcentres should be reopened or should remain open, he would need to

find the money for that. Given that his party opposed the £5 billion extra that we are spending to get people back into work, his claims ring hollow.

Child Poverty

7. **Mr. David Gauke** (South-West Hertfordshire) (Con): What recent assessment she has made of progress towards meeting the Government's 2010 child poverty target. [282353]

The Parliamentary Under-Secretary of State for Work and Pensions (Helen Goodman): We expect to lift about a further 500,000 children out of poverty with the measures announced in and since Budget 2007. We have already lifted 500,000 children out of relative poverty and halved the number living in absolute poverty since 1997.

Mr. Gauke: The question was about the Government's 2010 child poverty target. Is it not time that they came clean and admitted that it will not be met?

Helen Goodman: Everyone, even the hon. Gentleman, must understand that in the current economic circumstances meeting the 2010 target is a real challenge. However, in the middle of a recession we are continuing to take action, which is why we published the Child Poverty Bill this month. Our approach contrasts starkly with the policies that his party pursued. Had we continued with those—

Mr. Speaker: Order. I think that we have heard enough about Opposition policy for one afternoon.

Andrew Selous (South-West Bedfordshire) (Con): The increase in child poverty in each of the last three years would seem to justify the Treasury Committee's belief that the Government will miss their 2010 target to halve child poverty by a significant margin. Many of us were hoping to debate the Child Poverty Bill today, but can the Minister tell the House how it will foster enterprise in those areas in which more than half of the working age population are not in work, and what it will do to strengthen families, given that we know that the children of parents who separate are more than a third more likely to be unemployed themselves?

Helen Goodman: As the hon. Gentleman must be aware, the Child Poverty Bill includes the scope for strategies with local authorities to deal with the regional differences to which he referred. It would be helpful if he could indicate whether he intends to support the Bill, which will make a significant difference to children in this country.

Hywel Williams (Caernarfon) (PC): What steps are the Government taking to co-operate with the Governments in Cardiff and Edinburgh in respect of their equally ambitious anti-child poverty programmes, especially given that those Governments face cuts, by some accounts, of several hundred million pounds over the next few years?

Helen Goodman: The strategy that will be written under the Child Poverty Bill will be UK-wide, but of course the devolved Administrations are free to make their own choices in the areas of health and education. The decisions they make are a matter for them.

Jobcentre Plus (Over-50s)

8. **Shona McIsaac** (Cleethorpes) (Lab): What support and training Jobcentre Plus offers people over 50 years old to assist them to re-enter employment. [282354]

The Minister for Employment (Jim Knight): We are increasing the range of back-to-work help for unemployed people of all ages, to meet every jobseeker's individual needs. This support includes the Jobcentre Plus rapid response service for those facing redundancy, and extra help after six months of unemployment. For those who are still unemployed at 12 months, we are introducing individually tailored help via contracted providers.

Shona McIsaac: Is my right hon. Friend aware that last Thursday Corus announced substantial job losses, which include 500 managerial and technical staff at their works in Scunthorpe? What will be done for people in that sector, given that they tend to be a little older, to help them to get back into the workplace? Has he considered devising some sort of apprenticeship scheme for older workers?

Jim Knight: Clearly I am aware of the sad news for those individuals of the Corus job losses, including the 500 at Scunthorpe that come on top of 93 already announced. I am aware that the profile of many of those jobs is professional, technical and managerial. Through our rapid response service, we have made contact with Corus in Scunthorpe and we will go in to offer help, including signposting older workers into training so that they can refresh some of their skills prior to becoming redundant, so that they can get back into work as quickly as possible. Apprenticeships for older people are an interesting idea. I am meeting the Minister for Further Education, Skills, Apprenticeships and Consumer Affairs later this week and I will have a chat with him about it.

Natascha Engel (North-East Derbyshire) (Lab): So many more people are now going through jobcentres that the personalised service for people over 50 seems to be getting lost. What is the Department doing specifically to ensure a focus on getting the over-50s back into work?

Jim Knight: My hon. Friend is very knowledgeable in this area, and she knows that it is important that we pay particular attention to the problems that older workers may have in getting back into work and to any age discrimination that may exist. We need to work with employers to break down some of their misunderstandings about the business gain that may result from employing workers from the rich pool of talent of those aged over 50. Part of the more personalised approach that we are taking to advice in Jobcentre Plus is to understand what talents are available in individuals and how some niche training can help them. That can be available from day one, but it is certainly available as part of the six-month offer, in which we offer a training allowance to all workers. That is a vast improvement on the situation under the new deal.

Future Jobs Fund

10. **Mr. David S. Borrow** (South Ribble) (Lab): What estimate her Department has made of the proportion of future jobs fund jobs that will come from the third sector. [282356]

The Secretary of State for Work and Pensions (Yvette Cooper): We are strongly encouraging the third sector to make bids to the future jobs fund. We believe that there is great potential in the third sector to deliver good jobs that help the community and provide important training and work experience for young people.

Mr. Borrow: Last month I arranged a job summit in South Ribble with a number of partners. We are seeking to make a bid in the first round of the future jobs fund at the end of this month. One of the issues raised at the meeting was the fact that many voluntary sector bodies, charities and small businesses employ only a handful of people, and therefore would not be eligible to apply individually to the future jobs fund. South Ribble seeks to bring a number of partners together to support small businesses and bodies in the charitable and voluntary sector that employ people in ones and twos. Will my right hon. Friend reassure me that bids made by such partners will be acceptable?

Yvette Cooper: My hon. Friend is right. May I congratulate him on the work that he does on the subject, to support jobs in his constituency? We want partners to come together to put forward proposals. That includes drawing on not only small businesses but small charitable organisations and other kinds of small groups that may be able to provide help. We set up the programme as we did in order to be able to deliver very rapidly more than 100,000 youth jobs, with a further 50,000 for the most deprived areas. It is an ambitious programme, but we think it is the right one, given the need to support people through a difficult time as a result of the world recession.

Mr. Stewart Jackson (Peterborough) (Con): What response will the Secretary of State make to the Centre for Cities report, published last week, which shows that the future jobs fund is quite inadequate for dealing with the likely number of youth unemployed, which will rise to approximately 350,000 by the end of 2011? That rise will have a big impact in places such as Sunderland, Barnsley, Swindon and Peterborough. What action is the Department for Work and Pensions taking to ameliorate the concerns raised in the report?

Yvette Cooper: It is exactly in order to prevent long-term youth unemployment, and long-term unemployment across the board, that we are investing in measures such as help for people who have been out of work for six months, and additional support for people from the very day they lose their job. If we can start bringing unemployment down faster than it came down in the early '80s and early '90s, it helps not only families who would otherwise be scarred by long-term unemployment but the wider economy and the public finances. That is why it is right to make that investment. The hon. Gentleman's comments would be rather more credible if he and his party supported the £1 billion future jobs fund, which is so critical to giving opportunities to the young people he mentions.

Employment Programmes

11. **Mr. Stephen Hepburn** (Jarrow) (Lab): What assessment she has made of the effectiveness of her Department's programmes aimed at assisting people into work; and if she will make a statement. [282357]

The Minister for Employment (Jim Knight): Over the past decade, the new deals and employment zones have led to a major transformation in employment support for long-term jobseekers, helping more than 2 million people to move into work. Our active labour market policies have helped to reduce the number of lone parents on income support by more than 290,000 since 1997, and the number on incapacity benefits by 160,000 from its peak in 2003. Our benefit reforms and the success of our employment programmes mean that the numbers of people on benefit are not escalating as they did in the last recession.

Mr. Hepburn: Although I appreciate all the efforts that the Government have made on the issue, the Minister will appreciate that in certain parts of the country, such as Tyneside, there are areas where persistent and stubborn unemployment is far greater than in other parts of the country. Will he tell us what he intends to do to try to solve that ingrained problem?

Jim Knight: My hon. Friend makes sure that I do not forget the particular problems that his constituents face in Jarrow, and those faced in the area around his constituency. Through the working neighbourhoods fund, and particularly through the future jobs fund, I hope he will be able to engage with us and continue to act as a strong advocate for his area. I hope he will ensure that we take advantage of the £1 billion future jobs fund, which Labour Members are supporting, to make sure that we get as much activity going as possible, and get real work—real sustainable jobs—in his area.

Mr. Ken Purchase (Wolverhampton, North-East) (Lab/Co-op): The Minister will have seen, I hope with alarm, reports in *The Observer* newspaper suggesting that there is widespread fraud among those in the private sector who are supposed to be assisting people into work. He will perhaps know from constituents, as I do, of job creation schemes that are frankly job substitution schemes. What action is he taking to root out that fraud wherever he finds it? Will he ensure that we think very carefully before there is any further privatisation of that service?

Jim Knight: Naturally, we take any incident of fraud extremely seriously. We have robust systems in place to discover incidents of fraud, as has happened in the majority of cases that are being reported. One provider was highlighted by *The Observer* yesterday, and I am aware of another. To my knowledge, there is no evidence of any systematic fraud on the part of those providers. Indeed, the private sector providers have got 250,000 people into work. Those are individuals with whom Jobcentre Plus has been working for a considerable period and has not managed to get into work, but thanks to payment by results, we are getting good results from the private sector providers.

Jobseeker's Allowance (Preseli Pembrokeshire)

12. **Mr. Stephen Crabb (Preseli Pembrokeshire) (Con):** How many jobseeker's allowance claimants there were in (a) the UK and (b) Preseli Pembrokeshire constituency on the latest date for which figures are available. [282359]

The Minister for Employment (Jim Knight): In May 2009, there were 1,516,921 jobseeker's allowance claimants in Great Britain, and 1,416 in the Preseli Pembrokeshire constituency.

Mr. Crabb: Unemployment in my constituency has gone up by more than 100 per cent. in the past 12 months. One piece of good news is the new RWE gas-fired power station, which will create 2,000 jobs during its construction phase at the site in Pembroke. My constituents well understand that Ministers cannot guarantee jobs for British workers, let alone Pembrokeshire workers, but what steps has the Minister taken through his Department and through Jobcentre Plus to ensure that people in my constituency are at the front of the queue for the construction and engineering jobs being created at that site?

Jim Knight: The hon. Gentleman is clearly right: as a result of the global recession—the first global recession for many years—unemployment has risen, but he will of course have noted that long-term unemployment has fallen by 94 per cent. in his constituency, and long-term youth claimant unemployment has fallen by 73 per cent. in his constituency. The important thing for us is that we have a sufficiently active welfare state to turn people around when they become unemployed and get them back into work as quickly as possible. Thanks to the welfare reforms that the Government have put in place, we have made good progress on that. As for getting his constituents to the front of the queue, I continue to meet my colleagues at the Department for Business, Innovation and Skills and work through some of those interesting issues.

Andrew Miller (Ellesmere Port and Neston) (Lab): In constituencies such as that of the hon. Member for Preseli Pembrokeshire (Mr. Crabb) and in mine, where technology has removed many jobs from the petrochemical sector, there have been structural changes over recent years that have required a change of approach by everyone—local authorities, the Department and employees in the community. Will my right hon. Friend ensure that he works closely with the Department for Business, Innovation and Skills and the Department for Communities and Local Government to ensure that the structural changes that are going on are supported by the Government, and that we see moves into the new kinds of jobs as quickly as possible?

Jim Knight: I can certainly give my hon. Friend that reassurance. In my new role I will be working closely with the Department for Business, Innovation and Skills and the Department for Communities and Local Government. One of the things that I am particularly keen to pursue are the opportunities created by bringing together skills and business in a single Department so that we can ensure we are keeping pace with the sort of changes that my hon. Friend mentions, and linking them into the employment work that we do in the Department for Work and Pensions.

Jobseeker's Allowance (New Forest, West)

14. **Mr. Desmond Swayne (New Forest, West) (Con):** How many jobseeker's allowance claimants there were in (a) the UK and (b) New Forest, West constituency on the latest date for which figures are available. [282361]

The Minister for Employment (Jim Knight): In May 2009, as we have just heard, there were 1,516,921 jobseeker's allowance claimants in Great Britain, and 963 in the New Forest, West constituency.

Mr. Swayne: That figure of 963 has increased faster than the comparable figure in almost any other constituency in the land, principally because of the large number of small businesses that are located in the New Forest, many of which have very good order books but have cash flow problems. Were the zombie banks able to lend to them, they would have survived. Does the Minister agree that if the Government had got on the case and had a much more impressive loan guarantee scheme on the books earlier, those businesses would have survived?

Jim Knight: Certainly I am aware of the increase in the claimant rate in the hon. Gentleman's constituency. He can give statistics based on proportions that start from a very low base; I can give him back statistics based on the actual numbers, which make the picture look slightly better. On his substantive point, it is important that the Government support small businesses. I, myself, ran a small business for 10 years before entering Parliament, and he will of course have noted and been pleased that Her Majesty's Revenue and Customs helped more than 100,000 businesses by allowing them to delay their payments to it. That is far more effective than what he has talked about—and probably does not have the money to fund.

Mr. Speaker: Ms Keeble.

Ms Sally Keeble (Northampton, North) (Lab): Question 15, Mr. Speaker.

Mr. Speaker: I was calling the hon. Lady on Question 14.

Ms Keeble: In relation to people in the building industry claiming jobseeker's allowance, real problems have been raised in my constituency about their ability to obtain it because of their special employment status. Will my right hon. Friend comment on that and agree to meet me to discuss their problems further?

Jim Knight: It is always a delight to meet my hon. Friend, and I should be very happy to do so in this case; it will be a relief not to have to talk about the problems of the schools in Northampton when I do. There is clearly an issue for large numbers of construction workers who are self-employed and have chosen to pay class 2 rather than class 1 national insurance contributions. That decision removes their right to some entitlement-based jobseeker's allowance, but I am happy to discuss the issue with her. She will understand that there is a basic principle involved, but I hope that her constituents understand also that, thanks to the Government's accelerated introduction of capital spending, the public sector is doing a lot to help the construction industry.

Topical Questions

T1. [282370] **Mr. Philip Hollobone** (Kettering) (Con): If she will make a statement on her departmental responsibilities.

The Secretary of State for Work and Pensions (Yvette Cooper): Tomorrow marks the end of the first round of bidding for the £1 billion future jobs fund. The information that we currently have leads us to expect several hundred bids from a range of organisations: local authorities in particular, heritage organisations, third sector organisations and other groups. They are proposing jobs in a range of sectors, including green jobs, public services and housing. We are also seeking further bids over the summer because we want to create 150,000 jobs throughout the country. Shortly, the Prime Minister will set out in his statement further steps that we are taking to ensure that young people are not left behind and that another generation is not lost to work.

Mr. Hollobone: At a time when businesses have enough on their plate, is it not unethical, underhand and an abuse of taxpayers' money for the ethnic minority employment task force in the right hon. Lady's Department to send out false job applications with foreign-sounding names to try to smear businesses with allegations of racism?

Yvette Cooper: That is simply not an accurate description of what is happening. In fact, the task force has funded a research project to look at whether there is discrimination in particular areas as part of its work to ensure that people from all ethnic minorities get on, find jobs and have proper opportunities in work.

T3. [282372] **Laura Moffatt** (Crawley) (Lab): It is a pleasure to see you in the Chair, Mr. Speaker.

People with disabilities are very keen, even in this challenging job market, to be able to continue to look for jobs, and the welcome that they receive in job centres is central to that. Will my hon. Friend assure me that people with disabilities are dealt with properly, and that access issues are dealt with, so that wheelchair users achieve access and are dealt with as we would expect to be dealt with?

The Parliamentary Under-Secretary of State for Work and Pensions (Jonathan Shaw): I thank my hon. Friend for that question. There are disability employment advisers in each job centre, and they are able to advise potential employees about a range of support programmes, including the access to work programme that I referred to earlier, which will double over the next few years. There is an additional £8 million this year. Indeed, we are striving to assist people who are furthest from the labour market, including people with mental health issues and learning disabilities. There will be no let up in helping disabled people to get into work.

T4. [282373] **Mr. Alistair Carmichael** (Orkney and Shetland) (LD): The Minister for Employment will be aware that, according to last week's figures, the rate of unemployment is growing twice as fast in Scotland as it is throughout the UK. Indeed, in my constituency, we have seen a 74 per cent. increase in 12 months. Does he agree it is absolutely crucial that Governments in Edinburgh and London work together to tackle the growing problem of unemployment in Scotland? What contact has he had with Scottish Government Ministers to tackle it?

The Minister for Employment (Jim Knight): The hon. Gentleman is, of course, right: we need to ensure that the Government in Westminster work closely with the Scottish Government and local authorities in Scotland, including in the hon. Gentleman's constituency, to tackle unemployment. He will be pleased to know that my right hon. Friend the Secretary of State will be in Scotland next week. She will meet Fiona Hyslop, the Minister, to discuss those matters.

T5. [282376] **Mrs. Madeleine Moon** (Bridgend) (Lab): In June, the director for enterprise and business at Remploy invited senior managers to a hotel in Leeds for a brief training course, lasting from 12 until 4.30, followed by a black-tie dinner, an overnight stay at a hotel, a non-business speaker and a race evening. Would it not have been more appropriate for that public money to have been spent on helping unemployed disabled people in constituencies such as mine, which has a Remploy factory, rather than on jollies for Remploy business managers?

Jonathan Shaw: I am grateful to my hon. Friend for raising that point. It has been alleged that the event cost £50,000, but she will be aware that that is not the case—the cost was more like £14,000. The hotel fee was about £120 a night, which I think hon. Members would consider a reasonable amount. MPs and others have been requesting that the sales team improve; the event brought together all the work force and sales team so that they could get additional sales. That was the purpose of the day.

At the end of the evening, there was a non-business speaker—a Paralympian motivational speaker. The focus of the day, however, was on improving sales. That is what my hon. Friend wants in Bridgend and what we all want in Remploy factories across the board. It is right that the company should focus on improving sales; if it was not doing so, I am sure my hon. Friend would have other words to say.

T6. [282377] **Mr. David Gauke** (South-West Hertfordshire) (Con): The Institute for Fiscal Studies has projected, on the basis of DWP figures, that expenditure on social security and tax credits will increase by 1.7 per cent. per year between April 2011 and March 2014. Do Ministers accept those assumptions? If they do not, do they have alternative numbers?

Yvette Cooper: As the hon. Gentleman will be aware, the IFS does its own analysis. As he will also know, we do not set forecasts for unemployment. However, we are clear that the more we invest at this stage to help people back into work, the faster we can bring unemployment down. That will cut social security bills in future and allow us to provide more investment in important public services—unlike the Conservative party, which would prefer to make public sector cuts.

T7. [282378] **Mr. David S. Borrow** (South Ribble) (Lab): This year, Conservative-controlled South Ribble borough council has cancelled its apprenticeship programme, and I have been trying to persuade it to reverse the decision. Is there anything that my right hon. Friend can do to help me to provide the council

with some incentive to help young people in my constituency into apprenticeships, perhaps through the future jobs fund?

Yvette Cooper: I am disappointed to hear that from my hon. Friend. We hope that not only his local council but councils across the country and organisations in the private and public sectors will work with us to help young people into training and employment at this critical time. We want to expand the apprenticeships scheme and we are working to get as much support as possible for it and for the future jobs fund. I shall be happy to talk to my hon. Friend further about the issue because the Local Government Association generally supports the future jobs fund. It is working to support additional bids for the fund and for apprenticeships across the country. That makes South Ribble borough council's pulling out of apprenticeships all the more disappointing. [*Interruption.*]

Mr. Speaker: Order. There is quite a lot of chuntering going on, mainly by people who have just entered the Chamber.

Miss Julie Kirkbride (Bromsgrove) (Con): Ministers will be only too sadly aware that the United Kingdom has the highest level of youth unemployment in Europe and that the figures are likely to be added to during the summer, as many thousands of graduates leave university and look for work. Can the Minister help me to tell my constituents what advice and help will be available to them as they try to find a place in the job market?

Jim Knight: As I said earlier, young people, like others, are affected by the worldwide recession. It is worth noting, however, that long-term youth claimant unemployment is still 56.6 per cent. lower than it was in 1997. We are being successful in quickly turning around people, including young people, who are becoming unemployed. The hon. Lady will be aware that when my right hon. Friend the Secretary of State for Communities and Local Government was at the Department for Innovation, Universities and Skills, he announced an internship scheme in order to help graduates leaving university. Over the summer we will be talking more about that, as well as other opportunities for school leavers, including the September guarantee, which the hon. Lady's party opposes.

Mr. Lindsay Hoyle (Chorley) (Lab): I think those on the Front Bench are well aware that the biggest problem is pensioners' entitlement to allowances and benefits, millions upon millions of which, however it is dressed up, go unclaimed each year. What more are Ministers going to do to ensure that those pensioners get the money they are entitled to?

The Minister of State, Department for Work and Pensions (Angela Eagle): Take-up of pension credit is close to 70 per cent., and that has taken 900,000 pensioners out of poverty. Since 1998-99, there has been a reduction from 29 to 18 per cent. in the proportion of pensioners on relative low incomes. We continue to do all we can to encourage take-up of pension credit among those who are entitled to it. I would be happy to assist my

hon. Friend in doing what he can in his own constituency to get every single pensioner who is entitled to claim pension credit claiming it.

Sir Patrick Cormack (South Staffordshire) (Con): I congratulate the Secretary of State on her appointment. Will she agree to receive the hon. Member for Stafford (Mr. Kidney), who I am delighted to see on the Front Bench, and me to discuss the plight of the 70 Equitable Life victims whom we met at a meeting in my constituency just two weeks ago?

Yvette Cooper: The hon. Gentleman will know that as a result of the Treasury's response to the parliamentary ombudsman's report, Judge Chadwick is looking into the circumstances around the events at Equitable Life in order to be able to provide additional support for the people who have been affected by them. I am sure that the Treasury will keep the House informed.

Dr. Brian Iddon (Bolton, South-East) (Lab): It seems that more and more of my constituents who were previously employed full time are getting new jobs with employers but on a self-employed basis. That puts the employer at a great advantage and the employed at a severe disadvantage, especially if they become sick or seek jobseeker's allowance. What are the Government doing to stop this nonsense?

Jim Knight: Clearly it is important that those individuals are well represented if they are being forced to do things against their will, and I hope that they are members of trade unions so that they can receive that kind of representation. Those who are self-employed need to take good advice on whether they could volunteer to pay class 1 or class 2 contributions. Those who opt for class 1 contributions should then pay in so as to be able to claim if they need to as a result of becoming unemployed.

David Howarth (Cambridge) (LD): Will Ministers agree to meet a delegation from Cambridge to discuss the deeply disappointing result of the broad market rental area review for Cambridge, which means that hundreds of Cambridge residents will continue to be in a position whereby their housing benefit is forcing them to move out of the city—a situation that the valuation office says results from the state of the legislation, not any discretion on the part of that organisation?

The Parliamentary Under-Secretary of State for Work and Pensions (Helen Goodman): The hon. Gentleman may be aware that we will shortly be publishing a Green Paper on housing benefit. When we do, we will look at

how to create a system that combines efficiency with maintaining work incentives and is fair to people across the country.

Joan Walley (Stoke-on-Trent, North) (Lab): My hon. Friend will be aware of the jobseeker's pledge that my hon. Friend the Minister for the West Midlands launched today in Stoke-on-Trent to create 250 apprenticeships in the public sector in Stoke-on-Trent and north Staffordshire. Will he give me an assurance that the Department for Work and Pensions and jobcentre staff will do everything possible to ensure that we get local apprentices in those local jobs?

Jim Knight: I certainly did note the announcement by the Minister for the West Midlands, and I pay tribute to Staffordshire county council, Stoke-on-Trent city council, Staffordshire fire and rescue service and Keele university in particular for coming forward with apprenticeship pledges. It is crucial that we integrate skills and employment more, and I hope that the bids for the future jobs fund—the £1 billion fund that the Conservative party opposes—will include bids for apprenticeship places as part of that integration.

Sir Nicholas Winterton (Macclesfield) (Con): The jobcentre in Macclesfield is working exceptionally hard to get people back into work. Would that HBOS, a bank bailed out by the taxpayer, would do the same. It appears to be more interested in taking in administrators undertaking the liquidation of companies, because of the big fee that they get, and working in cahoots with an asset-stripping company. Will the Government do something about getting banks such as HBOS to be more sympathetic and understanding about saving jobs rather than losing them?

Yvette Cooper: The hon. Gentleman will know that the Government did a lot to ensure that the major banks did not crash in the autumn, which would have put people's savings at risk and would of course have had major job consequences and wider, catastrophic consequences for the entire economy. He will know, too, that regional Ministers and the regional development agencies are continuing to work with the banks that are going through restructuring, to support jobs in every part of the country.

I am glad that the hon. Gentleman paid tribute to the work of Jobcentre Plus, which he will know is doing considerable and laudable work across the country in advance of redundancies being made, as well as to help people who have unfortunately been made redundant and need help and investment to get them back into work.

Building Britain's Future

3.31 pm

The Prime Minister (Mr. Gordon Brown): With permission, Mr. Speaker, I should like to make a statement on the draft legislative programme—our plans to build a stronger, fairer and more prosperous Britain.

In the past year we have taken action to prevent a collapse of banks, to protect home owners against recession and to maintain vital investment in public services at the time when people need them most. Now, as we seek to move our economy out of recession, we are setting out the steps that we propose to support growth and jobs in the economy.

In the last two recessions, tens of thousands of young people were written off to become a generation lost to work. That is a mistake that this Government will not repeat. So today we are announcing new measures, to be paid for from the spending allocations made in the Budget and from switching of spending, to meet new priorities that include creating new growth, new jobs and new housing. Targeted investments to support jobs and strengthen growth are also the surest and fastest way to reduce deficits and debt in every country.

So my first announcement is about new jobs for young people. Starting from January, every young person under 25 who has been unemployed for a year will receive a guaranteed job, work experience or a training place. In return—I believe there will be public support for this—they will also, from next spring, have the obligation to accept that guaranteed offer. This is the first time that any Government have guaranteed that jobs and training will be available to young people and, crucially, made it mandatory for young people, if there is a job available, to take that work up or have their benefits cut if they do not do so. To underpin that guarantee, as part of the investments that we announced in the Budget, £1 billion is being set aside for the future jobs fund, which will provide 100,000 jobs for young people, with another 50,000 in areas of high unemployment.

From this September we will also realise our pledge to all school leavers that every 16 and 17-year-old will receive an offer of a school or college place, or a training place or apprenticeship. Also from this September, we will offer 20,000 new full-time community service places. That will complement the help for adults who have been unemployed for six months, who will get access to skills training or a jobs subsidy—part of about £5 billion that we set aside in the Budget and pre-Budget report for targeted support for jobs and training in this country.

In total, through the action taken so far, and by rejecting the view that Government should cut investment in a recession, we are preventing the loss of about 500,000 jobs. Our continued investment in giving immediate help through Jobcentre Plus to people made unemployed is already making a difference, with each month about 250,000 people moving off unemployment.

New jobs for the future will also come through making the necessary investments in low-carbon energy, digital technology, financial services, bioscience, advanced manufacturing and transport. Those are the building blocks of the competitive economy of the future, so we will use the Queen's Speech to ensure that the British economy is best placed to take up those opportunities.

First, the new energy Bill will enable us to support up to four commercial-scale carbon capture and storage demonstration plants for Britain. The Bill complements the £1.4 billion of public investment provided in the Budget for low-carbon energy, and up to £4 billion now on offer from the European Investment Bank. In addition, following our reforms to the policy, planning and regulatory regimes in this country, we will see between now and 2020, as we meet our renewable energy targets, around £100 billion invested by the private sector. Those investments will make Britain a major global player in low carbon, with another 400,000 green jobs by 2017, taking British employment in the sector to well over 1 million.

Secondly, the digital economy Bill will help underpin our commitment to enable broadband for all by 2012, working towards a nationwide high-speed broadband network by 2016, with additional Government investment unlocking new jobs and billions of additional investment from the private sector.

Thirdly, a new innovation fund will be announced today by the Minister for Science and Innovation. It is £150 million of public money, which will, over time, lever in up to £1 billion of private sector investment in biotechnology, life sciences, low-carbon technologies and advanced manufacturing.

Over the coming weeks, the Transport Secretary will set out plans to advance the electrification of transport, cutting rail carbon emissions on newly electrified lines by around one third. Lord Davies will lead a new drive to improve the country's infrastructure, thus increasing the efficiency with which projects are taken forward, with the establishment of a new body, Infrastructure UK. An asset sales board will work with the shareholder executive to achieve our £16 billion assets sales target—money that can be redirected to public investment. Those investments will strengthen our economy and create new jobs. We believe that investment by the Government and the private sector will enable the economy to create 1.5 million new skilled jobs in Britain in the next five years.

In every part of the country, there is an urgent need for new social housing and for new affordable home ownership. So the Minister for Housing is announcing that in the next two years—from the re-allocation of funds—we will more than treble the extra investment in housing: from the £600 million announced in the Budget to a total of £2.1 billion from today. That will finance over the next 24 months a total of 110,000 affordable homes to rent or buy and in doing so create an estimated 45,000 jobs in construction and related industries.

By building new and additional homes we can now also reform social housing allocation, enabling local authorities to give more priority to local people whose names have been on waiting lists for far too long. We will consult on reforms to the council house finance system to allow local authorities to retain all the proceeds from their own council house sales and council rents. We want to see a bigger role and responsibility for local authorities to meet the housing needs of people in their areas.

We will continue to take forward the far-reaching reforms of financial supervision, upon which we have embarked, domestically and globally, since the financial crisis hit in 2007. For those who argue that that issue is falling off the agenda, let me make it clear: sorting out

[The Prime Minister]

the irresponsibility and regulatory weaknesses that led to the crisis remains an urgent imperative, to which we will continue to give priority at home and abroad.

The financial services and business Bill will ensure better consumer protection, including a ban on unsolicited credit card cheques. In addition, the Financial Services Authority is taking action to ensure that there can be no return to the old short-termist approach to executive pay in the banking sector. [Interruption.]

Mr. Speaker: Order. I apologise for interrupting the Prime Minister. Mr. Barker, you need to simmer down a little.

The Prime Minister: To help tackle tax avoidance, the Treasury is publishing today a new tax code for banks.

Alongside our strategy for growth and jobs, we will introduce new legislation: for education, to address child poverty, and for policing. In doing so, we will create a new set of public service entitlements for parents, patients and citizens—securing for them more personal services tailored to their needs. For patients in the health service, that will mean enforceable entitlements to prompt treatment and high standards of care: a guarantee that no one who needs to see a cancer specialist waits more than two weeks; a guarantee of a free health check-up on the NHS for everyone over 40; and a guarantee that no one waits more than 18 weeks for hospital treatment.

The Health Secretary will bring forward proposals later this year to focus the NHS further towards prevention and early intervention; to extend the choices for people to have treatment and care at times that suit them and, whenever possible, in their own homes; and to reform and improve maternity and early-years' services. We will shortly consult on far-reaching proposals for how we need to modernise our health and social care systems, so that our country can meet the challenge of an ageing society.

The second set of public service entitlements will be for parents, with a guarantee of individually tailored education for their children, as part of far-reaching reform in the schools system. I want all our children to have opportunities that are available today only to those who can pay for them in private education. It is right that personal tutoring should be extended to all who need it, so there will be a new guarantee for parents of a personal tutor for pupils at secondary and primary schools and catch-up tuition, including one-to-one tuition for those who need it.

So that every school in our country is a good school and so that we meet the national challenge to eliminate underperforming schools by 2011, we will see the best head teachers working in more than one school, as we radically extend trusts, academies and federations to increase the supply of good school places throughout our country.

The third set of new public service entitlements is the offer that neighbourhood police teams can make to all citizens in every community. Already—since last April—there are 3,600 teams in place, offering to every part of the country policing tailored to the community's needs. We will now go further and give guarantees to local

people that they will have more power to keep their neighbourhoods safe, including the right to hold the police to account at monthly beat meetings, to have a say on CCTV and other crime prevention measures and to vote on how offenders pay back to the community.

Our policing, crime and private security Bill will give the police more time on the beat, by changing and reducing the reporting requirements for police officers on stop-and-search forms, as well as new rights to ensure that women are better protected against violence. That will take account of recommendations made in response to our consultation on violence against women and girls, which will be published this autumn. We will also legislate to ensure protection for children, with a new and strengthened system of statutory age ratings for video games.

Because British citizenship brings responsibilities as well as rights, we will now require newcomers to earn the right to stay, extending the points-based system to probationary citizenship. The more someone contributes to their community, the greater their chance of becoming a citizen.

The Foreign Secretary will introduce legislation to prohibit the use, development, production, stockpiling and transfer of cluster munitions, bringing into British law the international agreement that we led the way on signing last year.

Building Britain's future must clearly start here in this Parliament with our commitment to cleaning up politics and establishing a new and strong democratic and constitutional settlement to rebuild trust in politics. I can announce today, on the House of Lords, that we will legislate in the next Session to complete the process of removing the hereditary principle from the second Chamber and provide for the disqualification of Members where there is reason to do so. We will set out proposals to complete Lords reform by bringing forward a draft Bill for a smaller and democratically constituted second Chamber.

There is a real choice for our country: driving growth forward or letting the recession take its course; creating jobs for the future or doing nothing. We will not walk away from the British people in difficult times. Our policy is to build the growth, the jobs and the public services that we need for Britain's future. I commend this statement to the House.

Mr. David Cameron (Witney) (Con): The Prime Minister talks about building Britain's future, but is it not time that the British people were asked whether they want him to be part of it? There was no recognition in that statement that Labour has been in office for 12 years and no recognition of the catastrophic state of the public finances. The Prime Minister is living in a dream world where spending is going up, investment is going up and infrastructure is being boosted. When is someone going to tell him that he has run out of money? He talked, for instance, about housing. Let me give him just one figure: house building today is at its lowest level since 1947. People are entitled to ask: simply what world is he living in?

I expect that, like me, Mr. Speaker, you will have been thinking that you had heard a lot of that statement before—and not just because the Prime Minister ignored your injunction and leaked most of it in advance. It is because we have heard most of it before. How many

times has the country been told to expect the Prime Minister's vision? How many times have we been told to expect a string of policy announcements that was going to involve bold reform? Every single re-launch collapses, and did that not happen more quickly than usual today? At 7.50 am, Lord Mandelson took to the airwaves and promptly sank the whole thing by cancelling the Government's spending review. So, is not what we have today a package without a price tag? It is just a combination of rehashed initiatives, ideas taken from the Opposition and some timid, bureaucratic, top-down tinkering.

I have to admit that there are some good things in the statement—[HON. MEMBERS: "Ah!"] Yes—that is because we thought of them. The future fund, carbon capture and storage demonstrations—[*Interruption.*]

Mr. Speaker: Order. The Leader of the Opposition must be heard.

Mr. Cameron: At least they can read and take dictation. For example, the Government are saying, "If you don't take the job, you won't get the benefits." We announced that at our party conference two years ago. Every year, the Prime Minister says that we do not have any policies, yet every year he fills his draft legislative programme with them.

Much of the rest of the programme has been rehashed from previous years. The simplification of our immigration rules, for example, was announced in last year's programme. The floods Bill was recommended in 2007, announced in 2008 and re-announced again this morning, in 2009. One-to-one tuition and the NHS check-ups were both announced last year—[HON. MEMBERS: "We are doing that."] Well, you should be doing it by now.

The Constitutional Renewal Bill is now back for the third time in a row. This time, it is apparently going to include Lords reform—but the Prime Minister has not been reforming the House of Lords; he has been stuffing it with his cronies. I stuffed it with one of his cronies, too; he is on our side now. Is not the real renewal that our country needs not a Bill but a general election?

Where is the Heritage Protection Bill that was announced last year? Where are the regulatory budgets that the Prime Minister announced as a way of cutting red tape on business? We have heard not a word about the legislation on the Royal Mail. That was to be the great virility test for the Prime Minister's reforming zeal—remember? Where is it? Stuck in the post? We were promised a Second Reading before the summer recess. Where is it? Lord Mandelson said in today's *Financial Times* that he was finding himself "jostled" out of the programme. I cannot believe that Lord Mandelson of upgrade has ever been jostled out of anything, but there we are.

Let me make the Prime Minister an offer. If he has not got time in his packed parliamentary schedule to get his Royal Mail reforms through, would he like to use the time allocated for our Opposition day debate next week for the Bill's Second Reading? Would he welcome that? Just nod—[*Interruption.*] Is there anybody out there? Is there anybody in there? So much for all his talk about tough decisions: he has bottled it once again.

The Prime Minister claims that there are three themes in his statement: the economy, public services and political reform. Let me ask him a couple of questions about

each. First, on the economy, he talks about what he is doing for the unemployed. Will he confirm that the number of young people who are not in employment or training was higher than a decade ago even before the recession began, and that there are now 1 million of our fellow citizens in that situation? On banking, do we not need to recognise that the whole system has failed? That is why we are planning to end the whole tripartite system, to give new powers to the Bank of England and to let the Bank call time on debt. Is not what we have got from the Government just tinkering with a system that does not work, from a Prime Minister who set it up and cannot afford to admit that he got it wrong?

On public finances, when will the Prime Minister address the fact that Britain is heading for the worst budget deficit in the developed world? To listen to his statement, one would think that the Treasury were rolling in money. When is someone going to tell him that it has run out? Let me read out what the OECD said only this morning. It said that the Government had to be more "ambitious" and more "explicit" about the need for spending cuts. The OECD is joining a growing list—from the Institute for Fiscal Studies to the Governor of the Bank of England, and, in private, half the Cabinet—of those who admit that he has got to be straight with people on spending. So let me ask the Prime Minister a very simple question: will there be a spending review before the general election? This morning, the First Secretary said that there would not, then the Treasury said that there might be. Who speaks for the Government? Any household or company faced with that level of debt would start to get it under control. Is it not essential to start reviewing spending now?

If the first big failure of today's announcement is the lack of honesty on spending, the second is surely the lack of real reform in our public services. I suppose, however, that we should be grateful for one thing: year after year, this Government and this Prime Minister have promoted and defended their targets culture; today, they have finally admitted that they were wrong all along. But let us make no mistake: the proposals are about top-down, bureaucratic tinkering, not real reform.

On schools, the Prime Minister talks about putting power in parents' hands, so why is he replacing the raw data of school league tables with manufactured report cards? On the police, why is the Prime Minister just talking about empowering citizens, rather than giving them the chance to vote for their elected representatives? On health, why is he restricting people's choices rather than letting them and their GPs choose where they get treated?

Then there is the addiction to the initiative. Let us take just one—the parenting order. It is apparently the big, new idea on school discipline, but it was actually announced in September 2004. In the past five years, how many pupils have been disciplined in that way? A big fat zero. That is the truth behind the Government's announcement. The truth about today's statement is that it serves only to highlight the decline of this Government. Their money has run out, their political capital is running out, and now their time is running out.

Will the Prime Minister answer two specific questions? First, will there be a comprehensive spending review? Secondly, will he bring forward the legislation on the Royal Mail before the summer recess?

[Mr. Cameron]

What we have seen today is yet another re-launch—a re-launch without a price tag. Is it not clear to the whole country that the only way to sort out our finances, to get real reform of our public services, and to build Britain's future, is to change this wretched Government?

The Prime Minister: The big question in this country is how to return to growth and secure extra jobs in the economy. The right hon. Gentleman has made not one policy suggestion that could get us moving in the right direction. We have announced that unemployed young people will get jobs after they have been unemployed for a year, and that is mandatory. His policy is to do absolutely nothing. We have announced an autumn guarantee for school leavers so that they can get jobs or training. His policy is to do absolutely nothing. We have announced help for unemployed adults in a way that no other Government have done before. His policy is to do nothing. We have announced new help for social housing today. His policy is to do absolutely nothing and to leave people without homes. We have announced new help for owner-occupiers today. His policy is to do nothing.

In every area in which the country is looking for a Government who will bring growth and jobs, the policy of the Opposition is to do nothing but cut public spending this year, next year and then by 10 per cent. in future years. That policy will neither create jobs and growth, nor reduce debt and deficits. It would bring worse debt and worse deficits.

As for public services, the Government were right to set targets for the future. Cancer waiting lists would not be down to two weeks had we not set a target and invested in the future. Hospital waits would not be down to a maximum of 18 weeks had we not set the targets and made the investment. GP surgeries would not be open in the evenings and at weekends had we not been prepared to make tough decisions. We will not build the health service of the future without the necessary investment.

The right hon. Gentleman wants to move from targets to a simple free-for-all. We want to move from national targets to personal entitlements, which people will see delivered as a matter of course, for shorter waiting lists, better treatment and, in schools, for parents to have more rights. But the Conservative party wants to cut spending and to cut the responsibility on public servants to deliver the service.

The right hon. Gentleman agreed with us on one—
[*Interruption.*]

Mr. Speaker: Order. Mr. Duddridge, we do not need you to bellow away from a sedentary position. It is much to the benefit of the House if you do not.

The Prime Minister: As for the Royal Mail, let me make absolutely clear that the Bill that we have put forward is to do a number of things. The first is to save the pension fund of the Post Office; the second is to ensure better regulation of the Royal Mail; the third is to ensure that the universal service obligation is maintained, whereas in other countries it is being reduced; and the fourth is to introduce more capital—more investment—into the Royal Mail. The right hon. Gentleman knows perfectly

well what is happening to the market for investment in this country at the moment. We will continue to push forward with our plans to modernise the Royal Mail.

As far as the comprehensive spending review is concerned, the right hon. Gentleman knows that there was a spending review in 2004 and one in 2007. We have set out plans for 2009-10 and 2010-11. No Government have given more detail on their spending allocations, and we have moved from the annual spending plans that were a feature of the previous Government's way of doing things. We will not make the mistake of pre-announcing ideologically driven public spending cuts—
[*Interruption.*]
Yes, 10 per cent. public spending cuts irrespective of growth, irrespective of employment, irrespective of inflation and interest rates. The Conservatives are now ideologically committed to 10 per cent. cuts in public services. That is not the policy of this Government. We are the party of growth; we are the party of jobs.

The Leader of the Opposition has only two policies: one is to cut public spending, and the other is to cut public spending even more by giving inheritance tax cuts to the very few—300,000 people in this country. For two years, he has been up against me as the Opposition leader. He has put forward no policies for growth, no policies to tackle the recession, no policies for jobs and no policies, but cuts, for our public services.

Mr. Nick Clegg (Sheffield, Hallam) (LD): The Prime Minister and the leader of the Conservatives have just perfected their fake debate on public spending, yet both are treating voters as if they are children, too young to know the truth. This morning, the Government have reneged on their promise to hold a comprehensive spending review before the next election, and the Conservatives are not going to decide on their cuts until the day after it. Neither is willing to come clean on the difficult long-term savings we will need to make to balance the nation's books. It is like a big hoax—they trade insults and numbers, but hide the truth.

There are some announcements—or, rather, re-announcements—that I welcome, not least the ongoing consultation to give local authorities control over housing rents and revenues, the proposals for an elected House of Lords and the commitment to give all young people under 25 a guaranteed job or training place. As ever, however, the devil will be in the detail. This is the 11th announcement on housing since September. The Government's consultation on housing revenue has been grinding on since January, yet 1.8 million people are still waiting for a decent home.

We have been debating reform of the House of Lords—the other place—for more than a century, so now is the time for action, not simply more proposals. The Prime Minister is still silent on some of the wider more radical political reforms we need to clean up British politics once and for all. The hopes of young people to avoid the scrapheap of long-term unemployment must not be dashed in practice once again.

In the drum roll of advance media leaks, we were promised a vision of the future from the Government based on decentralisation and personal entitlements. I welcome any recognition from a party and a Government of arch centralisers that they have got it wrong and that the levers of Whitehall do not provide all the answers. Yet many of the so-called personal entitlements are, on closer inspection, just the recycled versions of the old

targets. Suddenly, the target to receive an operation within 18 weeks of seeing a GP is called an entitlement. Last week, the Prime Minister called the cuts an investment; this week, he is calling a target an entitlement, so can he tell us exactly what is the difference?

When one scratches beneath the rhetoric, the long screwdriver of Whitehall is still in place, because the Prime Minister, the great godfather of big government still cannot really let go. Even as we speak, his Government are giving his Education Secretary—where is he? He is not here—153 new powers in the Apprenticeship, Skills and Learning Bill, including the power to hand-pick children's school books. Is that what he calls "giving power away"? If the Prime Minister really wanted to make sure investment followed individuals, he would have announced a school funding premium tied directly to the most disadvantaged pupils so that they can get the personalised support and tuition that they need on their terms.

Given the likelihood that many of the Prime Minister's proposals will not make it off the pages of the Government's press release and are unlikely to work in practice, does he agree with a senior Government official quoted in today's *Financial Times* who admitted that this Government have

"a fixation on producing endless policy documents—a total lack of interest in delivery"?

All in all, the Prime Minister's statement was a hotch-potch of unrelated Whitehall schemes—a ministerial cut-and-paste job scraped together by a Government without a unifying vision and a Prime Minister running out of steam.

The Prime Minister: The right hon. Gentleman recognises, as we do, that employment is a huge issue. The question is, does he support our proposals or not? We have presented specific proposals for unemployed young people, for adults who need help and for school leavers this summer. The proposals are very precise, and they will give help to people in different communities of this country. The hon. Gentleman could not tell us whether he supported them or not, but I feel that this is the right way forward, and I hope that on reflection he too will consider that those are the right things to do.

In the case of the health service and education, it is right that individuals should now have personal entitlements. We could not have achieved the 18-week maximum wait for hospitals without the investment that we have made and the targets that we have set. It is right that individuals can now be sure that they will have that entitlement when they go to their hospitals wanting health service treatment. It is equally right that parents who need tutoring help for their children who are unable to read or unable to write, or are finding it difficult to count, should receive it when we can give it to them. The hon. Gentleman should support that.

As for the House of Lords, I hope that the hon. Gentleman will now support our proposals for change.

Several hon. Members *rose*—

Mr. Speaker: Order. Thirty-six right hon. and hon. Members are seeking to catch my eye, so I ask for brief questions and, of course, for economical replies.

Mr. Michael Howard (Folkestone and Hythe) (Con): I congratulate the Prime Minister on the close attention he has clearly been paying to the Conservative manifesto for the 2005 election. First we had a points system for immigration; now we have the abolition of top-down targets. Is the Prime Minister not saying, in effect, that the Conservatives were right and he was wrong, and is it not a pity that we have not had a Conservative Government for the past four years?

The Prime Minister: If the right hon. and learned Gentleman's party had been elected in 2005, there would have been massive public spending cuts. That is the policy on which he stood at that election. We would not have had the health investment, the education investment and the investment in our public services that we have seen since 2005.

Sir Gerald Kaufman (Manchester, Gorton) (Lab): Will my right hon. Friend confirm that more jobs, more houses, more and better schools, a better NHS and safer streets offer a hope that contrasts with the rotting Britain that the Government inherited from Thatcher and Major, and to which we would return if the Tories had their way?

The Prime Minister: My right hon. Friend is, as usual, absolutely right. When we came to power we had to invest heavily in the national health service and in education, and we will not see the advances that we made in health and education ruined by another Conservative Government.

Mr. Roger Gale (North Thanet) (Con): The Prime Minister has yet again promised education and training for 16 to 18-year-olds. On the risible assumption that he will keep that promise, may I ask whether he will also fully fund transport to and from those places of education?

The Prime Minister: We will look at all the issues concerning 16 to 18-year-olds, but I must tell the hon. Gentleman that the summer school leavers' guarantee that we are giving is to enable young people who might have left school to stay at school, to embark on training or to obtain jobs. That is progress, and it is unfortunate that the Conservative Opposition have refused to support the policy. Despite what the Leader of the Opposition has said, the Conservative education spokesman has refused to support the summer school leavers' guarantee.

Ms Karen Buck (Regent's Park and Kensington, North) (Lab): Whatever the mythology about queue-jumping, is not the reason we have homelessness, housing waiting lists and overcrowding a long-term failure to build enough affordable homes? While I warmly welcome the additional money, does my right hon. Friend agree that a problem has been caused by the fact that Conservative and other councils throughout Britain have been blocking much-needed new housing development? Will he help to ensure that the money that he is now committing will go where it is needed most, and that those local authorities will not be able to block much-needed new homes?

The Prime Minister: My hon. Friend is a long-term campaigner for more social housing and better housing provision in her area, and she is absolutely right. The money we are making available must be used to improve

[The Prime Minister]

local authority accommodation, to improve social housing and, of course, to build new houses for ownership as well as for rent. We will insist that investment takes place in every area of the country.

Anne Main (St. Albans) (Con): The Prime Minister said that he wanted to give more priority to local housing for local people. How will he make that fit? He could not make British jobs for British workers fit. Surely he does not disagree with the proposition that local people should not be given housing before people who should be given more priority because they are homeless or have large families.

The Prime Minister: I have just announced that more houses will be built, and as a result we can now reform the housing allocation system. That is what I have announced today.

Dr. Tony Wright (Cannock Chase) (Lab): The previous Conservative Government's citizens charter came with no guarantees for citizens. I therefore welcome my right hon. Friend's announcement that this approach will have guarantees attached to it, but can he assure me that there will be a way of enforcing those guarantees?

The Prime Minister: Yes, there will be, and that is possible only because of the investment we have made in the national health service. It is possible to think of having a guarantee of a maximum of 18 weeks before people are treated in hospital only because of our substantial investment in the national health service. If we had taken the advice of the right hon. and learned Member for Folkestone and Hythe (Mr. Howard) when he was Leader of the Opposition, we would not have had that investment in the NHS.

Sir Menzies Campbell (North-East Fife) (LD): In a statement entitled "Building Britain's Future" is not the absence of any reference to defence policy and its financial implications for the British economy a significant omission? Do the Government not now accept that there is an overwhelming and urgent need for a full-scale defence review, to bring commitments and resources into balance?

The Prime Minister: We made a detailed statement on national security last week, when we looked at all the issues surrounding the future national security of this country. I agree with the right hon. and learned Gentleman that it is right to fund the great work that is done by our troops in Afghanistan and other areas around the world, and I agree that it is important that we show that we can fund them well into the future. So far as any future reviews of defence are concerned, it is important for us to remember that we have funded defence services for the next two years.

Ms Dari Taylor (Stockton, South) (Lab): I was delighted to hear my right hon. Friend announce that a new green energy Bill will be introduced in Parliament. I say that because Teesside is a national leader, and has the potential to become a global leader, in the production of green

energy. How, therefore, will this Bill help Ensus, Sembcorp and other companies that are already producing green energy?

The Prime Minister: The proposed legislation in the next Session will help in two ways. First, the energy Bill will make possible new energy investments in our country. Secondly, the innovation fund that I have announced today will be available to companies specialising in low-carbon technologies, to enable them to invest for the future. Britain wants to be, and will be, a leading global player in low-carbon industries, and the innovation fund is one means by which we can help the companies my hon. Friend mentioned.

Mr. John Redwood (Wokingham) (Con): What public spending cuts has the right hon. Gentleman identified to meet the £1,500 million extra for housing?

The Prime Minister: We have reallocated money within both the Department for Communities and Local Government budget and other Departments' budgets to make possible the extra spending. That is why we are able to announce that more than 100,000 houses will be built in the next two years.

Barry Gardiner (Brent, North) (Lab): Does the Prime Minister agree that the statement today on increased housing will be welcomed by the lady who came to my surgery and informed me that she had been told when she went on to the housing list that she would not get a house because she had no children? That lady was recently told that she would no longer qualify for a house because her children had now left home, even though in the 20-year intervening period she had been unable to get accommodation. Does the Prime Minister therefore also agree that there must be a reprioritisation of housing need so that it is based on length of wait?

The Prime Minister: In the last 10 years, we have spent a huge amount on modernising and improving our housing stock. It is right that we spend more money now on building. That is why we have made these new announcements today that at least 100,000 more social houses and houses to buy will be built over the next two years.

Mr. Peter Lilley (Hitchin and Harpenden) (Con): Will the Prime Minister tell us whether any of the ragbag of measures he has announced today involve public expenditure additional to the plans he has already announced, which he will confirm mean that next year we were already set to spend through the public sector almost half the national income, and in some regions of the country 70 per cent. of GDP, which compares with just 60 per cent. of GDP spent by the state in Cuba? Is he proud of his record of almost "out-Castroing" Castro?

The Prime Minister: It is right to invest now to take this country out of recession; every other major economy in the world is doing so. Only the Conservative party in Britain seems to think that we should be cutting spending at this moment. The right hon. Gentleman did not mention jobs. He is a former Social Security Secretary, so he should understand that when people are unemployed and in need of help to get jobs, it is right that we make money available. That is why £5 billion has been allocated

from the pre-Budget report and the Budget to creating jobs for teenagers, creating jobs for the long-term unemployed who are under 25, and creating jobs for adults. That is money that was allocated in the Budget and is now being spent.

Jeremy Corbyn (Islington, North) (Lab): Does the Prime Minister accept that cancelling the Trident renewal programme would save a great deal of money, make the world a safer place and give us the moral authority to encourage wider nuclear demilitarisation all over the world?

The Prime Minister: We have a long-standing policy on Trident, which my hon. Friend disagrees with but which is the policy of the Government and has been voted on in the House of Commons. The most important thing to recognise is that we will work with other countries to secure multilateral disarmament. We have put forward proposals as we go forward to the renewal of the non-proliferation treaty, and we hope that other countries will join us in pushing for collective nuclear disarmament.

Sir George Young (North-West Hampshire) (Con): The Prime Minister has told the House that 45,000 extra jobs will be created in construction by the extra investment in housing. Should he not reduce from that figure the money that he has taken away from whichever Government Department was going to spend it before?

The Prime Minister: No, the main sources of money are underspends in Departments over the course of this year. It is absolutely right to reallocate that money so that we are in a position to spend money on housing and jobs. The £5 billion that we are spending on jobs as a whole was announced in the pre-Budget report and the Budget. We have made reallocations to get money into housing over the course of the next few months. That is the right thing to do—to start building now to ensure that there are more houses for people in this country.

Liz Blackman (Erewash) (Lab): One group of children crying out for more personalised education are those with high-functioning autism, who are often misunderstood. Crucial to their support would be better training for staff, classroom assistants and others. Will he assure me that attention will be paid to that?

The Prime Minister: I admire the work that my hon. Friend has done in supporting those who are concerned about and trying to help those with autism. I met people who are experts in this issue only a few weeks ago to discuss what we as a Government can do and we hope to publish further proposals in due course.

Mr. Nicholas Soames (Mid-Sussex) (Con): I welcome the steps that the Prime Minister has taken on social housing, but does he agree that unless urgent steps are taken to curb immigration this policy will not even begin to deal with the problem?

The Prime Minister: We have introduced a points system to deal with some of the problems that have arisen in the past from immigration. The points system is now in operation and it is working. I ask him to look at the points system and to know that it is working well.

Mr. Andy Slaughter (Ealing, Acton and Shepherd's Bush) (Lab): I, too, welcome the investment in social housing. Does my right hon. Friend realise that many areas of greatest housing need, where social rented housing is the only form of affordable housing, are the same areas in which Conservative councils are knocking down social housing and not building it? How can he ensure that the money that he has announced gets to those areas and is spent on houses?

The Prime Minister: My hon. Friend is absolutely right. The Homes and Communities Agency will have a great responsibility to ensure that houses are built quickly. Let us remember the alternative—a Conservative party that wants to cut spending now, cut spending next year and then cut most major spending Departments by 10 per cent. That will not be forgotten by the electorate.

Julia Goldsworthy (Falmouth and Camborne) (LD): What is the difference between a target and an entitlement?

The Prime Minister: We are moving from national targets, which have served us well in increasing standards in the national health service and in education, to individuals having personal entitlements they can enforce for the service at issue. The 18-week maximum wait for hospitals is now up and working. People can challenge a health authority if they do not feel that they are getting that entitlement for the future. The same will go for schools, giving parents more rights. Having invested in the health service and education, without which it would not be possible to raise standards, it is right that individuals now have more entitlements on which they can draw.

Mr. Russell Brown (Dumfries and Galloway) (Lab): I welcome the Prime Minister's announcement of the £150 million innovation fund, which has the potential to lever in private sector funding that—as he hopes, and as we all hope—will generate a fund of about £1 billion. Does he have a time scale in which we will be able to achieve that?

The Prime Minister: The money is now available for the innovation fund to be set up immediately. Lord Drayson, who is in charge of it, has already been talking to businesses about how they might be able to draw on it. We are determined to move forward so that we are prepared for the growth that will happen in the world economy in the most innovative industries, which include not only low-carbon technology, but advanced manufacturing, pharmaceuticals and biotechnology. Those are some of the big areas from which future growth can come.

Mr. Andrew Mackay (Bracknell) (Con): Will there be a review of Government spending before the general election—yes or no?

The Prime Minister: I have already said that we carried out reviews of spending in 2004 and 2007, and this is a matter for the Chancellor.

Sir Stuart Bell (Middlesbrough) (Lab): The House clearly welcomes the Prime Minister's proposals to put £500 million into housing, thus making it £2.1 billion of additional investment in two years and resulting in the

[*Sir Stuart Bell*]

building of 110,000 homes and the creating of 45,000 jobs. How does that contrast with a policy of cutting investment in a recession and putting 500,000 on the dole queue?

The Prime Minister: There is a choice for this country to make. Last year, the Leader of the Opposition refused to support us when we had to nationalise Northern Rock, but most people now agree that it was the right thing to do. Last year, he refused to support us when we tried to help the unemployed, saying that he would make no further funds available, and he refused to make the money available to help home owners in distress. This year, he is making exactly the same mistake. At a time when we need to invest to create jobs, help people out of unemployment and create growth, the Opposition want to cut spending this year and next year—they even want to cut spending by 10 per cent. in future years. As I say, people will not forget that that is the policy of the Conservative policy, and it will mean huge job losses in teaching, in policing and even in our defence forces.

Peter Luff (Mid-Worcestershire) (Con): Whatever the merits or otherwise of the part-privatisation of the Royal Mail Group and the timing of any such part-privatisation, the Prime Minister was right to say that the relevant Bill deals with other important issues—the pension fund and regulation—but is he aware that something close to regulatory blight is being caused across the entire mail sector by the delay in proceeding with the Bill? Please will he confirm when it will be brought back to this place?

The Prime Minister: I do not accept the hon. Gentleman's first point. We are working with Royal Mail to ensure that it has a viable future. As he knows, the problem is that postal services in every country have been affected by changes in technology. Those changes affect not only the opportunity for jobs in the postal services industry, but the amount of income that is available. Some 450,000 are employed in postal services and we must take their needs into account, including in respect of pensions.

Tom Levitt (High Peak) (Lab): My right hon. Friend is right to say that the interface between the community and policing is where accountability needs to be improved. His correct approach complements what we did in the policing Bill to take the issue of elected authorities out. Will he go a stage further by examining how communities can have more influence on their local environments—on traffic management and other issues that affect those communities? He could thus empower communities, just as he wishes to empower individuals.

The Prime Minister: My hon. Friend is exactly right. The approach he suggests is a way in which we can move forward to give communities more control over their own affairs. He has been a long-standing campaigner for communities having more rights and being able to run their own facilities, and it is the Government's policy to advance that as much as possible.

Mr. Shailesh Vara (North-West Cambridgeshire) (Con): Will the Prime Minister give a specific answer to a question that he has pointedly refused to address so far:

which of the financial proposals he has put forward today comprise new money and which involve recycled amounts?

The Prime Minister: I have said that all the jobs proposals come from money that was allocated in the Budget to jobs but not specifically identified for individual programmes. We have been working over the past month or two to consider how best we can help young people back into work. It was absolutely amazing that when the Leader of the Opposition talked about all the things that he wanted to talk about in his statement he barely mentioned the cause of the unemployed. We are taking action; they would do absolutely nothing.

Mr. Lindsay Hoyle (Chorley) (Lab): My right hon. Friend is aware that this is about being brave, doing the essentials and coming up with schemes such as those he has proposed. It is right to support people at the jobcentres and to say that retraining is very important, but surely we ought to be investing in people who are already in work. That could be done through a short-time working subsidy. Young people need employment and we should have a national jobs summit followed by regional jobs summits. That would bring all the players together—the major employers, the small employers, the unions and the CBI. That is what we have to do, because we have to start pushing forward. Please can we spend the section 106 money held in bank accounts across the country by local authorities, as that could create the housing that we need now?

The Prime Minister: My hon. Friend is right: we want to do more to help people who are worried about their jobs, as well as people who have lost their jobs. That is why we gave extra money to Corus last week to help the firm through difficult times. That is why, at the same time, we have introduced more places on Train to Gain, so that people who do short-time working can get help with training to ensure that they are ready with new skills for the upturn. The working tax credit is giving money to people on short-time working, so that they are kept out of poverty. We are taking whatever action we can to create jobs and to help people who are in jobs.

As for housing, my hon. Friend will see our announcements today, and they are expected to be a stimulus for the private sector also to invest more in housing.

Mr. Elfyn Llwyd (Meirionnydd Nant Conwy) (PC): I welcome the announcement today that local authorities will be able to keep council house receipts, for which the Prime Minister will know we have been campaigning for 10 years. Would he care to reflect on how much better the situation would be had this announcement been made 10 years ago?

The Prime Minister: As a result of the investment that we have put into housing, more than 1 million houses have been repaired and modernised. That was the right thing to do so that we could upgrade our existing housing stock and improve amenities for people. At the same time, it is right now to build, and that is why we have made the announcements today.

Dr. Roberta Blackman-Woods (City of Durham) (Lab): I welcome the statement today, but will my right hon. Friend say whether the Government are paying greater

attention to aligning some of the programmes? For example, contracts for affordable housing could require the use of more renewable energy sources and provide opportunities for training and apprenticeships for our young people and those out of work.

The Prime Minister: My hon. Friend is right. The announcement today about housing is for energy-efficient as well as affordable homes. Therefore, the guidelines that will be laid down will require low-carbon buildings that are better for our future. On apprenticeships and training, we now have a national apprenticeship service that can link young people who want apprenticeships to the firms that have them available. Previously, apprenticeships were very local and often depended on who the young person knew. Now, we can help to direct people to the career of their choice through the national apprenticeship service.

Dr. Julian Lewis (New Forest, East) (Con): In one of 46 press reports in the past two days that have trailed the contents of this statement, the *Financial Times* said:

“Some of the fine details have been held back”—

from the press, following

“the new Speaker’s demands for an end to pre-briefing of policy changes in the media.”

Does the Prime Minister seriously believe that the new Speaker will be content with such marginal concessions?

The Prime Minister: Once again, when it comes to issues of policy, that is all that the Conservatives can talk about. This statement is about policy for the future of this country, and I came to this House to announce it.

Mr. Peter Kilfoyle (Liverpool, Walton) (Lab): I represent a constituency in which high unemployment and low skills have gone hand in hand for generations, something that particularly affects the under-25s. In the 1970s, we had job creation projects, in the 1980s we had youth opportunity programmes and in the 1990s we had the new deal. What I would like to hear is what is qualitatively different about what the Prime Minister proposes today that will have the desired effect, especially on those young people without work.

The Prime Minister: First, it is investment in jobs of £5 billion in total, as a result of decisions that were made in the pre-Budget report and the Budget. Secondly, it is targeted to those areas and those people who need it most—100,000 jobs for young people, and 50,000 in areas of high unemployment. My hon. Friend will find that that will make a difference not only in his constituency, but in his region.

Bob Russell (Colchester) (LD): Prime Minister, in the real world, on Friday, this Government shelved 180 major capital building programmes in the college sector, as the front page of today’s *Colchester Gazette* reports. If the Prime Minister wants to be taken seriously about building for the future for Britain, will he reinstate those shelved building programmes so that our young people may have decent places to study and unemployed building workers can be put back to work?

The Prime Minister: In 1997, there was no investment taking place in further education. In the Budget, we announced £300 million extra investment for further education, and those allocations are being made now.

Rob Marris (Wolverhampton, South-West) (Lab): I welcome the innovation fund, which will be of particular importance to manufacturing, but may I correct my right hon. Friend? The Conservative party does have a policy on that sort of thing; their Front Benchers announced it on the Second Reading of the Finance Bill. It is to cut capital allowances by £3.7 billion a year, which would have a devastating effect on manufacturing. Will my right hon. Friend assure me that this Government will go nowhere near such a silly policy?

The Prime Minister: We increased capital allowances in the Budget to enable firms to invest in the future. We did so because we want the recovery to be based on large amounts of private investment in our economy. The innovation fund also moves that forward. I agree with my hon. Friend that this is not the right time to cut capital allowances.

Tony Baldry (Banbury) (Con): The Prime Minister confirmed that, on the Government’s own figures, from 2011 public spending will grow only by less than 1 per cent. Does not that mean that whoever wins the next general election will have to make some very difficult decisions about public spending? Is it not time that we had a grown-up, adult debate in this place about how that can best be done, instead of the rather pathetic Punch-and-Judy politics that the Prime Minister has offered us this afternoon, which I do not believe—

Mr. Speaker: Order. I think that I got three questions there.

The Prime Minister: We are spending more in 2009-10; the Opposition would spend less. We are spending more in 2010-11; the Opposition would spend less. The Leader of the Opposition has already told us that he will always spend less than a Labour Government. That is the Conservatives’ position; they should be honest enough to admit it.

Mr. Gordon Prentice (Pendle) (Lab): Will the new entitlements be enforceable by the courts?

The Prime Minister: We announced in the national health service constitution how we propose to guarantee the rights of people to health care. The entitlements that we are bringing forward will be enforceable by people in relation to the authorities, but I do not envisage the need to take court action.

Mr. David Gauke (South-West Hertfordshire) (Con): Given the excuses that we have heard for the delay to the comprehensive spending review, and the outrage from the Prime Minister on cuts, does he still stand behind the projections in the Red Book for total spending up to 2013-14?

The Prime Minister: We have announced spending for 2009-10 and 2010-11 in detail. The Conservative party has announced that it would cut spending in both years substantially. As far as 2011-12 is concerned, we have set down our estimates, but of course we are not going to make detailed announcements, irrespective of the knowledge, about growth, about employment, about interest rates, and about inflation in those years. We will do so when it is the right time.

Clive Efford (Eltham) (Lab): My right hon. Friend's announcement about extra money for housing is welcome, and will bring hope to young families in my constituency who are looking to set up home, but it would be without any value whatever if their tenancies were not secure. Will my right hon. Friend give a guarantee that a Labour Government would never consider taking away secure tenancies, as has been proposed in many policy documents published by the Conservatives?

The Prime Minister: I am aware that the Conservative party may be thinking of removing some of the securities that exist for people in tenancies. I would caution it against making long-standing tenants lose rights.

Mr. Philip Hollobone (Kettering) (Con): Which part of the Prime Minister's statement will help Britain to avoid the national humiliation of losing its triple A sovereign debt rating?

The Prime Minister: I would caution the hon. Gentleman against making such statements. We have taken the right decisions to take Britain through a very difficult recession. I repeat that if we had taken the advice of the Leader of the Opposition, thousands more would be unemployed, banks would have gone under, we would not have a proper regulatory system such as the one we are introducing for the financial services, and many people would have had their homes repossessed and would have lost their mortgages. I believe that we are taking the right decisions, and I believe that there is an understanding around the world that we have taken the right decisions.

Andrew Miller (Ellesmere Port and Neston) (Lab): The high-tech opportunities that my right hon. Friend listed are undoubtedly the building blocks for the future, but it is vital that the nation is in a strong position to exploit that. Will he ensure—as part of the digital Bill, for example—that money is set aside for proper training, whether through small business opportunities or for individual citizens? The country has to be in a strong position to exploit the technology to the best advantage.

The Prime Minister: In the new technologies that are available around the world, Britain has outstanding leadership—in low-carbon industries, in high technology, in many of the creative industries, in biotechnology, and of course in education itself. We want to give people the chance to have long-term jobs in those industries and services, which is why it is important that the training packages that we are putting on offer are individually tailored to making advances in those sectors for the future. We will continue to promote Train to Gain and other programmes that give people entitlement to get the skills that they need.

Mr. Andrew Robathan (Blaby) (Con): Sadly, this Parliament is now discredited, tarnished and worn out. The Government are unpopular, wholly discredited and filled with third and fourth choices. Does the Prime Minister not appreciate that far from hearing this wholly incredible package about building Britain's future, the people of this country want to have their say on the future, and they want a general election now?

The Prime Minister: I should have thought that some humility from the Opposition Benches was in order. The problems that have happened in this Parliament

have happened because of actions in all parties, and people must have the humility to admit that we have to clean up Parliament and do it together. I hesitate to follow the hon. Gentleman's advice and suggest that the problems relating to expenses are on only one side of the House.

David Taylor (North-West Leicestershire) (Lab/Co-op): The House will welcome the guarantee of training places to 16 and 17-year-olds where they need them, and of skills training to adults who have been unemployed for six months or more. How certain is the Prime Minister that the skills and training sector has the capacity to deliver on these objectives, when there is a cloud of financial uncertainty hanging over excellent projects such as learndirect and Train to Gain in constituencies such as mine, which have benefited from those projects over the years by being in the lowest quartile of all parliamentary constituencies for unemployment, but are now seeing unemployment start to rise in a very worrying fashion?

The Prime Minister: I cannot comment on issues that the hon. Gentleman raises from his constituency, but the number of people using Train to Gain has risen from 300,000 to 500,000, and the latest projection is more than 800,000. That shows that the service is welcomed by employers and used by employees. My hon. Friend is right that the way to ensure that there is capacity for people to get their training needs met and for jobs to be created is to provide the finance that is necessary. I accept that that is a dividing line between the two parties. We are prepared to put £5 billion into investing in a jobs and training programme for the future. The Opposition would cut the money, not increase it.

Bob Spink (Castle Point) (Ind): After precisely 60 minutes of debate on the subject, I do not believe I have heard the word "pensioners" even once. We know that the Prime Minister has done much for pensioners in the past, so let us not forget them now. What will he do to increase the take-up of pension credit and to bring forward the indexation of pensions with average earnings, which is a much welcomed Government initiative?

The Prime Minister: I am glad the hon. Gentleman recognises that we brought in the winter allowance, free television licences for the over-75s, and the pension credit. In our document today we talk about the additional needs that pensioners, particularly very elderly people, will have in the future, and I mentioned it in my statement—that is, the need for social care. We will address the matter with a statement to the House in due course.

Gregory Barker (Bexhill and Battle) (Con): In his statement the Prime Minister told us that he would be attempting to fix the financial and "regulatory weaknesses that led to the crisis".

Can he tell us who created that weak financial system, and who presided over it for 12 years?

The Prime Minister: I have explained on many occasions that what we are dealing with is a global financial crisis, where international regulation should have been introduced.

To be honest, we, the British Government, were pressing other countries for many years to do so, and it was not done.

Mr. Cameron *indicated dissent.*

The Prime Minister: The Leader of the Conservative party again laughs and tries to sneer at what I am saying. He was advocating deregulation right up to the crisis, and presumably, if he ever got into power, deregulation of the financial sector would be his policy.

Mr. Speaker: I am delighted that everybody was able to get in. It shows what a bit of self-discipline can do.

Points of Order

4.33 pm

Mr. Andrew Robathan (Blaby) (Con): On a point of order, Mr. Speaker. Notwithstanding the need for robust debate, is it in order for the Prime Minister to put words into Members' mouths, when I had failed to suggest, because it is not true, that one side was particularly culpable of the offences scandal?

Mr. Speaker: I think the hon. Gentleman might be seeking to lure me into a continuation of the debate. He is not an unduly sensitive flower, and I am sure he will rest content with the proceedings as they have taken place.

Mr. Greg Hands (Hammersmith and Fulham) (Con): On a point of order, Mr. Speaker. May I raise with you a serious issue, of which I have given prior notification both to you and to the Member concerned? Last week, without informing me, the hon. Member for Ealing, Acton and Shepherd's Bush (Mr. Slaughter) organised an open meeting in my constituency for residents of two of my constituency estates, entitled "Hands off our homes". The invitation was signed "Andy Slaughter MP" and it declared a number of falsehoods in relation to alleged plans "to demolish the estates and force everyone to move", which is wholly untrue. This is an outrageous interference in another Member's constituency, and I would be grateful for clarification on how we are to uphold the conventions and courtesies of the House.

Mr. Speaker: I am grateful to the hon. Gentleman for giving me advance notice of his point of order. Right hon. and hon. Members should respect the existing boundaries of each other's constituencies; they should not venture into neighbouring constituencies in anticipation of future boundary changes—but which boundary changes have not taken place—without prior notification of the hon. Member concerned. The hon. Member for Ealing, Acton and Shepherd's Bush (Mr. Slaughter) is in his place, and I feel sure that he has noted what has been said.

Mr. Nicholas Soames (Mid-Sussex) (Con): On a point of order, Mr. Speaker. May I raise with you a point of order that I raised on several occasions with your predecessor, relating to the increasingly casual speed at which Departments fail to answer parliamentary questions and correspondence? Will you agree that, when it comes to the courtesies of the House, there is no more important courtesy than answering questions of hon. Members from all parts of the House? May I ask you if you would make clear your view—if, indeed, it is the case—that parliamentary answers to correspondence and questions should be prompt and sent on the due date to Members?

Mr. Speaker: I am grateful to the hon. Gentleman for his point of order, and I can tell the House that I agree with what has just been said. Timely replies to parliamentary questions are of the utmost importance, and, if the hon. Gentleman attends to future proceedings of this House and to public debate, as I feel sure he will, he may discover that there will be further news on that matter ere long.

Mr. Andy Slaughter (Ealing, Acton and Shepherd's Bush) (Lab): Further to the point of order made by the hon. Member for Hammersmith and Fulham (Mr. Hands), Mr. Speaker. For the record, I asked him to tell me when he would make his point of order and the details of it, but he refused. I am quite happy to deal with the points that he has raised and to deal with them with you, Mr. Speaker. However, that point of order is a trick that the hon. Gentleman tried repeatedly and regularly with the previous Speaker until he became bored with the issue. Those matters, which the hon. Gentleman deals with in his capacity as campaigner for the candidate in Hammersmith and Fulham, a constituency that the hon. Gentleman has abandoned, should be left to his other job outside the House, not to the job that he does here.

Mr. Speaker: I have heard what the hon. Gentleman has said. However, the point that he has made is really not a point of order but a continuation of the debate, into which I know he would not seek in any way to entice me. The hon. Gentleman has placed his views firmly on the record.

Mr. Peter Lilley (Hitchin and Harpenden) (Con): On a point of order, Mr. Speaker. When you were elected to the Chair, the whole House welcomed your affirmation that, in the event of Ministers leaking statements beforehand, you would not—if I may put words into your mouth—let the matter rest there. In addition to the leaking of the statement that we have just heard by the Prime Minister, we have had four days' continuous leaks by the Minister for Children, Schools and whatever it is—Families and Schools—about a change in education policy on literacy and numeracy. Will you not let the matter rest there but ensure that the Minister is reprimanded for not giving a statement at all to the House—even though for four days he has been briefing the press?

Mr. Speaker: Some of the matters to which the right hon. Gentleman has referred have been of long-standing political debate. I have made my view on that matter and my future expectation extremely clear. I think it is fair, however, to say to the right hon. Gentleman and to the House that it would be unwise to prejudge whether the details of a statement have been leaked until such statement has been made to the House.

Parliamentary Standards Bill

[Relevant Documents: Memorandum from the Audit Committees on the Parliamentary Standards Bill; Written evidence received by the Justice Committee on Constitutional Reform and Renewal, HC 791-i.]

Second Reading

4.38 pm

The Secretary of State for Justice and Lord Chancellor (Mr. Jack Straw): I beg to move, That the Bill be now read a Second time.

As the House will be aware, this Bill has been presented by my right hon. and learned Friend the Leader of the House. She greatly regrets that she cannot be present either this afternoon in this Second Reading debate or in tomorrow's proceedings. She is attending the memorial service and then the funeral of Sir Henry Hodge, the husband of our right hon. Friend the Member for Barking (Margaret Hodge), who tragically died 11 days ago. I am sure that the House will accept my right hon. and learned Friend's apologies in those circumstances.

As every Member can personally testify, the expenses scandal has profoundly affected the public's trust in us as individuals and in the House as the heart of our democracy. In almost equal measure, it has seriously damaged our confidence in ourselves. Many actions to right the situation and begin to restore trust have had to be taken. Some of the alleged abuses of the system have been so serious that careers have been prematurely terminated. There are police investigations.

But above and beyond any serious individual failings, the reputation of the House as a whole, and of Members whose conduct has been beyond reproach, has been undermined. This terrible saga has, in turn, revealed a collective failure by this place effectively to regulate itself and to put in place systems that would have highlighted abuses before they started—rules and practices that, once the harsh spotlight was shone on them, withstood, rather than crumbled, in the face of public scrutiny.

Mr. Nicholas Soames (Mid-Sussex) (Con): Does the right hon. Gentleman nevertheless agree that it is extremely important not to confuse constitutional change with the urgent reforms that need to be brought in to deal with the abuse of expenses, allowances and other matters? They are not the same thing.

Mr. Straw: Of course I agree. As I shall explain to the House, all the way through the series of negotiations, I have been very alive to the need to focus on the immediate problem—that of parliamentary expenses—and to ensure that, as I shall make clear, I am open to suggestions in respect of other matters. Of course it would be inappropriate to introduce wider constitutional reforms in an emergency way, and I hope that we are not proposing to do so.

Mr. Frank Field (Birkenhead) (Lab): Clearly, we will debate the extent to which fundamental changes are entailed by the Bill as well as deal with how parliamentary allowances are paid. Given that some of us believe that the Bill will change the balance of the House and how the House functions, will my right hon. Friend tell us how much time the Cabinet spent discussing the proposals before they were presented to us as a Bill?

Mr. Straw: Actually, the Cabinet spent a long time discussing the proposals, as did Cabinet Committees. The greatest amount of time—appropriately, because we are trying to act by consensus—was spent in formal and informal cross-party discussions. There were four separate cross-party discussion sessions, as well as these three days’ debate on the Floor of the House.

Sir Patrick Cormack (South Staffordshire) (Con) *rose*—

Mr. Edward Garnier (Harborough) (Con) *rose*—

Mr. Straw: I shall give way in due course, but I ask both Members to allow me to make a little progress before I come to them.

If we go through the record of this place over the past century and a half, we find an increasing preoccupation to introduce external regulation over one area of social and economic activity after another. From interventions that insisted on clean water or safety systems in the mines or in factories, to increasingly tight external regulation of finance, business and professions, this House and Parliament has been unrelenting in its view that, however well meaning the individuals and venerable the institution, self-regulation is rarely, if ever, enough. The painful lesson of the past six weeks is that our prescription for others must now be applied to ourselves.

Three weeks ago, my right hon. Friend the Prime Minister announced to the House the

“immediate creation of a new Parliamentary Standards Authority”.

It would take over responsibility for setting and administering the allowance system and apply

“firm and appropriate sanctions in cases of financial irregularity.”

The Leader of the Opposition said that the Opposition would back the establishment of the authority, but added—and he was right to do so—that

“there are still serious questions to be answered, not least about how it will relate to the House and to whom it will be ultimately accountable.”—[*Official Report*, 10 June 2009; Vol. 493, c. 796-799.]

Mr. Richard Shepherd (Aldridge-Brownhills) (Con) *rose*—

Mr. Hugo Swire (East Devon) (Con) *rose*—

Mr. Straw: I shall come back to both hon. Gentlemen in a second.

To answer those and many other questions, the Leader of the House and I have engaged in intensive cross-party discussions over the past three weeks, as I have said. All recognised parties in both Houses have been represented, as have the Cross-Bench peers, the Chairman of the Standards and Privileges Committee and the Clerks department. I should like to record my thanks to all those who were involved. The discussions were not a substitute for, but a complement to, a proper examination of the Bill here and in the other place. The fact that the Bill before the House is different and, in my judgment, better than in its earlier drafts is testament to the willingness of everyone in the group to put aside partisan interests. However, I am the first to admit, as I will make clear, that this process of improving the Bill will continue over these next three days.

Sir Patrick Cormack: The Secretary of State may remember that on 18 June, only 11 days ago, I asked the Leader of the House—the reasons for whose absence we obviously fully recognise and accept—to

“confirm that, while the Parliamentary Standards Authority will deal with the financial matters about which she talked—we all accept that—it will not become an appointed quango with jurisdiction over Members of Parliament”.

She replied:

“I think the answer to that is yes.”—[*Official Report*, 18 June 2009; Vol. 494, c. 424.]

She then went on to amplify her reply. However, the Bill before us shows that that is not the case.

Mr. Straw: If the hon. Gentleman can hold his breath for a little while until we get to clause 6, I will give him comfort on that point.

Mr. Garnier: Following on from the point made by my hon. Friend the Member for Mid-Sussex (Mr. Soames), of course there is a need to tighten up our rules and procedures in relation to expenses and allowances, but I am worried that the clauses dealing with offences create new offences that in fact already exist. For example, the offence in clause 9(1) is already an offence under the Fraud Act 2006, which itself brought up to date the offence in the Theft Act 1968 of obtaining a pecuniary advantage by deception. Why do we need to keep on increasing the number of laws when there are already laws that deal specifically with this sort of criminal behaviour?

Mr. Swire *rose*—

Mr. Straw: I will give way to the hon. Gentleman, but before he jumps up he must allow me to answer the question put by his hon. and learned Friend.

The hon. and learned Gentleman is not as well informed as he usually is. There is a difference between what is in section 2 of the Fraud Act and what is in this provision, not least in that in the Act one of the components of fraud is dishonesty, while in the Bill it is knowingly making a false statement. I will deal with these offences when we get to clause 9.

Mr. Dominic Grieve (Beaconsfield) (Con): I welcome the Secretary of State’s remarks about the scrutiny conducted in this House acting as an opportunity for people to listen carefully to the issues, and indeed to change their minds on them. I say that because just a short time ago I had to run over to the studios of a media broadcaster because it appeared to have been put out by the No. 10 press office that the amendments that had been tabled—many of them are probing amendments to allow this House to consider some of the issues—represented the stated position of the Opposition. I am sure that the right hon. Gentleman will join me in understanding how the procedures of this House should work properly, and I hope that he appreciates the need to table amendments so that we can concentrate on particular issues in Committee.

Mr. Straw: I genuinely have no idea of what is being briefed by others. However, I raised an eyebrow when I saw the amendments tabled by the Opposition in respect of clause 9 on offences, because I happen to think that ours is a sensible way to proceed, and people have to be careful. I spent 18 years in opposition, and the Government of the day showed me no mercy in this respect. I had to accept that the natural consequences of amendments that I tabled was that the words meant what they said, so that the proposed knocking out of an offence would be taken to be the policy of the Opposition.

Mr. Swire: Some clauses in the Bill profoundly alter the relationship between Members of Parliament and the electorate, not least clauses 6 and 10, which I hope that the Government will look at again. Equally, there are clauses that could and should apply to parliamentarians as a whole. Given that it is called the Parliamentary Standards Bill, is it envisaged that some of these clauses will apply to the other place as well?

Mr. Straw: As my right hon. Friend the Prime Minister made clear on 10 June, it is envisaged that in due course the arrangements relating to the Independent Parliamentary Standards Authority should indeed apply to the other place; that is why we sought to create an authority that covers both Houses. I hope that that matter will be dealt with in subsequent legislation. At the moment, however, the specific parts of the Bill cover only this House.

Mr. Andrew Dismore (Hendon) (Lab): Will my right hon. Friend give way?

Mr. Straw: I shall give way one more time, and then I will make some progress.

Mr. Dismore: I am grateful to my right hon. Friend. As he knows, I have tabled a couple of amendments, because I am concerned to ensure that parliamentarians have the right of natural justice in how investigations are conducted, and indeed the right of appeal. That is a long-standing right, which ought to be provided for if we are moving responsibility for the matter into the outside world. I have not had the opportunity to discuss the amendments with him, but does he agree that parliamentarians are entitled to the same benefit of natural justice as anybody in the outside world?

Mr. Straw: Of course I agree with that. Although we may not have got the provisions exactly right, I think that we are pretty nearly there in that respect. I will listen carefully to my hon. Friend's points about the amendments, which I have already studied.

The fundamental purpose of the Bill is to replace the self-regulation of expenses, allowances and financial interests with external statutory regulation. The Bill will therefore establish the Independent Parliamentary Standards Authority and a separate Commissioner for Parliamentary Investigations. Those provisions are in clause 1 and the schedules. Clause 6, to which I shall return, provides that the House is to continue to have a code of conduct. Clauses 7 and 8 set out provisions for investigations and enforcement, clause 9 prescribes three offences and clause 10 is intended to ensure that the system of external regulation can be operated effectively without falling foul of article 9 of the Bill of Rights on the privilege of this Parliament. I shall return to that point.

Of course, I recognise that the Clerk and distinguished right hon. and hon. Members have raised serious concerns, particularly about clauses 6 and 10, which will have an impact on the privilege of Parliament. I have already explained how I intend to approach the debates about that. I will make specific comments about those clauses later, but I wish first to make three general points to set the context.

First, this House has long acknowledged that in principle, external non-statutory regulation of aspects of the House's business and the conduct of its Members

may be insufficient, so the House of Commons Commission is established in statute. Freedom of information is a good example of what can happen. The Government's original proposal was that Parliament should be excluded from the operation of the Freedom of Information Act 2000. Parliament, and specifically the Public Administration Committee in a 1998 report, said that such an exclusion "may well convey the wrong impression to the general public, given the purpose of this legislation...we recommend that the Government re-examine the exclusion of Parliament in the light of"

a report that had been produced by the Joint Committee on Parliamentary Privilege. In the light of that pressure, which would have been impossible to resist, although I did not wish to, the Government accepted that recommendation. Famously, we are now subject to FOI legislation.

Secondly, once it is agreed that there should be independent, external regulation of our allowances and much else, certain consequences follow as night follows day. Such regulation will be in statute, and interpreting statute is a fundamental purpose of our courts. There is nothing frightening or unacceptable about what then follows, which is that courts may judicially review the way in which statutory bodies, among others, operate. They will do so against long-established principles. Contrary to popular belief, the courts are slow to substitute their substantive judgments for the judgments of the relevant authority. Instead, they are there as a check against unfair process or wanton irrationality.

Thirdly, and again contrary to myth, judicial review is in no sense a challenge to the sovereignty of Parliament. The Bill will put the regulation of allowances, financial interests and the code of conduct on a statutory footing. It will not affect the balance in our constitution between Parliament and the courts, as I shall explain in more detail later. We can expect the courts to continue to acknowledge the fundamental constitutional doctrine of the separation of powers in any proceedings that arise from the procedures in the Bill. Also, what Parliament does, Parliament can undo. That is a fundamental and very unusual feature of our system.

Mr. David Heathcoat-Amory (Wells) (Con): The right hon. Gentleman is now at least conceding that the Bill will affect parliamentary rights and privilege. Will he therefore correct, in her absence, the statement of the Leader of the House last Thursday? Referring to the Bill, she said that

"the question of parliamentary privilege is not an issue in that Bill, so that is not a question that hon. Members need to concern themselves with."—[*Official Report*, 25 June 2009; Vol. 494, c. 950.]

Will he take the opportunity to correct that statement, which was clearly wrong? This is a constitutional Bill, and it is outrageous that it is being treated like an emergency Bill.

Mr. Straw: I do not accept that. The process was continuing when my right hon. and learned Friend the Leader of the House spoke about the matter, and her comments were therefore accurate at the time and, as I shall explain, will be accurate in future. There is a separate issue about clause 10, and my view is that it must make some provision, even if not in the current wording, for adducing in court proceedings evidence

that arises in the House or in parliamentary proceedings. There is nothing unusual in that—indeed, the House has accepted that for the draft bribery Bill.

Mr. Grieve: Of course, I appreciate the Secretary of State's points. Indeed, perhaps the goalposts must be moved in the case of parliamentary privilege, which is little understood outside the House. However, is it not right that the system of enforcement—even specifically for the allowances aspect, which will go to the Independent Parliamentary Standards Authority—gives rise to the possibility of any conflict between IPSA and the Standards and Privileges Committee being judicially reviewable? That is how I read several clauses, particularly clause 8(6). The Bill also provides that IPSA can make specific recommendations to the Standards and Privileges Committee about the disciplinary powers that the latter should exercise. It would be helpful if, either now or in Committee, we could have some clarity about those important issues.

Mr. Straw: I am happy to follow up that specific point in Committee, but I say to the whole House that—yes—we need to act with great care so as not to affect parliamentary privilege unnecessarily or gratuitously. Privilege is not for the benefit of individual Members but to preserve—

Mr. Grieve: Freedom.

Mr. Straw: The hon. and learned Gentleman says, “freedom.” It is there to protect freedom, and above all, the rights of our constituents as represented by us. I understand that. However, we must also recognise that we collectively failed properly to regulate expenses. We must put that right and do it quickly and collaboratively.

Several hon. Members *rose*—

Mr. Straw: I am sorry, but I will not give way.

Putting matters right means a statute and external regulation, and the courts will be able to interpret the powers and duties of that regulating authority. I am also anxious to ensure, so far as is humanly possible, that the courts do not embroil themselves gratuitously in the affairs of the House.

Several hon. Members *rose*—

Mr. Straw: I want to make some progress. Later, if there is time, I may allow hon. Members to intervene.

I have already said that clause 1 sets up the Independent Parliamentary Standards Authority. Schedule 1 supplements that and provides for its membership, administration and funding. It will have four members and a chair. One of the five members will have held high judicial office; one must be qualified as an auditor for the National Audit Office and one must have been—but be no longer—a Member of the Commons. Schedule 1 provides that selection will be on merit and through fair and open competition, with a process similar to that which has worked very satisfactorily to ensure that high quality people have been appointed to the Electoral Commission—that is, with a Speaker's panel and Speaker's committee.

Paragraph 5 of schedule 1 further enhances IPSA's independence. It provides that members can be dismissed only in response to an address from both Houses of Parliament. We accord senior members of the judiciary

the same protection. Members of IPSA will be able to serve for only five years, with a possibility of being reappointed for up to three years.

Mr. Denis MacShane (Rotherham) (Lab): Will my right hon. Friend assure the House that members of the new “Guardian Council” for Members of Parliament will be paid only the same as hon. Members?

Mr. Straw: I cannot make that commitment—*[Interruption.]* The House knows very well the reason for that. That does not apply to other appointments, which the House has to approve, including that of the Information Commissioner and the chair of the Electoral Commission.

Mr. Swire: Will the Justice Secretary give way?

Mr. Straw: No.

The provisions on the Commissioner for Parliamentary Investigations are set out in schedule 2. Schedule 2 makes provision for the appointment of the commissioner and for his or her terms, resignation or removal from office, remuneration, status and annual reporting, which is similar to the provision made for members of IPSA in schedule 1. Schedules 1 and 2 extend the Freedom of Information Act to cover IPSA and the commissioner respectively, and I have referred several times to the Speaker's committee for the IPSA, which the Bill will establish.

Mr. Swire: Will the Justice Secretary give way?

Mr. Straw: I have already given way to the hon. Gentleman.

Clause 2 provides that IPSA is to take over responsibility for paying the salaries of Members, in accordance with the relevant resolutions of the House. It is no part of the scheme—this might be for a future amendment to the Bill—that IPSA should have a role in setting salary levels, which are currently secured by recommendations from the Senior Salaries Review Body and a resolution of this House.

Sir Peter Tapsell (Louth and Horncastle) (Con): Why is it appropriate to go through this great constitutional rigmarole in advance of the recommendations of Sir Christopher Kelly's committee, which is bound to cover all the same ground? The Prime Minister has said, I think unwisely, that we are going to accept in full all that committee's recommendations, which are bound to cut across some of the proposals in the Bill, which means that we will have to go through the whole thing again.

Mr. Straw: I do not accept that—

Sir Peter Tapsell: Why not?

Mr. Straw: I will explain why not to the hon. Gentleman. He asked me a question and I would now like to answer it, if I may. Sir Christopher Kelly and his committee will come forward with proposals for the scheme of allowances, which will come before this House. As far as I know, all the party leaders have indicated that unless those proposals are in the realm of complete irrationality, which I do

[Mr. Straw]

not anticipate, they will be accepted in full, and so they should be. However, that is about the content of the scheme. The Bill is about the operation of the scheme, which includes, for example, who runs the Fees Office, who adjudicates in respect of the scheme and so on. Our plan—we can go into this in more detail in Committee tomorrow and on Wednesday—is that in the early autumn Sir Christopher Kelly will make his recommendations, which will be subject to approval by this House. Those recommendations will be the platform for the scheme that the new authority will operate. With luck, they could all come into force by 1 January next year if we have the authority in place, so the two will work in parallel and then merge together.

Sir George Young (North-West Hampshire) (Con): Does the Secretary of State not risk retrospectively restricting the Kelly committee's terms of reference by defining them in the very narrow way in which he has just done?

Mr. Straw: I do not think so, and—[*Interruption.*] I really do not. Let me just say to the right hon. Gentleman that, as far as I am aware, just three weeks ago all the party leaders and the parties accepted the principle of the new authority. In the intervening three weeks, we have sought to go into detail in a collaborative way with the Opposition and the other parties, which have been very co-operative indeed, to ensure an agreed framework that can stand the test of time, and I think that it does. However, as I have indicated, I am happy to see whether we can improve upon it.

Mr. Swire *rose*—

Mr. Andrew Tyrie (Chichester) (Con) *rose*—

Mr. Straw: I shall give way to the hon. Gentleman and then make some more progress.

Mr. Tyrie: Did the Secretary of State consult Sir Christopher Kelly about the Bill and is he happy with it?

Mr. Straw: I have discussed the matter with Sir Christopher Kelly, and I am certainly not going to say what his response was, any more than anybody else would quote a private conversation, whether it was complimentary or otherwise.

Dr. Tony Wright (Cannock Chase) (Lab): I was giving evidence to the Kelly committee but an hour or two ago, and I have to say that its members were very interested in the scheme and wanted to explore it in detail. They were particularly interested in the extent to which there was perhaps some confusion about the administration of the system and the regulation of it. Is there not a case, therefore, for taking a little more time, to ensure that we all get it right at the end of the day?

Mr. Straw: I was not present, but I am afraid I do not accept the burden of what my hon. Friend is saying. Sir Christopher Kelly and his committee, the Committee on Standards in Public Life, are doing an important job of work. However, that is a one-off study into the future

allowances system. This new body will, once and for all, on a permanent basis, ensure that the administration and supervision of what we call the Fees Office are separated, so that never again will staff in the Fees Office feel under the kind of pressure that they evidently have done, as some of us have now discovered, to bend or manipulate the rules. That has been very unfair to them, and I pay tribute to the overwhelming majority of staff in the Fees Office who have been trying to do the best job that they could in incredibly difficult circumstances. That is quite a separate issue from the recommendations about the kind of scheme that is needed, however. For the future, we need a process that is separate from this House—and separate from the Government, I suggest—for periodically setting the scheme of arrangements for allowances as well as administering them. That is what the new authority will do.

Mr. Frank Field: Will the Secretary of State give way?

Mr. Straw: No, I intend to make some progress first, then I will come back to this matter.

Clause 3 provides that IPSA will be responsible for drawing up and administering a new allowances scheme and that the scheme should be reviewed on a regular basis. I have already indicated that that does not in any way pre-empt the work of the Kelly committee. Clause 4 sets out the taking over of responsibility for authorising and making payments under the allowances scheme.

Clauses 5 and 6 share the title “MPs’ financial interests and code of conduct”.

Mr. John Redwood (Wokingham) (Con): Will the Secretary of State give way?

Mr. Straw: No, I want to make some progress.

Clause 5 places a duty on IPSA to prepare rules relating to Members’ financial interests. How it does so is also set out in the clause. No such rules can come into force unless approved by a resolution of this House. Clause 6 goes wider than this, and says that the House is to continue to have a code of conduct incorporating the seven Nolan principles on conduct in public life, and any other matters determined by the House.

The starting point for any code of financial rules developed by IPSA will, necessarily, be the existing code of conduct of the House, which was most recently revised and published last Monday 22 June. It runs to 52 pages. As many Members may not have had reason to examine the code in detail before the expenses scandal broke, they might have assumed what was on the tin marked “Code of Conduct” was in the tin, in respect of all 52 pages. But if one examines the document, one finds that the code of conduct itself is couched in very general terms at the beginning of the document. It covers just three and a bit pages in all, of which one page is a recital of the Nolan principles. In contrast, the rules relating to the financial conduct of Members, and the guidance on those rules, run to 33 pages plus appendices, and almost all those rules and guidance concern Members’ financial interests and conduct thereto.

We have been clear that, if the new independent authority is to have teeth and achieve the public confidence so urgently needed, it must, among other things, be able to propose the rules on Members’ conduct in the areas related to its functions. That means that it will take over

responsibility for the whole of the guide relating to the conduct of Members, although, as the Bill makes clear, the content of any clause 5 rules will be subject to approval by the House. Some amendments have been tabled to clause 5, and they will be discussed tomorrow, but none is in any way fatal to it, and I believe that the clause generally carries the approval of the House.

Sir Alan Beith (Berwick-upon-Tweed) (LD): This is one of the most difficult parts of the Bill. Does the Secretary of State recognise that, if the code of conduct were to become justiciable, that would constitute a questioning of proceedings in the House? The House has already shown that it is capable of producing a code of conduct, and Members can discuss with any outside body the improvements that should be made to it. It is therefore unnecessary to include this provision in the Bill in this way.

Mr. Straw: The—*[Interruption.]* Hold your breath! All those involved in the cross-party talks will confirm that my right hon. and learned Friend the Leader of the House of Commons and I worked hard to achieve consensus, sometimes revisiting draft clauses in the meetings to make them more acceptable. It was a genuinely collaborative process, and I am glad that the hon. and learned Member for Beaconsfield (Mr. Grieve) acknowledges that.

The original draft of clause 4 combined the scope of the current clauses 5 and 6. That clause was regarded as too wide. So to answer the points raised, the redrafted clauses 5 and 6—which are now in the Bill—were brought forward and, though time was pressing, raised little objection in the cross-party talks. That said, I always made it clear that everyone involved in the cross-party talks was entitled to further reflection on the Bill and its contents. The result of that further reflection is that considerable concern has been expressed by the learned Clerk of the House about the possible impact of clause 6, and two distinguished senior Members, the Chairman of the Standards and Privileges Committee, the right hon. Member for North-West Hampshire (Sir George Young), and my hon. Friend the Member for Middlesbrough (Sir Stuart Bell), have jointly tabled an amendment to delete clause 6.

I supported clause 6 because I believed—and still do—that it provides belt-and-braces reassurance to the public that we will continue to have a code of conduct covering the issues, which are not many, that are not covered by the financial rules. It is fair to say that I am more sanguine than others about the effect of clause 6 and its interpretation by the courts. My officials, on advice from first parliamentary counsel, are providing a memorandum on the matter for the benefit of the Justice Committee. That said, the Clerk is the adviser to the House on matters of privilege, and much else, not me. This is emergency legislation, on which all parties are committed in principle to a speedy passage.

Clause 6 is not essential to the Bill, so in the interests of consensus I will accept the amendment tabled by the right hon. Member for North-West Hampshire and my hon. Friend the Member for Middlesbrough, and I will not move clause 6 when we reach that part of the Bill. There will be some consequential amendments to clause 5 and elsewhere in the Bill—*[Interruption.]* Well, there are bound to be. The issue is not whether the relevant

sections of the code of conduct are covered by the scheme of the Bill, but how. I hope that what I have said has the approbation of the House, in the spirit in which we have approached the Bill from the start.

Mr. Redwood: I am grateful for that excellent concession. On the registration of interests, given that the Members who have the most time-consuming second jobs are Ministers, why are they exempted from the registration requirement? Will he tell the House how many hours he spent last week on his second job? *[Interruption.]*

Mr. Straw: I am Lord High Chancellor as well, which function I was undertaking this morning—*[Interruption.]* I am answering, in detail—last Monday I had my tricorne hat on as well. It will bring tears to the eyes of Members of the House to learn that I am entitled to a whopping salary as Lord High Chancellor of Great Britain, and a whopping pension, but I have forgone both.

Sir Patrick Cormack: Will the right hon. Gentleman give way?

Mr. MacShane: Will my right hon. Friend give way?

Mr. Straw: I give way to the hon. Gentleman .

Sir Patrick Cormack: I am very grateful. The right hon. Gentleman's concession, which we all accept and are delighted to hear about, illustrates as nothing else could how silly it is to legislate on constitutional matters in haste. This is a constitutional Dangerous Dogs Bill. He should take it away and take a little time, and then come back.

Mr. Straw: I know that this will be unpersuasive to the hon. Gentleman, but that is not the position of his leader, as I heard what he said on 10 June, or that of the other parties. There is a difference between legislating with some speed, which we are doing, and legislating in haste. As for the famous Dangerous Dogs Act 1991, notwithstanding the mythology about it, I note that it is still on the statute book unamended.

Mr. Bernard Jenkin (North Essex) (Con): I am grateful for the Secretary of State's concession. Contrary to what he suggested earlier, the question at the heart of the Bill is not the sovereignty of the House of Commons, but the exclusive cognisance of certain matters that for 300 years have been the exclusive competence of the House. The clause that really causes offence is clause 10, which the learned Clerk refers to as having a chilling effect on freedom of speech in the House. Until the right hon. Gentleman withdraws that clause, I will not be hopping around like a sand boy.

Mr. Straw: Let me make some more progress.

Clause 7 sets out the investigatory powers—*[Interruption.]* No, I have said that I want to make some more progress, and the hon. Member for North Essex (Mr. Jenkin) must acknowledge that there is a great deal of interest in this debate and that others wish to speak. Clause 7, as I was saying, sets out the investigatory powers for the Commissioner for Parliamentary Investigation, while clause 8 includes a number of enforcement powers.

Mr. MacShane: Will my right hon. Friend give way on this particular point?

Mr. Straw: No, I must make some progress, and there are two days of debate in Committee.

Clause 9 creates three new criminal offences: providing information that the Member knows is false or misleading in a claim for an allowance; failing, without reasonable excuse, to comply with the rules on registration of financial interests; and breaching the rules that prohibit paid advocacy. I am happy to lay before the House a detailed chart that explains the background to these offences.

The simple fact of the matter is this. In regulating elected bodies such as local authorities, the Welsh Assembly and the Scottish Parliament, this House has been happy to lay down, without argument, some stringent penalties for offences of misconduct by the members of those bodies. I thus have to say that what is sauce for the goose has to be sauce for the gander—*[Interruption.]* The same is also true, as the hon. Member for Moray (Angus Robertson) says, in respect of declarations.

Several hon. Members *rose*—

Mr. Straw: I am not giving way at the moment.

We can go into these offences in more detail on Wednesday when we debate clause 9 in Committee. I will be happy to listen to what hon. Members have to say but, in my judgment, having offences in the Bill and in the scheme is fundamental to its proper operation and, above all, fundamental to ensuring public confidence in this scheme. That is precisely what we have insisted on in respect of local authorities, the Scottish Parliament and the Welsh Assembly. Neither local authorities nor the Welsh Assembly and Scottish Parliament have had a scandal around their ears, to put it frankly, of the kind we have faced for our failure properly to regulate ourselves.

Mr. Alistair Carmichael (Orkney and Shetland) (LD): I do not take issue with the creation of offences per se, but does the Secretary of State accept that these offences and the processes that stem from them must be compliant with article 6 of the European convention on human rights. Having regard to the terms of the Bill before us, can the right hon. Gentleman honestly say that they are?

Mr. Straw: That is our judgment. My right hon. and learned friend the Leader of the House would not have signed the section 19 certificate, which she has, if she had not taken that view.

Mr. Carmichael *rose*—

Mr. Garnier *rose*—

Mr. Dismore *rose*—

Mr. Straw: Of course we can look at that further, but I am certainly satisfied that the Bill does meet those requirements, so let me move on to clause 10.

Mr. Garnier: What about clause 9?

Mr. Straw: We can debate these clauses in more detail in Committee.

I have already said that in our judgment there is a strong requirement for these offences. The hon. and learned Member for Harborough (Mr. Garnier) is not correct in comparing the offence in clause 9(1) with the offence—fraud by false representation—in section 2 of the Fraud Act 2006. There is a further requirement in section 2, which covers dishonestly making a false representation, but there are plenty of examples in respect of other offences where exactly this wording has been used by this House for false declarations. We happen to believe that it is sensible for there to be a specific offence relating to a false declaration.

Mr. Garnier *rose*—

Mr. MacShane *rose*—

Mr. Straw: No, I am going to make some more progress. *[Interruption.]* I mentioned the hon. and learned Member for Harborough because he shouted from a sedentary position, and I have given way to him on a number of occasions.

Let me tell the Opposition that we are of course ready to discuss the basis for these offences. However, having said that they support the principle of having an external authority, the Opposition surely have to accept that certain consequences go with it, one of which is the need to include some criminal offences to back up the scheme that the Bill introduces.

Mr. Grieve: Let me emphasise that we do support the principles of the Bill, and want to make it work. It is for precisely that reason that the creation of criminal offences, which may be an essential part of the Bill, requires special scrutiny.

I know that we shall return to the issue on Wednesday, but the Secretary of State mentioned that other bodies had been regulated. I could not agree more. One could use the phrase “the biter bit”. We have been imposing criminality on all sorts of organisations over the last 10 years—I believe that 3,000 criminal offences have been created in that time—but we have not imposed the provisions of clause 9(1) on the Scottish Parliament. We have relied on the general law. I flag that up now, because the Secretary of State may wish to return to it in greater detail.

Mr. Straw: I note what the hon. and learned Gentleman has said.

Mr. MacShane: I know—we all know—that the party leaders have agreed to this because they must satisfy headlines and the sense of public outrage outside, but we must ask whether we want to break the fundamental link with our constituents and put ourselves under the control of an external quango that will then be able to intervene.

I am only concerned about the clause referring to advocacy. I am here to advocate. Sometimes I am paid for writing a book or an article, or helped to go on a trip. I really do not want that to be taken up by every busybody and sent to a council of guardians who will tell me what I can do as a Member of Parliament, but that may be the direction in which the Bill is going.

Mr. Straw: I hope to be able to give my right hon. Friend some reassurance, but let me also say to him that, as he knows very well, the expenses scandal is not just a matter of a couple of days of headlines. It has engulfed the House and its reputation—unfairly in many respects, but because there have been some egregious abuses by a few Members and a systemic failure properly to establish a system of regulation, we face a serious problem in terms of rebuilding public confidence.

There never will be an offence of advocating a cause in the House, although there has plainly been a breach of any code, and in many respects an offence with a small “o” for centuries: that of being hired and paid to advocate a cause. However, I know from long experience of my right hon. Friend that he would never do that in any event.

Mr. Garnier: Will the Secretary of State give way?

Mr. Straw: No. I am going to end my speech in a moment.

Clause 10 states:

“No enactment or rule of law which prevents proceedings in Parliament being impeached or questioned in any court or place out of Parliament is to prevent—

- (a) the IPSA from carrying out any of its functions;
- (b) the Commissioner from carrying out any of the Commissioner’s functions;
- (c) any evidence from being admissible in proceedings against a member... for an offence under section 9.”

That directly excludes the operation of article IX of the Bill of Rights from the functions of IPSA and the commissioner, and ensures that evidence relating to an offence under clause 9—not anything else—is admissible in court.

Our draftsmen tried to draft the clause in a narrow way. I understand and appreciate the concerns expressed by the learned Clerk, but our view, building on the recommendations of the 2003 Joint Committee on the draft Corruption Bill and further discussions that I have had on the latest Bribery Bill—which contains a similar exclusion in respect of article IX—is that such an exclusion is acceptable. However, I understand the sensitivity of the issue, and I promise that I will listen carefully to the concerns that are expressed.

Peter Luff (Mid-Worcestershire) (Con): Will the Secretary of State give way?

Mr. Straw: I have no time.

There are Members who will try to argue—some have already done so—that we should delay and delay and delay, but I do not accept that. My view, and the view of the party leaders who speak for us as our leaders, is that such is the depth of public concern and such is the fundamental nature of the failings that we must act, and act speedily—not with haste and not without consideration, but through the kind of process in which we have engaged over the last few weeks.

We shall engage in detailed examination over the next three days. As the House will acknowledge, I have already shown considerable flexibility. The Bill will then be examined in the other place. I regard it as imperative—as I hope the whole House does—for us to have on the

statute book by the end of July a workable scheme to establish an Independent Parliamentary Standards Authority and all that goes with it.

5.24 pm

Alan Duncan (Rutland and Melton) (Con): The past few months have been desperate ones for Parliament: the reputation of this House has taken some pretty heavy knocks and Members of all parties have been left reeling. The crisis has arisen from the fact that Parliament has stood still while the world moved on. For more than 30 years we have worked under a system of remuneration that would never have stood up to scrutiny in the commercial world, and while political cowardice at the top maintained the headline rate of pay at an artificially low level, political deceit—I think it is fair to call it that—has invented an allowance scheme that was less than acceptable, lacked any transparency and was corrosive to public trust. One of the most important political trends of the past two decades has been the movement towards greater openness, so when the facts came out, as they were bound to do, it was always going to end in tears. The truth that now must haunt us all is that when the House had the opportunity to fix the system, it signally failed to seize the moment. We must not fail this time around.

Mr. Heathcoat-Amory: The Secretary of State implied several times that the Bill is the result of an agreement between the parties. Will my hon. Friend confirm that although there must—I hope—be agreement to reform our expenses regime fundamentally, we as a party have not agreed that these constitutional reforms should be hurried through in this way, and that the Bill in its present form is not a result of cross-party collusion?

Alan Duncan: I think that fairly summarises the position, but I also think it is fair to say that the Secretary of State for Justice and the Leader of the House have been very open throughout the consultation and discussions we have had in trying to put together a Bill that is in many respects workable—and is far more workable than the original draft we saw.

I would like to set out the context in which this Bill has emerged, and then say something about the principles that we should bear in mind as we go forward over the next couple of days. We support the principle behind the Bill of outsourcing the Fees Office, but it is not an overstatement to say that the Bill also touches on the fundamentals of our constitutional architecture. While Conservative Members appreciate that there is pressure to pass this legislation quickly, if we get it wrong it could have a devastating effect on our democratic process and our procedures, which could seriously disadvantage the interests of voters.

Peter Luff: On that point, I hope that we will press the Government on clause 10 in particular. As a Select Committee Chairman who often has to take on quite strong and powerful outside interests in the course of my work, I regard the clause as very detrimental indeed to the Select Committee system and to the wider House of Commons.

Alan Duncan: I am certain that in Committee tomorrow and on Wednesday that clause will excite a lot of attention and some serious analysis and debate. Indeed, it is because of clauses such as clause 10—although its final

[Alan Duncan]

form depends on what happens in Committee—that we reserve the right to return to the legislation at a later date. If there is tidying up to do, we must ensure that it happens away from the politically charged atmosphere in which the Bill is being handled today.

Since *The Daily Telegraph* began its series of stories, there have been a fair number of discussions in the House and decisions taken by it, and processes have been set in motion outside with the aim of rebuilding trust and ensuring that the claims that have so baffled and enraged the electorate will never arise again. The first action was taken by the Committee on Standards in Public Life and Sir Christopher Kelly, who initiated the report into our expenses and to whom we have entrusted the task of designing an alternative system. As Sir Christopher said, such an inquiry was long overdue, and we welcome the progress that he is making.

Also, in Parliament individual Members and parties have taken steps to assuage public anger by making voluntary repayments and—

Mr. Swire: Will my hon. Friend give way?

Alan Duncan: Not in the middle of a sentence. Individual Members and parties have taken steps to assuage public anger by making voluntary repayments and changing the way in which we make certain claims. I shall now give way to my hon. Friend.

Mr. Swire: I am most grateful to my hon. Friend. I understand that he has given evidence to Sir Christopher Kelly. Has he had an opportunity to discuss Sir Christopher's thoughts on the Bill with him, and has he received any indication as to whether Sir Christopher would like to wait, or, indeed, feels compromised by this Bill?

Alan Duncan: My evidence to the committee is online on the committee's website. Indeed, I have sent all colleagues on this side of the House a copy—

The Parliamentary Under-Secretary of State for Justice (Bridget Prentice): What about our side?

Alan Duncan: It is on the website, and has had many thousands of hits already. The Bill had not been published or revealed in any detail at the time that I gave evidence.

Sir Patrick Cormack: Of course, it is right that Sir Christopher should be untrammelled and that he and his committee should be able to make recommendations, which I hope we can accept in total. It is then the job of this authority, as I see it, to ensure that the Kelly system is fairly and rigorously enforced. It does not follow from that that we must have the rest of the constitutional apparatus of this Bill.

Alan Duncan: In broad terms, I fully agree with my hon. Friend.

Mr. Elfyn Llwyd (Meirionnydd Nant Conwy) (PC): Further to the question that the hon. Gentleman was recently asked, I gave evidence today to the Kelly committee. One question that I was asked was whether I thought it

prudent and wise to rush through legislation in advance of its findings. I have to be honest; I have taken the view, and still do, that it would be far better to wait for the committee's deliberations and to have a proper draft Bill, with pre-legislative scrutiny, and to do it properly. I say that with respect—we have had a useful process, I do not deny that—but I still think that that avenue should have been preferred.

Alan Duncan: I take that as an intervention directed more towards the Secretary of State for Justice than me.

As the Leader of the House reported in her statement last week, every receipt from the past four years will also be subject to the scrutiny of Sir Thomas Legg. He will make recommendations later this year on the individual actions of Members. I think that the whole House will accept that Sir Thomas Legg is a man of total integrity and is well suited to that purpose.

Mr. Frank Field: I wonder whether the cross-party talks covered the following point—in a sense, I raise it from the trade union side of the House—

Mr. Straw: That's unusual for you.

Mr. Field: Indeed; I hope that the irony was picked up. Many of the Fees Office staff have felt themselves to be on the receiving end of Members' blame for allowances that those Members claimed. If the Bill goes through, what will happen to those staff, whose numbers have been increased recently? Will we be making them redundant or will we expect them to be taken into the new authority?

Alan Duncan: That is not determined—it will be up to the authority—but I think it inconceivable that they will all be made redundant, as their expertise and understanding of the system are essential to its working effectively. I do not think that it has been fair to criticise the Fees Office in the way that many have. It is the direction that it has been given that matters more than the conduct of any individuals themselves.

Mr. David Winnick (Walsall, North) (Lab): Will the hon. Gentleman give way on that point?

Alan Duncan: Yes. I shall bin some of my speech, give way to the hon. Gentleman and then canter on.

Mr. Winnick: I am glad that the hon. Gentleman has made that point, and I am sure that my right hon. Friend the Secretary of State would wish to do so, too. Criticism of the Fees Office staff has been totally unfair and without any justification. The notion that they encourage Members to claim more does not bear up to any reality whatsoever. At no stage, in all the years that I have been here, has the Fees Office come back to me and said, "You should be claiming more than you have." That is a slur on the Fees Office and that should be recognised.

Alan Duncan: Let me place on record that I think that the Fees Office and many of the staff have been put under intolerable pressure over the past few weeks, both by the press attention and by the sheer burden of work that they have had to shoulder in order to prepare all the redacted receipts and so on. Instead of criticising

members of the Fees Office, this House should express its gratitude to them for being hard-working servants of this House.

Mr. Straw: May I endorse what the hon. Gentleman has just said? I paid tribute to the staff of the Fees Office. May I also endorse what he said about providing reassurance to the staff of the Fees Office? In co-operation with my right hon. and learned Friend the Leader of the House and the House of Commons Commission, we are seeking to provide more formal reassurance for the overwhelming majority of staff in the Fees Office.

Alan Duncan: I am grateful to the Secretary of State for that comment.

The central provision in this Bill—clause 1—will create what is, in essence, the independent Fees Office that we have been discussing. Conservative Members welcome that, because we support the principle that MPs should no longer determine their own pay and allowances. The public anger to which Members have been exposed originates, in part, from taxpayers' increasing alienation from a political system that is seen to waste money—that feeling has intensified during the recession. While many people are losing their job and seeing their income reduced, MPs are seen to be being paid in luxuries. We feel that people will never have confidence in Parliament if we continue to vote on our own remuneration.

It is true that in recent months the House has adopted a much more rigorous regime. I chair the Members Estimate Audit Committee, and it is good that significant progress has been made on creating three levels of audit and assurance and on ensuring that all the standards that we set are akin to those of any public body or the most strictly regulated plc. However, as such decisions are still viewed by the public as made by MPs for MPs, we think it better that there should be a dedicated external body to determine our pay and rations.

I should make another point in passing. The House has just elected a new Speaker. All sorts of labels were given to the contest by the press; particular mention was made of the desire to promote a Speaker who would “reform”. If this Bill goes through—let us leave aside the Speaker's involvement in the selection process for IPSA itself—the framework of the new body would have a significant bearing on the office of Speaker and his ability to have any say in reforming this side of our parliamentary life. All the arguments about expenses would be removed from his responsibility. Likewise, there are consequential implications for certain Committees of the House, for instance in relation to the function of audit. The Bill might result in my having to relinquish the chairmanship of the Members Estimate Audit Committee and retain only the audit function for the House estimates, which deal with the parliamentary buildings and the wider estate.

Having established IPSA, the Bill, through clauses 2 to 5, would provide that body with the powers to set our allowances—with reference to the inquiry by the Committee on Standards in Public Life, which I have mentioned—to administer our allowances and our salaries and to codify and maintain the Register of Members' Interests.

Clauses 7 to 9 would create a Commissioner for Parliamentary Investigation, who would work with but separately from the authority, to look into alleged misuse

of allowances or breaches of the registration of financial interests. The House will be aware that that would create duplication with the work of the Parliamentary Commissioner for Standards—currently John Lyon—so we will need to give detailed examination in Committee as to exactly how to untangle those roles.

In just these respects we would like the Bill to go further. The historic response to the continuing controversy about our remuneration has always been safety valve politics; it has always been about letting just a little more air out of the system in order to buy a little more time. However, by fending off a bad headline one day, we have not avoided 10 bad headlines the next. We have delegated both pay recommendations and a review of our pensions to the Senior Salaries Review Body, and the Committee on Standards in Public Life is investigating our expenses. Those are ultimately three elements of the same overall package, and what has been depressing about the past few months has been the lack of public debate about what impact the final package, whatever it might be after those bodies have made their separate reports, will have on the make-up and identity of Parliament. We need someone to piece together all those fragments and draw together all those different threads. Perhaps if we equip IPSA properly and make it capable of taking rigorous intellectual decisions, it might one day be the authority that succeeds in taking a comprehensive, overarching view to determine our entire pay and rations.

Natascha Engel (North-East Derbyshire) (Lab): Perhaps we need to go a couple of steps further and talk to the people whom we represent, identify what they want us to do, and then create a structure of pay, reimbursement and pensions that reflects that. We are approaching this issue the wrong way round, and the hon. Gentleman is not going far enough.

Alan Duncan: Many hon. Members may think that the hon. Lady has got things the wrong way round. We need a body that can be independent and responsible, which detaches us from any association with determining what we are paid or rewarded. If this is the body that will do it, and it looks as though it will be, the question of who sits on it becomes critical.

The Bill establishes, in schedule 1, an appointments process that is virtually the same as that for choosing the chair of the Electoral Commission. Nobody doubts the integrity of that selection process, or the impartiality of the appointee. Commissioners will be selected by a Speaker's Committee and their appointment will be sealed with the imprimatur and authority of the House. This is a crucial process, and it would be completely unacceptable if members of the new body were, for instance, hand-picked by the Executive. The origin of the problem that we are discussing has been the interference of the Government of the day at all stages of the determination of our pay. Any further interference from, say, the Prime Minister would serve only to compound the problems that we are today trying to address.

Sir Patrick Cormack: Is it not one thing to have a body that regulates the conduct of elections and another thing entirely to have a body that regulates the conduct of the elected?

Alan Duncan: I totally agree with my hon. Friend. Inasmuch as I have supported elements of the Bill, it is not the influence of conduct that I am discussing. The influence would be on deciding how much we are paid. In other words, this is about money, not about behaviour or the freedoms that we enjoy as independently elected Members of Parliament.

Mr. Heathcoat-Amory: The Leader of the Opposition has agreed with the Prime Minister about the need for more accountability in British politics. How will that be achieved by removing such decisions from a body accountable to the electors—ourselves—to an unaccountable, external, unelected quango that will tell elected people what to do? Surely we should have the self-confidence to set our own pay, on recommendation from others, and then to defend it to the electors, rather than give away these powers to another body.

Alan Duncan: The shortest answer to my right hon. Friend is simply that this is the only respect in which we can be seen by the electorate as feathering our own nests and taking decisions that directly affect our own interests. I would like to think that, in all the other work that we do in this House, our intellectual energies are directed towards the betterment of the country. The system has become so discredited that we are now seen to be the people who use our constitutional power to put money in our own pockets, and that is no longer acceptable. It is the one area where it is wise to contract out our power.

Mr. Frank Field: Is there anything in the Bill—I cannot find it—that would prevent a future Government from vetoing those recommendations, as Governments have done with every Senior Salaries Review Body recommendation?

Alan Duncan: Yes, and the Secretary of State may wish to collude with me on that answer. The decisions on pay and allowances merely have to be laid before the House: they cannot be rejected by it, as I understand the provision.

Mr. Straw: The IPSA as currently constituted will deal only with allowances. The authority will effectively make its own decisions and then, according to clause 3, it

“must lay the scheme...before the House of Commons.”

It cannot then be voted down. That is included not only as a protection for the public, but for the House. If the body were to have responsibility for pay at some point in the future—and there are some good arguments for that—the same would apply.

Alan Duncan: I am grateful to the Secretary of State for confirming what I said. On a small, technical point, given that only a Member of this House can lay anything before it, I am sure that he will accept an amendment that says that the Speaker, and not IPSA, will lay the matters before the House.

Mr. Tyrie: Given what my hon. Friend said about the need to take the issue of pay directly out of the hands of the House, would Front Benchers support an amendment

that altered clause 3 to exclude pay from consideration under resolutions of the House and to place the issue at one remove by statute?

Alan Duncan: That is essentially our party’s policy. Of course, we would need to look at the exact words of any amendment to determine whether we supported it. In principle, we are today setting up the architecture that would allow what my hon. Friend suggests to happen. I think that in practice the Bill allows for subsequent amendment or revision. I think that we are all thirsting for some kind of total, comprehensive and, dare I use the word, holistic approach to all the various strands that are, at the moment, fragmented.

The men and women who become commissioners will need to be distinguished and of unimpeachable character. They will also need to be confident, so I am pleased that the Bill makes it clear that there should be someone on the board of IPSA who has had direct parliamentary experience. That is not because we wish to give ourselves an easier deal; it is to ensure that there is someone on the board who knows and understands what it is to work in this place, who can ground IPSA in the gritty reality of the House of Commons, and who will not be seduced by any of the popular myths about what an MP does or does not do. Equally, the legal complexities of establishing the body call for someone who has reached the highest plains of the legal profession. We suggest that an experienced accountant should be on the board, too.

Mr. Swire: No serving Member of the House of Commons can be a member of IPSA, but a retired Member of the Commons can be. However, a Member of the House of Lords can be a member of IPSA. Does my hon. Friend agree that that is an anomaly, given that the Justice Secretary told me earlier that he hoped that the measures would eventually apply across both Houses?

Alan Duncan: The difference arises from the fact that a Member of the House of Lords is a Member for life, so there are no ex-Members of the House of Lords who are able to make a constructive contribution.

Mr. Swire: Hereditaries.

Alan Duncan: Yes, there are hereditaries. Some past heads of the Committee on Standards in Public Life have been Members of the House of Lords; I am thinking particularly of Lord Nolan and Lord Neill. If one is to seek a senior judicial figure, it may well be that the House of Lords is where they come from. Of course, there are Cross Benchers in the House of Lords, but not here, bar one or two.

Sir Alan Beith (Berwick-upon-Tweed) (LD): Will the hon. Gentleman allow me to intervene?

Alan Duncan: Yes, but then I will make progress, if I may.

Sir Alan Beith: I declare an interest, as my wife is involved. I had better make it clear that the three parliamentarians who are members of the Committee on Standards in Public Life are explicitly not taking part in the committee’s inquiry on pay and allowances, because they have an interest.

Alan Duncan: Indeed. They were asked to stand down from the investigation. In a way, that is against many of the principles under which Lord Nolan set up the committee in the first place. One of those principles was that, in order properly to decide anything to do with this place, knowledge of it was necessary. Sir Christopher Kelly decided that the parliamentarians should stand down from the inquiry; whether that was right or not is for others to judge.

We do not have a serious problem with the investigative functions of the new body. We have to hope that Sir Christopher Kelly's committee comes up with sensible, simple proposals later this year that will make any new system virtually impossible to manipulate. However, the public's view of politicians is so low at the moment that we must be prepared for what I can only imagine might be rare instances of outright fraud. In doing so, we should ensure that there is a real, and not just a cosmetic, separation of powers between the administrative and investigative competence of IPSA.

Without wishing to cast any aspersions on the staff of the Department of Resources, who do what is at present a very tough job, part of the reason for our current problems has been that the Fees Office was for a long time both the administrator and the adjudicator of allowances. This clearly can no longer continue. If we are to avoid falling foul of any further elephant traps, we will need to look carefully at what the Justice Secretary has called the "firewall" between IPSA's administrative and regulatory functions. I am sure we will examine that in Committee. I refer Members particularly to schedule 1, part 2, paragraph 17.

These parts of the Bill are, we would argue, the least controversial, unless one is opposed to the entire principle of contracting out our pay and allowances, although at present the new body will look only at our allowances. But there are other elements of the Bill that appear to be designed purely to satisfy the prime ministerial press release. One of the reasons we find ourselves in this mess is that we have suffered from the most trivial form of gesture politics. The Government must understand that we will not resolve the problem with yet more gestures. We can get away with some bad legislation, but if we put a foot wrong in this case, we might end up not just with an expensive inconvenience, but with a constitutional nightmare that will haunt us for decades.

Although we remain cautiously relaxed about transferring powers on allowances, we are not so comfortable about the provisions in the Bill that allow IPSA to regulate the system and create new offences for false claims or failing properly to declare financial interests. That view is nothing to do with giving MPs special favours. It is about making sure that in fixing the Commons, we do not unfix the parts that are not broken. The Government must listen, and I hope they will be prepared to accept some amendments.

The House had particular concerns about clause 6, which would have created an obligation on the House to have a statutory code of conduct, or at least by statute it would have required the House to have a code of conduct, which is slightly different. That would have created all sorts of conflicts between us and the courts. We still have concerns about clause 10, which creates a formal provision to allow proceedings to be admissible

in court proceedings against an MP, regardless of parliamentary privilege. We will have to examine this in depth in Committee.

What is at stake here has been expertly explained by the Clerk of the House in a powerful analysis of those aspects of the Bill that touch on questions of parliamentary privilege and our freedom as Members. That document is already public, and I know that the Clerk will be before the Justice Committee tomorrow night. He had two central concerns—first, that swathes of the Bill are or would have been justiciable and would set Parliament on a direct collision course with the courts; and secondly, that this could undermine the basic principle of free speech in the House.

The sovereign independence of Parliament from the judiciary has been one of the fundamental pillars of our constitution for centuries. As the Clerk interprets it, had the Bill gone through unamended, we would have seen an endless merry-go-round of litigation and judicial reviews. We cannot end the culture of blank cheques to MPs, only to open up a culture of blank cheques for lawyers. Members—we—are already subject to the law of the land, just like anyone else. We are also already subject to a parliamentary code of conduct, and to the judgment of the electorate.

Inasmuch as IPSA has power over our allowances, we are largely content, but inasmuch as it muddies the water and empowers the courts to intrude on our independence of action, it must be resisted. Even more dangerously, as the Clerk goes on to suggest, the casual disregard for parliamentary privilege in the Bill, particularly in clause 10, could cause permanent damage to parliamentary proceedings. As he says, it could have a "chilling effect on the freedom of speech of Members, and of witnesses before committees, and would hamper the ability of House officials to give advice to Members".

As has already been said, responding to me at business questions last week, the Leader of the House said:

"He will see from the face of the Bill that the question of parliamentary privilege is not an issue in that Bill, so that is not a question that hon. Members need to concern themselves with."— [*Official Report*, 25 June 2009; Vol. 494, c. 950.]

It is difficult to see on what basis she made such a statement. It is in obvious contradiction to the expert advice from the Clerk. We are glad that clause 6 has been withdrawn, but we are still concerned about other aspects.

Sir Patrick Cormack: Does not the Clerk also point out that in 1999 a Joint Committee of both Houses, on which I was privileged to sit, produced a report that has been pigeon-holed ever since? Had it been followed and had we had a privileges Act, as the Committee recommended, many of the issues that have disturbed us since would not have arisen.

Alan Duncan: I could not agree more with my hon. Friend. Our expenses regime and the Bill, together with the recent arrest of my hon. Friend the Member for Ashford (Damian Green), make the case for a privileges Act ever more compelling. We should look at that in detail.

Mr. Dismore: Picking up on the point made by the hon. Member for South Staffordshire (Sir Patrick Cormack), does the shadow Leader of the House agree

[Mr. Andrew Dismore]

that that Committee made particular recommendations in relation to the provisions of article 6 and natural justice to ensure that Members had the right to fair procedure when such cases were dealt with?

Hon. Members: Hear, hear.

Alan Duncan: I am happy to take that on board, and it sounds as though the House agrees with the hon. Member for Hendon (Mr. Dismore).

Mr. Gerald Howarth (Aldershot) (Con): I notice that my hon. Friend has not mentioned clause 5, which is of concern to a number of us. Will he share with us his view on a point made by our right hon. Member the Member for Wokingham (Mr. Redwood), who challenged the Lord Chancellor on his unpaid post, and sought to establish from him why Ministers were excluded? After all, the Prime Minister, like us, is a right hon. Member of the House, but he also moonlights as Prime Minister, for a fairly substantial fee. Ministers do not have to go through the rigmarole of having to account for their every hour and minute spent on that outside interest, whereas those who have other outside interests that enable them to bring some serious experience to the House will be subject to that process.

Alan Duncan: My hon. Friend has made that point in the House a number of times. The loose use of the phrase “full-time MP” is increasingly vacuous. It does not mean much. The Prime Minister and other Ministers are Members of Parliament, working for their constituencies, and have very busy jobs as Ministers. Members who are paid as Chairmen of Select Committees also have that as an extra job. So the notion that we are either full-time MPs or not requires us to help inform people about how this place works. If ever there was a time when educating people and helping them understand this place were needed, now is such a time.

We will have to consider all these issues very soberly over the next few days. One issue that has been discussed and is of great importance is the question why we need to create special new offences for MPs, as in clause 9, for example, for providing “false or misleading” information when making an expense claim. As my hon. and learned Friends the Members for Harborough (Mr. Garnier) and for Beaconsfield (Mr. Grieve) said earlier, and as was pointed out by a QC in the letters page of *The Times* last week, such behaviour is already punishable under section 15 or 15A of the Theft Act 1968—dishonestly obtaining property by deception—or perhaps under the provisions for false accounting in section 17.

There has been a perverse consequence of the Government’s attempt to define a special offence for us. I suspect that it was not the Government’s intention to limit the maximum sentence for which an MP could be imprisoned to 12 months, rather than the 10-year sentence that can await members of the public found guilty under the Theft Act, but that is how it appeared to the correspondent in *The Times*. Creating different rules just for Members of Parliament cannot hope to fill the public with confidence in the new system. The Government’s unworthy briefing to the press today suggests that they are more interested in propaganda than in a proper Parliament.

A Second Reading speech is to do with the principle of the Bill. The key principle at stake here is not only the external determination of our allowances, but the relationship between Parliament and the courts. As mentioned before, we had concerns about the obligation to have a statutorily enforced code of conduct; we were perturbed that the justiciability of the code would move our focus away from the legitimate concerns of our constituents towards the vexatious concerns of litigants.

These are tough times for Parliament, but they are also times in which the House needs to keep its collective head. We need a simple Bill that deals swiftly and effectively with the problem of our expenses. Let us not try to solve that problem by creating other problems, whose magnitude might dwarf even the hideous situation of the past two months.

Several hon. Members rose—

Mr. Deputy Speaker (Sir Alan Haselhurst): Order. I have to remind the House that Mr. Speaker has placed a 15-minute limit on Back-Bench speeches, and that it operates from now.

6 pm

Sir Stuart Bell (Middlesbrough) (Lab): I am grateful for the opportunity to follow the shadow Leader of the House. He reads the same newspapers as I do, and he referred to the letter in *The Times* last week that noted that under the Theft Act 1968 one receives a 10-year sentence, rather than the one-year term that might be set down in our Bill. The Justice Secretary has pointed out, however, that there will be a new offence and that there is a difference between “knowingly” and “dishonestly”. We lawyers understand perfectly well that there is a difference.

The shadow Leader of the House also mentioned the Bill’s principles, which I fully support and always have supported. I refer simply to something that I learned many years ago from Ernie Marples, a former Conservative Minister for Transport, who said that a time of crisis is a time of opportunity. A crisis has certainly engulfed the House in relation to the public’s perception. There is a phenomenon among the public, in that everyone seems to relate to Members’ expenses. I have an aunt in Newcastle who is 92 years old, and when her son visits her from Spain she does not ask how he is, how the children are or how the journey was; instead, she says, “I cannot get a communal garden seat, but those MPs...” And so it goes on up and down the land. We created a crisis and the Bill is dealing with it.

The shadow Leader of the House said that there was a low opinion of politicians; I have to tell him that in 1974 we were behind estate agents in such popularity stakes. We have not moved very far since then, so it is not true that Members have ever been popular in our land. However, we are certainly more unpopular now.

I am glad to see the right hon. Member for Wells (Mr. Heathcoat-Amory) still in his seat. He, the hon. Member for Chichester (Mr. Tyrie), who made an intervention, and my right hon. Friend the Member for Birkenhead (Mr. Field) were all concerned about salaries and whether they were also part of the Bill. I read a number of briefing notes on the Bill, and I was under the impression that, should the Independent Parliamentary

Standards Authority ask the Senior Salaries Review Body for a recommendation on salaries after a review, the issue would fall within the same category as expenses and, as the Justice Secretary has said, be laid before the House without a vote. If that is to be the case, it will be the first time since 1971 that MPs' salaries as recommended by the SSRB have been approved. The late Sir Edward Heath did so, but since 1975, when the Leader of the House was Michael Foot, no Prime Minister or Government—through the Thatcher, Major and Blair years—have ever accepted a recommendation from the SSRB. That has given us the current disequilibrium between allowances and salaries, so I hope that, in the future, salaries, like allowances, will be covered by IPSA.

My hon. Friend the Member for North-East Derbyshire (Natascha Engel) said in her intervention that we should listen to the public. I think that, through this Bill, the Kelly recommendations on MPs' allowances and the four-year review of all our expenses and allowances, which will begin very soon and is being carried out by independent auditors, we are listening to the public.

I think that it was the shadow Leader of the House who had the good fortune, or the misfortune, to mention *The Daily Telegraph*, and I repeat what I said at the time: it is a matter of great regret that a CD-ROM was stolen from the House, that it was bought for a tremendous amount of money—possibly £250,000—and that it led to the revelations that came to the public's attention. Voltaire once said, however, that out of some ill, some good can come, and the good that has come out of the revelations is the Kelly review, the Bill and our review of four years' expenses and allowances. So, when people ask, "Why the rush with the Bill? Why the haste?", I answer that the haste is to respond to the public's opinion, which we created. We have created a terrible public opinion of this House, and the House as an institution, as well as its Members, must respond. That is what we are doing today.

Sir Christopher Kelly has been mentioned on a few occasions, and those who have given evidence include the hon. Member for Meirionnydd Nant Conwy (Mr. Llwyd), who gave evidence today, and myself. I gave evidence last week, just before the Bill's First Reading, and I tried to explain to the committee, and I think that it understood, that IPSA is not being set up as another quango. It will separate the work of the Fees Office from Members. I repeat on the Floor of the House what I said to the committee: an incestuous relationship had developed between Members and the Fees Office.

Many people—the Justice Secretary, the shadow Leader of the House and my right hon. Friend the Member for Birkenhead—have said that the Fees Office does a sterling job. No one is criticising members of the Fees Office; we are all responsible, because, over the years, we right hon. and hon. Members have made our claims and they have responded. They tried to help us. When the difficulties arose with the media, Members said, "Well, it was agreed by the Fees Office," and the Fees Office said, "You are hon. Members," and the relationship became rather unstable, leading us into our current situation.

The hon. Member for East Devon (Mr. Swire) referred to the Committee on Standards in Public Life, and to whether the Justice Secretary had referred the Bill to the that committee's chairman. I have to say, again, that the

Bill is entirely separate from the work of the Kelly committee. We are still a sovereign Parliament for a sovereign people, and it is up to us in this House to set the framework. Within that framework, the Kelly committee can respond and give us its recommendations, but it is up to this House to approve or not to approve those resolutions. All three main party leaders have said that they will support them when the time comes. We hope and expect them to be appropriate; we expect them to be transparent and to take into account the public interest; and, therefore, we hope that we are in the process of supporting them.

The reason why I think so many of us have given evidence to the committee, notwithstanding the point that the right hon. Member for Berwick-upon-Tweed (Sir Alan Beith) made about his wife and two others not being able to sit on it at this time, is that we are there to educate the committee, to tell it about the feelings of the House and of Members and to explain to it the things that we think are significant to this House. It is a two-way process with the Kelly committee, and I had no difficulties with my evidence and the evidence that others in the House gave last week.

The shadow Leader of the House said that if we get the Bill wrong we can always reverse it. The Justice Secretary said that we got the Dangerous Dogs Act 1991 wrong—possibly—but we have not amended it. This House is sovereign, and if the Bill is not right there will be time to change it; but we have three days for consideration, which is quite a period in which to discuss the Bill not only on Second Reading but in Committee. It is therefore up to this House, as it is doing tonight, to hold the Executive to account—it is a Government Bill—and to press, probe and see whether there is a response. Up to now, the Justice Secretary has responded. He has listened carefully to Members, and he is still listening. We are in listening mode.

This is a matter for the House of Commons. This is about how we put to the people of our country a new framework for dealing with our expenses and allowances through an alternative fees office, and to get rid of a cosy, incestuous relationship. We must be careful, however, not to show a kind of parliamentary drag—some Members still say, "We should be in charge of our salaries, expenses and allowances; we should not give them to a quango." Those days are over, as any of us who speaks to the public will know. We have ceded our authority on such issues, and we should accept that; I hope that all in the House fully accept it.

The hon. Member for Louth and Horncastle (Sir Peter Tapsell) referred to the Kelly committee, and I refer to it again now. The Secretary of State went through the various stages of reform that the House has seen over many years. During my years in opposition, the noble Lady Thatcher never reformed the House of Commons. She reformed many things, including the judiciary and the legal profession, but she never touched the House. Now we are reforming the House—in the interests not of MPs, but of the people of our country.

The Secretary of State is perfectly right not to extend measures to the House of Lords at this time. Many years ago, Richard Crossman wanted to reform the House of Lords. He saw the then Leader of the Opposition, Edward Heath, and made his reform dependent on reform of the Commons—but we never got reform of the Commons or the Lords. If we wait for the House of

[*Sir Stuart Bell*]

Lords to come on board, we will never get the reform here. It is important that we reform here first; the House of Lords can follow. I am sure that it would wish to, for the sake of its reputation.

I fully support the Bill. I have argued for it; I have argued for the Fees Office to be independent from Members of Parliament. I cast no aspersions over members of the Fees Office and how they work and have helped us over the years, but it is in their and our interests that the separation should take place. I echo the words of the Prime Minister himself. He said that the Bill will end the system of self-regulation and that we would have independent statutory regulation. He went on:

“That will mean the immediate creation of a new Parliamentary Standards Authority, which will have delegated power to regulate the system of allowances. No more can Westminster operate in ways reminiscent of the last century, whereby Members make up the rules and operate them among themselves.

The proposed new authority would take over the role of the Fees Office in authorising Members’ claims, oversee the new allowance system, following proposals from the Committee on Standards in Public Life, maintain the Register of Members’ Interests, and disallow claims, require repayment and apply firm and appropriate sanctions in cases of financial irregularity.”—[*Official Report*, 10 June 2009; Vol. 493, c. 796.]

The Bill is a major step forward in restoring the reputation of the House and in carrying the institution forward. It is the institution that has suffered, although Members of Parliament might be severely damaged in their constituencies. I give the Bill my full support, because I want the reputation of the House to be restored.

6.13 pm

Mr. Alistair Carmichael (Orkney and Shetland) (LD): The Secretary of State started by explaining the absence of the Leader of the House; I should explain that in the normal course of events my hon. Friend the Member for Somerton and Frome (Mr. Heath) would speak for my party in this debate. However, he is elsewhere on parliamentary business, so the pleasure falls to me. I hope that Members will accept me, although as an inadequate substitute.

The Liberal Democrats welcome the Bill, although with significant qualifications to which I shall turn in a moment. As we debate it, it is important for us to be mindful of its political and public context. As the Secretary of State and others have said, there has been a substantial effort among all the parties to move forward by broad consensus, and that has a lot to recommend it as a *modus operandi*. The Bill provides for the contracting out of the administrative functions of the Fees Office and the removal of ourselves from the invidious position of being judges of our own cause in respect of pay and allowances. To that extent, it is uncontroversial.

Unfortunately, however, there is a great deal more to the Bill than that, and others have already aired their concerns in that regard. I have particular concerns about the timetabling of the Bill. Towards the end of last week, we were favoured with a helpful memorandum from the Clerk of the House, who is to give evidence to the Justice Committee tomorrow. An effort is being made to enable his evidence to be available to Members the following morning. I have heard word that the Joint

Committee on Human Rights may have something to say on the Bill in the next day or two. As always, its intervention would be welcome.

Given all that, why is it so urgent to force the Bill through by Wednesday? I do not say that two days are not sufficient, but why do the Committee and other stages have to take place on two consecutive days? There is no reason why we could not deal with them on Monday or other days next week.

Mr. Straw: The reason is that we need to get the legislation through the other place and provide for any ping-pong that may arise before we rise for the recess.

Mr. Carmichael: The House rises on 22 July; if necessary—I hope that my wife does not read this—we could stay here until 23 or 24 July, or later. Substantial issues of great constitutional importance are at stake; to say that the stages have to take place in this way for the convenience of timetabling is, I fear, somewhat inadequate.

Mr. Llwyd: I agree with the hon. Gentleman. However, does he not think it would be even better if there were a draft Bill and proper pre-legislative scrutiny, with the calling of witnesses such as experts in administrative and constitutional law, the Clerk of the House and others? In that way, we could make absolutely sure that we did not make a monumental foul-up of the whole thing.

Mr. Carmichael: From one point of view, that would be an eminently sensible procedure to follow. However, I have to say that my experience of pre-legislative scrutiny is that even when we have it, the Government have a propensity to disregard the whole lot and bring forward a Bill that deals with the press release of the day rather than with the substantial body of work that has already been done. The Leader of the House is particularly culpable in that respect.

I shall now gladden the heart of the hon. Member for South Staffordshire (Sir Patrick Cormack). In the short time that I had to acquaint myself with the issues, I looked at the report published in 1999 by the Joint Committee on Parliamentary Privilege, on which he sat. It is a formidable piece of work and its conclusions are exceptionally well argued. However, the report has sat here since 1999 and now, in three days, we have to pass a Bill that deals with substantive issues of privilege. The issues should have been dealt with years ago, as part of a much more measured process.

Sir Patrick Cormack *rose*—

Mr. Carmichael: I shall give way to the hon. Gentleman, as I have referred to him. I hope that my answer to his point will allow me to move on from the issue.

Sir Patrick Cormack: I am exceptionally grateful to the hon. Gentleman for giving way and for what he said about the Committee’s report. This is not emergency legislation such as that relating to terrorism. Without necessarily going down the route of pre-legislative scrutiny, we could quite easily complete the stages of the Bill in October when we come back. Then every Member would have the chance to read the report.

Mr. Carmichael: I think that everything must now have been said about the timetabling.

Sir Alan Beith: If the Government avoided proceeding with the parts of the Bill that get into the parliamentary privileges issue and left in place the parts that set up the body and enabled it to start work, perhaps some of the timetabling issues would go away.

Mr. Carmichael: I cannot fault my right hon. Friend's reasoning in that regard.

The concession that the Secretary of State has made on clause 6 is eminently sensible and welcome, and he is to be commended for having done so, but it highlights the danger in proceeding as we do.

Mr. Swire: The hon. Gentleman is absolutely right to ask for more time to go through the provisions in greater detail, but is that not rather at odds with his own party leader, who has been saying that we should accept the recommendations of the Kelly report without even knowing what is in it?

Mr. Carmichael: That is an entirely different point; the hon. Gentleman seeks to conflate two separate issues. I remind him that my right hon. Friend the Member for Sheffield, Hallam (Mr. Clegg) is on record as saying—he was not greatly supported in many parts of the Chamber—that the House should sit until all the necessary work had been done. This is a prime example of something that, if necessary, we could have sat through until we got it right.

In my intervention on the Secretary of State, I asked him whether he was satisfied that the provisions of the Bill would comply with article 6 of the European convention on human rights, and he replied by reference to the declaration in the Bill concerning compliance with the Human Rights Act 1998. I have no doubt that that was not a difficult declaration for him to make, because of course the Human Rights Act does not apply to Parliament. The fact remains, however, that offences under the Bill and any processes that flow from them would have to comply with article 6 of the convention. That point was dealt with in the report by the Joint Committee in 1999. Paragraph 283, on page 75, refers to the case of *Demicola v. Malta*, in which the editors of a satirical magazine had been found guilty of contempt of Parliament. It was held by the European Court of Human Rights in Strasbourg that they had not been given a fair process. The Court observed that

“the person charged with contempt was a non-member”
of Parliament

“but it would be unwise to assume that the requirements of fairness would be significantly less for members.”

Mr. Dismore: Although section 6 of the Human Rights Act excludes its operation as regards Parliament, we cannot exclude Strasbourg jurisdiction under article 6 of the convention. It is therefore inevitable that, sooner or later, a Member who is not treated fairly will take their case to Strasbourg. In this respect, we have not brought human rights home for Members of Parliament, although we may have done for the general public.

Mr. Carmichael: The Committee goes on to make that point at some length in paragraph 284. I would say to the hon. Gentleman and to the Secretary of State that if there is one thing that is more dangerous than this House not acting, it is this House acting in a way that is seen to be deficient and is subsequently open to challenge.

The interface that we reach between judicial and parliamentary proceedings is absolutely fascinating, and the Clerk of the House deals with it in his memorandum to Members. Let me draw the House's attention to his observations on clause 10:

“Clause 10(c) allows any evidence of proceedings in Parliament to be admissible in proceedings for an offence under clause 9. This is a very wide qualification of the principle under Article IX of the Bill of Rights that such evidence is not admitted. It would mean that the words of Members generally, the evidence given by witnesses (including non-Members) before committees and advice given by House officials on questions, amendments and other House business could be admitted as evidence in criminal proceedings. This could have a chilling effect on the freedom of speech of Members and of witnesses before committees and would hamper the ability of House officials to give advice to Members.”

One must therefore imagine that if the procedures that flow from the implementation of offences under clause 9 are to be in accordance with the normal principles of fairness in relation to admissibility of evidence, it will not be the case, for example, that somebody who is being investigated by the parliamentary authorities will be given a caution. Will they be told that they are not required to say anything before they answer questions from the parliamentary authorities?

Mr. Frank Field: That would be difficult for MPs.

Mr. Carmichael: Indeed.

What would the consequences be for the effectiveness of any procedure that we set up if right hon. and hon. Members were not minded to avail themselves of that protection?

Angus Robertson (Moray) (SNP): I think it would be helpful to get some clarification from the Liberal Democrats on the issue of offences. This House, with the support of the Liberal Democrats, supported the Scotland Act 1998, from which several of the offences that are now part of the Bill were lifted. Is the hon. Gentleman concerned about their inclusion in relation to the House of Commons, and not the Scottish Parliament, or does he think that they operate in completely different ways?

Mr. Carmichael: The hon. Gentleman allows me an opportunity to explain. I am not arguing against the offences per se—offences of this sort may be very necessary—but their creation has a particular implication for the operation of parliamentary privilege. That comes back to another point made by the Clerk in his memorandum: the 1999 report gave us an opportunity to take a holistic approach to dealing with questions of privilege. The draft Bribery Bill is before the House—I sit on the Joint Committee that is scrutinising it—and now we have this Bill. We are taking what the Clerk terms a “piecemeal” approach to privilege, and that is where the danger lies.

Mr. Grieve: The hon. Gentleman may agree with me about two things. First, the offence under clause 9(1), which is the general offence of providing information to make a claim that is known to be misleading in a

[Mr. Grieve]

material respect, does not, as far as I am aware—he may be able to confirm this—apply in Scotland, where people are subject to the general law, whereas the Bill applies a particular law to this House. Secondly, as regards the prohibition on paid advocacy being turned into an offence, it is a little strange that this is happening just as the Bribery Bill is going through the House, whereby a great deal of attention is being paid to parliamentary privilege and it seems that paid advocacy and bribery are almost synonymous. In those circumstances, why should this particular offence be required without the safeguards that are being debated in respect of the other Bill?

Mr. Carmichael: With regard to the latter point, yes, what the hon. and learned Gentleman says has an undeniable logic that reinforces the argument about the piecemeal approach to reforming the law of privilege. With regard to his first point, as he says, clause 9(1) does not apply in Scotland. Neither does the Theft Act 1968—or the Fraud Act 2006; I cannot remember which. In any event, we have a very different body of law. Scots law is a quasi-Roman principle-based system, and we do not concern ourselves with the need for things like theft Acts and fraud Acts. I declare a fascination with that principle, and I commend it to other parts of the United Kingdom.

I have one final concern that I wish to bring to the House's attention, which again relates to the rather piecemeal approach that is being taken. Yet another body is being created that will concern itself with one small area of parliamentary activity. We already have the Standards and Privileges Committee, the House of Commons Commission, the Members Estimate Committee, the Members' Allowances Committee, of which I am a member, the Administration Committee and the Public Administration Committee.

As a member of the Members' Allowances Committee, it was apparent to me in the days following the early disclosures of our expenses by *The Daily Telegraph* that there were already a large number of fishers in a rather small pond. I fear that the creation of IPSA will mean another body fishing in that pond. Perhaps the Secretary of State and the Leader of the House should have considered the existence of all those different bodies, which overlap slightly although they have different jurisdictions, to see whether the time had come to rationalise them and make them more logical and coherent.

Today's debate is just the start of our proceedings, and we will have opportunities to speak about some matters in greater depth in the course of the next 48 hours. As far as Second Reading is concerned, should there be a Division my party will do nothing to impede the Bill's further progress.

6.31 pm

Mr. Frank Field (Birkenhead) (Lab): I am pleased to follow the hon. Member for Orkney and Shetland (Mr. Carmichael), because if an opportunity arises, I will vote against the measure, and I wish to use this short contribution to explain why.

The Bill fundamentally changes what we mean by representation, and we should move carefully before we change what has been built up over a long period and

what the British people generally trust. Of course, there is the question of expenses. There is another side of that tale to be told, but perhaps this is not the place for that. There may be huge demand outside the House for us to deal with that issue as quickly as possible, but despite the hundreds of e-mails and letters that I have had from around the country, nobody has said that we should rush into legislating on it, let alone change our constitution in the fundamental way that I believe the Bill will.

The words of the Justice Secretary that the Government were open and listening would have had more effect in the House if we were not whipped on the Bill. We have to decide on it in a couple of days, and the Government will whip us through the Lobby if they can, to get the desired effect.

The Bill will make a fundamental change to representation as the British public have seen it in the past. I refer specifically to clause 5(8). I will not be much affected by it, which may make it easier for me to speak about it than it will be for other Members. Twin principles govern our understanding of democracy and freedom in this country: representative government and responsible government. We have a crisis in both parts of that understanding of our constitution, because to gain responsible government we need a party system so that a group of people can be held accountable for the programme that they believe the electorate have given them a mandate to carry through. Yet we live in an age when political parties are dying, and we have not yet come to terms with that when considering what responsible government means.

The concept of representative government means various things, but partly that in some genuine way this House should represent the people whom we are elected to serve, in the sense that we should somehow mirror them. In my 30 years in the House of Commons, the pool from which MPs are drawn has become narrower and narrower. Unlike 50 years ago, we now have no senior trade union figure in the House. We have no senior business figure, no outstanding entrepreneur and no great musician. No one who has played a part in the IT revolution that has shaped our world is represented in the House and part of our affairs. Clause 5(8) will make it even more unlikely that such people will ever seriously consider coming into the House of Commons.

The subsection is not only about listing our outside interests, it is about listing how much time we spend on them. In a moment I shall explain how impossible it will be to enforce that, other than by encouraging Members to be untruthful in the returns that they provide. I shall give a number of examples of the problem. The provision suggests, although of course this is not stated, that all our time is somehow purchased by our being Members of Parliament. It suggests that there is something wrong and unclean about our having outside interests for which we are paid, and that we need to justify that.

What sort of world are we creating if it is not thought unnatural for me to go to sleep, play golf or watch a football match—I do not have to make an entry about that, as it is considered totally proper for a Member to have a rounded view—but if I earn any money outside the House, not only do I have to declare it, which is quite proper, but I should somehow have an egg timer and calculate how long I spend on each activity?

Mr. Swire: Will the right hon. Gentleman give way?

Mr. Field: I will happily give way, although I must say that the hon. Gentleman has done quite well with interventions.

Mr. Swire: Would the right hon. Gentleman concede that a lot of us spend an enormous amount of time on appointments and engagements with outside charities, for which we are not remunerated? Perhaps we should declare the amount of time that we spend doing that as well.

Mr. Field: Of course we could put all that into the requirement.

Clause 5(8) is unfair and unworkable; moreover, it will begin to change the nature of the House of Commons. It comes from the Nolan report, which I know everybody is supposed to bow down to and worship, but I thought it was an appalling report. It misinterpreted what this House is about. It is not about the 19th-century view that we represent purely ourselves. Over the centuries, it has been about representing interests. In one fell swoop, Nolan said that that was wrong, and that somehow the great interests in this country should not be represented here, and that if we started to represent them, we might find ourselves expelled or imprisoned.

My first concern about the clause is therefore that it will change the nature of the House. My second is that it is unworkable. I shall give an example from this morning. A merchant banker, a good guy who has not been disgraced and whose bank has not caused any of the problems that we are in, came in to talk to me about some ideas that he has had. One of his ideas was local communities buying, in a mutual way, their services from public utilities. I immediately realised that that would be relevant to a body on which I sit—a mutual based in Liverpool, about which I declare an interest and from which I gain remuneration as a non-executive director. I realised that offering such services to our members might infuse new life into the mutuals. We could not only cover health products, but ask whether members wanted to buy gas, water, electricity and other fuel, telephone services and so on through that mutual arrangement.

How do I declare what happened this morning? I thought that I, as a Member of Parliament, was meeting somebody who wanted to develop ideas, but, during the conversation, those ideas became relevant to an outside interest for which I am paid. How do I sub-portion the time between listening to that banker and answering his questions, and then seeing the relevance of his points to the mutual associations in this country and my particular interest in that?

Mr. Jenkin: The Bill is even worse than the right hon. Gentleman suggests. Under the measure, the conversation that he outlined could be used as evidence against him in a court, which could be the result of a litigant—a private individual from outside the House—who does not like him perceiving an opportunity to pick on him. That is invidious and restricts freedom of speech in the House.

Mr. Field: That is why I am confessing my bad behaviour to the House. Before reading the Bill, I thought that what I was doing was a noble activity; I believed that one of the reasons for which I was sent here was to think laterally and gain cross-fertilisation of ideas, which would make my role more effective.

The third reason for my opposition to the Bill is that those who we know have outside interests, who represent the Executive and who are paid handsomely for it, do not have to declare their time. I appreciate that extending patronage has been taken to the absurd conclusion whereby one can be an unpaid Minister, but one also, presumably, spends a great deal of time fulfilling functions. That group, which has helped strangle the House of Commons so that it cannot carry out its historic functions, goes scot-free. They do not have to declare anything about the time that they spend on sometimes making it difficult for us to carry out our functions as representatives.

There is another reason for opposing clause 5(8), which I believe will distort this place. We had to vote for a collection of ideas—we could not simply vote on whether to declare our interests, part-time earnings and time. We had to vote for four issues at once. The major one was clearing up abuses, for which one wanted to vote. Many Labour Members wanted to vote for the measure because they deeply resent the large sums of money that some Members may earn from outside interests. The rewards system in our society is deeply offensive to my constituents who work jolly hard, get £11,000 a year, are messed about by tax credits, are brilliantly raising two or three children on that sum and then see the sums that Members, let alone bankers, earn. There was a feeling that we could, to some extent, abate the gross inequalities in the rewards systems by passing the measure. I believe that we should tackle those inequalities through taxation and other methods, not by trying to distort the functions of the House of Commons.

There is one last reason for my opposition to clause 5 as it stands. I will not support it in the Lobby; I hope that I shall have a chance to vote against it. It makes a mockery of what I thought public service was about, and what I have tried to fulfil in my 30 years as a Member of Parliament. Of course, not every minute of my waking day is spent thinking about how I can be effective—and dare I say more effective?—in that role, but it is the driving force in my existence. I am now confronted with this wretched little Bill, which provides for my setting egg timers every time I might undertake an activity that is not of primary concern to my essence as a human being. The Bill asks me to spit on a record that I have tried to build over 30 years. It is a disgraceful little measure. While making a mockery of what we believed to be public service, it will—much more damagingly—affect the nature of representation in the House. For that reason alone, it should be rejected.

The guts of the measure could deal with the expenses abuse. If that was the Government's main intention, we could have got agreement and passed it today. However, there are other elements in the Bill, which have profound constitutional implications. I do not believe that we should have a set timetable to consider them or that we should be whipped through the Lobby to support the Bill.

6.46 pm

Sir George Young (North-West Hampshire) (Con): The right hon. Member for Birkenhead (Mr. Field) made a powerful speech that commanded respect from hon. Members of all parties. He focused specifically on clause 5(8). In one respect, it is innocuous, in that it simply provides that one has to declare a financial

[Sir George Young]

interest if one makes a speech—that has always been the case. However, it is worrying because, in April, the House changed the rules. The problem is not so much the content of the Bill as what we did in April, when we resolved to demand of Members that they register how much time they spend on outside interests.

At the same time, the Government put a complexion on outside interests, which I regret—I do not think that it existed previously. They suggested that we should not have outside interests. I agree with the right hon. Gentleman's comments that outside interests can enrich the House and inform debates, and that it is sad that we have begun to follow a path that discourages them. I was heartened by his remarks and I shall join him in the Lobby on the timetabling aspects of the Bill if there is a Division.

Mr. Grieve: I hope that I am not pre-empting my right hon. Friend, but does not another aspect of the Bill dovetail with the regulations? The new regulations, which we introduced in April, have blurred the distinction between a gift and a payment in kind. Consequently, the draconian sanctions, which the Bill imposes, that apply to paid advocacy make unclear the point at which an hon. Member should consider that a gift prohibits advocacy thereafter.

Sir George Young: I am grateful to my hon. and learned Friend. My hon. Friend the Member for North Essex (Mr. Jenkin) made a similar point in an intervention. My Committee is worried about the matter and I wrote to the Leader of the House at the beginning of the month, asking if she would revisit the new rules on earnings precisely because of that problem. I await a reply. In my view, the new rules are almost unworkable.

The Bill is being rushed through. The cross-party consultations were welcome, and it was a courtesy of the Justice Secretary's to include me in them as Chairman of the Standards and Privileges Committee. However, four meetings on Chatham House rules on a fast-moving text is no way to legislate for important changes, some of which go to the heart of how we are governed.

We are told that the Bill responds to public concerns, but there has been minimum public consultation on it. In his statement to the House on 19 May, the then Speaker said:

"The meeting also received a paper from the Prime Minister, which was endorsed by the other party leaders, calling for a fundamental reform of allowances—moving from self-regulation to regulation by an independent body. The Government will consult widely on this proposal."—[*Official Report*, 19 May 2009; Vol. 492, c. 1422.]

They have not. In her statement the following day, the Leader of the House spoke of

"The proposal on which we seek to consult"—[*Official Report*, 20 May 2009; Vol. 492, c. 1506.]

Following which there have been minimal consultations. At the end, she said:

"We must now seize the opportunity to promote a debate that will see proposals to change and strengthen our democracy".—[*Official Report*, 20 May 2009; Vol. 492, c. 1506.]

Quite frankly, there has been no such debate, and the Bill was published but a few days ago. I looked at the Ministry of Justice website, which said:

"The paper that was tabled at the meeting the Speaker held of all party leaders and subsequently debated by Harriet Harman in the House the next day is now available on the Ministry of Justice website. Members of the public are now invited to comment".

I wonder whether the Minister who will wind up this debate can tell us what members of the public have said about the process.

As others have asked, do we know what the views of the Committee on Standards in Public Life are on what is proposed? Presumably not, because it is in the middle of an inquiry into that very subject. The Justice Secretary's rather narrow interpretation of its terms of reference is misguided. Like other hon. Members, I have given evidence to that committee, whose members are interested in much broader issues than the simple mechanics of allowances. They are interested in the whole architecture and in the philosophy and ethics behind the allowances. He was wrong to rule out their commenting on some of the broader issues. It is not inconceivable that the committee could come up with a different solution from the one in the Bill. As the Government have already indicated that they are minded to accept Kelly, we could find ourselves repealing or amending the Bill in the autumn. That seems to be bad government.

All stages in three days is too fast. The view of the Standards and Privileges Committee was that we should have had a draft Bill that went through due process, in order to get it right. Rushing the Bill through this House is an open invitation to the other place to look at it more carefully. I commend to the House the wise words of Peter Riddell in *The Times* today:

"But, not for the first time, speed is the enemy of adequate scrutiny, risking the type of consequences raised by Mr Jack",

the Clerk of the House. He continues:

"Gordon Brown is determined that this Bill to 'clean up politics root and branch' should become law before Parliament starts its long summer recess in three weeks. It would be far better for Parliament to return for a couple of weeks in September to allow time for proper debate."

On that theme, I invite the House to contrast the care with which we assembled part of our regulatory structure with the haste with which it is being dismantled. The appointment of the first Parliamentary Commissioner for Standards followed inquiries by the Nolan committee—the Committee on Standards in Public Life—and our Select Committee. We came to a considered view after a rational debate and put in place an investigatory system in 1995 that has been modified from time to time since and has worked quite well. In giving evidence to the Kelly committee earlier this month, Anthony King said as much, pointing out that that part of the system had worked well. The independent investigatory system is not part of the current problem. However, the rush to abolish it and replace it with a new system risks creating new problems.

The Bill dismembers the existing complaints machinery, transferring its functions relating to allowances and registration to IPSA and the investigator. However, the Bill leaves the rest of the system in a heap here in the House, with no plans for putting it together again. Will the House retain the Parliamentary Commissioner for Standards to investigate complaints that do not relate to allowances and registration, of which there are some? If not, who will do the work of investigating those complaints and reporting to the Standards and Privileges Committee? Which independent person will keep our

code of conduct under review and make recommendations to the House? Or will we keep our Parliamentary Commissioner for Standards to investigate complaints that do not relate to finances, but have a new investigator-commissioner to deal with those that do? What do we do about complaints that are a bit of one and a bit of the other? The proposal has not been thought through and has the potential to create an unholy mess.

The Bill has some good points. Giving the Fees Office function to an outside body is welcome. The retention by the House of its powers to apply sanctions against errant Members is important. We could not have a quango suspending or expelling Members who had not committed a criminal offence. However, there are genuine concerns about aspects of the Bill relating to parliamentary privilege. Like my right hon. Friend the Member for Wells (Mr. Heathcoat-Amory), I do not know how on earth the Leader of the House could assert at business questions last week that

“the question of parliamentary privilege is not an issue in that Bill, so that is not a question that hon. Members need to concern themselves with.”—[*Official Report*, 25 June 2009; Vol. 494, c. 950.]

No sooner had she said that than up popped in my inbox five pages of a paper from the Clerk of the House entitled “Privilege Aspects of the Parliamentary Standards Bill”. The title of that paper sat uneasily with the assertion made by the Leader of the House. The Clerk of the House very tactfully says at the beginning:

“I should stress that I make no comment whatever on the merits of the Bill’s policy proposals”.

However, page three says:

“This could have a chilling effect on the freedom of speech of Members and of witnesses before committees and would hamper the ability of House officials to give advice to Members.”

That sounds to me dangerously like a comment on the merits of the Bill’s policy proposals, but of course the Clerk would make no such comment.

I welcome what was said about clause 6. I am glad that it is not being pursued, although there are some other aspects of the Bill, particularly in clause 10, where there are still some residual issues. If the Justice Secretary was minded to accept the Clerk of the House’s views on clause 6, that prompts the question why he chose to reject them on clause 10.

The Standards and Privileges Committee has been described as a “gentlemen’s club”, which is an inaccurate and unfair characterisation. It is indeed a Committee composed entirely of parliamentarians who, at the moment, all happen to be male. However, as I told the Committee on Standards in Public Life in giving evidence this morning, the Committee would welcome the appointment to it of some lay members to correct any misperception that it is a club and to introduce an element of external involvement in its work on standards. I look forward to seeing what the Committee on Standards in Public Life says about that.

However, there is something close to a gentlemen’s club, and its members are Ministers of the Crown. There is no proposal in the Bill from the Government to place the ministerial code of conduct and the investigatory apparatus that goes with it on a statutory footing, unlike what we are doing as far as Members of Parliament are concerned. The Bill therefore creates a new disparity between the status of the two codes. Perhaps the reason is that the combined owner, doorkeeper and bouncer of

the ministerial club is the Prime Minister. Anyone can complain to the Parliamentary Commissioner for Standards about any one of us. If he investigates and there is substance to the complaint, his report will be published. Let us contrast that treatment with the ministerial code. Complaints are pursued only if the Prime Minister so decides, and there is no guarantee that any report will be published.

There are a number of questions that the Bill does not answer or that it does not wholly answer. For example, when do the Government intend to commence the main provisions of the Bill? Will we have an opportunity to debate the relevant commencement orders? Do the Government mean to extend the role of the new commissioner to include investigating complaints that relate to matters other than financial matters, which I have mentioned, and if so, when? Do the Government intend to transfer the other registers to IPSA, and if so, when?

Do the Government intend to transfer investigations by the Parliamentary Commissioner for Standards that are already under way to the new commissioner? If so, when will that happen? Will the new commissioner be able to use the work already carried out by the present commissioner or will he have to start investigating those complaints afresh? Finally, what are we going to do with the Parliamentary Commissioner for Standards, who was appointed for a fixed term only last year? Normally, questions of this kind could be raised in Committee, reflected on and pursued on Report. However, there is no opportunity to do that with this Bill. I therefore hope that the Government can provide some answers up front today.

I do not like this Bill. I do not like the haste with which it is being pursued. I hope that the other place will subject it to proper scrutiny. I am minded not to vote against the Bill on Second Reading, but to vote against it on Third Reading if the objectionable bits are still there, although I am also attracted by the idea of voting against the timetable motion.

6.58 pm

Mr. Andrew Dismore (Hendon) (Lab): It is an honour to follow the right hon. Member for North-West Hampshire (Sir George Young), the Chairman of the Standards and Privileges Committee. I have served on the Committee for eight years, and I am by a long way the longest-serving member on the Government side of the House. I much endorse what he said about the Bill and the questions that he raised. Also, the intervention by the hon. Member for North Essex (Mr. Jenkin) on my right hon. Friend the Member for Birkenhead (Mr. Field) about his self-incriminatory statement to the House, which currently enjoys privilege, but would not do so if the Bill went through, was very telling.

I want to raise issues relating to my role as the Chairman of the Joint Committee on Human Rights, particularly those matters relating to due process. As the right hon. Member for North-West Hampshire and others have said, the legislative timetable for the Bill is highly problematic because it makes it virtually impossible for Committees such as the Joint Committee on Human Rights to perform our important role of subjecting Government Bills to careful scrutiny and reporting to Parliament in time to inform the debate. While I understand

[Mr. Andrew Dismore]

the political imperative to act swiftly in response to widespread and acute public concern about the present system of allowances and the regulation of standards, public confidence in the institution of Parliament is the lifeblood of our democracy. There is therefore a certain irony that a measure designed to restore public confidence in Parliament is being rushed on to the statute book in a way that makes it impossible for it to receive the proper scrutiny and deliberation that such an important measure deserves by the very institution in which we wish to restore public confidence.

I shall turn to the issue of due process. A significant human rights question raised by the Bill is whether it provides sufficient safeguards to enable it to be compatible with the right of Members to a fair hearing under long-standing common law principles of natural justice that are now also incorporated and developed in article 6 of the European convention on human rights and in our own law, through the Human Rights Act 1998. It is often erroneously observed that human rights are only about unpopular causes. At present, there is probably no more unpopular a cause than ourselves in this context. Nevertheless, when subject to disciplinary proceedings, hon. Members are entitled to the same protection of due process as anyone else in the outside world.

The explanatory notes to the Bill acknowledge that the provisions might engage the right to a fair hearing under article 6. However, the Government argue that there is no incompatibility with article 6, for two reasons. First, the explanatory notes state that

“there are arguments that the direction or recommendation functions of the IPSA do not involve the determination of civil rights or obligations.”

Secondly, the notes state that, even if IPSA’s functions of giving directions or making recommendations determined a Member’s civil rights, so that article 6 applied, there is no incompatibility with the article because there is

“a range of safeguards in place to ensure the fairness of the procedures of the IPSA.”

I have carefully considered the Government’s analysis of the Bill’s compatibility with the right to a fair hearing under article 6, and I have to say that I do not agree with their analysis. However, because of the timetable, I have not had a chance to engage in correspondence with the Government, as I would normally do as Chair of the Joint Select Committee on behalf of my Committee, to discuss the issues and thrash out the arguments in detail. The Government’s view that article 6(1) of the convention does not apply to the disciplining of Members is untenable in the light of the very serious consequences that might result for the individual concerned. The available sanctions include expulsion from the House, suspension, the withholding of salary and the ordering of the repayment of money. Any of those sanctions could also have a serious impact on the Member’s reputation. That was expressly recognised by the Joint Committee on Parliamentary Privilege in 1999, when it stated that

“in a particularly serious case a member faces the prospect of suspension and significant financial loss and, which may be more worrying for him, the destruction of his political career.”

Indeed, we have seen that happen in recent cases before the Standards and Privileges Committee. The Joint Committee went on:

“Even when a member is not suspended, the electorate may react adversely to his conduct as revealed during investigation of the complaint made against him.”

The Committee on Standards in Public Life, in its eighth report in 2002, also recognised the serious consequences for an accused Member.

As Chair of the Joint Committee on Human Rights, it is my view that article 6(1) of the convention applies to the disciplining of Members by the House of Commons. Sometimes the nature of the allegation will be such that its determination amounts to the determination of a criminal charge—for example, when the complaint is that the Member has acted fraudulently. In such cases, the criminal limb of article 6 will apply, complete with its higher procedural protections.

In other cases in which the allegations are less serious, a Member’s civil rights will be determined by the proceedings, particularly in view of the seriousness of the consequences for the Member concerned. Not only will this often have financial consequences for the Member, which in today’s Strasbourg case law is often seen as sufficient to qualify as a civil right, but it will always have serious consequences for the Member’s reputation and might affect their ability to pursue their livelihood. The Joint Committee on Parliamentary Privilege pointed out in its reports that several witnesses had drawn its attention to the application of article 6, including Lord Bingham, the then recently retired senior Law Lord who was then Lord Chief Justice.

The Government argue that, even if the right to a fair hearing as stipulated in article 6 applies—as I say, it does—the procedural safeguards in the Bill are sufficient. However, the only procedural safeguard in the Bill is the right of a Member who is the subject of an investigation or complaint to make representations to the commissioner and to IPSA about that investigation or complaint. That falls well short of the set of safeguards that the Joint Committee on Parliamentary Privilege described as the “minimum requirements of fairness”. It also falls well short of what is required by article 6, and of the common law principles of natural justice set out in case law going back over decades.

The Joint Committee concluded, in the light of the seriousness of the consequences for a Member, that it is important that the procedures followed in the investigation and adjudication of complaints should match contemporary standards of fairness. The Committee stated:

“While fairness is fundamental to any disciplinary procedure, the more serious the consequences, the more extensive must be the safeguards... In dealing with specially serious cases, we consider it is essential that committees of both Houses should follow procedures providing safeguards at least as rigorous as those applied in the courts and professional disciplinary bodies.”

The Committee is trying to create a system that somehow mirrors the way in which outside professional bodies are regulated. We should have the same safeguards and procedures as those that are expected for outside bodies such as the British Medical Association, the Law Society or the Bar Council.

Those principles are set out in common law, in article 6 and in the Joint Committee’s report, which includes reference to a

“prompt and clear statement of the precise allegations against the Member...adequate opportunity to take legal advice and have legal assistance throughout...the opportunity to be heard in person...the opportunity to call relevant witnesses at the relevant

time...the opportunity to examine other witnesses...the opportunity to attend meetings at which evidence is given, and to receive transcripts of evidence.”

None of that is in the Bill as it stands, but it is all required under long-standing principles of our law, as laid down by the courts and, more recently, by article 6. It is required by public bodies generally.

Mr. Grieve: I am following carefully the hon. Gentleman’s arguments, which seem to be well founded. Does he also agree that another oddity of the enforcement provisions is that there will be a requirement on IPSA to prepare a protocol on how it operates with a number of other bodies, including law enforcement bodies such as the Director of Public Prosecutions? In the absence of that protocol being available for consideration by the House as we are debating this legislation, how can we determine whether it would be compatible with the provisions of article 6? The sanctions could come not only from IPSA but from other bodies as a result of IPSA’s inquiry.

Mr. Dismore: The hon. and learned Gentleman makes an important point, with which I agree. A subordinate point relates to double jeopardy, which is dealt with under the present arrangements by the commissioner suspending his inquiry pending the outcome of police investigations. Indeed, that has happened in relation to the recent allegations. However, there does not appear to be any provision for such suspension in the new system. Without proper scrutiny of the protocol to ensure that investigations would be suspended pending the termination of criminal proceedings, there would be a risk of double jeopardy.

The Joint Committee’s report went on to say:

“In determining a member’s guilt or innocence, the criterion applied at all stages should be at least that the allegation is proved on the balance of probabilities. In the case of more serious charges, a higher standard of proof may be appropriate.”

The standard of proof is not mentioned in the Bill either. That could be contrasted with what happens now in inquiries by the commissioner and by the Standards and Privileges Committee, in which a higher standard of proof is applied as the allegation becomes more serious. That is entirely appropriate. Indeed, the Committee on Standards in Public Life subsequently endorsed the view of the Joint Committee on Parliamentary Privilege on that issue.

The procedural safeguards in the Bill therefore fall well short of the minimum requirements for fairness identified by the Joint Committee, by the Committee on Standards in Public Life, by article 6 and by the principles of natural justice. They are insufficient to prevent breaches of the right to a fair hearing from occurring in practice. The Government argue that the Bill is compatible with the right to a fair hearing because IPSA is independent. I assume that they are arguing that IPSA itself satisfies the right in article 6(1) of access to an “independent and impartial tribunal” in the determination of civil rights and obligations.

However, IPSA is not capable of constituting the sort of “independent and impartial tribunal” to which an individual Member is entitled under article 6(1). Its functions include devising the rules, designing the procedural safeguards—which are now at large—referring for investigation, and various enforcement powers. Such a body is not capable of providing the “independent and

impartial tribunal” required by article 6. In his evidence to the Joint Committee on Parliamentary Privilege, Lord Bingham, that great jurist, expressed unease about the lack of access to any independent body—some right of appeal—regarding disciplinary decisions of the House. He said:

“I have an inherent unease at a situation in which anyone can be held to have committed what I think you might call a quasi-criminal offence and perhaps subjected to some penalty where there is no means of challenge at all...in the courts.”

He went on:

“I am always rather uneasy if any decision by anybody, however wise and authoritative, is final and immune from any challenge...it would be desirable to have a route of challenge available...I would not expect the right to be exercised at all often”.

In his written evidence to the Committee, he said:

“But I can...see force in the argument that the Houses should not be the sole and final arbiter in such matters. There would be scope for undesirable conflict if those aggrieved could resort to the ordinary courts.”

He then goes on to make an important recommendation:

“But if an issue arose...the Judicial Committee—
of the Privy Council—

“would be a very suitable body to rule. Article 6 of the European Convention might have some bearing here.”

Without getting too bogged down in the issue of privilege, a decision of the Standards and Privileges Committee could be subject to appeal to the Privy Council, with the House taking the decision in the last eventuality, as is the case now with recommendations from the Standards and Privileges Committee. An appeal level could be added to the process without compromising privilege too much.

I therefore agree with Lord Bingham’s analysis that both the minimum requirements of procedural fairness and article 6 require access to a truly independent and impartial tribunal, with a limited degree of judicial supervision. Lord Bingham suggested that either House would make its own decision in the first instance, and that any party who did not accept that decision would have a right to petition the Judicial Committee of the Privy Council by way of challenge. The right of appeal would be similar to that which already exists against disciplinary decisions of professional bodies such as the General Medical Council, where the right of appeal is to the Privy Council. Why should we be any worse off than a doctor who faces severe disciplinary consequences that could jeopardise his professional future? The Privy Council is expert at ensuring that that right of appeal is only used sparingly, and that is the way forward.

Under the law, UK courts have no jurisdiction to entertain complaints of breaches of convention rights by either House or a person exercising functions in connection with proceedings in Parliament. As I said in an intervention, the effect of section 6(3) of the Human Rights Act 1998 is that Parliament is not a public authority for the purposes of domestic claims under that Act. Although proceedings for breach of article 6 are excluded by the Human Rights Act from the jurisdiction of the UK courts, in so far as they relate to Parliament, they remain within the jurisdiction of the European Court of Human Rights in Strasbourg. If the Bill is enacted in its present form, it is only a matter of time before Strasbourg makes a finding of a violation of a Member’s right to a fair hearing under article 6(1).

[*Mr. Dismore*]

I welcome the move from the old system of self-regulation to independent statutory regulation as one that, in principle, is not only likely to enhance public confidence in Parliament, but has the potential to improve the fairness of the treatment of individual Members. However, the Bill as currently drafted is incompatible with the right to a fair hearing under article 6 and at common law as far as the principles of natural justice are concerned.

To render the Bill compatible, it needs to be amended in at least two ways. First, it should at least have inserted into it the minimum requirements of fairness identified by the Joint Committee on Parliamentary Privilege in its 1999 report and endorsed by the Committee on Standards in Public Life in 2002. Secondly, the Bill's acceptance of independent regulation should be extended by providing a right of appeal to the Judicial Committee of the Privy Council against decisions of both IPSA and the House—in my view, the Committee on Standards and Privileges—that amount to the determination of a criminal charge or of a Member's civil rights. I have tabled two probing new clauses to that effect for the Committee stage, and I look forward to the Government's response. I hope that both will be debated, as it would be a travesty if, under the tight timetable, the guillotine were to prevent discussion of such important principles.

To conclude, although I welcome the principles behind the Bill, there is a lot to be done to ensure that Members are treated fairly under it.

7.14 pm

Sir Patrick Cormack (South Staffordshire) (Con): The House has just heard three exceptionally interesting and thoughtful speeches. I appreciate that the Justice Secretary could not be in the Chamber throughout, but I hope he will read the speeches of the right hon. Member for Birkenhead (Mr. Field) and my right hon. Friend the Member for North-West Hampshire (Sir George Young), both of which would repay careful study—

Mr. Straw: Just to explain, I was out of the Chamber because I needed to attend a meeting with the Speaker.

Sir Patrick Cormack: I was not criticising the Justice Secretary in any way, but merely drawing to his attention some very important speeches. He heard some of the speech of the hon. Member for Hendon (Mr. Dismore), but he should read all of it.

Every speech made this afternoon, including the admirable one by the hon. Member for Orkney and Shetland (Mr. Carmichael), has had one theme: this legislation is being rushed unnecessarily. No one in the House is against the setting up of an independent body to administer our pay, allowances and expenses. There is a difference between allowances and expenses, which has not always come out in recent weeks. I find it slightly strange that Members who very properly—I stress this—have claimed the whole allowance for a very large mortgage, have come in for very little criticism, whereas some of those who might not be so well off, and who have claimed for certain items of furniture and perhaps a modest rent, have been crucified. We ought to bear those points in mind, and I hope that Sir Christopher Kelly will do so; a lot rests on him.

We are having this debate because the Prime Minister has panicked over the bad publicity in the past few weeks. He has been responsible for some of that bad publicity. I have been in the House for 39 years, and I have never known a time when morale has been so low, when Members in all parts of the House have been so depressed, and when their families have been so depressed. We owe it to those who sent us here to put our house in order as quickly as we can, as far as pay and allowances are concerned. When two or three Members gather together, the talk is not of recession, Afghanistan, health or education, but of pay, allowances and expenses. We need to get away from that, and to become a Parliament again, in the fullest sense of that word.

I could not help but think of Horace Walpole's diaries of 1759—the *annus mirabilis*—in which he said that every time one went down to breakfast, one had to ask for news of the latest victory; it was a wonderful time of rejoicing. Some years ago, the Queen said that she had had her *annus horribilis*. We have had ours this year: every time one gets up in the morning, people ask what is in the paper and which colleague has been fingered. We need to move away from that, but not by panicking into bad and unnecessary legislation.

I repeat that it is right that we give the responsibility for the financial matters to an outside body. I have always felt that the salary, allowances and expenses for parliamentarians should be fixed at the end of a Parliament for the whole of the next Parliament, perhaps with some index for inflation. No Parliament should then be in the position even of being tempted to adjudicate on its own remuneration. I hope that Sir Christopher Kelly and his committee will come up with a recommendation along those lines.

However, we must concentrate this afternoon on the other clauses of this extremely hastily drafted Bill. It really is monstrous that it should be pushed through with such indecent haste. At the very least, as the hon. Member for Orkney and Shetland said, we should have had another two days next week. We could quite easily have divided the Bill into two and dealt with its financial provisions this week, allowing for some proper scrutiny, in which the right hon. Member for Berwick-upon-Tweed (Sir Alan Beith) and the hon. Member for Hendon, as Chairmen of their respective Committees, could have taken part, and in which the privileges report—extensively quoted from earlier—could have been studied by Members. We could then have come back in the autumn—in September if the Government preferred, or in October—and dealt with the other aspects of the Bill if, by that time, we felt that a Bill of that sort were necessary.

At the heart of this debate is the very purpose of Parliament and the function of Members of Parliament. We are sent here by our constituents, and in the immortal words of Burke, we owe them not just our industry but our judgment. When we have fulfilled the term of the Parliament, it is up to them to decide whether they wish us to return. The privilege that we enjoy is not a personal privilege that belongs to me as the Member for South Staffordshire or to my right hon. Friend as the Member for North-West Hampshire; it is the privilege of the electors of North-West Hampshire and of South Staffordshire that enables us to speak without fear or favour in this House.

All that is at risk because of this Bill. I have never known a time when the Clerk of the House thought it proper to send round the sort of letter that we received at the end of last week.

Sir Alan Beith: The Clerk's memorandum was his very proper response to a request from the Justice Committee that he give evidence, which would be followed up by oral evidence taken tomorrow, meaning that members of the Justice Committee will not be able to take part in those proceedings tomorrow because they will be listening to the oral evidence from the Clerk of the House.

Sir Patrick Cormack: I am grateful to the right hon. Gentleman, and we owe his Committee a real debt of gratitude, but what he has just said again underlines the absurdity of our proceedings. He and his fellow members cannot be present because they are listening to material evidence that is concerned with the very issues that we are discussing. The Justice Secretary and Lord High Chancellor is a reasonable man, so can he not just take that point on board?

Mr. Straw: I accept the compliment from the hon. Gentleman and thank him very much. At the time that the Justice Committee will be receiving evidence from the Clerk, we will be debating the lower-numbered clauses—clauses 1 to 5—and as far as I recall, they have raised no issues for the Clerk.

Sir Patrick Cormack: I am starting to run out of time, so I simply respond by saying that that does not invalidate the proposition that I have made. It is all germane to this Bill and we should have a chance to reflect on what the Clerk says. However the Clerk produced this paper, I have never before seen anything like it circulated so widely beyond the Committee that commissioned or asked for it, and it makes some extraordinarily important points.

Thank goodness the Secretary of State has at least listened to the Clerk's strictures on clause 6; we are grateful for that. Clause 8 is also significant, and the Clerk states that

"if the Committee declined to act on a recommendation, that could presumably become the basis of legal proceedings in which the Commissioner (or anyone else) sought to require the Committee to comply."

That section is important, and my right hon. Friend the Member for North-West Hampshire has already quoted what the Clerk said about clause 10:

"This could have a chilling effect on the freedom of speech of Members and of witnesses before committees and would hamper the ability of House officials to give advice to Members."

I have already referred to the Clerk's comments on our Joint Committee on Parliamentary Privilege, which have not been tagged for this afternoon's debate but, frankly, should have been because they are highly relevant.

I end where I was not going to end, but I am tempted to do so by the perceptive, thoughtful and, frankly, very compelling speech of the right hon. Member for Birkenhead, who talked about the implications of clause 5(8), which deals with outside interests. Those of us who have some outside interests have been put in a position recently whereby we are almost ashamed to talk of them. Well, I am not. I think it important that

one should sometimes share these things with colleagues in the House, and I am tempted to do so by the frank way—no pun intended—in which the right hon. Member for Birkenhead shared his experiences.

For many years, I have been involved in helping to run an annual award for responsible capitalism. It must be thought to be a good thing, as the first award was presented by the current Prime Minister when he was Chancellor of the Exchequer. Two years ago, it was presented by the present Chancellor and last year by the Foreign Secretary. It is a highly respectable and, I think, a good thing; the chairman of our judges is the former Lord Chief Justice, who succeeded the late great Lord Dahrendorf, who sadly died just a couple of weeks ago. I believe that this is immensely worthwhile and I think it good that Members of Parliament should be involved in it. I am proud to be involved with it. Where does my parliamentary interest begin and end? It is very similar to what the right hon. Member for Birkenhead said about his egg timer in his conversation this morning.

It would be very sad indeed if the regulations that we pass and are supervised by this new body were so interpreted and applied that Parliament became an assembly of nerds, anoraks and the very rich. That would be an extremely bad development for Parliament. It is important that we have people who have interests outside—relevant interests, interests that help to inform their contributions to debate.

We are all answerable to our constituents for the time we spend on our parliamentary work and in our constituency. I do not think anyone would ever suggest that I was less than a "full-time Member of Parliament" or a "full-time constituency Member", and yet I find a little time to do other things, and I believe that it helps me—and, I hope, indirectly—helps my constituents and the House. It is most important that we recognise this and that any body set up to look after our interests recognises it, too. I hope that the Kelly committee will recognise it.

Above all, I hope that the Government—or, if not this Government, a future Government—will put aside the oppressive parts of the Bill before us today. To have parliamentarians in a free country answerable in any way to an appointed quango is to diminish Parliament and to diminish those who sit in Parliament and to deter people from coming into Parliament in the future. What we want is an institution that truly attracts the best, and not just the best from the young but from those of all ages. A parliamentary intake that includes men and women in their 50s and 60s, as did the 1970 intake when I first entered Parliament, is all the better for that. It should not be composed only of those who come here motivated by the ambition to carry a Dispatch Box and be driven in a ministerial car—it is good that some should do so—as there is no higher calling than representing a part of the United Kingdom in this place. I fear that the Bill militates against that.

I thus beg the Secretary of State and Lord High Chancellor—both of them!—to recognise what has reasonably been said about the amount of time that Ministers have to spend, quite properly, on their duties, but to concentrate too on the financial part of the Bill and have it ready for Kelly so that his committee can indeed supervise and implement. Most of all, however, I beg the right hon. Gentleman to shy away from the establishment of an organisation that can in any way

[*Sir Patrick Cormack*]

seek to dictate either directly or indirectly to the elected representatives of the people of the United Kingdom in Parliament assembled.

Several hon. Members *rose*—

Mr. Deputy Speaker: Order. Before I call the hon. Member for North-East Derbyshire (Natascha Engel), I should give notice that the time limit on Back-Bench speeches will be reduced to 12 minutes thereafter.

7.30 pm

Natascha Engel (North-East Derbyshire) (Lab): It is a privilege to follow the hon. Member for South Staffordshire (Sir Patrick Cormack), who is the only man in the House who pronounces “Parliament” properly. I am still learning.

I want to make some general points about the establishment of an Independent Parliamentary Standards Authority. They will be much wider than the points that have already been made today, although those were extremely important. Like others, I am concerned about the fact that the Bill is being rushed through in this way. Given that it is being dealt with in a mere three days and that we were told only last week that it was to be debated, I do not think we are being given enough time to debate a measure with such potentially far-reaching consequences not just for the House but for those outside.

Understandably, we all feel that we must act decisively to deal with what has been revealed about our discredited expenses system. An absolute scandal has been caused by the way in which we make our claims and the way in which they are agreed, and we all understand the public outrage that that has prompted when we go back to our constituencies and talk to people about it. What angers them so much is that we make rules by which they must abide and then seem to make separate rules for ourselves, and what worries me about the Bill is that we seem again to be making rules for ourselves that are different from the rules that we require our constituents to observe. They used to be more lax, but now they are much more severe. We should not make rules that are different from those applied outside the House.

What got us into this mess in the first place was our failure to recognise that, as many other Members have pointed out, what we do here is about representation. Much of the expenses scandal has concerned the way in which we represent people. Like a number of other Members, I have taken the opportunity to talk to people about what we do on their behalf, and I have been staggered by how little they know about it. It has been good to go out and discuss that, but it is clear that we have not been good enough at doing it. Unless people know what we do here in their name, how on earth can they understand the basic facts that we need second homes, that we need to furnish them, and that we need travel expenses?

When I intervened on the hon. Member for Rutland and Melton (Alan Duncan), I was trying to make the point—I do not think I made it very clearly—that if people really do not understand what we do here on their behalf and find it hard to comprehend how they

influence the decisions that we make, we are putting the cart before the horse if we discuss tweaking the expenses system, how we are paid, who pays us and how much we are paid. If Parliament is about anything, it is about our representing people in constituencies in the United Kingdom. We should be talking to them about what we do, but we should also be hearing from them what they want us to do. Until we know what sort of Parliament the people out there want this to be, it will be much more difficult for us to create an appropriate system of remuneration and reimbursement. We have had any number of opportunities to go out and talk to people, but we have failed at every turn.

Nick Harvey (North Devon) (LD): The hon. Lady attaches great value to giving the public an opportunity to talk to us and learn about what we do. Will she explain to whom the new authority will be accountable? It is being vested with a vast panoply of powers, and will handle huge sums of public money. If a member of the public is not confident that the money is being handled competently, or even thinks that the chairman of the authority is being rather lavish in his expenses claims, to whom will that person be able to make a complaint? It seems to me that we are replacing a very imperfect system of representative democracy with a system that will be accountable to nothing and no one.

Natascha Engel: That is at the heart of what I was going to say. There is currently a very good and direct link between the people whom we represent, their Members of Parliament, and the system under which we exist. The people still have a direct say, and the ability to vote us in or out every four or five years. Setting up what is effectively a quango will remove that next step of accountability.

I think that all Members would agree that the administration of our expenses and our pay should be put into independent hands. I have no problem with that. However, it is vital to establish the way in which such a body would be independent, to whom it would be accountable, how it would be paid, and how it would claim its own expenses. I am happy to discuss those questions, but we should not go much further at this stage, especially in a climate in which everything that we do to try to improve the position will be scrutinised in far more detail than before. Nevertheless, I entirely agree with what the hon. Gentleman has said.

In focusing on the establishment of a new body, we seem to be overlooking the bodies that already exist. For instance, we have any number of committees. The hon. Member for Orkney and Shetland (Mr. Carmichael) gave a long list of committees, along with their different functions. He also mentioned the Parliamentary Commissioner for Standards. There is clearly a conflict between the present roles of those committees and the roles that they will have following the establishment of the Parliamentary Standards Authority, and that worries me very much.

There is, I think, a level of complexity and detail that is not entirely necessary. Last week, when we had another opportunity to make things a bit better, the Fees Office published massively blacked-out receipts and claim forms. That did not just make us look ridiculous; it was another smack in the face for people outside. One of the things that we could do today is decide that addresses could be

exposed. We could regain overnight people's trust in what we do and the way in which we make claims by revealing the houses where we claim and where things are delivered.

Mr. Shepherd: The hon. Lady may not recall that the present position is a result of a statutory instrument laid on the very last day before the summer recess by the Justice Secretary—interpreting, theoretically, a motion passed by the House, but bearing very little relation to the substance of that motion.

Natascha Engel: I was making a point of principle. I think that everyone agrees that, today and this week, we are trying to address public outrage at a discredited and abused expenses regime, but I also think that there are better ways of doing that than adding another layer of complexity to what is already a very complex system.

One of the most popular words that we have used in recent weeks is transparency, but complexity and a lack of clarity lead to a lack of transparency. We should have another look at what all the different committees do and what the commissioner does. We have undoubtedly got a problem. Despite all the committees we have, we have not prevented the abuse of the expenses system. Therefore, although we obviously must do something, we must also be much clearer about what we want at the end of it, rather than just tinkering about with what we have and creating new levels of complexity. It would help if we were clear about what we wanted, and then proceeded from there. We want a much clearer and simpler, and thereby a much more transparent, system. As a part of that transparency, we should agree to get rid of the blacking-out of addresses. I hope that that answers the question of the hon. Member for Aldridge-Brownhills (Mr. Shepherd).

The people who have elected us do not merely want us to stand up for their beliefs. Although I may hold different views from those of some of my constituents, many of them want me to represent my views here in Parliament. What they fundamentally want from every Member of Parliament, however, is for us to be honest. That goes back to the point about our creating an extra level of complexity. We must not fudge the fact that what people really want is for us just to be honest. We must do what they want in that regard by, for example, publishing as much as we can. Regardless of what the law may be, we can choose to publish all the addresses that we want. That must be done collectively, however.

Another point that Members have made today bothers me. We only recently decided that the review of MPs' expenses should be handed to Sir Christopher Kelly and the Committee on Standards in Public Life. We have heard today from any number of Members who gave evidence to that committee this afternoon, yet here we are trying to legislate on a Bill that will have consequences for the outcome of that committee. That worries me. I also made a submission to the committee. It prevents the committee from being as considered and thoughtful as it would like to be if we are either pre-empting its outcome or saying to it, "Whatever you do, we have already legislated for this. Therefore, whatever comes out of your review could be in some way restricted." I think that that is wrong, and I wish that we had allowed the Kelly committee to report before we had moved on to consider this Bill.

Mr. Straw: May I reassure my hon. Friend on this? We have worked out the structure of this authority in such a way as to fit in with the recommendations of Sir Christopher Kelly's committee, which will come to this House first. The Bill deals with structure, administration and adjudication in respect of the allowances system, and Sir Christopher's committee is principally concerned with the content of those allowances. There is no reason, particularly given the timing, why those two should conflict. We have got to do this now for reasons that I think my hon. Friend understands.

Natascha Engel: I do not entirely agree with that. The motivation behind introducing the Bill is to address the problems that have been very well documented and to say to the people outside this Chamber, "We understand and agree with your outrage, and we are doing something about it." On the timing, I do not think that there is any mad rush. We do not need to have something on the statute book within a week. We want to take responsibility and accept the consequences of what we have done, but agree that we need to sort this out for the next generation. Regardless of whether they have made a claim, every incumbent MP is tainted by this expenses scandal. We need to make sure that, as far as possible, the next Parliament can start afresh.

Democracy is a messy business and Parliament is messy, and there is no system that is not open to abuse in some way—and there are some very creative people in Parliament. However, we need to accept collective responsibility for what we have done, and say to the next generation, "The systems that put the checks and balances on Parliament are as good as we can make them." Therefore, I do not think there is any mad hurry, and that instead we need to do things in sequence.

The Sir Christopher Kelly committee should be given the time to interview as many people and to take as many submissions as it wants, and to go out and talk to members of the public and ask them what they want, and take some submissions from them. I do not know how many members of the public made a submission to the Kelly committee, but I would like to know. I suspect that a lot of parliamentarians made submissions to it, however. All of this is about saying, "This is the sequence in which we are doing this job. This is the right way to do it." We should not push forward in an unseemly hurry just to make it look like we are doing something. We have done that time and again before, and every single time we have really messed it up.

7.46 pm

Sir Alan Beith (Berwick-upon-Tweed) (LD): My intervention in this debate as Chairman of the Justice Committee follows contributions from the Chairmen of the Standards and Privileges Committee and the Joint Committee on Human Rights, and all three Committees have serious concerns about aspects of this Bill. If that, combined with speeches such as that which we have just heard, does not make the Government realise that they have got to rethink substantial parts of it and step back from this great rush, I do not know what will.

It was the Justice Committee that sought the memorandum from the Clerk of the House that has been at the centre of the debate, and we will take evidence from him and others tomorrow at 5 o'clock. As the Lord Chancellor has pointed out, the programme

[*Sir Alan Beith*]

motion defers some of the relevant clauses until Wednesday and we intend to see that Tuesday's oral evidence is printed overnight so that it will be in the hands of Members on Wednesday, but that is still not a satisfactory way of dealing with a matter of this kind.

I welcome the transfer of responsibilities for allowances and pay effectively to what is at this stage a combination of this new body, the Senior Salaries Review Body and the Committee on Standards in Public Life. We need to put that work outside Parliament—to contract it to somebody else—as it should not be done by us. The new body needs to be a more effective paying and withholding body for pay and allowances. I say “withholding” because I do not regard the refusal to pay an allowance as a disciplinary measure. I think that is the proper application of a scheme of allowances and expenses. The role I see for the body set up under the Bill is to operate the scheme, to pay allowances when it considers they have been appropriately claimed within the rules and not to do so otherwise, and to be in a position to be entirely firm about how it handles such matters, which has not always seemed possible for the Fees Office in the past, and has led to this very unsatisfactory situation.

Protection, however, needs to remain around the rights of Parliament. That protection is underpinned in one respect in the Bill by the recognition that Parliament should take any disciplinary processes that arise from things going wrong in the system once the existence of a possible disciplinary offence has been identified. I am glad that principle is recognised, as it is a very important one, but that does not solve the problems. The inclusion of new criminal offences has raised the problem of double jeopardy, which needs to be considered seriously, and several aspects of the drafting impinge on rights in the European convention on human rights, as the Chairman of the Joint Committee on Human Rights has explained. Several clauses appear to infringe the principle that Parliament and the courts do not call into question each other's decisions, as stated in article 9 of the Bill of Rights.

I want to turn to the constitutional areas that the Clerk identified in his evidence to us. Happily, I can dispense with what I was going to say about clause 6 because of the Government's welcome decision not to proceed with it. Clause 7 raises questions, however. As the Clerk says, for example:

“If the House were to punish for a failure in respect of a requirement which was found by a court to have been unreasonable”—a Member might have taken the matter to court, the court might have found the initial reference to be unreasonable and Parliament might have then taken action on it—we would be a short step from “review by the court of the exercise of disciplinary powers by the House.”

Even clause 7 presents a problem.

Mr. Grieve: I agree with the right hon. Gentleman's analysis. Is there not another problem? There has been some discussion about the existing powers of the House to discipline its Members. Of course, they are outside the European convention on human rights, but they are also quite rough and ready. I suppose the extreme sanction is expulsion, and there is an acceptance that it is then a matter for the electorate to decide what it will

do. However, we are creating through the Bill an entire architecture of punitive measures, all statutorily vaguely defined, that might impinge on a person's reputation in a way that parliamentary sanctions never would have in the past.

Sir Alan Beith: Yes. To some extent, the reputational damage is inevitable, because of the nature of the issues and the way in which they have been highlighted in the press. To some extent, that might seem to be justified, but it means that we have to pay rather more attention than we have hitherto to the human rights dimensions and the need for due process, for example. I shall come on to another aspect of that before I conclude, but I also want to mention clause 8 and the enforcement powers, with which I do not think we should be proceeding at this stage. I believe that, as the Clerk makes clear, they give rise to considerable concern. He says:

“Clause 8(5) appears to make the exercise by the House of its disciplinary powers a matter of statute, since it seems to confer a statutory permission on the House to exercise those powers”.

That might—and probably will—then make them open to challenge before the courts. As the hon. and learned Member for Beaconsfield (Mr. Grieve) mentioned earlier, the whole protocol business, with a list of bodies that, as far as I can see, is unlikely to be the permanent list because of the changes that keep taking place in the structure of government and the criminal justice system, is a puzzling element and one that could further draw us into proceedings in the courts, with potential for litigation.

I suppose I must concentrate on clause 10 because, after clause 6, that is the area that gives rise to the greatest constitutional concern. Clause 10(c) leaves us in no doubt that it is a head-on attack on the Bill of Rights. It directly quotes the Bill of Rights in order to define the area with which it is dealing:

“No enactment or rule of law which prevents proceedings in Parliament being impeached or questioned in any court or place out of Parliament is to prevent...any evidence from being admissible in proceedings against a member of the House of Commons for an offence under section 9.”

In other words, notwithstanding the Bill of Rights, things will now be different. That is such a fundamental assault on a long-standing and accepted principle that I do not think that we should be rushing it through in three days of proceedings, especially when it is not necessary to do so in order to set up a body that can administer pay and allowances. If there is a rush, that is probably what the rush is for—to be seen to be setting up that body and, indeed, enabling it to start work and to be in a position to implement the detailed Kelly proposals. I can see that there is a case for trying to get that body set up during the forthcoming parliamentary recess, but none of that requires some of the other features that have been so rightly criticised in the Clerk's analysis.

In his reference to clause 10, the Clerk points out the difficulty that is

“caused by admitting evidence of proceedings in Parliament”.

Either one does so in a narrow way, in which case one creates an injustice under the ECHR, creating a situation in which evidence drawn from proceedings in the House can be used against the Member but not material that might be exculpatory to the Member, or one does so in a wide way, in which case one imperils free speech, people's ability to give free evidence before Committees

and all the other things that such procedures are designed to protect. We ought not to be proceeding with clause 10. Of course, we ought to be proceeding, as the Select Committee on Standards and Privileges said some time ago, with a privileges Act to ensure that we have a proper range of protection that can cater for some of the things that have now arisen.

It is abundantly clear from today's debate that there is so much unease about those features of the Bill that we should not proceed with them in that way.

John Mann (Bassetlaw) (Lab): The unease is among Members of Parliament, is it not? It is not among the general public, who wonder why we have not managed to throw out people who are on the fiddle.

Sir Alan Beith: The unease among the general public is more than unease—it is anger, and a very real anger. It is not successfully addressed if what we do in the end is to create a process that undermines the rights of the public in other ways in the future without addressing that grievance. Rushing into legislation that would have the effects that I described earlier does not deal with the public anger. The setting up of an independent body to determine what pay and allowances we should receive and to police the paying of them and the claiming of them goes some way to addressing that anger, and I welcome that. The House must ensure that it deals appropriately and effectively with those who break its rules, but it should not in the process take away the rights of our constituents. If it is going even to contemplate doing so, it should give the matter serious consideration.

At the end of the day, there is what I like to think of as a sort of Bradlaugh principle at stake here. The ultimate judge must be the electorate. Bradlaugh found that his colleagues in Parliament repeatedly refused to accept his insistence that a rule of the House was an unfair constraint on him—in his case, the rule requiring him to swear an oath that he as an atheist did not believe it right to swear. If a Member, like him, found that his colleagues in the House were unwilling to accept him as a Member on those terms, ultimately it would be the electorate who must be allowed to judge and to insist on sending him back to Parliament, saying, "We wish this man to represent us, notwithstanding the fact that he appears to have broken a rule that others find important." That is a pretty fundamental principle. Of course, it is not an easy principle even for the Member affected, who might have to fight or even finance an election without the support of his political party, under procedures that we have seen operating in recent weeks in this House. However, it is the ultimate protection and the ultimate principle.

Before we get to that point, there must be proper due process as far as any person—in this case, a Member of the House of Commons who is accused of behaving improperly—is concerned. The processes that we create should not also, in themselves, take away protections that are designed to ensure that people can give evidence to Committees of this House without fear of a penalty for doing so and without fear that the evidence they give can be adduced in court in circumstances that they did not envisage.

The Government have been presented with a very strong case today. First, they should get ahead with the creation of a body that can administer pay and allowances

and, secondly, they should not rush into things that would undermine some of the most basic freedoms, which go back to the Bill of Rights.

7.57 pm

Mr. Elfyn Llwyd (Meirionnydd Nant Conwy) (PC): This has been an interesting debate with some good contributions, including the speech from the right hon. Member for Berwick-upon-Tweed (Sir Alan Beith). It seems to me that everybody—apart from those on the Front Bench—is unanimous in their opinion. That does not happen very often, but it seems to be the case today. I would hope that the Secretary of State will appreciate that that is not because of any politicking, but because we are all concerned about the purports of the Bill. We are concerned about the way in which it is phrased and about various sections of it. We have heard from the Chair of the Joint Committee on Human Rights, the Chair of the Select Committee on Justice and so on. We have heard from the Clerk of the House. Voluminous objections have been raised about the Bill. That must count for something, otherwise what are we doing in Parliament? What is the point of our existence in this place if those fundamental points, which we have driven home time and time again in this important debate, are not adhered to?

Why is there such haste to deal with the issue? I shall tell the House why. It is a political imperative. On the day that the former Speaker announced that he was standing down, party leaders were invited to meet him in his chambers. The Prime Minister left that meeting with one thought in his mind, and one thought alone, which was to introduce some kind of statutory code of conduct overseen by an external body. When I say "conduct" I am talking about not only financial matters but everything in this regard. That was his thought for the day, he held a press conference accordingly and that was that. I suspect that that is why clause 6, which seemed to be a declaratory clause, was included; I think it was in the Bill to appease the Prime Minister. Thankfully, it has now gone, but some parts of the Bill are still objectionable.

My next point relates to the Register of Members' Interests, the proposals on which result from a political imperative on the part of Labour Members who believe that there is some political advantage in introducing those proposals because, by and large, Opposition Members have more interests than they do. They believe that if they work things carefully and put out the idea that people with outside interests are not doing the job of an MP properly, they can gain electoral advantage too. Let us not beat about the bush, because we know why these things are being introduced.

We always say that we legislate in haste and repent at leisure, and the Dangerous Dogs Act 1991 has been mentioned—

Mr. Straw: It is still there.

Mr. Llwyd: The right hon. Gentleman, who is smiling, says that it is still on the statute book. I could also cite the Theft Act 1968, which omitted to repeal a provision in Wales whereby a person could be hanged for stealing a sheep. That is still law, but it is not good law. The fact that a law is in place does not make it any good.

Mr. Straw: Is that your best point?

Mr. Llwyd: It is not my best point. I say to the right hon. Gentleman that I know many police officers who would not dream of referring to the 1991 Act because it is impossible to do anything with it. We know that Ministers are saying, “We must do something, because the public are furious”. The public are rightly furious, but they will be even more furious if we make a mess of this legislation, by trampling over the Bill of Rights and so on. The other example that one thinks of is the firearms legislation made following the awful incident that took place in Dunblane. Whereas the Dangerous Dogs Act 1991 is unenforceable, that firearms legislation made no difference, aside from the fact that it made life difficult for legitimate gun clubs.

I gave evidence today to the Kelly committee, which was interested in the haste with which this Bill was being introduced. Not only is the rate of progress an affront to the committee, but it might impinge on the work that it is trying to do. I do not propose to deal with my next point at length but, as has been mentioned, the Bill is, when all is said and done, a constitutional one. Such a Bill should never be the subject of emergency legislation—

Mr. Shepherd: On a guillotine.

Mr. Llwyd: As the hon. Gentleman says, neither should it be subject to a guillotine. We should have plenty of opportunity to examine matters on a proper pre-legislative basis and all the people I mentioned in an earlier intervention—the experts in constitutional law, the Clerk and so on—should be able to give evidence, because these are very important matters. I think we all agree that the current position is not sustainable and that it is probably right to farm out responsibility for allowances and salaries far out of the way of this House. I have never voted on a salary increase, because I did not think it right that I should do so. I believe I was offered the opportunity to vote on this issue once, in the 1992 Parliament, but I declined to take it because I did not think it was right to do so. I am happy for all that to be farmed out, but to confuse that with responsibility for conduct at large is dangerous and we should heed what the Clerk has had to say about that and, in particular, about clause 10.

The Independent Parliamentary Standards Authority will be the body to oversee conduct on allowances and so on. As a member of the Standards and Privileges Committee, I have known many instances when there has been not only a finding against a Member, but an apportioning of blame against the Department of Resources. In such circumstances, the new body would be judge and jury in its own court, so would it feel free to criticise its own department? I rather doubt that it would, so a conflict will obviously arise out of that arrangement.

The statutory basis for the code of conduct—the declaratory clause that I mentioned—has now gone, but many concerns remain, such as the point about privileges, article 9 of the Bill of Rights and clause 10. The clause is very worrying and it has been extensively commented upon in today’s press and again this evening. The protection of privilege is a vital tool for everyone in Parliament, because it ensures that free speech is available to us all.

We politicians refer ad nauseam to the fact that free speech is the beacon of democracy, but that is because it is and must remain so.

On a more mundane level, we all encounter cases where a company tramples on an individual’s rights and acts badly towards that individual, but they have no money to take action against the company. Bringing such matters to this Chamber under privilege, albeit on a limited number of occasions, is useful and may well redress the balance, and that is very important. We know that there is an issue to address in respect of witnesses giving evidence. If they are not covered by privilege, I do not know whether they will be completely candid; the proposal in the Bill could mean that the Committee system in this place would fall into disrepute. We begin to erode the principle of privilege at our peril. We do not lightly refer to the Bill of Rights and we do not make reference to it in every debate in this place, but it is of vital constitutional importance that privilege is retained.

It is unusual for the Clerk to express his views on things of this kind in the manner that he has today. I believe that he did so because of the vital importance of this matter and that he was right to do so, because we need his expertise in this regard. He makes the point by saying the following:

“I should stress that I make no comment whatever on the merits of the Bill’s policy proposals; it would be improper for me to do so. My concern is only with the constitutional implications for Parliamentary privilege (including the right of free speech) and the extent to which the courts are likely to come into conflict with Parliament thereby.”

He goes on to say:

“It would mean that the words of Members generally, the evidence given by witnesses (including non-Members) before committees and advice given by House officials on questions, amendments and other House business could be admitted as evidence in criminal proceedings. This could have a chilling effect on the freedom of speech of Members and of witnesses before committees”.

Free speech in Parliament is essential if abuses are to be examined, including the abuses of Parliament itself.

This debate has been a good one and very serious points have been made. I have not seen such unanimity across political parties as on this issue. I took part in the pseudo-pre-legislative scrutiny part of the Bill and, with great respect to the Justice Secretary, I must tell him that he shifted position many times on many amendments. He accepted many amendments and was reasonable throughout that particular part of the Committee stage, but that just makes that point that this has been a bad Bill from the very beginning. The fact that although it has been amended on several occasions by several Members around that table, it is still in its current condition now makes the point. I have no criticism to make of the right hon. Gentleman, or of his colleague, the Leader of the House, because they were doing their job, but this Bill was rotten from the beginning and it remains rotten now—it is a dangerous Bill too.

8.8 pm

Mr. David Heathcoat-Amory (Wells) (Con): I very much agree with what the hon. Member for Meirionnydd Nant Conwy (Mr. Llwyd) had to say, in particular his concluding point about the remarkable series of cross-party alliances that we have discovered during this brief debate.

If parliamentary debate is to mean anything, this must cause the Government to pause and to take this Bill away and think again. If they must legislate quickly, they should confine any legislation to the issue of allowances and possibly the issue of pay, leaving the complex constitutional matters for further and mature deliberation.

This is indisputably a constitutional Bill, and the Justice Secretary described it as such early in his remarks, but he also described it as an emergency Bill. That should be a contradiction in terms. The British constitution is highly complex. It is partly written and partly unwritten, and it contains complex links between its various parts—the judiciary, the Government and the House. I recall going around a historic house that had a wonderful silver set laid out in one of the rooms. In order to examine more carefully—or possibly “borrow”—one of the silver forks, a member of the public pulled it towards him. What he did not realise was that an invisible thread linked all the items and they all started to move towards him. He desisted very quickly, and the Government should do likewise. Tampering with the bits of the British constitution will lead to unexpected consequences. The question of freedom of speech and the rights of the House as against the judiciary—and, in days gone by, the rights of the monarch—have at times been fiercely contested, and the civil war was partly about such matters. So the issue should be approached with humility and great care.

Remarkably, the Leader of the House who is not in her place—although she appeared briefly—has denied that the Bill contains any elements of parliamentary privilege. When we raised that with the Justice Secretary, he said, “Well, it didn’t last week.” All the clauses that deal with parliamentary privilege must therefore have been added since then. As the Clerk of the House says in his striking memorandum, many parts of the Bill have to do with parliamentary rights and privilege, so I do not believe that all those have suddenly appeared in the last week. If that is the case, it makes me even more alarmed.

Sir Robert Smith (West Aberdeenshire and Kincardine) (LD): When those outside hear us talking about privilege, they may think that we are talking about ourselves and our privileges, but what we are talking about is the voice that we have on behalf of our constituents, and the need for that not to be constrained. It is important that people outside understand that we are not discussing our own personal benefit, but their rights to have their voice heard in this Chamber.

Mr. Heathcoat-Amory: I agree with the hon. Gentleman. Parliamentary rights—and through those the rights of the people whom we represent—would be a better way to describe them.

We are dealing today with potential statute law, and it will be the job of the courts to interpret it. The Bill is about how Parliament conducts itself, about its rights and, indeed, the powers of Committees. One feature of the Bill that has not been mentioned is that the proposed new authority will be able to interfere with our Committees. Clause 8(6) would require IPSA to produce a protocol regulating the behaviour of various bodies, including the Director of Public Prosecutions, the Commissioner of Police of the Metropolis and the Standards and Privileges Committee. Such a protocol must presumably

be binding in some way. I am not a member of that Committee, but I am a member of several others, and we abide by the Standing Orders of this House. We would resent it very much if an outside agency were to tell us how we should relate to other outside agencies, but that is what is in the Bill.

IPSA must consult each of those bodies, including the Standards and Privileges Committee, but that is all. After that, its protocol would be binding. If it failed to bind, the courts would decide the matter, not this House. The Bill would export the powers of an important Committee of this House to an unelected, unaccountable quango. It is perhaps the final achievement of the quango state that we are setting up a quango to tell Parliament and its Committees what to do.

Earlier in the debate, I was worried that all this had emerged from the usual channels. Certainly the Justice Secretary implied that large chunks of the Bill had been agreed. It has been accurately asserted in the past that the usual channels are among the most polluted waterways in the world. We can all agree that private discussions between parties are no substitute for open debate. It is also dangerous when political parties agree. We all remember the Child Support Agency, which was almost unopposed in this House but created immense problems. The implications and consequences of that legislation had not been properly discussed or understood. We also had the Dangerous Dogs Act 1991. Even if this were not a constitutional Bill, it would be very dangerous to try to push it through all its stages in less than a week.

Of course everybody agrees that we must reform our expenses system, but that is happening—it is the whole point of the Kelly inquiry. Wisely, Sir Christopher Kelly is taking his time. When this issue was raised with the Justice Secretary, he said that the Kelly inquiry was much narrower. He said that it was simply concerned with setting up a system of expenses, and that the wider considerations about who should make the rules and administer and police the system were for this Bill. That was not the understanding when the Prime Minister, in desperation, set up the inquiry and wrote to Sir Christopher on 30 March. He wrote:

“It will of course be for you as an independent Committee to consider how you wish to proceed. I am keen you should not feel bound in your discussions but free to consider a wide set of issues”.

He then lists certain items that he wishes Sir Christopher to consider. The terms of reference of the inquiry are, therefore, extremely wide.

Adam Afriyie (Windsor) (Con): Is it not possible that the Kelly review may recommend that there should be no salaries and no expenses? In that case, the body that the Bill would set up would be redundant.

Mr. Heathcoat-Amory: My hon. Friend makes an acute point. We are prejudging the Kelly inquiry, and I hope that Sir Christopher will not feel bound by that. I was pleased that my hon. Friend the Member for Rutland and Melton (Alan Duncan), who opened for the Opposition, said that in government we may revisit this Bill if it becomes law. We should take careful note of anything that Sir Christopher and his committee say about it. It is important that committees are allowed to run their course, take evidence, deliberate and produce a timely report.

[*Mr. Heathcoat-Amory*]

I have written to Sir Christopher and his committee, as we all had the option of doing, and I included many suggestions from my constituents about the allowances system. Meanwhile, the interim rules on allowances are working satisfactorily. Like all hon. Members, I have had many angry letters and e-mails about perceived past abuses, but I have received no criticism of the interim system. We are working under an austerity package that I support. It was agreed by the previous Speaker and the leaders of the main parties. It is fine as an interim solution and there is no urgency to replace it with institutional change in emergency legislation.

This is also the worst possible time to be making such changes, when Parliament is suffering from a collapse in its self-confidence. The institutional structures that the Bill would set up would long outlive the immediate problem of parliamentary expenses abuses. To submit to an external regulator in the way that is proposed would be a mistake.

Bob Spink (Castle Point) (Ind): Does the right hon. Gentleman not think that if we are seen to be resisting legal sanctions in cases where MPs have effectively acted corruptly, as defined in subsections (1), (2) and (3) of clause 9, the public will be right to think that we still just do not get it?

Mr. Heathcoat-Amory: We are not resisting criminal law. The point has already been made in this debate that the new offences are unnecessary. We are already subject to rules against fraud, false accounting and theft. The new criminal sanctions in the Bill are redundant. We are not resisting criminal law; I certainly will not. I agree that the full force of the law should apply, but that is not at issue. This point certainly does not have general assent, but I think that the ability to make rules about salaries and expenses should remain with the House. We should take advice, we should listen, and there should be outside bodies to make suggestions, but I believe that it is up to Parliament to explain and justify to the people who sent us here what those rules should be.

We could borrow from American experience. Under a constitutional amendment, Congress does not set its own remuneration, but must set rules that come into effect after an election. That was the most recent amendment to the American constitution. It means that Congress does not set its own rules; it sets rules for the subsequent Congress. In the next day or two, I shall propose an amendment to say that we should vote on new rules, but that they should apply only after the purging effect of a general election, so that we do not set our salaries and allowances but those for the next Parliament.

The only other part of the Bill to which I wish to refer is clause 10, which reproduces much of the wording of article 9 of the Bill of Rights and seeks to override it. That is extremely dangerous. The Bill of Rights is not an entrenched Act; it can be repealed, and that is effectively what we are doing, with highly unpredictable consequences. Clause 10 protects freedom of speech, both in Parliament and on behalf of our constituents, and is wholly unnecessary. No one denies the importance of parliamentary reform, and that is the point I want to end on. Let nobody accuse this House, and certainly

not me, of wanting to resist reform of our expenses. However, we must not carry out that reform by weakening Parliament, by exporting our powers to other organisations and bodies, and by overturning centuries of constitutional development, all of which is being done in a fruitless attempt to save a Government from extinction.

8.23 pm

Adam Afriyie (Windsor) (Con): Today, the aim is to introduce a Bill that will restore the reputation of Parliament, or go some way towards doing so, specifically when it comes to expenses. I wanted to make a contribution, despite having to reorganise my entire diary to do so, to voice wider concerns about the Bill, and concerns that arise because the Bill does not quite do what I anticipated that it would when it was first announced last week. I feel compelled to speak because the people sent us to this place. They have elected us to make our judgments and put forward views without fear or favour. I feel that it is a duty to make observations that we sometimes feel uncomfortable about making. I also did not want to be complicit by being silent; I certainly will not do that.

In the few minutes available to me, I want first to make a point about the fact that this is the people's Parliament. This is a representative democracy, and we are here on the people's behalf. Secondly, I want to set the framework and the context in which the Bill was brought forward. Thirdly, I want to highlight some of the pressures on individual Members of Parliament, party leaders and Parliament itself. I then want to talk about the role of an MP, which has not been discussed to any great degree in this place, and has never really been codified or identified. I then want to appeal for some simplicity in how we tackle the issues through the Bill.

First, let us be clear: we are elected representatives of the people. We are here because our constituents chose us to represent their interests and to represent the nation on their behalf. We are here to air our constituents' grievances, but also to work in the interests of everyone, without fear or favour. It is important to make it clear that this is a representative democracy; Members come here, into an assembly, to make points on behalf of the people and the nation that sent them. I make that point because, with regard to the Bill, there could be a case for considering a way in which people could feed in directly on our pay, remuneration and expenses system. Like other hon. Members, I think that the issue of pay and expenses is a special case. It is the one case in which we vote on things that directly affect our own well-being.

Another point to emphasise is that when we talk about parliamentary privilege we are talking not about the privilege of Members of Parliament, but about the people's privilege—the people's ability to express in the Chamber, through their Members of Parliament, points that otherwise may not be heard. We are talking about the ability of the public and Members of Parliament to speak to committees freely and openly. We are talking about the ability of Members of Parliament to speak freely and openly here in the Chamber, to voice sometimes controversial opinions, and to uncover things—sometimes unpopular things—that some would not wish to be uncovered. It would be incredibly difficult if parliamentary privilege were in any way undermined, and incredibly harmful to the people who sent us here.

As for the context of the debate, it is quite clear that we are living in a major downturn—a recession—and people are feeling the pain of that. It is clear that we are discussing the issue now, in some ways under coercion due to media attention, because of—I will not hold back my language—a useless expenses system that in some ways seems designed to bring this place into disrepute. That is why we are bringing forward the Bill.

Mr. Mark Field (Cities of London and Westminster) (Con): We designed it.

Adam Afriyie: Absolutely; that is why I partially take the blame. I have been here for four years, and along with many Members who have been here for longer, I have had the opportunity to deal with the matter on several occasions. I am glad that we are beginning to deal with it, but I am not sure that the Bill is exactly the way in which to do so. On the subject of earnings, there is some pressure because of the downturn, and the matter of outside interests has now been raised, too.

There is a history of failure to address the problem. It is interesting, by way of context, to look at the number of committees that already exist, and the number of mechanisms that we already have, to deal with expenses. There is everything from a Members Estimate Committee, advisory bodies to it, a Members Estimate Audit Committee, a Committee on Members' Allowances, an advisory body on Members' allowances, the Senior Salaries Review Body, the Select Committee on Standards and Privileges, the Parliamentary Commissioner for Standards, the short-term Kelly review by the Committee on Standards in Public Life, plus several others. There is lots of machinery already there to deal with some of the issues. One of my concerns about the Bill is that we should be careful about introducing yet another body if its relationship to the committees in the system is not clearly defined and carefully debated.

What are the pressures on us? First, clearly, there is the media. In some ways they performed a great function by uncovering many of the complications and discrepancies in the system. To a certain degree, they are to be congratulated on that. However, the media's aim is to sell newspapers, so a good headline is no headline at all. What they are looking for are negative headlines. The current system delivers such headlines and bad news day in, day out.

Secondly, any parliamentary candidate fighting an incumbent MP will wish to highlight every small detail they can, in order to demonstrate that they may be a better representative. The current expenses system leaves all Members open to such criticism. I shall return to that. Thirdly, political parties are a source of pressure. There is political capital to be made from highlighting how one side or the other has been misusing a system that is incredibly complicated.

To someone who, like me, came from the world of business, it is interesting that all the pressures from outside and many from within this place seem to undermine the integrity of MPs, and the information that comes through is used to undermine what we do here. I am conscious that the media will pick out one or two select sentences from the debate today to demonstrate how MPs are trying to hold back the process of reform, and so on. The pressures are enormous, but there is no countervailing pressure from this place to correct that imbalance.

There is no clear definition of the role of an MP. The role has grown and evolved. Bagehot identified a few responsibilities, including choosing a Prime Minister, expressing the opinions of the people whom an MP represents, and teaching the nation

“what it does not know”.

One or two others have commented on the role, but we know, as the hon. Member for North-East Derbyshire (Natascha Engel) made clear, that the role is much bigger than that.

We have responsibilities to Parliament, to committees, to constituents, to our parties, to ourselves and our own integrity, and to our family—if we neglect our family, we will come in for criticism. We have responsibilities to support charities locally, to respond to letters, to create laws, to participate in debates, to attend votes, and to respond to the media. Members who are Ministers or who have a Front-Bench job have another job on top of that. That is a quick smattering of the kind of responsibilities we have. In any debate on the Bill, or on expenses, salaries and remuneration, we must first consider what is expected of a Member of Parliament before setting out the remuneration and allowances. The role has changed over the years.

Natascha Engel: Would the hon. Gentleman advocate job descriptions or minimum standards for Members of Parliament?

Adam Afriyie: I would not necessarily go that far, but we need to set a debate such as this in context. As the hon. Lady pointed out, our constituents do not understand quite what we do. I do not blame them. For the first few years that we are here, we do not understand exactly all the responsibilities either. To inform decision making on remuneration or considerations, one must take into account what is expected of a Member of Parliament.

When it comes to second jobs or declaring outside income and the amount of time spent on outside interests, that can be misconstrued if being a Member of Parliament is seen as a full-time, nine-to-five job, which is not the situation. In many ways we are self-employed small business owners. We run our own offices and employ our own staff. In some ways we are paid employees for the functions that we perform in the House. In some cases we are unpaid employees, when we work, many of us, more than 60 or 70 hours a week. It is a vocation. We are trainees—novices—when we first arrive. We are part-time employees because we have long recesses, apparently. We have duties within working hours and outside working hours.

This is not a clearly defined job that implies that there should be a salary. There were allowances from the 1300s to the 1700s, and they were reintroduced in 1911 by Lloyd George. He said:

“When we offer £400 a year as payment of Members of Parliament it is not a recognition of the magnitude of the service, it is not remuneration, it is not a recompense, it is not even a salary. It is just an allowance.”

That was to reflect the fact that people come from different walks of life and have different financial means. The allowance was intended to enable those with lesser means to perform functions in Parliament, but it was not a salary. I am a little concerned that we have slipped into using “salary” for parliamentary moneys that are transferred to Members when, in fact, they are not necessarily a salary.

[Adam Afriyie]

To make the debate a bit more exciting, I should say that £400, if translated into current-day average earnings, amounts to somewhere between—we can argue the figure—£140,000 and £250,000. That is the context in which the issue ought to be considered. I am not arguing for that amount, so please let nobody assume that I am. [Interruption.] I notice that some people are nodding, saying “No, do argue for it”, but I am not going to do so. I merely observe that those moneys are not necessarily a salary, and that there may be a simpler way to tackle the issue. I hope that the Kelly review will consider that.

I am very much in favour of simplicity, but I am concerned that the Bill adds another layer of complexity. We are in danger of repeating mistakes, by just adding more bodies, by not tackling the underlying issue and by creating a system that is as ugly as that which we are attempting to replace. The Bill is too hasty and knee-jerk; we need a better debate about the role of an MP and what they should be paid for. Some direct input by people into the review would be very helpful. The Bill is either too narrow or too broad—but it has certainly come too soon and without proper consideration.

8.36 pm

Mr. Andrew Tyrie (Chichester) (Con): Legislation is certainly needed to restore public trust in Parliament, but this is a grossly inadequate Bill. Almost every hon. Member who has spoken has agreed with both points—except, I am afraid to say, the Front-Bench spokesmen. They, and the Government Front-Bench team, in particular, are infected with a toxic combination of pre-election fever, panic fuelled by the leaks on expenses and the public’s reaction to them, and a mistaken belief that just by doing something we can somehow insulate ourselves from the political damage that has been done.

That is why we have what the Secretary of State has called emergency legislation. The Bill contains serious legal, constitutional and practical flaws and, even more importantly, fails to ensure the delivery of the two reforms that are essential for the restoration of public trust. For those reasons, I shall not support the Bill if there is a Division.

The two essential reforms are, first, that the setting of MPs’ pay and pensions should be removed from MPs’ direct control, because we should no longer be expected or allowed to set them directly by a resolution of the House; and, secondly, that the use to which allowances are put should be subject to full transparency—as much as is practicable under the law.

I have been a vigorous advocate of both changes for many years, and I proposed them to the democracy task force, on which I sat. It was chaired by my right hon. and learned Friend the Member for Rushcliffe (Mr. Clarke), and its members included the former Cabinet Secretary Lord Butler and my right hon. Friend the Member for North-West Hampshire (Sir George Young). It was plain to us that, whatever the Senior Salaries Review Body might recommend, as long as we MPs vote on each change to our remuneration, the public will believe that we are just feathering our nests. Until full transparency is in place, the public will also continue to believe that we misuse allowances once we get them.

The Bill does at least take the setting of allowances out of our hands, but it leaves salaries to be set by resolutions of the House. That is what has led to problems almost every time the Government have sought to table such motions. If we are to legislate, we should at least be allowed to do it properly so that it covers pay and pensions. I have tabled an amendment to achieve that—at least, on pay.

Mr. Grieve *indicated assent.*

Mr. Tyrie: I am pleased to have a nod of support from my party’s Front-Bench team, and to have had one when I intervened on my hon. Friend the Member for Rutland and Melton (Alan Duncan) in the hope that I could generate support for that amendment.

The Bill hands allowances to the Independent Parliamentary Standards Authority, which can then vary them without resolutions of the House. However, that alone will not restore public trust unless it is accompanied by a requirement on IPSA to ensure that allowances are subject to the maximum practicable scrutiny. That could be achieved through an amendment to clause 3, but there has not been one yet and I have not had the time to table one. If we have learned anything from the past few weeks, it is that transparency can and should do most of the heavy lifting by limiting unjustifiable claims and bolstering public confidence.

A good number of the legal and constitutional flaws have already been flagged up. Clause 6 was a casualty, dead on arrival, and clause 10 looks pretty vulnerable given some of the things I have heard. Several other clauses, particularly those that create double jeopardy, might well follow.

Mr. Grieve: My hon. Friend is right to identify clause 10 as extremely controversial. A lot has been said tonight about its undesirability, and one of the ironies is that if it were to go, the entire architecture of the Bill’s regulatory structure—the punitive aspects—would go with it. My hon. Friend may agree that that encapsulates the lack of proper thought given to that aspect of the Bill.

Mr. Tyrie: I agree with every word of that. It is consonant with what the right hon. Member for Berwick-upon-Tweed (Sir Alan Beith) said on the same point. He listed a number of other serious flaws in the Bill.

As my hon. Friend the Member for Windsor (Adam Afriyie) said, we have had so little time to consider the Bill or hear the views of outside experts; it is difficult to know just how bad the Bill is on the basis of the first few days in which we have had the chance to consider it. The sensible course now must be to await Sir Christopher Kelly’s report and then—only then—to create a new framework for allowances that accommodates his recommendations. That, of course, might mean coping with several more months of awkward publicity, but that is certainly preferable to coping for years with what could turn out to be seriously defective legislation at the heart of our democratic process.

It might also mean amendment of Sir Christopher’s recommendations. It must be mistaken to say in advance, as all the major parties appear to have, that we will implement all Sir Christopher’s recommendations before they are even published. The Liberal Democrats have adopted a particularly absurd variation by saying that they will accept his recommendations

“ ‘blind’—before we see them”.

They then suggest that we should pass a resolution of the House within the next few days to ensure that that is achieved.

Of course we should lean heavily in favour of Sir Christopher's recommendations, but his proposals could contain flaws or the odd shortcoming, and our job is to make sure that he has things right before we legislate. I am sure that he would expect us to do that, too, just as I am sure that he is annoyed by the pre-emption of his report embodied in the Bill. His proposals should be subject to proper scrutiny by examination in Parliament, including by a Select Committee, before they become effective.

The Government's almost panic-stricken determination to rush the Bill through the House in three days illustrates so much of what is wrong with how we now make our laws. It exposes the shallowness of the Government's professed commitment to improve how the House scrutinises legislation and the Executive. And, if we allow the Executive to get away with this, that will confirm the public's suspicions that Parliament counts for little these days in the face of an increasingly presidential Government.

The Lord Chancellor described the Bill as "emergency legislation". We certainly have a crisis, but I do not think that we have an emergency. I hope that the House of Lords will now scrutinise the Bill carefully and at a more measured pace. I particularly hope that it will attach a sunset clause; anything called "emergency legislation" probably warrants one. That would force us to consider in a more measured way what was needed for the longer term once we had the Kelly report. It would also give us the opportunity to implement Sir Christopher's recommendations, some of which may well have a bearing on the shape of the Bill, and to consult others, including the public. Only with the support of the public will it be worth legislating in the first place.

Several hon. Members *rose*—

Mr. Deputy Speaker (Sir Michael Lord): Order. May I say to the House that after the next speaker has finished I propose to reduce the time limit on Back-Bench speeches to eight minutes?

8.44 pm

Mr. Bernard Jenkin (North Essex) (Con): I very much enjoyed the speech by my hon. Friend the Member for Chichester (Mr. Tyrie), who conducted himself in a typically measured and cautious way. I may be about to be less cautious in my response to the Bill.

The real test for the Bill is to ask whether it will make Parliament work better, whether it will make better MPs, and whether it will really address the anger that British people feel about MPs. I would submit that it will not, as currently drafted. Our expenses claims are not the sole source of the despair about politics and politicians in our country: the disillusionment of voters has far more profound causes. My hon. Friend the Member for Windsor (Adam Afriyie) spoke about the role of MPs. Why does Parliament exist? It exists, and it has always existed, to protect the public interest and the freedom of the citizen. It does so in three ways: by holding the Executive to account to prevent the abuse

of power; by ensuring that legislation is well drafted and fit for purpose; and by scrutinising public spending to ensure value for the taxpayer.

That is what we should be doing in this House for our constituents, but are we collectively doing a good job? In recent decades MPs have become increasingly ineffective, and much of the public anger now directed at MPs over expenses must be attributed to that wider failure. I have come to support the principle of independent regulation of MPs' expenses, as I set out in a supplementary letter to the chairman of the Committee on Standards in Public Life, who raised the question with a group of MPs who were giving him informal evidence. However, it is perfectly possible for the Bill to achieve the objective of independent regulation without compromising fundamental constitutional principles that have underpinned our democracy for more than 300 years.

Mr. Straw: I know that it is commonplace to say that MPs have become less effective than they were, but all the evidence, including evidence given before the Committee that I chaired three years ago, shows the reverse. On every single measure, MPs are more effective, more assertive and more independent. Aside from the important issue of time spent in this House, where I accept that there is a problem, they have become more effective.

Mr. Jenkin: I invite the Justice Secretary to listen to my arguments.

The Bill further undermines MPs' independent capacity to represent the interests of their constituents in the national interest. As the Justice Secretary said, the House of Commons already sits shorter and shorter hours. Recesses seem to get longer and more numerous. An increasing number of decisions are taken other than in Parliament—in Whitehall, in Brussels, or in the courts, and increasingly not even in our own courts. Legislation increasingly passes through the House of Commons without being scrutinised, this Bill being a case in point, as my hon. Friend the Member for Chichester remarked. Ministers have more and more order-making powers, and there is more and more delegated legislation. Ministers have become legislators in their own right, not least when they sit in the EU Council of Ministers. More and more public money is voted through without any semblance of debate.

At the state opening of Parliament, we slam the door of our House in the face of the sovereign's messenger to signal the hard-fought independence of the House of Commons from the Crown, but these days such a ceremony is becoming an ironic charade, as today's Prime Ministers have more unfettered power and control over Parliament than any monarch for at least 300 years. The powers of the Crown are vested in the Prime Minister, and he virtually controls Parliament. Only the Government determine the timetable for the House's business, only the Government have the power to determine changes to Standing Orders, and only the Government can table a motion to suspend the time limit on sittings.

Before the second world war, the Government payroll was perhaps a little more than 50 MPs, and a sitting MP who accepted ministerial office was subject to what today's radicals would call "recall"—that is, they had to resign and fight their seat in a by-election. Today, the payroll has nearly trebled to more than 140 MPs, and ministerial office is just one of the bribes and threats

[Mr. Jenkin]

that a modern Prime Minister can hold over MPs without consequence. The proposal for the regulation of MPs without the regulation of Ministers, as my right hon. Friend the Member for North-West Hampshire (Sir George Young) pointed out, graphically underlines the disparity in power that now exists between Parliament and the Executive whom we are meant to be holding to account.

With Parliament so powerless, the voters share that sense of powerlessness. It fuels the anger and outrage about our expenses, the failure of the whole political class, the loss of control over issues such as immigration, the reams of meaningless and unaccountable laws, the endless taxation and waste and the untouchable tyranny of officialdom. That is why the British National party now wins seats in European elections.

It is ironic, at a time when everyone seems to agree that the House of Commons has become too weak and the Government too strong, that the Government should bring forward this Bill to regulate Parliament with a new quango, new criminal offences specific to MPs and, according to the Clerk of the House, new limitations on parliamentary privilege that will have what he calls a “chilling effect” on free speech.

The Bill of Rights of 1689 came about as a reaction to a long period of monarchical rule during which Parliament was either ignored or did not sit at all. It limited the royal prerogative and established key rights for Parliament, not least the right of free speech. This Bill threatens to turn the clock back, not forward, and to put MPs more in fear of the apparatus of the modern state, not make them stronger or more independent.

As the right hon. Member for Birkenhead (Mr. Field) pointed out, the unworkable requirements for the declaration of outside interests are not neutral but designed to cow MPs by creating a sense that outside earnings are invidious. The role of MP need not be a full-time job—as has been asked, how else do so many MPs also have time to serve as Ministers? MPs are becoming more like party drones than independent tribunes of the people. They should be representatives, not party delegates. They should represent their constituency at Westminster, not their Westminster party in their constituency. MPs today are expected to behave more and more as employees of some kind of corporation, not to exercise their individual judgment according to conscience. That is why we should not have a job description. Mine is written every time I stand in front of my constituents for re-election.

Some day, this House must demand back from Government what successive Governments have taken away. A competent Government need a strong Parliament to hold them accountable, and there is certainly no evidence that weaker Parliaments have made Governments any better. The Justice Secretary perhaps started a process of reversal with his concession about clause 6, but he will need to make many, many more concessions before the Bill wins my confidence. I shall certainly vote against the time limit on consideration of the Bill, which exemplifies everything that has gone wrong with the governance of our nation.

Ultimately, we need a new House of Commons with fresh blood and a fresh mandate to reclaim the rights and powers that should not be the property of our

rulers but belong to the people, and should be safeguarded in this House by the representatives they send here to safeguard their freedoms.

8.53 pm

Mark Durkan (Foyle) (SDLP): It is a pleasure, if something of a challenge, to follow the hon. Member for North Essex (Mr. Jenkin). I agree with a couple of his points, one of which is his appeal to ensure that the matter of second jobs is not used to turn this into a House of Stepford Members, where people behave in a standard, robotic, stylised way because they all come from one think-tankish gene pool. He also made the useful point that people’s confidence in Parliament is not just about expenses. We need to remember that people are asking basic questions about the worth of Parliament.

Here in the Chamber last Wednesday, some of the things that were said in the debate on Iraq, when points about Parliament’s role in determining the details of an inquiry were ducked and evaded, gave people room to question the worth of Parliament. On the same day, there was a debate in Westminster Hall on Equitable Life. People from all parts of the country have written to us about that predicament. It seems to be the will of the majority of MPs that that be addressed, but when people see the Government question that will, and question the word and work of the parliamentary ombudsman, they will again question the worth of Parliament. So those issues need to be addressed.

Like some others who have spoken in the debate, I took part in the discussions downstairs that the Secretary of State for Justice chaired, during which, as the hon. Member for Meirionnydd Nant Conwy (Mr. Llwyd) said, the right hon. Gentleman was very reasonable. Unlike some Opposition Members, I believe that the Government are approaching the matter not in a blind panic, but with a clear purpose. Some Members have asked why the measure is needed, suggesting that worst of the expenses scandal is over. We do not know that. The publication of last year’s claims is still to come and we do not know what new confections and conflation may appear.

If we recess in July, without doing anything other than change the Speaker, people will be scandalised and say that we simply do not get it. If we say that we will leave matters till the autumn, what will happen over the summer, as more newspapers drill into all sorts of aspects of expenses and so on? What will happen if the main parties’ conferences, which are held in the autumn, instead of being used to set out stalls for the forthcoming election, are again seized by concerns and disputes about parliamentary expenses, with parties perhaps contending with each other about who is to blame for not dealing with the problem? People will then regret not passing decisive legislation now to tackle some of the problems.

It has also been suggested that we can do nothing until Christopher Kelly reports. I do not accept that. If we all agree, as we say we do, about the principle of an independent parliamentary standards authority, and independent oversight, administration and management of payments and allowances, let us be mature enough to put it in place.

We have to await Kelly's findings before we take action on some issues. Clearly, we need to introduce legislation that is Kelly-compatible or Kelly-ready. I accept that some parts of the Bill go too far and are too pre-emptive or prescriptive and will perhaps require Kelly to make particular recommendations. We should not fetter Kelly's discretion. Clearly, the Government have already reflected that view in taking action on clause 6. During the discussions downstairs, I suggested that the Bill should be entitled, "Parliamentary Standards (Finances) Bill" or "Parliamentary Standards (Allowances) Bill".

Mr. Grieve: The Government are right that the matter needs to be addressed urgently. Public disquiet is clearly great, and there has also been great anger. If the Bill were confined to the process of setting up, in anticipation of Kelly, a system whereby our allowances and eventually our salaries were tackled outside the House, by an independent authority, it would go through quickly and command widespread acceptance. However, the Bill contains punitive regulatory provisions, which have constitutional implications. From what has been said so far, the House clearly takes the view that there has been insufficient time to consider them.

Mark Durkan: I accept the hon. and learned Gentleman's point, but if the Government are to make adequate provision, the Bill must cover more than the Opposition suggest. If Sir Christopher Kelly reports in the autumn, we will say that we need time to digest the contents and to prepare legislation. Meanwhile, many Members will scream that a general election is needed urgently. On the one hand, some hon. Members claim that we must take time to do things properly, while on the other, they scream that they want a general election urgently. They also say that they want the matter resolved before the end of the Parliament, so that it is not a problem in the general election campaign or for the new Parliament, which would have to legislate on expenses.

People cannot have it every which way, but that is what they seem to be trying to achieve in this debate. The Government are right that we need clear legislation to be ready to plug in properly to the various Kelly recommendations. That legislation needs to be fully in place and fully activated, hopefully well before a general election. All the preparatory work—not just the preparatory legislative work, but the work to set up the authority and to scope out its requirements—needs to follow the passage of the legislation, which is why that legislation needs to be in place before the recess.

Alan Duncan: Given where the hon. Gentleman sits for and what he has said about outside interests, what is his view on those Members, whose work here many would say should be a full-time job, who also sit in another Parliament or Assembly, doing work that many in those legislatures would also say should be a full-time job?

Mark Durkan: I have clearly said that in Northern Ireland, for instance, we need to set a clear point in the electoral cycle when dual mandates end, whether that be at the next Westminster election, so that people do not continue to hold both positions, or at another time. I have already made it clear in my constituency and elsewhere that if I stand at the next Westminster election, I will not continue as a Member of the Legislative

Assembly. Those standards will be reflected in our submissions to the Kelly review. Unfortunately, the Kelly review is taking evidence in Belfast on Wednesday, when the House will be scrutinising the Bill in Committee. Indeed, there will also be other legislation to consider, but we cannot be in both places, so we are left with a dilemma. Do we attend Kelly to show our interest in that process or do we attend here to show our due diligence in relation to parliamentary standards? Indeed, that is a problem that does not even take in the question of membership of the Assembly or anything else.

It is important that we should take care in respect of this legislation. There are things that will need to be tweaked. There are also things where we perhaps do not need to press the "delete" button, but where we need to press the "save in draft" button, so that we can return to them post Kelly. There are also some things missing from the Bill that need to be there. For instance, there is no reference at all to taxation. It is quite clear that part of the public scandal and concern about MPs' expenses relates to capital gains tax on properties that were funded—or partly funded—through allowances from the House. There is also the question of work-related expenses that might be claimed. We know that some exotic and expensive items were refused by the Fees Office, but perhaps they were claimed—or could be claimed—as work-related expenses. IPSA needs to provide guidance to Members on what is appropriate in that respect and to engage directly with Revenue and Customs, reference to which is also missing from the Bill. There are references to the Treasury and so on, but not to Revenue and Customs.

There should perhaps also be references in the Bill to the Cabinet Office, because there were clearly issues in relation to the expenses of Ministers, particularly where grace and favour homes were in play. The Cabinet Office has a role, because if Ministers receive expenses and allowances in that way, the Executive have to take some responsibility for administering them and for navigating that particular twilight zone, rather than just leaving that to IPSA. Therefore, the role of the Cabinet Office in all this needs to be reflected too.

If we took the time that some hon. Members seem to be suggesting, the public would think not that we were taking care, but that we do not care. They would think that we did not understand their shock and disgust. The question is not whether the Government are listening to the House, which is the test that some hon. Members have applied this evening. The question is whether the House is listening to the country.

9.3 pm

Mr. Paul Goodman (Wycombe) (Con): The Prime Minister has, in effect, handed us this Bill rather like a man handing a motorway map to a group of dejected, demoralised and, I am afraid in a few cases, discredited travellers. Like a map, the Bill contains features—a new authority here, a new penalty there. Some of them are unproblematic; others, as we have heard, are rather more of a problem. None the less, as we have heard this evening, we are being told to get a move on—that the only fitting response to the public anger is to rush the Bill through the House as quickly as possible.

What you may have observed from this debate, Mr. Deputy Speaker, is a distinct reluctance on the part of the House to be rushed in that way, because the more

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Members in all parts of the House have looked at the Bill, the less they have liked it. The reason for that is simple. It is because, having looked collectively at the Bill today, we have identified a key weakness—namely, that the map before us has no agreed destination. It sets out a new body and new penalties, but it fails to set out a clear vision of what the new body will regulate and to what activities the penalties will apply. In short, nowhere in the Bill does it describe what a Member of Parliament is, or what our functions and purposes in this place are. The hon. Member for North-East Derbyshire (Natascha Engel) made that point earlier.

It is evident that there are two conflicting ideas of what an MP is. The first is that we are elected representatives—citizen legislators who are free to earn outside this place. The second is that we are professional politicians funded exclusively by the taxpayer and therefore members of a political class, distinct and thus separate from those whom we represent. Elected representatives must, almost by definition, represent a multiplicity of interests—the interests of capital, the interests of labour, and so on. Under our present constitutional arrangements and cultural conditions, however, most professional politicians will, I am afraid, ultimately represent only one interest—namely, that of the Executive whom they wish to serve as members, or that of the Executive-to-be. So, the movement in recent years from the MP as elected representative to the MP as professional politician—first under John Major and Nolan, then under Tony Blair and Nolan's successors—suits the Executive very nicely. It is no wonder that, by means of the Bill, the ceiling that has for years been descending on private interests will be ratcheted down still further.

Mr. Straw: I am following the hon. Gentleman's argument, but, as I said earlier, it is worth looking at the evidence. As a former distinguished Clerk to the House said recently, the evidence shows that in the golden age of the 1950s and 1960s, the House was wholly quiescent. There was not a single rebellion against the Government in the early 1950s, compared with repeated rebellions under Margaret Thatcher and under this Government.

Mr. Goodman: But my prediction is that there will be still fewer rebellions if the Bill goes through in its present form. Ministers know full well that very few Members who work part-time for charities or for businesses, or as doctors or at the Bar, will be able to fend off the exhibitionists and fanatics who grovel before the voters in every constituency pledging that, unlike the sitting Member, they will sit in their parliamentary office writing e-mails 24 hours a day. Those are promises that some—perhaps many—of them will not keep, leading to further disillusionment with politics and politicians.

Ministers—including the Justice Secretary, I am sure—will of course ask why MPs should not, in the interest of openness and transparency, declare how many hours they work outside Parliament. To that, there is only one answer. To use a phrase that the Justice Secretary used earlier: what is sauce for the goose is sauce for the gander. Let those on the Treasury Bench who are moonlighting declare how many hours they work outside the House rather than working here on behalf of their constituents, just as any other Member of the House will have to do under the terms of the Bill.

Mr. Jenkin: I should like to share an irony with my hon. Friend. Whereas Back-Bench Members of Parliament with outside interests are certainly not working against the interests of the House of Commons, Ministers with such interests are certainly doing so a lot of the time, because they are denying us information and legislating to try to keep us in our box.

Mr. Goodman: My hon. Friend makes his point very well. That is why Ministers favour neither the old-fashioned idea of the elected representative nor the fully modern idea of the full-time legislator who is not a member of the Executive, citing the separation of powers as it exists in the United States. It is no wonder that the Prime Minister has handed us this map without a destination, or that the Justice Secretary is urging us to rush the Bill through the House as quickly as possible. It is not that they do not know where the journey is heading; they know perfectly well. I do not believe that the Bill is motivated by the expenses scandal at all. In my view, it is motivated by the Government's desire to entrench further a political class that will be dependent on the patronage of those on the Treasury Bench.

The Bill piles further absurdity on the original absurdities set out in the Nolan rules, to which the right hon. Member for Birkenhead (Mr. Field) alluded earlier—namely, that there are only two kinds of interests. One is private interest, personal to Members; the other is the public interest as a whole. However, that is not so much wrong as completely unintelligible. Many other interests must be represented in the Commons for it to be a House of Commons at all. To give but one example, each of us represents a constituency interest; it is possible, indeed likely, that that constituency interest will sometimes clash with other constituency interests, and therefore with the public interest as a whole. The refusal to recognise those truths drives the contortions and contradictions in the Bill.

So many examples have been given that I hesitate to add to them, but the House might briefly want to consider an example cited in *The Times*. If a constituency business buys a Member a cup of tea, and the Member then raises a matter on that business's behalf, will such a Member be in breach of the paid advocacy rules and be hauled before the courts accordingly?

Mr. Grieve: Yes.

Mr. Goodman: My hon. and learned Friend says, unhesitatingly, yes, and he will know, as we all do, that the Bill threatens to create a vicious circle whereby Members are punished by the courts for representing interests, and punished by our constituents for not representing them—completing the process whereby, increasingly, I am afraid, Members are transformed into box-ticking clones.

We are all asked repeatedly, as was mentioned this afternoon, whether we get it—"getting it" is the phrase of the moment. I sometimes wonder whether our constituents get it—whether they get what is coming to them under the Bill, namely, the triumph of the political class, driven by the combination of a rampant media, the professionalisation of politics, a rapacious Executive, and a culture with a 15-second attention span.

Why, in the last resort, blame anyone but ourselves if the Bill is allowed to go through with all its imperfections? It is the culmination of a collective loss, over many

years, of self-confidence, self-respect and self-belief. If Members of the House do not respect themselves as elected representatives, free to debate the clash of interests that must arise in a free society, no one else will respect them either.

9.12 pm

Mr. Mark Field (Cities of London and Westminster) (Con): It is a privilege to follow my hon. Friend the Member for Wycombe (Mr. Goodman). One of the most depressing things that has happened to me in recent weeks was learning that he is standing down from Parliament. It was depressing not just because I am losing a friend—we entered this place on the same day some eight years ago—but because when he outlined his reasons for leaving, I found I agreed with about 90 per cent. of them. He has said exactly what I hope many of the more thoughtful Members would agree with.

I also associate myself with every word of the contribution of my hon. Friend the Member for Chichester (Mr. Tyrie), who, as ever, was able to articulate the arguments much more concisely than perhaps I am able to. However, I want to say briefly that I share the almost universal reservations about the speed with which the legislation is being rushed through. As a number of Members have said, it is being rushed through partly out of panic, and partly out of a desire to be seen to be doing something. Rushing legislation, particularly—dare I say it?—to go through all stages in three days, is a great mistake. We need to move towards greater separation of powers, especially between the Executive and the legislature, and the Bill regrettably takes us in diametrically the opposite direction.

We risk politicising the judiciary, who will now stand in judgment on issues of parliamentary process and procedure, especially if clause 10 in its entirety comes into play. We risk vexatious litigation, perhaps driven by partisan political considerations. No doubt some publicity-hungry judges will also look to flex their muscles, to the edge of the legislation and probably beyond. As my hon. Friend the Member for South Staffordshire (Sir Patrick Cormack) rightly said, we are sent to this place by our constituents, not as bureaucratic placemen and women but as people who should be able to debate the important issues of the day.

Without wishing to harp on too much about how we got into this situation, it is very important to put one or two things on the record. The Executive were repeatedly warned that the second home allowance was a disaster waiting to happen. I know that, because I have repeatedly warned over many years—it may be easy for me to be dispassionate as a central London Member whose salary has been kept down—about the grandstanding that went on by both Government and Opposition leadership on this matter. It goes back, I accept, to the 1980s, but three times during the eight years I have been a Member—it also happened in January 2008 over the London allowance—headline salaries have been kept down in spite of the independent Senior Salaries Review Body's recommendations, and then a blind eye was turned to the constant increase in the second home allowance, which was never reduced, reversed or even capped.

In July 2001, there was a huge uplift outside any recommendation from any independent body so there was no longer, in my view, any real pretence that the

second home allowance was reimbursement; rather, it was being used as a salary substitute because the Executive failed to have the courage to stand up and make the case for a higher salary going forward. Therein, a culture of absolute cynicism built up.

The general public, in my view, understand the need for MPs living beyond commuting distance to have a home in London. Their view of a second home, however, is a rented, furnished flat, meaning that there is no need for household goods, plasma TV screens, gardening and cleaning bills, and no mortgages, no flipping, and no remortgaging or maximising of financial benefit. The capital gains scam and the appalling ongoing scam of section 292 of the Income Tax (Earnings and Pensions) Act 2003, which makes all this tax-free, is little short of disgrace. I suppose that, as in any banana republic, it is the MPs who end up making the law. This issue was not new; it was warned about, and I am not the only Member to have warned about it in these terms and for some years before the balloon went up.

Let me touch briefly on clause 5 and second job scrutiny. I fear that it is the worst sort of cynicism and rank hypocrisy for the Prime Minister to attempt to embarrass Conservative MPs by conflating the second jobs issue with the allowance scandal, which has ended in the disaster that my hon. Friend the Member for Wycombe pointed out. There has never been any suggestion that outside employment was undesirable or that it interfered with MPs' duties, nor any sense in which it has been part of the scandal that has engulfed Parliament in recent weeks. Indeed, in my view the real risk is now that MPs will become ever more of a separate political caste—professionals moving to politics perhaps from their 20s onwards. It may suit the Executive and any future Executive for Parliament to become a cadre of super-councillors retreating from independent-minded views into a constituency-based comfort zone. That, I think, would be absolutely catastrophic for public life, but it is what this Bill will help to reinforce.

My hon. Friend the Member for North Essex (Mr. Jenkin) rightly alerted us to the ludicrous anomaly whereby Ministers, already remunerated out of public funds, are exempted from filling in the same timesheets that each and every one of us who has an outside interest will have to fill in. Yet their extra-curricular activities equally impinge on their ordinary duties as Members of Parliament and as legislators. Indeed, it is compensation for that time forgone that is the very reason why Ministers are paid.

We need to move, as I think we are—slowly—towards the idea of a separation between the Executive and the legislature. I know that that means a big change in how the Executive will operate, but it seems to me that the role of the MP should be as a law-maker, as someone holding the Executive to account, which is particularly important—dare I say it?—for those MPs from the governing party as well as those from Opposition parties. For reasons that a number of my hon. Friends have pointed out, that tends to have been forgotten.

I believe that this Bill is deeply flawed, not only in its underlying principles but in its practical application. The new external expenses regulatory body that is being created sounds superficially soothing, but experience should have taught the Government that it may well act in many ways to undermine the internal promotion of proper standards among parliamentarians. Instead, a

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“them and us” culture will be created; there will be systematic attempts to avoid the letter of the rule; and there will be hostility to the ethic of box ticking rather than an appreciation of the principles that should lie behind any code.

We should be trying to inculcate a sense of right and wrong in parliamentarians in all their claims for allowances and expenses or, indeed, in any other way. The Bill, however, risks creating a “what we can get away with” culture that we have seen in the past. We have already seen what has been justified as being within the rules—ludicrously, there have been claims for £400 a month for food and £250 a month for petty cash with no questions asked—and that is the system from which we are moving away, but I fear that a body such as IPSA will simply reinforce it with a new set of rules. We need the ethics to come from individuals rather than resulting from a hostility which, inevitably, will be mounted against any new regulatory body.

I am sorry that I have not had a chance to say more; indeed, we would all have liked to say a good deal more. However, I am glad to have had the chance to make a small contribution to the debate.

9.20 pm

Mr. Richard Shepherd (Aldridge-Brownhills) (Con): When I came here, I came here as a Member of a Parliament. I look back across 30 years and I think, “What am I now?” I am on the outer reaches of a court. The King sits over there, the heir to the kingdom sits here, and I am a minor courtier if I hope to receive some favour—or not. That is what has happened. The slamming of the door is on the wrong person now. The Crown moved, as we have long known, from the end of the Mall into Downing street, and has now positioned itself here. The very person whom we did not want to take over the running of our country absolutely in terms of the making of laws and the divine right of Kings has now incorporated himself right in our centre; and fluttering around the King are all these Ministers—the shadows on our side, the substance on the other side.

The Government have become so large that I believe there are almost more of them than there were members of the main Opposition party at one stage. That is where we have got to. Today, we face one of the Bills of which the Lord High Panjandrum, who is now busily looking at his papers, well knows. We have had a long relationship: he was Leader of the House, no less, was Foreign Secretary, and is now Justice Secretary. He has cast around and then come here himself in place of the current Leader of the House, who unfortunately had to attend a memorial event.

I knew nothing about this 10 days ago. I do not suppose that anyone other than—apparently—those on my party’s Front Bench, the hon. Member for Foyle (Mark Durkan) and the other party leaders knew anything about it. It does not even follow the old patterns. A Bill used to be deposited, and have a First and a Second Reading. Two weeks used to be provided before the Bill was dealt with on the Floor of the House, so that people could digest it. This Government prattle on about pre-legislative scrutiny, saying that it is embedded in what they are trying to do, but does not this Bill, more than any other legislation, require such scrutiny?

There used to be a convention, no less, that all stages of a constitutional Bill were taken on the Floor of the House. It seems that the Lord High Panjandrum is going along with that—the Bill will be dealt with on the Floor of the House—but something else will be involved: a guillotine. That is the way we do business. Why trouble with us? We are merely minor players in the great drama—and what a drama! We saw an auction of places in this Government just three weeks ago. We saw them squabbling like anything. And we are supposed to take them seriously.

What I am saying is that this is a very dangerous time for our nation and our Parliament. As the Government seek desperately to hold on to power, they are prepared to throw anything in. The Government say that they want to give more powers to Parliament, but what do they do? They write the reformation of Parliament themselves, in a quiet little arrangement involving Front Benchers consorting with the hon. Member for Foyle and others. That is no way for us to assert ourselves as Members of Parliament, and no way for us to hold anyone to account.

This is an awful Bill. The hon. Member for Hendon (Mr. Dismore), the Chairman of the Joint Committee on Human Rights, rightly criticised it in making fundamental propositions about our liberty and due processes. He had to do that on the basis of a draft report, because the Joint Committee will not meet until tomorrow, when it would have sanctioned all the comments that he made today. Similarly, the Justice Committee will not meet until tomorrow, although it is taking evidence from the Clerk. This is how we are treated in this House. This is a terrible Bill because it tries to set out who we are.

The hon. Member for North-East Derbyshire (Natascha Engel) made some very good points. Ultimately, it is the electorate who define what a Member of Parliament is, and we justify ourselves to the electorate by the way we hold the Government to account and challenge the nostrums, propositions and grand performances by Front Benchers. We are the representatives of the people. When we talk about privileges, we mean the privileges of freedom of speech. I come here and I can attack a Prime Minister—and not only someone as unimportant as the Prime Minister, but even the Lord High Panjandrum himself.

The Leader of the House is not going to follow through by concluding this debate. She could be here; we saw her make a fleeting appearance. I know why she did not take on that speech: it is because she cannot. As I look across at the shadows who flaunt themselves in front of us now, it is clear to me that this country desperately needs an election to clear out the clutter. We must now repudiate this Bill, and put it all in a proper and measured process. We have it in place to do so—but, no, someone has to show off and show that he is the king of Downing street with all the powers of the prerogative behind him and an obedient Government followed by their Whips, in order to ensure that this Bill passes. We should reject it, and we should most certainly reject the guillotine on it.

Mr. Frank Field: Will the hon. Gentleman help me to divide the House against this Bill tonight?

Mr. Shepherd: I certainly will. I think that is an important statement to make, and I also hope the right hon. Gentleman will vote on the guillotine.

Mr. Field: Against it.

Mr. Shepherd: Yes, on the guillotine and against it. All I am doing is asking the House to face up to these things.

A week ago, 10 people stood in front of this House. It was the only time, however, that I bet that any of them had been able to address a Prime Minister in this Chamber uninterrupted with him sitting there for the entire five or six minutes. That is a privilege that is never extended to anyone else in this House. That reveals the contempt that is shown by the Government time and again to the Members of this House, who have to justify their pay and their allowances—or whatever—to their own electorate. The Government have forgotten about the electorate in this. It is about what the Prime Minister thinks he can carve up with other Front Benchers. That is no way to be a proper representative body, and we are now going to hear a winding-up speech justifying all this nonsense. The Government have withdrawn something, but we should vote this Bill down if we ever got the opportunity—although the whole Whips' apparatus must ensure that we are nothing.

9.28 pm

Mr. Dominic Grieve (Beaconsfield) (Con): When I came to this debate today, I was not sure whether the anxieties I felt about this legislation would be reflected across the House. There is no doubt that Parliament has fallen to such a low in recent weeks that it is sometimes very difficult for us to believe that we can make objective judgments about ourselves. It is also very difficult for us to reason through what we need in order to do our jobs. Indeed, the point has been well made in the course of the debate that if we had had more courage in the past to have public debates about what we reasonably needed by way of remuneration and allowances, and if we had debated those things openly rather than brush them under the carpet, we would not have got into the dreadful pass we are in today.

I found it particularly compelling that, as each hon. Member stood up and explained themselves, there came a series of comments expressing misgivings about the legislation that the Government have brought forward. The hon. Member for Orkney and Shetland (Mr. Carmichael) pointed out the incompatibilities of the legislation with the report on privilege in 1999, and his concerns about article 6 and fair trials and the way in which due process would be observed. There was the right hon. Member for Birkenhead (Mr. Field) who, along with my hon. Friend the Member for Wycombe (Mr. Goodman), went on about an issue that we seem to have just brushed under the carpet—that this place is about a clash of interests. It is not just a matter of the public and the private. Parliament is supposed to put competing interests together and to meld them, through debate, to produce outcomes, yet the rules under which we appear to be running pay absolutely no regard to that fact. That highlights some of the problems that we will have if we try to impose a public service model of conduct on ourselves.

Mr. Jenkin: Will my hon. and learned Friend confirm whether, if I were to compliment an hon. Member on the way in which he represented an interest in this House and if someone used that as evidence of an

example of a misdeclared, wrongly declared or undeclared interest, that Member could be prosecuted under the Bill even though I intended it as a compliment?

Mr. Grieve: The fact that the rules are linked to regulations on declarations of interest and what constitutes paid advocacy that are not in the Bill, and the fact that those rules are developing and changing, must give rise to the real possibility that Members of this House could be prosecuted for doing their jobs. That was one of the things that caused me anxiety when I came to look in detail at the Bill. The Government will argue—perfectly fairly, I am sure—that that is not their intention. However, the conflation of the draft, the offences section, the requirements on paid advocacy and the regulations that we will have as of 1 July—I have had to look at them for my own sake, as I am sure has every hon. Member—seems to make that a real possibility. So, yes, on that point my hon. Friend is right.

My right hon. Friend the Member for North-West Hampshire (Sir George Young) outlined the extent to which the proposals as brought before the House do not reflect any of the discussions that have taken place and fly in the face of accepted practices as regards Members' conduct. The hon. Member for Hendon (Mr. Dismore) highlighted from his long experience as Chairman of the Joint Committee on Human Rights that if we are moving to a statutory system of regulation it must be ECHR compliant, yet what is proposed is plainly nothing of the kind. If that is maintained, we will land ourselves with considerable difficulties.

The hon. Member for North-East Derbyshire (Natascha Engel) made a powerful and passionate speech, outlining what she thought being a Member of Parliament was all about, which I think is accepted across the House. She is right to be concerned about the proposals, because I fear that, even unintentionally, they will undermine her ability to do her job. My hon. Friend the Member for South Staffordshire (Sir Patrick Cormack) also made a powerful speech about an MP's role.

The right hon. Member for Berwick-upon-Tweed (Sir Alan Beith) highlighted the extent to which the Bill of Rights of 1689, which is often only cited in this place as some decorative extra, is in fact the rock and foundation on which freedom of speech in this country and in this House has been built, and the extent to which those rules will be changed by this Bill, which will be passed in three days by this House. The same points were made by the hon. Member for Meirionnydd Nant Conwy (Mr. Llwyd) and my right hon. Friend the Member for Wells (Mr. Heathcoat-Amory).

The thing that shone through as the debate progressed was that, save for a half concession by the hon. Member for Foyle (Mark Durkan), no one who participated in the debate was happy with the entirety of the Government's proposals, or with anything close to their entirety. My hon. Friends the Members for Windsor (Adam Afriyie) and for Chichester (Mr. Tyrie) highlighted the fact that the legislation appears to have been embarked on in great haste and contains a series of objectives, some of which can be readily supported but others of which appear to be entirely unclear.

My hon. Friend the Member for North Essex (Mr. Jenkin) made an eloquent speech about Parliament and what it is to be here. I can speak only for myself when I say that I came into this House with romantic

[*Mr. Grieve*]

notions about what it was to be a Member. Those notions survive, but over the past few weeks I have come close to despair and, at times, to following the example of my hon. Friend the Member for Wycombe—I wish I could talk him out of this—and just walking away from this place in despondency and sadness, because we are close to the point of no longer being able to do our work at all.

To change direction, may I say to the Secretary of State how I think this issue ought to be approached? He is right when he says that there is an urgent issue to be considered. We have been exposed to unparalleled levels of public anger, hostility and disgust about this place. Those of us who have held public meetings—I have done so in my constituency—have had no difficulty in picking up on the extent of public dissatisfaction with the way in which we conduct our business, but I suggest to him that, as has been rightly highlighted in the debate, the issue goes further than salaries and expenses; it goes to our very relevance. The growing perception of our irrelevance is the foundation on which the current crisis has occurred, and we have failed to address that irrelevance for a long period. Whatever he may say, the public perceptions are that this place is powerless against the Executive and that it is supine. All people ever see of this place and all that is ever reported about it is the bear garden in this House—it is not the work that hon. Members do elsewhere, often in an atmosphere of far greater consensus and moderation—which tends towards exposing us to ridicule.

The public then examine what we have been up to in respect of salaries and expenses. It was an urgent need that those things be dealt with outside this place, and I am delighted that the first part of the Bill provides for—or sets the scene for so doing—exactly that. There is a problem in that, without Sir Christopher Kelly having reported, many of the issues that should be of urgent importance to us are not yet covered. We must face up to the fact that the Byzantine system of allowances and what it allowed people to claim for has created some of the problems, and until it is sorted out we will not have reached our goal. This House can be comfortable with and happy about the fact that we will no longer be responsible for issues relating to our own remuneration, because that is not what we were sent here for—it is the additional extra to our work. We can be wholly content with that outcome.

The other thing to have emerged from this crisis is that the transparency that we are now to have is probably the greatest moderator of all in ensuring that things do not go wrong in future. How much better it would have been if the claims that were exposed for criticism in the past two months had been posted the day on which they had been made and an MP could then have realised the public hostility to what he had been asking for, rather than our all facing the problem of having to justify, six years after the event, what many people were told at the time was justified. Transparency will take us a long way too.

For those reasons, the Government's intentions and the first part of the Bill seem to us to be entirely necessary. We will support the Bill—or we will certainly not impede its passage—because we take the view that something must be done on those matters, but I must

say to the Secretary of State that when one examines the second part of the Bill, one finds that the whole issue starts to become opaque. The Government have created—or they have certainly set about initially creating—a structure of regulation and punishment of MPs for transgressions that, if it had been given its full rein when first introduced, would in essence have turned us into the creatures of a quango. The Government drew back from that, but one is left with the impression that having put together a Bill that was constructed around the *ex cathedra* statements of the Prime Minister, without having previously having consulted anybody, they now feel obliged to pursue at least more than a fig leaf to show that he meant business. The reality, however, is that the Bill is fundamentally flawed in its approach to our regulation.

The Bill would create criminal offences. I have nothing against criminalising Parliament. Indeed, the point was made to me at a public meeting that I attended that one reason for our unpopularity is that the public feel so dumped on and criminalised by a succession of over-zealous Governments over the years. They feel that we are being treated differently to them. However, that may be a good reason for Parliament's starting to decriminalise many of the things that we have imposed on the public, rather than starting to criminalise ourselves.

If we are to be criminalised, it should be for some good reason that meets an objective. The first offence that we would create for ourselves would be one for which the general law already provides with far more draconian sanctions. How can we seriously tell our electors that we have a special fraud offence for MPs, punishable by only 12 months' imprisonment, but that they will get 10 years if they commit fraud? What is the purpose of that?

Secondly, we will criminalise paid advocacy. I happen to think that paid advocacy is bribery. I thought that we were already criminalising bribery in a way that succeeded in taking into account the Bill of Rights and ensured that it would not be an obstacle to the conviction for bribery of a Member of Parliament. If so, what is the purpose of criminalising paid advocacy? It is a serious disciplinary offence against this House, and—as we have highlighted—the way in which the rules on outside interests and gifts are now drafted means that Members will be subject to severe anxiety about what constitutes paid advocacy and what does not. If any hon. Member wishes to understand that point, I suggest that they read the latest rules on what has to be declared after 1 July. The doubt about the difference between a gift and a benefit in kind shines through those regulations.

The entirety of the enforcement powers that the Bill would bestow raises serious issues of justiciability. If the House wishes to engage in the merry-go-round of litigation, we can embark on that cheerfully, but it is unclear whether the rules could be enforced by the courts. My opinion is that they would be capable of being enforced by the courts. Indeed, hon. Members may derive some comfort from the fact that they would be able to challenge the rulings by the new Commissioner of IPSA in the courts if they disagreed with them.

Some of those results may be inevitable, but I do not think that all of them are. I am convinced—I hope that the Secretary of State will be open-minded in Committee—that we can achieve the objectives that we all share without creating some of the difficulties that have

been highlighted by the memorandum by the Clerk of the House and by virtually every hon. Member who has spoken.

This debate is not about arcane issues—I do not really like talking about parliamentary privilege. It is about whether we can do our job. It is about whether we have the self-confidence to maintain our standards and to act corporately in challenging the Executive and holding them to account, which is one of our primary purposes. If that is undermined, we will be back in our constituencies in 12 months being criticised for something else and with the knowledge that our role is becoming more and more irrelevant. I ask the Secretary of State to have the courage to stand up for high standards, for the protection of the freedoms that we were sent here to protect, and to ensure that not only we but those who follow us have a framework within which to do that.

If the Secretary of State and the Government listen, we can all break up for the recess at the end of July knowing that we have put on the statute book the first building block, and have taken a step in the right direction. However, if we are simply obliged to sign up to the Bill because if we do not we will all be condemned to the outer darkness for failing to appreciate public anger and respond to it, we will do ourselves and everybody else a grave disservice.

9.45 pm

The Parliamentary Secretary, Office of the Leader of the House of Commons (Barbara Keeley): This has been a lively debate. I believe that we must act now to build on the interim measures that the former Speaker announced in his statement on 19 May. Given the public's concerns about the conduct of some Members of this House, it is incumbent on us to act decisively, and we need to keep coming back to that key point.

From what we have heard in the debate tonight, I believe that the fundamental points are as follows. The current system of allowances clearly must be replaced. There should be independent scrutiny of our allowances and robust enforcement of the rules on financial interests to create a system in which our constituents and Members of this House can trust. We need, and will have, further discussion on the guidance issued to Members, to which the hon. and learned Member for Beaconsfield (Mr. Grieve) referred, and on the declaration of outside interests, which so many hon. Members have mentioned.

Many hon. Members referred to privilege. It is true that privilege plays an important role in facilitating open and honest discussion in the House. However, in relation to the three new offences created by the Bill, there is no reason why privilege should be used to prevent proceedings against a Member of Parliament simply because that evidence relates to proceedings in Parliament. The public's reaction to the events that have unfolded in recent months has made it clear that they expect certain basic standards of behaviour from us, and many comments were made by hon. Members about the scale and extent of public concern outside this House.

Alan Duncan: Will the hon. Lady give way?

Barbara Keeley: No, there is not time. *[Interruption.]* Hon. Members have raised specific points of detail, and I want to comment on some of the contributions made.

Alan Duncan *rose*—

Barbara Keeley: The shadow Leader of the House had a great deal more time than has been allocated to me. I want to give detailed answers to the points raised. If I cannot, they will need to follow in the next couple of days, or be put in writing to the hon. Members who asked the questions.

My hon. Friend the Member for Middlesbrough (Sir Stuart Bell) talked about this being a time of crisis and of opportunity. He also talked about the too-close relationships between Members and those who were administering the system. As he rightly said in supporting the Bill, we have two days in Committee to discuss, to press and to probe, but he is also right to say that this is no time for parliamentary drag. We have ceded authority on the matter, and we should accept that.

The right hon. Member for Birkenhead (Mr. Field) talked about representative government and whether the House mirrored the people it is elected to serve. I must correct his view that no Members of this House played a role in the information technology revolution, to choose one example from the long list that he gave. I thought that that was an astonishing thing to say. For a number of years before I entered this place, I worked in a variety of roles for one of the largest IT companies in the world, latterly as a field systems engineering manager. In fact, of the 2005 intake of Labour MPs, not only were a majority women, but a majority were people like me, who had worked in other roles before we came to this House—who had worked in IT, who had run their own companies, and who had been teachers. One had been a miner, and many others had other roles in our society. We need not have everything, when it comes to outside interests. People can have a career before they come to this place.

Alan Duncan: I have a simple question. The Minister construes the argument on privilege in terms of why privilege could be released to prosecute Members, but does she not accept that the reverse is also true? If that freedom is permitted, could it not end up constraining people who are witnesses in Committee, and could not what is said in this House be pertinent to court cases, causing enormous problems?

Barbara Keeley: No. We do not accept that. We will return to the topic time and again over the next couple of days.

The right hon. Member for North-West Hampshire (Sir George Young) spoke about voting against the Bill on matters of timetabling, and referred to the guidance and the distinction between gifts and donations. My right hon. and learned Friend the Leader of the House has said that there is a clear distinction between payments for which the Member is contracted to provide a service, and gifts and donations. If the guidance is not clear to Members, we can revisit that, but that is no reason not to move forward on the Bill. We can always redraft guidance.

The right hon. Gentleman asked a large number of questions, which we will cover when we debate clause 11. Any future change to the role of the Parliamentary Commissioner for Standards would be made only with the agreement of the Speaker and after an affirmative vote by the House, following consultation with both the

[Barbara Keeley]

Independent Parliamentary Standards Authority and the Committee that the right hon. Gentleman chairs. We will return to the issues that he raised about privilege on clause 10.

My hon. Friend the Member for Hendon (Mr. Dismore) raised issues to which we shall return over the next two days, on enforcement and the need for safeguards. The new Independent Parliamentary Standards Authority's powers are set out in clause 8(1), such as paying back wrong payments and correcting the register.

The hon. Member for South Staffordshire (Sir Patrick Cormack) urged us to spend more time on the Bill, as did a great many other hon. Members in their contributions this evening. I refer to the statements of the party leaders. The Leader of the Opposition said:

"We will back the establishment of a Parliamentary Standards Authority to supervise all matters relating to Members of Parliament's pay and expenses",

and the leader of the Liberal party said:

"I also strongly welcome the move towards a Parliamentary Standards Authority and an MPs' code of conduct. These changes should be implemented immediately"—[*Official Report*, 10 June 2009; Vol. 493, c. 799-803.]

That is the basis on which we started to move forward.

My hon. Friend the Member for North-East Derbyshire (Natascha Engel) said that there was no mad hurry for the legislation, and argued for getting rid of redactions when we publish claims and receipts, and for exposing addresses. She also mentioned the complexity and the number of Committees with different functions. The issue of reducing redactions is being examined by the Members Estimate Committee, and I hope we will be able to publish the 2008-09 claims with much greater transparency. The complexity of structures can be reviewed in the weeks and months ahead, but it is important that we move to independent regulation and administration of our allowances.

The right hon. Member for Berwick-upon-Tweed (Sir Alan Beith), who chairs the Justice Committee, spoke about clause 7 and expressed concern about due process and the human rights dimension. Despite his concerns, he said that he could see a case for setting up IPSA during the parliamentary recess. We must press ahead urgently. The right hon. Gentleman raised the subject of a privileges Act, which we could consider.

The hon. Member for Meirionnydd Nant Conwy (Mr. Llwyd) argued for more time, as did many other hon. Members. There will be time to discuss the matter that he raised—the separation of the investigation function from the rest of the PSA. We can return to that. There is a strong determination that the investigation function should be separate from the PSA's other functions.

The right hon. Member for Wells (Mr. Heathcoat-Amory) referred to the Dangerous Dogs Act 1991, and argued that cross-party discussions to forge the Bill were not the right way forward. He gave the example of Congress not setting its own remuneration, as we do not and will not do. There is no reason why the new developments should not interact, so the reviews by the SSRB on pay and pensions can interact with the new structures that we are setting up.

Mr. Heathcoat-Amory: The point about the Congress is that it does set its remuneration, but that comes into effect after an election. Congress is self-governing. It

does not give away those powers. It makes its own decisions, but under constitutional amendment that takes effect after an election. I advocate the same system here.

Barbara Keeley: Indeed, but Congress has more regular elections than we do, so it is easier for Congress to decide the matter when an election is due fairly soon.

The hon. Member for Windsor (Adam Afriyie) re-organised his diary to be present, and he made a wide ranging contribution on the role of an MP. Many other Members spoke about the role of an MP. I disagree with the point that being an MP is not a full-time job, and that an MP's pay is not a salary. The hon. Gentleman and I—

Several hon. Members rose—

Barbara Keeley: The hon. Gentleman and I entered the House on the same day, and I have always regarded representing my constituents as a full-time job, alongside the work that all MPs do—

Mr. James Gray (North Wiltshire) (Con): Will the Minister give way?

Barbara Keeley: No, I shall not give way at the moment. The key—[*Interruption.*]

Mr. Speaker: Order. Mr. Gray, it is very clear that the Minister is not giving way. Stay in your seat and listen. [*Interruption.*] I have made the position very clear. It does not require comment from you, Mr. Gray. Stay in your seat; listen to the Minister.

Barbara Keeley: We will probably return to some of the points that were made in the debate, but, as I was saying, I regard my job as an MP as a full-time job, and I have done since I entered the House. It is dangerous to start saying that we can adequately do the job alongside other tasks. Since I have been a Member, I have been a member of a Select Committee and taken a specialist interest in various subjects, such as health and social care. Clearly, there is more than the constituency to represent, and now I have a ministerial role, too.

The hon. Member for North Essex (Mr. Jenkin) said that he supports the principle of independent regulation, and he raised a number of issues that the Parliamentary Reform Committee, under the chairmanship of my hon. Friend the Member for Cannock Chase (Dr. Wright), will look into. In fact, the latter part of the debate went into many issues that the new Parliamentary Reform Committee can look into. The hon. Member for North Essex, again, said that he did not think that being an MP was a full-time job; I disagree.

My hon. Friend the Member for Foyle (Mark Durkan) made a very important point that we would all do well to remember as we near the end of the debate: we should consider the worth of Parliament, show the public that we are not just taking care but that we do care, and set up structures in a way that he called being "Kelly-ready". That might be another phrase that we can take forward.

The hon. Members for Wycombe (Mr. Goodman) and for Cities of London and Westminster (Mr. Field) talked about the professionalisation of Parliament, to

which other Members had referred, and the separation of powers, and they were even concerned about judges flexing their muscles. I think that we will return to those aspects of the debate over the next couple of days.

Cynicism has crept in, with the suspicion that there is a culture of them and us and of box-ticking. We definitely do want to move away from the “What we can get away with” culture, and I hope that, as the debate unfolds, we can agree on the principles that there should be a more transparent system of regulation and independent oversight. We have the platform on which we can move forward to discuss the detail of the Bill in a Committee of the whole House—

Mr. Andrew Robathan (Blaby) (Con): On a point of order, Mr. Speaker. Will you confirm that the Parliamentary Reform Committee to which the Minister has referred was actually withdrawn? Have I missed something? Has it been put down again on the Order Paper?

Mr. Speaker: You are certainly seeking to enter into a debate, Mr. Robathan, but I am afraid that it does not constitute a point of order.

Barbara Keeley: The Bill should sweep away the old system of MPs’ self-regulation in which people no longer have any confidence, and it will pave the way for a new system of independent and transparent regulation. As my right hon. Friend the Justice Secretary said earlier, the Bill is a result of some early constructive discussion, and I hope that, over the next couple of days, we can return to the very constructive discussions that we had with Opposition Members. Until today, there was constructive discussion, and there was agreement and consensus.

There has been further consideration of amendments, and we can look at all such issues. Today, we have indicated that we will accept the amendment to clause 6, so we can and should move forward on that basis. We can return to the issue of the Parliamentary Reform Committee, and I commend the Bill to the House.

Question put, That the Bill be now read a Second time.

The House divided: Ayes 291, Noes 1.

Division No. 167]

[9.58 pm

AYES

Abbott, Ms Diane	Benton, Mr. Joe
Ainger, Nick	Berry, Roger
Alexander, rh Mr. Douglas	Betts, Mr. Clive
Allen, Mr. Graham	Blackman, Liz
Anderson, Mr. David	Blackman-Woods, Dr. Roberta
Anderson, Janet	Blears, rh Hazel
Atkins, Charlotte	Blizzard, Mr. Bob
Austin, Mr. Ian	Blunkett, rh Mr. David
Austin, John	Borrow, Mr. David S.
Bailey, Mr. Adrian	Bradshaw, rh Mr. Ben
Banks, Gordon	Brown, Lyn
Barlow, Ms Celia	Brown, rh Mr. Nicholas
Barron, rh Mr. Kevin	Brown, Mr. Russell
Battle, rh John	Browne, rh Des
Bayley, Hugh	Browne, Mr. Jeremy
Beckett, rh Margaret	Bruce, rh Malcolm
Begg, Miss Anne	Bryant, Chris
Beith, rh Sir Alan	Buck, Ms Karen
Bell, Sir Stuart	Burden, Richard
Benn, rh Hilary	Burgon, Colin

Butler, Ms Dawn	Harman, rh Ms Harriet
Cairns, David	Harris, Mr. Tom
Campbell, Mr. Alan	Havard, Mr. Dai
Campbell, rh Sir Menzies	Healey, rh John
Carmichael, Mr. Alistair	Hemming, John
Caton, Mr. Martin	Hepburn, Mr. Stephen
Cawsey, Mr. Ian	Heppell, Mr. John
Chapman, Ben	Hermon, Lady
Clapham, Mr. Michael	Hewitt, rh Ms Patricia
Clark, Paul	Heyes, David
Clarke, rh Mr. Tom	Hill, rh Keith
Clelland, Mr. David	Hodgson, Mrs. Sharon
Clwyd, rh Ann	Hollobone, Mr. Philip
Coffey, Ann	Holmes, Paul
Cohen, Harry	Hoon, rh Mr. Geoffrey
Connarty, Michael	Hope, Phil
Cooper, Rosie	Hopkins, Kelvin
Cooper, rh Yvette	Howarth, David
Corbyn, Jeremy	Howells, rh Dr. Kim
Cousins, Jim	Hoyle, Mr. Lindsay
Crausby, Mr. David	Hughes, rh Beverley
Creagh, Mary	Humble, Mrs. Joan
Cruddas, Jon	Iddon, Dr. Brian
Cummings, John	Ingram, rh Mr. Adam
Cunningham, Mr. Jim	Irranca-Davies, Huw
Cunningham, Tony	James, Mrs. Siân C.
David, Mr. Wayne	Jenkins, Mr. Brian
Davies, Mr. Dai	Johnson, rh Alan
Davies, Mr. Quentin	Johnson, Ms Diana R.
Dean, Mrs. Janet	Jones, Helen
Denham, rh Mr. John	Jones, Mr. Kevan
Dhanda, Mr. Parmjit	Jones, Lynne
Dismore, Mr. Andrew	Jowell, rh Tessa
Dobbin, Jim	Joyce, Mr. Eric
Doran, Mr. Frank	Kaufman, rh Sir Gerald
Dowd, Jim	Keeble, Ms Sally
Drew, Mr. David	Keeley, Barbara
Durkan, Mark	Keen, Alan
Eagle, Angela	Kemp, Mr. Fraser
Eagle, Maria	Khan, rh Mr. Sadiq
Efford, Clive	Kidney, Mr. David
Ellman, Mrs. Louise	Kilfoyle, Mr. Peter
Engel, Natascha	Knight, rh Jim
Etherington, Bill	Kumar, Dr. Ashok
Farrelly, Paul	Ladyman, Dr. Stephen
Fisher, Mark	Lamb, Norman
Fitzpatrick, Jim	Laxton, Mr. Bob
Flello, Mr. Robert	Lazarowicz, Mark
Flint, rh Caroline	Leech, Mr. John
Flynn, Paul	Lepper, David
Foster, Mr. Michael	Levitt, Tom
(Worcester)	Linton, Martin
Foster, Michael Jabez	Love, Mr. Andrew
(Hastings and Rye)	Lucas, Ian
Francis, Dr. Hywel	MacShane, rh Mr. Denis
Gapes, Mike	Mactaggart, Fiona
Gardiner, Barry	Malik, Mr. Shahid
George, Andrew	Mallaber, Judy
Gerrard, Mr. Neil	Mann, John
Gilroy, Linda	Marris, Rob
Godsiff, Mr. Roger	Marsden, Mr. Gordon
Goodman, Helen	Martlew, Mr. Eric
Griffith, Nia	McAvoy, rh Mr. Thomas
Griffiths, Nigel	McCarthy, Kerry
Grogan, Mr. John	McCarthy-Fry, Sarah
Gwynne, Andrew	McCartney, rh Mr. Ian
Hain, rh Mr. Peter	McDonagh, Siobhain
Hall, Mr. Mike	McDonnell, John
Hall, Patrick	McFadden, rh Mr. Pat
Hamilton, Mr. Fabian	McFall, rh John
Hancock, Mr. Mike	McGovern, Mr. Jim
Hanson, rh Mr. David	Mclsaac, Shona

McKechin, Ann
 Meacher, rh Mr. Michael
 Meale, Mr. Alan
 Merron, Gillian
 Michael, rh Alun
 Miliband, rh Edward
 Miller, Andrew
 Mitchell, Mr. Austin
 Moffatt, Laura
 Mole, Chris
 Moon, Mrs. Madeleine
 Moore, Mr. Michael
 Morden, Jessica
 Morgan, Julie
 Morley, rh Mr. Elliot
 Mudie, Mr. George
 Mullin, Mr. Chris
 Munn, Meg
 Murphy, Mr. Denis
 Murphy, rh Mr. Paul
 Naysmith, Dr. Doug
 Norris, Dan
 O'Brien, rh Mr. Mike
 O'Hara, Mr. Edward
 Osborne, Sandra
 Owen, Albert
 Palmer, Dr. Nick
 Plaskitt, Mr. James
 Pope, Mr. Greg
 Pound, Stephen
 Prentice, Bridget
 Prentice, Mr. Gordon
 Prescott, rh Mr. John
 Primarolo, rh Dawn
 Prosser, Gwyn
 Purchase, Mr. Ken
 Purnell, rh James
 Rammell, Bill
 Reed, Mr. Jamie
 Reid, rh John
 Rennie, Willie
 Riordan, Mrs. Linda
 Robertson, John
 Robinson, Mr. Geoffrey
 Roy, Lindsay
 Ruane, Chris
 Russell, Bob
 Russell, Christine
 Ryan, rh Joan
 Salter, Martin
 Sarwar, Mr. Mohammad
 Sharma, Mr. Virendra
 Shaw, Jonathan
 Sheridan, Jim
 Simon, Mr. Siôn
 Singh, Mr. Marsha
 Skinner, Mr. Dennis

Slaughter, Mr. Andy
 Smith, rh Mr. Andrew
 Smith, Ms Angela C.
(Sheffield, Hillsborough)
 Smith, rh Angela E. *(Basildon)*
 Smith, Geraldine
 Smith, rh Jacqui
 Smith, Sir Robert
 Snelgrove, Anne
 Soulsby, Sir Peter
 Southworth, Helen
 Spellar, rh Mr. John
 Spink, Bob
 Starkey, Dr. Phyllis
 Strang, rh Dr. Gavin
 Straw, rh Mr. Jack
 Stringer, Graham
 Stuart, Ms Gisela
 Stunell, Andrew
 Swinson, Jo
 Tami, Mark
 Taylor, Ms Dari
 Taylor, David
 Thomas, Mr. Gareth
 Thurso, John
 Timms, rh Mr. Stephen
 Todd, Mr. Mark
 Trickett, Jon
 Turner, Dr. Desmond
 Turner, Mr. Neil
 Twigg, Derek
 Vaz, rh Keith
 Vis, Dr. Rudi
 Walley, Joan
 Waltho, Lynda
 Watts, Mr. Dave
 Webb, Steve
 Whitehead, Dr. Alan
 Wicks, rh Malcolm
 Williams, Mrs. Betty
 Williams, Mark
 Williams, Stephen
 Willott, Jenny
 Wills, rh Mr. Michael
 Wilson, Phil
 Winnick, Mr. David
 Winterton, rh Ms Rosie
 Woolas, Mr. Phil
 Wright, Mr. Anthony
 Wright, David
 Wright, Mr. Iain
 Wright, Dr. Tony
 Younger-Ross, Richard

Tellers for the Ayes:
Steve McCabe and
Mr. Frank Roy

NOES

Heathcoat-Amory, rh
 Mr. David

Mr. Frank Field and
Mr. Richard Shepherd

Tellers for the Noes:

Question accordingly agreed to.
Bill read a Second time.

PARLIAMENTARY STANDARDS BILL
(PROGRAMME)

Motion made, and Question put forthwith (Standing Order No. 83A) (7),

That the following provisions shall apply to the Parliamentary Standards Bill:

Committal

1. The Bill shall be committed to a Committee of the whole House.

Proceedings: general

2. Proceedings in Committee, any proceedings on consideration and proceedings on Third Reading shall be taken in two days in accordance with the following provisions of this Order.

Proceedings in Committee

3. In Committee, proceedings shall be taken in the following Order: Clause 1, Schedules 1 to 3, Clauses 2 to 5, Clauses 11 to 14, Clauses 6 to 10, new Clauses, new Schedules and remaining proceedings.

4. Proceedings on Clause 1, Schedules 1 to 3, Clauses 2 to 5 and Clauses 11 to 14 shall (so far as not previously concluded) be brought to a conclusion at the moment of interruption on the first day.

5. Proceedings on Clauses 6 to 10, new Clauses, new Schedules, and remaining proceedings shall (so far as not previously concluded) be brought to a conclusion two hours before the moment of interruption on the second day.

Proceedings on consideration and Third Reading

6. Any proceedings on consideration and proceedings on Third Reading shall (so far as not previously concluded) be brought to a conclusion at the moment of interruption on the second day.

Programming committees

7. Standing Order No. 83B (Programming committees) shall not apply to proceedings in Committee and on consideration and Third Reading.

Other proceedings

8. Any other proceedings on the Bill (including any proceedings on consideration of Lords Amendments or on any further messages from the Lords) may be programmed.—(Mark Tami.)

The House divided: Ayes 254, Noes 73.

Division No. 168]**[10.13 pm****AYES**

Abbott, Ms Diane	Buck, Ms Karen
Ainger, Nick	Burgon, Colin
Alexander, rh Mr. Douglas	Butler, Ms Dawn
Allen, Mr. Graham	Cairns, David
Anderson, Mr. David	Campbell, Mr. Alan
Atkins, Charlotte	Caton, Mr. Martin
Austin, Mr. Ian	Cawsey, Mr. Ian
Bailey, Mr. Adrian	Chapman, Ben
Banks, Gordon	Clapham, Mr. Michael
Barlow, Ms Celia	Clark, Paul
Barron, rh Mr. Kevin	Clarke, rh Mr. Tom
Battle, rh John	Clelland, Mr. David
Bayley, Hugh	Clwyd, rh Ann
Beckett, rh Margaret	Coffey, Ann
Begg, Miss Anne	Cohen, Harry
Bell, Sir Stuart	Connarty, Michael
Benn, rh Hilary	Cooper, Rosie
Berry, Roger	Cooper, rh Yvette
Betts, Mr. Clive	Corbyn, Jeremy
Blackman, Liz	Cousins, Jim
Blackman-Woods, Dr. Roberta	Crausby, Mr. David
Blears, rh Hazel	Creagh, Mary
Blizzard, Mr. Bob	Cruddas, Jon
Blunkett, rh Mr. David	Cummings, John
Borrow, Mr. David S.	Cunningham, Mr. Jim
Bradshaw, rh Mr. Ben	Cunningham, Tony
Brown, Lyn	David, Mr. Wayne
Brown, rh Mr. Nicholas	Davies, Mr. Quentin
Brown, Mr. Russell	Dean, Mrs. Janet
Browne, rh Des	Denham, rh Mr. John
Bryant, Chris	Dhanda, Mr. Parmjit

Dismore, Mr. Andrew
 Dobbin, Jim
 Doran, Mr. Frank
 Drew, Mr. David
 Durkan, Mark
 Eagle, Angela
 Eagle, Maria
 Efford, Clive
 Ellman, Mrs. Louise
 Engel, Natascha
 Etherington, Bill
 Fisher, Mark
 Fitzpatrick, Jim
 Ffello, Mr. Robert
 Flint, rh Caroline
 Flynn, Paul
 Foster, Mr. Michael
 (*Worcester*)
 Foster, Michael Jabez
 (*Hastings and Rye*)
 Francis, Dr. Hywel
 Gapes, Mike
 Gardiner, Barry
 Gerrard, Mr. Neil
 Gilroy, Linda
 Godsiff, Mr. Roger
 Goodman, Helen
 Griffith, Nia
 Griffiths, Nigel
 Grogan, Mr. John
 Gwynne, Andrew
 Hain, rh Mr. Peter
 Hall, Mr. Mike
 Hall, Patrick
 Hamilton, Mr. Fabian
 Hanson, rh Mr. David
 Harman, rh Ms Harriet
 Harris, Mr. Tom
 Havard, Mr. Dai
 Healey, rh John
 Hepburn, Mr. Stephen
 Heppell, Mr. John
 Hewitt, rh Ms Patricia
 Heyes, David
 Hill, rh Keith
 Hodgson, Mrs. Sharon
 Hoon, rh Mr. Geoffrey
 Hope, Phil
 Hopkins, Kelvin
 Howells, rh Dr. Kim
 Hoyle, Mr. Lindsay
 Hughes, rh Beverley
 Humble, Mrs. Joan
 Iddon, Dr. Brian
 Ingram, rh Mr. Adam
 Irranca-Davies, Huw
 James, Mrs. Siân C.
 Jenkins, Mr. Brian
 Johnson, rh Alan
 Johnson, Ms Diana R.
 Jones, Helen
 Jones, Mr. Kevan
 Jones, Mr. Martyn
 Jowell, rh Tessa
 Joyce, Mr. Eric
 Kaufman, rh Sir Gerald
 Keeble, Ms Sally
 Keeley, Barbara
 Keen, Alan
 Kemp, Mr. Fraser
 Khan, rh Mr. Sadiq
 Kidney, Mr. David

Kilfoyle, Mr. Peter
 Knight, rh Jim
 Kumar, Dr. Ashok
 Ladyman, Dr. Stephen
 Laxton, Mr. Bob
 Lazarowicz, Mark
 Lepper, David
 Levitt, Tom
 Linton, Martin
 Love, Mr. Andrew
 Lucas, Ian
 MacShane, rh Mr. Denis
 Malik, Mr. Shahid
 Mallaber, Judy
 Mann, John
 Marsden, Mr. Gordon
 Martlew, Mr. Eric
 McAvoy, rh Mr. Thomas
 McCarthy, Kerry
 McCarthy-Fry, Sarah
 McCartney, rh Mr. Ian
 McDonagh, Siobhain
 McDonnell, John
 McFadden, rh Mr. Pat
 McFall, rh John
 McGovern, Mr. Jim
 McIsaac, Shona
 McKechin, Ann
 Meacher, rh Mr. Michael
 Meale, Mr. Alan
 Merron, Gillian
 Michael, rh Alun
 Miliband, rh Edward
 Miller, Andrew
 Mitchell, Mr. Austin
 Moffatt, Laura
 Mole, Chris
 Moon, Mrs. Madeleine
 Morden, Jessica
 Morgan, Julie
 Morley, rh Mr. Elliot
 Mudie, Mr. George
 Mullin, Mr. Chris
 Munn, Meg
 Murphy, Mr. Denis
 Murphy, rh Mr. Paul
 Naysmith, Dr. Doug
 Norris, Dan
 O'Brien, rh Mr. Mike
 O'Hara, Mr. Edward
 Osborne, Sandra
 Owen, Albert
 Palmer, Dr. Nick
 Plaskitt, Mr. James
 Pope, Mr. Greg
 Pound, Stephen
 Prentice, Bridget
 Prentice, Mr. Gordon
 Prescott, rh Mr. John
 Primarolo, rh Dawn
 Prosser, Gwyn
 Purchase, Mr. Ken
 Purnell, rh James
 Rammell, Bill
 Reed, Mr. Jamie
 Reid, rh John
 Riordan, Mrs. Linda
 Robertson, John
 Robinson, Mr. Geoffrey
 Roy, Lindsay
 Ruane, Chris
 Russell, Christine

Ryan, rh Joan
 Salter, Martin
 Sarwar, Mr. Mohammad
 Sharma, Mr. Virendra
 Shaw, Jonathan
 Sheridan, Jim
 Simon, Mr. Siôn
 Singh, Mr. Marsha
 Skinner, Mr. Dennis
 Slaughter, Mr. Andy
 Smith, rh Mr. Andrew
 Smith, Ms Angela C.
 (*Sheffield, Hillsborough*)
 Smith, rh Angela E. (*Basildon*)
 Smith, Geraldine
 Smith, rh Jacqui
 Snelgrove, Anne
 Soulsby, Sir Peter
 Southworth, Helen
 Spellar, rh Mr. John
 Starkey, Dr. Phyllis
 Strang, rh Dr. Gavin
 Straw, rh Mr. Jack
 Stuart, Ms Gisela
 Tami, Mark
 Taylor, Ms Dari
 Taylor, David

Thomas, Mr. Gareth
 Timms, rh Mr. Stephen
 Todd, Mr. Mark
 Trickett, Jon
 Turner, Dr. Desmond
 Turner, Mr. Neil
 Twigg, Derek
 Vaz, rh Keith
 Vis, Dr. Rudi
 Walley, Joan
 Waltho, Lynda
 Watts, Mr. Dave
 Whitehead, Dr. Alan
 Wicks, rh Malcolm
 Williams, Mrs. Betty
 Wills, rh Mr. Michael
 Wilson, Phil
 Winnick, Mr. David
 Winterton, rh Ms Rosie
 Woolas, Mr. Phil
 Wright, Mr. Anthony
 Wright, David
 Wright, Mr. Iain
 Wright, Dr. Tony

Tellers for the Ayes:
Mr. Frank Roy and
Steve McCabe

NOES

Afriyie, Adam
 Baldry, Tony
 Beith, rh Sir Alan
 Bone, Mr. Peter
 Boswell, Mr. Tim
 Browne, Mr. Jeremy
 Bruce, rh Malcolm
 Campbell, rh Sir Menzies
 Carmichael, Mr. Alistair
 Clark, Greg
 Clifton-Brown, Mr. Geoffrey
 Cormack, Sir Patrick
 Davies, Mr. Dai
 Davies, Philip
 Duncan, Alan
 Duncan Smith, rh Mr. Iain
 Evans, Mr. Nigel
 Field, Mr. Mark
 Garnier, Mr. Edward
 George, Andrew
 Goodman, Mr. Paul
 Goodwill, Mr. Robert
 Gray, Mr. James
 Green, Damian
 Grieve, Mr. Dominic
 Gummer, rh Mr. John
 Hancock, Mr. Mike
 Harper, Mr. Mark
 Hayes, Mr. John
 Heathcoat-Amory, rh
 Mr. David
 Hemming, John
 Hermon, Lady
 Hoey, Kate
 Hollobone, Mr. Philip
 Holmes, Paul
 Howarth, David
 Howell, John
 Hurd, Mr. Nick

Jackson, Mr. Stewart
 Jenkin, Mr. Bernard
 Laing, Mrs. Eleanor
 Lamb, Norman
 Leech, Mr. John
 Leigh, Mr. Edward
 Lidington, Mr. David
 Lilley, rh Mr. Peter
 Llwyd, Mr. Elfyn
 Moore, Mr. Michael
 Morrison, Dr. Andrew
 Rennie, Willie
 Robathan, Mr. Andrew
 Russell, Bob
 Shepherd, Mr. Richard
 Smith, Sir Robert
 Spelman, Mrs. Caroline
 Spink, Bob
 Stanley, rh Sir John
 Stunell, Andrew
 Swinson, Jo
 Taylor, Dr. Richard
 Thurso, John
 Tyrie, Mr. Andrew
 Vaizey, Mr. Edward
 Vara, Mr. Shailesh
 Watkinson, Angela
 Webb, Steve
 Widdecombe, rh Miss Ann
 Williams, Mark
 Williams, Stephen
 Willott, Jenny
 Wilshire, Mr. David
 Young, rh Sir George
 Younger-Ross, Richard

Tellers for the Noes:
James Duddridge and
Mr. Stephen Crabb

Question accordingly agreed to.

**PARLIAMENTARY STANDARDS BILL
(MONEY)**

Queen's recommendation signified.

Motion made, and Question put forthwith (Standing Order No. 52)(1)(a)),

That, for the purposes of any Act resulting from the Parliamentary Standards Bill, it is expedient to authorise the payment out of money provided by Parliament of—

(1) any expenditure incurred under or by virtue of the Act by the Independent Parliamentary Standards Authority, and

(2) any increase attributable to the Act in the sums payable under any other Act out of money so provided.—(*Mark Tami.*)

Question agreed to.

Business without Debate

DELEGATED LEGISLATION

Mr. Speaker: With the leave of the House, we shall take motions 4 to 6 together.

Motion made, and Question put forthwith (Standing Order No. 118(6)),

GOVERNMENT TRADING FUNDS

That the draft Companies House Trading Fund (Amendment) Order 2009, which was laid before this House on 7 May, be approved.

TRIBUNALS AND INQUIRIES

That the draft Transfer of Functions of the Charity Tribunal Order 2009, which was laid before this House on 1 June, be approved.

CRIMINAL LAW

That the draft Crime (International Co-operation) Act 2003 (Designation of Participating Countries) (England, Wales and Northern Ireland) (No. 2) Order 2009, which was laid before this House on 6 May, be approved.—(*Mark Tami.*)

Question agreed to.

REGULATORY REFORM

Motion made, and Question put forthwith (Standing Order No. 18(1)),

That the draft Legislative Reform (Limited Partnerships) Order 2009, which was laid before this House on 2 June, be approved.—(*Mark Tami.*)

Question agreed to.

COMMITTEES

Mr. Speaker: With the leave of the House, we shall take motions 8 to 10 together.

CHILDREN, SCHOOLS AND FAMILIES

Ordered,

That Mr John Heppell be discharged from the Children, Schools and Families Committee and Helen Southworth be added.

REGULATORY REFORM

That Mr Mark Prisk be discharged from the Regulatory Reform Committee and John Penrose be added.

WORK AND PENSIONS

That John Penrose be discharged from the Work and Pensions Committee and Mr Mark Harper be added.—(*Mr. McAvoys, on behalf of the Committee of Selection.*)

Petition

Bullying (Armed Forces)

10.27 pm

Mr. Parmjit Dhanda (Gloucester) (Lab): I have a petition from more than 160 residents and others in my constituency. The names were collected on the streets of Gloucester by a former member of the armed forces.

The petition states:

The Petition of those concerned about bullying in the Armed Forces,

Declares that bullying in the British Army should be stopped once and for all.

The Petitioners therefore request that the House of Commons urges the Secretary of State for Defence to take firm and positive action to ensure that bullying in the British Army is once and for all put a stop to now.

And the Petitioners remain, etc.

[P000384]

Asbestos in Homes

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

10.27 pm

Mr. Michael Clapham (Barnsley, West and Penistone) (Lab): I am grateful to have secured this debate, because it is on an important and complex issue, and I believe that there is a common-sense way to deal with it. I am also pleased to see the Under-Secretary of State for Work and Pensions, my hon. Friend the Member for Chatham and Aylesford (Jonathan Shaw) in his place, because he has some knowledge about asbestos in relation to social housing, which is what the debate is about.

The debate centres on a report that was recently compiled for the Union of Construction, Allied Trades and Technicians by two ladies, Linda Waldman and Heather Williams, who have brought to the attention of UCATT a number of important issues. I want to talk about three of them tonight. First, I want to draw to the Minister's attention the size of the problem. Secondly, I want to refer to the research in the paper, because it relates to a great deal of the current research and gives us an opportunity to consider the recommendations that have been made. Thirdly, I want to suggest to the Minister that he might think about taking some of the recommendations on board, as they would bring about the changes required without a prohibitive capital outlay.

The Minister will be aware that asbestos causes a range of diseases: asbestosis, pleural plaques, pleural thickening, lung cancer and mesothelioma. The latter two diseases are unrelated to dosage, and it is thought that just a small exposure can lead to mesothelioma. I want to bring his attention to a study done by the British Lung Foundation in January last year, which set out to explore how wide people's knowledge of the dangers of asbestos was. It commissioned a survey of 399 tradespeople in January 2008, and the respondents were made up of plumbers, builders, carpenters, electricians, joiners and gas fitters of varying ages. The results showed that a third of tradespeople admitted to not being well informed about asbestos, and three in 10 incorrectly believed that asbestos had now been removed from all UK buildings. There is great ignorance about asbestos. Last year, there were more than 2,000 mesothelioma deaths in the UK, which has led some to suggest that the UK has a mesothelioma epidemic.

The TUC argues that there are at least twice as many deaths from lung cancer caused by exposure to asbestos as there are mesothelioma deaths. Therefore, perhaps 6,000 to 8,000 deaths per year are caused by exposure to asbestos.

John Battle (Leeds, West) (Lab): The work done by my hon. Friend on this issue is incredible, but does he agree that we need to step up the campaign, as some people think that because asbestos has been banned, and some buildings have been stripped out, the problem is declining? However, there is a time lag with mesothelioma, so the number of cases will increase in the next 10 years, which people do not yet appreciate.

Mr. Clapham: I agree entirely with my right hon. Friend. We will see the number of cases increase until about 2015, then plateau and fall way by 2050. Tradespeople

working on maintenance jobs who are exposed to asbestos are likely to develop mesothelioma, so it is important to consider what action might be taken on asbestos in houses.

As the Minister will know, asbestos was a common house building material from the 1930s until the 1980s. It was famed for its insulation and fire-proofing qualities. During that period, all forms of asbestos will have been used in house building: blue, brown and white. Blue and brown were banned in this country in 1985, and white was banned in November 1999. However, it is estimated that asbestos is in 90 per cent. of public sector housing, and the Health and Safety Executive estimates that 1.5 million workplaces contain asbestos.

There is ample evidence—this point is taken up by Waldman and Williams—that white asbestos is clearly associated with mesothelioma cancer. In that respect, I refer to a quote, which the two researchers used, from McCulloch and Tweedale's book, "Defending the Indefensible: The Global Asbestos Industry and its Fight for Survival":

"In reviewing the science, it is important to remember that asbestos is such a toxic material that even relatively trivial exposure can result in serious or fatal injury. For that reason, one might have expected physicians and allied scientists to have led the campaigns against the mineral and against the companies that produced it.

Yet...not only was the medical profession's reaction to the asbestos hazard often feeble, but scientists have been among the industry's most strident defenders. There are two reasons why that was so: corporate suppression and intimidation meant that criticism of the industry came at a price.

Another factor was the convergence of the economic, political, and social interests of the scientific establishment and commerce. Careers could be made from industry-sponsored research. No-one commissioned research on behalf of asbestos workers".

I think that that sums up clearly what we face when we talk about asbestos in the housing industry.

Many of the people who will be exposed to asbestos are repairs and maintenance workers. As the Minister will be aware, local authorities, arm's length management organisations and housing associations provide secure tenancies, covered by the Housing Act 1985, which set out landlords' duties and tenants' responsibilities. Repairs are undertaken when a property is vacated and designated as void, but because local authorities need to turn these vacant houses over very quickly, very little has been done to monitor those houses and either to remove asbestos or to ensure that its location is recorded. There are some exceptions, one notable example of which is the London borough of Havering. Its ALMO set out to work with residents and rather than trying to sweep the issue of asbestos under the carpet, it has engaged with residents in dealing with the management of asbestos in its property portfolio.

In addition to the tensions caused by wanting to get the properties back into use so that rent can be earned, another issue at the core of the debate is the contradiction that results from the respective demands arising from the landlords' responsibility for repairs and the tenants' rights to shape their houses into homes. The landlord is responsible for finding where the asbestos is, certainly within the communal areas, if not in the internal house, but the contradiction arises when the person living in the house wants to shape it to become a home because decorating and modifying the house might bring him

[Mr. Clapham]

into contact with asbestos, particularly if there is no register to show that the presence of asbestos has been identified.

Although social landlords have a particular responsibility, it has never really been shared with the residents, enabling them to work together. As the Minister knows, landlords now have a legal responsibility to keep an asbestos register, but that has not always been the case. Even now we find circumstances in which councils do not take the residents into consideration: they will look at the asbestos register and some will keep it up to date; others will not. The register therefore fails to act as it should to help residents living in those houses.

As I say, it is quite different in Havering borough, which has engaged with its residents and worked out an approach together to manage the asbestos in the housing stock. The result is that people who know where the asbestos is can carry out modifications to their houses without exposure to asbestos fibre.

The Health and Safety Executive approach, which, as the Minister knows, is more accepted by social landlords, is to manage asbestos in situ and contain it. It believes that that practice is much safer than trying to remove it. That approach is based on risk assessment and individual responsibility. The authors of the report, entitled "As Safe as Houses?", argue that that stance "fails to recognise" the context in which asbestos is found in domestic dwellings or the desire of people actually to turn their houses into homes. That is where a contradiction arises. I believe that the asbestos register can be used to make residents aware of where the asbestos is, and that it can be dealt with in a way that will not cause injury to health.

It was, to a degree, in recognition of that fact that following the implementation of the Control of Asbestos Regulations 2006, the Health and Safety Executive ran a major asbestos awareness campaign under the slogan "Asbestos—The hidden killer". An evaluation of the campaign suggests that it worked, and that tradesmen became aware of the dangers. The downside was that it did not include the residents of homes containing asbestos.

The asbestos register is an important tool because it gives information to contractors doing work on premises and to members of the emergency services, but residents, including home owners, are left to decorate or modify their homes facing the likelihood of being exposed to asbestos. We need a two-pronged approach. We need to establish where the asbestos is, using the register, and, having done that, to establish the stage of its erosion. We then need to ensure that advice is provided so that residents can choose either to leave the asbestos in situ or to remove it.

The authors of the report made eight recommendations. I do not know whether the Minister has had time to look at them. One of the most important is that the current legislation needs to be extended

"to ensure that the duty to manage is extended to the internal part"

of the domestic dwelling. It must be borne in mind that such dwellings become workplaces for maintenance workers as well as posing a danger to residents. The report also suggests that power tools should display a symbol advising users to check that they are not

working on asbestos, and that there should be training to increase the asbestos awareness of all social housing staff and resident association representatives and training for maintenance workers, tradesmen and caretakers involved in social housing projects. I referred the Minister to the British Lung Foundation survey, which showed that few tradesmen were aware of the dangers. The final recommendation is that

"Regular public information campaigns should alert DIY enthusiasts of the dangers of asbestos".

Implementation of the eight recommendations in the report, which the Minister can read, would create a rational way of dealing with asbestos without an enormous capital outlay.

10.43 pm

The Parliamentary Under-Secretary of State for Work and Pensions (Jonathan Shaw): I congratulate my hon. Friend the Member for Barnsley, West and Penistone (Mr. Clapham) on his success in securing this important debate. I echo the tribute paid by my right hon. Friend the Member for Leeds, West (John Battle) to the work that he has done in bringing the matter to the House's attention and ensuring, along with others, that workers are given better protection from asbestosis and mesothelioma. I represent the area of a former shipyard in Chatham which is one of the hot spots in the south-east of England, and my constituents owe my hon. Friend a debt of thanks.

I thank the Union of Construction, Allied Trades and Technicians, for which I have enormous respect and with which I have worked in the past, for commissioning the report to which my hon. Friend referred. I also thank Dr. Linda Waldman and Heather Williams for their work, which will contribute to improving the current controls that are in place to protect their members and the wider work force from exposure to asbestos.

In terms of fatal disease, asbestos is the most serious occupational ill-health problem that the country faces. The Government are concerned about the human suffering and misery behind the annual death toll, estimated at over 4,000 a year. Sadly, while there is nothing that we can do about those previously exposed, we can certainly do much to prevent further exposures. First, I will outline the legislation covering some of the issues raised in the report, and then I will comment on each of the report's main recommendations.

Legislation in the mid-1980s banned the importation of the most dangerous types of asbestos. As the carcinogenic effects of asbestos became known, legislation was introduced in the 1990s leading to the total ban on the importation of all types of asbestos and prohibiting the use and sale of products containing asbestos. Research by Professor Julian Peto and Health and Safety Executive epidemiologists in 1995 showed that the largest group of workers at risk from asbestos-related disease were those in the maintenance and building-related trades such as carpenters, plumbers and electricians who disturbed building fabric.

Consequently, we introduced for the first time in the Control of Asbestos at Work Regulations 2002 a duty to manage asbestos in non-domestic premises. That duty places a legal obligation on individuals who have responsibility for the repair and maintenance of non-domestic buildings to manage the risks from exposure

to asbestos that may be in their buildings. Duty holders are required to identify the location and condition of any materials containing asbestos in their buildings. They must then assess the level of risk and put in place a management plan to manage those risks. Asbestos that is in good condition should be left undisturbed. Damaged asbestos must be encapsulated or removed by licensed contractors if necessary. The duty holder must ensure that the management plan and other pertinent information are readily available when maintenance or renovation work is planned or undertaken. They should ensure that the information on the location and condition of the materials is given to anyone likely to disturb it.

In considering the recommendation to extend the duty to manage to domestic buildings, we have to look at the scale of the risks that may arise. For those whose activities are liable to disturb asbestos frequently, the risk is cumulative through repeated exposures. In the context of this debate, we need to understand what the risk is from asbestos in all homes. A recent study, commissioned by the HSE, found no evidence of an increased risk of mesothelioma from carrying out DIY activities or living in certain types of buildings more likely to contain asbestos, such as high-rise flats, prefab houses, and council or ex-council houses.

While the analyses of non-occupational exposures in this study were based on relatively small numbers of cases and controls, and therefore have limited ability to detect small increases in risk, it is clear that such exposures do not represent major sources of mesothelioma risk. The only association between increased mesothelioma risk and exposure in a domestic setting was for people living with workers in jobs classified as medium or high risk before the age of 30. While anecdotal evidence provides examples of distress in specific situations, our policies have to take into account the whole context.

Mr. David Drew (Stroud) (Lab/Co-op): Does the Minister accept that one benefit we could bring forward would be to use the home information pack to inform people of what the property they might buy contains?

Jonathan Shaw: I am grateful to my hon. Friend for that intervention, and I shall come on to home information packs later in my remarks.

The duty to manage asbestos was introduced so that the risks from the thousands of tonnes of asbestos still present in non-domestic premises would be consistently managed. Those working on those buildings, such as plumbers, electricians and other maintenance workers, often do not know they are at risk from disturbing the material or if their work is putting others in the building at risk. The principles underlying the approach are evidence-based and proportionate towards compliance.

I shall now cover the specific recommendations of the UCATT report, starting with those that would require a legislative change. The report has made several recommendations with regard to private housing. The first is that the duty to manage should be extended to private households and the second is that it should be made mandatory for asbestos surveys to be undertaken at the point of sale.

My right hon. and hon. Friends will be aware that most residential properties now require a home information pack. That pack may include a home condition report, although that is not mandatory. Voluntary take-up of

the report has been low. Although there is clearly a demand for information on the condition of the property, the report in its present format is not seen as the right means of achieving that by the home buyers, sellers or the industry more widely.

I understand from colleagues in the Department for Communities and Local Government, who have responsibility for the issue, that a working group has been established to explore alternative options for ensuring that consumers have appropriate information about a property's condition. The working group is not specifically looking at environmental matters that might affect homes, such as asbestos. The issue of whether and how the presence of asbestos in a home could be reflected in any new reporting arrangements is a matter for the industry.

The UCATT-commissioned report recommends that the duty to manage regulation is also extended to social housing and that asbestos surveys are also made mandatory for such housing. The Health and Safety Executive is currently evaluating the impact of the duty to manage regulation and that will inform any decision on amending, replacing or extending the scope of the regulations. The UCATT report will form part of the evidence for the HSE's evaluation. We hope that it will be able to conclude that evaluation in the autumn.

The last recommendation of the report that would require legislative change is that warning symbols should be displayed on power tools to alert users to the dangers of working with asbestos, as my hon. Friend the Member for Barnsley, West and Penistone mentioned. The HSE will reflect on that helpful suggestion, which I believe is aimed at influencing behaviour. It might be that legislation is not the best way to influence the behaviours of workers and do-it-yourself enthusiasts. HSE research has concluded that media campaigns such as the recent hidden killer campaign, to which my hon. Friend referred, are the most effective method to influence behaviour. He mentioned the British Lung Foundation survey and its concern that workers were not aware of the dangers. I would hope that if that survey were carried out now, it would find that the hidden killer campaign has raised awareness and done what we all want to do by changing behaviour.

Follow-up research showed that the campaign was successful in raising awareness of the risks and appropriate precautions. In addition, 71 per cent. of workers also said that they either had taken, or were planning to take, a more precautionary approach to avoid exposure to asbestos at work. I think that we would all welcome that. The HSE is working in partnership with key stakeholders from the supply chain to increase the availability of all essential protective equipment recommended by the HSE to allow workers to work safely with asbestos.

I shall now focus on the report's recommendations on the provision of training and campaign activity. I welcome the recommendation to prioritise asbestos hazards in training provision for maintenance workers. The Government fully agree with the need for improved knowledge about asbestos, where it may be encountered and the appropriate precautions to take. The asbestos at work regulations already require training to be given to those at work who might disturb materials containing asbestos, even inadvertently. There are now many providers of such training. Most are members of the UK Asbestos Training Association, which the HSE helped to establish.

[Jonathan Shaw]

For other workers who might be exposed to asbestos, employers already have a general legal duty to provide training and instruction to allow their general duty of care to be met. Employers who undertake work in demolition or maintenance, or any other work that is liable to expose employees to asbestos, have a separate duty to assess whether asbestos is present or is liable to be present, or to assume that it is present and then to take all the necessary precautions to prevent exposure to asbestos fibres.

On the specific issue raised by UCATT, the training provided for local authority and other staff in the housing sector should already include knowledge of asbestos where that is appropriate to their role. The Government, through the HSE, will continue to promote relevant occupational health and safety training in the context of the risks that employees face. The HSE recognises the importance of maintaining that work and, in partnership with many, including UCATT, will continue to raise awareness.

The UCATT report also calls for a review of the content of all current training provision for maintenance workers. The Government agree that maintenance workers, particularly apprentices and young trainees, need to be aware of the risks of asbestos. The HSE has already recognised that, is working with a major training provider

linked to the union UNITE and plans to extend this to other key training and syllabus-setting bodies. The HSE intends to influence national vocational qualification and other course content in this sector, as it has in other sectors. That approach, together with the legal requirements in the asbestos regulations for those already in the workplace, should lead to a much better informed younger work force.

Similarly, as I outlined earlier on the labelling of power tools, any campaign must be based on evidence of what works best and needs to be underpinned by research and impact assessment. It is worth noting that independent research confirmed that the HSE's campaigns targeting the building maintenance work force were effective in reaching and influencing their target audience—maintenance workers. The general public also noticed the campaign messages, and the HSE is planning a smaller campaign to maintain the impetus this year.

In conclusion, I confirm to my hon. Friend that the Government have done much since 1997, as a result of his badgering and hard work, to strengthen the legislation and control mechanisms concerning asbestos. That includes the total ban on the importation and use of asbestos—

10.57 pm

House adjourned without Question put (Standing Order No. 9(7)).

Written Ministerial Statements

Monday 29 June 2009

TREASURY

Tax Administration/Anti-Avoidance

The Financial Secretary to the Treasury (Mr. Stephen Timms): Her Majesty's Revenue and Customs (HMRC) has today published a consultation document on the implementation of a code of practice on taxation for banks.

The Government are committed to developing and safeguarding a UK tax system whereby everyone pays their fair share. Tax avoidance compromises the effectiveness of the tax system and unfairly results in a greater tax burden being borne by compliant taxpayers. This undermines public confidence and imposes significant costs on society.

The Government have consistently tackled avoidance since 1997—making reforms to the tax system, introducing the disclosure regime and closing legislative loopholes. We vigorously challenge tax avoidance, through the courts if necessary. The UK also plays a leading role in international efforts to counter avoidance through sharing of information and intelligence.

Tax avoidance schemes continue to be developed and marketed and it is right that the Government act to close them. No country has found an agreed or enforceable definition of avoidance—much avoidance reduces tax in ways that go beyond the spirit, but not the letter, of the law.

We seek to ensure that anti-avoidance rules are properly targeted so that they only affect those aiming to avoid tax, and where appropriate to consult with businesses on the detail of the legislation. Business has welcomed this approach and it has led to better legislation. We continue to develop our strategy and practice for tackling tax avoidance and we are today publishing a code of practice for banks which builds on the key themes of good governance and transparency with HMRC that have been key components of the Government's approach to the administration of company tax.

Banks play a vital role in the UK. They are important contributors of tax, and alongside firms in other sectors, banks will want to arrange their tax affairs efficiently. But it is clear that some banks have been involved in tax avoidance that goes well beyond reasonable tax planning. Given their access to capital and financial markets as well as their range of contacts, banks are uniquely placed to enter into transactions designed to avoid tax, offer transactions of this sort to their customers, or simply to provide the very large amounts of funding and other financial instruments these transactions can require. The code seeks to change behaviours and attitudes towards tax avoidance in the banking sector

We, and the public, rightly expect banks, and financial services firms more generally, to show a high degree of responsibility, the highest standards of corporate governance and to have an open, transparent and professional relationship with HMRC. When the Government have provided significant support to strengthen the financial system, it is right that measures are taken to introduce a higher level of public transparency. This will not happen overnight and we need to work with the banks and other stakeholders to achieve it.

This consultation is a starting point in changing the behaviour of banks in relation to tax avoidance. Over the coming months we will be speaking to banks to develop a shared understanding of where banks should draw the line, where we want them to raise and resolve issues with HMRC and to ascertain the appropriate level of accountability for behaviours at a senior level that they can achieve; and what they can expect from HMRC in return.

The consultation document can be found on HMRC's website at: www.hmrc.gov.uk. A copy has also been deposited in the Libraries of both Houses.

COMMUNITIES AND LOCAL GOVERNMENT

Right to Manage Companies

The Parliamentary Under-Secretary of State for Communities and Local Government (Mr. Ian Austin): I have today published a consultation paper that proposes new prescribed articles for Right to Manage (RTM) Companies.

The Commonhold and Leasehold Reform Act 2002 introduced a right for long leaseholders to take over the management of the premises containing their flats without proving any fault on the part of their landlord. Prescribed memorandum and articles of association were provided to govern the operation of these companies. These reflected current company law requirements.

With the changes that are being made by the Companies Act 2006 there is now a need for these prescribed documents to be updated for RTM companies that are incorporated on or after 1 October 2009. This is to ensure consistency between the requirements of these RTM companies and other companies.

The consultation seeks views on the proposed updated company articles and will run for seven weeks until 16 August 2009. The Government would welcome responses to their proposals up until that date.

Copies of the consultation document have been placed in the Library of the House.

CULTURE, MEDIA AND SPORT

Digital Switchover Help Scheme

The Secretary of State for Culture, Media and Sport (Mr. Ben Bradshaw): The Secretary of State for Work and Pensions and I have been made aware that the Digital Switchover Help Scheme (the Help Scheme) has sent out a number of inaccurate letters regarding eligibility for help under the scheme. This was as a result of incorrect or incomplete information provided by the Department for Work and Pensions (DWP).

The Help Scheme is run by the BBC under an agreement with the Government. It offers older and disabled people help to switch one TV to digital during switchover in their region. People are eligible if they:

- are aged 75 or over; or
- have lived in a care home for six months or more; or
- get or could get disability living allowance, mobility supplement, attendance allowance or constant attendance allowance; or
- are registered blind or partially sighted.

There are two categories of letters involved: letters sent to people who were not eligible; and letters sent to people informing them that they would have to pay a £40 charge when they were, in fact, entitled to the help for free. The DWP apologises for these mistakes and has informed the Information Commissioners Office. DCMS, DWP and the Help Scheme are working closely to ensure that these errors do not occur again.

Letters sent to people who are ineligible

The first set of letters has offered help to people who are not eligible for the Help Scheme.

Approximately 65,000 people were incorrectly sent a letter telling them that they were eligible for help. Almost all live in the Llandudno postcode area; some are in the Llandrindod Wells area and there may be small numbers in Liverpool, Chester, Newport and Lancaster. The Help Scheme and DWP will today write to around 55,000 ineligible people who have not already applied for help or responded to the original letter. This letter apologises for the error and for any inconvenience that may have been caused.

If someone who received the original letter has already applied for help, they will get help exactly as if they had been eligible in the first place. We believe that this will be fewer than 2,000 people.

The Digital Switchover (Disclosure of Information) Act 2007 allows the DWP to disclose some limited information to the BBC or Eaga, the contractor appointed by the BBC to run the scheme. Such information, however, should only relate to people who are eligible for the Help Scheme.

Letters stating that help was available for £40 instead of for free

It costs £40 to participate in the scheme except where eligible people are also entitled to certain income-related benefits. Unfortunately a second batch of letters has been sent to people stating that they would have to pay £40 to participate in the scheme when they should have been informed that it was available to them for free. These are recipients of the income-related component of the new Employment and Support Allowance which was introduced in October 2008. These people should have been entitled to free help from the scheme and the DWP are urgently working to establish the numbers and names. We believe the numbers affected to be small.

Once the people affected have been identified by DWP, letters will be sent to them apologising for this error and making it clear that they can have assistance under the scheme for free. Anyone who has already participated in the scheme will have their £40 reimbursed as soon as possible.

The DWP has now made the necessary changes to the way in which it identifies people eligible for free help and is confident that this error will not happen again.

ENVIRONMENT, FOOD AND RURAL AFFAIRS

Veterinary Medicines Directorate (Annual Report and Accounts)

The Minister of State, Department for Environment, Food and Rural Affairs (Jim Fitzpatrick): The 2008-09 annual report and accounts for the Veterinary Medicines Directorate was laid before Parliament on 26 June.

LEADER OF THE HOUSE

Government's Draft Legislative Programme (2009-10)

The Leader of the House of Commons (Ms Harriet Harman): I am pleased to announce that the Government are today publishing their Draft Legislative Programme 2009-10, as a part of the Government's proposals for "Building Britain's Future".

This is the third year that the Government have published their legislative programme in draft for consultation in advance of the Queen's Speech. This year it is being published as part of the Government's broader plan for "Building Britain's Future". This provides an opportunity for both the public and Parliament to see how the Draft Legislative Programme forms part of the action the Government are taking to build a more prosperous, stronger and fairer country.

The aim of publishing the Draft Legislative Programme is to be transparent about what the Government are planning to achieve through legislation. This provides an opportunity to look across the programme as a whole and take a view as to whether the balance of priorities is right, whether there are important areas that have been missed out or areas of the programme that should be given lower priority. This, in turn, enables views to be fed into the development of the programme before the final programme is announced in the Queen's Speech towards the end of the year.

As a draft programme, the Government expect it to develop and change over the course of the year, as a result both of consultation and as new issues arise. For example, on 10 June the Prime Minister announced the start of public engagement on further democratic reform, some parts of which could require primary legislation—this exercise will be running in parallel with consultation on the Draft Legislative Programme.

The Government are currently proposing to introduce 11 Bills in key areas in the next session of Parliament (two of which, the Equality and Child Poverty Bills, have recently been introduced but will be largely considered in the next session and one, the Constitutional Renewal Bill, is intended for introduction before the end of this session). The Government have also recently introduced the Parliamentary Standards Bill, intended for Royal Assent before the summer recess, to create an Independent Parliamentary Standards Authority to revise, monitor and administer the system of MPs' allowances; to set and enforce the rules relating to the registration of MPs' financial interests; to create new criminal offences for MPs of making false or misleading claims for allowances, failing to register a financial interest and engaging in paid advocacy and to provide for the code of conduct for Members to be placed on a statutory footing.

These Bills are:

Constitutional Renewal Bill

Bribery Bill

Financial Services And Business Bill

Digital Economy Bill

Energy Bill

Flood and Water Management Bill

Improving Schools and Safeguarding Children Bill

Equality Bill

Policing, Crime and Private Security Bill

Child Poverty Bill

Cluster Munitions Prohibition Bill

The Government have already made significant reforms to the House of Lords and will bring forward further reform through the Constitutional Renewal Bill. To complete this final phase of reform, the Government will then set out proposals and publish a draft Bill for a smaller and democratically constituted second chamber.

The Government are keen to receive the public's views on the Draft Legislative Programme, in particular whether people think the Draft Legislative Programme reflects the right priorities for the United Kingdom and, if not, what other issues do you think the Government should be addressing?

Further information about the programme and how people can comment is available on the Office of the Leader of the House of Commons website (www.commonleader.gov.uk). The consultation will close on 21 September 2009.

GOVERNMENT EQUALITIES

Equality Bill (Age Discrimination)

The Parliamentary Secretary, Government Equalities Office (Michael Jabez Foster): The Equality Bill, which is currently before Parliament, will outlaw unjustifiable

age discrimination against adults aged 18 or over in the provision of services and the exercise of public functions. It also includes powers to make exceptions from the ban.

We often treat people differently according to their age and this is often appropriate because people's needs, expectations and circumstances change with their age. Age-based treatment can play an important role in ensuring that people of all ages can participate socially and economically in their community and that services meet people's differing needs and are delivered efficiently, benefiting individuals and society in general. Different treatment because of age will continue to be allowed when it can be objectively justified or where there are exceptions to the ban on age discrimination.

The powers will be used to put in place a number of specific exceptions, to allow age-based treatment to continue. This will provide a greater degree of legal certainty for service providers to ensure that they do not end beneficial practices or withdraw services out of concern that they may be open to legal challenge. It will also ensure the process of having to justify age-based treatment does not undermine service providers' ability to continue to provide the service or function on an economic basis or at all.

The consultation issued today—"Equality Bill: Making it work—Ending age discrimination in services and public functions—A consultation" outlines how we are developing our proposals for particular services where we think additional legal certainty is important to encourage beneficial practices and services to continue. It asks specific questions to help shape the exceptions from the ban and obtain further information. The consultation runs until 30 September 2009.

We are placing copies of the document in the Libraries of both Houses. Copies will also be available on the Government Equalities Office website at: www.equalities.gov.uk

Written Answers to Questions

Monday 29 June 2009

WOMEN AND EQUALITY Departmental Mobile Phones

Mr. Hoban: To ask the Minister for Women and Equality how much has been spent on (a) the purchase of and (b) bills for (i) BlackBerrys and (ii) other mobile telephones for (A) Ministers, (B) special advisers and (C) civil servants in the Government Equalities Office in each year since its establishment. [268240]

Michael Jabez Foster: The Government Equalities Office was established on 12 October 2007. Since then there have been no purchases of BlackBerrys or mobile phones for Ministers or special advisers. Details of purchases of BlackBerrys and mobile phones for civil servants and the associated bills are provided in the following tables:

	Purchases	£ Bills
<i>2007-08 (October to March)</i>		
BlackBerrys	1,434	¹ 0
Mobile Phones	504	¹ 08
Total	1,938	108
<i>2008-09</i>		
BlackBerrys	2,168	—
Mobile Phones	204	—
Total	2,372	² 4,030

¹ Purchases of mobile handsets were made towards the end of the financial year therefore payment of bills did not commence until April/May 2008. Some bill payments were made to owners of existing mobile handsets.

² All bills are grouped together onto one monthly invoice which makes it difficult to separate individual charges for BlackBerrys and mobiles.

CABINET OFFICE 10 Downing Street

Mr. Maude: To ask the Minister for the Cabinet Office pursuant to the answer of 13 January 2009, *Official Report*, columns 581-82W, on 10 Downing Street, how many Downing Street-branded wallets have been sold by the gift shop in the last 18 months or nearest equivalent period for which figures are available. [258623]

Angela E. Smith: I have nothing further to add to the earlier answer.

Breast Cancer: Males

James Duddridge: To ask the Minister for the Cabinet Office how many men have died from breast cancer in each year since 2005. [282926]

Angela E. Smith: The information requested falls within the responsibility of the UK Statistics Authority. I have asked the authority to reply.

Letter from Karen Dunnell, dated June 2009:

As National Statistician, I have been asked to reply to your recent question asking how many men have died from breast cancer in each year since 2005. (282926)

The table attached provides the number of deaths where breast cancer was the underlying cause of death, for males in England and Wales from 2005 to 2008.

Table 1: Number of deaths where breast cancer was the underlying cause of death,¹ males, England and Wales,² 2005-08^{3, 4}

	Male deaths
2005	82
2006	69
2007	87
2008	62

¹ Cause of death was defined using the international Classification of Diseases, Tenth Revision (ICD-10) code C50.

² Figures for England and Wales include deaths of non-residents.

³ Figures are for deaths registered in each calendar year.

⁴ Figures for deaths registered in 2008 are provisional.

Capacitybuilders: Tamworth

Mr. Jenkins: To ask the Minister for the Cabinet Office what funding Capacitybuilders has provided to charitable organisations active in Tamworth constituency in the last 12 months. [281691]

Angela E. Smith: There have been no direct awards from Capacitybuilders to charitable organisations active in Tamworth in the last 12 months, however, Capacitybuilders have made two awards to the Staffordshire Consortium, one of whose members is the Tamworth Council for Voluntary Service, which will benefit from this funding. The first award was a Consortium Development grant of £52,000 in 2008-09. The second was a modernisation programme grant of £41,596 in 2008-09 to ensure common standards and access across the nine volunteer centres in the district, which is work being led by Tamworth CVS.

Departmental Billing

Mr. Philip Hammond: To ask the Minister for the Cabinet Office pursuant to the answer of 13 May 2009, *Official Report*, column 835W, on departmental billing, how much her Department's non-departmental public bodies paid in interest to suppliers under the Late Payment of Commercial Debts (Interest) Act 1998 in the last three years. [282335]

Angela E. Smith: The Office of the Third Sector in Cabinet Office sponsors two executive non-departmental public bodies—Capacitybuilders and the Commission for the Compact.

Capacitybuilders was formally established in April 2006 and the Commission for the Compact in November 2007.

No payments under the Late Payments of Commercial Debts (Interest) Act 1998 have been made by the Commission for the Compact since its establishment. Capacitybuilders have made interest payments to one supplier totalling £64.94 over the last three financial years.

Future Builders: Tamworth

Mr. Jenkins: To ask the Minister for the Cabinet Office how many loans of each type have been provided by the Future Builders programme in Tamworth constituency since the scheme began. [281690]

Angela E. Smith: To date, Futurebuilders England has not invested in Tamworth. However, more widely, Futurebuilders has invested over £4 million in 16 organisations in the west midlands.

Jobseeker's Allowance: Merseyside

Mrs. Curtis-Thomas: To ask the Minister for the Cabinet Office for what average length of time jobseeker's allowance (JSA) claimants resident in (a) Merseyside and (b) Crosby received JSA in each of the last five years. [282532]

Angela E. Smith: The information requested falls within the responsibility of the UK Statistics Authority. I have asked the authority to reply.

Letter from Karen Dunnell, dated June 2009:

As National Statistician, I have been asked to reply to your Parliamentary Question asking for what average length of time jobseeker's allowance (JSA) claimants resident in (a) Merseyside and (b) Crosby Point received JSA in each of the last five years. (282532)

The number of people claiming Job Seekers Allowance (JSA) is taken from the Jobcentre Plus administrative system. The length of a claim has been defined as the time between the start of an individual's claim and that claim ending. Table 1 shows the median length of completed claims during the May count period of the last 5 years.

Table 1. Median length of completed claims (off-flows) of jobseeker's allowance for claimants resident in Merseyside and Crosby parliamentary constituency

As at May each year	Merseyside	Months Crosby
2005	12.8	12.0

Table 1. Unemployment rates¹ for people resident in Barnsley, Doncaster and South Yorkshire

12-month period	Unemployment rate (percentage)		
	Barnsley ²	Doncaster ²	South Yorkshire
January to December 2004	4.5	4.8	5.4
January to December 2005	4.9	5.2	5.2
January to December 2006	5.9	6.1	7.1
January to December 2007	5.7	6.1	5.8
October 2007 to September 2008	6.4	6.9	6.9

¹ Number of unemployed people aged 16 and over as a percentage of the economically active population.

² Model based estimates.

Source:

Annual Population Survey and Model Based Estimates.

OLYMPICS

Olympic Games 2012: Construction

Charlotte Atkins: To ask the Minister for the Olympics what plans she has to encourage construction companies on the Olympic site to use waterborne freight. [281746]

Tessa Jowell: The Olympic Delivery Authority (ODA) encourages all contractors to use the waterways, where

Table 1. Median length of completed claims (off-flows) of jobseeker's allowance for claimants resident in Merseyside and Crosby parliamentary constituency

As at May each year	Merseyside	Months Crosby
2006	12.1	12.3
2007	12.4	13.5
2008	11.4	10.6
2009	11.8	11.1

Source:

Jobcentre Plus administrative system

Unemployment: South Yorkshire

Jeff Ennis: To ask the Minister for the Cabinet Office what the unemployment rate among the working age population in (a) Barnsley, (b) Doncaster and (c) South Yorkshire was in each of the last five years. [282792]

Angela E. Smith: The information requested falls within the responsibility of the UK Statistics Authority. I have asked the authority to reply.

Letter from Karen Dunnell, dated June 2009:

As National Statistician, I have been asked to reply to your Parliamentary Question asking what the unemployment rate among the working age population in (a) Barnsley, (b) Doncaster and (c) South Yorkshire was in each of the last five years. (282792)

The Office for National Statistics (ONS) compiles labour market statistics for local areas from the Annual Population Survey (APS) and unemployment statistics for unitary and local authorities from a statistical model, following International Labour Organisation (ILO) definitions.

Table I shows the unemployment rate for people resident in Barnsley, Doncaster and South Yorkshire in each of the last five years. The latest period for which data are available is October 2007 to September 2008. Unemployment rates are normally provided for people aged 16 and over, rather than people of working age, thus estimates provided are consistent with this definition.

National and local area estimates for many labour market statistics, including employment and unemployment are available from the NOMIS website at:

<http://www.nomisweb.co.uk>

possible, to transport materials. The ODA's work to open up navigable waterways will actively encourage contractors to employ sustainable transport methods at every opportunity.

Contractors are also embracing this challenge, for example, Team Stadium (the consortium constructing the Olympic Stadium) is building offloading facilities near the stadium to enable movement of materials by water. Two of the ODA's other tier 1 contractors, Veolia Environmental Services and Aggregate Industries, have also committed to using the waterways to transport

materials in and waste out. Veolia Environmental Services, the site waste management contractor, is expected to have the first barge carrying waste out of the park in late June following the opening of Three Mills Lock (formerly known as Prescott Lock).

The target set out in the Sustainable Development Strategy published in 2007 stated that 50 per cent. of materials (by weight) would be transported by rail or water. Figures published in April show that the ODA is already achieving 57 per cent. of deliveries by rail alone.

The ODA also continues to work closely with British Waterways, Transport for London, the Department for Transport and the Port of London authority to create and promote opportunities to transport materials by water.

Charlotte Atkins: To ask the Minister for the Olympics whether construction companies working on the Olympic site have clauses within their contracts to encourage waterborne freight. [281747]

Tessa Jowell: While there is no specific requirement or clause in relation to the use of sustainable transportation methods, the Olympic Delivery Authority (ODA) emphasises its commitment to sustainability throughout the procurement process, for example, by inviting prospective contractors to provide proposals to meet the ODA target of transporting 50 per cent. of construction materials (by weight) by sustainable means (rail and water).

Charlotte Atkins: To ask the Minister for the Olympics what estimate she has made of the proportion of (a) goods and (b) other materials which will be transported to the main Olympic site by water. [281748]

Tessa Jowell: The Olympic Delivery Authority (ODA) delivery management system keeps a record by weight of all deliveries and removals to and from the Olympic Park. With the completion of dredging works, the regular use of the waterways is scheduled to commence around the end of this month. The proportion of sustainable deliveries by water will then be able to be calculated from Q3 2009 on a monthly basis.

The target set out in the Sustainable Development Strategy published in 2007 stated that 50 per cent. of materials (by weight) would be transported by rail or water. Figures published in April show that the ODA is already achieving 57 per cent. of deliveries by rail alone.

Olympic Games 2012: Facilities

Bob Spink: To ask the Minister for the Olympics what her most recent estimate is of the cost of hosting the London 2012 Olympic sailing events at Weymouth Bay and Portland Harbour. [281643]

Tessa Jowell: The London Organising Committee of the Olympic Games and Paralympic Games (LOCOG) has responsibility for staging the Olympic and Paralympic games including at existing venues.

The enhanced facilities at Weymouth and Portland Harbour, completed in November 2008, is the first of the Olympic and Paralympic venues to be completed,

and will have already delivered an early legacy of world-class facilities for elite athletes and the local community to use well ahead of 2012.

These enhanced facilities were constructed by the Olympic Delivery Authority ahead of schedule and within the overall approved budget of £9.2 million.

The direct costs associated with staging the events at Weymouth Bay and Portland Harbour come from LOCOG's revenues which are primarily derived from commercial sponsorship, broadcast rights, ticket sales and merchandising/licensing—not from the public purse.

There will be attributable costs to the public purse from London 2012 venues, including Weymouth Bay and Portland Harbour. However, these costs such as in security and transport systems have not yet been identified separately for individual events and will form part of the overall security and transport budgets.

ENERGY AND CLIMATE CHANGE

Carbon Sequestration

Bob Spink: To ask the Secretary of State for Energy and Climate Change what technologies are used for carbon capture and storage demonstration projects sponsored by his Department. [279036]

Joan Ruddock: The first carbon capture and storage demonstration competition project at commercial scale will involve post-combustion capture of CO₂ from a coal-fired power station with offshore storage. Project selection for further commercial scale demonstrations will be against a number of criteria and these are set out in our consultation, "A Framework for the Development for Clean Coal", published on 17 June 2009. The Government would look to demonstrate a range of CCS technologies.

The Government also supports component and pilot scale demonstration through the Environmental Transformation Fund, Carbon Abatement Technologies demonstration programme. To date one project that will demonstrate a 40 MW Oxy-fuel combustion system has received support.

Climate Change

Miss McIntosh: To ask the Secretary of State for Energy and Climate Change what estimate he has made of his Department's potential gross (a) costs and (b) savings arising from its climate change adaptation measures in the next three years. [277725]

Joan Ruddock: It is not currently possible to provide estimates of the potential costs and savings over the next three years. It has, however, been shown in the Stern Review on the Economics of Climate Change that timely and well-targeted climate adaptation measures will yield benefits in excess of their costs. The main rationale for investment to address climate risk will be to reduce the UK's vulnerability to longer-term climate change impacts.

The Government are undertaking a Climate Change Risk Assessment and Economic Analysis, which will provide estimates of the costs and benefits of adaptation

to the UK. This analysis will be presented to Parliament within three years of the Climate Change Act coming into force.

As you are aware, the Government will also be publishing supplementary appraisal guidance this summer. This will help to ensure that adaptation measures are designed and implemented in a cost-effective manner.

Departmental Billing

Mr. Prisk: To ask the Secretary of State for Energy and Climate Change how many and what proportion of invoices his Department has paid within 10 days of receipt in each of the last 12 months; and if he will make a statement. [278833]

Joan Ruddock: The number and proportion of invoices paid within 10 days of receipt since the inception of the Department on 3 October 2008 are as follow:

	Invoices	
	Number	Percentage
November 2008	388	73
December 2008	568	88
January 2009	657	98
February 2009	571	99
March 2009	709	96
April 2009	606	98
May 2009	725	97

The data for October 2008 is not available.

Departmental Coordination: Carbon Emissions

Gregory Barker: To ask the Secretary of State for Energy and Climate Change how much pooled funding is available to support cross-departmental co-operation on building a low carbon economy. [265213]

Joan Ruddock: Development of policy to support the building of a low carbon economy is the responsibility of a wide range of Departments and is funded through departmental budgets. While there is no pooled funding specifically to support cross-departmental co-operation, departments are working together on policies to support the move to a low carbon economy. On 23 April the Government published "Investing in a Low Carbon Britain" which sets out the Government's investment plans for the transition to a low carbon economy, as well as providing detail on new cross-departmental funding to provide targeted support in the low-carbon sector. The Government will also, later this summer, publish a low carbon industrial strategy which will set out the policy and investment framework for maximising the economic benefits of the transition to a low carbon economy.

Departmental Food

Tim Farron: To ask the Secretary of State for Energy and Climate Change what percentage of the (a) meat, (b) fruit and (c) vegetables procured by his Department in the last 12 months was produced in the UK. [281945]

Joan Ruddock: A second report on the proportion of domestically produced food used by Government Departments and also supplied to hospitals and prisons under contracts negotiated by NHS Supply Chain and HM Prison Service was published in November 2008, covering the year from 1 April 2007 to 31 March 2008. This report and the first one covering the previous year can be found at:

<http://www.defra.gov.uk/farm/policy/sustain/procurement/awareness.htm>

The report gives details of the proportion of individual meat, fruit and vegetable categories purchased.

Although it is too early to show a trend, the report indicates that the amount of domestically produced food consumed by Government Departments in England is increasing.

DECC was established after the information in this report was collated, therefore the percentage of meat, fruit and vegetables procured domestically within the estate currently occupied by DECC is included within the information provided in the above report under DEFRA.

A third report is expected to be published at the end of 2009.

Lighting: East of England

Nadine Dorries: To ask the Secretary of State for Energy and Climate Change how much funding his Department has allocated to the encouragement of usage of compact fluorescent lamp variety light bulbs in (a) Mid Bedfordshire constituency and (b) the East of England since it was established; and if he will make a statement. [278850]

Joan Ruddock: The Government have not allocated any funding specifically to the East of England to encourage the use of compact fluorescent lamp variety light bulbs (CFLs).

Members: Correspondence

Mr. Baron: To ask the Secretary of State for Energy and Climate Change when he plans to respond to the hon. Member for Billericay's letters of 13 March, 23 April and 25 May 2009 on his constituent Mr A Bridgen. [280691]

Joan Ruddock [holding answer 18 June 2009]: I apologise for the delay in responding to the hon. Member, and a reply from my Noble colleague, Lord Hunt, will be issued shortly.

Plutonium

Mr. Dai Davies: To ask the Secretary of State for Energy and Climate Change pursuant to the answer of 8 June 2009, *Official Report*, column 725W, on plutonium, if he will publish on his Department's website (a) the minutes of the meeting on plutonium management held on 21 May 2009, (b) the presentations made and (c) the materials submitted by attendees for circulation at the meeting; and what further steps he intends to take in respect of plutonium management. [279463]

Joan Ruddock: A transcript of the meeting that includes the copies of presentations and material submitted by attendees will be published on the DECC website in early July. A summary report will also be published on the website at the same time.

With respect to plutonium management, officials are considering the basis for a public consultation which would be expected to begin in the autumn.

Solar Power

Paul Rowen: To ask the Secretary of State for Energy and Climate Change what assistance his Department has provided to the solar photovoltaic industry since Budget 2009. [281130]

Mr. Kidney [*holding answer 18 June 2009*]: Since the Budget of April 2009 we have allocated an additional £5 million to solar PV applications under the Low Carbon Buildings Programme Phase 2 bringing the total commitment to £31.5 million. An additional £9 million will be made available for solar PV applications under the Low Carbon Buildings Programme Phase 2 from 1 July 2009.

Solar PV also receives support through the Renewables Obligation (RO). Since 1 April 2009, all microgenerators (50 kW and under) can apply for the highest level of support under the reformed RO (2 ROCs/MWh).

Warm Front Scheme

Mr. Caton: To ask the Secretary of State for Energy and Climate Change how many households received assistance under the Warm Front programme in 2008-09; and how many households he estimates will receive such assistance in (a) 2009-10 and (b) 2010-11. [279459]

Joan Ruddock: The following tables detail (a) the number of households assisted in 2008-09 and (b) the estimated number of households to be assisted in 2009-10 and 2010-11.

It is important to note that the estimates for these years are based on current, yet contingent information, including the available budget for these years—which may change. The estimates do not take account of the anticipated reductions in the costs of work which are expected as a result of the changes to scheme processes being enforced through the ongoing contract renegotiations with eaga which are not yet complete. A number of changes of this kind have been agreed, including the introduction of competition between installers for work which will drive down costs, meaning more homes than those quoted below may be assisted.

It is also essential to note that these estimates have been affected by the recent increase in the Warm Front grant maxima. While the uplift will lead to fewer homes being assisted, it also means that fewer of the homes that are assisted will be asked to make a contribution towards the cost of the work.

	(a) Number of households assisted
2008-09	233,594

	(b) Estimated number of households to be assisted
2009-10	215,000
2010-2011	91,100

TRANSPORT

Airports: South East

Dr. Ladyman: To ask the Minister of State, Department for Transport what recent representations he has received about the creation of a Route Development Fund for airports in the South East; when he plans to respond to such representations; and if he will make a statement. [281102]

Paul Clark: The Department for Transport has received a letter from Kent county council with outline proposals for a Kent and Essex Route Development Fund, covering Manston, Lydd and Southend airports. The Department expects to respond to the letter shortly.

Aviation: Disabled

Mr. David Anderson: To ask the Minister of State, Department for Transport pursuant to the answer of 5 May 2009, *Official Report*, column 21W, on aviation: disabled, if he will seek discussions with the European Commission to reduce or end restrictions and extra charges by airlines on passengers who require supplementary oxygen. [281317]

Paul Clark: European Regulation 1107/2006 on the rights of disabled persons and persons with reduced mobility when travelling by air does not impose specific obligations to carry or provide oxygen in the cabin. The Department for Transport has raised the issue of carriage of medical oxygen with the European Commission at a recent meeting of national enforcement bodies for Regulation 1107/2006.

The Commission is due to review the regulation in 2010. To help the air transport industry to comply with its obligations under the regulation, the Department has published an updated version of its code of practice 'Access to Air Travel for Disabled Persons and Persons with Reduced Mobility'. The code includes a section on oxygen which advises that air carriers may approve the carriage of small gaseous oxygen or air cylinders required for medical use, but notes that carriers will wish to ensure that these do not pose a risk to security. The code also recommends that portable oxygen concentrator devices should normally be allowed if battery powered. Where air carriers wish to supply medical oxygen to passengers on request, the code acknowledges that it would be possible to make a charge for this service to cover the provision of the oxygen.

Bus Services: Standards

Graham Stringer: To ask the Minister of State, Department for Transport when he plans to publish the Regulations on Quality Contracts. [282541]

Mr. Khan: I refer my hon. Friend to the reply given to the hon. Member for Rochdale (Paul Rowen) on 19 May 2009, *Official Report*, column 1267W.

Driving Standards Agency: Manpower

Bob Spink: To ask the Minister of State, Department for Transport how many (a) directors, (b) senior managers, (c) specialist and delivery managers and

(d) executive support and administration staff there were in each Driving Standards Agency office in each of the last five years. [282144]

Paul Clark: The Driving Standards Agency does not hold data by individual location.

Information requested has been supplied for the Driving Standards Agency in total:

	<i>Directors</i>	<i>Senior managers</i>	<i>Specialist and delivery staff</i>	<i>Support and administration</i>
2004-05	8	55	19	2,627
2005-06	9	62	19	2,667
2006-07	8	85	21	2,543
2007-08	9	90	22	2,598
2008-09	9	110	25	2,611

Driving: EU Action

Mrs. Gillan: To ask the Minister of State, Department for Transport if he will take steps at EU level to seek to ensure mutual recognition of driving disqualifications in all EU member states. [282982]

Paul Clark: The United Kingdom is a signatory to the 1998 European convention on driving disqualifications. The necessary primary legislation in connection with this convention forms part of the Crime (International Co-operation) Act 2003.

The convention does not come into practical effect across all member states until all 15 original signatories have adopted it. I understand that only Spain has done so.

However, the convention also allows member states to bring in arrangements early. The UK and the Republic of Ireland have been discussing a bilateral arrangement to do so together, but no final arrangements have yet been made.

To date, no other EU member state has expressed an interest in making such an arrangement with the UK.

Driving: Tamworth

Mr. Jenkins: To ask the Minister of State, Department for Transport how many residents of Tamworth constituency had their driving licences suspended in each of the last three years. [282738]

Paul Clark: The Driver and Vehicle Licensing Agency does not readily hold this information in the requested format.

Highways Agency: Manpower

Bob Spink: To ask the Minister of State, Department for Transport how many (a) directors, (b) senior managers, (c) specialist and delivery managers and (d) executive support and administration staff there were in each Highways Agency office in each of the last five years. [281631]

Chris Mole: The Highways Agency does not specifically categorise its staff in the requested format. However, in broad terms senior civil servants equate to directors,

pay band 7 and 8 to senior managers, pay band 5 and 6 to specialists and delivery managers, and pay band 1 to 4 to executive support and administrative.

The information requested has been placed in the Libraries of the House.

Motor Vehicles: Testing

Mr. Greg Knight: To ask the Minister of State, Department for Transport what assessment he has made of the merits of transferring commercial vehicle testing to the private sector. [281653]

Paul Clark: Following an extensive consultation process, the Department for Transport announced on 3 July 2008 that the testing of commercial vehicles would continue to be conducted within the public sector by the Vehicle and Operator Services Agency (VOSA).

However, in order to meet customer requirements for a modern, flexible service, and to reduce vehicle downtime and associated costs for operators, the Agency aims to significantly increase the number of annual tests conducted at private sector premises over the next three years. These tests will still be conducted by VOSA staff.

Road Signs and Markings

Mark Hunter: To ask the Minister of State, Department for Transport how many new (a) road traffic signs and (b) road markings have been included in the Highway Code in each year since 1997. [282742]

Paul Clark: The Highway Code provides information to road users about the safe and legal use of the network. It is not intended as a comprehensive guide to traffic signs and road markings, but the reference section in recent editions has included a number of depictions and explanations of selected signs and road markings as follows:

<i>Edition</i>	<i>Total traffic signs¹</i>	<i>Road markings</i>
1996	189	28
1999	191	31
2004	190	31
2007	200	31

¹ Including traffic signals.

Mark Hunter: To ask the Minister of State, Department for Transport what recent assessment he has made of levels of (a) understanding of and (b) compliance with road signs and markings among drivers aged (i) between 17 and 24, (ii) between 25 and 30, (iii) between 31 and 35, (iv) between 36 and 40, (v) between 40 and 60 and (vi) over 60 years. [282743]

Paul Clark: This information is not held centrally. However, understanding and effectiveness of certain traffic signs are being considered as key issues for the Department's current review of traffic signs policy.

Roads: Accidents

Mr. Stewart Jackson: To ask the Minister of State, Department for Transport how many (a) fatal and (b) non-fatal road traffic accidents were recorded on roads in Peterborough in each of the last five years. [281701]

Paul Clark: The number of (a) fatal and (b) non-fatal reported personal injury road traffic accidents recorded on roads in Peterborough in each of the last five years is given in the following table:

	Number of accidents	
	Accident severity	
	Fatal	Injury
2004	15	916
2005	10	914
2006	8	816
2007	18	716
2008	11	792

Sandra Gidley: To ask the Minister of State, Department for Transport how many (a) fatal and (b) non-fatal road traffic accidents were recorded in (i) Southampton and (ii) Test Valley Borough in 2008. [283332]

Paul Clark: In 2008 there were five fatal and 617 non-fatal reported personal injury road accidents in Southampton, and four fatal and 324 non-fatal accidents in Test Valley borough.

Shipping: Exhaust Emissions

Mr. Sanders: To ask the Minister of State, Department for Transport if he will make it his policy to bring forward proposals for a cap on emissions from the shipping industry. [280750]

Paul Clark: The Government are working to achieve international agreement, at the forthcoming Copenhagen conference, on a carbon dioxide emissions reduction target for the shipping sector.

Subsequently, the Government will seek to achieve agreement in the International Maritime Organisation on an economic instrument to achieve reductions in carbon dioxide emissions from shipping, specifically a global emissions trading scheme incorporating a cap.

Shipping: Renewable Energy

Mr. Sanders: To ask the Minister of State, Department for Transport what steps his Department is taking to encourage the development of shipping technologies based on non-fossil fuel power sources. [280749]

Paul Clark: The Department for Transport and its Maritime and Coastguard Agency participate actively in the work of the International Maritime Organisation to promote alternative modes of propulsion for ships. The Department has met proponents of alternative modes of propulsion and encouraged them in their efforts.

Vehicle Certification Agency: Consultants

Bob Spink: To ask the Minister of State, Department for Transport how much the Vehicle Certification Agency spent on consultants in each of the last five years. [282143]

Paul Clark: The Vehicle Certification Agency has spent the following amounts on consultants over the last five years:

	£ million
2004-05	0.1
2005-06	0.1
2006-07	0.1
2007-08	0.1
2008-09	0.1

HOUSE OF COMMONS COMMISSION

Members: Allowances

John Mann: To ask the hon. Member for North Devon, representing the House of Commons Commission if the Commission will publish the information requested in all outstanding requests made under the Freedom of Information Act 2000 for information relating to hon. Members' expenses. [282454]

Nick Harvey: The House will fulfil all of its obligations under the Act and the responses to all requests will depend on the circumstances relevant in each case.

Nurseries

Mr. Ellwood: To ask the hon. Member for North Devon, representing the House of Commons Commission if the House of Commons Commission will introduce crèche facilities in the House of Commons. [282447]

Nick Harvey: In July 2008, the Commission asked the Administration Committee to look at child care and assess the level of demand among Members for any change to the current arrangements. The advice is expected soon.

NORTHERN IRELAND

Antisocial Behaviour Orders

Sammy Wilson: To ask the Secretary of State for Northern Ireland how many anti-social behaviour orders in Northern Ireland have been breached in each year since 2004. [280643]

Paul Goggins: The relevant authorities have notified the Northern Ireland Office that 18 ASBO holders were sentenced in court for a breach of their ASBO.

Additionally, in two cases, the individual went on to be sentenced again for a further breach. This gives a total of 20 ASBOs that were sentenced in court for a breach.

The annual figures are:

	<i>Number</i>
2005	3
2006	0
2007	11
2008	6

Community Relations: Coleraine

Andrew Rosindell: To ask the Secretary of State for Northern Ireland what steps are being taken to reduce levels of sectarian tensions in Coleraine. [282289]

Paul Goggins: PSNI officers have been working tirelessly to reduce tensions and provide reassurance to all the communities in the Coleraine area.

Additional PSNI officers have also been appointed to neighbourhood policing teams; they are liaising with community associations to ensure a co-ordinated approach.

Departmental Lost Property

Mr. Blunt: To ask the Secretary of State for Northern Ireland how many laptop computers belonging to (a) his Department and (b) its agencies have been lost or stolen in the last five years. [281078]

Paul Goggins: Five laptop computers have been lost by, or stolen from, the Department and its agencies since 1 January 2004.

Departmental Manpower

Andrew Rosindell: To ask the Secretary of State for Northern Ireland how many people from ethnic minority backgrounds his Department employs. [282299]

Paul Goggins: To monitor the effectiveness of its equal opportunities policies, the Northern Ireland Office (NIO) monitors its work force in a number of areas. While the monitoring of community background is mandatory for NIO staff in Northern Ireland, information on other categories, including ethnicity, is provided by staff on a voluntary basis. Records show that 13 staff in the NIO Core Department have declared they are from an ethnic minority background.

Migrant Workers

Mark Durkan: To ask the Secretary of State for Northern Ireland what steps his Department is taking to ensure the safety of migrant workers in Northern Ireland from attacks against minority groups. [281592]

Paul Goggins: My Department is working closely with other statutory agencies and the PSNI to ensure that migrant workers and minority groups get the support they need.

The Hate Incidents Practical Action (HIPA) Scheme is a regional initiative that is jointly supported by the Northern Ireland Office Community Safety Unit, PSNI and the Housing Executive (NIHE), and provides personal and home security measures for victims of hate incidents.

In 2007, the Criminal Justice Inspection for Northern Ireland published a thematic review of the management of hate crime by the criminal justice system in Northern Ireland. In response to the report, the Community Safety Forum, a sub-group of the Criminal Justice Board, has drawn up an Action Plan to address the recommendations and to underpin the commitment of the criminal justice system to tackling hate crime.

All criminal justice organisations are working to improve their response to hate crime and to provide help and support to the victims of such crimes.

Northern Ireland Youth Justice Agency: Manpower

Andrew Rosindell: To ask the Secretary of State for Northern Ireland how many people work for the Youth Justice Agency. [282307]

Paul Goggins: As of 31 March 2009, the Youth Justice Agency had 368 permanent staff in post.

Police Service of Northern Ireland: Recruitment

Andrew Rosindell: To ask the Secretary of State for Northern Ireland what steps the Police Service for Northern Ireland (PSNI) is taking to increase the number of Catholic recruits to the PSNI. [282280]

Paul Goggins: That is an operational matter for the Chief Constable. I have asked him to reply directly to the hon. Member, and a copy of his letter will be placed in the Library of the House.

Police Service of Northern Ireland: Reserves

Mr. Laurence Robertson: To ask the Secretary of State for Northern Ireland how many part-time reservists have been retained by the Police Service of Northern Ireland in each of the last 10 years for which figures are available. [282741]

Paul Goggins: That is an operational matter for the Chief Constable. I have asked him to reply directly to the hon. Member, and a copy of his letter will be placed in the Library of the House.

INTERNATIONAL DEVELOPMENT

Developing Countries: Homophobia

Andrew Rosindell: To ask the Secretary of State for International Development what recent steps his Department has taken to combat homophobia in developing countries. [282285]

Chris Bryant: I have been asked to reply.

The UK believes that every state has an obligation to protect the rights of all its citizens, including lesbian, gay, bisexual and transsexual (LGBT) people, without discrimination of any kind. We regularly raise this with governments of countries where the rights of LGBT people are violated. In countries where same sex relationships are illegal, we continue to press for decriminalisation.

In 2008 the Foreign and Commonwealth Office launched a "toolkit" designed to provide guidance to our posts to help them in lobbying host governments to protect LGBT rights. We work extensively through the EU and other actors to promote LGBT rights including through wider equality and non-discrimination initiatives. At the end of 2008, the UK was heavily involved in lobbying for support for the joint UN Statement on the Rights of LGBT people at the UN General Assembly. This was supported by a number of developing countries.

LEADER OF THE HOUSE

Legislation

Mr. Llwyd: To ask the Leader of the House when she expects the Government's Draft Legislative Programme for 2009-10 to be published; and if she will make a statement. [282650]

Barbara Keeley: The Government's Draft Legislative Programme was published today as part of 'Building Britain's Future.'

Written Questions

Mr. Greg Knight: To ask the Leader of the House what steps she intends to take to improve the system of written Parliamentary questions in the House. [282679]

Barbara Keeley: My right hon. Friend and I keep the issue of written parliamentary questions under constant review and we await with interest the report of the right hon. Gentleman's committee.

FOREIGN AND COMMONWEALTH OFFICE

British Overseas Territories

Andrew Rosindell: To ask the Secretary of State for Foreign and Commonwealth Affairs pursuant to the answer of 16 June 2009, *Official Report*, column 166W, on British Overseas Territories: young offenders, how many of the personal records held on the Overseas Territories Regional Crime Intelligence System relate to cross-border drug offences. [282286]

Chris Bryant: There are 28,175 records relating to all drug offences on the Overseas Territories Regional Criminal Intelligence System. However, the system is not designed to differentiate between offences for drug use and those relating specifically to the movement of drugs across borders.

Andrew Rosindell: To ask the Secretary of State for Foreign and Commonwealth Affairs what acreage of land in the (a) Cayman Islands and (b) British Virgin Islands was designated as (i) environmentally protected and (ii) a site of scientific interest in the last five years. [282311]

Chris Bryant: The information requested is held by the Governments of the Cayman Islands and the British Virgin Islands. Due to capacity constraints in both

Territories, neither has been able to provide the information in the time available. We will revert with the information as soon as we receive it.

Cayman Islands

Andrew Rosindell: To ask the Secretary of State for Foreign and Commonwealth Affairs whether Royal Navy ships are deployed in the Caribbean to combat illegal immigration in the Cayman Islands. [282309]

Chris Bryant: Royal Navy vessels are deployed to the Caribbean primarily to support the security of the Caribbean Overseas Territories and Bermuda during the hurricane season.

The Cayman Islands Government are responsible for matters related to illegal immigration.

Cayman Islands: Tourism

Andrew Rosindell: To ask the Secretary of State for Foreign and Commonwealth Affairs how many British tourists visited the Cayman Islands in each of the last 10 years. [282312]

Chris Bryant: The Economics and Statistics Office in the Cayman Islands collates visitor arrivals figures by country of origin. These are available at:

<http://www.eso.ky/pages1.php?page=tourismstatistics>

Commonwealth: Meetings

Mr. Keith Simpson: To ask the Secretary of State for Foreign and Commonwealth Affairs when the (a) Commonwealth Heads of Government Meeting and (b) Commonwealth Foreign Ministers' meeting in 2011 are scheduled to take place. [282592]

Mr. Ivan Lewis: The Commonwealth Secretariat ordinarily arranges Commonwealth Heads of Government Meetings (CHOGM) for November. In a CHOGM year Commonwealth Foreign Ministers usually meet twice. The first meeting is usually held in the margins of UN General Assembly meetings in September. They then typically meet again immediately prior to CHOGM itself. We have no confirmation of dates, but have no reason to believe this arrangement will be any different in 2011.

Departmental Air Travel

Daniel Kawczynski: To ask the Secretary of State for Foreign and Commonwealth Affairs pursuant to the answer of 1 June 2009, *Official Report*, column 233W, on departmental air travel, whether duty staff travelling on journeys by air of over three hours duration may (a) claim for business class travel as part of the cost of a first class ticket and (b) travel in economy class but claim for a business class ticket. [281710]

Chris Bryant: Staff travelling on duty journeys (official trips) are required to use approved routes, which are usually the most direct and economical. Staff on duty journeys are not permitted to fly in first class and are not permitted to downgrade to a lower class of travel and save or use the balance. Any fare saved by downgrading accrues to the Foreign and Commonwealth Office.

Departmental Energy

Gregory Barker: To ask the Secretary of State for Foreign and Commonwealth Affairs which official is responsible for the energy efficiency of his Department's estate. [280554]

Chris Bryant: Sir Peter Ricketts, the Permanent Under-Secretary of State, has overall responsibility for the energy efficiency of the Foreign and Commonwealth Office.

Departmental Reports

Daniel Kawczynski: To ask the Secretary of State for Foreign and Commonwealth Affairs what unclassified reports his Department's policy planning staff have produced in the last 12 months. [282661]

David Miliband: The Foreign and Commonwealth Office (FCO) Strategy Unit (formerly Policy Planning Staff) has produced reports on a range of subjects in this period in order to stimulate policy debate within the FCO. Only one of these has not had a formal classification: on the role of non-traditional actors in foreign policy.

General Affairs and External Relations Council: Meetings

Mr. Keith Simpson: To ask the Secretary of State for Foreign and Commonwealth Affairs when the meetings of the General Affairs and External Relations Council in 2010 and 2011 are scheduled to take place. [282588]

Chris Bryant: Spain has announced provisional dates for the General Affairs and External Relations Council for January to June 2010, when it will hold the presidency of the Council of the EU. These dates are as follows:

25-26 January 2010
22-23 February 2010
22-23 March 2010
26-27 April 2010
10-11 May 2010
14-15 June 2010

No dates are yet available for July 2010 onwards.

Gibraltar

Andrew Rosindell: To ask the Secretary of State for Foreign and Commonwealth Affairs pursuant to the answer of 15 June 2009, *Official Report*, column 73W, on Gibraltar, whether he plans to meet (a) his Spanish counterpart and (b) representatives of EU institutions to discuss the matter further. [282277]

Chris Bryant: As stated in my previous answer, the UK has made written and oral representations to Spain and to the EU Commission at ministerial and official level. The UK will continue to seek opportunities to raise this matter with the Commission and Spain until such time as the issue is resolved.

Global Security

Mr. Dai Davies: To ask the Secretary of State for Foreign and Commonwealth Affairs when he plans to respond to the Fourth Report of the Foreign Affairs Committee of Session 2008-09, on Global Security: Non-proliferation, HC 222. [282445]

Chris Bryant: The Foreign and Commonwealth Office will carefully consider the conclusions and recommendations of the report of the Foreign Affairs Committee and reply within two months of its publication

Iran: British Nationality

Andrew Rosindell: To ask the Secretary of State for Foreign and Commonwealth Affairs how many British nationals are living in Iran. [282296]

Chris Bryant: We do not hold an exact figure for the number of British nationals living in Iran. Our overseas registration system, LOCATE, currently has 306 British nationals registered as living in Iran. Of this figure 281 are resident and 25 are visitors (business/family/education/tourist). However, as there is no obligation to register through LOCATE, the actual figure may be considerably higher.

We continue to encourage all British nationals abroad to register using the LOCATE system.

Madeleine McCann

Mr. Lidington: To ask the Secretary of State for Foreign and Commonwealth Affairs whether the Government has made any representations to the Portuguese authorities on pursuing its investigation into the disappearance of Madeleine McCann in the last six months. [282490]

Chris Bryant: Our embassy in Lisbon has continued to raise the case with the Portuguese authorities. The head of the Portuguese Criminal Investigation Police has made clear to the embassy that he is ready to consider any credible new leads that come to light.

North America: Embassies

Mr. Keith Simpson: To ask the Secretary of State for Foreign and Commonwealth Affairs what consultations his Department held prior to its decision to transfer the passport issue service from the British High Commission in Ottawa to the North American Passport Production Centre; and if he will make a statement. [282593]

Mr. Ivan Lewis: The decision to transfer passport services from the British high commission in Ottawa to the British embassy in Washington was taken by an internal Foreign and Commonwealth Office (FCO) Consular Programme Board in September 2008. This followed consultation with the high commissioner in Ottawa and the ambassador in Washington, other senior managers in both posts, the consular regional director for North America and the geographical directorate in the UK. The FCO director general for change and delivery and the permanent under secretary were both invited to comment on the board's recommendation and subsequently endorsed the decision.

Treaty of Lisbon

Mr. Cash: To ask the Secretary of State for Foreign and Commonwealth Affairs what legal advice he (*a*) sought and (*b*) received on the implications for the validity of existing ratifications of the text of the Lisbon Treaty of the changes made to that treaty by the arrangements entered into by the European Council on 18 and 19 June; and if he will make a statement. [282594]

Chris Bryant [*holding answer 26 June 2009*]: My right hon. Friend the Prime Minister made clear in his statement to Parliament on 23 June 2009, *Official Report*, column 662 that:

“When the Council met in December, we agreed that we would seek to provide the legal assurances that Ireland needed to move forward on the Lisbon treaty—that is, on taxation, defence, the right to life, education and the family. But we were equally clear in doing so that there could be no change or amendment to the treaty, only clarification of what it will and will not do. That is exactly the purpose of the guarantees that the Council has agreed for Ireland.”

Mr. Cash: To ask the Secretary of State for Foreign and Commonwealth Affairs pursuant to the Prime Minister’s Statement of 23 June 2009, *Official Report*, columns 661-77, on the European Council, if he will withdraw the UK’s instrument of ratification of the Lisbon Treaty. [282595]

Chris Bryant [*holding answer 26 June 2009*]: As my right hon. Friend the Prime Minister made clear in his statement to Parliament on 23 June 2009, *Official Report*, column 662, the guarantees for Ireland agreed at the June European Council make “no change or amendment to the treaty, only clarification of what it will and will not do”.

Parliament has decided on the Lisbon treaty. The treaty was debated in detail in Parliament over 25 days; both Houses voted strongly in favour at every stage. The EU (Amendment) Bill which implements the Lisbon treaty in UK law received Royal Assent on 19 June 2008, and the Government ratified the treaty on 16 July 2008.

UN General Assembly: Meetings

Mr. Keith Simpson: To ask the Secretary of State for Foreign and Commonwealth Affairs when the opening sessions of the United Nations General Assembly in 2010 and 2011 are scheduled to take place. [282591]

Mr. Ivan Lewis: The UN General Assembly session opens on the third Tuesday in September every year, as per rule number 1 of its Rules of Procedure available at the UN website.

This will be 21 September 2010 and 20 September 2011. The general debate is normally held the subsequent week.

TREASURY

Departmental Billing

Mr. Philip Hammond: To ask the Chancellor of the Exchequer pursuant to the answer of 1 June 2009, *Official Report*, column 50W, on departmental billing, how much his Department’s non-departmental public

bodies paid in interest under the Late Payment Commercial Debts (Interest) Act 1998 in the last three years. [282322]

Sarah McCarthy-Fry: The Treasury does not have responsibility for any non-departmental public bodies.

Departmental Data Protection

Mr. Blunt: To ask the Chancellor of the Exchequer how many breaches of information security there have been at (*a*) his Department and (*b*) its agencies in the last five years. [281087]

Sarah McCarthy-Fry: The Treasury Group reports all significant personal data security breaches to the Cabinet Office and the Information Commissioner’s Office. Information on personal data security breaches are published on an annual basis in the Department’s annual resource accounts as was announced in the Data Handling Review published on 25 June 2008. The Department has had no personal data security breaches in the last five years.

Additionally, any significant control weaknesses—including other significant security breaches (of which there have been none during the last five years)—are required to be included in the Statement of Internal Control, published within the Department’s annual resource accounts.

In the five years to 2008-09 there were six less significant breaches of information security.

Departmental Pay

Mr. Llwyd: To ask the Chancellor of the Exchequer which of his Department’s (*a*) agencies and (*b*) non-departmental public bodies have submitted bids for efficiency savings to be used for pay improvements in 2009 pay offers. [283029]

Sarah McCarthy-Fry: No agency of Treasury has submitted a bid for efficiency savings to be used for pay improvements in 2009. Treasury has no non-departmental public bodies under its aegis.

Furnished Holiday Lettings Scheme Regulations

Mr. Oaten: To ask the Chancellor of the Exchequer (1) if he will consult representatives of the (*a*) tourism sector and (*b*) holiday lettings industry on the proposed changes to the Furnished Holiday Lettings Scheme regulations; [282213]

(2) if he will assess the likely effects on (*a*) the economy of rural and coastal areas and (*b*) rural tourism businesses of the changes to the Furnished Holiday Lettings Scheme announced in Budget 2009. [282214]

Mr. Timms: The Government announced the withdrawal of the furnished holiday lettings scheme from 2010 at the 2009 Budget. It will bring forward legislation to achieve this aim in the 2010 Finance Bill.

The Government will be publishing draft legislation for consultation at the pre-Budget report. An impact assessment will also be published at this time.

IBC Vehicles (General Motors) Luton

Margaret Moran: To ask the Chancellor of the Exchequer what assessment he has made of the likely effects on IBC Vehicles (General Motors) Luton of the proposed car scrappage scheme; and if he will make a statement. [271422]

Sarah McCarthy-Fry: Through the temporary vehicle scrappage scheme, announced at Budget 2009, a discount of £2,000 will be offered to consumers buying a new vehicle to replace a vehicle more than 10 years old which they have owned for more than twelve months. This discount will be co-funded by Government and manufacturers, with the Government setting aside up to £300 million for the scheme.

Assessments of the impact of the temporary vehicle scrappage scheme on individual manufacturers have not been made and are likely to be commercially confidential. Currently, 38 manufacturers, including General Motors UK, are participating in the scheme. The latest figures suggest that over 74,000 vehicles have been ordered through the scheme.

Landsbanki: Guernsey

Mr. Letwin: To ask the Chancellor of the Exchequer (1) pursuant to the answer of 13 May 2009, *Official Report*, column 851W, on Landsbanki: Guernsey, whether he has offered the Guernsey authorities a loan with a view to progressing payments to depositors affected by the failure of Landsbanki Guernsey; [282188]

(2) what the timetable is for the conclusion of discussions between his Department and the Guernsey authorities in relation to depositors affected by the failure of Landsbanki Guernsey. [282189]

Sarah McCarthy-Fry: Treasury Ministers and officials have meetings and discussions with a wide variety of organisations in the public and private sectors as part of the process of policy development and delivery. As was the case with previous Administrations, the Government do not disclose the outcome or results of all such meetings and discussions.

Lenders' Panel

Grant Shapps: To ask the Chancellor of the Exchequer pursuant to the answer of 2 June 2009, *Official Report*, column 413W, on the Lenders' Panel, on which dates the panel has met since its creation; and which members attended each meeting. [278595]

Sarah McCarthy-Fry: The lending panel was established at the 2008 pre-Budget report and meets on a monthly basis.

Treasury Ministers and officials have meetings with a wide variety of organisations in the public and private sectors as part of the process of policy development and delivery. As has been the case with previous Administrations, it is not the Government's practice to provide details of all such meetings.

Poverty

Mr. Sanders: To ask the Chancellor of the Exchequer with reference to the answer to the hon. Member for Dundee West of 16 April 2007, *Official Report*, column 422W, on working tax credit, what the evidential basis was for the statement that it is those aged 25 years or over who are most likely to face poorer incentives to work or suffer persistent poverty in work. [282640]

Mr. Timms: Analysis has shown that introduction of the working tax credit halted a sharp fall in the employment rate of people without children at age 25. This analysis was published in March 2008 in "Working Tax Credit and Labour Supply: Treasury Economic Working Paper No. 3", available online at:

http://www.hm-treasury.gov.uk/d/bud08_workingpaper3_455.pdf

The Labour Force Survey, conducted by the Office for National Statistics, also shows that while working people experience substantial wage growth up to around age 25, wage growth for those aged 25 and over is much slower. Someone who is still on a low income by the age of 25 or over is therefore more likely to experience persistent poverty.

Tax Credit Office: Correspondence

James Duddridge: To ask the Chancellor of the Exchequer how long on average the Tax Credit Office took to respond to written queries in the latest period for which figures are available; and if he will make a statement. [282923]

Mr. Timms: The information is not available.

Welfare Tax Credits

Mr. Philip Hammond: To ask the Chancellor of the Exchequer how much was paid out in tax credits to deceased claimants in each of the last three financial years; and how much in such payments has been recovered from the estates of the deceased. [282339]

Mr. Timms: For information about the amount of overpaid tax credits, attributable to deceased claimants up to and including 2006-07, I refer the hon. Member to the answers my predecessor (Jane Kennedy) gave him on 8 October 2007, *Official Report*, column 244W and on 10 July 2008, *Official Report*, column 1786W. The equivalent figure for 2007-08 was around £2 million and information for 2008-09 will be available in May 2010. Such overpayments can arise due to the time taken to notify HMRC of a death.

HM Revenue and Customs do not maintain separate records of the amounts of overpaid tax credits recovered from the estates of deceased claimants.

COMMUNITIES AND LOCAL GOVERNMENT**City Regions**

Mrs. Spelman: To ask the Secretary of State for Communities and Local Government when he expects to announce the first pilot city regions. [282392]

Ms Rosie Winterton: The Chancellor of the Exchequer announced in Budget 2009 Greater Manchester and Leeds city region as city-region pilots.

Council Tax: Valuation

Mrs. Spelman: To ask the Secretary of State for Communities and Local Government whether the automated valuation model is used for the purpose of council tax valuations and revaluations in (a) England and (b) Wales. [282396]

Ms Rosie Winterton: The information is as follows:

(a) Not at present.

(b) This is a matter for the Welsh Assembly Government.

Economic Prosperity Boards

Mrs. Spelman: To ask the Secretary of State for Communities and Local Government in what ways the (a) role, (b) powers and (c) funding of economic prosperity boards will differ from those held by local authorities. [282387]

Ms Rosie Winterton: The precise role, powers and funding of an economic prosperity board will be proposed by the group of local authorities wishing to form the board, and will be confirmed in a statutory order made by the Secretary of State. Economic prosperity boards will be required to perform their functions with a view to promoting the economic development and regeneration of their area. They will be funded by their constituent local authorities and will not have precepting or levying powers.

Homes and Communities Agency

Grant Shapps: To ask the Secretary of State for Communities and Local Government (1) what remuneration the members of the Homes and Communities Agency's Housing Finance Group will receive; [282607]

(2) what budget the Homes and Communities Agency has assigned to its Housing Finance Group in each of the next two years; [282608]

(3) how often he expects the Homes and Communities Agency's Housing Finance Group to meet; and if he will make a statement; [282609]

(4) by what date he expects the Homes and Communities Agency's Housing Finance Group to submit its proposals to the Agency. [282610]

John Healey: The details of when the HCA's Housing Finance Group will meet and when it will report are on the HCA's website at:

<http://www.homesandcommunities.co.uk/finance--advise-investment-housing.htm>

The group has no budget of its own but any costs associated with the group's work will be absorbed by other HCA budgets that have been identified for work of this nature.

Members of this group will be paid travel and subsistence costs where appropriate apart from the chair who is taking on this position as part of his wider duties as an adviser to the HCA. Remuneration for his role as consultant is currently in negotiation and will be published in due course.

Housing: Asbestos

Simon Hughes: To ask the Secretary of State for Communities and Local Government what guidance his Department provides to (a) local authorities, (b) leaseholders and (c) tenants about the health risks from asbestos in residential property; and if he will make a statement. [282466]

Mr. Ian Austin: The housing health and safety rating system (HHSRS) is a risk based evaluation tool to help local authorities identify and protect against potential risks and hazards to health and safety from any deficiencies identified in dwellings. It was introduced under the Housing Act 2004 and came into effect on 6 April 2006. It applies to all residential properties in England.

The HHSRS assesses 29 categories of housing hazard, each hazard has a weighting which will help determine whether the property is rated as having category 1 (serious) or category 2 (other) hazards. Asbestos (and manufactured mineral fibres) are one of the hazards.

In February 2006, "Housing Health and Safety Rating System: Operating Guidance" and "Housing Health and Safety Rating System: Enforcement Guidance" were published. In May 2006 "Housing Health and Safety Rating System: Guidance for Landlords and Property Related Professionals" was published.

Mortgages: Government Assistance

Bob Spink: To ask the Secretary of State for Communities and Local Government how many people have (a) received and (b) been refused assistance under the Mortgage Rescue Scheme in (i) Essex and (ii) Castle Point in each month since its inception. [282079]

John Healey: The Mortgage Rescue Scheme has been operational across England since January 2009. As part of the monitoring arrangements for the scheme, headline data for January - April 2009, provided by local authorities operating the scheme and broken down by Government office region, are available on the Department's website, by following the link:

<http://www.communities.gov.uk/publications/corporate/statistics/mortgagerescuestatistics>.

Figures reported by local authorities from January - April 2009 are provided in a table, which has been placed in the Library.

In the current economic conditions, we have acted rapidly to put in place help and support for households struggling with their mortgage at every stage: from free debt advice when problems start, to free support for cases that reach court. Advice is available to all households struggling with their mortgage, with targeted schemes for those in most need.

Mr. Jenkins: To ask the Secretary of State for Communities and Local Government how many people in negative equity have received assistance under the Mortgage Rescue Scheme. [282433]

John Healey: In the current economic conditions, we have acted rapidly to put in place help and support for households struggling with their mortgage at every stage: from free debt advice when problems start, to free support for cases that reach court. From 1 May, the

Mortgage Rescue Scheme was expanded to include some households in negative equity. Monitoring data is available from:

<http://www.communities.gov.uk/publications/corporate/statistics/mortgagerescuestatistics>

This does not currently include specific information about applicants in negative equity.

Joan Ryan: To ask the Secretary of State for Communities and Local Government how many people have (a) received and (b) been declined assistance under the Mortgage Rescue Scheme in (i) the London Borough of Enfield and (ii) Enfield North constituency in each month since the scheme was established. [282567]

John Healey: I refer my hon. Friend to the answer I gave the hon. Member for Castle Point (Bob Spink) today (PQ 282079).

Grant Shapps: To ask the Secretary of State for Communities and Local Government how many households in (a) Welwyn Hatfield and (b) Hertfordshire have (i) applied for and (ii) been accepted to the Mortgage Rescue Scheme. [282963]

John Healey: I refer the hon. Member to the answer I gave to the hon. Member for Castle Point (Bob Spink) today (PQ 282963).

Planning: Travelling People

John Howell: To ask the Secretary of State for Communities and Local Government which regional spatial strategies are being reviewed in relation to provision for sites for Gypsies and Travellers; and when he expects each such review to be completed. [282927]

Mr. Ian Austin: The following regional spatial strategies are being reviewed to address the accommodation needs of Gypsies and Travellers.

North-west, Regional car parking standards, Gypsy and Travellers and Travelling Show people, review scheduled to be completed by 2010;

Yorkshire and Humber, review scheduled to be completed by 2011; West Midlands phase 3, review scheduled to be completed by 2011;

East of England, Gypsy and Travellers alterations, review scheduled to be completed by 2009;

South-east, Gypsy and Travellers alterations, review scheduled to be completed by 2010;

South-west, full review, date of completion to be confirmed; and

London, full review scheduled to be completed by 2011.

John Howell: To ask the Secretary of State for Communities and Local Government what the 2006 baseline requirement for Gypsy and Traveller pitches is in each region; and what requirement for such pitches for the period 2006 to 2016 has been included in each (a) finalised and (b) draft regional spatial strategy. [282928]

Mr. Ian Austin: There is no baseline requirement for Gypsy and Traveller pitches.

The pitch figures included in RSSs are informed by Gypsy and Traveller accommodation assessments (GTAA)

which are prepared by local authorities and fed upwards to the regional planning body which drafts the RSS.

The timescale for the delivery of pitch numbers contained in RSSs varies from region to region, but they typically reflect a need over a five year period.

The pitch numbers contained in each draft and finalised regional spatial strategy is set out as follows:

Draft Regional Spatial Strategies

North-west, partial review, pitch figures being worked up.

Yorkshire and Humber, full review, pitch figures being worked up.

West Midlands, phase 3, pitch figures being worked up.

East of England, partial review, 1,237 pitches.

South-east, partial review, 1,064 pitches.

South-west, full review, 1,672 pitches.

London, full review, 768 pitches.

Finalised Regional Spatial Strategies

North-east, full review, 166 pitches.

North-west, full review, no pitch figures.

Yorkshire and Humber, full review, 255 pitches.

East Midlands, full review, 883 pitches.

East of England, full review, no pitch figures.

South-east, full review, no pitch figures.

London, full review, no pitch figures.

Working Neighbourhoods Fund

Mr. Sanders: To ask the Secretary of State for Communities and Local Government if he will make it his policy to distribute the Working Neighbourhoods Fund to those super output areas within the highest 10 per cent. of deprivation. [282632]

Ms Rosie Winterton: Working Neighbourhoods Fund is distributed to local authorities that:

have 20 per cent. or more of their lower super output areas in the most deprived 10 per cent. on the employment domain of the index of multiple deprivation 2007; and/or

have 20 per cent. or more of their lower super output areas in the most deprived 10 per cent. on the overall index of multiple deprivation 2007; and/or

are ranked among the top 50 districts with the highest combined benefit/non-employment rate.

The eligibility criteria were the subject of consultation and were carefully developed to ensure that the available funds provided sufficient resource to make a difference in deprived communities with problems of worklessness.

There are no current plans to change the distribution, and we have announced indicative funding for the 2008-09 to 2010-11 spending period.

WORK AND PENSIONS

Jobseeker's Allowance: Construction Industry

15. **Ms Keeble:** To ask the Secretary of State for Work and Pensions what recent assessment she has made of entitlement to jobseeker's allowance of construction industry workers during periods of temporary unemployment; and if she will make a statement. [282362]

Jim Knight: A construction industry worker or anyone else who has been temporary laid-off work, or who is on short-time working, may be entitled to JSA provided they meet certain conditions.

There are no plans to review this policy.

Employment Support Allowance

16. **Jim Sheridan:** To ask the Secretary of State for Work and Pensions what recent assessment she has made of the merits of exempting terminally and chronically-ill employment support allowance claimants from back-to-work interview requirements. [282363]

Jonathan Shaw: In establishing employment and support allowance, we recognised that there are people for whom it would be unreasonable to expect to engage in work-related activity.

These individuals are identified through the work capability assessment and are placed in the support group. They do not have to take part in work-focused interviews. People who are terminally ill are also placed in the support group. Whether or not those who are chronically ill have to attend interviews would depend on the outcome of the work capability assessment.

Customers in the support group may access appropriate support provision voluntarily. I believe that this continues to be the right approach and have no plans for placing conditionality requirements upon them.

Jobseeker's Allowance

19. **Mr. Hollobone:** To ask the Secretary of State for Work and Pensions how many jobseeker's allowance claimants there were in Kettering constituency (*a*) in May 1997 and (*b*) on the latest date for which figures are available. [282366]

Jim Knight: There were 1,498 jobseeker's allowance claimants in May 1997 and 2,729 in May 2009 in Kettering constituency.

21. **Mr. Swire:** To ask the Secretary of State for Work and Pensions how many jobseeker's allowance claimants there were in (*a*) the UK and (*b*) East Devon constituency on the latest date for which figures are available. [282368]

Jim Knight: In May 2009, there were 1,516,921 jobseeker's allowance claimants in Great Britain and 1,063 in Devon East constituency.

Angela Watkinson: To ask the Secretary of State for Work and Pensions how many jobseeker's allowance claimants there were in (*a*) the UK and (*b*) Upminster constituency on the latest date for which figures are available. [282358]

Jim Knight: In May 2009, there were 1,516,921 jobseeker's allowance claimants in Great Britain and 1,730 in Upminster constituency.

Employment: Learning Disabilities

20. **Alison Seabeck:** To ask the Secretary of State for Work and Pensions what steps she is taking to assist people with a learning disability to secure employment. [282367]

Angela Eagle: 'Valuing Employment Now: Real Jobs for People with Learning Disabilities' was launched jointly by this Department and the Department for Health on 24 June 2009.

'Valuing Employment Now' is based on the Government's belief that all people with learning disabilities, like all other people, can and should have the chance to work. To deny people that opportunity is a waste of talent for the individuals, employers, society, and the wider economy.

'Valuing Employment Now' therefore sets out the Government's goal to increase radically the number of people with moderate and severe learning disabilities in employment by 2025.

This is a challenging goal, but one we are committed to.

Older People: Recession

22. **Mr. Joyce:** To ask the Secretary of State for Work and Pensions what steps her Department is taking to assist older people during the recession. [282369]

Angela Eagle: I refer my hon. Friend to the answer I gave the hon. Member for Coventry, South (Mr. Cunningham) on 22 June 2009, *Official Report*, column 683W.

Long-term Incapacity Benefit

Philip Davies: To ask the Secretary of State for Work and Pensions what assistance the Government are providing to long-term incapacity benefit claimants. [282360]

Jonathan Shaw: We have already invested heavily to support existing incapacity benefit customers into work by ensuring they can volunteer for any appropriate back to work support available in Pathways to Work. Our recent White Paper announced a strong package of new initiatives to provide further support to this group, including pilots of new innovative approaches such as the "invest to save" pathfinders recommended by David Freud.

Disabled People

Jim Dobbin: To ask the Secretary of State for Work and Pensions what steps her Department is taking to assist disabled people to live independently. [282364]

Jonathan Shaw: Independent living is at the heart of the Government's strategy for disabled people and the office for Disability Issues is leading on two major cross-Government initiatives.

The Independent Living Strategy, published in 2008 sets out a five-year plan for making progress on delivering choice and control for all disabled people.

The new Welfare Reform Bill will further empower disabled people by creating a new right giving them greater choice and control over certain state funding streams known as the "Right to Control".

Apprenticeships

Mr. Heald: To ask the Secretary of State for Work and Pensions what recent discussions she has had with the Secretary of State for Business, Innovation and Skills on the relationship between the level of unemployment and the number of apprenticeships available. [282365]

Jim Knight: My Department and that of the Minister of State, Department for Business, Innovation and Skills remain in close contact on a wide range of matters relating to unemployment. Apprentices who lose their placements and become unemployed and claim benefit will have access to all the targeted support offered by Jobcentre Plus to help them move into work as quickly as possible.

Departmental Press

Mr. Philip Hammond: To ask the Secretary of State for Work and Pensions what (a) newspapers and (b) periodicals are delivered to the private office of each Minister in her Department; and at what cost in the latest period for which figures are available. [279425]

Jonathan Shaw: The following newspapers and periodicals were delivered to the ministerial private offices for the financial year 1 April 2008 to 31 March 2009:

Newspaper/periodical titles

Economist
Time magazine
Newsweek
Financial Times
Times
Daily Telegraph
Guardian
Independent
Daily Mail
Daily Express
Daily Mirror
Sun
Spectator
Evening Standard
New Statesman
Private Eye
Tribune
Birmingham Post
Yorkshire Post
Glasgow Herald
Daily Record
Scotsman
Voice Weekly
Eastern Eye
Asian Women
Gay Times
Womens Health
Community Care

Total cost: £13,128.35

The DWP Library delivers (a) newspapers (b) periodicals to the various Private Offices. Private Offices also receive other publications, such as trade publications and charity magazines direct from other organisations. Information on these is not held centrally so not possible to provide. Some of the publications listed were cancelled during the course of the financial year 2008-09.

Pensions: Regulation

Gordon Banks: To ask the Secretary of State for Work and Pensions what representations she has received on the supply by individual pension providers of updated information to customers under pension simplification regulations. [282349]

Angela Eagle: I am not aware of any specific representations.

UN Convention on the Rights of Persons with Disabilities

Mr. Harper: To ask the Secretary of State for Work and Pensions pursuant to the written ministerial statement of 8 June 2009, *Official Report*, columns 27-28WS, on the UN Convention on the Rights of Persons with Disabilities, whether the optional protocol to the convention will be designated a European Community Treaty. [282744]

Jonathan Shaw: No, the Government's view is that this is not necessary.

CULTURE, MEDIA AND SPORT

Departmental Pay

John McDonnell: To ask the Secretary of State for Culture, Media and Sport which (a) sections of his Department and (b) non-departmental public bodies for which his Department is responsible have requested money saved from efficiency savings to be used for increased pay in their 2009 pay offers to staff. [282537]

Mr. Bradshaw [holding answer 26 June 2009]: Neither DCMS nor the non-departmental public bodies it is responsible for have made any such requests.

Mass Media: Competition

Mr. Drew: To ask the Secretary of State for Culture, Media and Sport if he will assess the likely effects of limiting each media company to single proprietor or group ownership in the media industry; and if he will make a statement. [281776]

Mr. Simon: The Communications Act 2003 requires Ofcom to conduct a statutory review of the media ownership rules every three years. Ofcom are now undertaking such a review and are expected to report back later in the year.

Museums, Libraries and Archives Council

Mr. Vaizey: To ask the Secretary of State for Culture, Media and Sport what estimate he has made of the cost to the public purse of moving the Acquisitions, Export and Loans Unit of the Museums, Libraries and Archives Council from London to Birmingham. [282534]

Barbara Follett [holding answer 26 June 2009]: The Museums, Libraries and Archives Council (MLA) has advised that the costs of moving its acquisitions, export and loans unit to Birmingham are estimated to be in the region of £350,000-£400,000. This figure includes the costs of redundancies, recruitment and retention costs, some additional staffing and travel costs during the transitional period, and a small amount for physical infrastructure for the new unit.

MLA has advised that these costs will be met from within its existing budget and that full details of expenditure will be published in its annual report and accounts.

National Lottery: Essex

Bob Spink: To ask the Secretary of State for Culture, Media and Sport how much Lottery funding has been awarded to sport-related groups in (a) Essex and (b) Castle Point in each of the last five years. [282078]

Mr. Simon: The information in the following table gives details of national lottery funding awarded to sport-related groups in Essex and Castle Point in each of the last five years.

Financial year	£	
	Essex	Castle Point
2004-05	9,635,885	368,937
2005-06	2,121,264	4,978
2006-07	1,362,773	18,034
2007-08	3,644,830	22,055
2008-09	2,164,121	40,790

The information comes from the DCMS's lottery grants database, with additional detail from the Big Lottery Fund. The database is searchable at:

www.lottery.culture.gov.uk

and uses information on lottery grants supplied by the lottery distributors.

Radio

Mr. Don Foster: To ask the Secretary of State for Culture, Media and Sport what estimate his Department has made of the number of analogue radios in use in the UK. [282621]

Mr. Simon: Ofcom's research in September 2008 showed that about 45.9 million analogue radio devices were in use in the UK at least once a week. In addition their research showed that there were about 22.5 million cars with an analogue radio.

Tourism

Mr. Sanders: To ask the Secretary of State for Culture, Media and Sport what guidance his Department and its agencies provide to local authorities on the provision of events to attract tourists and visitors. [281270]

Barbara Follett: My Department has been working with the Tourism Alliance, the Department for Communities and Local Government, and the local authorities to ensure that tourism-related issues and activities have a more central place in planning guidance.

In addition, my Department has developed, in partnership with the regional development agencies, the Local Government Association, and various local authorities, a document entitled "Place Making: A Charter for Destination Management", which provides best practice guidance to local authorities on the support and promotion of the visitor economy.

VisitBritain provides guidance in the form of its eventBritain programme, and maintains a dedicated website at:

www.eventbritain.co.uk

that outlines its areas of support for UK bidding partners on international events.

Mr. Sanders: To ask the Secretary of State for Culture, Media and Sport what mechanisms are in place to ensure the co-ordination of tourism marketing between regional development agencies and Visit Britain. [281570]

Barbara Follett: DCMS and VisitBritain work closely with partners in the regions. The chair of the South West of England Regional Development Agency (SWRDA) (the lead RDA for tourism) sits as an observer on the board of VisitBritain; and representatives of VisitBritain and DCMS participate in regular meetings of the RDA Tourism Leads Group. DCMS and VisitBritain also work with the Local Government Association, and with destination management bodies such as the British Resorts and Destinations Association and Destination Performance UK.

The "Partners for England" initiative, (led by SWRDA and Visit England, and supported by DCMS), is working to develop better resource and policy co-ordination at national, regional and local levels, bringing together stakeholders to address better local authority engagement and performance; improved marketing co-ordination and coherence; improved tourism data and intelligence; and strengthened leadership and co-ordination structures.

The British Tourism Framework Review led by VisitBritain sets a new agenda for tourism, including better co-ordination of the funding invested in tourism and to identify ways to improve the efficiency and effectiveness of the public sector support for tourism. The review was published by VisitBritain on 11 February and set out recommendations aimed at better co-ordination of the significant public investment being made centrally, regionally and locally. The review's proposals also involve the restructuring of VisitBritain and developing the role of Visit England, which will market England within a more focused partnership at national, regional and local levels.

Tourism: East of England

Nadine Dorries: To ask the Secretary of State for Culture, Media and Sport how much funding his Department allocated for the development of the tourism sector in (a) Mid Bedfordshire constituency and (b) the East of England in each year since 1997; and if he will make a statement. [280101]

Barbara Follett: Responsibility for tourism in the regions was taken over by the regional development agencies (RDAs) in 2003. Funding for the RDAs is not ring-fenced for particular economic sectors, such as tourism. In each year between 2003-04 and 2007-08, the Department for Culture, Media and Sport (DCMS) contributed £3.6 million to the Department for Business, Innovation and Skills (BIS) single programme budget (the "Single Pot") in respect of regional tourism responsibilities. The Single Pot, which will total approximately £2.2 billion, £2.2 billion and £2.1 billion in 2008-09, 2009-10 and 2010-11 respectively, is allocated amongst the RDAs by BIS. DCMS's contribution will be £3.5 million, £3.4 million and £3.3 million in these years.

The reported tourism investment of the East of England Development Agency (in £ million) was as follows:

<i>The reported tourism investment of the East of England development agency</i>	<i>Amount (£ million)</i>
2003-04	0.6
2004-05	0.6
2005-06	0.8
2006-07	1.5
2007-08	1.8

Source:

Visit Britain—British Tourism Framework Review, 2009

Tourism: Regulation

Mr. Sanders: To ask the Secretary of State for Culture, Media and Sport what his Department's latest assessment is of the size of the regulatory burden on the tourism industry; and what steps he is taking to reduce that burden. [281250]

Barbara Follett: My Department works with others across Whitehall to reduce the regulatory burden on the tourism industry. Following this January's National Tourism Summit, Government and the industry have been working together to try and resolve concerns about existing, and future, regulatory burdens. These have been discussed by the newly formed Tourism Advisory Council and with tourism leads from the nations and regions.

Following these discussions, I covered the first meeting of the inter-ministerial group on tourism, whose members are drawn from the main regulatory Departments, and asked them to take the economic importance of tourism into account when formulating new, or re-formulating old, regulatory proposals.

Some of my Department's regulatory responsibilities concern the tourism and leisure sectors but, so far, it has achieved a 43 per cent. reduction in administrative burdens against a baseline established in May 2005. These savings in the cost of red tape are derived mainly from the reform of the licensing and gambling regimes.

Youth Culture Trust

Mr. Don Foster: To ask the Secretary of State for Culture, Media and Sport (1) how much has been spent on preparing for the establishment of the Youth Culture Trust; and how much he expects to be spent on the Trust in each year to 2011; [277979]

(2) when he expects the Youth Culture Trust to be established. [277980]

Barbara Follett: The aim of the proposed Youth Culture Trust is to deliver the vision of the "Find Your Talent" programme, which we are investing almost £24 million in between now and 2011.

However, until the work of the pathfinders has been assessed, the scale and purpose of the future programme cannot be agreed. The timing and precise arrangements for the establishment of the proposed Youth Culture Trust will be included in these discussions on the scale, purpose, and funding of the future "Find Your Talent" programme.

DEFENCE

Afghanistan: Peacekeeping Operations

Ms Abbott: To ask the Secretary of State for Defence pursuant to the answer of 19 May 2009, *Official Report*, column 1273W, on Afghanistan: peacekeeping operations, when the rules of engagement in Afghanistan were last reviewed; and what changes were made to them as a result. [281677]

Bill Rammell: The UK rules of engagement profile for Operation HERRICK was last amended on 5 February 2008. The UK rules of engagement profiles for UK forces deployed in Afghanistan are kept under constant scrutiny with a procedure in place for amendment requests to be sent from theatre to MOD for consideration. In addition, MOD keeps these profiles under constant review to ensure they reflect current legal and policy direction. The ISAF rules of engagement directives are regularly reviewed by Commander ISAF.

I am withholding information on what changes were made on operational rules of engagement as its disclosure would or would likely to prejudice the capability, effectiveness or security of the armed forces.

Dr. Fox: To ask the Secretary of State for Defence pursuant to the written ministerial statement of 24 June 2009, *Official Report*, columns 58-9WS, on Afghanistan air support, whether the Tornado GR4s are at full operational capability with the urgent operational requirement enhancements which have been delivered. [283005]

Bill Rammell: I can confirm that the Tornado GR4 aircraft deployed to Afghanistan were at full operational capability on initial deployment.

Armed Forces: Equipment

Mr. Jim Cunningham: To ask the Secretary of State for Defence what recent steps his Department has taken to improve equipment for Army personnel. [282463]

Mr. Quentin Davies: In the past year, we have introduced a number of significant improvements to our equipment for Army personnel. The majority of the improvements relate to force protection including increasing the numbers of existing Electronic Countermeasure (ECM) equipment and an enhancement to the ECM capability.

Improvements to existing vehicles, either complete or under way, include enhanced mine blast protection for the Viking all-terrain vehicle, a series of modifications to enhance Snatch's mobility and protection, and modifications to the Combat Vehicle Reconnaissance (Tracked) (CVR(T)) to enable the vehicles to perform better in the harsh Afghan conditions.

We have also continued to acquire new vehicles to meet the evolving threat. New vehicles delivered in the last year, or in the process of being delivered, include Mastiff 2, Ridgback and Panther. In addition, we have placed contracts for a number of new vehicles which include the three tactical support vehicles (Coyote, Husky and Wolfhound), Jackal 2, and Warthog. We intend that the tactical support vehicles will replace unprotected vehicles such as the General Service Land Rover and the RB44 operating outside our protected camps.

Viking has now reached its limit to carry extra weight and protection and Warthog will replace Viking on operations.

There have also been recent improvements in the personal equipment issued to our armed forces. These include the purchase of Underslung Grenade Launchers, combat shotguns and the 60mm mortar and improved night vision devices. We have also introduced enhancements to the fit of Osprey body armour which have improved user manoeuvrability. Additionally, a system which allows troops to wear front and back Osprey plates without the soft armour jacket has just been introduced. This system is used by troops who require extra mobility or are operating in confined spaces.

To help counter the significant mine threat in Afghanistan, a system for searching and clearing of mines and improvised explosive devices from roads and predictable routes, Project Talisman, has been ordered. Talisman includes the Buffalo and Mastiff armoured vehicles, a small unmanned air vehicle and the high mobility engineer excavators. Also, additional Vallon hand held mine detectors have been purchased. The Vallon provides a significantly enhanced performance to the detector which it has replaced.

Finally, a range of logistics vehicles such as the support vehicle and the heavy equipment transporter have been modified to 'Theatre Entry Standard' with, among others, improvements to air conditioning, dust filtration, night vision and additional armour. Protected plant equipment such as wheeled tractors have been delivered to operations with a second tranche now on order.

Mr. Jim Cunningham: To ask the Secretary of State for Defence what recent steps his Department has taken to improve equipment for Royal Air Force personnel. [282464]

Bill Rammell: In the past year, we have introduced a number of significant improvements to our equipment for Royal Air Force personnel.

During 2008, we enhanced our strategic air lift capability by taking delivery of two more C-17s, taking our total C-17 fleet to six aircraft.

We continue to improve our fast jet capabilities with significant enhancements to our Harrier and Tornado fleets. These improvements include our new Paveway IV Precision Guided Bomb, which entered service in December 2008, and which provides the RAF with a state of the art all-weather, day and night, precision bombing capability. The Dual Mode Seeker Brimstone also entered service in December 2008 providing increased target accuracy and reduced risk of collateral damage. We are making good progress on Typhoon too. On 1 July 2008, Typhoon was declared operational in the air to ground role, and on 21 October 2008, deliveries of our Tranche 2 Typhoon aircraft commenced.

We have also increased our surveillance and reconnaissance capabilities with the introduction of the Airborne Stand off Radar, which achieved its in-service date in November 2008.

On helicopters, we continue to deliver improvements to our fleet to ensure the safety, airworthiness and operational effectiveness of our platforms on operations. We continue to increase the number of helicopter flying

hours available to our commanders in Afghanistan, which have gone up by 84 per cent. between November 2006 and April 2009 through the deployment of more aircraft and improvements in support and crewing arrangements. By the end of 2009, the Department intends to make the first of the eight Chinook Mk3 Reversion aircraft available for operations and will have deployed the RAF's Merlin Mk3 force to Afghanistan, providing a significant increase to our front-line helicopter capability.

In the past year, there have been a number of improvements in the equipment provided to the RAF Regiment. The latest variant of the Snatch Land Rover, the Snatch Vixen which has improved mobility and protection is currently deployed on operations, as is the new Panther Command and Liaison vehicle. In addition to the new vehicles, there has also been recent improvement in dismounted close combat equipment including the supply of underslung grenade launchers, night vision devices, combat shotguns and the 60 mm mortar.

Armed Forces: Families

Mr. Jim Cunningham: To ask the Secretary of State for Defence what support his Department provides for the families of service personnel killed in action. [282462]

Mr. Kevan Jones: The MOD places a very high priority on the welfare of its service personnel and their families. To that end, the MOD has robust procedures in place to support immediate family members of service personnel who are killed while on operations. These procedures are under constant review to ensure that the support provided meets the needs of the recipients and reflect current MOD policy. Families are assigned a visiting officer who acts as the link between the family and the services, assisting with such matters as repatriation, funeral arrangements and expenses, and help with necessary paperwork to procure pensions etc. The visiting officers will also direct the family to the most appropriate internal and external welfare agencies for specific areas of support.

Armed Forces: Housing

Dr. Fox: To ask the Secretary of State for Defence how many overseas (a) service family and (b) single living accommodation units were in each condition grade in each year since 2001. [266945]

Mr. Kevan Jones: The requested information will take time to collate and verify. I will write to the hon. Member with the information that is available and place a copy of my letter in the Library of the House.

Substantive answer from Kevan Jones to Liam Fox:

In my answer of 30 March 2009, *Official Report*, column 886W I undertook to write to you with the numbers of overseas Single Living Accommodation (SLA) and Service Family Accommodation (SFA) units in each condition grade in each year since 2001.

The following numbers of overseas SFA properties, assessed for their Standard for Condition (SfC), were at each Standard in each year since 2003 (earlier figures are not available):

	As at 1 April each year					
	2003	2004	2005	2006	2007	2008
S1fC	361	331	618	181	395	462
S2fC	881	479	519	589	408	446
S3fC	754	690	744	237	283	274
S4fC	1,833	1,779	921	1,848	1,687	1,619
Total	3,829	3,279	2,802	2,855	2,773	2,801

'Condition Grade' data for SLA - an assessment of its physical condition and 'scale' (as defined in Joint Service Publication 315) - has only been available since 2007. In 2007 and 2008, overseas SLA was at the following grade:

	June 2007	June 2008
Grade 1	2,796	2,707
Grade 2	1,594	1,818
Grade 3	4,848	5,503
Grade 4	17,990	12,375
Total	27,228	22,403

Nick Harvey: To ask the Secretary of State for Defence pursuant to the answer of 18 January 2009, *Official Report*, columns 1015-6W, on modern housing solutions: complaints, how many of the complaints made to Modern Housing Solutions originated in each region. [271256]

Mr. Kevan Jones: The requested information will take a little time to collate and verify. I will write to the hon. Member.

Substantive answer from Kevan Jones to Nick Harvey:

In my answer of 28 April 2009, (Official Report, column 1150W), I promised to provide you with further information on the complaints received by Modern Housing Solutions (MHS) between May 2007 and May 2008 that originated in each region of England and Wales.

Unfortunately, due to age of the data and changes in the way complaints are recorded it has not been possible to provide the requested details for 2007. However, the number of complaints in 2008, broken down by month and Ministry of Defence housing region is provided in the table below.

In addition, I have included a table of number of missed appointments each month where MHS has voluntarily paid compensation to occupants in the form of a £20 gift voucher. Unfortunately, it is not possible to break the numbers down geographically.

Month	Housing region	Number of complaints
January 2008	East	39
	London	120
	North	37
	South East	116
	South West	105
	West	33
	Total for month	450

Month	Housing region	Number of complaints
February 2008	East	44
	London	114
	North	41
	South East	101
	South West	101
	West	25
	Total for month	426
March 2008	East	37
	London	98
	North	30
	South East	108
	South West	91
	West	18
	Total for month	382
April 2008	East	63
	London	121
	North	29
	South East	102
	South West	88
	West	25
	Total for month	428
May 2008	East	49
	London	113
	North	29
	South East	106
	South West	85
	West	15
	Total for month	397

Missed appointments

January 2008	208
February 2008	186
March 2008	180
April 2008	303
May 2008	225

Dr. Fox: To ask the Secretary of State for Defence how many and what percentage of units of (a) single living accommodation and (b) service family accommodation at each location in England there are at each grade. [274983]

Mr. Kevan Jones: The table provided as follows shows, as of December 2008, the number and percentage of single living accommodation (SLA) broken down by grade. Grade is an assessment of the size, amenities and condition of the SLA.

Region	Grade 1		Grade 2		Grade 3		Grade 4		Grand total
	No.	%	No.	%	No.	%	No.	%	
East Midlands	1,488	25	809	14	265	4	3,464	57	6,026
East of England	3,989	32	2,680	22	2,337	19	3,289	27	12,295

Region	Grade 1		Grade 2		Grade 3		Grade 4		Grand total
	No.	%	No.	%	No.	%	No.	%	
London	129	3	1,147	29	654	16	2,066	52	3,996
North East	417	16	159	6	1,423	55	611	23	2,610
North West	101	8	417	32	737	56	57	4	1,312
South East	7,221	19	4,813	12	4,239	11	22,382	58	38,655
South West	8,764	30	3,164	11	4,230	14	13,449	45	29,607
West Midlands	1,236	19	1,129	18	1,907	29	2,216	34	6,488
Yorkshire and the Humber	3,589	31	742	7	2,240	19	5,040	43	11,611
Wales	427	15	489	17	76	3	1,805	65	2,797
Scotland	2,443	33	1,527	21	2,096	28	1,335	18	7,401
Northern Ireland	1,445	36	971	24	900	22	717	18	4,033
Grand total	31,249	25	18,047	14	21,104	17	56,431	44	126,831

Further details on this breakdown are not held centrally and could be provided only at disproportionate cost.

It is not possible to provide a breakdown of service family accommodation as the information is not held in the form requested and will take more time to collate and verify. I will therefore write to the hon. Member with the requested information.

Substantive answer from Kevan Jones to Liam Fox:

In my answer of 14 May 2009 (Official Report: Column 938W) I promised to provide you with the number of Service Family Accommodation (SFA) by location in England, at each Standard for Condition (SfC).

The following table is the best available breakdown of SFA by location, in this case the Department's housing regions, and is correct as at 25 March 2009. This updates information given in my answer to you published on 30 March Col 884W and my Written Ministerial Statement of 17 March and reflects further verification and analysis work including that carried out with the National Audit Office.

Housing region	S1fC		S2fC		S3fC		S4fC		Not assessed	Total
	No.	%	No.	%	No.	%	No.	%		
East	1,930	40.55	2,599	54.61	213	4.47	17	0.36	1,618	6,377
London	1,179	20.65	3,613	63.31	800	14.02	115	2.01	1,728	7,435
North	2,092	52.55	1,750	43.96	112	2.81	27	0.68	1,400	5,381
South East	2,797	35.47	4,631	58.73	345	4.37	112	1.42	1,737	9,622
South West	2,255	27.04	5,664	67.92	344	4.13	76	0.91	1,953	10,292
West (inc Wales)	1,338	45.34	1,518	51.44	89	3.02	6	0.20	910	3,861
PFI Properties/ Hirings	—	—	—	—	—	—	—	—	2,005	2,005
Total	11,591	34.47	19,775	58.82	1,903	5.66	353	1.05	11,351	44,973

Data for the condition of Service Families Accommodation will be updated on a quarterly basis beginning from July 2009, and the information will be placed in the library of the house.

Mr. Jim Cunningham: To ask the Secretary of State for Defence (1) what recent steps his Department has taken to improve accommodation for service families; [282461]

(2) what recent steps his Department has taken to improve accommodation for service personnel. [282460]

Mr. Kevan Jones: This Department is committed to improving the standard of all service accommodation and in addition to the significant increase in investment in recent years. We plan to spend £8.4 billion over the next decade on accommodation, of which £3.1 billion will be on new-build and upgraded accommodation. As announced in the budget, £50 million is being brought forward to be spent on improving service accommodation.

Since 2003, over 35,000 new or upgraded single living accommodation bed-spaces have been delivered, with a further 21,000 planned by 2013.

Since 2001, over 13,000 service family accommodation properties have been upgraded to the top standard for condition with a further 800 planned in this and each financial year thereafter.

In addition, thousands of SFA properties have benefited from improvements such as new boilers, bathrooms and kitchens, which have improved the living conditions for many service families.

Dr. Murrison: To ask the Secretary of State for Defence pursuant to the Answer of 1 June 2009, *Official Report*, columns 35-6W, on armed forces: housing, what discussions he has had with Modern Housing Solutions on the figures for numbers of married quarters by standard for condition in the Faithful and Gould survey carried out by Modern Housing Solutions. [282754]

Mr. Kevan Jones: The asset condition survey of Service Family Accommodation (SFA) in England and Wales was carried out in order to provide improved management information for reporting on the condition of the SFA estate, and to enable the Department to make improved planning decisions for future investment in the SFA estate.

Although the results of this survey do not impact directly on the terms and conditions of the Housing Prime Contract with Modern Housing Solutions (MHS), officials have worked closely with MHS to ensure the accuracy and validity of the survey results.

We continue to work closely with MHS, and its counterparts, to ensure that the standards of SFA continue to improve. Over 90 per cent. of our stock in England and Wales is already at the two highest standards for condition. Service families are no longer required to live in SFA at the lowest Standard for Condition, although some may choose to do so. From 2012 no families will have to live in properties at either of the two lowest Standards for Condition.

We are committed to housing service personnel and their families in high quality accommodation.

Armed Forces: Pensions

Mr. Austin Mitchell: To ask the Secretary of State for Defence what average pension is payable to a soldier who retired after 15 years in the British Army on 30 April 1997 as a sergeant in (a) a Gurkha regiment and (b) a regiment in the UK. [282128]

Mr. Kevan Jones: Pensions paid under the terms of the Gurkha Pension Scheme, which is now a closed scheme, are calculated in Indian currency rupees (ICR) and paid in Nepalese currency rupees (NCR). This is because the scheme retains a structural link to the Indian Army Pension Scheme and also has the benefit of protecting pensioners from fluctuations in the pounds sterling/NCR rates of exchange. Members of the scheme qualified for immediate payment of pension on completion of 15 years service.

The current rate of pension for a former Gurkha soldier who retired in the rank of Sergeant on 30 April 1997, after 15 years service, is ICR 13,687.64 per month.

Expressed in pounds sterling, at the 1 June 2009 exchange rate, this gives the following annual rates provided below.

Gurkha Sergeant after 15 years: £2,149.56 a year, paid immediately on leaving the Army.

A non-Gurkha soldier who was in the Armed Forces Pension Scheme 1975 (AFPS 75), unlike his Gurkha counterpart, did not receive a pension until age 60, if he left after 15 years' service. The AFPS 75 pensions for a sergeant as calculated on the last day of service on 30 April 1997 is provided below.

Sergeant after 15 years: Preserved pension of £4,162.13 a year.

There would be no payment until age 60, at which point the pension calculated on the last day of service would be index linked by rises in the retail prices index over the period. While the Gurkha pension is lower it is paid from an earlier age and over a longer period and is therefore well suited to life in Nepal, where it provides an income that equates to a very good working wage.

Gurkha soldiers on leaving the Army on 30 April 1997, on completion of 15 years service, would also have received lump sums, provided below in pounds sterling, but paid in NCR.

<i>Gurkha sergeant</i>	
	£
Retirement gratuity	972.61
Resettlement grant	3,201.54

A sergeant leaving the wider Army on 30 April 1997, on completion of 15 years service, would have received a resettlement grant of £6,218. In addition soldiers with a preserved pension receive a pension lump sum at age 60 of three times the sum of their uplifted pension.

Departmental Billing

Mr. Philip Hammond: To ask the Secretary of State for Defence pursuant to the answer of 18 May 2009, *Official Report*, column 1171W, on departmental billing, how much his Department's non-departmental public bodies paid in interest under the Late Payment of Commercial Debts (Interest) Act 1998 in the last three years. [282332]

Mr. Quentin Davies: The Ministry of Defence has five service museums classified as executive non-departmental public bodies (NDPBs) that receive Grant in Aid from the Department. During the financial years 2005-06, 2006-07 and 2007-08, no interest was paid by any of these under the Late Payment of Commercial Debts (Interest) Act 1998.

This does not include any payments that may have been made by commercial trading arms associated to the museums as these are not funded from Grant in Aid and therefore outside of the remit of the Department.

Hebrides Range

Mr. MacNeil: To ask the Secretary of State for Defence what expenditure has been incurred in respect of (a) upgrading facilities and (b) other purposes for missile testing facilities at (i) the Hebrides Range and (ii) each other such range in the UK in each of the last three years. [282806]

Mr. Quentin Davies: Three of the ranges operated by QinetiQ on behalf of the MOD under the terms of the Long Term Partnering Agreement (LTPA) specialise in missile testing—MOD Hebrides, MOD Aberporth and MOD West Freugh. Annual investment at each range since FY 2006-07 is provided in the following table.

<i>Range</i>	<i>Expenditure</i>	<i>Financial year</i>			
		<i>2006-07</i>	<i>2007-08</i>	<i>2008-09</i>	<i>2009-10 (to end Q1)'</i>
MOD Hebrides	LTPA Funded Equipment Investments	955,981	1,306,587	47,251	113,184
	Significant Estate Investments	210,000	1,800	530,441	132,990

Range	Expenditure	Financial year				£
		2006-07	2007-08	2008-09	2009-10 (to end Q1) ¹	
	Non-LTPA Funded Equipment and Infrastructure	0	250,000	0	300,000	
MOD Aberporth	LTPA Funded Equipment Investments	25,809	6,268,027	95,043	2,260,970	
	Significant Estate Investment	0	0	0	0	
	Non-LTPA Funded Equipment and Infrastructure	0	0	0	0	
MOD West Freugh	LTPA Equipment Investments	12,257	41,731	28,933	85,753	
	Significant Estate Investment	0	0	0	0	
	Non-LTPA Funded Equipment and Infrastructure ²	0	0	47,000	0	
Multi-Site	LTPA Funded Equipment Investments	0	1,408,167	8,002,125	1,083,225	

¹ Includes currently committed expenditure falling in-year.

² Excludes commercially confidential expenditure by BAE Systems.

Military Aircraft: Training

Dr. Fox: To ask the Secretary of State for Defence what the average number of aircraft of each type available for training purposes was in each year since 2001. [251706]

Mr. Quentin Davies: I will write to the hon. Member and place a copy of my letter in the Library of the House.

Substantive answer from Quentin Davies to Liam Fox:

In my answer of 2 February 2009, *Official Report*, columns 876-77W, I undertook to write to you about the number of aircraft available for training purposes in each year since 2001.

MOD-owned aircraft held at flying training units are counted as part of the Forward Fleet. Training aircraft in depth maintenance are not considered to be available to undertake training.

The average number of MOD-owned flying training aircraft in the Forward Fleet and therefore available for training purposes, rounded up to the nearest whole number, in each year since 2001 is provided in the following table.

Aircraft type	Financial year								
	2001-02	2002-03	2003-04	2004-05	2005-06	2006-07	2007-08	2008-09	
Hawk	60	60	60	60	60	60	50	50	
Tucano	74	74	74	74	74	74	52	52	
Jetstream T1	12	12	7	5	1	1	1	1	
Jetstream T2	9	9	9	9	9	9	9	9	
Dominie	10	10	10	10	10	9	9	9	
Gliders	146	146	146	146	146	146	148	148	

¹ Out of service.

Data for Bulldog aircraft which were retired in 2002 are no longer available. Contractor owned training aircraft are contracted for the delivery of flying hours, rather than a specific number of aircraft. It is up to the contractor to decide how many aircraft are required to deliver the required hours.

All subsequent training on front-line aircraft types, including Conversion to Role, currency and pre-deployment training is achieved during routine flying hours at front-line command units, using aircraft that are also used for operational purposes.

I hope this is helpful.

Piracy: Navy

Daniel Kawczynski: To ask the Secretary of State for Defence pursuant to the answer to the hon. Member for New Forest East of 22 June 2009, *Official Report*, column 626W, on piracy, how many weapons of each type the Royal Navy has seized from suspected pirates in the last 12 months. [282668]

Bill Rammell: The Royal Navy has seized a total of 41 weapons during the boarding of pirate vessels in the

past 12 months. These weapons consisted of 31 assault rifles, six rocket propelled grenades and four pistols.

RAF Fylingdales

Colin Challen: To ask the Secretary of State for Defence if he will publish the agreement of 5 November 2007 between the Secretary of State for Defence and the Secretary of State for Environment, Food and Rural Affairs to amend the boundaries of the land in the Register of Titles concerning RAF Fylingdales. [282518]

Mr. Kevan Jones: A copy of the agreement to amend the boundaries of the land in the Register of Titles concerning RAF Fylingdales is being obtained and will be placed in the Library of the House as soon as practicable.

CHILDREN, SCHOOLS AND FAMILIES

Children: Protection

Tim Loughton: To ask the Secretary of State for Children, Schools and Families pursuant to the answer of 11 June 2009, *Official Report*, column 234W, on children: protection, under what budgetary headings he expects the £57.8 million new spending to come. [282922]

Dawn Primarolo: The £57.8 million new investment together with the existing £73 million brings Government's investment in the children and families' social work workforce to £130 million between April 2008 and March 2011. This Social Work Transformation Fund is being used to fund children and families' social work workforce commitments made in "The Children's Plan: Building Brighter Futures; Building Brighter Futures: Next Steps for the Children's Workforce" and the Government's response to Lord Laming's "The Protection of Children in England: A Progress Report".

The Transformation Fund will increase the capacity of the system to recruit, train and support social workers, and implement change in the immediate term. The Social Work Task Force, established by the Secretaries of State for Health and for Children, Schools and Families will make recommendations on any long term reform needed in the autumn.

This funding is spent under budgetary heading RfR1: To help build a competitive economy and inclusive society by: creating opportunities for everyone to develop their learning; releasing potential in people to make the most of themselves; and achieving excellence in the standards of education and levels of skills.

Departmental Air Travel

Mr. Maude: To ask the Secretary of State for Children, Schools and Families with reference to the answer to the hon. Member for Rochford and Southend East of 6 October 2008, *Official Report*, column 477W, and pursuant to the answer of 16 December 2008, *Official Report*, column 741W, on departmental air travel, what distance of air travel was offset by his Department in 2007-08; and what proportion of such travel was (a) domestic, (b) short-haul and (c) long-haul. [250036]

Ms Diana R. Johnson: The total distance of air travel used during 2007-08 to offset travel taken by Department for Children, Schools and Families was 1,790,103 km.

The proportion of travel is broken down as follows:

	<i>km</i>
(a) Domestic	477,167
(b) Short haul	289,996
(c) Long haul	1,022,939

The Department for Children, Schools and Families (DCSF) and Department for Innovation, Universities and Skills (DIUS) was created as a result of the machinery of government changes in June 2007. The number of air miles used to calculate the DCSF payment for the 2007-08 also includes air travel for DIUS (former DfES staff only). To separate these data would involve disproportionate cost.

Departmental Billing

Mr. Philip Hammond: To ask the Secretary of State for Children, Schools and Families pursuant to the answer of 18 May 2009, *Official Report*, column 1239W, on departmental billing, how much each of his Department's non-departmental public bodies paid in interest to suppliers under the Late Payment of Commercial Debts (Interest) Act 1998 in the last three years. [282334]

Ms Diana R. Johnson: The Department currently has nine non-departmental public bodies. They are independent organisations and records are not held centrally by the Department with regards to interest payments to suppliers under the Late Payment of Commercial Debt (Interest) Act 1998.

Departmental Mobile Phones

Mr. Hoban: To ask the Secretary of State for Children, Schools and Families how many (a) BlackBerry devices and (b) mobile telephones have been lost by (i) Ministers, (ii) special advisers and (iii) civil servants in his Department and its predecessors in each year since 2005. [274460]

Ms Diana R. Johnson: The number of items reported as lost, missing, or stolen are for civil servants and are as follows:

	(i) Ministers		(ii) Special Advisers		(iii) Civil Servants		<i>Number</i>
	(a) Blackberry	(b) Mobile phone	(a) Blackberry	(b) Mobile phone	(a) Blackberry	(b) Mobile phone	
	2008-2009	—	—	—	—	16	
2007-2008	—	—	—	—	8	3	
2006-2007	—	—	—	—	3	1	
2005-2006	—	—	—	—	0	3	
2004-2005	—	—	—	—	0	6	

Education Maintenance Allowance: Lancashire

Mr. Hoyle: To ask the Secretary of State for Children, Schools and Families how many young people received education maintenance allowance in each parliamentary constituency in the Lancashire County Council area in each year since the allowance's inception. [282075]

Mr. Iain Wright: This is a matter for the Learning and Skills Council (LSC) who operate the education maintenance allowance (EMA) for the Department for Children, Schools and Families (DCSF). Geoffrey Russell the LSC's Acting Chief Executive, will write to my hon. Friend with the information requested and a copy of his reply will be placed in the House Libraries.

Free School Meals

Dr. Blackman-Woods: To ask the Secretary of State for Children, Schools and Families which local authorities applied to participate in the free school meal pilots. [282021]

Ms Diana R. Johnson: 34 local authorities expressed interest in taking part in the free school meal (FSM) pilot project which will begin in September. Of these, 29 were invited to submit full bids with 13 authorities submitting full bids. Seven wanted to pilot universal FSMs to all primary school children; five opted to pilot the extension of FSM eligibility; and one authority indicated that it would like to pilot either approach. 16 authorities indicated that they no longer wished to be considered for the scheme. Summaries of expressions of interest and full bids are listed as follows:

Expressions of interest:

Universal FSMs

Liverpool
Telford and Wrekin
Knowsley
Gateshead
Durham
Wakefield
Rotherham
Blackburn
Brighton
Dudley
Newham
Isle of Wight
Kent.

Extension of FSM eligibility

Wolverhampton
Luton
Croydon
Halton
West Sussex.

Either approach

Reading
Waltham Forest
Bristol
Sandwell
Hillingdon
Sunderland
North Tyneside
Cornwall
Wigan
Barnsley
Barking
Sheffield
Haringey
Bolton
Oldham
Tameside.

Summary of full bids:

Bids to run universal FSMs

Dudley
Durham
Gateshead
Newham

Sandwell
London borough of Barking and Dagenham
Cornwall
Bristol.

Bids to run extension of FSM eligibility

Croydon
Halton
Barnsley
Wolverhampton
Sandwell
London borough of Waltham Forest.

Decided not to submit a bid

Knowsley
Liverpool
Rotherham
Telford and Wrekin
Wakefield
Luton
Haringey
Hillingdon
North Tyneside
Oldham
Reading
Sunderland
Wigan
Tameside
Blackburn and Darwen
Brighton and Hove.

Pupil Exclusions

Tim Loughton: To ask the Secretary of State for Children, Schools and Families how many pupils in each local authority area received three or more fixed-period exclusions in the most recent year for which figures are available. [282920]

Mr. Coaker: The information requested has been placed in the House Libraries.

School Choice

Mr. Sanders: To ask the Secretary of State for Children, Schools and Families what research he has commissioned on the effect on educational outcomes of levels of parental choice of school. [282629]

Ms Diana R. Johnson: There is currently no research commissioned to specifically measure the impact of parental choice of school upon educational outcomes. We collect and publish data annually from local authorities on applications and offers of secondary school places. As these data are at local authority level and not at individual pupil level it is not possible to accurately use these data to measure impact.

Schools: Crimes of Violence

Bob Spink: To ask the Secretary of State for Children, Schools and Families what proportion of schools staff have been admitted to hospital as a result of violent behaviour by pupils in the last 12 months. [282441]

Mr. Coaker: The requested information is not held centrally by the Department. However, the Health and Safety Executive (HSE) collects data on physical injuries resulting from acts of violence suffered by people at work, reportable under Reporting of Injuries, Diseases and Dangerous Occurrences Regulations (RIDDOR) 1995. The data includes injuries to staff resulting in more than three days absence from work, sustained from a physical assault.

We intend to introduce new requirements on schools to record incidents of bullying between pupils, and incidents of verbal and physical abuse against school staff. We will consult on these new requirements in the autumn. We will also consult on whether schools should also be required to report these records to their local authority, and whether they should be required to record and report these incidents by type where the incident is motivated by a particular form of prejudice i.e. as racist, homophobic bullying incidents. We will introduce the new legislation in 2010.

The table shows the provisional figures for injuries to school staff involving acts of violence reported to HSE in 2007/08.

Injuries to school staff¹ involving acts of violence² reported to HSE, 2007/08³

<i>Occupation (SOC 2000)</i>	<i>Non-fatal major injuries</i>	<i>Over-three-day injuries</i>	<i>Total</i>
Secondary education teaching professionals	5	49	54
Primary and nursery education teaching professionals	4	13	17
Special needs education teaching professionals	5	28	33
Teaching professionals n.e.c. ⁴	12	60	72

¹ Identified by Standard Occupational Classification (SOC2000).

² Acts of violence are a reportable injury defined under the Reporting of Injuries, Diseases and Dangerous Occurrences Regulations (RIDDOR) 1995. Only physical injuries resulting from acts of violence suffered by people at work are reportable under RIDDOR, physical injuries resulting from acts of violence suffered by members of the public are not reportable under RIDDOR. There is no category in HSE's coding framework that specifically identifies the violent behaviour of school pupils. The data supplied uses an agent classification from HSE's coding framework that categorises those 'persons receiving care', and this will include school pupils, but may also include social/health care clients or people in custody.

³ Provisional.

⁴ The SOC2000 handbook provides the following definition: 'Workers in this unit group perform a variety of other education and teaching functions not elsewhere classified in MINOR GROUP 231: Teaching Professionals.'

Schools: Finance

Mr. Sanders: To ask the Secretary of State for Children, Schools and Families what recent research he has evaluated on the relationship between levels of funding for schools and pupils' academic performance. [282681]

Mr. Coaker: In recent years, the Department has sponsored a number of externally conducted research projects in this area. They are as follows:

1. *Impact of School Resources on Attainment at Key Stage 2*

Helena Holmlund, Sandra McNally and Marina Viarengo

<http://publications.dcsf.gov.uk/default.aspx?PageFunction=productdetails&PageMode=publications&ProductId=DCSF-RR043&>

2. *Estimating the Relationship between School Resources and Pupil Attainment at Key Stage 3*

Rosalind Levacic, Andrew Jenkins, Anna Vignoles, Fiona Steele and Rebecca Allen

<http://publications.dcsf.gov.uk/default.aspx?PageFunction=productdetails&PageMode=publications&ProductId=RR679&>

3. *Resources and Attainment at Key Stage 4—Estimates from a Dynamic Methodology*

Geoff Pugh and Jean Mangan

<http://publications.dcsf.gov.uk/default.aspx?PageFunction=productdetails&PageMode=publications&ProductId=DCSF-RR056&>

4. *Estimating the Relationship between School Resources and Pupil Attainment at GCSE*

Andrew Jenkins, Rosalind Levacic

<http://publications.dcsf.gov.uk/default.aspx?PageFunction=productdetails&PageMode=publications&ProductId=RR727&>

5. *Investigating the Effective Use of Resources in Secondary Schools*

Allan Dodd, Principal Consultant Hedra plc

<http://publications.dcsf.gov.uk/default.aspx?PageFunction=productdetails&PageMode=publications&ProductId=RR799&>

6. *Analysis of Secondary School Efficiency: Final Report*

Professor Peter C. Smith and Dr. Andrew Street

<http://publications.dcsf.gov.uk/default.aspx?PageFunction=productdetails&PageMode=publications&ProductId=RR788&>

7. *Tackling the Endogeneity Problem when Estimating the Relationship Between School Spending and Pupil Outcomes*

David Mayston

<http://publications.dcsf.gov.uk/default.aspx?PageFunction=productdetails&PageMode=publications&ProductId=RR328&>

Tim Loughton: To ask the Secretary of State for Children, Schools and Families what funding his Department has allocated for enhancements to the Integrated Children's System in 2009-10; what criteria were used in determining such allocations; and how much of such funding has been passed to local authorities. [282921]

Dawn Primarolo: A capital grant of £6.4 million will be allocated to local authorities in 2009-10. This was announced by my Department on 22 June in a circular to all local authorities, which set out the practical steps the Government will take to help local authorities in improving their systems to support delivery of children's social care services. The circular described the broad terms under which this funding would be allocated. All authorities will be eligible for capital grant, and the grant will be available for use at local authorities' sole discretion for supporting any measures necessary to make improvements to current ICS implementations; making modifications to local systems consistent with the simplification of requirements; or progressing further with Phase 1C of the ICS Project in those local authorities that regard this as a priority.

Full details of individual local authorities' allocations will be set out in a funding circular. Some £3 million of this will be allocated as a fixed amount to each authority, and the balance will be allocated according to a standard formula principally related to size of local child population.

Schools: Tamworth

Mr. Jenkins: To ask the Secretary of State for Children, Schools and Families how much funding has been allocated for the development of environmental education initiatives in schools in Tamworth constituency in 2009-10. [282426]

Ms Diana R. Johnson: The Department does not allocate funding directly to support environmental education initiatives in specific schools. Environmental education is one of the key concepts for the study of geography in the new secondary curriculum and the Action Plan for Geography supports this, by providing professional development opportunities for teachers in the regions to help them embed sustainable development and environmental education in their classroom practice. We are also working with stakeholders, including the Government Office West Midlands and local authorities, to engage and support schools work towards the DCSF's Sustainable Schools strategy which aims for all schools to be sustainable by 2020. The strategy is guided by a commitment to care for the environment both locally and nationally and a national framework has been established to help schools identify areas on which they can focus to develop their sustainability practices.

Special Educational Needs: Per Capita Costs

Tim Loughton: To ask the Secretary of State for Children, Schools and Families what the average cost of educating a pupil with special educational needs was in a (a) special school, (b) mainstream primary school and (c) mainstream secondary school in the latest period for which figures are available. [282649]

Ms Diana R. Johnson: The Department's records, based on financial data taken from local authorities' Section 52 Budget returns and the January 2008 School Census, estimate the average gross cost of educating a pupil with special educational needs (SEN) during the 2008 -09 financial year is as follows:

School type	Average cost per pupil with special educational needs (£)
Special school	25,810
Mainstream primary	5,500
Mainstream secondary	6,490

These estimated figures include planned expenditure on provision for pupils with statements and the provision for non-statemented pupils with SEN.

The special school figure differs from that given on 15 June 2009, *Official Report*, column 136W, to the hon. Member as the calculation of that figure was based only on the Individual School Budget for special schools.

The above special school figure includes other additional costs often incurred by local authorities, such as support for inclusion, inter authority recruitment, fees for pupils

at independent special schools, educational psychology services, local authority functions in relation to child protection, therapies and other health-related services, parent partnership, guidance and information, the monitoring of SEN provision and inclusion administration, and assessment and co-ordination. Hence the higher figure. The above figure does however exclude any allowance for SEN related transport costs.

ENVIRONMENT, FOOD AND RURAL AFFAIRS

Dairy Farming

Mr. McLoughlin: To ask the Secretary of State for Environment, Food and Rural Affairs what assessment he has made of the effects on dairy farmers in (a) England and (b) West Derbyshire of the failure of Dairy Farmers UK; and if he will make a statement. [282450]

Jim Fitzpatrick [*holding answer 26 June 2009*]: Dairy Farmers of Britain had 1,800 farmer members when they went into receivership on 3 June. Over 96 per cent. of their milk has found new outlets. On 17 June, 190 farmer members, including several in Derbyshire, had yet to find a new buyer, and the receiver was continuing to collect their milk.

Flood Control: Finance

Mr. Maples: To ask the Secretary of State for Environment, Food and Rural Affairs when he plans to publish the results of the first round of bids for funding under his Department's property-level protection grant schemes. [282019]

Huw Irranca-Davies: The results for the first round of grants to help people protect their homes against flooding were announced by the Secretary of State on 25 June.

Livestock

Tim Farron: To ask the Secretary of State for Environment, Food and Rural Affairs how many livestock farms there were in each county in each year since 1997. [281991]

Jim Fitzpatrick: The number of livestock holdings by county/unitary authority in England 1997 to 2008 is shown on the following tables. Livestock holdings are those holding types where livestock is the main activity and cover dairy, specialist pigs, specialist poultry, grazing livestock in both lowland and less favoured areas and mixed holdings. Holdings designated as mixed are included as these are holdings with a mixture of crops and livestock where neither activity is dominant.

Figures prior to 2000 include main holdings only; from 2000 onwards all holdings are included.

Table 1: Number of holdings where livestock is the predominant activity 1997-2002

Counties/unitary authorities	1997	1998	1999	2000	2001	2002
Hartlepool and Stockton-on-Tees	92	85	93	91	93	97
South Teesside	98	97	97	101	114	113
Darlington	105	105	102	101	89	89
Durham CC	1,290	1,249	1,269	1,259	1,132	1,314

Table 1: Number of holdings where livestock is the predominant activity 1997-2002

Counties/unitary authorities	1997	1998	1999	2000	2001	2002
Northumberland	1,589	1,542	1,592	1,504	1,367	1,482
Tyneside	66	61	65	65	76	79
Sunderland	13	13	15	14	15	14
West Cumbria	1,643	1,619	1,626	1,621	1,085	1,587
East Cumbria	3,621	3,582	3,542	3,428	2,473	3,358
Halton and Warrington	57	56	60	60	60	61
Cheshire CC	2,513	2,470	2,461	2,461	2,463	2,498
Greater Manchester South	169	162	173	179	193	194
Greater Manchester North	544	537	521	520	553	557
Blackburn with Darwen	142	137	132	131	137	143
Blackpool	*	*	*	6	7	8
Lancashire CC	3,057	3,027	2,991	3,121	3,113	3,174
East Merseyside	36	37	34	36	37	42
Liverpool	*	*	*	*	*	5
Sefton	17	18	16	14	19	24
Wirral	41	38	41	45	50	51
Kingston upon Hull, City of	*	*	*	*	*	*
East Riding of Yorkshire	787	752	750	792	804	840
North and North East Lincolnshire	145	158	147	182	209	217
York	124	124	122	127	132	134
North Yorkshire CC	4,945	4,925	4,936	5,009	4,892	5,124
Barnsley, Doncaster and Rotherham	447	419	418	460	496	512
Sheffield	157	155	151	161	169	179
Bradford	448	442	439	462	494	510
Leeds	229	220	221	229	229	246
Calderdale, Kirklees and Wakefield	1,017	1,013	1,000	1,098	1,164	1,212
Derby	15	15	17	10	12	13
East Derbyshire	409	400	398	424	449	451
South and West Derbyshire	2,137	2,110	2,117	2,036	2,122	2,167
Nottingham	*	*	*	*	5	5
North Nottinghamshire	356	362	352	411	438	460
South Nottinghamshire	225	225	226	252	262	262
Leicester	*	*	*	*	*	*
Leicestershire CC and Rutland	1,490	1,433	1,437	1,388	1,445	1,480
Northamptonshire	888	865	853	921	926	928
Lincolnshire	944	946	950	1,047	1,143	1,235
Herefordshire, County of	2,136	2,112	2,090	2,197	1,969	2,075
Worcestershire	1,435	1,412	1,426	1,471	1,401	1,512
Warwickshire	1,147	1,139	1,137	1,167	1,143	1,150
Telford and Wrekin	107	108	111	124	136	136
Shropshire CC	3,048	3,010	3,040	3,117	3,072	3,176
Stoke-on-Trent	33	33	33	30	34	40
Staffordshire CC	3,066	3,017	2,990	3,014	3,003	3,117
Birmingham	11	10	13	12	9	10
Solihull	114	111	115	109	108	108
Coventry	28	27	30	33	33	37
Dudley and Sandwell	19	20	23	22	21	23
Walsall and Wolverhampton	25	20	25	26	23	21
Peterborough	26	29	28	27	32	42
Cambridgeshire CC	318	321	314	326	387	419
Norfolk	1,228	1,272	1,246	1,368	1,523	1,613
Suffolk	857	851	863	967	1,024	1,088
Luton	*	*	*	*	*	*
Bedfordshire CC	244	243	239	244	275	298
Hertfordshire	333	330	315	325	371	379
Southend-on-Sea	*	*	*	0	0	0
Thurrock	39	40	36	35	40	41
Essex CC	630	627	617	666	773	797
Inner London—west	0	0	0	0	*	*
Inner London—east	*	*	*	*	*	8
Outer London—east and north-east	29	27	24	28	30	33
Outer London—south	38	37	40	29	35	34
Outer London—west and north-west	37	38	39	35	36	33
Berkshire	335	349	348	324	339	348

Table 1: Number of holdings where livestock is the predominant activity 1997-2002

Counties/unitary authorities	1997	1998	1999	2000	2001	2002
Milton Keynes	75	84	81	78	80	80
Buckinghamshire CC	807	811	844	793	821	823
Oxfordshire	815	819	850	858	903	926
Brighton and Hove	9	11	11	12	11	11
East Sussex CC	1,174	1,181	1,235	1,177	1,249	1,289
Surrey	681	662	697	683	750	775
West Sussex	825	804	805	774	844	868
Portsmouth	*	*	*	*	*	*
Southampton	10	11	12	9	14	13
Hampshire CC	1,187	1,212	1,258	1,265	1,382	1,438
Isle of Wight	255	262	267	251	272	275
Medway	15	18	18	19	23	25
Kent CC	1,366	1,343	1,416	1,433	1,512	1,612
Bristol, City of	7	6	7	13	17	16
N. and N.E. Somerset, South Glos.	1,145	1,123	1,133	1,180	1,232	1,253
Gloucestershire	1,910	1,881	1,894	1,939	1,779	1,984
Swindon	87	86	86	83	92	95
Wiltshire CC	1,544	1,508	1,516	1,540	1,608	1,651
Bournemouth and Poole	15	14	16	15	16	14
Dorset CC	1,892	1,865	1,865	1,919	1,962	1,966
Somerset	3,566	3,488	3,533	3,656	3,740	3,840
Cornwall and Isles of Scilly	4,407	4,304	4,262	4,304	4,331	4,391
Plymouth	27	23	22	13	15	15
Torbay	26	23	23	21	23	23
Devon CC	8,202	8,062	8,068	7,655	7,118	7,809
England	75,210	74,204	74,442	75,169	74,095	78,608

Notes:

1. Livestock holdings are those holding types where livestock is the main activity. Holdings designated as mixed are also included, these are holdings with a mixture of crops and livestock where neither activity is dominant.

2. * denotes data that have been suppressed to protect the confidentiality of individual holdings.

3. Data for 1997 are for main holdings only. From 2000 onwards all holdings are included.

Source:

June Agriculture Survey

Table 2: Number of holdings where livestock is the predominant activity 2003 to 2008

Counties/unitary authorities	2003	2004	2005	2006	2007	2008
Hartlepool and Stockton-on-Tees	96	101	100	94	84	77
South Teesside	114	121	119	109	108	102
Darlington	89	96	100	92	93	89
Durham CC	1,321	1,317	1,332	1,305	1,277	1,294
Northumberland	1,481	1,469	1,498	1,499	1,479	1,458
Tyneside	75	80	89	78	89	81
Sunderland	13	14	18	13	20	19
West Cumbria	1,584	1,589	1,586	1,623	1,541	1,559
East Cumbria	3,347	3,304	3,305	3,282	3,277	3,278
Halton and Warrington	69	74	77	67	55	56
Cheshire CC	2,473	2,496	2,481	2,420	2,285	2,272
Greater Manchester South	197	196	192	180	172	181
Greater Manchester North	554	555	559	553	485	494
Blackburn with Darwen	141	140	139	145	133	136
Blackpool	8	9	10	8	7	8
Lancashire CC	3,129	3,125	3,156	3,061	2,969	3,012
East Merseyside	40	40	45	35	38	38
Liverpool	*	*	5	*	5	5
Sefton	24	23	25	24	17	19
Wirral	51	52	51	48	41	41
Kingston Upon Hull, City of	*	*	*	*	*	*
East Riding of Yorkshire	848	880	891	834	835	837
North And North East Lincolnshire	212	218	220	209	212	212
York	134	128	131	124	127	127
North Yorkshire CC	5,129	5,161	5,143	5,052	4,975	4,981
Barnsley, Doncaster and Rotherham	516	527	524	477	444	455
Sheffield	183	189	197	188	173	170
Bradford	516	523	526	510	492	499
Leeds	251	252	247	229	213	217
Calderdale, Kirklees and Wakefield	1,214	1,220	1,228	1,177	1,110	1,137

Table 2: Number of holdings where livestock is the predominant activity 2003 to 2008

Counties/unitary authorities	2003	2004	2005	2006	2007	2008
Derby	15	14	14	18	10	14
East Derbyshire	451	448	453	415	417	409
South and West Derbyshire	2,176	2,192	2,216	2,197	2,096	2,104
Nottingham	6	8	9	7	*	*
North Nottinghamshire	440	461	486	460	453	446
South Nottinghamshire	254	247	257	250	233	228
Leicester	*	*	6	*	*	*
Leicestershire CC and Rutland	1,476	1,460	1,478	1,406	1,333	1,331
Northamptonshire	928	927	933	896	891	892
Lincolnshire	1,231	1,299	1,363	1,294	1,289	1,303
Herefordshire, County of	2,099	2,127	2,120	2,107	2,027	2,018
Worcestershire	1,507	1,526	1,528	1,450	1,374	1,381
Warwickshire	1,141	1,142	1,149	1,098	1,075	1,094
Telford and Wrekin	139	145	147	150	131	136
Shropshire CC	3,149	3,165	3,204	3,117	3,027	2,996
Stoke-on-Trent	38	42	41	50	35	39
Staffordshire CC	3,086	3,077	3,066	2,948	2,795	2,801
Birmingham	9	10	11	11	9	10
Solihull	103	104	104	98	91	95
Coventry	36	39	38	40	32	29
Dudley and Sandwell	27	31	32	21	21	21
Walsall and Wolverhampton	20	19	19	17	19	17
Peterborough	44	46	52	41	36	36
Cambridgeshire CC	432	468	495	445	435	435
Norfolk	1,635	1,732	1,821	1,660	1,637	1,629
Suffolk	1,112	1,157	1,193	1,104	1,061	1,087
Luton	*	*	5	*	*	*
Bedfordshire CC	307	326	333	283	277	279
Hertfordshire	380	383	403	369	328	329
Southend-on-Sea	*	*	*	*	*	*
Thurrock	42	42	40	42	33	35
Essex CC	818	846	878	765	738	769
Inner London—west	*	5	6	5	*	*
Inner London—east	8	8	9	8	8	8
Outer London—east and north-east	33	36	34	27	29	29
Outer London—south	35	34	34	26	28	27
Outer London—west and north-west	36	40	44	39	34	34
Berkshire	351	376	406	359	335	339
Milton Keynes	84	81	79	79	69	67
Buckinghamshire CC	839	863	868	810	780	818
Oxfordshire	911	905	924	913	843	854
Brighton and Hove	11	11	11	11	8	8
East Sussex CC	1304	1330	1331	1292	1246	1282
Surrey	778	775	797	720	666	656
West Sussex	879	875	902	873	839	846
Portsmouth	*	*	*	*	*	*
Southampton	13	13	14	11	9	10
Hampshire CC	1,498	1,546	1,574	1,485	1,429	1,457
Isle of Wight	287	289	287	275	261	265
Medway	30	35	37	32	29	32
Kent CC	1,666	1,727	1,764	1,684	1,614	1,655
Bristol, City of	20	24	24	24	26	26
N. and N.E. Somerset, South Glos.	1,246	1,256	1,258	1,214	1,146	1,142
Gloucestershire	1,987	1,987	2,028	1,945	1,893	1,874
Swindon	93	89	81	81	64	63
Wiltshire CC	1,644	1,633	1,647	1,593	1,515	1,516
Bournemouth and Poole	16	17	19	16	15	13
Dorset CC	1,979	1,985	1,990	1,949	1,863	1,868
Somerset	3,835	3,813	3,840	3,757	3,660	3,692
Cornwall and Isles of Scilly	4,386	4,367	4,358	4,255	3,912	3,923
Plymouth	15	19	20	20	14	15
Torbay	23	25	28	26	28	32

Table 2: Number of holdings where livestock is the predominant activity 2003 to 2008

Counties/unitary authorities	2003	2004	2005	2006	2007	2008
Devon CC	7,787	7,773	7,854	7,628	7,334	7,285
England	78,724	79,339	80,166	77,370	74,372	74,673

Notes:

1. Livestock holdings are those holding types where livestock is the main activity. Holdings designated as mixed are also included, these are holdings with a mixture of crops and livestock where neither activity is dominant.

2. * denotes data that have been suppressed to protect the confidentiality of individual holdings.

Source:

June Agriculture Survey

National Parks: Wildlife

Mr. Soames: To ask the Secretary of State for Environment, Food and Rural Affairs whether he has made an assessment of the effect of the designation of an area as a National Park on the level of wildlife in that area. [282803]

Huw Irranca-Davies: No comprehensive assessment has been made of the effect of the designation of an area as a National Park on the level of wildlife.

Pesticides Safety Directorate

Bob Spink: To ask the Secretary of State for Environment, Food and Rural Affairs how much was paid in bonuses to (a) directors, (b) senior managers, (c) specialist and delivery managers and (d) executive support and administration staff in the Pesticides Safety Directorate in each of the last five years. [282141]

Dan Norris: In the last four financial years from 2005-06 to 2008-09 the total amount paid to Pesticides Safety Directorate (PSD) staff in bonuses was as follows:

	2005-06	2006-07	2007-08	2008-09
(a) Directors ¹	15,967	20,467	27,545	12,728
(b) Senior Managers ²	10,951	3,413	4,866	10,341
(c) Specialist and delivery managers ³	33,218	51,045	56,615	27,128
(d) Executive support and admin staff ⁴	9,293	9,643	7,027	2,666
Total	69,429	84,568	96,053	52,863

¹ Defined here as staff at senior civil service or grade 6 level.

² Defined here as staff at grade 7 level (includes managers in policy, science, technical and administrative areas).

³ Defined here as all staff in grades executive/scientific officer to senior executive/scientific officer.

⁴ Defined here as all staff in grades administrative officer and administrative assistant.

Notes:

1. Data for the period 2004-05 is not available due to systems changes.

2. PSD transferred to the Health and Safety Executive (HSE) on 1 April 2008, and merged with other HSE teams to form the Chemicals Regulation Directorate on 1 April 2009.

Veterinary Medicines Agency: Consultants

Bob Spink: To ask the Secretary of State for Environment, Food and Rural Affairs how much the Veterinary Medicines Agency spent on consultants in each of the last five years. [282139]

Jim Fitzpatrick: The Veterinary Medicines Directorate spent the following amount on consultants in each of the last five years.

	£
2004-05	240,000
2005-06	184,000
2006-07	215,000
2007-08	259,000
2008-09	256,000.

These consultants were engaged to provide additional IT support for the development and maintenance of IT systems and additional scientific expertise to ensure that the assessment of applications for marketing authorisations is completed within the target time scales.

Water: National Security

Mrs. Maria Miller: To ask the Secretary of State for Environment, Food and Rural Affairs what assessment he has made of the effect on the publication of the Basingstoke Water Cycle report of the interpretation of the national security circular in relation to water assets. [282804]

Huw Irranca-Davies: This Department provides guidance to water asset owners and operators on a range of security issues, including the release of information that may impact on the physical security of those assets and on national security. Guidance is generally delivered in the form of thematic Advice Notes issued under the provisions of the Security and Emergency Measures Direction 1998. That guidance is developed in conjunction with the Centre for the Protection of National infrastructure.

In some instances, the owner or operator of a water asset may decide, on the basis of the guidance, that information should be withheld from publication on grounds of national security. We understand that in the case of the Basingstoke Water Cycle report, the water asset owner has referred to our guidance in requesting that certain information be withheld from wider public circulation.

HOME DEPARTMENT**Acceptable Behaviour Contracts: Enfield**

Joan Ryan: To ask the Secretary of State for the Home Department how many acceptable behaviour contracts have been made in (a) the London Borough of Enfield and (b) Enfield North constituency in each of the last five years. [282566]

Mr. Alan Campbell: The number of acceptable behaviour contracts (ABCs) is collected by the Home Office through a voluntary survey of crime and disorder reduction partnerships (CDRPs) use of antisocial behaviour tools and powers. The latest data published indicates that over 30,000 ABCs have been made between October 2003 and September 2007, with over 2,958 issued in Greater London during the same period. Currently, data on the number of ABCs issued are not available below regional level.

Antisocial Behaviour: West Midlands

Mr. Jenkins: To ask the Secretary of State for the Home Department (1) how many breaches of antisocial behaviour orders have been recorded in (a) Tamworth constituency, (b) Staffordshire and (c) the West Midlands in each year since the inception of such orders; [282428]

(2) how many breaches of antisocial behaviour orders have resulted in a criminal conviction in (a) Tamworth constituency, (b) Staffordshire and (c) the West Midlands in each year since the inception of such orders. [282429]

Mr. Alan Campbell: Antisocial behaviour orders (ASBOs) became available from 1 April 1999. ASBO breach data are available for ASBOs issued between 1 June 2000 and 31 December 2006 (latest available) and are not compiled below criminal justice system (CJS) area level. Information collected centrally on the number of breaches of ASBOs only counts those instances where the breach of the ASBO was proven in court.

The number of occasions in each year on which ASBOs were proven in court to have been breached in the Staffordshire and the West Midlands CJS areas is shown in the following table.

Number of occasions in the Staffordshire and the West Midlands criminal justice system areas¹ where persons were proven in court to have breached their antisocial behaviour order (ASBO) in each year between 1 June 2000 and 31 December 2006

CJS area	2000-02 ²	2003	2004	2005	2006	1 June 2000 to 31 December 2006
Staffordshire	10	19	40	62	68	199
West Midlands	112	137	344	488	408	1,489

¹ ASBOs may be issued in one area and breached in another. Breaches are counted in this table by area of breach.

² From 1 June 2000.

Note:

Every effort is made to ensure that the figures presented are accurate and complete. However, it is important to note that these data have been extracted from large administrative data systems generated by the courts and police forces. As a consequence, care should be taken to ensure data collection processes and their inevitable limitations are taken into account when those data are used.

Source:

OCJR Court Proceedings Database.

Asylum

Jim Cousins: To ask the Secretary of State for the Home Department what research his Department has conducted on the social effects of the (a) distribution of and (b) number of unsupported refused asylum seekers without the right to work; and if he will make a statement. [281571]

Mr. Woolas: The Department has not conducted such research. It is not our policy to allow asylum seekers to work because we believe that managed migration is a valuable source of skills and labour to the British economy and there are recognised routes into the UK for those seeking to work.

Asylum: Bahrain

Mr. Purchase: To ask the Secretary of State for the Home Department pursuant to the answer of 20 May 2009, *Official Report*, column 1459W, on asylum: Bahrain, which sources of evidence the UK Border Agency used in making decisions on asylum applications from Bahraini citizens in the last five years. [279642]

Mr. Woolas: The UK Border Agency uses a variety of published and reputable sources of information in making decisions. I cannot list all those which may have been referred to by the agency's decision-makers over the past five years, but the body of information includes reports from various Amnesty International, Human Rights Watch, UNHCR, the annual US Department of State Country Report on Human Rights Practices and the UK Government's own agencies.

Departmental Air Conditioning

Grant Shapps: To ask the Secretary of State for the Home Department how much has been spent by his Department on carrying out inspections of air conditioning systems within departmental buildings in accordance with the Energy Performance of Buildings (Certificates and Inspections) (England and Wales) Regulations 2007 since the Regulations came into force. [272127]

Mr. Woolas: My Department does not contract directly for these inspections but procures them as part of building maintenance services through wider Facilities Management or operational service contractors. Our contractors plan to carry out these inspections as soon as possible after their engineers have become appropriately qualified to do so.

Grant Shapps: To ask the Secretary of State for the Home Department how many of his Department's buildings are equipped with air conditioning systems with greater than 250kW of output; how many of these systems have been inspected under the Energy Performance of Buildings (Certificates and Inspections) (England and Wales) Regulations 2007; and if he will place in the Library a copy of each inspection report. [272186]

Mr. Woolas [*holding answer 30 April 2009*]: Inspections have been planned by our building facilities management service providers around the availability of appropriately trained engineers able to undertake the task.

Departmental Carbon Emissions

Mr. Paice: To ask the Secretary of State for the Home Department what estimate he has made of the volume of carbon dioxide emissions from offices in his Department in (a) 2006-07 and (b) 2007-08 (i) in total and (ii) per full-time equivalent member of staff.

[280919]

Mr. Woolas: The following table provides a breakdown for carbon dioxide emissions from key offices in (a) 2006-07 and (b) 2007-08. Full-time equivalent figures for these offices are not available.

Carbon dioxide emissions from key offices

	<i>Tonnes</i>
2006-07	38,889
2007-08	40,353

Central Government Departments and their Executive agencies are required to report performance data on their carbon emissions for their office estate annually as part of the Sustainable Development in Government (SDiG) reporting process.

The latest assessment of Government's performance against these targets was published by the Sustainable Development Commission on 12 December 2008

<http://www.sd-commission.org.uk/sdig2008/>

Mr. Paice: To ask the Secretary of State for the Home Department what estimate he has made of the volume of carbon dioxide emissions arising from road-based transport used for administrative operations by his Department in (a) 2006-07 and (b) 2007-08 (i) in total and (ii) per full-time equivalent member of staff.

[281044]

Mr. Woolas: The data on operational road travel, as published in the Sustainable Development in Government reports 2006-07 and 2007-08, are as follows:

	<i>Operational road travel emissions</i>	<i>Tonnes of CO₂ Emissions per FTE</i>
2006-07	9,632	0.13
2007-08	6,360	0.34

Due to the machinery of government changes, resulting in the transfer of staff from the Home Office to Ministry of Justice, it is difficult to make meaningful comparisons between these years.

Mr. Paice: To ask the Secretary of State for the Home Department what estimate he has made of the volume of carbon dioxide emissions arising from air travel by staff in his Department in (a) 2006-07 and (b) 2007-08 (i) in total and (ii) per full-time equivalent member of staff.

[281045]

Mr. Woolas: The data on air travel are as follows:

	<i>Air travel emissions</i>	<i>Tonnes of CO₂ Emissions per FTE</i>
2006-07	1,800	0.025
2007-08	2,206	0.118

These data cover some business areas that are now part of Ministry of Justice. The Home Office off-sets carbon dioxide emissions from official air travel through the Government Carbon off-setting scheme.

Departmental Correspondence

Alistair Burt: To ask the Secretary of State for the Home Department what percentage of letters to his Department from hon. Members' Parliamentary offices were answered within 30 days of the date of receipt in each quarter from January 2008 to March 2009.

[280462]

Mr. Woolas: I am happy to respond to the question, especially given our diligence on this matter.

The Cabinet Office, on an annual basis, publishes a report to Parliament on the performance of Departments in replying to Members correspondence. The report for 2008 was published on 2 April 2009, *Official Report*, columns 80-86WS.

Departmental Electricity

Mr. Paice: To ask the Secretary of State for the Home Department what estimate he has made of the percentage of electricity used by his Department which was derived from renewable sources in (a) 2006-07 and (b) 2007-08.

[280921]

Mr. Woolas: The following table provides a breakdown for what percentage of renewable energy was consumed in (a) 2006-07 and (b) 2007-08 by the Department, as previously reported:

	<i>Electricity derived from renewable sources</i>	<i>Percentage</i>
2006-07		29.6
2007-08		66

The data covers some business areas that are now part of Ministry of Justice.

Central Government Departments and their executive agencies are required to report performance data on their energy consumption for their office estate annually as part of the Sustainable Development in Government (SDiG) reporting process.

The latest assessment of Government's performance against these targets was published by the Sustainable Development Commission on 12 December 2008:

<http://www.sd-commission.org.uk/sdig2008/>

Departmental Energy

Mr. Paice: To ask the Secretary of State for the Home Department what estimate he has made of the energy consumed per full-time equivalent member of staff in his Department in (a) 2006-07 and (b) 2007-08.

[280920]

Mr. Woolas: The following table provides a breakdown for how much energy was consumed at key offices in (a) 2006-07 and (b) 2007-08. Full-time equivalent figures are not available.

Energy (kWh)

2006-07	1,525,325,482
2007-08	99,866,124

Each of the reported years includes a different mix of buildings some of which are now part of the Ministry of Justice. This makes direct comparisons difficult.

Central Government Departments and their Executive agencies are required to report performance data on their energy consumption for their office estate annually as part of the Sustainable Development in Government (SDiG) reporting process.

The latest assessment of Government's performance against these targets was published by the Sustainable Development Commission on 12 December 2008

<http://www.sd-commission.org.uk/sdig2008/>

Departmental Stationery

Bob Spink: To ask the Secretary of State for the Home Department what proportion of office supplies purchased by his Department were recycled products in the latest period for which figures are available. [275343]

Mr. Woolas: Home Office policy is that all printer and copier paper purchased is from recycled sources. Overall for the last 12 months, for the core Home Office and the UK Border Agency, the proportions are given in the following table:

<i>Purchasing classification</i>	<i>Proportion (percentage)</i>
Paper products one (April 2008 to March 2009)	46
General stationery ¹ (June 2008 to April 2009)	28
Computer consumables ¹ (June 2008 to January 2009)	0

¹ The Department's purchasing classification of paper products includes recycled copier paper and certain non-paper products from the same supplier. General stationery and computer consumables also include non-paper products such as toner cartridges.

Departmental Waste

Mr. Paice: To ask the Secretary of State for the Home Department what estimate he has made of the amount of waste arising from his Department in (a) 2006-07 and (b) 2007-08 (i) in total and (ii) per full-time equivalent member of staff. [281043]

Mr. Woolas: The following table provides a breakdown for waste arisings from our key buildings in (a) 2006-07 and (b) 2007-08. Full-time equivalent figures for these buildings are not available.

	<i>Waste arisings (tonnes)¹</i>
2006-07	16,985
2007-08	2,989

¹ Taken from Sustainable Development in Government Report.

Note:

Data for 2006-07 include Prison Service.

Departmental Water

Mr. Paice: To ask the Secretary of State for the Home Department what estimate he has made of water consumption on his Department's office estate in (a) 2005-06 and (b) 2006-07, (i) in total and (ii) per full-time equivalent member of staff. [280918]

Mr. Woolas: The estimated data for key buildings are set out in the table. Full-time equivalent figures for these buildings are not available.

These are the data supplied for the annual Sustainable Development in Government questionnaire in each of the years as requested at that time.

	<i>Water consumption (M³)</i>
2005-06 (excludes Prison Service)	246,474
2006-07 (includes Prison Service)	8,380,201

Detainees: Children

Mr. Fabian Hamilton: To ask the Secretary of State for the Home Department what assessment he has made of the UK's level of compliance with the standards for the detention of children established by the United Nations Convention on the Rights of the Child in respect of immigration removal centres. [281227]

Mr. Woolas: Detention of children takes place because of the desire not to separate children from parents who have flagrantly abused the immigrations laws. The detention of children under Immigration Act powers complies with the requirements of the United Nations Convention on the Rights of the Child.

A statutory Code of Practice for Keeping Children Safe from Harm was introduced in January and sets out the key principles governing how the Agency treats children, especially in detention. The Code is due to be replaced by a statutory duty to have regard to the need to safeguard and promote the welfare of the children in the Borders, Citizenship and Immigration Bill.

Educational Accreditation Bodies

Damian Green: To ask the Secretary of State for the Home Department how many contracts his Department has with educational accreditation bodies. [278544]

Mr. Woolas: The Home Department has no contracts with educational accreditation bodies.

Entry Clearances

Mr. Sanders: To ask the Secretary of State for the Home Department what recent representations his Department has received from the English Language Training sector regarding visa regulations. [280744]

Mr. Woolas: UKBA has recently received the letter from the Member for Torbay addressed to myself, enclosing correspondence from one of the Member's constituents who runs an English language school, and expressing concerns about the impact of the new student visa arrangements upon the business of language schools in the Torbay area and on the UK economy. I will be replying to that letter in the near future.

UKBA has received no other recent representations from the English language education sector on visa arrangements, aside from queries about the operation of the new system from individual providers. This sector was fully consulted during the development of the proposals which have led to the introduction of the PBS Tier 4 immigration provisions for students, and the student visitor provisions, and is represented at the regular meetings of UKBA's Joint Education Taskforce (JET), where all aspects of the provisions continue to be discussed.

Mr. Sanders: To ask the Secretary of State for the Home Department what mechanisms there are to ensure the standardisation between offices of procedures for the processing of applications for visas for leave to remain in the UK. [281430]

Mr. Woolas: Within UKBA standard application procedures apply for both its in country and out of country operations. It has published service standards for all types of applications. These standards indicate the expected time taken to process an application by type and apply across all locations.

Service standards are published on the UKBA website.

Entry Clearances: Overseas Students

Mr. Sanders: To ask the Secretary of State for the Home Department what consultation his Department carried out on proposals affecting student visas before the recent changes to the regulations were made. [280743]

Mr. Woolas: Tier 4, the student tier of the Points Based System (PBS), was introduced on 31 March 2009 and was the culmination of the extensive changes to the immigration system first announced in 2004. Before introducing these changes, we consulted widely and in July 2005 published a consultation document: "Selective Admission: Making Migration Work for Britain"; this consultation ran for an extended period until November 2005.

The Joint Education Taskforce (JET) is the UK Border Agency's principal mechanism for consultation with the education sector. The JET was also established in 2005 and comprises senior figures and representative bodies from all parts of the education sector and it and its sub-groups continue to meet on a regular basis. In July 2008 we published "Students under the Points Based System—(Tier 4) Statement of Intent". While this was not a further consultation, we welcomed comments from stakeholders affected by the changes proposed which were incorporated where appropriate. Both documents are available in the House Library.

Mr. Oaten: To ask the Secretary of State for the Home Department how many people are employed to conduct sponsor inspections under the Tier 4 regulations on immigration; and what training has been provided by his Department for such post-holders. [281394]

Mr. Woolas [holding answer 19 June 2009]: The UK Border Agency currently employs 125 staff nationally to conduct visits to sponsors and prospective sponsors under the Points Based System which includes Tier 4.

All visiting staff receive ongoing training and development on and off the job to enable them to carry out their duties in a professional and effective manner.

Mr. Oaten: To ask the Secretary of State for the Home Department whether guidance issued by his Department on Tier 4 immigration regulations is publicly available. [281596]

Mr. Woolas [holding answer 22 June 2009]: Policy guidance on Tier 4 policy, which expands on the immigration rules provides the evidential requirements a migrant must meet is published, as is the Points Based Sponsor guidance which provides the evidential requirements a sponsor must meet. These documents are on the UK Border Agency website.

The Tier 4 caseworking instructions, which provide step by step process instructions to assessing officers as to how to physically consider an application, are currently being considered for publication.

Mr. Oaten: To ask the Secretary of State for the Home Department whether student visa applications made before 31 March 2009 are determined in accordance with the immigration rules in force at that time. [281597]

Mr. Woolas [holding answer 22 June 2009]: Yes. Student visa applications submitted prior to 31 March 2009 are determined under the immigration rules in force at that time.

Mr. Oaten: To ask the Secretary of State for the Home Department what assessment he has made of the effect on visa application rates of the requirement under the Tier 4 rules on immigration for certified translations of all documents. [281598]

Mr. Woolas [holding answer 22 June 2009]: The requirement for certified translations of all documents does not appear so far to have had a significant effect on application rates. However, as Tier 4 of the Points Based System was only introduced on 31 March 2009, it is too early to draw any definitive conclusions.

Mr. Oaten: To ask the Secretary of State for the Home Department for what reason students under Tier 4 of the points-based immigration system may not undertake a paid or unpaid work experience or internship as part of their course of study. [282215]

Mr. Woolas: Students under Tier 4 of the Points Based System may undertake a work placement as part of their course, as long as it is an assessed part of the course and the work placement does not equate to more than 50 per cent. of the length of the course in the United Kingdom. In addition, students can undertake a work placement where their course includes a legal (statutory) requirement for this.

Mr. Oaten: To ask the Secretary of State for the Home Department when he expects the new online system for the registration of overseas students to be in operation. [282233]

Mr. Woolas [holding answer 25 June 2009]: The next stage of the online system for the registration of overseas students will be launched in autumn 2009. The roll-out of the new system will be complete by the end of March 2010.

Mr. Oaten: To ask the Secretary of State for the Home Department whether he has made an assessment of the effects on the integration of non-EU domiciled students of requiring academic institutions to register their attendance. [282234]

Mr. Woolas: All academic institutions have their own procedures in place to be able to monitor their students' attendance both to ensure their continued progress on a course but also to fulfil their duty of care. The reporting requirements placed on institutions as part of their sponsor duties under Tier 4 are sufficiently robust to ensure that students who are no longer attending are reported to the UK Border Agency, while also being sufficiently flexible to allow for the different ways in which institutions monitor student attendance.

Entry Clearances: Sri Lanka

Mr. Evennett: To ask the Secretary of State for the Home Department how many applications for (a) visas and (b) leave to remain from Sri Lankan nationals his Department has under consideration. [279430]

Mr. Woolas: There are 1,957 Sri Lankan nationals who are currently awaiting a decision on their applications for Leave to Remain.

During May 2009, we received 3,424 visa applications from Sri Lankan nationals.

Immigration

Mr. Letwin: To ask the Secretary of State for the Home Department how many applications for indefinite leave to remain in the UK remained to be processed seven years or more after the date of application at the end of 2008. [247227]

Mr. Woolas: At the end of 2008 there were 13 applications that remain to be processed seven or more years after the date of application.

Immigration Controls

Pete Wishart: To ask the Secretary of State for the Home Department in which countries the UK Border Agency operates points of entry campaigns explaining UK immigration and asylum policy. [280812]

Mr. Woolas: Detailed guidance on the requirements to be met by foreign nationals who wish to enter the UK is available from all UK Border Agency Visa Application Centres and Visa Sections overseas, and on central and local websites. Call centres are also in operation in many locations.

Immigration Controls: Voluntary Work

Mr. Alan Reid: To ask the Secretary of State for the Home Department how many people of each nationality have been refused entry to the UK at ports and airports on the grounds that they intended to carry out voluntary work during their stay since the Tier 5 volunteer worker category of the points-based immigration system was introduced. [282176]

Mr. Woolas [*holding answer 25 June 2009*]: It is not possible to provide definitive figures on the number or nationality of those refused entry on the grounds that they intended to carry out voluntary work during their stay. This information can be obtained only by the detailed examination of individual records at disproportionate cost.

Immigration: Deportation

Pete Wishart: To ask the Secretary of State for the Home Department whether individuals deported by the UK Border Agency are accompanied by officials on their removal from the UK. [280810]

Mr. Woolas: The UK Border Agency staff do not accompany individuals removed or deported on their departure from the UK. However, the Agency uses contractors to facilitate overseas removal who do, from time to time, accompany individuals deported from the UK.

Members: Correspondence

John Barrett: To ask the Secretary of State for the Home Department when the visa enquiry office of the Islamabad consulate plans to reply to the hon. Member for Edinburgh West's correspondence of 24 April 2009, on his constituent Mr U. Malik. [279825]

Mr. Woolas: The UK Border Agency (Visa Services) replied to the hon. Member on 11 June 2009.

Migration

Mrs. Curtis-Thomas: To ask the Secretary of State for the Home Department (1) which of the recommendations relating to migration made by the Home Affairs Committee between 2005 and 2007 have been implemented by his Department; how many such recommendations he plans to implement; and what recent steps he has taken to implement such recommendations; [269301]

(2) when he plans to answer Question 269301, tabled on 1 April 2009, on implementation of recommendations of the Home Affairs Committee relating to migration. [278593]

Mr. Woolas: In October 2007 the Home Office provided the Home Affairs Select Committee with a progress report on implementing the accepted recommendations in the report HC775. The Government responded to the Committee's report on Justice and Home Affairs Issues at European Union Level on (HC76-I) on 11 October 2007.

Office of the Immigration Services Commissioner

John McDonnell: To ask the Secretary of State for the Home Department how applications for regulation have been received by the Office of the Immigration Services Commissioner in each year from 2001. [281419]

Mr. Woolas [*holding answer 19 June 2009*]: The Office of the Immigration Services Commissioner (OISC) is an Executive non-departmental public body sponsored

by the Home Office, and receives and deals with applications from advisers. The number of applications received are as follows:

	<i>Number of initial applications received¹</i>
2001-02	785
2002-03	779
2003-04	271
2004-05	329
2005-06	255
2006-07	255
2007-08	188
2008-09	227

¹ Applications are made by an organisation rather than an individual adviser.

Overseas Students

Mr. Soames: To ask the Secretary of State for the Home Department what information his Department holds on the number of educational establishments which (a) accepted non-EU students, (b) were inspected and (c) passed inspection in 2007. [274433]

Mr. Woolas [holding answer 11 May 2009]: The Home Office does not hold this information.

Since the launch of tier 4 of the PBS on 31 March 2009, educational establishments wishing to bring non-EEA national students to the UK are required to hold a sponsor licence, which can only be obtained by establishments that are either publicly funded and subject to the system of public inspections and audits, or private institutions that are accredited by a UK Border Agency-approved accreditation body. Around 1,500 institutions are currently registered to bring students to the UK. We estimated that around 4,000 institutions were active in bringing non-EEA students to the UK prior to the introduction of tier 4 of the points-based system.

Overseas Visitors: Jordan

Andrew Rosindell: To ask the Secretary of State for the Home Department how many Jordanian nationals visited the UK in (a) 2007 and (b) 2008. [282302]

Mr. Woolas: The latest available statistics on the number of Jordanian nationals given leave to enter the United Kingdom as visitors are for 2007. These are published in table 2.3 of the Home Office publication "Control of Immigration: Statistics United Kingdom 2007". This and future publications may be obtained

from the Library of the House and from the Home Office Research, Development and Statistics website at:

<http://www.homeoffice.gov.uk/rds/immigration-asylum-stats.html>

The statistics are based on landing card information and may include the same individuals more than once if they visited the United Kingdom on multiple occasions in the period.

Data for 2008 are scheduled for publication in August 2009.

Police: Greater London

Angela Watkinson: To ask the Secretary of State for the Home Department in which boroughs in London the number of police officers will be reduced in the next 12 months as a result of the application of the Metropolitan Police resource allocation formula; and if he will make a statement. [281789]

Mr. Hanson: The allocation of resources by the Metropolitan Police Service to the London borough operational command units is a matter for the Commissioner of the Metropolitan Police Service (MPS) and the Metropolitan Police Authority (MPA).

I understand that the resource allocation formula used by the MPS and the MPA to allocate resources to boroughs is kept under review.

Public Order Offences

Chris Grayling: To ask the Secretary of State for the Home Department how many incidents of (a) abandoned vehicles, (b) animal problems, (c) hoax calls to emergency services, (d) malicious communications, (e) noise, (f) rowdy or nuisance behaviour by neighbours, (g) rowdy or inconsiderate behaviour in public, (h) street drinking, (i) substance misuse, (j) trespass, (k) inappropriate use or sale of fireworks, (l) begging or vagrancy and (m) hate incidents, as defined by the National Incident Category List, were recorded by each police force in 2007-08. [258634]

Alan Johnson: The data requested are shown in the tables. The data are normally used for management information only and are not subject to the detailed checks that apply for National Statistics publications. The data are provisional and may be subject to change.

As part of the reviews of the burdens the Home Office places on police forces, the National Incident Category List has been simplified for 2009, with a 33 per cent. reduction in complexity, leading to a significant decrease in the data demand placed on forces.

2007-08

	<i>Abandoned vehicles (not stolen or causing an obstruction)</i>	<i>Animal problems</i>	<i>Hoax calls to emergency services</i>	<i>Malicious communications</i>	<i>Noise</i>	<i>Rowdy/ nuisance—neighbours</i>	<i>Rowdy/ nuisance—rowdy or inconsiderate behaviour¹</i>
F01 Avon and Somerset	2,760	3,088	4,607	3,833	2,137	5,408	63,903
F02 Bedfordshire	3,491	565	1,116	1,318	243	3,011	23,117
F03 Cambridgeshire	3,988	39	764	3,336	1,800	4,144	35,360
F04 Cheshire	2,787	1,366	1,079	3,558	338	4,836	34,778
F05 City of London	9	8	4	24	105	32	1,402
F06 Cleveland	2,007	1,451	2,343	4,009	155	3,751	40,588

2007-08

	<i>Abandoned vehicles (not stolen or causing an obstruction)</i>	<i>Animal problems</i>	<i>Hoax calls to emergency services</i>	<i>Malicious communications</i>	<i>Noise</i>	<i>Rowdy/ nuisance— neighbours</i>	<i>Rowdy/ nuisance— rowdy or inconsiderate behaviour¹</i>
F07 Cumbria	478	969	881	2,289	693	4,174	30,267
F08 Derbyshire	3,947	1,465	1,459	2,599	1,338	5,800	48,650
F09 Devon and Cornwall	2,753	2,250	3,657	6,391	470	8,685	70,099
F10 Dorset	2,749	415	526	2,273	1,105	3,692	29,821
F11 Durham	84	1,717	3,757	4,032	2,039	3,144	35,829
F12 Dyfed Powys	431	1,363	589	2,288	2,655	3,242	18,376
F13 Essex	4,005	3,474	4,100	3,089	1,454	5,235	61,490
F14 Gloucestershire	1,210	998	3,020	2,416	1,300	2,543	20,859
F15 Greater Manchester	17,970	1,527	8,968	11,128	788	19,788	152,693
F16 Gwent	1,117	1,225	1,779	4,448	1,097	5,418	42,876
F17 Hampshire	4,706	1,000	1,738	7,404	4,039	11,320	88,130
F18 Hertfordshire	6,873	821	5,660	5,383	4,062	3,849	45,746
F19 Humberside	2,560	954	1,137	3,838	239	5,394	31,081
F20 Kent	1,476	884	1,758	6,539	2,012	8,074	46,235
F21 Lancashire	4,622	3,399	5,000	10,010	3,394	9,438	116,639
F22 Leicestershire	1,994	708	3,827	1,509	589	2,748	38,681
F23 Lincolnshire	1,372	578	826	2,884	884	2,019	25,180
F24 Merseyside	3,860	2,387	3,513	4,281	1,896	9,117	71,005
F25 Metropolitan Police	15,294	15,625	965	16,270	10,303	19,449	215,737
F26 Norfolk	3,645	1,505	2,461	4,916	1,433	3,163	38,385
F27 Northamptonshire	3,123	794	1,682	3,054	841	1,922	45,229
F28 Northumbria	6,107	2,433	3,441	9,062	797	13,217	106,925
F29 North Wales	1,619	54	1,969	1,799	1,951	2,945	34,948
F30 North Yorkshire	1,910	1,739	462	4,665	315	3,032	31,800
F31 Nottinghamshire	4,551	1,871	10,412	3,990	1,640	1,498	53,096
F32 South Wales	8,080	2,774	2,413	4,010	503	7,426	66,864
F33 South Yorkshire	4,771	4,450	2,261	5,363	2,397	4,769	82,172
F34 Staffordshire	1,577	400	230	1,407	1,217	4,767	44,148
F35 Suffolk	2,150	963	1,498	3,439	650	2,835	24,292
F36 Surrey	5,324	1,289	9,638	1,496	1,271	4,793	30,251
F37 Sussex	5,415	2,067	12,478	5,417	1,023	5,669	57,243
F38 Thames Valley	3,066	1,255	2,698	1,220	1,850	8,586	54,149
F39 Warwickshire	2,146	153	1,012	2,508	817	2,105	16,669
F40 West Mercia	1,484	1,569	1,687	5,986	1,530	7,287	53,444
F41 West Midlands	3,631	1,524	17,903	6,652	6,189	15,781	97,071
F42 West Yorkshire	7,880	2,631	5,829	7,462	2,078	8,090	96,885
F43 Wiltshire	1,690	252	714	2,277	405	1,893	23,071

	<i>Street drinking</i>	<i>Substance misuse</i>	<i>Trespass</i>	<i>Inappropriate use/ sale/possession of fireworks</i>	<i>Begging/ vagrancy</i>	<i>Total of hate/ discrimination qualifiers²</i>
F01 Avon and Somerset	561	271	619	1,158	729	³ —
F02 Bedfordshire	375	52	335	276	259	245
F03 Cambridgeshire	395	14	78	255	290	490
F04 Cheshire	211	23	254	567	250	678
F05 City of London	17	0	4	7	254	66
F06 Cleveland	655	83	107	382	104	415
F07 Cumbria	941	53	881	468	144	338
F08 Derbyshire	807	25	130	491	164	787
F09 Devon and Cornwall	1,196	26	372	553	508	635
F10 Dorset	326	92	465	388	1,351	570
F11 Durham	2,085	74	334	335	33	382
F12 Dyfed Powys	1,049	60	255	159	125	230
F13 Essex	203	141	487	1,196	75	2,535
F14 Gloucestershire	250	92	209	266	153	246
F15 Greater Manchester	5,414	10	364	2,170	1,387	5,574
F16 Gwent	1,469	218	640	558	119	2,817
F17 Hampshire	1,830	229	980	578	931	2,116
F18 Hertfordshire	569	244	134	629	263	993
F19 Humberside	629	20	409	494	293	707

	<i>Street drinking</i>	<i>Substance misuse</i>	<i>Trespass</i>	<i>Inappropriate use/ sale/possession of fireworks</i>	<i>Begging/ vagrancy</i>	<i>Total of hate/ discrimination qualifiers²</i>
F20 Kent	191	14	297	787	655	1,417
F21 Lancashire	1,971	67	688	1,678	803	2,334
F22 Leicestershire	460	124	189	504	388	713
F23 Lincolnshire	356	104	230	312	201	305
F24 Merseyside	1,884	133	166	1,349	759	5,141
F25 Metropolitan Police	22,895	34,077	4,310	6,889	7,995	4,362
F26 Norfolk	319	80	182	268	238	465
F27 Northamptonshire	385	6	84	446	142	1,186
F28 Northumbria	3,310	712	234	1,238	437	1,383
F29 North Wales	330	0	96	266	84	433
F30 North Yorkshire	1,437	30	185	318	257	221
F31 Nottinghamshire	877	55	188	844	223	1,666
F32 South Wales	1,403	947	485	615	584	633
F33 South Yorkshire	1,468	676	242	1,226	375	3,087
F34 Staffordshire	1,386	246	485	529	94	280
F35 Suffolk	542	170	374	111	174	413
F36 Surrey	463	65	143	402	218	1,797
F37 Sussex	2,242	183	255	429	182	235
F38 Thames Valley	1,728	405	455	301	432	441
F39 Warwickshire	656	27	316	109	51	572
F40 West Mercia	452	89	732	556	304	974
F41 West Midlands	2,189	901	1,027	1,706	1,327	2,820
F42 West Yorkshire	94	317	382	1,115	424	2,171
F43 Wiltshire	194	87	111	214	277	6,788

¹ In respect of 'rowdy or inconsiderate behaviour in public', the National Incident Category List (NICL) definition does not make direct reference to incidents in public. The data supplied are for all incidents recorded under this category and will include a number that have occurred other than in public.

² In respect of 'hate incidents', NICL specifies that incidents with certain hate motivational characteristics, as set down by Association of Chief Police Officers policy, should be identified. The data supplied are those identified by forces within that policy. In all cases these incidents will have been recorded under a main category type (for example antisocial behaviour) and qualified as "hate". This will include a number of incidents that have resulted in the recording of a notifiable crime but will not include all notifiable crimes recorded as aggravated by a hate factor.

³ No data.

Terrorism

Chris Grayling: To ask the Secretary of State for the Home Department pursuant to the answer of 15 June 2009, *Official Report*, column 40W, on terrorism, what follow-up action on protective security is necessary after Project Argus events. [281882]

Alan Johnson: Project Argus events are not designed to provide bespoke advice on protective security for individual businesses but follow-up action may include providing advice on specific protective security issues raised by businesses.

Chris Grayling: To ask the Secretary of State for the Home Department pursuant to the answer of 15 June 2009, *Official Report*, column 40W, on terrorism, whether any central record is kept of the organisations which have participated in Project Argus training. [281883]

Alan Johnson: While organisations that have attended Project Argus events are recorded and held locally by the police counter-terrorism security advisers (CTSAs), there is no central record.

Travel Restrictions

Mr. Evans: To ask the Secretary of State for the Home Department pursuant to the answer of 17 June

2009, *Official Report*, column 321W, on travel restrictions, with which foreign governments his officials have discussed the Government's policy on exclusion since 5 May 2009. [281931]

Mr. Woolas [*holding answer 25 June 2009*]: The Government of the United States of America.

UK Border Agency: Manpower

Bob Spink: To ask the Secretary of State for the Home Department how many (a) directors, (b) senior managers, (c) specialist and delivery managers and (d) executive support and administration staff there were in each UK Border Agency office in each of the last five years. [280611]

Mr. Woolas: UK Border Agency staff whose records are held within the central computerised personnel system are not broken down into the specific categories (a) to (d). It is not possible to identify staff numbers against these categories and to break them down into each UK Border Agency office over five years, except at disproportionate cost.

The best estimate of UK Border Agency staff into the categories listed in the question is given in the following table:

<i>Category</i>	<i>1 January 2005</i>	<i>31 March 2006</i>	<i>31 March 2007</i>	<i>31 March 2008</i>	<i>Workforce 2009¹</i>
(a) Directors ²	5	10	10	14	13

Category	1 January 2005	31 March 2006	31 March 2007	31 March 2008	Workforce 2009 ⁱ
(b) Senior Managers ³	28	38	44	45	42
(c) Specialist and delivery managers	15,337	17,155	18,784	18,095	17,639
(d) executive support and administration staff ⁴					
Total active FTE ⁵	15,370	17,203	18,838	18,154	17,692
Total paid FTE ⁶	—	—	—	—	17,826

¹ 31 May 2009 Rounded FTE. Figure provided excludes former HMRC and UKVisas workers joining UKBA in machinery of Government transfer.

² SCS payband 2 and 3.

³ SCS payband 1.

⁴ Grades AA to Grade 6. We do not distinguish 'specialist and delivery managers' across UK Border Agency staff.

⁵ Internal UKBA metric excludes some paid staff as below, source ADELPHI.

⁶ ONS metric includes paid maternity leave, paid career breaks, source Dataview.

Vetting

Mr. Burstow: To ask the Secretary of State for the Home Department (1) what recent representations his Department has received on (a) the time taken to process Criminal Records Bureau (CRB) checks and (b) the effect of delays in CRB checks on the recruitment of staff in the health and social care sector; [280488]

(2) how long it took on average to process each type of Criminal Records Bureau check in each of the last four quarters. [280497]

Mr. Hanson: The Criminal Records Bureau (CRB) receives inquiries from applicants, employers and others acting on their behalf across all employment and voluntary sectors on a regular basis.

Data concerning the average time taken to complete a disclosure are not a performance target and are not collated by the CRB. Average figures do not give an

accurate indication of performance, since any force's performance can be affected by a number of factors, including the volume of cases sent to a force to process in any given month, the number of staff available to process the checks and the IT resources on hand to forces. With these variables, performance can fluctuate within individual forces from one month to the next.

Work Permits

Mr. Clappison: To ask the Secretary of State for the Home Department how many work permits have been issued to non-UK nationals in each quarter since 1 January 2007. [281116]

Mr. Woolas: The number of work permit applications approved for non-UK nationals in each quarter for the period 1 January 2007 to 31 December 2008 is shown in the following table:

		Number
Q1	2007	35,510
Q2	2007	33,160
Q3	2007	34,010
Q4	2007	28,380
Q1	2008	28,260
Q2	2008	32,335
Q3	2008	38,460
Q4	2008	24,655
Total	—	254,765

Notes:

1. Figures are rounded to nearest 5.

2. The figures quoted are not provided under National Statistics protocols and have been derived from local management information and are therefore provisional and subject to change.

Mr. Clappison: To ask the Secretary of State for the Home Department pursuant to the answer of 11 February 2009, *Official Report*, column 2057W, on work permits, how many applications for a work permit on the basis of an intra-company transfer in respect of non-UK nationals were (a) made and (b) granted in each quarter since January 2004. [281117]

Mr. Woolas: The number of work permit applications made and approved for Intra-Company Transfers in each quarter since January 2004 is shown in the following table:

	Q1	Q2	Q3	Q4	Total
2004					
Applications made	8,235	8,005	9,355	8,050	33,645

Work permit intra-company transfer applications made and approved for each quarter during the period 1 January 2004 to 31 December 2008

	Q1	Q2	Q3	Q4	Total
Applications approved	8,060	7,765	9,140	7,805	32,770
2005					
Applications made	8,460	8,845	8,900	8,475	34,680
Applications approved	8,250	8,595	8,610	8,290	33,745
2006					
Applications made	10,860	10,745	11,200	11,145	43,950
Applications approved	10,625	10,520	10,960	10,945	43,050
2007					
Applications made	12,865	12,960	12,945	11,460	50,230
Applications approved	12,590	12,685	12,440	11,020	48,735
2008					
Applications made	12,375	13,385	14,565	9,385	49,710
Applications approved	11,870	12,930	14,135	9,080	48,010

Notes:

1. Figures are rounded to nearest 5.
2. Because of rounding, figures may not add up to totals shown.
3. The figures quoted are not provided under National Statistics protocols and have been derived from local management information and are therefore provisional and subject to change.

Written Questions: Government Responses

Mrs. Curtis-Thomas: To ask the Secretary of State for the Home Department when he plans to answer Question 269160, tabled on 1 April 2009, on tourist visas. [278605]

Mr. Woolas: I refer my hon. Friend to the answer I gave on 11 June 2009, *Official Report*, column 938W.

Pete Wishart: To ask the Secretary of State for the Home Department when he plans to answer question 272236, tabled on 27 April 2009, on highly-skilled migrants. [281259]

Mr. Woolas: I refer the hon. Member to the answer I gave on 18 June 2009, *Official Report*, column 456W.

HEALTH

Abortion

Mr. Amess: To ask the Secretary of State for Health how many abortions were performed under the Abortion Act 1967, as amended by section 37 of the Human Fertilisation and Embryology Act 1990, where the unborn child had a cleft (a) palate and (b) lip, broken down by (i) grounds for abortion, (ii) length of gestation and (iii) health authority in 2008. [282222]

Gillian Merron: There were less than 10 abortions in 2008 with a cleft lip and palate. Data cannot be broken down by gestation or health authority for confidentiality reasons in line with the Office for National Statistics' guidance on the disclosure of abortion statistics (2005). All abortions were performed under Section 1(1)(d) of the Abortion Act 1967, that there is substantial risk that if the child were born it would suffer from such physical or mental abnormalities as to be seriously handicapped.

For years 2006, 2007 and 2008, some of the principal medical conditions for abortions performed under Section 1(1)(d) were suppressed as the totals for each single year were too small to release. In the three years 2006-08, there were also less than 10 cases with a principal medical condition of the congenital malformation cleft lip and/or cleft palate.

Carers: Advisory Services

Bob Spink: To ask the Secretary of State for Health how many calls to the Carers Direct helpline have (a) resulted in the allocation to a social worker of a new case and (b) required an urgent case assessment by a social worker since the helpline was established. [282465]

Phil Hope: This information is not held centrally.

Drugs: Misuse

Dr. Iddon: To ask the Secretary of State for Health (1) what his policy is on the use of naloxone in the treatment of opiate addicts; and if he will make a statement; [282170]

(2) what his policy is on the provision of naloxone to carers of opiate addicts to administer in cases of overdose. [282172]

Gillian Merron: Advice on the use of naloxone in the treatment of drug addiction is set out in "Drug Misuse and Dependence: Guidelines on Clinical Management" (2007)

www.nta.nhs.uk/publications/documents/clinical_guidelines_2007.pdf

All drug treatment services are expected to work within these guidelines. The guidance notes that all services working with drug misusers should have an emergency protocol in place to cover the management of drug overdoses. This should include, as well as other measures, protocols for the emergency administration of naloxone.

The National Treatment Agency for Substance Misuse is running pilots in take-home naloxone in 16 sites in England. The pilot projects will make naloxone available to family members and carers, and train them in its use and other life saving measures. They will also encourage drug users to think about reducing risk-taking.

Dr. Iddon: To ask the Secretary of State for Health what recent discussions he has had with NHS bodies on the supply of and demand for naloxone; and if he will make a statement. [282171]

Mr. Mike O'Brien: Naloxone injection of different strengths is available in ampoules and pre-filled syringes. The national health service has alerted NHS Purchasing and Supply Agency (PASA) that there are problems affecting the supply of one presentation of naloxone hydrochloride injection in pre-filled syringes. Stocks are limited and supply is being carefully managed by the company. These syringes are available only from one source and so it is not possible to obtain alternative supplies of this presentation.

NHS PASA routinely monitors the availability of naloxone injection and is not aware of any other supply problems with this product.

East of England: Health Services

Mr. Gummer: To ask the Secretary of State for Health (1) when the Suffolk Primary Care Trust was informed of the intention of the East Anglian Strategic Health Authority to cease the current procedures of pre-hospital thrombolysis; [282130]

(2) what reasons no public consultation took place on the decision of the East of England Health Authority to withdraw emergency heart services from Ipswich Hospital. [282134]

Phil Hope: This is a matter for the East of England Strategic Health Authority. We understand that the proposal to create heart attack centres in the east of England were subject to public consultation on as part of Towards the best, together from 6 May 2008 to 4 August 2008. These proposals in Towards the best, together were put forward by clinicians working in the national health service in the east of England region, and involved eight clinical work-streams involving around 200 clinicians (with representatives from every NHS organisation in the region), stakeholders, and patients in drawing up the proposals. The proposals were the result of taking the best clinical evidence and applying it to provide the best health service for the people of the east of England.

The consultation directly engaged more than 6,000 people and the public gave 90 per cent. approval to create four specialist heart attack centres. Staff saw them as the one of the most important changes to acute services in the vision, second only to a guaranteed future for all acute trusts, including Ipswich.

The Joint Overview and Scrutiny Committee (JOSC) for the east of England scrutinised the proposals made as part of the Towards the best, together consultation. Following the Towards the best, together consultation, the NHS discussed with the OSCs the plans for implementing Primary Percutaneous Coronary Intervention (PPCI) across the region and it was agreed that further

consultation was not required as the changes were in line with those already consulted on in Towards the best, together.

The decision on the four specialist centres to deliver PPCI in the east of England was made by the East of England Specialised Commissioning Group. The East of England Specialised Commissioning Group is a committee comprising representatives of all of the 14 primary care trusts (PCTs) in the east of England, including Suffolk PCT, and is a sub-committee of their Boards.

Mr. Gummer: To ask the Secretary of State for Health (1) whether the East of England Strategic Health Authority has been informed of the requirements on them to assess the carbon impact of their service decisions; what mechanism there is to monitor the authority's compliance with those requirements; and if he will make a statement; [282133]

(2) what estimate has been made of the effect on carbon dioxide emissions of changes in (a) the number of ambulance journeys, (b) the number of journeys undertaken by friends and relatives of patients and (c) arrangements for patients' post-operative care arising from the decision by the East of England Strategic Health Authority to withdraw emergency cardiac provision in Ipswich hospital. [282137]

Phil Hope: The Department has issued advice about transport management (Health Technical Memorandum (HTM) 07-03) which sets out carbon impacts of travel, Climate Change requirements and the necessity to take these aspects into account in developing Transport Plans and Strategies. A copy of HTM 07-03 has been placed in the Library.

The Department's Operating Framework for the NHS in England 2009-10 - high quality care for all is the second in a three year planning cycle established by the 2007 Comprehensive Spending Review to provide a solid platform for improving the quality of care and focusing on the priorities that matter most to patients, staff and public. Within the section on Local Priorities, it states: paragraph 8, page 42

"The NHS can make significant contributions to reducing its carbon impact. Every NHS organisation should ensure that it measures and progressively reduces its own carbon footprint. This will save resources now, improve health today and set an important example to deliver high quality and sustainable services for the future."

Mr. Gummer: To ask the Secretary of State for Health what socio-economic impact assessment was made by the East of England Strategic Health Authority of its proposal to withdraw emergency cardiac provision in Ipswich Hospital. [282138]

Phil Hope: This is a matter for the local national health service and it is the responsibility of primary care trusts in conjunction with local stakeholders to ensure that the services they commission meet the needs of the communities that they serve.

Food Standards Agency: Public Appointments

David Taylor: To ask the Secretary of State for Health what stage has been reached in the process of appointing a new Chair of the Food Standards Agency; and when he expects the successful candidate to take up the post. [282888]

Gillian Merron: The position of Chair of the Food Standards Agency is appointed jointly by the Secretary of State for Health and Health Ministers in the devolved Administrations. The role was advertised in March 2009 for a period of four weeks. The application window closed on 14 April. The selection panel shortlisted the applications in May and interviewed candidates in June. Ministers considered the panel's recommendations and agreed the Noble Lord Jeffery Rooker as the preferred candidate.

My right hon. Friend the Secretary of State has invited the House of Commons Health Select Committee to scrutinise the preferred candidate prior to appointment.

The process, run by the Appointments Commission, is regulated by the Commissioner for Public Appointments and has been conducted in accordance with Commissioner's Code of Practice for Public Appointments, involving an independent assessor at all stages including shortlisting and interview panel.

Health Services: Technology

Dr. Ladyman: To ask the Secretary of State for Health what estimate he has made of the number of older people who are supported to live in their own homes by telecare or other assistive technologies; and if he will make a statement. [281486]

Phil Hope: 'Building Telecare in England' (Department of Health July 2005), a copy of which has been placed in the Library, identified that there were 1.4 million users of telecare. Since that time it is estimated that investments made with the £80 million preventative technology grant and other funding sources have seen the number of new telecare and telehealth users increase by over 200,000.

Hospitals: Admissions

Norman Lamb: To ask the Secretary of State for Health (1) how many hospital admissions there have been for (a) male and (b) female patients with diagnosis code (i) F30, (ii) F31, (iii) F32, (iv) F33, (v) F34, (vi) F35, (vii) F36, (viii) F37, (ix) F38 and (x) F39 (A) under 14, (B) aged 14 to 17 and (C) aged 18 years and over in each (X) region and (Y) primary care trust in each of the last five years; and what the mean waiting time for admission was in each case; [281147]

(2) how many hospital admissions there have been for (a) male and (b) female patients with diagnosis code (i) F20, (ii) F21, (iii) F22, (iv) F23, (v) F24, (vi) F25, (vii) F26, (viii) F27, (ix) F28 and (x) F29 (A) under 14, (B) aged 14 to 17 and (C) aged 18 years and over in (X) each region and (Y) each primary care trust in each of the last five years; and what the mean waiting time for admission was in each case. [281150]

Phil Hope: This information has been placed in the Library.

It should be noted that the number of admissions does not represent the number of patients as one patient may have been admitted more than once.

Norman Lamb: To ask the Secretary of State for Health how many hospital admissions there have been for (a) male and (b) female patients aged (i) under 14,

(ii) 14 to 17 and (iii) 18 or more years old with diagnosis code (A) K70.0, (B) K70.1, (C) K70.2, (D) K70.3, (E) K70.4, (F) K70.5, (G) K70.6, (H) K70.7, (I) K70.8 and (J) K70.9 in (1) each region and (2) each primary care trust in each of the last five years. [281301]

Gillian Merron: A copy of the requested information has been placed in the Library.

On advice from the NHS Information Centre for health and social care (Information Centre) data by primary care trust (PCT) has not been given, instead data have been given by strategic health authority (SHA). This is because the small number of patients at PCT level requires that all of the data for the 14 to 17 age group and the majority of the 18 and over age group would have to be suppressed, to prevent any identification of individuals, which means that the data which could be supplied would be meaningless.

Additionally, the Information Centre has advised that SHA data be used instead of Government office region (GOR) data. SHAs have very similar boundaries to GOR, with the exception of South East Coast SHA and South Central SHA, which are together aggregated to South East GOR.

It should be noted that after 2005-06 the SHA configurations changed, with the 28 SHAs merging to form 10 larger SHAs. No data has been given for K70.5, K70.6, K70.7 and K70.8 as these diagnosis codes are not used. Additionally, the number of admissions does not represent the number of patients as one patient may have been admitted more than once.

Hospitals: Emergencies

Dr. Fox: To ask the Secretary of State for Health what guidance his Department provides to NHS trusts on the staff-to-patient ratio required to evacuate a hospital in an emergency. [281446]

Mr. Mike O'Brien: The Department's guidance on staff to patient ratios required to evacuate a hospital in an emergency is contained in "Firecode: Health Technical Memorandum (HTM) 05-02 Guidance in support of functional provisions for healthcare premises", published in April 2007, which has been placed in the Library.

Responsibility for ensuring adequate numbers of suitably trained personnel rests with the management of the local organisation. The guidance states that for any department or management unit, there should be a minimum of two staff present at all times. Where the number of patients exceeds thirty, the number of staff should be increased by one for every 10 (or up to 10) patients.

Prior to April 2007, the same information was contained in "Firecode: Health Technical Memorandum 81, published in 1987".

Hospitals: Waiting Lists

Mr. Evans: To ask the Secretary of State for Health what his most recent estimate is of hospital waiting times in (a) Ribble Valley constituency, (b) Lancashire and (c) nationally. [282262]

Mr. Mike O'Brien: The Department does not collect referral to treatment waiting times data at constituency level or at county level. However, the following table shows the average referral to treatment times for primary care trusts serving Ribble Valley constituency, North West strategic health authority (SHA) and England in April 2009 (latest published data):

	<i>Median referral to treatment times</i>	
	<i>Admitted pathways</i>	<i>Non-admitted pathways</i>
East Lancashire Primary Care Trust	6.6	4.7
Central Lancashire Primary Care Trust	6.1	4.8
North West SHA	7.5	4.2
England	7.7	4.2

Source:

Department of Health Referral to Treatment data.

Mr. Evennett: To ask the Secretary of State for Health what his most recent estimate is of average waiting times for hospital treatment in (a) Bexleyheath and Crayford constituency, (b) the London Borough of Bexley and (c) Greater London. [282474]

Mr. Mike O'Brien: The Department collects referral to treatment (RTT) data at trust and primary care trust level. Average (median) RTT waiting times for April 2009 (latest published data) are as follows:

	<i>Median RTT times</i>	
	<i>Admitted pathways</i>	<i>Non-admitted pathways</i>
Bexley Care Trust	6.4	4.2
London Strategic Health Authority	7.2	4.0
England	7.7	4.2

Influenza

Mr. Evans: To ask the Secretary of State for Health what his most recent assessment is of the adequacy of the influenza pandemic response strategy in (a) Ribble Valley constituency, (b) Lancashire and (c) nationally. [282261]

Gillian Merron: National health service organisations in the North West have been preparing their pandemic response for the last five years. All 63 NHS organisations in the North West region have provided assurance to the NHS North West strategic health authority (SHA) that they have robust plans in place to respond to an influenza pandemic.

The NHS Operating Framework stated that all NHS organisations should have robust pandemic flu plans in place by December 2009. Self-assessment of plans have been completed against the requirements set out in the "National framework for responding to an influenza pandemic". (A copy of this has already been placed in the Library).

Following the outbreak of swine flu in April, SHAs have revisited and reviewed primary care trust plans, in particular to ensure resilience of antiviral collection points (ACPs).

Lancashire has several ACPs which will be open to the general public plus others which are located in prisons and hospitals for prisoners and in-patients. Of the ACPs in Lancashire, several can be operational within 48 hours, and the remaining within 96 hours or a week.

The Ribble Valley is a more rural area and has its main ACP, for public access, located at Clitheroe hospital which is a community hospital. The population of the Ribble Valley can also access several other ACPs in the area.

Influenza: Health Services

Norman Lamb: To ask the Secretary of State for Health (1) what estimate he has made of the cost to the public purse to date of the (a) interim and (b) full National Pandemic Flu Service; what original estimate was made of the outturn cost of each service; and what his latest estimate is of the outturn cost; [282168]

(2) on what date his Department first requested Treasury funding for the full National Pandemic Flu Service; and on what date his Department was notified that funding approval had been given. [282169]

Gillian Merron: The costs incurred to date for system development amount to £11 million. The development costs of the interim solution are £1.4 million. The predicted out-turn for 2009-10 was £18 million (excluding £14.8 million of costs that were contingent on a pandemic actually occurring). The out-turn allowing for a possible mobilisation has now been forecast at £33.6 million under the full National Pandemic Flu Service and £31.7 million under the interim solution.

HM Treasury (HMT) were sighted throughout the developmental work for the National Pandemic Flu Service. The Department formally requested approval for funding on 18 November 2008 and this was granted by HMT on 1 December 2008.

Mental Health Services

Chris Ruane: To ask the Secretary of State for Health what assessment his Department has made of the effectiveness of treatment involving meditation in (a) mental health and (b) other health care. [282764]

Phil Hope: No assessment has been made.

Mental Health Services: Prisons

Chris Ruane: To ask the Secretary of State for Health what assessment his Department has made of the effectiveness of meditation techniques in (a) mental health care and (b) other aspects of health care for prisoners. [283101]

Phil Hope: No assessment has been made.

Multiple Sclerosis: Drugs

Annette Brooke: To ask the Secretary of State for Health how many people are being prescribed low-dose naltrexone for the treatment of multiple sclerosis on the NHS. [282005]

Mr. Mike O'Brien: The number of patients prescribed particular drugs is not known, nor the purpose for which they are used. In 2008, the Prescription Cost Analysis system indicates there were 900 prescription items dispensed in the community, in England for low dose naltrexone drugs between 1.5mg and 4.5mg. Available data indicate there was no use of low dose naltrexone drugs in hospitals in England.

NHS: Expenditure

Mr. Lansley: To ask the Secretary of State for Health with reference to the TFR3 and PFR3 financial returns submitted to his Department, how much (a) primary

care trusts and (b) other NHS trusts have spent on (i) administrative and clerical staff, (ii) remuneration of chairmen and non-executive directors, (iii) laundry and cleaning equipment, (iv) postage, (v) telephones, (vi) advertising, (vii) electricity, (viii) gas, (ix) other fuel including oil and coal, (x) business rates, (xi) rent, (xii) remuneration of auditors, (xiii) external contract staffing and consultancy services and (xiv) contract hotel services including cleaning and catering contracts in each year since 2003-04. [278488]

Mr. Mike O'Brien: The data requested are provided in the following tables.

<i>NHS trusts (TFR3)</i>	2003-04	2004-05	2005-06	2006-07	£ million 2007-08
Administrative and clerical staff—NHS	2,364,960	2,437,784	2,508,623	2,408,654	2,163,292
Administrative and clerical staff—non NHS	127,972	111,859	113,957	98,565	131,360
Administrative and clerical staff—total	2,492,932	2,549,643	2,622,580	2,507,219	2,294,652
Remuneration of chairman and non-executive directors	19,384	16,119	15,272	12,232	11,560
Laundry and cleaning equipment	80,937	65,219	71,230	67,529	64,585
Postage	48,824	43,928	42,934	39,342	36,155
Telephones	144,256	127,271	121,930	115,282	102,752
Advertising	84,766	66,279	43,349	21,112	23,233
Electricity	114,351	121,574	160,550	174,033	140,117
Gas	90,043	99,896	148,227	128,974	101,936
Other fuel including oil and coal	34,459	32,787	34,186	26,702	24,104
Business rates	176,170	157,022	163,442	183,930	157,402
Rent	176,872	186,677	224,110	266,446	282,998
Remuneration of auditors	40,282	36,864	36,751	37,024	33,895
External contract staff and consultancy services	157,425	135,150	158,277	163,393	155,544
Contract hotel services including cleaning and catering contracts	375,992	314,623	352,927	388,555	389,841

Note:

In 2003-04 NHS Professionals was administered by West Yorkshire ambulance services trust. To avoid double counting, expenditure by NHS Professionals on administrative and clerical staff has been eliminated in the table above.

<i>Primary Care Trusts (PFR3)</i>	2003-04	2004-05	2005-06	2006-07	£ 000 2007-08
Administrative and clerical staff—NHS	605,683	759,524	910,954	1,004,588	1,079,280
Administrative and clerical staff—non NHS	53,980	60,926	72,329	73,640	115,109
Administrative and clerical staff—total	659,663	820,450	983,283	1,078,228	1,194,389
PCT chairman, board and executive remuneration	124,782				
Remuneration of chairman and non-executive directors		88,095	77,949	52,026	42,687
Laundry and cleaning equipment	9,495	7,822	10,412	11,594	14,297
Postage	19,220	19,404	20,050	19,580	20,585
Telephones	59,864	64,542	67,080	66,288	73,361
Advertising	45,325	45,382	29,183	15,122	29,149
Electricity	15,308	20,072	26,827	33,541	34,827
Gas	13,083	14,993	22,232	25,198	25,476
Other fuel including oil and coal	1,846	1,497	2,145	2,443	2,927
Business rates	41,415	40,952	49,829	62,083	65,901
Rent	86,230	93,751	144,718	193,310	259,579
Remuneration of auditors	35,378	36,186	37,288	46,720	40,530
External contract staff and consultancy services	53,101	55,925	71,600	74,383	139,172
Contract hotel services including cleaning and catering contracts	30,561	29,201	40,835	44,459	47,469

Note:

In the 2003-04 PFRs the heading was 'PCT chairman, board and executive remuneration' and so is not directly comparable with the heading 'Remuneration of chairman and non-executive directors' used from 2004-05 onwards.

NHS: ICT

Mr. Stephen O'Brien: To ask the Secretary of State for Health (1) whether the funds for the extension of the Additional Supply Capability and Capacity Framework to cover NHS trusts in the South of England that are not included in the Local Service Provider contract with BT will be taken from the existing National Programme for IT budget; [282885]

(2) what estimate he has made of his Department's expenditure on the Additional Supply Capability and Capacity Framework in the next five years; [282886]

(3) how much his Department has spent (*a*) in total, (*b*) in accrediting systems for and (*c*) in staffing costs of the Additional Supply Capability and Capacity Framework in each year since its inception; [282887]

(4) from which budget funding for the extension of the Additional Supply Capability and Capacity Framework to cover the 52 NHS Trusts in the south of England that are not included in the local service provider contract with BT will be drawn; [283260]

(5) what estimate he has made of his Department's expenditure on the Additional Supply Capability and Capacity Framework in each of the next five years; [283261]

(6) what his Department's expenditure on the Additional Supply Capability and Capacity Framework has been in each year since its inception; and what the cost of (*a*) accrediting systems for and (*b*) staffing the Framework was in each of those years. [283262]

Mr. Mike O'Brien: Systems deployed under the Additional Supply Capability and Capacity (ASCC) framework in the south of England will be funded as part of the National Programme for IT, within existing resources. Proposals for trusts in the south to use the ASCC will be subject to appropriate approvals being obtained. Part of the process will be to establish the likely overall demand and estimated value of contracts to be awarded. This has not yet been completed.

Financial management information is not kept in a way that enables all the costs of the ASCC to be separately identified within the staffing and other administrative costs of NHS Connecting for Health, which is responsible, within the Department, for the National Programme for IT. However, suppliers' systems are not "accredited" as a part of the ASCC procurement. The purpose of the procurement is to create a framework of suppliers with demonstrated capacity and capability in various specialisms. Subsequently, on identification of a business need, each trust will specify its particular requirements to suppliers in the most appropriate service category. It will be for suppliers to demonstrate how they can meet this need against the procurement's specific evaluation criteria.

Osteoporosis: Health Services

Mr. Lansley: To ask the Secretary of State for Health what progress has been made in implementing the osteoporosis diagnosis and prevention scheme provided for in the Primary Medical Services (Directed Enhanced Services) (England) (Amendment) Directions 2009. [282131]

Mr. Mike O'Brien: The two-year clinical Directed Enhanced Service (DES) for Osteoporosis was brought in to cover the period April 2008 to March 2010 following agreement reached between the British Medical Association (BMA) and NHS Employers (on behalf of the Government) and announced in September 2008. Subsequently, joint guidance was issued to general practitioner (GP) practices and primary care trusts (PCTs) in the same month to enable GP practices choosing to take up the DES to begin working on delivering the agreed specification, with the Directions amending GP contractual arrangements issued in February 2009. These arrangements were supported by further guidance issued jointly by the BMA and NHS Employers in the same month.

Financial data from PCTs indicates that PCTs have made some achievement payments in 2008-09 against the delivery by general practice of this DES, with greater reward available against achievement expected in 2009-10. Discussions about contractual arrangements applying to GP practices for 2010-11 and beyond are currently ongoing.

Pharmacy: Crime

Mr. Letwin: To ask the Secretary of State for Health if he will bring forward legislative proposals to decriminalise dispensing errors by pharmacists under the Medicines Act 1968. [282155]

Mr. Mike O'Brien: The Government recognise concerns that specific provisions contained in the 1968 Medicines Act may be used to prosecute pharmacists who make a dispensing error.

A full review of the Medicines Act is already under way by the Medicines and Healthcare products Regulatory Agency (MHRA). This will include consideration of changes that may be made to the law to ensure that it provides the necessary safeguards for the public while being proportionate as to how instances of clinical error are dealt with. The MHRA is working closely with the Royal Pharmaceutical Society of Great Britain and other stakeholders on the Medicines Act review.

Prescriptions: Fees and Charges

Mr. Hoyle: To ask the Secretary of State for Health if he will take steps to bring forward the timetable for publication of the report of Sir Ian Gilmore's review of prescription charges. [282164]

Mr. Mike O'Brien: Professor Gilmore is due to report on his review of prescription charges to departmental Ministers in the autumn. The review was due to report to departmental Ministers in the summer. However, following discussions between Ministers and Professor Gilmore, he will undertake further work in order to ensure that proposals can be implemented smoothly and efficiently.

Skin Cancer: Health Education

Mrs. Gillan: To ask the Secretary of State for Health (1) what funding his Department allocated to the SunSmart campaign in (*a*) 2006-07, (*b*) 2007-08 and (*c*) 2008-09; [281728]

(2) what funding his Department has allocated to the SunSmart campaign for 2009-10; [281730]

(3) what assessment his Department has made of the effectiveness of the SunSmart campaign; and if he will publish that assessment. [281732]

Gillian Merron [*holding answer 22 June 2009*]: SunSmart, the national skin cancer prevention and sun protection campaign run by Cancer Research UK on behalf of the United Kingdom Health Departments has been allocated the following funding from the Department of Health, England, for the campaign:

	£
2006-07	150,000
2007-08	104,000
2008-09	110,000
2009-10	115,000

The Cancer Reform Strategy also made commitments to increase the funding available for awareness programmes and has provided additional monies in 2008-09 and 2009-10 for national and local skin cancer initiatives.

In surveys done by Cancer Research UK, some significant increases in awareness of sun/skin cancer issues, and of self-reported practice of preventive actions, have been observed. We will discuss arrangements with Cancer Research UK about how to place this information in the public domain.

Thalidomide

Rob Marris: To ask the Secretary of State for Health (1) whether he plans to compensate those who have suffered adverse effects as a consequence of drugs prescribed by the NHS before the provisions of the Medical Safety Act 1968 came into effect; [279990]

(2) if he will bring forward measures for the financial compensation of thalidomiders whose mothers were prescribed thalidomide by the NHS. [280024]

Gillian Merron: Thalidomide victims are compensated through a private settlement, which was agreed between the Thalidomide Trust, which was established to administer annual payments to victims, and Distillers, which is now part of Diageo plc., the company that marketed the drug in the United Kingdom. Compensation payments are therefore a matter for the Thalidomide Trust and Diageo plc.

It is the Department's policy not to make ex-gratia payments to patients who believe their health has been adversely affected by the use of pharmaceutical products. Responsibility rests with the pharmaceutical company concerned.

Responsibility for the testing of thalidomide, including tests to assess its safety, lies with Chemie Grünenthal, the original developer of the drug. In the United Kingdom, Distillers also undertook testing on thalidomide before its introduction to the UK market.

Prior to the Thalidomide tragedy, there was no formal drug regulation system in place to monitor the safety of medicines in the UK. As a result of the tragedy, a complete review of the machinery for marketing, testing and regulating drugs was initiated, including enactment

of the Medical Act 1968, which introduced stricter testing for medicines prior to licensing to ensure that they meet acceptable standards of safety and efficacy.

BUSINESS, INNOVATION AND SKILLS

Airbus A350

Mr. Hoyle: To ask the Minister of State, Department for Business, Innovation and Skills (1) what assessment he has made of the effect that provision of launch aid expenditure on the Airbus A350 would have on the UK aerospace industry; [281873]

(2) what discussions he has had with his EU counterparts on the provision of EU launch aid for the Airbus A350; and if he will make a statement. [281788]

Ian Lucas [*holding answer 23 June 2009*]: As part of our usual due diligence process when considering launch investment requests, the Government have carried out a detailed assessment of the possible provision of support to Airbus for the A350 XWB aircraft. This includes detailed analysis of the company's business case, technical viability of the project, the potential market, and anticipated benefits to the UK aerospace industry and the wider economy. As a result of this analysis we are proceeding with negotiations with the company.

At the Paris Air Show, on 15 June, the Minister for Science and Technology held discussions with his equivalent Ministers from France and Germany as part of the regular Airbus ministerial meetings held at the major European air shows. These discussions included financing arrangements for the A350 XWB on which the UK, French, German and Spanish Governments are in separate negotiations with Airbus. The Minister for Science and Technology confirmed the UK's commitment to Airbus and the A350 XWB programme and confirmed our aim to complete negotiations for support in the coming weeks.

Mr. Hoyle: To ask the Minister of State, Department for Business, Innovation and Skills (1) when he expects the decision to be taken on whether to provide launch aid funding for Airbus A350; [282165]

(2) what estimate he has made of the number of jobs in the UK which the allocation of launch aid funding for the Airbus A350 would (a) create and (b) secure. [282173]

Ian Lucas: The Department is in negotiations with Airbus over support for the A350 XWB programme. We would aim to complete these within the next few weeks; however this is subject to reaching satisfactory agreement with the company.

The long term nature of this project, and the fact that negotiations are still continuing, make it hard to be precise about the numbers of UK-based jobs that will be created directly within Airbus and within the A350 XWB supply chain. However, our assessment is that the programme will provide significant employment opportunities as well as generating skills and expertise that will help keep the UK at the forefront of aerospace technology.

Business: Regulation

Mr. Sanders: To ask the Minister of State, Department for Business, Innovation and Skills what his policy is on post-implementation reviews of regulations affecting businesses. [280737]

Ian Lucas: The Impact Assessment template requires the timing for the post-implementation review of the regulatory proposal to be set out.

A post-implementation review should establish the actual costs and benefits of the policy and whether it is achieving its desired effects and delivering the policy objective.

Guidance for conducting a post-implementation review is part of the Impact Assessment guidance, available at:

www.berr.gov.uk/whatwedo/bre/policy/scrutinising-new-regulations/preparing-impact-assessments/page44077.html

On 20 March 2008 the Government announced a new approach to post-legislative scrutiny [Command Paper 7320] in response to a report by the Law Commission.

This new approach will complement the Government's internal departmental scrutiny with parliamentary scrutiny—principally by Committees of the House of Commons. Government Departments will publish a memorandum on appropriate Acts of Parliament which will enable the departmental Select Committees of the Commons to decide whether to conduct further scrutiny. Details are available at:

www.official-documents.gov.uk/document/cm73/7320/7320.pdf.

Colin Matthews and BAA

Norman Baker: To ask the Minister of State, Department for Business, Innovation and Skills on what dates since 1 January 2007 (a) the Secretary of State, (b) other Ministers and (c) officials in his

Department have (i) met and (ii) had discussions with (A) Colin Matthews and (B) BAA. [276386]

Ian Lucas [*holding answer 19 May 2009*]: My right hon. Friend the Member for Barrow and Furness, the then Secretary of State for BERR, met Sir Nigel Rudd on 28 November 2007 and 13 March 2008. My noble Friend, Lord Jones of Birmingham, the then Minister for Trade and Investment met Sir Nigel Rudd on 30 April 2008. My noble Friend the Parliamentary Under-Secretary of State for Competitiveness and Small Business met Colin Matthews on 1 May 2009. Officials also met a representative from BAA on 21 October 2008, and had further discussions with BAA prior to each ministerial meeting shown above.

Construction

Peter Luff: To ask the Minister of State, Department for Business, Innovation and Skills when he expects to appoint a chief construction officer; and if he will make a statement. [280645]

Ian Lucas: I will make a statement shortly.

Further Education: Merseyside

Mrs. Curtis-Thomas: To ask the Minister of State, Department for Business, Innovation and Skills what proportion of young people resident in (a) Merseyside and (b) Crosby were in further education (i) in 1997 and (ii) on the latest date for which information is available. [282528]

Mr. Iain Wright: I have been asked to reply.

The information requested is shown in the following tables for Merseyside and Liverpool local education authority (LEA). This information is not available below LEA level.

Proportion of 16 and 17-year-olds¹ in education and work based learning

	Percentage					
	Full time further education			All education and work based learning		
	Age 16	Age 17	All aged 16 and 17	Age 16	Age 17	All aged 16 and 17
<i>Merseyside</i>						
End 1997	67	53	60	86	75	81
End 2007	76	63	70	89	78	84
<i>Liverpool</i>						
End 1997	63	46	54	83	67	75
End 2007	77	63	70	92	80	86

¹The age of a learner is measured at the beginning of the academic year, 31 August.

Source:

Participation in Education, Training and Employment by 16 to 18-year-olds in England, (Merseyside figures calculated from unrounded data for constituent LEAs). <http://www.dcsf.gov.uk/rsgateway/DB/SFR/s000849/index.shtml>

General Motors

Richard Burden: To ask the Minister of State, Department for Business, Innovation and Skills (1) what recent discussions he has had with representatives of General Motors on the future of GM Europe; [274337]

(2) what recent discussions he has had with his counterparts in other EU member states on the future of General Motors Europe; [274338]

(3) whether he plans to have discussions with Fiat on its interest in the future of GM Europe and the position of General Motors operations in the UK. [274339]

Ian Lucas: Government have had a number of discussions with GM, counterparts in other EU member states, the US Government, Fiat, Magna and other interested parties, including trade unions, about the future of GM Europe. BIS Ministers, GM Europe and ministerial

counterparts from EU member states formally met on 13 March. My noble Friend the Secretary of State and officials have regular meetings and discussions with a wide variety of interested parties.

Insolvency

Mr. Oaten: To ask the Minister of State, Department for Business, Innovation and Skills pursuant to the answer of 10 June 2009, *Official Report*, columns 925-26W, on insolvency, whether he has made an estimate of the projected increase in numbers of company administrations in 2009-10, based on the trends identified; and whether he has made an assessment of the merits of making additional funds available to the Insolvency Service to take account of the increase in the number of company administrations owing to the current economic situation. [281830]

Ian Lucas [*holding answer 23 June 2009*]: No official estimates of the number of company administrations in 2009/10 and beyond have been compiled by the Insolvency Service (The Service). This is because company administrations are overseen by private practice insolvency practitioners, and so do not require additional funds from The Service. Administrators have a duty to report to the Secretary of State for Business, Innovation and Skills on the conduct of directors and shadow directors of a company in administration. Where an adverse report has been submitted, The Service may carry out an investigation. The Service has implemented a number of initiatives to assist in the planning and management to deal with increases in the number of adverse reports, including more pro-active targeting and prioritisation of cases.

The Service also monitors compliance by insolvency practitioners with Statement of Insolvency Practice 16 (SIP 16 Pre-packaged sales in administrations), with which all insolvency practitioners are required to comply. Pre-pack administrations are where a sale of the business or assets is arranged before administration and executed by the administrator immediately on or shortly after their appointment. SIP 16 requires insolvency practitioners in pre-pack administrations to explain in detail to creditors the background to their appointment and the reasons for any transaction undertaken through a pre-pack.

An increase in the number of administrations could result in an increase in the number of reports submitted to the Service under SIP 16. This work is part of The Service's regulatory function. The Service has increased its fees to insolvency practitioners to cover our regulation work in relation to SIP 16s.

The Redundancy Payments Services has also had additional funds available to take into account the increase in the number of overall company insolvencies.

Mr. Oaten: To ask the Minister of State, Department for Business, Innovation and Skills what monitoring of compliance with the Statement of Insolvency Practice 16 on pre-packaged sales in administrations is taking place; and if he will publish the results of such monitoring. [282177]

Ian Lucas [*holding answer 25 June 2009*]: New disclosure requirements aimed at improving the transparency of pre-packaged administrations were introduced on 1

January 2009. The requirements are contained within SIP (Statement of Insolvency Practice) 16, which all insolvency practitioners acting as administrators are required to follow.

The Insolvency Service is thoroughly examining all information received from insolvency practitioners in relation to disclosures made under SIP 16. Any evidence of non-compliance with SIP 16 on the part of insolvency practitioners will be reported to their relevant regulatory body so that disciplinary action may be considered.

In addition, the Insolvency Service is examining the conduct of directors involved in pre-pack administrations and will take into account information disclosed under SIP 16 when considering whether to commence disqualification proceedings against directors.

A report on the Insolvency Service's monitoring of information disclosed under SIP 16 will be published before the summer recess.

Internet: Iran

Mr. Lidington: To ask the Minister of State, Department for Business, Innovation and Skills what estimate the Government has made of the quantity of exports from the UK to Iran of technology intended to inspect, monitor or filter internet content in the latest period for which figures are available. [282199]

Ian Lucas [*holding answer 25 June 2009*]: UK trade statistics do not allow us to identify exports from the UK to Iran of technology intended to inspect, monitor or filter internet content and the Government have not made an estimate of these types of export.

The Government publish statistical summaries of export licences issued and refused by destination in its Annual and Quarterly Reports on Strategic Export Controls. No UK licences have been issued for the export of items which might have contained technology intended to inspect, monitor or filter internet content to Iran since 1999. Such technology would however not necessarily be controlled under UK export controls. This would depend on the specific items concerned: some technology could be controlled if it employed cryptography or was specially designed for military use.

Motor Vehicles: Manufacturing Industries

Mr. Peter Ainsworth: To ask the Minister of State, Department for Business, Innovation and Skills what assessment he has made of the effects of the vehicle scrappage scheme on the second-hand car market; and if he will make a statement. [281999]

Ian Lucas [*holding answer 23 June 2009*]: The vehicle scrappage scheme is a targeted, time-limited action with a capped budget designed to help the whole motor trade. It was limited to make sure its benefits are balanced with the needs of other sectors of the car industry including the second hand market and repair businesses, and of manufacturers of other consumer durables. Over 74,000 orders for new vehicles have been taken since the scheme was announced in the Budget in April.

Norman Baker: To ask the Minister of State, Department for Business, Innovation and Skills what estimate he has made of the increase in car sales

attributable to the introduction of the car scrappage scheme; and what percentage of this increase is represented by vehicles produced in the UK. [282550]

Ian Lucas: Over 74,000 orders for new vehicles have been taken since the scrappage scheme was announced in the Budget in April. It is too early to give an estimate of how many of these orders are attributable to the scrappage scheme and what percentage of these are produced in the UK.

Norman Baker: To ask the Minister of State, Department for Business, Innovation and Skills what consideration was given to the merits of introducing a vehicle scrappage incentive scheme based on a vehicle's carbon dioxide emissions. [282551]

Ian Lucas [*holding answer 26 June 2009*]: The scrappage scheme was primarily designed to boost the automotive industry and restore consumer confidence not as a green measure. However, we believe that there will be some benefits for the environment as old vehicles are replaced by newer, by and large more fuel-efficient models. A summary of the wide range of Government initiatives aimed at reducing carbon dioxide emissions from road vehicles was set out in our "Ultra-Low Carbon Vehicles in the UK" strategy published on 16 April 2009.

Train to Gain Programme

Steve Webb: To ask the Minister of State, Department for Business, Innovation and Skills how people who lose their jobs can access the Train to Gain opportunities announced by his Department on 14 October 2008. [272646]

Kevin Brennan: The programme announced includes £100 million for support for people who are unemployed or facing redundancy. We now expect that funding to provide training places for around 70,000 people.

Individuals who are under notice of redundancy will be able to access the funding training arranged by their employers. Employers will be able to get help and

advice and access training through brokerage service run by Business Link or by contacting the Learning and Skills Council (LSC) for advice.

People who are recently redundant or who have been claiming unemployment benefits and who can be helped back into work through this targeted training programme will be able to access the programme by referral from their local JobCentre Plus office or next steps agency.

Train to Gain Programme: Finance

Mr. Stephen O'Brien: To ask the Minister of State, Department for Business, Innovation and Skills how much expenditure from the public purse has been incurred on the Train to Gain initiative in each month since January 2009; and what funds have been allocated to the initiative for each of the next three years. [277195]

Kevin Brennan: The Learning and Skills Council is responsible for funding of the Train to Gain programme. Based on provisional and unaudited accounts, LSC expenditure on Train to Gain was £72 million in January 2009, £95 million in February 2009 and £91 million in March 2009. These figures will be confirmed when the LSC publish their accounts in July 2009. Figures for April and May 2009 are not yet available.

Planned investment in Train to Gain for 2009-10 (financial year) is £925 million (LSC Grant Letter, November 2008). Planned investment for 2010-11 will be confirmed in autumn 2009, any expenditure beyond 2010-11 will subject to the outcome of the next spending review.

UK Trade and Investment: Finance

Mr. Clifton-Brown: To ask the Minister of State, Department for Business, Innovation and Skills how much UK Trade and Investment has received from each of its funding streams in each year since 2003. [281679]

Ian Lucas: UK Trade and Investment (UKTI) received the following amounts from each of its funding streams:

	2003-04	2004-05	2005-06	2006-07	2007-08	Outturn (£000) 2008-09 ¹
UKTI programme	96,614	99,405	95,374	94,088	90,167	90,815
BIS administration	48,248	47,805	46,444	43,107	53,755	55,725
FCO resource	143,843	138,462	142,578	161,361	170,348	182,843
	288,705	285,672	284,396	298,556	314,270	329,383

¹ Provisional outturn

The responsibility for defence exports transferred from the Ministry of Defence under a Machinery of Government change on 1 April 2008 (a transfer of approximately £20 million).

From 2006-07, as a result of enhancing their costing model, the Foreign and Commonwealth Office (FCO) changed the basis of calculation of the total resource used by UKTI. The FCO resource figures for the period 2003-04 to 2005-06 are not available on a comparable basis to subsequent periods, and can be obtained only at disproportionate cost.

JUSTICE

Youth Justice Board : Manpower

David Howarth: To ask the Secretary of State for Justice how many (a) staff and (b) consultants employed by the Youth Justice Board in each financial year since 2003-04 had security clearance at (i) counter-terrorist check, (ii) baseline check, (iii) security check and (iv) developed vetting level. [282002]

Maria Eagle: The following table shows the numbers and level of security clearance that Youth Justice Board

staff (including full and part-time permanent staff, seconded and temporary workers) and consultants (which

includes consultants used by the YJB and contractors who work for the YJB) had during each of the requested years.

	<i>Employee Type</i>	<i>Baseline Check</i>	<i>Enhanced Baseline Check</i>	<i>Counter Terrorist Check</i>	<i>Security Clearance</i>	<i>Developed Vetting</i>
2003-04	Staff	42	—	56	2	0
2003-04	Consultants	16	—	0	0	0
2004-05	Staff	102	—	68	4	0
2004-05	Consultants	41	—	0	0	0
2005-06	Staff	122	—	71	6	0
2005-06	Consultants	42	—	0	0	0
2006-07	Staff	130	5	69	8	0
2006-07	Consultants	58	0	0	0	0
2007-08	Staff	100	68	84	9	0
2007-08	Consultants	58	40	0	0	0
2008-09	Staff	94	125	83	11	0
2008-09	Consultants	57	64	0	0	0

In 2008-09 28 staff also had Disclosure Scotland clearance.

Please note the figures for 2005-06 and 2006-07 are not fully verifiable so the figures provided are based on the best available data.

Absenteeism: Pupils

Mrs. Curtis-Thomas: To ask the Secretary of State for Justice how many parents in (a) Merseyside and (b) Crosby have appeared in court on charges related to the unauthorised absence from school of their child in the last (i) six, (ii) 12 and (iii) 24 months. [282526]

Mr. Coaker: I have been asked to reply.

The Department has policy responsibility for school attendance and the Ministry of Justice is responsible for the collection of prosecution data where parents have failed to ensure their children's regular school attendance. I refer my hon. Friend to the reply given on 16 June, *Official Report*, column 242W.

Antisocial Behaviour: Fixed Penalties

Paul Holmes: To ask the Secretary of State for Justice how many people under the age of 16 years have been issued with a penalty notice for disorder for each category of offence for which such notices are issued. [278450]

Mr. Straw: PNDs for young persons under the age of 16 were piloted for a year from July 2005 in six police force areas (Merseyside, Lancashire, Essex, Nottingham, west midlands (including West Midlands British Transport Police) and the Metropolitan Police (Kingston Division)). The most recent published data on the number of PNDs issued, by area and offence from the pilots are set out in the following tables.

The evaluation report on penalty notices for disorder (PNDs) for 10 to 15-year-olds was published on 5 November 2008. Copies have been placed in the Library of the House.

Number of PNDs issued correctly by force and offence type (July 2005 to June 2006)

	<i>Lancashire</i>	<i>Merseyside</i>	<i>Metropolitan police</i>	<i>Nottinghamshire</i>
<i>£40 penalty</i>				
Wasting police time	23	11	0	2
Improper use of electronic communication	4	5	0	2
Knowingly giving false alarm to the fire brigade	4	1	0	0
Causing harassment, alarm or distress	388	713	0	44
Throwing fireworks	8	23	0	1
Drunk and disorderly	144	113	0	3
Selling alcohol to under 18s	3	0	0	0
Buying alcohol for person under 18	0	1	0	1
Purchasing alcohol for consumption in licensed premises	0	1	0	0
Delivering alcohol to person under 18 or allowing such delivery	0	1	0	0
Destroying or damaging property (under £500)	566	757	2	27
Theft (retail under£200)	453	579	2	15
Possession of a category 4 firework	1	1	0	0

Number of PNDs issued correctly by force and offence type (July 2005 to June 2006)

	Lancashire	Merseyside	Metropolitan police	Nottinghamshire
Possession by a person under 18 of an adult firework	1	8	0	3
<i>£30 penalty</i>				
Trespassing on railways	4	6	0	0
Throwing stones at a train	0	1	0	0
Drunk in highway	18	34	0	0
Drinking alcohol in designated public place	21	7	0	0
Depositing and leaving litter	12	23	0	5
Buying or attempting to buy alcohol by a persons under 18	2	11	0	0
Force total	1,652	2,296	4	103
	West midlands + BTP	Essex	All areas	
<i>£40 penalty</i>				
Wasting police time	13	0	49	
Improper use of electronic communication	2	1	14	
Knowingly giving false alarm to the fire brigade	3	0	8	
Causing harassment, alarm or distress	109	26	1,280	
Throwing fireworks	2	0	34	
Drunk and disorderly	11	4	275	
Selling alcohol to under 18s	0	0	3	
Buying alcohol for person under 18	2	0	4	
Purchasing alcohol for consumption in licensed premises	0	0	1	
Delivering alcohol to person under 18 or allowing such delivery	0	0	1	
Destroying or damaging property (under £500)	51	15	1,418	
Theft (retail under£200)	70	30	1,149	
Possession of a category 4 firework	0	0	2	
Possession by a person under 18 of an adult firework	0	0	12	
<i>£30 penalty</i>				
Trespassing on railways	21	0	31	
Throwing stones at a train	4	0	5	
Drunk in highway	2	2	56	
Drinking alcohol in designated public place	0	0	28	
Depositing and leaving litter	11	0	51	
Buying or attempting to buy alcohol by a persons under 18	0	0	13	
Force total	301	78	4,434	

Asylum: Tribunals

Mr. Burstow: To ask the Secretary of State for Justice how many times a hearing at each asylum and immigration tribunal was adjourned for each reason for adjournment, in the last 12 months; and if he will make a statement. [282245]

Bridget Prentice: For the financial year 2008-09, 12,063 substantive Asylum and Immigration Tribunal (AIT)

hearings were adjourned from a total of 126,541 substantive hearings. The following table details the reasons for each adjournment.

The table includes a significant number of cases adjourned for a further reconsideration hearing. Once a reconsideration application has been granted, there is a first stage hearing to ascertain whether an error in law has occurred. If a material error of law is found, the case is officially 'adjourned', and there is a second stage hearing after which the AIT substitutes a fresh decision to allow or dismiss the appeal.

Table 1: Number of adjournments at substantive hearing, by reason and case type for financial year 2008-09

Adjournment reason	Case type						Total
	Asylum	Immigration out of country ECO	Immigration in country MM	Visit visa	Deport appeal	Human rights etc. ¹	
Appellant sick	85	38	127	15	2	2	269
Other reason given for Appellants non attendance	48	50	71	67	1	3	240
Non appearance by witness	56	123	81	161	1	3	425
Appellant's documents missing	55	117	79	109	0	0	360
Awaiting withdrawal confirmation from Appellant/Representative	3	6	6	0	0	0	15
Appellant has been unable to find a Representative	19	8	25	2	0	0	54
Appellant has not instructed a Representative	15	37	11	5	0	0	68
Appellant requires all female/male court	2	0	2	0	0	0	4
Appellant not brought from Detention Centre	5	0	67	0	1	0	73
Non appearance by Presenting Officer	21	34	28	2	0	2	87
Home Office have not complied with directions	89	124	80	94	0	3	390
Home Office documents missing	121	453	122	251	1	6	954
Defective removal notice	2	0	4	1	0	0	7
Home Office reconsidering their decision	23	22	75	2	0	6	128
Pending confirmation from Home Office of withdrawal by Appellant	0	4	7	1	0	0	12
Transcript/tape n/a or distorted	10	4	7	0	0	0	21
Home Office file/bundle not received	21	108	13	47	0	1	190
Immigration Judge sick or fails to attend	8	15	5	30	0	0	58
Immigration Judge not available	10	37	6	51	0	0	104
Interpreter sick	3	0	0	2	0	0	5
Other reason given for interpreters non attendance	8	2	6	1	0	0	17
AIT file missing or incomplete	1	14	7	9	0	0	31
Wrong Interpreter requested by Representative/Appellant	23	6	9	2	0	1	41
Interpreter not requested by Representative/Appellant	6	35	17	22	1	0	81
Appellant objects to Interpreters Religion/Nationality	2	0	1	0	0	0	3
Inadequate interpreter	42	9	5	0	0	0	56
Wrong/No interpreter booked	51	23	18	7	0	0	99
No interpreter available in required language	27	19	6	10	0	0	62
Lack of court time	146	66	101	70	0	2	385
Notice of hearing incorrectly served or not served	22	80	27	156	0	2	287
Directions not sent to Representative/Home Office	0	11	5	6	0	0	22
Case not listed for the correct Immigration Judge	12	15	13	11	0	1	52
Case suspended	6	21	13	0	0	0	40
Needs a combined hearing	27	24	49	20	0	0	120
List for legal/non panel hearing	36	1	3	0	0	0	40
Reclassified	54	3	6	4	0	0	67
Further reconsideration hearing rule 31(2)	935	569	784	103	0	43	2,434
Court closed	49	110	89	136	0	1	385
Case transferred follow instructions from Immigration Judge	11	21	30	20	0	0	82
Representative Sick	73	60	57	43	0	1	234
Representatives withdraw from case	17	7	16	4	0	0	44
Representative/Counsel double booked in two courts	4	9	2	1	0	0	16
Other reason for Representatives non attendance	38	95	47	49	1	0	230

All AIT substantive hearings

Table 1: Number of adjournments at substantive hearing, by reason and case type for financial year 2008-09

Adjournment reason	Case type						Total
	Asylum	Immigration out of country ECO	Immigration in country MM	Visit visa	Deport appeal	Human rights etc. ¹	
Representatives instructed late	47	43	52	16	0	2	160
Representative need to supply medical report	133	113	66	3	2	3	320
For further evidence to be supplied by Representative	377	582	454	150	0	10	1,573
Representative has not complied with directions	75	36	60	6	1	1	179
Representative has changed circumstances	11	9	12	5	0	0	37
Other reasons for Representative needing more time	181	216	238	67	2	13	717
New Home Office issue unexpectedly raised	110	224	228	37	3	2	604
Document needs to be authenticated or translated	59	50	33	11	0	0	153
Representative waiting decision on CLR funding	3	5	4	0	0	0	12
Case transferred following request from Representative	3	6	2	5	0	0	16
Total	3,185	3,664	3,276	1,814	16	108	12,063

¹ Includes human rights, racial discrimination and deprivation of citizenship.

British Constitution

Mr. Dai Davies: To ask the Secretary of State for Justice pursuant to the statement of 10 June 2009, *Official Report*, columns 795-99, on constitutional renewal, what options for sanctions he plans to propose for hon. Members who breach the proposed statutory code of conduct. [280244]

Barbara Keeley: I have been asked to reply.

Clause 9 of the Parliamentary Standards Bill as published creates new criminal offences relating to claims for allowances and Members' financial interests. The House will also retain its current disciplinary powers in relation to misconduct by Members.

Complaints

Mrs. Betty Williams: To ask the Secretary of State for Justice if he will make an assessment of the merits of amending the Data Protection Acts 1998 and 2002 to provide for the immediate deletion of records held by employers of complaints made by them against former employees in circumstances in which such complaints are withdrawn. [282676]

Mr. Wills: All processing of personal data in the UK must be carried out in compliance with the Data Protection Act 1998 (DPA). The fifth data protection principle in the DPA requires that personal data is not kept for longer than is necessary for the purpose for which it was collected. This principle would apply to any personal data contained in complaints against former employees, including those that are later withdrawn. The Information Commissioner's Office (ICO) is responsible for investigating and enforcing compliance with the DPA. Any concerns that a data controller is not complying with the Act may be referred to the ICO.

Criminal Injuries Compensation

Chris Grayling: To ask the Secretary of State for Justice how many awards the Criminal Injuries Compensation Authority made to individuals with a criminal record in each year for which figures are available. [281950]

Mr. Straw: The Criminal Injuries Compensation Authority does not maintain records for the number of awards made to individuals with a criminal record. However, the numbers of awards reduced (under Paragraphs 13 and 15 of the Criminal Injuries Compensation Scheme (CICS)) because of criminal convictions are as follows:

	Number of awards reduced because of applicant's/ deceased's criminal convictions	Total number of awards made under the CICS
2004-05	1,399	35,352
2005-06	1,487	33,697
2006-07	1,500	31,407
2007-08	1,862	39,091
2008-09	1,958	36,461

Chris Grayling: To ask the Secretary of State for Justice how many awards the Criminal Injuries Compensation Authority made to individuals injured while trying to prevent a crime or while helping a police officer catch a suspected criminal in each year for which figures are available; and what the monetary value of such awards was in each such year. [281951]

Mr. Straw: This information is not recorded centrally by the Criminal Injuries Compensation Authority. However, figures detailing the numbers of awards made (excluding those to police officers) where the applicant took an exceptional risk and was injured in attempting to apprehend an offender, and the total monetary value of these awards, are as follows:

Cases where applicant attempted to apprehend an offender¹

	Number	Value of cases (£)
1996-97	76	143,923
1997-98	242	449,532
1998-99	260	589,658
1999-2000	193	481,662
2000-01	203	464,425
2001-02	248	546,645
2002-03	216	610,777
2003-04	221	597,090
2004-05	135	641,369
2005-06	121	375,852
2006-07	102	255,911
2007-08	143	435,488
2008-09	168	976,028

¹ Exceptional risk.

Chris Grayling: To ask the Secretary of State for Justice how many awards the Criminal Injuries Compensation Authority made in each year for which figures are available; and what the monetary value of those awards was in each such year. [281953]

Mr. Straw: The numbers of awards made by CICA between 1996-97 and 2008-09, and the monetary value of those awards in each of these years, are given in the following table:

	Total number of awards made under the CICS	Value of cases (£)
1996-97	8379	19,103,717
1997-98	31360	77,715,031
1998-99	39991	110,199,398
1999-00	39524	114,516,357
2000-01	36759	110,504,614
2001-02	39642	125,369,845
2002-03	42149	156,193,338
2003-04	41218	169,505,874
2004-05	35352	163,822,052
2005-06	33697	158,483,206
2006-07	31407	161,032,977
2007-08	39091	188,791,784
2008-09	36461	231,435,833

Departmental Billing

Mr. Philip Hammond: To ask the Secretary of State for Justice pursuant to the Answer of 15 June 2009, *Official Report*, column 62W, on departmental billing, how much his Department's non-departmental public bodies paid in interest under the Late Payment of Commercial Debts (Interest) Act 1998 in the last three years. [282329]

Mr. Wills: None of the non-departmental public bodies sponsored by the Ministry of Justice paid any interest to suppliers under the late Payment of Commercial Debt (Interest) Act 1998 in the last three years, (from April 2006 through to March 2009). Although the Ministry of Justice was only formed in May 2007 the figures provided for the three-year period requested are correct, as any payments made under this Act must be disclosed in the audited annual report and accounts of

each individual body. No such disclosures were made. Copies of these documents are held in the Library of the House of Commons.

Departmental Catering

Mr. Grieve: To ask the Secretary of State for Justice pursuant to the answer of 1 June 2009, *Official Report*, column 76W, on departmental catering, what the level of subsidy for provision of food and drink to the Ministry of Justice headquarters estate was in financial year 2007-08. [278266]

Mr. Straw: The subsidy for the provision of food and drink to the Ministry of Justice estate was £180,000 for the financial year 2007-08.

Departmental Data Protection

James Brokenshire: To ask the Secretary of State for Justice how many officials in (a) his Department and (b) its agencies have been (i) disciplined and (ii) dismissed for (A) breaches of data protection requirements and (B) inappropriate use of personal or sensitive data in the last 12 months. [278738]

Mr. Straw: Ministry of Justice (MO J) central records for the financial year 2008-09, show that no officials have been disciplined or dismissed for breaches of data protection requirements or inappropriate use of personal or sensitive data.

Mr. Blunt: To ask the Secretary of State for Justice how many breaches of information security there have been at (a) his Department and its predecessor and (b) its agencies in the last five years. [281089]

Mr. Straw: The total number of centrally recorded information security breaches/incidents occurring within the last five reporting years for the Department (created May 2007) and its predecessor (the Department for Constitutional Affairs) are as follows:

MOJ/DCA	Number
2008-09	1,316
2007-08	563
2006-07	365
2005-06	337
2004-05	241

These totals include both IT and general information breaches/incidents. For the years prior to 2008-09, these figures include agencies and NDPBs, and to obtain a breakdown would involve disproportionate cost.

Our records now enable us to break down the 2008-09 figure, which comprises 394 information breaches and 922 IT incidents. The 394 includes the following agency breakdown:

	Number
HMCS	34
Tribunals Service	61
Office of the Public Guardian	3
NOMS	106

NOMS was formerly part of the Home Office, and figures for incidents prior to May 2007 are held by the Home Office.

My Department and its agencies report all significant personal data security breaches to the Cabinet Office and the ICO. Information on personal data security breaches are published on an annual basis in the Department's annual resource accounts as was announced in the Data Handling Review published on 25 June 2008.

Additionally, all significant control weaknesses including other significant security breaches are included in the Statement of Internal Control which is published within the annual resource accounts. Only two of the information incidents in 2008-09 were assessed to be significant and nine in 2007-08.

Although, the last two reporting years has seen a 43 per cent. increase in reported information and IT security related breaches/incidents, much of this is the result of the implementation of a robust information assurance programme. This has included the need for all areas to apply procedures for reporting information security incidents, including the identification and investigation of the departure, however minor, from all security procedures. The result is an evidently improving information security management system.

Where incidents involve the inadvertent disclosure of personal data these now include the requirement to involve managers and senior civil servants within an hour of any potential disclosure being identified. The circumstances surrounding each potential incident are investigated and where appropriate disciplinary action is taken.

Departmental Publications

Grant Shapps: To ask the Secretary of State for Justice how much it cost to produce each of his Department's publications in each of the last three years. [280769]

Mr. Straw: The Ministry of Justice and its executive agencies produce a wide range of internal and external publications each year, including annual reports and consultation papers, public information material for the public and ministerial vision statements. External publications can be found on the Ministry's website at:

<http://www.justice.gov.uk/publications.htm>

It is not possible to identify expenditure on all types of publications without incurring disproportionate cost as this would involve examination of a large number of transactions across a range of accounting categories. The following figures, though not comprehensive, reflect the majority of expenditure incurred by the Ministry and its executive agencies on external publications:

	£
<i>2008-09</i>	
Ministry of Justice HQ	623,061
HM Courts Service	95,491
Tribunals Service	49,316
Office of the Public Guardian	150,994
The National Offender Management Service	30,331

	£
Total	949,193
<i>2007-08</i>	
Ministry of Justice HQ	457,954
HM Courts Service	131,676
Tribunals Service	53,100
Office of the Public Guardian	307,650
The National Offender Management Service	21,777
Office of the Criminal Justice Reform	176,311
Total	1,148,469

The Ministry's predecessor Department, the Department for Constitutional Affairs (DCA), which excluded the National Offender Management Service and the Office for Criminal Justice Reform, incurred the following expenditure on publications:

	£
<i>2006-07</i>	
DCA HQ	837,544
HM Courts Service	161,260
Tribunals Service	125,554
Office of the Public Guardian	67,576
Total	1,191,934

The Ministry has a contract with TSO to supply the Department with a large proportion of external publications. The figures quoted above for the Ministry of Justice HQ, HM Courts Service and Tribunals Service figures represent expenditure with TSO only. The Ministry's publications via TSO can be found at:

<http://www.tso.co.uk/about/whoAreWe/>

The figures provided for the National Offender Management Service (including HM Prison Service and the 42 local probation boards) include publication expenditure for their business plans, annual reports and annual accounts only. To collate the expenditure for all NOMS agency publications would incur disproportionate cost.

The Office of the Public Guardian figures include both in-house and TSO expenditure.

EC Law

Bob Spink: To ask the Secretary of State for Justice what estimate he has made of the proportion of statutory obligations provided for by legislation on matters for which his Department is responsible which were introduced as a consequence of obligations arising from EU legislation in the latest period for which figures are available.

[281861]

Mr. Straw: The information requested is not held centrally and could be provided only by manually examining each piece of legislation the Ministry of Justice has introduced at a disproportionate cost. On the basis of the information provided by MoJ policy experts, it appears that of the 280 statutory instruments laid by the MoJ since its creation in May 2007, two of these were partially concerned with meeting obligations arising from EU legislation.

Land Titles

Dan Rogerson: To ask the Secretary of State for Justice whether there is a (a) statutory or (b) other limit on the amount of time made available for the Lord Chancellor to defend land title guarantees at tribunal. [281420]

Bridget Prentice: The Lord Chancellor is not required to defend land title guarantees in proceedings before the adjudicator to HM Land Registry.

Legal Aid

Mr. Bellingham: To ask the Secretary of State for Justice how much has been spent from the public purse on legal aid for judicial review cases in each of the last five years. [282184]

Bridget Prentice: Legal aid cash expenditure for judicial review cases in each of the past five years is shown in the following table.

<i>Judicial review cases expenditure</i>	
<i>Financial year</i>	<i>Expenditure (£ million)</i>
2004-05	12.7
2005-06	12.5
2006-07	11.5
2007-08	13.7
2008-09	14.9

Mr. Bellingham: To ask the Secretary of State for Justice whether there are limits on the amount an expert witness may charge in legal aid cases. [282186]

Bridget Prentice: In Crown court cases, discretionary guideline rates apply to specified types of expert witness. There are no fees set for other types of expert witnesses in criminal cases or for any expert in civil cases. These are assessed against knowledge of local market rates on a case by case basis. Providers are required to obtain at least two quotes and choose the best option in terms of the service they provide and the fees charged.

The recent “Civil Bid Rounds for 2010 Contracts” consultation and the “Family Legal Aid Funding from 2010” consultation included proposals to control spending on experts’ fees by removing experts’ cancellation fees and administration costs from the scope of public funding and capping the pay rates for experts’ travel and waiting time.

The Legal Services Commission (LSC) is currently finalising the official consultation response on the “Civil Bid Rounds for 2010 Contracts” consultation which will set out the final proposals regarding experts’ fees. It is currently due to be published by the end of June and will apply to all civil publicly funded cases.

Legal Services Commission: Expenditure

Mr. Bellingham: To ask the Secretary of State for Justice how much expenditure the Legal Services Commission has incurred on expert witnesses in (a) family law cases and (b) criminal law cases funded through legal aid in each of the last five years. [282185]

Bridget Prentice: The Legal Services Commission (LSC) does not record separately the amounts paid to expert witnesses from funds granted by the LSC. Payments to expert witnesses form part of the overall disbursement paid to legal services providers.

Magistrates’ Courts

David Howarth: To ask the Secretary of State for Justice what the average time taken between charge and trial of a defendant tried in a magistrates’ court has been in each year since 2000. [282006]

Bridget Prentice: Table 1 shows the estimated average time from charge/laying of information to start of trial in the magistrates courts for England and Wales in all criminal cases since 2001. Table 2 below shows the estimated average time from charge to start of trial for charge cases only. Results for 2000 have not been supplied, due to differences in data collection methods and business rules.

Table 1, charge and summons cases, estimated number of days in all criminal cases between chargelaying of information and start of trial for defendants in England and Wales, 2001 to 2009

	<i>Estimated time from chargelaying of information to start of trial (days)</i>	<i>Margin of error (+/- number of days)</i>	<i>Number of defendants in the sample</i>
2001	69	1	13,983
2002	65	1	19,888
2003	67	1	21,479
2004	72	1	20,228
2005	70	1	20,657
2006	74	1	19,283
2007	73	1	18,583
2008	70	1	16,853
2009	65	2	9,504

Notes:

1. Results taken from time intervals survey, a quarterly, one week survey, primarily used to measure timeliness in the magistrates courts
2. Two surveys (March and September) have been used for each year, except for 2009 where only March is available
3. Results shown for cases in which start of trial date is provided
4. Results include trials in which a defendant pleads not guilty and is tried summarily in absence
5. Results for 2000 have not been supplied, due to differences in data collection methods and business rules
6. The margin of error is a precision of a result based on a sample survey. The true value is likely to fall within the range of the sample result +/- the margin of error

Table 2, charged cases only—estimated number of days for charged cases only between charge and start of trial for defendants in England and Wales, 2001 to 2009

	<i>Estimated time from chargelaying of information to start of trial (days)</i>	<i>Margin of error (+/- number of days)</i>	<i>Number of defendants in the sample</i>
2001	105	3	4,347
2002	103	3	5,196
2003	111	2	5,765
2004	123	3	5,880
2005	125	3	5,858
2006	126	3	5,854

Table 2, charged cases only—estimated number of days for charged cases only between charge and start of trial for defendants in England and Wales, 2001 to 2009

	Estimated time from charge/laying of information to start of trial (days)	Margin of error (+/- number of days)	Number of defendants in the sample
2007	120	3	5,411
2008	102	3	5,050
2009	103	8	1,321

Notes:

1. Results taken from time intervals survey, a quarterly, one week survey, primarily used to measure timeliness in the magistrates courts
2. Four surveys (March, June, September and December) have been used for each year, except for 2009 where only March is available
3. Results shown for cases in which start of trial date is provided
4. Results include trials in which a defendant pleads not guilty and is tried summarily in absence
5. Results for 2000 have not been supplied, due to differences in data collection methods and business rules
6. The margin of error is a precision of a result based on a sample survey. The true value is likely to fall within the range of the sample result +/- the margin of error

Parliamentary Standards Authority

Mr. Dai Davies: To ask the Secretary of State for Justice how many individuals are to be appointed to the Parliamentary Standards Authority; by what process the appointments will be made; what criteria for appointment will apply; whether there is to be provision for their remuneration; and for what period such appointments would be made. [277698]

Barbara Keeley: I have been asked to reply.

The proposed arrangements for appointment and remuneration of members of the Independent Parliamentary Standards Authority are set out in Part 1 of Schedule 1 to the Parliamentary Standards Bill [Bill 121] as published.

Mr. Dai Davies: To ask the Secretary of State for Justice what estimate he has made of the likely (a) establishment and (b) running costs of the proposed new Parliamentary Standards Authority (PSA); and whether the PSA will be a public authority for the purposes of the Freedom of Information Act 2000. [280177]

Barbara Keeley: I have been asked to reply.

Cross-party discussions on the form of the new authority are ongoing. The Government's proposal on the classification of the Independent Parliamentary Standards Authority for the purposes of the Freedom of Information Act is published in the Parliamentary Standards Bill.

Probation Officers: Manpower

Mr. Grieve: To ask the Secretary of State for Justice how many trainee probation officers are expected to complete training in 2009. [280833]

Mr. Straw: The number expected to complete their training in 2009 is 513. It is too soon to give an accurate picture of the number of TPO graduates who will be offered jobs. All probation areas are looking closely at their budgets and work force needs to ensure as many trainees as possible are offered employment.

Mr. Grieve: To ask the Secretary of State for Justice what estimate he has made of the number of trainee probation officers who will not be offered employment in each region in 2009. [280834]

Mr. Straw: A recent survey of the 42 probation areas, who are the employers, has shown that it is too soon to be certain how many of these graduates will be offered jobs in the Probation Service. The regional Directors of Offender Management have been asked to review the position of their local probation boards and trusts to ensure that decisions about TPO employment are based on credible workforce plans that take full account of the staffing requirements of the next three years within the region and elsewhere in the country.

Reoffenders

Mr. Garnier: To ask the Secretary of State for Justice if he will publish the feasibility studies carried out by his Department on quantifying re-offending rates among former prisoners of each prison in England and Wales. [281157]

Maria Eagle: The Ministry of Justice is currently undertaking a feasibility study to investigate this issue. This study aims to determine whether meaningful data on the reoffending of former prisoners from individual institutions can be produced. We aim to complete this work by the end of the financial year 2009-10. Once this work has been completed, it will need to go through the normal analytical quality assurance process to determine how this could be suitably published.

Victim Support Schemes

Mrs. May: To ask the Secretary of State for Justice pursuant to the answer of 30 April 2009, *Official Report*, column 1442W, on Victim Support Schemes, (1) how many of the organisations he wrote to have successfully applied for funding for 2009-10; [282265]

(2) how many organisations which had not previously received funding from his Department applied for funding for 2009-10; and how many such applications have been approved by his Department. [282266]

Mr. Straw: The 2008-09 grants from the Victims Fund for organisations supporting victims of sexual violence have been renewed for this financial year (2009-10). All 39 organisations that we wrote to about the grant renewal process received a grant for this year.

Organisations that had not received previous funding were eligible to apply to the Victims Fund homicide round. 18 applications were received and of these 12 had not received previous funding from the Victims Fund. This is now closed and grant awards will be made shortly by the Home Office.

The Home Office has launched the hate crime section of the Victims Fund for the financial year 2009-10. This round is currently open for applications and organisations that have not received previous funding are eligible to apply.

Victim Support Schemes: Finance

Mrs. May: To ask the Secretary of State for Justice (1) pursuant to the answer of 30 April 2009, *Official Report*, column 1442W, on victim support schemes, how many organisations that he wrote to have applied for funding from his Department for 2009-10; and when he expects funding to be awarded to successful applicants; [281478]

(2) whether organisations which had not previously received funding from his Department were able to apply for funding for 2009-10; and when he expects funding to be awarded to successful applicants. [281479]

Mr. Straw: The 2008-9 grants from the Victims Fund for organisations supporting victims of sexual violence have been renewed for this financial year. All the 39 organisations that we wrote to about the grant renewal process received a grant for this year.

Organisations that have not received previous funding were eligible to apply to the Victims Fund homicide round. This is now closed and grant awards will be made shortly by the Home Office. The Victims Fund hate crime will be made shortly by the Home Office. The Victims Fund hate crime round is currently open for applications and organisations that have not received previous funding are eligible to apply.

Ministerial Correction

Monday 29 June 2009

WOMEN AND EQUALITY

Age Discrimination

Jo Swinson: I am glad that the Minister mentions Young Equals and I am sure he has read its excellent report, "Making the case", which details harmful age discrimination against young people, so how can the Government justify ignoring that evidence and excluding under-18s from protections in the Equality Bill?

[Official Report, 25 June 2009, Vol. 494, c. 936-37.]

Letter of correction from Michael Jabez Foster:

An error has been identified in the oral response given to the hon. Member for East Dunbartonshire (Jo Swinson) on 25 June 2009. The exchange was as follows:

Jo Swinson: I am glad that the Minister mentions Young Equals and I am sure he has read its excellent report, "Making the case", which details harmful age

discrimination against young people, so how can the Government justify ignoring that evidence and excluding under-18s from protections in the Equality Bill?

Michael Jabez Foster: We all agree that young people deserve the best possible start in life, but the most appropriate and effective way to deliver better opportunities and services for our young people is through targeted initiatives, which is why, in January, we announced an extra 350,000 apprenticeship places, half of which we expect to go to 16 to 18-year-olds. It is also why we are investing £225 million over three years to support local communities. We need to support vulnerable young people who become homeless. Such targeted initiatives will have the greatest effect for the benefit of young people.

The correct answer should have been:

Michael Jabez Foster: We all agree that young people deserve the best possible start in life, but the most appropriate and effective way to deliver better opportunities and services for our young people is through targeted initiatives, which is why, in January, we announced an extra 35,000 apprenticeship places, half of which we expect to go to 16 to 18-year-olds. It is also why we are investing £225 million over three years to support local communities. We need to support vulnerable young people who become homeless. Such targeted initiatives will have the greatest effect for the benefit of young people.

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