Inward Investment

The Secretary of State was asked—

1. John Robertson (Glasgow, North-West) (Lab): What assessment he has made of the effect of greater investment in Northern Ireland on levels of inward investment.

The Secretary of State for Northern Ireland (Mr. Shaun Woodward): While inward investment is of course a matter for the devolved Administration, both current and future levels of investment from outside the UK depend on maintaining political momentum and demonstrating the strength of political stability in Northern Ireland.

John Robertson: I thank my right hon. Friend for that answer. He is right that the political situation in Northern Ireland is a lot better, but would it not also help if investment on Government projects was directed into areas such as Northern Ireland, so that people could concentrate more on work than on political unrest?

Mr. Woodward: My hon. Friend is right to point to the effects of Government investment, and I am very pleased that the Executive and Assembly in Northern Ireland are making extremely good use of it. I congratulate the First Minister, the right hon. Member for Belfast, East (Mr. Robinson), who is here today, on the work he is leading in that regard. It may be worth remarking that, this year alone, nearly 43 inward investment projects—in excess of around £800 million, I believe—are being conducted in Northern Ireland.

Mr. Peter Robinson (Belfast, East) (DUP): While the Secretary of State rightly draws attention to the fact that the Northern Ireland Executive met their own targets for the last financial year, ending on 31 March, the economic downturn will make things much more difficult in the year ahead. Northern Ireland has a first-class package for inward investment, with a young and well-educated work force and a very good record in innovation, research and development. However, does he agree that the bottom line when he or anyone else has visited America or elsewhere in the world is that people want to know that violence has ended and that there is political stability? The twin evils in respect of getting investment back into Northern Ireland and getting our economy going are those who use the bomb and the bullet to kill and cause bloodshed there, and those wreckers who are attempting to bring down the political institutions.

Mr. Woodward: I congratulate the right hon. Gentleman on the work that he has been doing to inspire leadership in Northern Ireland, and also on what he has done with the Deputy First Minister in the United States to attract inward investment. They have been extremely successful, especially in the current climate. The right hon. Gentleman is also right to point to the impact of the activities of those criminals who call themselves dissident republicans. Again, I congratulate the First Minister and his colleagues on their achievements, which mean that, despite those criminal activities, Northern Ireland continues to be a place that attracts that investment.

Dr. Alasdair McDonnell (Belfast, South) (SDLP): What discussions, if any, have there been between the national Government here and the devolved Government in Stormont about the spectrum of investment in renewable energies and sustainability? Has there been any dialogue across the border with the Government in the Irish Republic on those issues?

Mr. Woodward: The hon. Gentleman will know that that is a matter for the devolved Administration, but I assure him that the British Government will provide every encouragement to the talks taking place. Anything that I can do in a capacity appropriate to the Secretary of State, I of course stand ready to do.

Mr. Alistair Carmichael (Orkney and Shetland) (LD): Does the Secretary of State agree with New York’s Mayor Bloomberg, who said that to attract the level of inward development that he thinks is possible a lot of the physical barriers—the peace walls, the murals, the painted kerb stones and the rest of it—will have to be removed? Will the Secretary of State give his support to those politicians in Northern Ireland who are taking a very brave stand on some of those issues?

Mr. Woodward: I absolutely support all those politicians, and again I commend the leadership jointly offered by the First Minister and the Deputy First Minister on these issues. However, it would be remiss of the House not to record the historic progress that has been made on decommissioning by loyalism in the past few weeks. Again, that achievement is very much the result of a team effort, across the House and outside it. I should like to put on record my thanks to this House for keeping faith with the decommissioning process, which has taken many weapons off the streets for ever.

Mr. Laurence Robertson (Tewkesbury) (Con): The Secretary of State and other right hon. and hon. Members, are right to point out that Northern Ireland does stand to benefit from the decommissioning and the peace dividend. However, one problem is that the public sector in Northern Ireland remains disproportionately large, compared with that sector in the rest of the UK. What can the right hon. Gentleman do to change that, bring about greater investment in Northern Ireland and increase the size of the wealth-creating private sector?
Mr. Woodward: This is an interesting moment. The hon. Gentleman is right to point to the concern about the size of the public sector in Northern Ireland, and in normal economic circumstances we would wish to press that issue. However, as he will know, a recession is taking place, and this Government believe that it is right to continue with the investment in Northern Ireland; to do its best for the people there; and to not pursue the Opposition policy of 10 per cent. cuts.

Saville Inquiry

2. Mr. Simon Burns (West Chelmsford) (Con): What his most recent estimate is of the cost of the Saville inquiry.

The Secretary of State for Northern Ireland (Mr. Shaun Woodward): The cost of the Bloody Sunday inquiry to the end of May is £188 million, including legal costs incurred by the Ministry of Defence.

Mr. Burns: Is the Secretary of State aware that legal costs are at just over £97 million, that the inquiry has lasted more than nine years, with 920 witnesses and 432 sitting days, and that the report is expected to be more than 4,000 pages long? Does he accept that for the good of the families and the armed forces, the process should be brought to an end swiftly? When will it be?

Mr. Woodward: It is always interesting to hear Opposition Members talk about inquiries, and expressing concern about the cost and the length of this inquiry. That is why the Government wanted the Inquiries Act 2005 to control costs and the number of years an inquiry takes, and why the Government have been very sensitive to the issues of the Saville inquiry in relation to the families. We must never lose sight of the fact that although the cost of the inquiry is rightly a matter for the House, the value of the Saville inquiry has been inestimable in ensuring that the peace process is successful.

Mark Durkan (Foyle) (SDLP): Is the Secretary of State aware of the consternation caused to the Bloody Sunday families by some recent words in the House, and can he offer any reassurance in that regard? Can he update us on what further consideration he is giving to the particular needs and rights of families in the context of the publication of the Saville report?

Mr. Woodward: The inquiry is independent, of course, and as such, when it reports is a matter for Lord Saville. He has indicated to me that he still expects that to happen in autumn this year. We should record the fact that everyone in the House shares the hon. Gentleman's wish that this inquiry is brought to an end swiftly. In the end we can try and hold the inquiry accountable for costs, but independence must mean independence. If the hon. Gentleman's wish were to be granted, he would also have to accept some loss of independence, and that may not be what he would want.

Mr. Nigel Dodds (Belfast, North) (DUP): On a day when there is renewed concern in Northern Ireland about the amount of money spent by Government on legal costs, does the Secretary of State agree that more needs to be done to cap the costs of legal representation in such cases, because astronomical sums of public money are going into lawyers' pockets? The public in Northern Ireland and across the country are rightly appalled at this level of expenditure. Can he give an assurance that it will be brought to an end?

Mr. Woodward: The hon. Gentleman knows that that was one of the major purposes of the Inquiries Act 2005 and why we wanted other inquiries that are taking place to do so under the Act or to convert to the terms of the Act. The hon. Member for West Chelmsford (Mr. Burns) referred earlier to the almost £100 million that has been spent on the legal costs of the Saville inquiry. That is a genuine issue of real concern to the House, but we must recognise that those who advocate open and public inquiries also have to come to terms with the fact that many people who come before such inquiries will want legal representation. Although we will try to bear down on the costs of legal representation, as we have done through the Inquiries Act, we cannot deny people fair representation and justice.

Equality Issues

3. Mr. Graham Allen (Nottingham, North) (Lab): What plans has he for the transfer of responsibility for the equality issues within his portfolio to the Northern Ireland Assembly; and if he will make a statement.

The Minister of State, Northern Ireland Office (Paul Goggins): The vast majority of equality and anti-discrimination matters are already within the legislative competence of the Northern Ireland Assembly. We have no current plans to devolve any of the remaining reserved equality issues, but would be happy to consider doing so if requested by the Assembly.

Mr. Allen: Would the Minister consider it to be in the spirit of the Good Friday agreement, and the spirit of equality, for both Her Majesty's Government and the devolved Assembly to continue to ensure that children receive a similar education and are not separated, if not at birth, then at the age of four or five, into religious groups, and learn tribal loyalties, rather than a loyalty to humanity?
Paul Goggins: I know that my hon. Friend has a long-standing interest in, and commitment to, integrated education in Northern Ireland; he has raised the issue on many occasions. He rightly points out that equality, and a commitment to equality, was at the heart of the Good Friday agreement. It paved the way for the great progress made in Northern Ireland in recent years. One of the products of that progress is that many matters are now devolved in Northern Ireland, including responsibility for education, so I hope that he will forgive me if, on this occasion, I pass and leave it to others to comment on those issues.

Mr. Gregory Campbell (East Londonderry) (DUP): I suppose that it should be said—I hope that the Minister agrees—that state schools in Northern Ireland do not encourage tribalism.

Leaving aside the as yet undetermined date for the transfer of policing and justice powers, what more rapid progress can the Minister secure to bring about an equitable situation regarding recruitment to the police in Northern Ireland, so that everyone, irrespective of their religious background, has an equal opportunity, and so that merit is the only consideration in such recruitment?

Paul Goggins: I know that the special provisions in place for recruitment to the Police Service of Northern Ireland are a matter of some controversy, and I know that the hon. Gentleman has very strong views on them. However, he will recognise that when Patten reported, only 8 per cent. of serving police officers in Northern Ireland were from the Catholic community. I can tell him that the figure is now more than 26 per cent. That is a huge change, and it means that the Police Service of Northern Ireland more fairly reflects the community that it serves. We are absolutely committed to disapplying the special provisions that are now necessary when we reach the target of 30 per cent., and recruitment will then proceed in the normal way.

Crime Detection

4. Bob Spink (Castle Point) (Ind): What the rate of detection of crime by the Police Service of Northern Ireland was in the latest period for which figures are available. [283757]

The Minister of State, Northern Ireland Office (Paul Goggins): The clearance rate in Northern Ireland for 2008-09 was 23 per cent.—an increase of 2.5 percentage points on the previous year. Importantly, there has been an increase in clearance rates for some of the most serious crimes committed, including murder and attempted murder, as well as serious sexual offences.

Bob Spink: I welcome that answer. I congratulate the Police Service of Northern Ireland on its detection rate for serious crime, but the Minister is aware that low-level crime and antisocial behaviour continue to increase. Will he resist any move to disband the full-time reserve, and will he ensure that we get more front-line policing, and a greater high-visibility police presence on the street?

Paul Goggins: There is absolute commitment from the Policing Board and the Chief Constable in Northern Ireland to making sure that we get as many police officers on to the streets as possible. There is a huge commitment to neighbourhood policing. The hon. Gentleman mentions the full-time reserve; I pay warm tribute to all those who have served in the full-time reserve in Northern Ireland. They have done a heroic job over many years. However, the Chief Constable recently reaffirmed his decision to continue to disband the full-time reserve. There are currently 180 full-time reserve officers on the front line. The Chief Constable has given a clear commitment that all their responsibilities, and all the cover that they provide, will be filled. He has given a categorical assurance on that, and he certainly would not compromise the safety of his officers.

Mr. Eddie McGrady (South Down) (SDLP): In spite of the Minister’s welcome statistics regarding the detection and resolution of crime, is he aware that the community in Northern Ireland, generally speaking, is frustrated by the failure to prevent and detect antisocial behaviour and low-level crime? Is he also aware that there was a scheme afoot to provide police community support officers? Such a scheme is essential to the resolution of crime, as well as a vital outstanding matter from the Patten review of policing. That scheme was frustrated by the failure in 2007 to provide the funding. Will he now provide that funding?

Paul Goggins: The Police Service of Northern Ireland received a very good budget for the comprehensive spending review ‘07 period—a budget that enables it to retain a police force of 7,500 regular officers. The hon. Gentleman made a point about police community support officers. I can tell him that I see the benefits of PCSOs every day in my constituency, and I look forward to the day when the Policing Board and the Chief Constable in Northern Ireland decide to commit to PCSOs. The hon. Gentleman is right about the need to deal with antisocial behaviour, and yesterday I had the great pleasure of launching the “summer splash” scheme in Northern Ireland, in which young people up and down Northern Ireland will be given positive activities to do during the summer months, so that they do not engage in antisocial activity.

Mr. Owen Paterson (North Shropshire) (Con): The recent incident at Lisnaskea shows that, to improve crime detection rates, it is essential that Republican and loyalist paramilitaries be put out of action for good. The recent loyalist decommissioning is highly significant and vindicates the position that we took on decommissioning legislation. However, a number of loyalist groups are still engaged in serious criminality. How does the Minister intend to reduce their activities?

Paul Goggins: Again, I join my right hon. Friend the Secretary of State in welcoming support from other parties in this place for the provisions that this Government introduced to extend the decommissioning amnesty period. That has paid off, we have now seen further decommissioning and we should all take heart from that. However, the hon. Gentleman is quite right: people associated with paramilitary organisations are still engaging in criminal activities. They will be dealt with by the police and by the agencies that form the Organised Crime Task Force in Northern Ireland, and that work goes on apace.
Mr. Paterson: The misery inflicted on the whole community by loyalist groups is wholly unacceptable. Does the Minister agree that, in order to cut crime and increase detection rates, he needs to maintain unrelenting pressure to force them to end all their illegal activities, disband their command and control structures and give their unconditional support to the PSNI?

Paul Goggins: I again make the point that the police are at the forefront of the drive against crime, and they can do their job only if they are properly resourced. This Government have provided those resources, and we certainly would not implement 10 per cent. cuts in the funding of the Police Service of Northern Ireland.

Chris Ruane (Vale of Clwyd) (Lab): Despite the alleged increase in crime on which the hon. Member for North Shropshire (Mr. Paterson) is trying to campaign, and despite 40 years of war and conflict, Northern Ireland has the highest points on happiness as against income in the whole British Isles. Will the Minister find out the essence of that happiness in Northern Ireland, bottle it and send it across to the rest of the British Isles?

The Secretary of State for Northern Ireland (Mr. Shaun Woodward): It is the leadership from the Northern Ireland Office.

Paul Goggins: My right hon. Friend comments from a sedentary position that leadership from the Northern Ireland Office is probably largely responsible. That is an interesting question, however, and from my own observations over the last three years while serving in Northern Ireland, I should say that what is so important is the sense of community and identity. In the past, those things have played into the hands of conflict, but as we make progress I see them as great strengths that reassert the importance and solidarity of community life in Northern Ireland.

Immigrants (Attacks)

5. Mr. Philip Hollobone (Kettering) (Con): What recent reports he has received of attacks on immigrants in Northern Ireland; and if he will make a statement. [283758]

7. James Duddridge (Rochford and Southend, East) (Con): What recent reports he has received of attacks against the immigrant population in Northern Ireland. [283760]

The Secretary of State for Northern Ireland (Mr. Shaun Woodward): These attacks in Northern Ireland are wholly to be condemned. Fortunately, it now seems that they were a relatively isolated set of incidents, and the House will wish to know that three people have now been charged with serious offences.

Mr. Hollobone: Why were the police not more aware of the simmering tensions with the Romanians in the local community? Does that not underline the importance of getting effective community policing up and running in Northern Ireland?

Mr. Woodward: With respect, I think that the Police Service of Northern Ireland does an extraordinarily good job in protecting the community in Northern Ireland, and I caution the hon. Gentleman against using the incident to draw a general point. That being said, we should acknowledge that the police said that they did not know enough about the Romanian community at the time. Of course, they are looking at the matter, however, and I am again pleased to report that it looks as though it was an isolated set of incidents.

James Duddridge: Margaret Ritchie, the Northern Ireland Minister with responsibility for housing, was saddened by the attacks, but not surprised. In light of that, does the right hon. Gentleman anticipate any more attacks, and what provisions have been made against that eventuality?

Mr. Woodward: All of us were extremely disappointed that the attacks took place. I draw the hon. Gentleman's attention to the fact that every political leader, led again by the First Minister and Deputy First Minister, condemned the attacks. Regrettably, there can be intimidation in any community, but let us be clear: race attacks should be condemned, wherever they take place.

David Taylor (North-West Leicestershire) (Lab/Co-op): Does not what happened show that parts of Northern Ireland are still deeply divided and segregated, including the divided communities in Belfast? What is the Secretary of State doing to encourage all Departments across the spectrum to develop the framework of “A Shared Future” and an integrated society in Northern Ireland, so that the process of reconciliation and healing can begin and the community can become genuinely welcoming to people from outside its borders?

Mr. Woodward: As the investment made from the United States indicates, Northern Ireland today is a genuinely welcoming community. My hon. Friend referred to the need to continue to build on “A Shared Future”; the First Minister is here today, and I know that he very much believes in that. But let us be clear. The best way in which we can build a shared future is to complete stage 2 devolution of policing and justice—[Interruption.]

Mr. Speaker: Order. A lot of private conversations are taking place, and frankly the decibel level is too high. That is unfair to the Member asking the question and to the Minister answering it.

Dr. William McCrea (South Antrim) (DUP): Does the Secretary of State agree that, whether a person is an immigrant or from the indigenous population in Northern Ireland, all threats, intimidation and murder, whether emanating from a person within the Northern Ireland community or from dissident republicans in Northern Ireland, must be condemned and stopped?

Mr. Woodward: I welcome the hon. Gentleman's comments. Of course such things must be condemned and stopped, and we all have a duty to make that happen. The best example that we can now give the people of Northern Ireland is to ensure that stage 1 devolution continues to work and delivers for people
and that we show, sooner rather than later, that the politicians of Northern Ireland can share the responsibility for policing and justice as well.

**Bill of Rights (Public Consultation)**

6. Jo Swinson (East Dunbartonshire) (LD): When his Department plans to begin a public consultation on the proposed Bill of Rights for Northern Ireland. [283759]

Paul Goggins: The Government are currently considering the Northern Ireland Human Rights Commission's detailed proposals. We aim to publish a consultation paper after the parliamentary summer recess.

Jo Swinson: I thank the Minister for that reply. Given that polls show that three quarters of people in Northern Ireland, from all sides of the community, think that a Bill of Rights is important for the future, will the Minister, after the consultation, commit to allowing sufficient parliamentary time to deliver on that vital part of the Good Friday agreement?

Paul Goggins: Before we consider the issue of parliamentary time, we need a proper consultation on the proposals made by the Northern Ireland Human Rights Commission. As the hon. Lady will know, it provided us with a 200-page document with some 80 recommendations. We are considering all of them very carefully indeed. I look forward to the public consultation that will follow later in the year.

Mr. Jeffrey M. Donaldson (Lagan Valley) (DUP): The Minister will be aware that there is widespread concern, particularly in the Unionist community, about the proposals in the draft Bill of Rights. Unionist parties, Unionists on the Northern Ireland Human Rights Commission and the Protestant Church leaders have made clear those concerns. Will the Minister assure the House that the Government will not proceed with the Bill of Rights as it is currently drafted and that they will go back to consult the community and take on board the genuine concerns held by many people in Northern Ireland?

Paul Goggins: I acknowledge that there are many views on the issue, and many views have been expressed. There was, however, one report from the Northern Ireland Human Rights Commission; we have received it, are considering it and will consult on it. However, I offer the right hon. Gentleman the absolute reassurance that he and all people in Northern Ireland will have the opportunity to comment on and be part of that consultation.

**Equality Commission**

8. Philip Davies (Shipley) (Con): What recent discussions his Department has had with the Equality Commission for Northern Ireland on its review of the effectiveness of section 75 of the Northern Ireland Act 1998. [283761]


**Philip Davies**: Having recently had discussions with elected politicians in Northern Ireland who find section 75 to be a bureaucratic, institutionalised piece of political correctness, I ask the Minister to consider repealing the provision instead of encouraging such politically correct box-ticking, which does nothing to improve community relations in Northern Ireland.

Paul Goggins: Why did I think that the hon. Gentleman might use the phrase “political correctness”? I ask him to reflect for a second on the importance of the commitment to equality and fairness in Northern Ireland in the context of the past 10 years. Putting equality and fairness at the heart of the political and public policy-making agenda is absolutely essential to ensure that peace takes the place of violence and sectarian hatred.

**Sammy Wilson** (East Antrim) (DUP): While the Secretary of State emphasises the importance of fairness and equality being at the heart of affairs in Northern Ireland, does he accept that the legislation as currently drafted has led to an extensive and unnecessary piece of equality legislation that has led in turn to the build-up of an equality industry that serves few of the purposes that he outlined in his answer, and that therefore any future legislation should be designed to dismantle that industry while ensuring that the principles of fairness and equality remain?

Paul Goggins: I do not accept or recognise the description that the hon. Gentleman has given. There is a commitment to equality; indeed, there is an absolute responsibility on public authorities to consider all their policies in relation to equality. Where it is felt that there might be an adverse impact, an equalities impact assessment should be provided. The important thing, as the Equality Commission has recognised, is not the process but the practical outcome in terms of the lives that people lead. I hope that in future we will focus on those practical outcomes more than on anything else.

**PRIME MINISTER**

The Prime Minister was asked—

**Elderly People (Long-term Care)**

Q1. [284662] Malcolm Wicks (Croydon, North) (Lab): What the Government’s policy is on the funding of the long-term care costs of elderly people.

The Leader of the House of Commons (Ms Harriet Harman): I have been asked to reply.

Before I take my right hon. Friend’s question, I am sure that the whole House will wish to join me in sending our sincere condolences to the families and friends of the servicemen killed in Afghanistan in the past week. They were Lieutenant-Colonel Rupert Thornloe, commanding officer of 1st Battalion the Welsh Guards; Trooper Joshua Hammond of 2nd Battalion the Royal Tank Regiment; Lance-Corporal David Dennis
the importance of family care and those who go out to work as well as care for older relatives. That is why we brought in the right to request flexible working for those who care for older relatives—that is action. That is why we have increased resources for the health services for the many older people who need health care support. That is why we have increased resources for social services, so that there is domiciliary care available to people who remain independent in their own home as well as social services residential care. Yes, we will take further steps and we will consult on the challenges ahead, but it is absolutely not true to say that we have made no progress over the past 10 years. We have.

Q2. [284663] Linda Gilroy (Plymouth, Sutton) (Lab/Co-op): I join in offering condolences to those who have lost their lives at home and abroad, particularly Trooper Joshua Hammond, who has a very large family in Plymouth mourning his loss.

My constituency is home to a large number of hard-working public sector workers—cleaners, cooks, health care workers and administrators. Public sector workers have an average pension of £7,000 a year. Does my right hon. and learned Friend understand their anger and concern when those rather modest pensions, and indeed their modest pay, come under attack as being somehow unfair or unreasonable?

Ms Harman: I agree with my hon. Friend. We are strongly committed to public services and to the work that public servants do, particularly those who work hard, often for very modest incomes, and we make no apology at all for public service pensions remaining an important part of the remuneration package of public sector workers.

Mr. William Hague (Richmond, Yorks) (Con): On behalf of the Opposition, may I also send our condolences to the families of the six people, including a three-week-old baby and two other children, who died in such tragic circumstances in Camberwell, in the right hon. and learned Lady’s constituency, on Friday evening? That event was deeply distressing to her constituents and the whole country.

I join the right hon. and learned Lady, of course, in paying tribute to the seven servicemen who have been killed in Afghanistan in the past week: the soldier from the Light Dragoons killed on Monday; the soldier from the Royal Engineers killed on Monday; Lance-Corporal Dane Elson; Lance-Corporal David Dennis; Private Robert Laws and Trooper Joshua Hammond, who were both aged just 18; and Lieutenant-Colonel Rupert Thorneloe, who was the commanding officer of the 1st Battalion the Welsh Guards.

Given those casualties, should we not particularly remember this week that our forces deserve our gratitude and admiration? Are the Government satisfied that everything possible is being done to provide the best possible protection and mobility for our forces there, including the earliest possible increase in the number of helicopters and armoured vehicles?

Ms Harman: The right hon. Gentleman is absolutely right to say that we must do everything possible to ensure the greatest protection for our troops in the field, and there is no complacency about that. We have increased the number of armoured vehicles that have been procured...
for and made available to our troops, but we are not
going to be complacent and there must be more. We
have increased the number of helicopters by 60 per cent,
over the past two years, but we recognise that we should
do more. We want to do more not only for their personal
protection but in recognition of the importance of their
mission in Afghanistan, not only to that country but to
the region and to the security of this country.

Mr. Hague: We all recognise that it is important to do
more, and we will hold the Government to the commitments
that the right hon. and learned Lady has made.

Moving on to Government policy more broadly, will
she put into plain English for everyone the Prime Minister's
assertion last week that
"total spending will continue to rise, and it will be a zero per cent.
rise in 2013."—[Official Report, 1 July 2009; Vol. 495, c. 294.]

Ms Harman: The right hon. Gentleman will know
that all the figures are set out in the Budget book. Our
commitment is clear: we are making public investment
now to help to back up the economy, get through the
recession and ensure that it is shorter and shallower
than it would otherwise be. That means backing businesses,
protecting people's jobs, helping the unemployed and
ensuring that people do not face repossession. We are
taking action. The right hon. Gentleman wants to
concentrate on numbers to avoid facing up to the fact
that the Opposition have proposals to cut public investment
now. [Interruption.] They have proposals to cut public
investment this year, just when the economy needs
investment most. I understand that the shadow Chancellor
revealed last week that he spends 40 per cent. of his
time thinking about economics. It is amazing that he
spends 40 per cent. of his time thinking about doing
absolutely nothing.

Mr. Hague: Perhaps the Leader of the House could
spend 100 per cent. of the next minute trying to answer
the question she was asked about what the Prime Minister
meant by a "zero per cent. rise". Is it not now clear that
every single word of the assertion that he made last
week is wrong—that total spending will not rise, and
there will not even be a "zero per cent. rise", as he
bizarrely called it, in 2013, but that the figures in the
Government's books, which the Leader of House
mentioned, show that there would be a fall? As so many
supporters of the Government are now calling for honesty
about spending, should she not find it in herself to do
what the Prime Minister refuses to do: admit the facts
of the Government's figures? Will she come down on
the side of reality and say that, on the Government's
figures, total spending is set to fall?

Ms Harman: Our honest and committed view is that
we need to invest now to back up the economy, not only
to protect individuals, who have worked hard to build
up their businesses, but to ensure that the situation is
not worse in the longer term. How telling it is that the
Opposition want only to talk about figures in five years'
time to distract attention from the action, which they
do not support, that we are taking now.

Mr. Hague: There is no need to talk about the figures
in five years' time as the Government's figures show that
capital spending will fall from £44 billion this year—and
fall every year—to £22 billion in four years. Is it not an
indisputable fact that capital spending is being halved?

Ms Harman: I think the right hon. Gentleman knows
full well that the reason for the figures is our bringing
forward capital spending. We are not cutting capital
spending—we have increased it and we are bringing it
for ward because, given that, for example, the private
sector construction industry is facing dire times, we
think it right to bring forward capital investment in
public construction, not only for the sake of the children's
centres, schools, hospitals and homes that will be built,
but for the jobs that that will create. The truth is that
there is a big distinction: while we are investing in
bringing forward that capital investment, the Opposition
would pull the plug on the public sector just when the
private sector is struggling.

Mr. Hague: The Leader of the House's statement
"We are not cutting capital spending", when the
Government's figures show it declining from £44 billion
to £22 billion, is exactly the sort of statement that
damages the credibility of politics and the Government.
It is no wonder that they are abandoning their numeracy
strategy when Ministers will not admit that 22 is half of
44. Is the right hon. and learned Lady aware that figures
from the Institute for Fiscal Studies show that capital
spending from 2013 as a proportion of national income
would be below the average for the whole 18 years of
Conservative Government? That is the capital spending
that the Government intend to deliver. Is it not also true
that, on the Government's figures, the huge increase in
debt interest and the rise in unemployment mean it is an
indisputable fact that their projections lead to departmental
spending falling heavily in the next few years? Why can
she not admit the facts?

Ms Harman: The right hon. Gentleman mentioned
capital spending, and I hope he made it clear that we are
bringing it forward. He also mentioned unemployment,
and we are taking action to protect people's jobs.
Unemployment would be growing if we had made the
cuts that he is suggesting. When it comes to the estimates
on unemployment, our estimate is that if we had not
taken the action that we have taken to back up business
and protect people's jobs, 500,000 more people would
have lost their jobs. Once again, he talks about figures
in 2013 and 2014, but the action that we are taking now
will ensure that the public finances are in a better
position, because we will prevent the recession from
being deeper and longer.

Mr. Hague: If the right hon. and learned Lady believes
that capital spending is not being cut and that
unemployment is not growing, it is no wonder the
Government are so deeply out of touch with the people
of this country and with the condition of the economy.
Is it not the case that any Government elected at the
next election will inherit public finances that are in an
unbelievable mess, after 12 years of a Prime Minister
who spent everything in the boom, who thought that
the bust would never occur and who believed that he
had abolised the economic cycle! Now capital spending
is being cut, total spending is being cut and departmental
spending is set to be cut. Those are the Government's
own plans. Are those not Labour cuts being brought
by a Labour Chancellor that have been made necessary
by the actions of a discredited Labour Government
over the past 12 years?
Ms Harman: We have rebuilt hospitals over the past 10 years. We have rebuilt schools. We have paid down debt and we are now facing the challenge—[Interruption.] Yes—

Mr. Speaker: Order. I apologise for interrupting the Leader of the House, but there is simply far too much noise. Right hon. and hon. Members need to calm down.

Ms Harman: And yes, we have paid down debt, so that we have the second lowest debt in the G7. We are responding to the challenge of this recession. The truth is that it is the Opposition who are embarrassed about their past, who are failing to face up to the challenge of the present and who have nothing to offer the future.

Des Browne (Kilmarnock and Loudoun) (Lab): May I associate myself with the words of condolence for the brave and professional soldiers who have given their lives in Afghanistan over the past week, as well as those who so tragically lost their lives in that dreadful incident in my right hon. and learned Friend's constituency?

Thousands of people in Scotland, along with civic society, the Churches, East Ayrshire council, the Scottish Government and Scottish Enterprise, have joined in supporting the work force in my constituency at the Johnnie Walker plant in Kilmarnock—700 of them—and those who work in the distribution plant owned by Diageo nearby. We have also been joined by Members from all parties in Scotland. Will my right hon. and learned Friend join us in seeking to persuade Diageo not to discard two centuries of loyal, hard-working and profit-making contributions to its business in the name of improved shareholder value and will she pledge Government support for that campaign?

Ms Harman: I know that my right hon. Friend the Secretary of State for Scotland is meeting the chief executive of Diageo today, and he will be urging him to think again about the proposed closure of its Kilmarnock plant, as my right hon. Friend has requested. The announcement is very bad news for the workers and their families and will be a body blow to Kilmarnock. My right hon. Friend the Secretary of State will be seeking an assurance from Diageo that it will commit to looking seriously at alternative options that the workers and Scottish Enterprise come up with.

Dr. Vincent Cable (Twickenham) (LD): May I add my condolences to the families of the seven brave servicemen who died in Afghanistan and to those of the victims of the Camberwell fire?

In welcoming the Minister back to her temporary job running the country, may I express the hope that when she is briefing the Prime Minister for talks with his friend Signor Berlusconi, she remembered to enclose an Italian translation of her progressive views on gender equality?

My question is about public sector pay. How do the Government expect low-paid public sector workers, whom the right hon. and learned Lady has rightly just defended, to accept restraint in an environment where the Government are allocating to senior management—senior civil servants—large salaries, generous pensions and very large bonuses, averaging £10,000 a head?

Ms Harman: We have made it clear that we expect to see restraint at the top of the public sector. It is important in difficult times that those in a leadership position in the public sector take their responsibilities seriously and set a good example.

Dr. Cable: But that does not address the basic principle. Why is it that two thirds of all senior civil servants expect to receive bonuses in order to get out of bed in the morning, on principle? May I also address the issue of the most highly paid public servants—namely, those who work in the publicly owned and guaranteed banks? Why do the Government simply not stop bonuses being paid within those banks? They are publicly owned banks, owned by the taxpayer. Why do the Government not simply say no?

Ms Harman: The Government have made it very clear indeed that we want to see an end to recklessness whereby people have enriched themselves while gambling with other people's money and given themselves big bonuses as a reward for failure. We have made it clear that we expect action from the Financial Services Authority, and the Chancellor will be making a statement about that shortly.

Q3. [284664] Natascha Engel (North-East Derbyshire) (Lab): Until very recently, I had the great honour of being a trustee of the much-respected UK Youth Parliament, which has been working hard on bringing together proposals for a consultation that will reach about 1 million young people aged between 11 and 18. The consultation will seek their views on politics and democracy. Will my right hon. and learned Friend help me to support the UK Youth Parliament in getting this important consultation out, to ensure that the project is as successful as all of us here need it to be?

Ms Harman: I agree that we need to do everything we can to increase the involvement of young people in politics, and I congratulate my hon. Friend on her consistent work on this issue. It is very important that, at last, the House has decided that, when the House is not sitting, the UK Youth Parliament can use this Chamber. You never know—when we see how it conducts its proceedings, we might even learn something from it!

Q4. [284665] Andrew George (St. Ives) (LD): Cornwall has been satisfying the Government’s house building strategy by growing faster than almost anywhere else. In fact, it has more than doubled its housing stock in the past 40 years, yet the housing problems of local people have got dramatically worse over that time. Rather than grinding on with another 20 years of a failed strategy that has turned Cornwall into a developers’ paradise through building unaffordable housing, will the Government give Cornwall the power to concentrate on meeting the now desperate need of local families?

Ms Harman: We want to ensure that the hon. Gentleman’s county of Cornwall has not only the power but the resources to ensure that there is more affordable housing for rent and for people to buy. That is why, in the Budget this year, we announced nationally a further £400 million to provide 9,000 more homes to rent or to buy. In “Building Britain’s Future”, which we announced
last week, we put forward a further £1.5 billion over the next two years so that we can have 20,000 energy-efficient affordable homes for young families—some of which, I am sure, will come to Cornwall.

Mr. Anthony Wright (Great Yarmouth) (Lab): On Monday, while some Conservatives were celebrating the 20th anniversary of the ending of the dock labour scheme—with Lord Fowler, the architect of that legislation, as their guest speaker—11 of my dock workers were being told that their jobs were ending owing to the casualisation of the port. This is happening despite the fact that Lord Fowler, when he was a Minister in this House, gave an assurance that the legislation would not result in a return to casualisation. Will my right hon. and learned Friend join me in encouraging the employers to return to the negotiating table to secure the future of the port dock labour scheme in Great Yarmouth so that we can ensure continued employment for the future?

Ms Harman: I know that my hon. Friend fights hard for the dock workers and for the industries that are dependent on the docks in his constituency. I will raise this matter with Ministers in the relevant Departments and ask them to meet him to discuss the matter forward.

Q5. [284666] Mr. John Maples (Stratford-on-Avon) (Con): The seven soldiers killed in Afghanistan, whose names the right hon. Lady gave us at the start of Prime Minister’s Question Time, bring to exactly 170 the tragic total of those killed in Afghanistan since 2006. Many people in my constituency are starting to doubt the wisdom of this war and I wonder whether she could remind the House of precisely what our military objective in Afghanistan is.

Ms Harman: The hon. Gentleman makes a very important point. We do not want anyone to be in any doubt about the importance of this mission in Afghanistan. It is important to ensure that in the mountainous regions surrounding Afghanistan and Pakistan, we do not have a crucible for the development of terrorism, which threatens people not only in those countries but in the wider region and, indeed, the whole world. This mission is also important for the education of people in Afghanistan. There are now 6 million children in school in that country, compared with only 1 million in early 2001. Our troops have paved the way, working with other international forces, to make that possible. They are paving the way for economic development and a more secure democracy as well as security in the region and the world. We want to make it clear to our soldiers, their families and the people of this country that we have no doubt about the importance of the mission in Afghanistan.

Q6. [284667] Daniel Kawczynski (Shrewsbury and Atcham) (Con): More than 300 Members of Parliament have signed an early-day motion on Equitable Life, which seeks justice for Equitable Life policyholders. The vast majority of those MPs have joined the all-party group for justice for Equitable Life policyholders, which I chair. Unfortunately, Sir John Chadwick, who has been appointed by the Government to review the compensation scheme, refuses to come before us to interact with us, so will the right hon. Lady use her good offices to ask him to reconsider in order for him to be accountable to us and through us to the British people?

Ms Harman: We all strongly believe that there should be justice for the Equitable Life policyholders who have fallen victim to mismanagement stretching back to the '80s and to a failure in the regulatory system for which the Government have apologised and recognised the need to set up ex gratia compensation. In order to establish how we should do that, following the ombudsman’s report, we have asked Sir John Chadwick to report on making progress on setting up a framework for compensation. The then Chief Secretary to the Treasury gave a statement to the House and there have been debates on the matter in Westminster Hall. We will ensure that the House is updated. This is a very important issue and we will make sure that Equitable Life policyholders get justice.

Q7. [284668] Dr. Alan Whitehead (Southampton, Test) (Lab): May I welcome the plans and funding set out last week to enable local authorities to build 150,000 new council houses over the next 10 years? Does my right hon. and learned Friend have plans to ensure that those houses will be built to the highest sustainability standard and the highest possible level of the code for sustainable homes? Will she ensure that new local authority house building becomes an exemplar for sustainable and low-energy housing in this country?

Ms Harman: My hon. Friend is right: the new affordable home building taking place under “Building Britain’s Future” is important not only because of the homes that it will provide and the jobs that will thereby be created, but because those homes will help to reduce carbon emissions and help the people who live in them to cut their fuel bills. The issues that my hon. Friend raises will be addressed in “Building Britain’s Future.”

Q11. [284675] Mr. Lindsay Hoyle (Chorley) (Lab): My right hon. and learned Friend will be aware that hard-pressed families and businesses alike are struggling to pay the price of fuel at the pump, which has gone up substantially. Will she look to have a conversation with the Prime Minister and the Chancellor to see if she can scrap, or at least defer, the 2p duty increase that is due in September?

Julia Goldsworthy (Falmouth and Camborne) (LD): In March, the Prime Minister told us to expect a statement on compensation for pleural plaque sufferers after Easter. After Easter, the Justice Secretary told us to expect a statement before the summer recess, which is two weeks away. May we be assured that there will be a statement in the next two weeks, rather than an announcement of further delay?
Ms Harman: We want to ensure that there is a statement about compensation for those who have developed pleural plaques. It is one of the many vicious respiratory diseases—which can be terminal—that come on people purely because of the work that they have undertaken. We want to ensure that those people receive proper compensation, and following the House of Lords judgment we must review the compensation system to make sure that it is fair to all.

Q8. [284669] Mr. Ronnie Campbell (Blyth Valley) (Lab): Like the hon. Member for Falmouth and Camborne (Julia Goldsworthy), I am very disappointed—as are many of my colleagues—that there is no compensation scheme for pleural plaque victims. The Scottish Parliament is on the verge of introducing such a scheme. Will my right hon. and learned Friend drag the Justice Secretary to the Dispatch Box so that he can make a statement about the English and Welsh victims of pleural plaques?

Ms Harman: My hon. Friend and other Labour Members have made their position absolutely clear. They think this is a question of fundamental justice, they want the Government to get on with it, and we must heed what has been said.

Q12. [284676] Richard Ottaway (Croydon, South) (Con): At Prime Minister’s Question Time about a year ago, I reminded the Prime Minister that no Labour Government had left office with unemployment lower than when they had entered it. His response was that it would not happen on his watch. Do the Government still hold that view?

Ms Harman: I think that no Labour Government have faced the global economic crisis from which this Government are ensuring that the country will emerge, and I think that no Labour Government have done more to protect people from unemployment. If the hon. Gentleman is concerned about unemployment, why does he not back the public sector investment that would create jobs, and why does he not back the investment in jobcentres on which we are taking action and which his party would cut?

Q9. [284671] Hugh Bayley (City of York) (Lab): York has such a severe shortage of affordable housing that many young people are being priced out of their own city. I welcome the Prime Minister’s announcement last week of an extra £1.5 billion for affordable and energy-efficient homes, but will my right hon. and learned Friend ask representatives of the Homes and Communities Agency to meet me, along with councillors from York, to discuss how the additional money could benefit our city?

Ms Harman: I will ask the head of the Homes and Communities Agency to meet York councillors and my hon. Friend.

Is it not telling that whereas both Liberal Democrat and Labour Members have called for more affordable house building, there has been total silence from the Conservatives? That is because not only would they not put in the extra investment, but they would cut the existing investment that is so sorely needed. I assure all Members that we will take the necessary action to ensure that there is more affordable housing.
Reforming Financial Markets

12.33 pm

The Chancellor of the Exchequer (Mr. Alistair Darling): With permission, I shall make a statement on the Government’s proposals for reforming financial markets. Copies of our proposals are contained in a document that is available in the Vote Office.

The world economy has been hit by a severe financial crisis, which has resulted in the worst economic downturn for well over 60 years. Its origins lie in failures in the banking system around the world. Financial institutions in many countries simply took on too much risk. They became over-reliant on wholesale funding and too exposed to particular products, and irresponsible pay practices made banks take unnecessary risks.

It is also clear that some financial institutions appeared to have little appreciation of what was going on inside their own businesses. However, regulators and Governments too must learn from the events of the last two years, and understand better the risks that come from rapid globalisation in the financial system.

Our economy has a clear need for well-managed, well-functioning banks and financial institutions to perform a vital set of functions, channelling investment and helping people to save and plan for the future. The financial services industry is also a major employer in this country—of over 1 million people—and it will continue to generate wealth for our country in the future.

Our central objective must be to ensure that, as we come through the downturn, we reform and strengthen our financial system and rebuild it for the future, with consumers that are better informed, financial institutions that are better managed, and markets that are better regulated. The proposals that I will set out today build on our previous reforms to provide a new settlement that is open, competitive and effective and able to meet the needs of both business and families; that inspires trust and confidence on the part of businesses and consumers; that ensures robust regulation that reduces the likelihood of failures without preventing innovation; and that provides effective mechanisms for dealing with the failure of financial institutions should they occur.

I want to take steps to help consumers make better informed choices. To ensure that they are given access to free impartial financial advice, we will legislate to introduce a national money guidance service and impose a levy on the financial sector to help fund it. We will also legislate to consolidate Financial Services Authority resources to provide separate independent consumer education, setting up a lead provider of consumer information and personal finance education. Consumers will also get more protection, along with a greater right of redress and access to compensation if things go wrong. We will also improve arrangements for depositor protection, including legislation to pre-fund and expand the role of the Financial Services Compensation Scheme.

Because of the events of the past two years, there are fewer firms in the market providing financial services. It is essential that we retain competitive markets, as they play a key role in providing consumers with value and choice. We want to see greater competition and greater choice for consumers, as well as a bigger role for mutuals and building societies, so the Office of Fair Trading and the FSA will ensure that we maintain competition in the market for financial services. As we come out of this downturn, we need to promote a competitive market that enables new entrants—which may include non-banking institutions—and innovation to benefit consumers and businesses. In that way, we will see better informed consumers who have greater choices in a more competitive market.

We also need banks and financial institutions that are better managed. We need a change of culture in the banks and their boardrooms, with pay practices that are focused on long-term stability, not short-term profit. The FSA now has powers to penalise banks if their pay policies create unnecessary risk and are not focused on the long-term strength of their institutions. From now on, I will require the FSA to report every year on how financial institutions are complying with their new code of practice for remuneration, and how it will deal with firms that do not comply.

Bank boards and institutional investors must also become better equipped to do the job and understand their businesses, with more effective risk management and greater independence of non-executives, who must not be afraid to ask searching questions. Next week, Sir David Walker will report on measures that will deliver improved corporate governance at financial institutions, ahead of his final report in the autumn.

Building on reforms already made, my proposals today will strengthen regulation of the financial system. They will cover three areas: first, new regulatory powers to allow tougher regulation of individual firms; secondly, measures to deal with the potential failure of institutions that could have a significant impact on the economy; and thirdly, a strengthened framework for financial stability to deal with system-wide risks in today’s more complex and global markets. We will continue to work with other countries to deal with what is, at heart, a global problem.

I asked Lord Turner to make recommendations, which the FSA is now implementing, to strengthen the regulatory regime and increase the intensity of supervision. They will strengthen the rules to ensure that banks hold enough capital as a buffer against losses, to introduce a back-stop power ensuring that banks do not over-extend themselves by lending too much when they do not have the strength to do so, and to increase the focus on bank liquidity so that they are able to carry out their business at all times. Those measures will help ensure that financial firms are stronger, more resilient, and better able to serve the needs of our economy.

I will also introduce legislation in the autumn to give the FSA a new statutory objective for financial stability, and extend its powers to ensure that it has the appropriate rules to deal with different risks in individual banks, and tougher powers and penalties against misconduct, and that it can take account of new developments in the financial sector—including expanding regulation where necessary, for example for systemically important hedge funds.

We need to ensure our resolution regime can deal with financial institutions of all sizes, including banks that are very large or complex. As these banks are often global, we also need an international mechanism for resolving large multinational banks, and we will bring forward proposals to G20 Finance Ministers when they meet in London in the autumn.
At home, we can better deal with risks by ensuring that safeguards are in place—for example, by making banks hold capital at a higher level that reflects not only the possibility of failure, but its cost. By introducing higher standards and transparency, the FSA can also improve the functioning of key markets, such as the derivatives markets, so that problems in one institution are less likely to spread through the entire system. The FSA and the Bank of England will make institutions put in place practical resolution plans that can be deployed in the event that they get into difficulties.

There is, of course, a debate to be had about whether Governments should restrict the size of banks or separate different types of banking, as happened in the United States in the 1930s. I believe that that is a simplistic solution, which fails to take into account the complexity of today’s financial system. Small banks as well as large banks can threaten financial stability, as in the case of Northern Rock. Equally, both retail and investment banks, in different parts of the world, have failed in the past year, and it is not only banks that can affect stability, as we saw in the example of the American insurance company AIG. In addition, the approach of one regulator for one category of institution deemed to be systemically important and another regulator for the rest seems to me to miss the point, because what is systemically important can change rapidly, as we have seen in the past two years. Instead, the regulatory system has to recognise and respond to the complexities of individual institutions, and that is what we are doing.

We also need to strengthen the framework for financial stability. That is a question not only of institutional powers and responsibility, but of better understanding what is happening in the markets. No simple fixes—no institutional reform—could have prevented these problems from occurring. There are different institutional frameworks in countries across the world, but no one model has been successful in insulating a country from the current crisis. Although regulatory arrangements were not the cause of the current problems, we need the right institutions to maintain financial stability and we must ensure that they have the right tools to do the job.

The move in this country to a single regulator 12 years ago addressed problems with the previous regime of multiple self-regulators, which did not reflect the changing nature of financial markets, and our approach has been adopted by many other countries. However, 10 years on, the world had moved on again; some of the global problems of the past two years went beyond the scope of existing regulation, while others were simply not given sufficient attention by regulators and central banks. In this country, the authorities have been able, over the past year, to deal quickly and effectively with a number of financial stability issues, such as those relating to the Dunfermline building society and Bradford & Bingley, but further reform is now needed.

We will therefore legislate to set up a new council for financial stability, which will bring together the Bank of England, the FSA and the Treasury. It will not only deal with immediate issues, but will monitor system-wide financial stability and respond to long-term risks as they emerge. That needs to be done on a formal statutory basis. The council will draw on the expertise of the FSA and the Bank, which are and will remain independent of Government, by looking at their regular reports—the financial stability report and the financial risk outlook—and formally responding to their recommendations. In that way, when risks or threats to stability are identified they will be addressed. This body will do that in a way that is transparent and accountable—so that people can see how and why decisions are made—with the regular publication of minutes. The council’s responsibilities will be set out in law, with published terms of reference. In discussion with the Treasury Committee and the House, we will consider how to increase accountability through greater parliamentary scrutiny.

We have already taken significant steps to improve the way in which we monitor and manage risks to the financial system as a whole, through more systematic use of stress testing of financial institutions, for example. The proposals that I am making today will further strengthen our ability to identify and deal with systemic risks, and will ensure that the authorities can be held to account for their actions. We also need to consider what further counter-cyclical measures are needed, in order to allow us to lean against the credit cycle and prevent the build-up of risks that could threaten the stability of the financial system. The principle of leaning against the cycle is easy to agree, but deciding what action to take and when to take it is far more complex. At the moment, there is no clear consensus here or abroad, but I believe that central banks will have an important role to play in that area.

Today’s global market for finance means that new measures can be effective only if they are implemented on a broad international basis, so under our presidency of the G20 we will continue to press for measures to strengthen the international regulatory architecture, building on the proposals agreed in April. In Europe, too, we will argue for enhanced monitoring of system-wide risks, while retaining the crucial link between national regulators and Governments. By working internationally, our efforts can help us deliver more effective supervision of global banks, stronger international standards, and a more responsible global financial services sector.

We intervened to stabilise the banking system, while retaining a clear view that banks are best managed and owned commercially and not by the Government. We intend to return our stakes in the banks to the private sector, in a way that brings best value to the taxpayer, promotes competition and maintains stability, and we will use the proceeds to cut Government debt. We are empowering consumers, supporting better corporate governance and strengthening regulation, so that our financial sector can continue to be an engine of prosperity. I commend this statement to the House.

Mr. George Osborne (Tatton) (Con): I thank the Chancellor for his statement, although frankly almost all of it was splashed over the front pages of today’s newspapers. Once again, Parliament comes last, instead of coming first.

Of course, there are some elements of the White Paper that we welcome: the improved consumer advice; David Walker’s report on corporate governance, to which we look forward; a much better resolution regime for failed banks, which is clearly necessary; and the Chancellor’s remarks on pay and bonuses, although he could have set a better example with the pay and bonus package for the chief executive of RBS.
However, in most part, this White Paper is a totally inadequate response to what has happened over the last two years.

For a start, the White Paper contains no serious analysis of what went wrong. I received a copy of it only 20 minutes ago, during Prime Minister’s questions, but the only admission that I can see of any responsibility for what happened is the sentence that states that “the crisis has shown that aspects of prudential and macro-prudential supervision...were insufficient.”

That is the understatement of the century, given that half the British banking system has had to be nationalised. It also ducks every difficult question that needs to be addressed if we are to protect our society and our economy from a repeat of the mistakes that have caused such trouble. How do we replace the failed tripartite regime? What tools do we need to stop the excessive debt levels that did so much damage to our economy? How do we ensure that we have a banking system that competes across the world, and offers families and small businesses in this country the services that they are currently denied in this credit crunch, without the British taxpayer picking up the bill for the mistakes that are made? None of those difficult questions is properly addressed today; every single one is left to the next Government to deal with. It is more of a white flag than a White Paper—a complete surrender of this Government’s responsibility to fix the system for regulating the City that they created and which so spectacularly failed.

Let me press the Chancellor on some specifics on the conduct and content of regulation. First, on the tripartite regime, he must see how dysfunctional it has become. Institutional jealousies and blurred lines of responsibility mean that everyone gets involved but no one is in charge. Let us remember where this all began—with the arrogant decision from the new Chancellor in 1997, without warning or consultation, and in the teeth of the opposition of the late Eddie George, to remove banking supervision from the Bank of England. My right hon. Friend the Member for Hitchin and Harpenden (Mr. Lilley), the then Shadow Chancellor, warned from this Dispatch Box that it would leave no one responsible for the liquidity of the banking system or guarding against systemic collapse. Sadly, that prophecy turned out to be all too true. No one was responsible for liquidity. No one was looking at systemic risk. Even the FSA itself received any adequate answer from anywhere, was: what exactly is it that people expect the Bank of England to do?”

We were given a statutory responsibility for financial stability in the Banking Act, and the question...to which I have not really confirmed that there is not a single new power for the Bank of England in the White Paper? The Bank of England should have the power to call time on debt, as we suggested almost a year ago; it should be able to set counter-cyclical capital rules in conjunction with other countries—and, by the way, that would be a much better use of international co-operation than the current proposals from the European Commission, which are ill conceived and damaging to the UK—and it should have the statutory powers to intervene when the structure of a financial institution threatens the whole economy, so that, in the Governor’s words, it can force its “sermons” to be listened to.

The Bank of England cannot do any of those things unless it has the experience and knowledge of their day-to-day regulation. Let me make it clear to the Chancellor today that the next Conservative Government will abolish the tripartite system, and let me tell Parliament first—unlike his policy—that we will put the Bank of England in charge of the prudential supervision of our banks, our building societies and our other significant financial institutions. We have learned from this crisis the old truth that one cannot separate central banking from the supervision of the financial system and that sound regulation is not just about a checklist of rules but about the authority to exercise judgment and to see the bigger picture.

Sitting alongside a stronger Bank of England we will have a powerful regulator to protect consumers—a regulator with the clout and focus not just to add more health warnings alongside the acres of small print that already come with financial products but to stamp out unfair practices such as mis-sold payment protection insurance and excessive bank charges. We will set out the details of that in our own alternative White Paper later this month. Will not the choice be clear then?

We have today a submission from the Labour party, which will be implemented in full only if it is re-elected, and proposals from the Conservative party. The Labour
party wants to stick with the financial system that failed us, which it created. We propose to overhaul that system and put the Bank of England in charge. People will know at the next election if they want to change the way in which the City and our banks are regulated, they need to change their Government.

Mr. Darling: The hon. Gentleman seems to be trying to reduce this debate to a football match between the Bank of England and the FSA. It is not a matter of which institutions do what. It is about ensuring that the regulatory system delivers on making sure that it has tougher regulation. The hon. Gentleman argues that the Bank of England should take over the prudential supervision and regulation of what he calls important banks, building societies and insurance companies. That is not a power that the bank is seeking at the moment, but he is entitled to hold that view. I have said on many occasions that we can argue about where to draw the line as to who does supervision of banks, who does supervision of building societies and who does consumer protection, but the key issue is ensuring that regulators can do their jobs properly, that they have the tools to do their jobs and, crucially, that they bring to bear the right judgments whenever problems arise.

The hon. Gentleman will recall that, 10 years ago, one of the reasons why we ended self-regulation was that, quite simply, it did not work. He will recall, too, that in the past there had been criticism of the Bank's regulation of BCCI and Barings. The fact that there have been mistakes in institutions is not a good reason for saying that we have to tear everything up. I believe that we should build on the strengths of the system that we have. It does not matter where we draw the line—when it comes to a crisis and to identifying problems in the future, we will need the Bank, the FSA and, because a cost will inevitably be involved, the Treasury at the same table.

I believe that the present system of co-ordination between the Bank, the FSA and the Government needs to be strengthened, reformed and put on a proper basis. Why do I say that? When the Bank of England next warns that there is a risk building up or that perhaps there is too much credit flowing, someone needs to react to it and to do something about it. That is why we have to have both the Bank and the FSA at the same table. That is why I believe that the arrangements between the three institutions need to be strengthened and that is why I am making these proposals.

I do not believe that what the hon. Gentleman is proposing—that one can somehow say that some institutions are systemic and some are not—would work. For example, three years ago people would not have argued that Bradford & Bingley, Northern Rock or the Dunfermline building society would have been of systemic importance to this country. However, the truth is that when they got into difficulties they were systemic. That was why we had to do something about them to stop the problems from spreading wider. I do not believe that the divisions that the hon. Gentleman is proposing are workable. I believe that the measures that we have at the moment need to be strengthened and improved to ensure that in future, when these warnings are seen, they can be dealt with and the people who are charged with the responsibility can be held to account.

I agree with the hon. Gentleman that this has international implications—I am grateful to him for recognising that—particularly if one wants to dampen down the availability of credit. In today's globalised market, we cannot do that in one country alone. We need an international agreement and to ensure that people are working in the same way, and that is why international co-operation is very important.

Finally, I am very sorry that the hon. Gentleman did not get the document on time. I can assure him that I saw a man with both the document and the statement leave the Treasury shortly before half-past 11 this morning. I have no idea how the hon. Gentleman got the statement and not the document.

Dr. Vincent Cable (Twickenham) (LD): I acknowledge that there are many things in the paper that can be welcomed—which, indeed, we have advocated in the past—but their implementation has a timeless quality, as if we are on a kind of progression from White Paper to Green Paper to blank paper. Almost all of the important recommendations would happen after the next general election. I know that a couple of weeks ago the Chancellor was advocating that banks prepare living wills; one rather gets the feeling that this is a living will for the Chancellor.

Having advocated macro-prudential regulation of bank reserves for five years or so, I very much welcome the Government’s embracing it. Surely it must be right, however, that in anything that requires an understanding of the overall economy the Bank of England must have a central role—not a unique role, but a central position. That is not clear from the statement.

I welcome, too, the strengthening of consumer protection. We have at last got to the idea of generic independent advice, but it has taken 10 years of campaigning by Citizens Advice and others to get there. I am not clear, however, about how the Government continue to preserve a fragmented system of consumer protection with responsibilities confusingly divided between the FSA and the Office of Fair Trading. Will that be clarified?

I welcome, too, the emphasis on competition. However, does the Chancellor buy the argument of the European Commissioner, Neelie Kroes, who said that, if we are to have real competition in British banking, banks must be broken up and subdivided, and in particular the Lloyds-HBOS merger might have to be unscrambled? Does the Chancellor agree?

The big issue, as the Chancellor rightly emphasised, is the major question about the banks that are too big to fail, too big to supervise and too big for the taxpayer to underwrite. He correctly said that small banks as well as big banks can go wrong—that is absolutely right—but is there not a fundamental problem that when very large interconnected banks try to be the biggest investment bank in the world, the exposure to the British taxpayer is then wholly unacceptable? Therefore, these banks have to be subdivided for that reason.

The Chancellor is looking over the distant horizon at necessary reforms, but may I suggest to him that key problems exist today? The publicly owned banks are failing to respond to the genuine needs of our business companies, and the bonus culture is being reinstated in publicly owned banks that are owned by the taxpayer. There is a complete lack of direction, and I suspect
a central reason for that is that the Government are so desperate to get the publicly owned banks back into the private sector quickly that too little attention is being given to defining the public interest.

I suspect that the White Paper will be received in the City with a great sigh of relief. It is yet another indication that we are getting back to business as usual.

Mr. Darling: On the last point, I think that most hon. Members agree that we need to toughen up the regulatory system significantly. We need to make changes, but we must not lose sight of the fact that this is an industry that employs over 1 million people in this country, more than half of them outside the south-east of England. It is important that we do not give the impression that we would rather be shot of it, because it is quite important. In the past nine years, it has contributed more than £250 billion in tax revenues—quite a useful sum. When it recovers, I hope that it will continue to make a contribution in the future.

The hon. Gentleman asked about selling. If he looks at the White Paper he will see that we make it clear that we will sell when we think that the time is appropriate. We do not have an artificial time scale and we are not under any pressure to sell, but it will not have escaped his notice that just at the moment the shares in the two banks that we own are worth slightly less than we paid for them. He therefore need have no fear of being confronted with a quick sale: we will do what is right to achieve the best value for the taxpayer.

On lending, I agree with the hon. Gentleman that it is important to try to get credit flowing in the economy again. That is a key part of what we are doing. Mortgage lending and the availability of lending for mortgages have increased but more needs to be done in certain sectors of business lending, such as to small and medium-sized enterprises, and especially to the medium-sized ones. For example, I welcome today’s announcement by Prudential of a fund worth £1.5 billion specifically geared to medium-sized companies. That is an example of a non-bank bringing together pension funds, local authorities and its own funds to make money directly available to medium-sized firms, and it is a useful step in the right direction.

The hon. Gentleman made some broader points, and one of them had to do with the “too big to fail” argument. I understand where he is coming from, but I said in my statement that we must take into account the cost to the taxpayer as well as the wider effects of failure, and that we must regulate accordingly. However, there is a flaw in his argument—I heard him being asked about this on the “Today” programme at 10 past 7—and it is that he seems to back off from the consequences of telling a large bank that it is too big. In response to that, the bank might say, “We’re too big, so we’ll go somewhere else.” Alternatively, dividing such a bank into lots of different companies, as was the case with Lehman Brothers, does not solve the problem. When Lehman Brothers went down, the whole shooting match went down, not just one aspect of it.

The hon. Gentleman made a wider point about macro-prudential supervision. In my statement, I said that given what central banks do, and what the Bank of England in particular does, I anticipated that such supervision would have a wider role, as we work through the present circumstances. The Bank of England is the obvious place for it, but I come back to the point that I made to the shadow Chancellor: wherever the lines of responsibility are drawn, we need a regulator who is able to look at the wider prudential supervision of the system, and the wider financial stability. We also need a regulator who will drill down to the nuts and bolts of every single company.

Whether people like it or not, there is no country in the world whose treasury does not have to be at the table. We know all to clearly that either the law has to be changed or there is a fiscal cost, so three people have to sit around the table regardless of how the regulatory cake is divided. That is something that the shadow Chancellor will not face up to.

Several hon. Members rose—

Mr. Speaker: Order. There are 23 Members seeking to catch my eye and, as ever, I would like to accommodate as many as I can. However, I am looking to each right hon. or hon. Member to ask one brief supplementary question—and of course to the Chancellor of the Exchequer to provide an economical reply.

John McFall (West Dunbartonshire) (Lab/Co-op): The Treasury Committee has made a detailed examination of the banking crisis. It found nothing wrong with the architecture of the tripartite authority, but there was a lot wrong with the warnings given by the Bank of England the FSA, which were too weak. I therefore welcome the establishment of the proposed council for financial stability. We need it to have strength and grit, and I am looking for reassurance from the Chancellor in that regard.

At the core of the matter is the restoration of trust and confidence. Will my right hon. Friend support the establishment of a banking commission, with a membership of lay people and not those representing narrow City interests? That would ensure that the future of the financial sector served the wider needs of society and individuals, and not just the City’s narrow needs.

Mr. Darling: I am grateful to my right hon. Friend for his comments. I believe that the reforms that we are making to the relationship between the FSA, the Bank of England and the Treasury will make it much better. The relationship will be on a formal footing, with people able to see exactly what has been discussed and decided. When later questions arise about what happened in response to a particular warning or a concern that has been expressed, people will be able to see what was done. I think that that will make a big difference.

I agree with my right hon. Friend’s general point about ensuring that banking serves the wider community because, after all, financial services are a means to an end. Those wider questions need to be addressed, and I know that the Treasury Committee has looked at them. That is something that I would support.

Mr. Michael Fallon (Sevenoaks) (Con): The Chancellor seems to have trebled the confusion over responsibility for financial stability by spreading it between the Bank of England, the FSA and the new council for financial stability. Will he explain what powers the new council will have? Page 138 of the White Paper seems to give it three new statutory duties just to discuss risk.
Mr. Darling: The Bank of England has a statutory duty in relation to financial stability as well as monetary policy. The hon. Gentleman will know that the Banking Act 2009 gave it powers to deal with a bank that has failed. The FSA deals with the individual supervision of banks, and I announced today that it can now have different rules for different individual banks. That is quite an important change, especially with regard to the matters raised by the Liberal Democrat spokesman, the hon. Member for Twickenham (Dr. Cable). We have one body looking at the overall system, and one looking at the particular. They need to work together and, as I said, whether one likes it or not, the Treasury needs to be at the table because of the fiscal consequences of any action that might have to be taken.

The hon. Gentleman asks who is responsible for doing what, but that depends on what is required. It is obviously for the Bank of England to act on monetary policy, for the Treasury to act on fiscal policy, and for the FSA to deal with an individual regulatory requirement.

Ms Sally Keeble (Northampton, North) (Lab): I particularly welcome the proposals for stronger consumer protection, with an improved advice service and a stronger Financial Services Compensation Scheme. The FSCS has been the one organisation to come out of the crisis with real credit after a good performance. How does my right hon. Friend intend to strengthen it?

Mr. Darling: We need to arrange that the FSCS is pre-funded. We say in the White Paper that that cannot be done immediately, and certainly not at the present time when so much is at stake. It will be better in the long term, however, if the FSCS is pre-funded, as then it will have money in the event that something goes wrong.

Mr. Peter Lilley (Hitchin and Harpenden) (Con): Does the Chancellor recognise that the City of London has become the financial capital of the world—to the immense benefit of this country—partly because we have always had a system of prudential supervision that was strong, flexible, unified and not rigidly bureaucratic? As my hon. Friend the shadow Chancellor pointed out—and as was predicted from the Conservative Benches at the time—that was undermined by the tripartite system. Why, then, is the right hon. Gentleman handing power over to countries with financial systems that have been less successful than ours? Most of our partners on the continent have much more rigidly bureaucratic regulation of their financial systems. Is it not wrong to hand ultimate power over our system to them?

Mr. Darling: As a general principle, I agree with the right hon. Gentleman’s last point. His thesis falls down, however, when one realises that the City of London’s reputation and size as a world financial centre has grown over the past 10 years, so his argument that it all somehow went wrong in 1997 does not seem to add up.

Where I probably do disagree with the right hon. Gentleman is that, although I believe that the relationship between national regulators and Governments is very important, we are talking about a global crisis. Part of the problem is that banks that trade across the world have got into trouble, and that needs more international co-operation. It also means that we need to work with Europe, and that is where the Conservative party is making a huge mistake. If it gets into bed with some weird and odd people in Europe, it will have no influence whatsoever over issues that do matter to the City of London.

Rob Marris (Wolverhampton, South-West) (Lab): The Canadian banking system is pretty solid, with very large banks that are not divided between the retail and investment sectors. Canada has fewer banking regulations than the UK or USA, yet no Canadian bank has failed or been bailed out. Will my right hon. Friend say what lessons he has learned from the stability of the Canadian banking system?

Mr. Darling: Over the years Canada has, in many ways, followed the model that we have been moving to, trying to streamline the regulatory system. I remind the House that 10 years ago there were eight or nine different regulators—self-regulating bodies—and also that the Bank of England never, ever regulated all financial institutions. It was frequently the case that a bank would be regulated by three or four different institutions. That made no sense whatsoever and the Canadians recognised that. Everyone should reflect on that.

Sir Peter Viggers (Gosport) (Con): Does the Chancellor agree that there are two distinct roles to be carried out, one being the detailed supervision of the rules, best carried out by the FSA, and the other the overall financial strategic control of banks? If the latter role is to be carried out by the Bank of England, will he ensure that the Bank is properly resourced?

Mr. Darling: I entirely agree. The hon. Gentleman has put very briefly the point that I was putting to the hon. Member for Sevenoaks (Mr. Fallon). Yes, of course the Bank needs to be resourced to do the job.

Mr. Gordon Prentice (Pendle) (Lab): Sir Fred Goodwin famously did not have a recognised banking qualification. Should chief executives be expected to have one?

Mr. Darling: The FSA has a responsibility to make sure that people who are charged with running banks are qualified to do so. That was recognised by Lord Adair Turner’s report.

Mr. Andrew Tyrie (Chichester) (Con): A moment ago the Chancellor said—I pretty much quote—“I expect the Bank to have a wider role in all this.” Only a few days ago the Governor came before the Treasury Committee and said that he had not been consulted at all about the White Paper or even seen a draft. When did the Chancellor first show a draft of the document to the Governor of the Bank, and why did he not consult him fully earlier?

Mr. Darling: I have had many discussions with the Governor of the Bank over the past couple of years about these things, and I will have many discussions with him in advance of the preparation of the White Paper. In particular, I have talked to him about the role of the Bank. If we further develop the powers that may be necessary to lean against credit cycles, I have made it clear that the Bank of England is the obvious place to go. However, the point that I was making is that currently the power to increase or reduce capital requirements,
which is the most obvious brake one could put on financial institutions, lies with the FSA. I do not want to end up with a situation in which banks do not know whether the FSA governs their capital requirements, or the Bank of England does. The Bank does not want to regulate individual banking institutions and so on. People can hold different view about that, but I want to make sure there is a clear delineation of who is responsible for what, so that we can better hold people to account for what they do.

Gordon Banks (Ochil and South Perthshire) (Lab): With the international implications of the current marketplace, can the Chancellor tell us what discussions he had with international partners before arriving at the content of his statement today?

Mr. Darling: I have, of course, spoken to all my counterparts on several occasions since these problems first arose at the end of 2007. It is interesting that most countries have more regulators than we do. Most of them are trying to streamline the regulatory system—in the United States, for example. Not everybody’s financial industry is in the same position or made up in the same way. What I think the industry and the public want is to make sure that we have a system that is coherent and that works. Above all, we must not lose sight of the fact that no matter what institution and no matter what rules, much of this is ultimately about individual judgment—making the right calls at the right time. That is the problem that occurred in the lead-up to the current situation and that is what we must get right.

John Thurso (Caithness, Sutherland and Easter Ross) (LD): At the beginning of his statement the Chancellor mentioned the importance of competition. Does he accept that the shotgun marriage that he oversaw of Lloyds with HBOS was bad for competition, as well as proving to be a bad deal for both the shareholders and the taxpayer? Will he now do the honourable thing and oversee an amicable divorce?

Mr. Darling: The shareholders of both Lloyds and HBOS voted overwhelmingly, separately, for the merger to take place. The process took about three months. I do not know how the hon. Gentleman describes “shotgun”, or whether he would regard a three-month engagement as being sufficient, but both parties were willing participants in the act and the shareholders of both voted to go along with it.

Andrew Miller (Ellesmere Port and Neston) (Lab): Although there is no direct read-across to other sectors outside financial services, will my right hon. Friend bring his report to the attention of other regulators? It is important that lessons about systemic failure are learned where appropriate, and the FSA can learn from other regulators about how they have done things—for example, setting up better consumer panels.

Mr. Darling: I know that regulators speak to each other where they have common interests or concerns, and I am sure they will do that. I have said specifically in the White Paper that the FSA and the OFT will work closely together in order to ensure that as we come through the downturn, we have a competitive banking system. Especially after the consolidation of foreign banks, it is important that we have choice and competition in the future.

Mr. Graham Brady (Altrincham and Sale, West) (Con): The remuneration package agreed for Mr. Stephen Hester at RBS is weighted towards the long term and has clawback provisions in the bonus. Is the Chancellor happy that that is an acceptable package, which reflects the kind of long-term measures for remuneration that he said should be put in place, or does he believe that that specific example would lead to different capital requirements?

Mr. Darling: I am not against bonuses—I meant to take the point up with the hon. Member for Twickenham—in whatever walk of life, if one can reward people for doing something special or for making an extra effort, particularly if it is designed to build the long-term strength of the bank. In the case of RBS, where there is a new management running a bank with a balance sheet that is almost the size of this country’s wealth—on one view, it is the largest bank in the world—it is important that there is an incentive to help taxpayers get their money back.

The hon. Gentleman asks about penalising. It will be for the FSA to look at each case to ensure that there is a bonus structure or a reward structure generally, not just at the top, but throughout the entire system, that it is built for the long term, and that there is clawback—all the conditions that we set out—otherwise it will visit the appropriate penalties. People in banks must be focused on building their banks for the long term, otherwise we will be back exactly where we started.

Ann Clwyd (Cynon Valley) (Lab): I welcome the White Paper, particularly the points made by my right hon. Friend about changing the financial culture of banks. It sounds, therefore, as though he might like to incorporate in future legislation an excellent Bill restricting the pensions of board members of banks that are wholly or partly owned by the taxpayer. Will he consider the matter?

Mr. Darling: I know that my right hon. Friend had a Bill before the House, which she discussed with me. It is important that all parts of the remuneration—pay, bonuses or pensions—are based on reality and what is reasonable, and that they are geared all the time towards helping the bank or similar institution build for the long term, and do not leave it prone to taking short-term risks, which can prove so disastrous.

Sir Peter Tapsell (Louth and Horncastle) (Con): May I remind the right hon. Gentleman that on 11 November 1997 I explained to the then Chancellor over eight columns of Hansard why the tripartite regulation of the banks would not work? May I warn the current Chancellor, with more brevity, that his proposals will not work either? May I modestly suggest that he look at my speech before proceeding to legislation?

Mr. Darling: I will bear that in mind for my holiday reading over the summer. I have the vaguest recollection that I may have looked into the Chamber in the course of one of those columns and looked back out again. I remember those debates quite well.
As the hon. Gentleman knows, the problem that we had 10 years ago was that the Bank of England never regulated all aspects of financial services. It regulated the banks, but throughout the 1990s it was obvious that many banks had many other interests, such as insurance, that were regulated by other bodies. Such duplication and complication did no one any good. Indeed, the entire self-regulatory regime was pretty discredited by the mid-1990s. As I said to the shadow Chancellor, we can argue for ever and a day about where we draw the line. When the bank or the FSA is doing something, what matters, as the hon. Member for Gosport (Sir Peter Viggers) put it so succinctly, is that a distinction is made between the general supervision of the system, the financial stability, and an organisation that says to each individual, “This is what you should be doing”, drilling down into the nuts and bolts of it. The structure that we have is right. It needs to be strengthened and built on, and that is why I make my proposals today.

Mark Durkan (Foyle) (SDLP): Chapter 9 of “Reforming financial markets” touches on the future regulation of credit unions in Northern Ireland. Does the Chancellor accept that for change to work, the FSA will have to have a strong and active regional interface, which we have not had before? Does he accept that that applies equally to the wider banking market in Northern Ireland, which has very different features from the banking market on this island? If the future arrangements for industrial and provident societies are to work, can we afford to leave the savers of the Presbyterian Mutual Society as casualties by the wayside?

Mr. Darling: I am aware of the problems relating to that society, and arrangements are being made to examine what happened and what might be done, but we have to be aware of the implications that there might be for institutions in other parts of the UK.

Mr. Desmond Swayne (New Forest, West) (Con): Does the Chancellor agree with the Governor of the Bank of England’s assessment that it was not clear how the Bank would discharge its new responsibilities if it could not go beyond issuing sermons? Or did the Governor say that simply because the Chancellor had not shown him a copy of the paper that he brought to the House today?

Mr. Darling: The proposals that I put before the House today mean that when the Bank sounds a warning or expresses concern through its financial stability report, there is now a mechanism to make sure that those recommendations do not just lie on a shelf, but have to be addressed and dealt with. That is a major step forward.

Mr. Michael Meacher (Oldham, West and Royton) (Lab): As two of the main causes of the economic breakdown and the credit crunch were the mass-proliferation of toxic credit derivatives and the gross recklessness of the investment arms of the banks, does my right hon. Friend not think that it is necessary to prohibit, or at least require official approval of, potentially risky derivatives? Given the eye-watering cost of bailing out the banks, how can he justify continuing to give state underpinning to the casino investment banks, rather than limiting that underpinning to the traditional commercial banks?

Mr. Darling: On the latter point, the answer is quite simply that investment banks are systemically important, as we have seen in this country and in America. As we saw in America prior to the banking collapse in October, simply letting them go has potentially disastrous consequences. Indeed, it was the collapse of some of those American banks that immediately precipitated the problems. On the wider point, banks need to be properly regulated, but if my right hon. Friend is getting to a point where he can say that there should be some sort of veto from the regulators, I would say to him that that might be more difficult. It is better to have a system that regulates risk within institutions, rather than one that is wider than that.

Dr. William McCrea (South Antrim) (DUP): I have no doubt that the measures that the Chancellor announced today are worthy of our careful consideration, but the bottom line in reality for many of our constituents is that medium and small businesses are still not gaining the help that is necessary to make them sustainable and profitable. Will the measures assist in getting money to where it is needed?

Mr. Darling: The need to get lending going—particularly for small and medium-sized enterprises, but for others, too—is urgent. Measures are already in place to try to ensure that that happens. I know that concerns are being expressed in the different parts of the country and different sectors where that is not happening sufficiently. That is why I welcome the announcement today by Prudential that it intends to lend to medium-sized companies. The SME sector is of particular concern, simply because of its size and the number of people whom it employs, not just in Northern Ireland but in the rest of the country, too. We have to step up our efforts to make sure that we get that lending going.

Mr. Geoffrey Robinson (Coventry, North-West) (Lab): I apologise for missing the Chancellor’s first few remarks in his statement. May I compliment him on resisting the seductive structural arguments coming from the Opposition parties, both with regard to splitting up the activities of the banks and with regard to doing away with the tripartite system, a move recommended so strongly by the Opposition? Does he not share my surprise at the ease with which a few kind words from the Governor of the Bank of England have persuaded the shadow Chancellor to hand back to the Bank those responsibilities that it previously discharged with such abysmal incompetence, and more? Does the Chancellor not agree with me that the likely consequences of doing what the shadow Chancellor proposes will be that we end up with not just bad regulation, but probably a ruined monetary policy system, too?

Mr. Darling: I take the view that I have held consistently for the past 10 years. It was right to give the Bank independence to deal with monetary policy. That will stay; I do not think that anyone wants to reopen that decision. It is right, because of its responsibilities, that it should have a view on financial stability. When it comes to the whole question of macro-prudential supervision,
if one were to give more powers, the Bank would be the obvious place to go. I honestly do not see the advantages of saying that the Bank should also start to involve itself with the hundreds of different banks, building societies, insurance companies and other financial institutions, because all that that would do is simply move a large chunk of the Financial Services Authority into the Bank, and I do not think that that institutional change would benefit people at present. I would rather build on what we have, and identify the problems that we have.

I repeat a point that cannot be made often enough: institutions are important, and so are the tools to do the job, but at the end of the day, we are talking about a matter of judgment. Frankly, yes, the FSA got things wrong with Northern Rock, and the Bank of England, in the '80s and '90s, made mistakes of judgment. We were wrong with Northern Rock, and the Bank of England, and I do not think that that institutional change would benefit people at present. I would rather build on what we have, and identify the problems that we have.

I repeat a point that cannot be made often enough: institutions are important, and so are the tools to do the job, but at the end of the day, we are talking about a matter of judgment. Frankly, yes, the FSA got things wrong with Northern Rock, and the Bank of England, in the '80s and '90s, made mistakes of judgment. We have to concentrate on trying to make sure not only that we have the institutions and the tools, but that people understand what they are doing.

Angela Watkinson (Upminster) (Con): What caveats and terms and conditions did the Chancellor attach to the provision of the vast sums of public money that were used to bail out our failing banks? Did the banks comply, and if they did not, what sanctions did he put in place?

Mr. Darling: I am not sure whether the hon. Lady was present at the many debates and statements that we have had on that subject, but earlier this year, I set out at some length—I think on a number of occasions—the measures being put in place. The hon. Member for Louth and Horncastle (Sir Peter Tapsell), who recommended reading Hansard over the summer, has left the Chamber, but if I am to read his speech, she might want to look at some of mine.

Stewart Hosie (Dundee, East) (SNP): I thank the Chancellor for advance notice of the statement. I welcome the fact that he spoke of systemic risk, and the fact that there is a chapter in the document about derivatives markets. However, in essence, the four points are simply to call for an EU directive, to work towards “a roadmap delivering...improvements”, to support “international efforts” and to support “the principle of greater transparency”.

When will we have real plans to deal with that aspect of systemic risk? When will the markets have access to proper pre-trade and post-trade information, and when will the markets have access to proper, secure pricing data? When will the analysts have all the information that they need properly to identify the risks that such products pose?

Mr. Darling: The hon. Gentleman makes a very fair point. We need an open, transparent market, so that people can see what is going on, and crucially so that perhaps some of the people running the banks know what is going on, the more that that happens, the better it will be.

Mr. David Heathcoat-Amory (Wells) (Con): On that point, there is an overriding need for clarity and certainty in financial regulation, so why are the Government apparently contemplating handing over many of the rule-making and supervisory functions to three new EU financial authorities, so that instead of a tripartite system at home, we have a new hexagonal system of financial regulation, with a bigger hole in the middle, less certainty, less accountability, and more confusion when things go wrong? Is that really what the Government intend?

Mr. Darling: No, but we need to recognise—I was going to say “whether the right hon. Gentleman likes it or not”, but I know that he does not—that Europe and the European Union have some influence on the way in which financial markets operate, in relation to directives, capital ratios and so on. The point that I made to the right hon. Member for Hitchin and Harpenden (Mr. Lilley) was that the British Government have to work to fight for the British interest. That is why it is far better if one is able to work with the mainstream political parties, rather than people who are out to lunch.

Susan Kramer (Richmond Park) (LD): The Chancellor made no mention of the credit rating agencies, but they are the canaries of risk in the system and they got it spectacularly wrong in the previous crisis. Is he looking at providing any guidance or a framework for credit rating agencies and, in particular, at tackling the potential conflict that exists because the entities that are assessed pay the agencies’ fees?

Mr. Darling: The hon. Lady is right. The Financial Stability Board, which the International Monetary Fund set up, is looking at the issue, because credit rating agencies are mostly American and they operate throughout the world. We have to have international agreement, and in Europe steps are being taken rather more quickly to try to ensure that agencies are properly regulated. She is right that they can be hugely influential, but I have always made the point that a credit rating agency’s advice should be one factor influencing people’s decisions. It should not comprise their total judgment, because it cannot.

Mr. William Cash (Stone) (Con): Does the Chancellor accept that his statement, “whether we like it or not”, in relation to the European Union is rubbish and as outrageous as anything we have heard from him for months? Will he accept, very simply, that we can make our own decisions in this House; that those matters do affect every single man, woman and child in this country, and the City of London; and that, for us simply to have to accept that all decisions must come from the jurisdiction of the European Union, to which the so-called national supervision will be subject, is a complete outrage that will lead to all the difficulties, all over again, that we saw with the stability and growth pact and all the other economic paradigms with which the European Union has come forward? His statement is complete rubbish. He knows it. Why does he not just pack it in?
Mr. Darling: I know that the hon. Gentleman is obsessed with all things European, and I wonder how he and quite a large number of his colleagues are ever going to be able to make a rational decision about anything in relation to Europe—[Interruption.]

Madam Deputy Speaker (Sylvia Heal): Order. The hon. Gentleman has asked a question of the Chancellor, who is replying.

Mr. Darling: All I say to the hon. Gentleman is that we are part of the European Union, which is an important market to us, and that that means that we should be an active partner in it, fighting the British corner. It means also that we have to be prepared to speak to people in Europe, rather than pretend that they do not exist.
Care Homes (Domestic Pets)

Motion for leave to introduce a Bill (Standing Order No. 23)

1.33 pm

Dr. Nick Palmer (Broxtowe) (Lab): I beg to move,

That leave be given to bring in a Bill to make provision for residents of care homes to keep domestic pets in certain circumstances; and for connected purposes.

In addition to the subject of the title of the Bill, I propose to discuss sheltered accommodation. I am pleased to be able to present this Bill today and delighted to have received so much cross-party support for what it outlines from colleagues, including the shadow spokesmen for animal welfare and for elderly people. The issue touches every constituency throughout the UK and, given a growing elderly population, will need to be addressed.

Superficially, the issue appears to be about animal welfare, and I should say that have been involved in animal welfare organisations for even longer than I have been a member of the Labour party, which is 40 years. Indeed, Alexander Solzhenitsyn once made the relevant connection, saying:

“Nowadays we don’t think much of a man’s love for an animal; we laugh at people who are attached to cats. But if we stop loving animals, aren’t we bound to stop loving humans too?”

Separate from that, however, I see the issue as one about the right of elderly people to live their lives as they wish, without too much well meant regulation of every detail from the moment that they leave independent accommodation to the moment that they move to sheltered accommodation or care.

The problem is simply stated: when people move into sheltered accommodation or into care, there is no consistent policy allowing them to take a pet with them. As a direct result, in the most recent year for which statistics are available, 38,000 healthy pets had to be put down and a further 100,000 had to be given up by their owners. Many of those pets will have been put down after an attempt to re-home them.

Moving home is stressful for anyone. Moving from one’s long-standing home into sheltered or care environments is often traumatic, as one separates oneself from independent life. If we add to that having to part from one’s pet and, even, having to order it to be put down, we add distress and guilt, and there is a very clear case for Parliament to help in avoiding that if it can.

Practice varies enormously throughout Britain, but there are numerous examples of successful schemes that allow pets to remain with their owners, and that should be the norm for sheltered housing. The fact that one is now living in a warden-aided flat should not remove one’s right to make the choice to keep a pet. Pets provide an important source of physical, emotional and social support for many older people, and there is extensive evidence of improved cardiovascular and mental health and other health benefits from the relationship with a familiar animal. It mitigates the loneliness of many people in old age and provides an avenue for nurturing, caring and taking responsibility for others, and maintains the sense of still feeling useful.

I have discovered that many older people find that when it is time to move into care, there are wildly different practices throughout the country, making for a postcode lottery if one wants to keep an animal. There are no legal obligations on residential homes in that respect, and that is in stark contrast to other countries, including the USA, Germany, France and Switzerland, all of which have introduced legislation to ensure that older people have the right to keep or maintain contact with animals, whether those people live independently in the community, in sheltered accommodation or in long-term homes.

As far back as 1970, France legislated for pets to be allowed in all public and private housing, provided that the pet is properly cared for and not causing a nuisance. In 1983, the USA passed a national law permitting older and disabled people to keep pets in housing that received federal funding. The Society for Companion Animal Studies, supported by the Pet Food Manufacturers’ Association, both of which have been extremely helpful in preparing the Bill, has published research to assess the scale of the problem in the UK. It found that 65 per cent. of care homes have no formal written policy whatever. Of those that do, 29 per cent. permit pet ownership, but more than half—54 per cent.—specifically exclude cats and dogs.

I know from correspondence from constituents that there are genuine concerns about pets going with their owners into shared or nursing care accommodation relating to pets not mixing well and about adequate exercise for dogs; responsibility for the payment of veterinary care when it becomes necessary; and the fact that older residents might be frightened of or allergic to animals. I am not arguing for a blanket policy, stating that every pet, from an anaconda to a Rottweiler, has to be admitted; I am arguing for a basic presumption that pets be permitted—subject to appropriate discussion about all the eventualities that can arise, and provided that they do not cause a nuisance to other residents.

Care providers would be understandably and rightly concerned if an extra burden was placed on them. However, evidence from experience is that an intelligent policy allowing animals actually reduces the burden on staff; residents who would otherwise make frequent demands on staff time often focus on their companion animals for much of the day.

Best practice guidelines are available for any authority that changes its policy. Wandsworth council has been proactive on the issue; its previous policy effectively ruled out pets in its accommodation, but its current policy makes the keeping of pets normally permissible. The feedback has been entirely positive. The council has told me that it would be glad to advise other authorities that might be considering a similar change. Organisations such as Help the Aged, Age Concern, Pathway and the Anchor Housing Trust have recommended guidelines that can help.

The Cinnamon Trust has gone beyond that and produced a comprehensive publication of pet-friendly homes; it gives ratings to the top 500 establishments visited by the trust’s assessors. I was delighted to visit Elm House nursing home in my constituency of Broxtowe. It has a five-star rating for the criterion “Welcoming any owner and their pet with caring, friendly staff”. I saw the dramatic effects that the home’s cat, budgerigar and visiting pets have on the lives and reactions of long-term residents with physical and mental disabilities.
The Cinnamon Trust also has a national network of more than 10,000 community service volunteers who provide practical help when day-to-day care is an issue. Volunteers from another group, Canine Concern, bring in formerly homeless dogs that they have adopted as individual pets to visit patients. The animals are a positive therapy in recovery; as the National Institute for Health and Clinical Excellence has recognised, that can often be the case.

In preparing the Bill, I have been helped by many colleagues with personal experiences. My hon. Friend the Member for Colne Valley (Kali Mountford) tells me that her mother was allowed a visit from her dog only once after she went into care, and would have liked so much to have had more contact with her companion from the years before. My hon. Friend the Member for Sheffield, Heeley (Meg Munn) was a social services manager in an area where one Sue Ryder home regularly brought in a much-loved cat to cheer up the residents.

My Bill will address a problem that remains general. Today I met Brenda Eustace, an elderly resident in London who was unable to find a home willing to take her small pet dog and who, as a result, could not go into care. We need to end the postcode lottery and to come to the aid of elderly people faced with this trauma. I commend the Bill to the House.

Question put and agreed to.

Ordered,

That Dr. Nick Palmer, Miss Ann Widdecombe, Mr. Ian Cawsey, Mr. David Blunkett, Meg Munn, Andrew Rosindell, Mrs. Linda Riordan, Paul Flynn, Mr. Denis MacShane, Mr. Roger Gale, Ann Clwyd and Judy Mallaber present the Bill.

Dr. Nick Palmer accordingly presented the Bill.

Bill read the First time; to be read a Second time on Friday 16 October and to be printed (Bill 129).
Mr. Peter Bone (Wellingborough) (Con): If a per-passenger duty were imposed on cars, it would be paid four times if four people using a car pool system went in a car together, but only once if a single person used a car; we might end up with four cars, rather than one, on the road. That is the parallel, and it makes nonsense of the Government’s position.

Mr. Hands: My hon. Friend is right. That is why our amendment 1, a much more logical and environmentally friendly alternative, would mean that air passenger duty was charged on a per-plane basis. The per-plane duty would also see the early demise of the brave new quadripartite world that the Government have described in schedule 5.

Graham Stringer (Manchester, Blackley) (Lab): I understand the environmental arguments that the hon. Gentleman is putting forward. However, can he tell us of any studies of which he is aware, or which the Conservative party has commissioned, that show the economic impact of proposals for a plane duty on regional airports and what a plane tax would do to the air cargo industry?

Mr. Hands: I thank the hon. Gentleman for that intervention. He raises two very reasonable questions, which the Government considered in their response to their consultation. Unfortunately, their response did not put forward any reasonable arguments against a move to charging on a per-plane basis. On regional airports, a lot depends on how we would assess the per-plane tax and how the administration would be run. I believe that a system could be designed that did not discriminate against regional airports.

Graham Stringer: The studies carried out by Manchester airport and other parts of the industry show that it would be extremely difficult for the major regional airports to attract long-haul passenger flights if this were done on a per-plane basis. They also show—I am speaking from memory—that 80 per cent. of freight business in regional airports would go into deficit and would, in effect, be unable to trade for a profit. Will the hon. Gentleman consider that?

Mr. Hands: I thank the hon. Gentleman for that intervention. I am perfectly willing to look at any papers that have been produced by anybody on this subject. I just think it is a pity that the Government failed in their own consultation to give proper consideration to those questions.

Let me try to explain why the Government have not seen fit to opt for a per-plane duty. At the beginning of last year, they appeared to agree with the Opposition that taxing per plane would be a better option to penalise flights that run near-empty and a better means of recognising that the plane causes the emissions, not the people. A per-plane tax might also allow tax incentives to be given for more environmentally friendly planes, which could never easily happen with a per-passenger tax. The Government then got into problems of their own making on questions of definition and administration, so the 2008 pre-Budget report ran up the white flag. Nevertheless, when they originally launched their consultation in January 2008, the policy was absolutely clear. According to the consultation document, they would “replace air passenger duty with a duty payable per plane rather than per passenger.”

In case of doubt, the document went on:

“This reform will take place on 1 November 2009, and has the objective of sending a better environmental signal, and ensuring that aviation makes a greater contribution to covering its environmental costs, while ensuring that a fair level of revenue continues to be raised from the sector in order to support public services.”

The document described as a “principle” the need to provide “incentives for the more efficient use of planes by taxing similarly sized aircraft the same, no matter how full the plane.”

We entirely agree with those sentiments as laid out by the Government last year. The Finance Act 2008 provided for certain powers to proceed in that direction. This time a year ago, Ministers again committed to a per-plane tax, with only the final details open to change—yet six months later, the change was total.

The Government’s U-turn was set out in a document entitled “Aviation duty: response to consultation”, which was published with the pre-Budget report last November. It makes for interesting reading, and offers sorry excuses where they are provided at all. We can agree that member states’ decision in October to include aviation in the EU emissions trading scheme was a significant development, but the Government have acknowledged the ongoing case for a UK tax along the lines of the ETS. So the response document was left claiming that the U-turn in November was “consistent with the Government’s objectives to provide additional support to businesses and individuals in the short-term and maintain action on climate change”.

It was certainly not consistent with the Government’s previous environmental analysis, but one might infer from the talk about supporting business that it was welcome within the industry. However, one struggles to see how. Every airline and every travel company has condemned the proposed changes; meanwhile, environmental groups attack the abandonment of the per-plane alternative.

Mr. Jeremy Browne (Taunton) (LD): I hope that this intervention is factually accurate. I have been told that in 2006—which is, after all, in the lifetime of this Parliament—the head of the Conservative transport policy review called for air passenger duty to be increased to £20 for short-haul flights and to £100 for long-haul flights. How does the hon. Gentleman reconcile that position with the position that he is taking, or is this a reasonably recent conversion on the part of the Conservatives?

Mr. Hands: There has been no conversion at all. That was the view of a transport policy group, but for as long as I can recall being involved in these matters it has been the official policy of the Conservative party to back a per-plane tax.

Let us look at the extent of the proposed changes in air passenger duty in clause 17 and schedule 5 to try to understand the scale of the Government’s proposals, because there is a link with the failure to move towards the per-plane tax. Because the Government had budgeted for raising revenue from freight and corporate and
other aircraft, and from transfer passengers, and that business did not deliver on that revenue, there was a huge shortfall that had to be made up in the air passenger duty figures—hence the huge increases outlined in schedule 5 and clause 17.

Currently, there are two levels of APD. Roughly speaking, there is one rate for flying to a UK or other EU destination and another rate for flying elsewhere. As part of the climb-down, the pre-Budget report proposed replacing those two rates with four rates, making all flights more expensive but with the really big duty increases imposed on long-haul flights. The existing two-band regime becomes the four-band version laid out in schedule 5 and new schedule 5A, with all rates significantly higher than at present. Under the status quo, the first band is currently £10 per passenger for economy and £20 for all other classes. The long-haul band, which includes all the territories in parts 2, 3 and 4 under the new schedule, is £40 and £80 respectively—for economy class, on the one hand, and all other classes, including, interestingly, premium economy, on the other.

The four new bands start with part 1, which is similar to the existing short-haul band, with rates going up in November 2009 by 10 per cent. to £11 and £22. It now includes the Maghreb countries and Russia west of the Urals. New part 2 territories include north America, Egypt, the middle east, eastern Russia—that is, east of the Urals—and Pakistan. From November 2009, those rates will be £45 and £90—a 12.5 per cent. rise on the status quo. Returning to the point raised by the hon. Member for Brent, East (Sarah Teather), part 3, which includes the Caribbean, will be banded at £50 and £100—a 25 per cent. rise on the status quo. That band also includes India, China, Japan and much of Latin America. The rates for part 4—it is not actually defined as such but covers all the territories not in parts 1 to 3, including Australasia, Argentina, Chile, Bolivia, Peru, some other smaller south American countries and the Falkland Islands—will be £55 and £110: a huge 37.5 per cent. increase on the status quo.

Even more importantly, the Government are programming further big rises—far bigger than those this coming November—for November 2010. Part 1 charges will go up to £12 and £24, part 2 charges will go up to £60 and £120, part 3 charges will go up to £75 and £150, and part 4 charges will go up to £85 and £170. Those are huge increases. Air passengers from the UK will be cursing Labour’s economic mismanagement and the fact that owing to the Government’s botched reforms this coming November—for November 2009—there is an about-turn, and failure to opt for a per-plane duty, all aviation except commercial passenger aircraft will be exempt from APD. In the next 18 months, for economy class passengers, those flying to popular destinations such as France or Spain will face a 20 per cent. tax hike, those flying to Florida will face a 50 per cent. increase, those flying to the Caribbean and India will face an 87.5 per cent. increase, and those flying to Australia will face a whopping 113 per cent. increase—a more than doubling of the tax take.

Sarah Teather: People who travel to India and the Caribbean often do so because they have family living abroad—they are not necessarily going on expensive holidays. That is not to say that people do not go on holiday to those destinations, but a large proportion of those travelling there do so for family reasons—to attend weddings or funerals, or merely to see grandparents.

Mr. Hands: The hon. Lady makes a very fair point. That is why many of those routes are called VFR routes, standing for “visiting friends and relatives”. They are important for that reason. Of course, tourism is very important to the Caribbean and somewhat important to India, but we should not lose sight of the fact that for many people in our communities in this country, those are important routes for family or personal reasons as well.

Many will ask whether the increases—rates are being as much as doubled in some cases—are really an environmental tax, or whether they are simply a stealth tax with the most tangential link to emissions. Let us examine for a moment some of the peculiarities of the Government’s new four-band regime. The existing two bands—Europe and all other countries—at least make some kind of sense and possess simplicity. The new bandings have no justification at all, as they are based on the distance of a country’s capital city from London. The world is divided into four bands, of capital cities up to 2,000 miles away, up to 4,000 miles away, up to 6,000 miles away and beyond 6,000 miles away.

Some 20 years after the fall of the Berlin wall, the Government’s division of the world into four zones reminds me somewhat of the arbitrary nature of the division of Berlin into four zones in 1945. That made sense at the time to someone taking a short-term view and poring over a map, but clearly only somebody with no idea about the geography and no familiarity with the facts on the ground, or indeed in the air, would not realise that the new bands will throw up a whole host of new problems.

Some countries and regions are big losers for no clear environmental reasons. We should remind ourselves that this is supposed to be an environmental tax. Because the US capital is on the east coast and within 4,000 miles of London, all flights to the US, including to the west coast, or even Hawaii or Alaska if there were direct flights there, are assessed as being in band 2. Meanwhile, as has previously been mentioned, the Caribbean is in band 4 and flights there will be subject to 25 per cent. more tax than those to the USA from November 2010. Flights to India will be taxed at 25 per cent. more than flights to Pakistan. Indeed, Bangladesh would be better off still being part of Pakistan, as APD would be 25 per cent. lower.

Ms Diane Abbott (Hackney, North and Stoke Newington) (Lab): Does the hon. Gentleman agree that if so-called green taxes are to have public acceptability, they must be clearly based on environmental arguments rather than being crude revenue-raising devices?

Mr. Hands: The hon. Lady makes precisely my point, perhaps somewhat more succinctly than I am making it. By not creating an environmental tax but instead introducing an arbitrary and discriminatory schedule, the Government are making a huge mistake.

I have one final point about south Asia. Flights to Kashmir, if there were such things—it is quite possible that there could be in future, or that there could be
I was thinking of getting out a globe, if we were allowed to use aids in Committee, to show that the halfway point between Boston and Honolulu was nowhere near any ocean, but right in the middle of the United States.

Mr. Jeremy Browne: Is it not the case that if one starts at Greenwich—very close to where we are today—the far extreme of the United States at the end of Alaska and the far extreme of Russia are almost exactly the same distance away?

Mr. Hands: The hon. Gentleman makes a very good point. Interestingly, both those territories are in part 2, but logically they should be in part 4 because, by definition, they are the furthest points from Greenwich. Yet the Government are saying that they are as close as Egypt. That is some of the craziness involved in the schedule.

We also need to examine the environmental arguments for having a per-plane duty, which is the point of the amendment. The reaction of environmental groups to the abandonment of that policy has been mixed. Many welcomed the headline rises in APD, which they thought would combat excessive use of aviation, but, like us, decried the abandoned attempt to find a per-plane methodology. Friends of the Earth responded:

“The rises in APD are welcome, but should be seen in the context of the abandoning of per-plane aviation duty.”

Greenpeace stated:

“Plans to tax flights instead of people would have encouraged the industry to fill their planes instead of flying half-empty jetliners around the world…Once again the aviation industry has been given a free pass at a time when its contribution to climate change is rising.”

Nobody was satisfied with the Government’s climbdown.

Why have the Government rejected the per-plane tax? To return to the Exchequer Secretary before last, the hon. Member for Wallasey, she told the Public Bill Committee:

“We had hoped to proceed with the per-plane tax, but we decided against it for a fair number of reasons…It was not thought to be the best time to shift from one tax to a completely redesigned one, given the uncertainty in the economy.”

She added:

“we wanted to avoid the disruption and costs associated with a transition to a new tax right in the middle of a period of economic uncertainty that did not exist when the original change was announced.”

Those are curious justifications, because to return to the point made by the hon. Member for Manchester, Blackley (Graham Stringer), apart from the state of the economy, no detail at all given was of why the per-plane duty had been rejected. In fact, the Government said that they had suspended the move because of the change in the global economy, but of course the credit crunch began many months before the original consultation was even launched.

When the Government were thinking about embarking on a per-plane duty, in the early months of 2008, the economic difficulties were already happening. The Northern Rock crisis had already taken place, some months earlier. The consequences of their decision are dire. The move to a per-plane tax, which would bring in most other forms of aviation, was slated to raise much more in revenue and be a genuinely environmental tax, but the Government choked in the middle of last year and were left to make up the revenue shortfall by clobbering air passengers. The result is what we are considering—the huge hikes in clause 17 and schedules 5 and 5A.
The reason for the climbdown is that the Government were too busy elsewhere to drive through the necessary reforms once they had started the process. It is difficult to sell to the general public a big increase—a huge increase, in the case that we are considering—in air passenger duty without reforming the system to make it a genuinely environmental tax.

We want the following to be done. First, we want the duty to be linked to the pollutant—the plane—rather than directly to the passenger. Secondly, empty or near-empty aircraft should be taxed at the same rate as full ones. Thirdly, the tax should logically be extended to transfer passengers, who fly in and out of a UK airport. There is no logic to a system whereby the only passengers who fly in and out of the UK tax-free are those who do not live, work or visit here. Fourthly, the Government’s four-band system must be axed. It is arbitrary and discriminates against important UK partners such as India and the Caribbean for no good economic or environmental reason. Fifthly, other forms of polluting aviation need to be brought into the air duty regime, notably corporate jets, parcel services and other freight. Finally, the tax should encourage a move to cleaner aircraft. Ironically, higher APD will probably make that less likely as airlines become even more cash-strapped, and less able to invest because more of their money goes towards APD.

Most of all, we argue that if there is to be a big hike in the tax take from the sector, now is the time not to postpone reform but to make it happen.

Ms Diane Abbott (Hackney, North and Stoke Newington) (Lab): I want to speak specifically about the effects of the ill-thought-out proposal for air passenger duty on flights to the Caribbean—a region with which this country has long-standing historic ties. Here and now in the 21st century there are big populations of Caribbean origin in our great cities and communities, who are looking to what we shall say and do about this matter.

Before I consider in more detail the problems with the APD proposals, I stress that I entirely accept the environmental argument for some sort of taxation on the sector. The environment is a huge issue in my constituency: I probably get more letters about the environment and climate change than about any other matter. For our children, it is vital that we in the House have the courage to make the right decisions for the future.

Climate change is also a big issue in the Caribbean, which has experienced hurricanes more regularly in the past two years than ever before. There is no question but that that is a consequence of climate change, which has also led to rising seas throughout the region—a real threat to a series of small island states. Of course, the environment is the Caribbean’s biggest asset.

I am committed to fighting climate change and bearing down on carbon emissions, and so is the Caribbean. It is in the Caribbean’s self-interest to do that. However, precisely because I am committed to combating climate change and to my Government’s taking serious action on climate change and carbon emissions, I want any proposal for APD to be based fairly and squarely on genuine environmental arguments, not to be a mere device for raising revenue.

The Caribbean has historic ties to this country, and it is particularly hard hit by the proposed four-zone system. Perhaps when Treasury Ministers and the fabled Treasury civil servant with a compass thought of that system, the Foreign Office said, “Well, I wouldn’t worry too much about the Caribbean; it’s a middle-income region and it can take the hit.” In my time in Parliament, I have heard time and again from Foreign Office officials that the Caribbean is a middle-income region and that the focus of UK attention should therefore be much poorer countries.

2.15 pm

It is worth saying in the House that even though gross national product and so on may give the Caribbean the appearance of a relatively prosperous region, it has poverty to rival any on the globe. Furthermore, it faces a particular economic crisis after the collapse of its traditional commodities—sugar and bananas—through globalisation. Apart from providing foreign exchange and helping businesses flourish, those traditional commodities meant the employment of unskilled and semi-skilled male labour, and the Caribbean is finding them difficult to replace. The problems of systemic unemployment among young males are known even in a developed country such as ours.

As well as the collapse of traditional commodities, which not only made money for the region but provided employment, the Caribbean also suffers from the current credit crunch and financial crisis. For example, bauxite, which is one of the main foreign currency earners in Jamaica, has collapsed. More than ever, the Caribbean is looking to tourism, not only to provide foreign exchange and not just as business, but to create work. If there is systemic worklessness among the population in countries such as the Caribbean, the ensuing social problems have the power to affect us here in Britain.

The Caribbean is relying on tourism as never before. Yet that is the point at which my hon. Friends are looking to tourism, not only to provide foreign exchange but to create work. If there is systemic worklessness among the population in countries such as the Caribbean, the ensuing social problems have the power to affect us here in Britain.

Ministers may say that the sums are relatively small for those flying to their villas on the north coast of Jamaica and ask, “Why is there all this fuss?” As we have heard, in APD nearly doubling in the next 18 months. That puts the Caribbean at an arbitrary and unfair disadvantage in comparison with one of its key rivals for tourism from the UK, Florida. Clearly, not even the fabled Treasury official with a compass thought of that when the scheme was devised.

Ministers may say that the sums are relatively small for those flying to their villas on the north coast of Jamaica and ask, “Why is there all this fuss?” As we have heard, both Prime Minister Bruce Golding and Minister of Tourism Mr. Bartlett have been to London to explain to hon. Members and Members of the other House the effects of the changes in APD on tourism.

Let me say a little about the consequences for people from the Caribbean flying home. I speak with some feeling about that because I fly to Jamaica nearly every year at Christmas, and the planes are packed—not with people like me, who can fairly well afford the fare from income, but with those who earn a fraction of what most Members earn and are trying to take home their entire family, perhaps four, five or six people. Some have saved for a couple of years out of small incomes.
Mr. Andy Slaughter (Ealing, Acton and Shepherd’s Bush) (Lab): My hon. Friend is making a good point, which has reached the nub of the issue. The Opposition have overstated their case by attacking the whole concept, but I hope that my hon. Friend agrees that the Government need to reconsider the anomalies in the system, which penalise some countries, such as those in the Caribbean—we have heard about others—in a logically ridiculous and unfair way.

Ms Abbott: I entirely agree. The system that the Government propose does not bear examination. I repeat that the sums may be relatively small for those travelling club class to a top resort on the north coast of Jamaica, but they are large sums for my constituents, who perhaps save for a year or two out of tiny incomes. I cannot for the life of me understand why the Government would want to penalise minority communities in our big cities from the Caribbean and Asia in that way, because people will find the sums involved onerous and hard to afford.

Sarah Teather: The hon. Lady is giving a very good speech and I absolutely agree with the points that she is making. The briefing that the Caribbean Council has sent to all MPs says that a family of four travelling to the Caribbean—not club class, as she suggested—will pay £300 extra in 2010. That is a substantial amount of money.

Ms Abbott: We have to look at the incomes that people are earning. We are largely talking about people who are in low-paid public sector jobs or other low-paid sectors of the economy, and for them £300 is a lot of money. Having to find £300 extra to see their aunts or grandparents at Christmas or attend a wedding or funeral will cause real pain for families in my constituency, as well as people in Birmingham, Manchester and other places.

The other thing to say is that sometimes an arbitrary distinction is made between tourism and travel by friends and relatives. Jamaica could not sustain itself without the money spent by relatives who go home regularly and, for example, give money for school fees or invest. The economic consequences for the Caribbean are therefore serious.

As the House has heard, the system also seems to be wholly arbitrary; it really is a case of a Treasury civil servant with a compass. It means that people will pay more air passenger duty going to the Caribbean than they will going to Hawaii. It scarcely makes sense to have the whole of north America in the same zone, when America stretches from the Pacific to the Atlantic.

Mr. Bone: The hon. Lady is making a powerful speech. Is not one of the unintended consequences of the measure that people will fly to Miami and then change planes to fly down to the Caribbean? That will mean taking two flights and causing much more pollution, so I am not sure that the Government have thought the measure through.

Ms Abbott: Absolutely. As someone who flies to Jamaica most years, I can tell Ministers that travel agents will recommend, particularly to families visiting relatives, that the cheapest way would be to take a cheap flight to Miami and then take another flight onwards. That will not help with emissions; in fact, it will make things worse. That is another indication that Ministers need to look at the proposal again.

The proposal has already caused much unhappiness in Caribbean countries—we have heard about the Prime Minister of Jamaica and other regional leaders who are concerned—and among the Caribbean community here. I have received many letters from people who have been made aware of the issue and are concerned. They cannot believe that a British Government are seeking to penalise people from the Caribbean in that way. However, I would like to put on record my thanks to the Chancellor of the Exchequer, who met a small group of us earlier this week to discuss the issue. I am glad that the Government are at least listening.

In conclusion, the Caribbean has historic ties with this country and important community links. To go forward with the air passenger duty in its current form would send an unfortunate signal to those in the Caribbean community about the respect and concern that the Government have for them. It is not too late to revisit the proposal. All of us in this House understand the environmental reasons behind it, but I hope that enough has been said in this debate to make the Government understand that the four-zone system is widely seen as unfair and not seriously based on environmental considerations, and that it will have disproportionate effects on key supporters and Commonwealth countries, including India and Pakistan, as well as those in the Caribbean. For the sake of my constituents, the Caribbean community in this country and Caribbean leaders, who have gone to enormous trouble to make their case, I urge Ministers to reconsider the proposal.

Mr. Jeremy Browne: Thank you for giving me an opportunity to speak to amendment 1 and all the issues that are thrown up as a consequence, Madam Deputy Speaker. I congratulate the hon. Member for Hackney, North and Stoke Newington (Ms Abbott) on making in such a compelling fashion the case that I, too, wish to make.

There are two main arguments that I wish briefly to explore. The first is about the desirability, in the view of my party, of having a system of aviation taxation based on each plane that travels, rather than on each customer who travels. It is worth momentarily setting the context for that policy preference. Aviation in the United Kingdom is an increasingly large contributor to the overall output of carbon dioxide. Six per cent. of the UK’s total carbon dioxide emissions now results from aviation, and that figure is rising rapidly—far faster than, for example, the contributions made by other forms of transport or by buildings to overall CO₂ emissions. There is therefore an important issue to address. How can we try to ensure that the projection of rapidly increasing CO₂ emissions is limited, rather than rising inexorably in the years and decades ahead? Most people accept that CO₂ emissions resulting from aviation are likely to grow as a proportion of CO₂ emissions overall. The key is to try to ensure that they grow more slowly and make up a lower percentage of overall emissions than they would otherwise.
For that reason, our desire as a party is to try to find a system that allows people to fly—we realise that in many circumstances, although not all, people need to fly for work or leisure—but that ensures it is done as efficiently as possible. I thought that the analogy drawn by the hon. Member for Wellingborough (Mr. Bone) was a good one—perhaps it is sometimes easy to think of such matters in quite straightforward terms. A car with four people in it is obviously a much more efficient way of transporting four people from A to B than four cars each with one person in. It is for that reason—a reason that is, I admit, partly to do with congestion, but partly also to do with helping the environment—that some councils have explored the possibility of reserving lanes for cars with two or more passengers, because we need to be more efficient and intelligent in using CO₂-emitting fuels.

On the same principle, it would clearly be desirable to have planes filled to capacity, or at least to give airlines the incentive to fill them to capacity where possible. The issue is therefore about incentivising those companies, partly to make their planes fuller but partly not to continue with this strange system whereby planes are flown around empty in order to get them to different destinations—that may sometimes be necessary, but it is reasonable to try to incentivise airlines to do it as little as possible—and partly also to introduce more fuel-efficient planes. I recognise that the Government’s policy will create those incentives. However, having a per plane duty rather than a per passenger duty will create even greater incentives than the Government’s system.

The hon. Gentleman also made the point that we should try to ensure that we do not create perverse incentives for customers to avoid the system that the Government are putting in place by taking a short-haul flight and then a long-haul flight, or vice versa. One always needs to consider when looking at such systems whether people will find ways around them that may be economically advantageous to them, but which will undermine the basic environmental policy that the Government are seeking to promote. That is the background to the issue.

I wonder why the capital city has been chosen as a measure. We were talking about the United States of America earlier. Los Angeles, which is eight time zones away from London, is a much bigger city than Washington DC, so why is Washington DC regarded as the most suitable point for judging the tax level of journeys from the United Kingdom to the United States? New York would be just as good an example, or Chicago. There are any number of cities in the United States that are bigger than Washington DC, which is not a tourist destination for many people. Far more British people go to Florida, for example, which is further from here than Washington is. It is slightly strange that the Government have chosen to use capital cities as a measure, and it is reasonable to ask them to look again at whether this is the best system to use.

I would like to suggest an alternative system. I understand that paying more tax to travel further is a reasonable proposition. I do not doubt that there are people on low incomes who wish to travel to distant parts of the world, but most of us accept the need to reflect the environmental damage done by long-haul flights. It is the anomalies in the system that people are uncomfortable with.

I do not know whether the Minister, in the short time that she has been in her job, has had the opportunity to consult her officials and other Ministers and to consider an alternative system. If she is attached to the idea of four bands, we could keep them, but each individual flight could be assessed within those bands. There is only a limited number of destinations that one can fly to directly from the United Kingdom, and it would take very little time to assess any new routes that came into effect. In that way, the Government could retain the simplicity of a banding system—they could introduce more than four bands if they wished to do so—but each individual flight could be assessed within one of the bands.

Such a system would avoid two places that were close together being banded separately. It would also avoid the even more anomalous situation—the example of the Caribbean and the United States has been mentioned—in which places that are much further from the United Kingdom are placed in a lower band than places that are more proximate to us. I hope that the Minister will consider that proposal, for reasons of fairness as well as for environmental reasons.
Mr. Bone: On the environmental issue, there is a further perverse effect. Most environmental damage is done on take-off and landing, so short-haul flights are, by their nature, much more environmentally damaging. They are often used as an alternative to going by rail. If we are concerned about the environment, perhaps we should be concentrating more on short-haul flights than on long-haul flights, to which there is no such alternative. Furthermore, the aircraft used on long-haul flights tend to be the most efficient.

Mr. Browne: I am grateful to the hon. Gentleman for that intervention. Short-haul flights definitely do more damage per mile travelled than long-haul flights, and it is important to look at the alternatives, particularly within the United Kingdom. I accept that the islands of Scotland and perhaps places such as Aberdeen are a considerable distance from London, but it is important to ask whether people should be routinely flying from London to Manchester, for example, when it seems much more sensible to make that journey by rail most of the time.

The hon. Gentleman's intervention also raises the question whether people might feel incentivised to take a short-haul flight from the United Kingdom before taking a long-haul flight to a destination further away, in order to avoid paying these duties. That means that we will need to consider the tax regimes in nearby European countries. We must also be alert to the risk of creating a system that unfairly penalises some destinations. The example that illustrates the greatest unfairness involves the Caribbean, which is only four or five time zones from here yet is treated for the purpose of this rule as though it were much further away.

Mr. Angus MacNeil (Na h-Eileanan an Iar) (SNP): The hon. Gentleman is correct in his assertions about short-haul flights. Does he agree that this legislation could present greater opportunities for Schiphol and Shannon?

Mr. Browne: That is a hazard, but I do not want to go so far as to say that any taxes on aviation will threaten our airline industry if other countries' taxes are lower. The logic of that position would be that we should have no aviation taxes at all, and I do not agree with that proposition. However, we need to have a system in place that incentivises airlines to be more environmentally efficient, and that reflects the polluting effect of flying long haul without building in anomalies that unfairly penalise some categories of passenger and some countries whose economies rely on trade and tourism.

Mr. Andy Slaughter (Ealing, Acton and Shepherd's Bush) (Lab): I am confused, which sometimes happens when I listen to Lib Dem policy. Is the hon. Gentleman agreeing with my hon. Friend the Member for Hackney, North and Stoke Newington (Ms Abbott) that the anomalies in the Government's proposal need to be corrected, or with the hon. Member for Brent, East (Sarah Teather) and the official Opposition, who believe that the whole system needs to be done away with and replaced by a new one, which might be more expensive for people travelling to the Caribbean?

Mr. Browne: I think I was making myself perfectly clear, but the hon. Gentleman might have chosen not to listen carefully to what I was saying. I have made two points. One was that I disagree with the Government's view that we should tax per passenger; I think that we should be taxing per plane. I hope that that concept is straightforward and easy to understand. I disagree with the hon. Member for Hackney, North and Stoke Newington that the system is arbitrary.

My second point relates to the bands of 2,000 miles. Everyone can agree that the capital cities are within those bands, but I believe that that is a bad way to run the system. I was suggesting that the distance covered by each individual flight should be measured. For example, we could measure the distance between London and Kingston in Jamaica, and the distance between London and Miami. I suspect that they would both fall within the same band, under a new banding system. That would be far less anomalous than the present system, in which a flight from London to Miami is judged according to the distance between London and Washington DC. That seems to be a very strange system.

Ms Abbott: The hon. Gentleman may think is an anomalous system, but a Jamaican nurse who has saved for two years to fly home and finds that she has to pay substantially more in air passenger duty than someone who is flying all the way to Los Angeles would think the system looked pretty arbitrary.

Mr. Browne: I do not want the hon. Lady to misrepresent my position, because I am an ally of hers and it would be a great shame if she thought there was political advantage in pretending otherwise. Both she and I are trying to persuade the Government that it is unreasonable to have a system that charges people more in tax to fly a shorter distance. That is what we are saying, while the Government propose that people should pay more in tax to fly to the Caribbean than they should to fly to San Diego or Los Angeles. I think that that is a bad system and I have made that completely clear. My understanding is that the hon. Lady agrees that it would be better if we based the system on measuring the distance of each flight and taxed either per flight or had a banding system that took each individual flight into account rather than the distance from London to the country's capital city. If I venture to suggest that unless the system is extremely complicated, the tax levels for Florida would be the same as for the Caribbean islands, which the hon. Lady would agree to be a fairer system.

I conclude with this parting shot—I very much hope that the hon. Member for Hammersmith and Fulham presses the matter to a Division. The case is clear cut and there is a genuine grievance, which has been articulated by the hon. Member for Ealing, Acton and Shepherd's Bush (Mr. Slaughter). I anticipate that he will vote with me, my hon. Friends and Conservative Members to try to make the Government think again. The case has also been articulated by the hon. Member for Hackney, North and Stoke Newington, who I also anticipate will join us in the Aye Lobby to ensure that the Government are made to understand that this is a great grievance for many people. We need to come up with a system that takes account of the environmental consequences of aviation but does not at the same time create unfair anomalies that penalise our constituents.

Mr. Neil Gerrard (Walthamstow) (Lab): I shall be brief as I do not want to repeat what has already been said.
Like many hon. Members, I met the Prime Minister of Jamaica when he came here to raise the issue of air passenger duty, so I heard the case that he, his Tourism Minister and the Caribbean Council have made about the effects of the proposed system on the Caribbean. My hon. Friend the Member for Hackney, North and Stoke Newington (Ms Abbott) has gone through the case in detail, so I shall not repeat it all.

The key issues for the Caribbean are quite simple. The first is the importance of tourism. As my hon. Friend said, the collapse of the traditional economy in the Caribbean—the Jamaican Prime Minister specifically mentioned the collapse in the bauxite market—has made the islands much more reliant on tourism than ever before. Anything that discourages people from flying to the Caribbean, as opposed to destinations nearby such as Florida, will have an impact on the area.

Secondly, people living in the UK, including British citizens, whose families are still living in the Caribbean and who need to visit them—I have been approached by many people in my constituency about this—are also affected. Tourists have a choice about where they go and are able to weigh up the cost of fares, but the people visiting their families have no such choice; they either visit them or they do not. The only choice they might have is to go via a different route. That could mean, as was mentioned earlier, people taking a short-haul flight to, say, Paris and then flying from there across the Atlantic because it is cheaper, which would not particularly help our airline industry or do anything to deal with pollution. We should be aware that people who need to visit their families may not be at all well off. An increase in passenger duty from £160 to £300 in a couple of years is not an insignificant amount of money for a family of four wanting to make those journeys.

Let me say a few words about the alternatives. I am not necessarily convinced that the amendment provides the answer; it simply proposes to move to duty per plane. We should be looking at a system more closely connected to distances of flights. I am told that that is the direction we should be looking towards, it is ultimately sensible.

Mr. Gerrard: I understand that point. If a system were based on distance travelled, there would be alternative ways of charging; we could take the precise distance into account or have a banding system, for example.

As I was saying, I do not believe that there will be serious administrative problems; it should not be that complicated. I am also told that there is the problem that the measure might be seen as a proxy for fuel consumption, because the distance travelled would correspond quite closely to fuel consumption, and it is not permitted to tax that. That seems to be the root of the problem, because I would have thought that the amount of fuel consumed must be the best measure of emissions. That has to be the case. If we based the system on that, it would cover the issue of short-haul flights, where less fuel may be used in the air, but the amount used in take-off in comparison with the rest of the journey is disproportionately high. The root of our problem is thus the inability that I am told we have to tax fuel consumption. If that is the case—I assume that it is due to EU or other international regulations—we should take it up and argue about it in order to secure change towards a greener tax for the future.

Mr. MacNeil: The hon. Gentleman is making a sensible and cogent argument. Banding of any form will produce problems and anomalies. As he says, we are told that we cannot tax fuel, but does the answer not lie in finding some way to tax fuel and carbon emissions? We should describe the tax we need in those terms. The hon. Gentleman’s suggestion of taxing per mile is eminently sensible.

Mr. Gerrard: I thank the hon. Gentleman and agree that that is the direction we should be looking towards, irrespective of whether we have a banding system.

David Taylor (North-West Leicestershire) (Lab/Co-op): The roots of our inability to tax fuel probably stretch back as far as the inter-war Chicago convention—in the early ’30s, I believe. We need to make more progress on taxing fuel, as the aviation industry is especially lightly taxed—so much so that Al Capone would be proud to be associated with it. Something has to be done about the problem. The amendment may not be perfect; it may be a proxy for a fuel tax, as my hon. Friend says.

Mr. Gerrard: I thank my hon. Friend and agree that we should pursue this line for the future; it is ultimately where we need to be. Such an approach could also deal with the points raised about commercial flights, planes flying empty and so forth.

I shall not say much more, because I do not want to keep repeating things that others have already said. There is time for the Government to think again. I am not convinced by the amendment as it stands, but the big rises in air passenger duty will come not in 2009-10 but in 2010-11. I hope that, especially in view of what is happening to the Caribbean, India, Pakistan and other destinations that mean quite a lot to many people in this

2.45 pm

Mr. Jeremy Browne: The hon. Gentleman provides me with an opportunity to clarify my earlier point. I agree with him that it is perfectly possible to judge every single flight on the distance travelled. My point was that if the Government were attached to a banding system, there could be eight or nine bands representing 1,000 miles each, and we could judge individual flights within those bands rather than on the basis of the distance between London and the capital city of the country in question, which is even more ridiculous.
country, the Government will have produced some possible alternatives before the pre-Budget report is presented later in the year, and before the big rises that are due in 2010-11.

Mr. Peter Bone (Wellingborough) (Con): It is a great pleasure to follow the hon. Member for Walthamstow (Mr. Gerrard). He made a valid and powerful point about the need to bear the per-mile damage in mind rather than opting for a banding system. If we can adopt such an arrangement—or something nearer to it—the position will improve greatly, because it will be environmentally friendly.

Let me begin by referring the House to my entry in the Register of Members’ Interests, which states that I am a non-remunerated director of a travel company.

The Government have got themselves into a terrible tizz over APD. I think that they were right when, a year or so ago, they said that they would introduce a per-plane tax, but they got into an awful mix-up over premium and standard passengers. I remember that they discriminated against tall people last year: for some reason they thought that there were business-class-only aircraft flying around, when in fact all the companies concerned had gone out of business. The Treasury estimated that it would raise an extra £5 million from a class of airliners that did not exist. Having got into a terrible muddle in trying to define the distance between seats according to whether they were standard or premium, it has now included premium and economy seats in the premium APD.

The real question, however, is whether this measure is a stealth tax, designed purely to raise money for the Government. I fear that, in large part, it is just that. My right hon. Friend the Member for Witney (Mr. Cameron) has taken hold of the Conservative party and shaken it, as he has done in many other contexts: he has brought environmental issues to the top of the Conservative agenda. I fear that APD is not an environmental tax in any sense. If an aircraft is flying to Florida carrying two passengers, they will pay two lots of duty. If it is carrying 230 passengers, they will pay 230 lots of duty. That cannot be environmentally correct. It is as simple and as straightforward as that, and many other Members have made the same point.

The Board of Airline Representatives in the UK, known as BAR UK, has made a point that has not featured much in the debate about passengers coming into the United Kingdom. Let us suppose that an American says to a travel agent, “I want to go to Europe: where do you suggest that I fly to?” The travel agent will say, “It is several hundred pounds cheaper to fly to Schiphol than to fly to London.” I remember that a few years ago there was much talk of Schiphol’s being the third London airport.

It is crazy to put this country at a disadvantage. The Government need to come up with a taxation system that is based on environmental considerations. I agree with the hon. Member for Taunton (Mr. Browne) that there should be a tax on airlines to help to control emissions, but it should not be one that puts our airline industry and our cities at a disadvantage. If it is too high and out of sync with the rest of Europe, it will merely be a stealth tax, but I think that that is the direction in which the Government are moving.

Mr. MacNeil: This may support the hon. Gentleman’s argument. Surely an environmental tax should have the desired effect of changing behaviour. If the intention is simply to raise revenue, the number of passengers and flights should remain the same. It would be interesting to hear from the Government which of those two options they prefer. Do they plan to change behaviour by reducing the number of passengers and flights, or are they merely using airlines as a cash cow? Banding or a per-mile tax would not be a sensible option environmentally, but it would be a very sensible option if the Government are trying to raise more money for themselves.

Mr. Bone: I hope that the Minister will answer that question.

Let me turn to a more local issue. Many of my constituents travel to the Caribbean, and many more travel to India. My constituency contains a large Indian community. One constituent wrote to me as follows:

I am a regular traveller to the Caribbean and I am worried about the impact of the proposed tax increases. From November I will have to pay more in tax to travel to the Caribbean than if I were travelling to the West coast of America. This cannot be right!! Not only when comparing distances travelled but also when you consider that the tax is for green issues. This will have a serious impact on my ability and others from the West Indian Diaspora, many of whom live in your constituency, to visit the Caribbean.”

For those people, visiting the Caribbean means visiting home. That is, I think, the point made by the hon. Member for Hackney, North and Stoke Newington (Ms Abbott). Generally speaking, such people are not the wealthiest of my constituents. I have a horrible feeling that we are returning to the system that operated when I was growing up, when air travel was only for the rich. This is a tax on the poor, and it is a tax on people who want to go home to visit their friends or want their friends to visit this country. I do not think that the Government have thought it through at all. I am not sure that they really want to discriminate against people travelling home to the West Indies and to India, but that is the effect of what they have done. Many of my constituents are very unhappy about it, and I ask the Government to think again.

The Exchequer Secretary to the Treasury (Sarah McCarthy-Fry): I thank all hon. Members who have contributed to the debate.

As has been mentioned, in 2008 the Government consulted on proposals to replace air passenger duty with a per-plane tax. The amendment proposes that they should bring forward plans for a per-plane tax again. I assure those who tabled the amendment that the Government decided against introducing a per-plane tax at this point only after fully considering the merits of, and evidence for, such a tax. Having considered the evidence and listened to respondents, we announced in the 2008 pre-Budget report that we would instead reform the existing APD regime and change the current two-destination band structure to a four-band structure. As has already been said today and in earlier debates, that decision recognised the need for stability in the tax system in difficult circumstances. The reform of APD strengthens the environmental signal of the tax, and raises revenue in comparison with the existing system.
Ms Abbott: Will my hon. Friend give way?

Sarah McCarthy-Fry: I will in two seconds; I want to deal with a point that my hon. Friend made. We have always said that aviation taxation has a dual purpose, dealing with environmental impacts and also contributing to public finances.

Ms Abbott: My hon. Friend said that the Government rejected the idea of a per-plane tax. We know, because it is on the record, that they considered it very seriously, and my hon. Friend has not explained why they rejected it.

Sarah McCarthy-Fry: If my hon. Friend will be patient, I shall come to that in a moment.

Mr. John Gummer (Suffolk, Coastal) (Con): The Minister said that the Government had always recognised that the tax should be both environmental and revenue-raising. This measure is very damaging to the environment. The public will accept green taxes if they really are green taxes, and if they are clearly connected with green activities. If they are merely means for the Treasury to raise money, the public will think that they are frauds.

Sarah McCarthy-Fry: I think that I thank the right hon. Gentleman for his intervention. I shall explain later the way in which we are trying to achieve a balance and to send an environmental signal within the constraints presented by reform of the APD system.

Mr. MacNeil: I am grateful to the hon. Lady for her answer a few moments ago, but I seek a little clarification. Is that 0.6 per cent. of the total emissions from UK aircraft, or 0.6 per cent. of a million tonnes of carbon? Also, will the efficiency of different plane models be taken into account so that some aircraft could be taxed more or less than others—in other words, will there be an incentive to use more efficient planes?

Sarah McCarthy-Fry: It is 0.6 million tonnes of carbon dioxide in 2011-12.

Ms Abbott: Will my hon. Friend give way?

Mr. Hands: Can we get it absolutely clear that there are only two reasons for rejecting the per-plane tax in the Government consultation, which are that it would discriminate against regional airports—or so the Minister says, at least—and that she does not want to introduce a disruption in the tax gathering system during a recession? Are those the two reasons, and if so, are they the only two reasons?

Sarah McCarthy-Fry: They are certainly not the only two reasons. Another important reason was the point that I made about the EU ETS, which enables us to have some of the benefits that a per-plane tax would bring. That was another consideration that was taken on board. The full reasons are spelled out in the document, which I think the hon. Gentleman spoke about earlier.

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Sarah McCarthy-Fry: I do not have that information to hand, but I am sure I will be able to get it to the right hon. Gentleman.

The reform of APD increases the number of destination bands from two to four. These have been set at 2,000-mile intervals, with the distance between London and capital cities determining what band a country falls within. There is a clear rationale that those travelling farther should pay higher rates of APD.

The hon. Member for Taunton said that short-haul flights are more damaging. Long-haul flights produce more emissions, and a band D long-haul flight on average would emit 14 times more than a band A flight.

Mr. Jeremy Browne: I acknowledge that long-haul flights cause more emissions than short-haul flights. My point was that short-haul flights cause more emissions per mile, and that is why we need to try to create alternatives to short-haul flights. I recognise, however, that a system in which the tax is greater for long-haul flights is reasonable because, overall, they cause greater emissions than short-haul flights.

Sarah McCarthy-Fry: I thank the hon. Gentleman for that intervention.

A geographical banding structure balances the aim of sending a stronger environmental signal with the need to make the reforms easy to implement. The hon. Gentleman and the hon. Member for Wellingborough (Mr. Bone) suggested that people might travel to cheaper destinations, or travel short-haul and then get an onward flight. It is often said that people may do that, but there are a number of practical, as well as financial, consequences.

A passenger with two unconnected tickets for travel will need to land themselves at the first destination airport and then check back in for the second flight, and will be subject to any taxes or charges due for that country. Both airlines will incur handling charges for processing the passenger, and it is likely that they would be passed on to the passenger. Also, a passenger taking a connected flight enters into a contract for travel to their final destination. That offers a passenger some protection against unforeseen delays or cancellations as it is the airline’s responsibility to ensure that they reach their final destination. In some cases, that may mean rebooking a passenger on an alternative flight or providing, or paying for, accommodation until a flight is available. Unconnected flights do not carry that same protection, and an airline’s responsibility will cease once the passenger has reached the destination specified on the ticket.

Stewart Hosie (Dundee, East) (SNP): Surely the second airline would offer the same contract for the second flight. The level of protection would be precisely the same, it simply would not be provided by the original carrier.

Sarah McCarthy-Fry: Notwithstanding that, there is the gap in the middle at the hub point, because the protection is given to the hub and the passenger does not have the same protection going forward. I think the hon. Gentleman will accept that there is also the additional costs issue—the additional handling charges and airport charges, and the need to land and recheck baggage. That would not make it quite such an easy option, and would not necessarily make it a financially cheaper option.

Mr. MacNeil: I am a frequent air traveller. Unfortunately, I sometimes take between four and six flights a week. Are this Government saying that they are going to make life even more difficult for air passengers by ensuring that they have to check in again, and by not ironing out the rough edges? Their journeys are already stressful and annoying enough. Will they get even worse now as result of the consequences of the Government’s measures?

Sarah McCarthy-Fry: The measures do not apply within the UK. I thank the hon. Gentleman.

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Sarah McCarthy-Fry: I disagree. I thought that we had a consensus that long-distance flights were more environmentally damaging than short-distance flights.

Let us move on, because I wish to come to suggestions made to amend our APD system in order to avoid the anomalies. Ticketing systems are based on national territories. As such, it is straightforward to base the tax on countries, and we think that the capital city is the most coherent and principled proxy. Where it is administratively simple to divide a territory at an appropriate point, as in the case of the Russian Federation, the Government have done so. Of course it is possible to determine the exact distances of flights, and I take the point that my hon. Friend the Member for Walthamstow made about the administration of that. Such an approach would be slightly more complex because of the ticketing systems that airlines use, and any consequent increases in cost could be passed on to passengers.

My hon. Friend was right when he mentioned the Chicago convention and the fact that the distance link might be so closely tied to fuel consumption as to raise questions about legality. He asked that we should focus our attentions on that, and I assure him that the Government continue actively to support international action at the International Civil Aviation Organisation. It administers that convention, which, as someone rightly said, was signed in 1944 and created the framework. The convention has been revised frequently, but we think that it is now in need of modernisation, and that is particularly true in relation to the environment. The UK and other like-minded states believe that the current practice of exempting aviation from fuel taxation is anomalous and we have succeeded in increasing our focus on the environment, but it has not yet been possible to reach consensus in the ICAO on specific economic instruments. I assure all hon. Members that we are committed to engaging actively, together with our European partners, to press for greater action on the environmental impacts of aviation.

There will be instances in any banding system where a capital falls either just within or just outside a band, or a territory covers a large area. Calls for exceptions to be made for a specific country or group of countries can generally not be met without breaking international law principles of uniform treatment. Making changes in the banding system to change the impact on one group of countries in particular could reduce the revenue from APD, thus requiring the money to be found elsewhere. It could also undermine the environmental signals from the tax and, in addition to legal considerations, it could raise distortion issues with comparable destinations.

3.15 pm

Mr. Slaughter: My hon. Friend makes some good negative points about why the Opposition proposals may not work or why, in the case of the per-plane tax, they may even be more expensive. However, she must understand that the anomalies need to be corrected. When my hon. Friend the Member for Hackney, North and Stoke Newington (Ms Abbott) and I saw the Chancellor earlier this week on the matter, he said that it would be re-examined to see whether some of the anomalies, such as those relating to the Caribbean, could be addressed. Will the Minister suggest how that might be done?

Sarah McCarthy-Fry: I was about to come to that. I have asked my officials to consider the matter further. Although my hon. Friend said that my points appear to be negative, I was trying to explain the difficulties and why we have not been able to introduce the proposal until now. That does not mean to say that we are not still looking at it.

Ms Abbott: One of the arguments that the Minister made against doing anything about the zones was that to do so would reduce the revenue. I am genuinely committed to taking action on the environment and to green taxes. The Government must make up their mind about whether the measure is designed to reduce carbon emissions or to produce revenue. Leaving aside the broader question on the Caribbean, which is the thing that concerns me in this debate, I fear that if the Government devalue the notion of green taxes by using them as a cover for raising revenue, the public acceptability of such taxes in future will be much reduced.

Sarah McCarthy-Fry: I certainly take on board my hon. Friend's point but, as I said, we must recognise that we want the aviation sector to pay its fair share towards the public finances. The sector is not highly taxed—it does not pay fuel duty or VAT on fuel—and we have a joint way of ensuring that we can secure a contribution to the public finances while trying to find a sensible way of strengthening the environmental signal. We consulted on the case for a per-plane tax and, as I have said, we decided not to proceed with that.

Mr. MacNeil: The hon. Lady is saying that this is a straightforward revenue-raising tax, but it is hoped that it might give an environmental signal. She is saying that the tax is simply about raising money and has nothing to do with the environment. Is that correct?

Sarah McCarthy-Fry: My point is that we are trying to make our reformed APD system give a better environmental signal and better match the distance travelled. We cannot do that under the Chicago convention, which we are trying to change, if the proxy is too close to emissions. The banding system gives a better signal towards that.

Mr. Jeremy Browne: Before the hon. Lady finishes her speech, will she engage with my entirely constructive proposal, which is not to abandon her proposal—I understand that she might not wish to do that—but to modify it in a way that addresses the concerns raised by the hon. Member for Hackney, North and Stoke Newington (Ms Abbott), my hon. Friend the Member for Brent, East (Sarah Teather) and others? The Minister could explore the possibility of having eight bands, rather than four, and the determination of which band a plane journey fell in would be made on the basis of the actual distance travelled, rather than the distance from the UK to the capital city of the country. That would ensure that the bands much more accurately reflected the actual distance travelled, while being less administratively complicated than measuring the distance of each flight. We could keep a band system—there would probably be more bands—but the determination would be about the actual journey made, rather than the journey to the capital city. Does she think that that would be a good way forward?
Sarah McCarthy-Fry: We have examined many ways forward along those lines, but so far we have come up with negative reasons, as my hon. Friend the Member for Ealing, Acton and Shepherd’s Bush (Mr. Slaughter) put it, as to why that is not a practical way to proceed. As I have said, I have asked my officials to continue examining the matter. We had consulted on the basis for a per-plane tax, but after careful consideration we decided not to proceed—our reasons are outlined in more detail in the document. I therefore ask the hon. Member for Hammersmith and Fulham (Mr. Hands) to consider withdrawing the amendment.

Mr. Hands: This has been a wide-ranging and extremely helpful debate on amendment 1, and we have heard from a significant number of diverse speakers on a number of different topics. A number of common themes emerged, the main one being the unworkability of the Government’s clause and schedule that we are discussing. The hon. Member for Hackney, North and Stoke Newington spoke passionately and with expert knowledge, making powerful points about Caribbean communities and the need to have a more environmental basis to this taxation that I had also made. The hon. Member for Taunton (Mr. Browne) also made a number of important points about the crudeness of schedules 5 and 5A, as well as a number of more general points with which Conservative Members agree.

The hon. Member for Walthamstow (Mr. Gerrard) commented on the actual distance flown, which I know we discussed at the meeting of the all-party group on the Caribbean. I was interested in the Minister’s response that she is looking at ways of reforming the Chicago convention. I would be grateful if she could update the House, at an appropriate time, on how those negotiations are proceeding. My hon. Friend the Member for Wellingborough (Mr. Bone) made similar points about the Caribbean and India, well illustrated with a letter from his constituent, one of the 60,000 people who have signed the petition and written to their MPs.

The reasons given for rejecting the plane tax amendment are flimsy, as we have seen from the Minister’s response and the Government’s consultation document. We can have no confidence in the Government’s reasoning, which shows a confused logic on whether this is an environmental tax or purely revenue-raising. Several hon. Members raised serious concerns about the particulars and the generality of the Government’s proposals, and we would urge a rethink before it is too late. Having said that, we had a Division on this matter in Committee and we are not minded to do so again today, given that we are already two hours into today’s proceedings and we are not minded to do so again today, given that the circumstances of the last week. I shall return to that point later.

Before I make my argument in detail, I want to say how astonished I was last week when the bingo sector held a demonstration in Old Palace Yard. It was a bright, noisy, colourful demonstration, and it will probably be the first and last time that I ever see people travelling from Caerphilly and Bristol, together with Caribbean dancing girls, to protest against Government tax proposals. Those people had come from around the country, not to represent the interests of the bingo companies, but to express the passion that communities have for their bingo clubs and their desire to protect them. I was delighted that many hon. Members attended the demonstration, including the hon. Member for Llanelli (Nia Griffith). Unfortunately she voted with the Government on 13 May, but I hope that now she has seen her bingo club players and the Plaid Cymru candidate at the demonstration, she will change her mind tonight. That would be very helpful, and it would be welcomed by the many women who made the six-hour journey to attend that demonstration last week. I am sure that they will pay great attention to how the hon. Lady and many of her colleagues vote tonight.

The key point of principle in this debate was clearly laid out on 13 May. It concerns the unfairness of taxation levels on bingo in comparison with other forms of gambling. Online bingo, casinos and poker are taxed at 15 per cent. Online sports betting is taxed at 15 per cent., as is sports betting in a betting shop. The football pools and betting exchanges are also taxed at 15 per cent. Only casinos are taxed differently—on a sliding scale between 15 and 50 per cent., but I am reliably informed that if bingo clubs were taxed on the same basis as casinos, each and every one—without exception—would pay tax at 15 per cent. We need some fairness, and to avoid bingo being uniquely taxed at 22 per cent.

Mr. Bone: The hon. Member makes an important point, but does he detect a trend in this Finance Bill? The Government seem to want to hit the poorest the hardest. We have seen no compensation for the doubling of the 10p rate. We have just seen the APD proposals that will affect the poorest, and now they will be hit hardest by these proposals.

Stewart Hosie: In an attempt to build an all-party consensus on my amendment, I might not follow the hon. Gentleman’s logic in its entirety. It might be more
accurate to suggest that, with a national debt approaching £1.6 trillion, complete chaos in the current account, and the Government’s finances in turmoil, they are simply scrabbling about trying to fill the black hole from everyone’s pockets in whatever sector they can find.

Mr. Gummer: Might it be that the Government are being snobbish? Somehow they think that there is something infra dig about the bingo club, where they would not be seen going.

Stewart Hosie: I am almost at a loss; the temptation is too great. It is a good thing that the hon. Member for Crewe and Nantwich (Mr. Timpson) can comfortably go to the bingo with his wife. The hon. Member for Barnsley, Central (Mr. Illsley) can also go to his local club. More Labour Members should go to their bingo clubs, which are mainly in working class communities, and see that those who go there are normal people. The Government should not be afraid of the working class, and nor should they tax them so outrageously.

Mr. Jeremy Browne: I visited Mecca bingo in Taunton on Friday and met many people who, in the past, may have considered voting Labour, although I suspect that they will not do so in future. The hon. Gentleman mentioned revenue. I am told that Mecca bingo will pay some £10 million a year more as a result of being taxed at 22 per cent. rather than 15 per cent. To put that in context, £10 million is the additional borrowing that the Government run up every half an hour. The idea that the extra bingo taxes are likely to plug the hole in the public finances is fanciful. The reason must be something more serious or vindictive.

Stewart Hosie: I was not aware of those figures, but they are very interesting. The public finances are in such a perilous condition that the Government are scrabbling around to fill the hole with whatever they can possibly raise.

Even if bingo clubs were taxed on the same basis as casinos, they would pay only 15 per cent. and that would be fair. However, if unamended, the Finance Bill will set in statute this profound unfairness, and that is what amendment 4 seeks to address.

Mr. Don Foster (Bath) (LD): The hon. Gentleman is right to reflect on the debate that we had on 13 May. During that time we all kept quoting the figure of 22 per cent., as he just has. Is it not the case that the actual rate that the bingo clubs will be paying is 27 per cent. because the Government failed to take account of the effective rate, which includes the unrecoverable VAT, worth a further 5 per cent.? Stewart Hosie: That is absolutely right. I know that the hon. Gentleman went over that point in some detail during the last debate on this topic, and I would expect him to do so again.

On the point of the unrecoverable VAT—or of VAT in general—and the most recent history of the Government’s appalling behaviour in relation to bingo, there is one qualitative difference between the debate today and that on 13 May. It is highly relevant to what we are talking about today. HMRC, as I understand it, has announced its intention to appeal the recent High Court decision, which followed the May and August VAT and duties tribunal that upheld TL Rank Group’s respective claims that the inconsistent application of VAT on interval bingo and gaming machines contravened the EU principle of fiscal neutrality. We do not yet have a date for the Court of Appeal hearing, but it is likely to be next year.

3.30 pm

That is vital, because the Government argue that the sector will benefit from the removal of VAT with an increase in gross profits tax to 22 per cent. The sector and I, however, will argue that that is false because the rulings that we have had so far would tend to indicate that the Government were never entitled to levy the tax or collect that revenue in the first place.

I do not want to pre-judge the appeal, but as the Government have lost the first two rounds—the VAT and duties tribunal and the original High Court case—it appears to me that there is no certainty that the Court of Appeal will come to a different decision next time round. That means that we are voting on a point of principle about unfairness and, more important, on the impact of the rise of GPT from 15 per cent. to 22 per cent. on bingo clubs, communities, jobs and tax yield. I would argue, given what we have seen in the recent history of the bingo sector, that the implications of that tax have the potential, at least, to be pretty nasty in communities around the country.

Let us gently remind ourselves that the sector provides good quality community facilities and safe environments, mainly for women, in mainly working-class communities. The bingo companies invest in the clubs in those communities. That entertainment and investment might well be lost if, as we have seen, more clubs over and above the 40 that have closed recently close in the next few years. The sector provides employment and, again, the jobs are mainly based in working-class communities. If those jobs are lost now, with unemployment rising, employment falling and vacancies coming down massively, those lost jobs might be lost for good. The Government’s old argument was that people who lost their jobs in bingo clubs could find new jobs elsewhere, but that becomes less valid as each day passes, as unemployment rises and as the number of vacancies comes down. We have already lost 4,000 jobs.

Mr. Mike Weir (Angus) (SNP): My hon. Friend is making a very powerful case. In Montrose, the local Gala club has closed down and it is very difficult for its former employees to find alternative jobs. The same sort of businesses in the town, which might have taken up that slack, are also suffering in the recession.

Stewart Hosie: That is absolutely right. The closure of the club in Montrose was a tragedy for the town and for the borough. The jobs have been lost and my hon. Friend is right that it is difficult for those people to find replacement jobs. In the current climate, it is also nigh-on impossible to identify any other business that would wish to reinvest in such community facilities given the rate of returns, not least when we take account of the cost of borrowing money to invest in new facilities to replace those that are being closed.
Hywel Williams (Caernarfon) (PC): In my constituency, the club has received substantial investment recently. The companies have a good track record of investing their money in local communities, which need such facilities.

Stewart Hosie: That is absolutely right. We see the large clubs, the well-run clubs and the millions of pounds that are required to be and are invested and reinvested year after year, on a cycle, to refurbish them and bring them up to speed so that they continue to provide the good quality facilities that we all have in our constituencies. We do not want to see any of that investment lost.

Of course, it is not about investment, jobs or community facilities. As the clubs close, business rates fall, income tax takes go down, national insurance yield goes down, benefit costs increase and, of course, community facilities close. For all those reasons, we need to ensure a level playing field and fair taxation and to remove this quite extraordinary burden on bingo—of all sectors—when compared with all other gaming sectors.

Mr. Redwood: The hon. Gentleman is making some interesting comments. Does he have any forecasts of how many clubs might close, and of how much loss of revenue there could be in total?

Stewart Hosie: I do not have forecasts, but I suspect that the industry will be anxious that its pressure on the Government is successful so that we can avoid the eventualities to which the right hon. Gentleman refers. However, I am sure that the profitability of all clubs, and their investment profile over the next few years, is being looked at. In the recent past, 40 or so clubs have closed with 4,000 or so job losses, so we can see the sort of picture that might emerge if things remain very difficult.

Amendment 4 would keep the duty at 15 per cent. but amendment 5, also in my name, would delay the implementation of the change until 2010. The advantage of that is that at least we would have the certainty of the outcome of the Appeal Court hearing.

I shall listen to what other hon. Members say in the debate, but my instinct is to ask to press amendment 4 to the vote. Holding the rate at 15 per cent. is better in principle than simply seeking to delay the change, as that might give rise to a grey area. As I said, I shall listen to the debate, and especially to what the Minister says.

I said at the beginning of my speech that I had reread the debate from 13 May, to which the hon. Member for Hammersmith and Fulham made an extremely important contribution. He said:

“We have no wish to widen the gaping hole in the public finances. Instead, we wish to prevent the Government from pre-empting the legal process through this sudden change to their finances. Instead, we wish to prevent the Government from contribution. He said:

Mr. Redwood: The hon. Gentleman is making some interesting comments. Does he have any forecasts of how many clubs might close, and of how much loss of revenue there could be in total?

Stewart Hosie: I do not have forecasts, but I suspect that the industry will be anxious that its pressure on the Government is successful so that we can avoid the eventualities to which the right hon. Gentleman refers. However, I am sure that the profitability of all clubs, and their investment profile over the next few years, is being looked at. In the recent past, 40 or so clubs have closed with 4,000 or so job losses, so we can see the sort of picture that might emerge if things remain very difficult.

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I said at the beginning of my speech that I had reread the debate from 13 May, to which the hon. Member for Hammersmith and Fulham made an extremely important contribution. He said:

“He was absolutely right. He backed the amendment, as did many of his Front-Bench colleagues, including the hon. Members for Fareham (Mr. Hoban) and for South-West Hertfordshire (Mr. Gauke), as well as the Opposition Treasury Whip, the hon. Member for Rochford and Southend, East (James Duddridge) and many others. The Government have announced their intention to appeal the High Court decision, so today’s debate on an identical amendment is framed in terms that are precisely the same as those that he used to define the debate on 13 May.

Mr. Hands: I thank the hon. Gentleman for giving way. He is being quite accurate, but he is leaving out an important piece of information. He was not present for it but, in the interim between this debate and the debate of the Committee of the whole House, there has been a vote on clause 112 of the Finance Bill, which would remove VAT from bingo. That is relevant to today’s debate.

Stewart Hosie: I understand the black-hole argument perfectly clearly, but it does not apply here. The tribunals and the first High Court decision told us that the Government were not entitled to that VAT in the first place, and the Appeal Court ruling may confirm that. If the argument is that some of the Red Book’s revenue yield forecasts will have to be changed, I refer him to what many Opposition Members have said. They have described the Red Book as “difficult to believe”, and I shall put it no more strongly than that.

Mr. Hands: I thank the hon. Gentleman for giving way again. I think that he is referring to the assertions that I and various right hon. and hon. Friends have made about some of the growth forecasts and income projections for future years. It is very important that a proper distinction is made between what the Treasury will take in this year, and what it will get in future financial years.

Stewart Hosie: What I am trying to do is prevent members of the Conservative Front Bench from wriggling out of their responsibilities to the bingo sector—and, more importantly, to bingo club members up and down the country. It is vital that we keep the assets and the jobs, and all the income and duty yields from national insurance, income tax, corporation tax and business rates. For all those reasons, we reject the proposal to raise the rate to 22 per cent. We must keep it at 15 per cent. and, on a point of principle, deliver fairness across all forms of gaming. Bingo must not be left hung out to dry.

Mr. Eric Illsley (Barnsley, Central) (Lab): It is always a pleasure to follow the hon. Member for Dundee, East (Stewart Hosie). As he points out, we have rehearsed these arguments previously, but he is right to say that the argument is about the closure of amenities for our constituents, the threat to bingo clubs and the facilities that they provide throughout the country, and the consequent job losses when such clubs close.

The hon. Gentleman referred to the history of the argument, beginning with double taxation. The bingo industry has long argued that it is the only form of gambling subject to double taxation, with VAT levied on participation fees and gross profits tax on the overall profits of the industry. The industry argued for some years that it should be given parity with bookmakers, casinos and the internet, where harder forms of gambling take place, with larger sums of money, yet those are not subject to double taxation. For example, when someone walks into a betting shop to place a bet on a horse race, there is no charge involved in placing that bet.
When I was preparing for today’s debate, it occurred to me that we could go back a few years to arguments about bingo and other forms of gambling when advertising for bingo was not allowed, although it was allowed for other, harder, more commercial forms of betting. We seem to be involved in a similar argument now. There appears to be a bias against the bingo industry. In Committee on 13 May we explored the arguments, which were ably outlined by the hon. Gentleman. As a consequence, the Government undertook to remove the burden of double taxation in the Bill by removing VAT on participation fees.

Double taxation is not the only problem facing the industry. There are other issues, which have been outlined in the House previously—the general economic situation, the smoking ban and other issues, which the industry accepts and which we are not using in support of that industry. The present argument is about the level of gross profits tax and the ending of double taxation—the double-edged sword of increasing gross profits tax to 22 per cent., without giving the industry time to adapt to the removal of VAT on participation fees, to see where those funding streams were likely to settle. There is an argument over the figures, as the hon. Gentleman pointed out, and there is some argument about the amount of VAT raised.

My own constituency has suffered a bingo club closure. As I mentioned in the last debate, the remaining bingo club in my constituency has a membership of more than 20,000. These are important facilities in our constituencies. They have a large membership and it is important that we keep them as an amenity. The loss of a bingo club is a huge loss to the community, particularly if it is the only bingo club in town and a large number of people have to find an alternative leisure facility or go to another town to join another bingo club if that one remains open.

Mr. Weir: I strongly agree with the hon. Gentleman. I have experienced the same thing in my constituency, in Montrose. It strikes me that there is another aspect to the argument. Anyone watching certain TV channels will notice a huge growth in online bingo. I wonder whether it is healthy for people to sit and play bingo on a computer, rather than going to the more social setting of their local club.

Mr. Illsley: The hon. Gentleman makes a valid point. I am not sure that it is healthy for anybody to sit in front of a computer terminal for any length of time, whatever they are doing. That relates to what I shall say shortly when I compare bingo with other forms of gambling. As opposed to someone sitting in front of a computer terminal at home with a credit card, playing bingo in relative secrecy, people play bingo at a club in an environment that is protected, regulated and managed. People are looked after by the management of the clubs, which by and large is good.

The industry looks to the Government for support, in view of the closures, the double taxation and the losses. It welcomed the ending of double taxation, as I have said. There has been considerable support across the House for ending double taxation and for the bingo industry; 129 Members have signed an early-day motion in support of the bingo industry, such is the popularity of bingo and the concern felt by hon. Members across the House about the effect of closures on their constituency or locality.

3.45 pm

As the hon. Member for Dundee, East, mentioned, gross profits tax has increased from 15 to 22 per cent. That is a 46 per cent. increase in GPT. Even without going into the mathematics—even just looking at that increase—one can say that the fact that there was a 46 per cent. increase in GPT after VAT was removed tends to suggest that there was some compensating on the part of the Government. With that substantial increase, they are giving with one hand and taking back with the other.

It is on the VAT and GPT figures that the industry and the Government have once again parted company. The Government maintained, and Ministers said in a previous debate, that the overall taxation on bingo had fallen from about 34 per cent. to about 26 or 27 per cent. I think that the hon. Member for Bath (Mr. Foster) said that it was 27 per cent., taking into account other factors. The Government’s estimate in the Red Book is that they will lose £50 million of revenue in VAT losses, but will gain £35 million from GPT, leaving a net gain to the industry of £15 million. It is those figures that the industry disputes. It does not believe that those figures are accurate or sustainable. I understand that the Bingo Association has provided the Government with figures to try to show that there is a dispute about the Government’s numbers.

The same end result—an advantage of about £15 million to the industry—could be achieved with a much lower rate of GPT, because the VAT receipts are lower. I have in my hand figures provided to me by the Bingo Association that demonstrate that, but I do not profess to understand everything on that piece of paper. Having surveyed 592 bingo clubs across the country, the industry is saying that if we assume a VAT rate of 17.5, and not 15, per cent., and a GPT rate of 18, and not 15, per cent., main-stage bingo would raise something like £20.8 million in VAT. Interval bingo would raise £39.8 million in VAT. There would be irrecoverable VAT at £21.7 million. That would leave an overall VAT figure of £38.9 million, balanced by GPT figures of £23.3 million. That would leave a balance in favour of the industry of £15.6 million. Those are the figures put forward by the industry to contradict the Government’s figures in the Red Book. As I shall say later, the industry would like further consideration of the VAT and GPT figures that it has provided, because it feels that it can achieve the figures in the Red Book without such a huge hike in GPT.

Nia Griffith (Llanelli) (Lab): Has my hon. Friend had representations from constituents who have looked at the figures for their local club, and who, in some of the smaller clubs in particular, find that the change in VAT is not bringing them the benefits that they were told it might? Is he concerned that some of the smallest clubs will therefore have the hardest time?

Mr. Illsley: I am grateful to my hon. Friend for that intervention. I had not had that information, but she has made the point eloquently. I agree with her that it will be the smaller clubs that feel the pinch. Obviously,
the bigger companies are more able to stave off losses, but at the end of the day the effect will be felt by the whole of the bingo industry.

**Mr. Bone:** The owners of my local bingo club in Rushden, Flutters, made a very powerful point: the club needs renovating, but they will not renovate now, because they cannot claim back the VAT as they previously could have done.

**Mr. Illsley:** The hon. Gentleman makes an interesting point, and I am sure that the situation throughout the industry will lead to similar instances elsewhere.

Even though the Government have halted VAT on participation fees, the industry still warns of further closures, and they are continuing. That suggests that the industry is still adversely affected by the changes to the taxation regime: it still hurts the industry to the point that more clubs are closing down. That suggests in turn that the industry’s figures might be right and the Government’s optimistic, because it is generally agreed that the Red Book VAT receipts figure of £50 million is something of an estimate. It is not that well defined. Perhaps the Government could look at the figure again, with the industry, to see whether there is a way forward.

The industry maintains that it is more heavily taxed than other forms of gambling, as the hon. Member for Dundee, East said. His amendment seeks to retain GPT at 15 per cent. to maintain that parity, and he made a strong argument for it. Again, he mentioned casino GPT, which is on a sliding scale. If that were applied to bingo clubs, it would give all bingo clubs an effective rate of 15 per cent., because of the banding that applies to the casinos.

The hon. Gentleman went through the reasons why we should support bingo, and I shall quickly touch on them to reinforce them, yet again, on behalf of our constituents. It is a softer form of gambling than others, such as internet gambling, casinos and so on, and it is attractive predominantly to women. Many women enjoy going to bingo clubs in groups, and sometimes with their husbands or whoever. They feel safe, it is a protected environment, they are looked after, and they cannot gamble too much of their money away. Daytime bingo sessions are sometimes the only entertainment that elderly members of our communities get in the week, and people very much look forward to going out with friends to enjoy bingo in the afternoons and so on. Those are often social occasions, and bingo clubs are a social amenity, but once they are gone there is little alternative other than, as the right hon. Member for Suffolk, Coastal (Mr. Gunmer) said, online bingo in front of a computer screen, daytime TV or whatever.

Let us compare bingo with forms of gambling that are unregulated and not subject to the same regime, such as internet gambling, poker and in-play betting. I am not opposed to in-play betting, but we see adverts in the middle of a football match and we can imagine them playing in a public house, where at half time someone comes on saying, “Bet in play. You can bet on the next corner, goal or booking”. If drink is involved and lads are watching a football match, a lot of money could be spent over the telephone betting, yet we are not doing anything about that form of gambling. We are, however, coming down pretty hard on bingo, and allowing closures to take place that affect a very soft form of gambling.

I now turn to the amendments. Obviously, I support and have added my name to amendment 4, tabled by the hon. Member for Dundee, East, which would return bingo to parity with other forms of gambling and retain the 15 per cent. rate. I think that it was the hon. Member for Wellingborough (Mr. Bone) who referred to casinos, and the amount of money gambled in casinos is vast. We read in the newspapers stories of people losing tens of thousands of pounds in an evening in a casino, yet that will be taxed at 15 per cent. Bingo is a relatively modest form of gambling, yet that taxation is going up to 22 per cent. Where is the logic? The rate of tax on a form of gambling for the rich and privileged is lower than that on a very soft form of gambling for predominantly working-class people. I cannot see the logic of that. If we are to tax any gambling at 22 per cent., it should be the harder forms, including the gambling done at casinos.

Amendment 22 would make bingo duty chargeable at 16 per cent. rather than 22 per cent., while amendment 23 would make bingo duty chargeable at 17 per cent. I should have tabled a further amendment to make it chargeable at 18 per cent., because the figures provided by the bingo industry are based on a GPT figure of 18 per cent. The industry says that, on the basis of its figures, an increase in bingo duty to 18 per cent. would provide the same amount of money as that suggested in the Red Book. Furthermore, it could live with that; it would find that acceptable.

The amendments were tabled on the basis of figures provided by the industry, which maintains that those figures are more accurate and relevant to where we are at the moment. Through my amendments, I am inviting the Government to reconsider the figures, perhaps with the industry. They should consider a rate of 18 per cent., 17.5 per cent. or whatever. They should also look at the VAT figures suggested by the industry and the VAT returns, and get a more accurate prediction of how the bingo industry will be affected by the changes. The Government should try to determine a rate acceptable to the industry, to Members of the House and to our constituents. That would probably mean an end to the closures.

Amendment 24, also in my name, is similar to amendment 5, tabled by the hon. Member for Dundee, East. It would delay the implementation of the changes. I shall not add to the hon. Gentleman’s comments about the court case, but there seems to be a sensible reason to delay the implementation of the measures and either return to parity or renegotiate with the industry until the court case has been decided. There is room for negotiation with the industry, to find out the true figures for the irrecoverable VAT and the returns from GPT. I hope that the Government will consider the amendments and the bingo industry figures, which I feel they have in their possession. I hope that they will think again.

**Mr. Gunmer:** I should start by saying that I am not a supporter of gambling; I do not like it or approve of it and I find it a pretty boring and unattractive way of spending money or time. However, I should not be imposing my views on the rest of the population. Clearly, large numbers of people get great pleasure from forms of gambling that do minimum harm, and I would have thought that bingo was one of them.
If I were trying to raise money to plug the enormous gap that the Government have created in the national finances, I would be considering the forms of gambling that manifestly do cause significant harm. In casinos, for example, people with more money than sense waste it in a way that is probably socially undesirable. Would it not be much better to increase the tax on casinos and decrease the tax on bingo? That seems an extremely logical argument — so logical that it is difficult to understand why the Government have not accepted it already. However, I have to say that the Government seem to be the most illogical I have ever had to deal with; they seem unable to see simple things in a simple manner.

In my constituency, bingo is concentrated in Felixstowe, a celebrated holiday town. It has a large number of older people, and bingo is an important part of the service that it provides for its residents and for people who come into the town. I want it to go on doing that. It employs people and provides others with something that they obviously enjoy and choose to enjoy. Why on earth should they pay more for that enjoyment than people who go off to Aspinalls and other such gathering places and watering holes? There is an innate snobbery in this Government. They do not want to have a go at the people who go to the smart places along Curzon street and the rest — they do not want to fall out with them, oh no!

4 pm

Mr. Jeremy Browne: Is the right hon. Gentleman suggesting that Lord Mandelson and other key figures in the Government do not enjoy going to bingo clubs in their spare time?

Mr. Gummer: I can imagine the noble Lord in many circumstances, but I had not thought of the bingo club as one of his habitual areas of interest. However, I do not want to make a personal comment about Lord Mandelson, although of course the opportunities are enormous.

There is a continuing theme of insensitivity throughout the whole Finance Bill. The Government seem to have no understanding of how what they are proposing affect will ordinary people. I cannot understand that. The Minister is somebody we all admire; we find her courteous in giving way. I cannot believe that she really interventions most interesting and she is always most fairest, which argues for a lower rate than forms of gambling that only people with greater resources can indulge in.

The Minister is somebody we all admire; we find her courteous in giving way. I cannot believe that she really does not notice the bingo club.

Yesterday there was a very impressive speech — I am sure that you heard it, Mr. Deputy Speaker — by the right hon. Member for Birkenhead (Mr. Field). The one thing that I disagreed with him about was his belief that only Labour Members have the poor at heart. I hope that a much larger constituency in this House believes that the reason we are here is to defend those who are least able to defend themselves, not only in terms of their liberties but their ability to exist comfortably in society, to earn a decent living, and to maintain their families in decency. That is why I came into this House. I do not like bullies of any kind; I want to stand up for the bullied rather than the bullies. This Government are constantly standing up for the people who can stand up for themselves, and not standing up for those who cannot. That is why I stand up for a lot of people whose enthusiasm I do not share, in the belief that they should be able to have it and be protected by this House in doing so. We should not only try to ensure that they pay the same level of duty as on other forms of betting but suggest that it might even be a comparatively lower one.

These people have already been hit very hard. I do not think the Government have ever really come to terms with some of the by-blows of their decision on smoking in public places. As an enthusiast for the environment, I am fed up with the fact that we have increased emissions in this country caused by outdoor heating that enables people to smoke outside pubs because nobody was prepared to take the sensible view that a room where no one was serving could be put aside for those who wanted to smoke. No, that could not be done — that was against the theology of the policy — so now we warm the heavens in order that people can smoke outside.

We must also face the fact that the smoking ban has had a direct effect on bingo clubs. I rather like a former Home Secretary who got into terrible trouble for suggesting that the ban would affect his poorest constituents most. I am not arguing that case again; I am merely saying that it has had a real effect on areas where people with limited means, and often with homes that are less comfortable than those of the Exchequer Secretary and her ministerial colleagues, gather together somewhere warm, pleasant and light where they can enjoy themselves. Now they cannot smoke, which may be good for them, but if we are also going to tax them heavily on their bingo because that might be good for them, that is an aspect of the nanny state that I could well do without.

It seems to me that if my constituents want to play bingo, they should be able to do so at a cost that is as low as we can provide for. The taxation should therefore at least be fair, which argues for a lower rate than forms of gambling that only people with greater resources can indulge in.

The Government are doing a most peculiar thing in first lauding themselves for doing something about double taxation and then proceeding to ensure that they make up for it by having bigger single taxation. That does not seem to me a wildly clever argument, because it does not convince anybody. Nobody thinks that the Government are actually being helpful; people just think that they are clearing up an embarrassing anomaly and deciding that they will get the money back in any case.

How much more sensible it would be if the Government came to the House and said, “We’re going to tax the rich more than we do the poor. We’re going to put up the tax on casinos sufficiently to make up for the taxation reduction that we’re going to make on bingo halls.” That is the sort of thing that I would expect from a Labour Government, but we now have to look to the Conservatives for every kind of social support for which we used to look to the Labour Benches. That is true right across the board. On every criminal justice Bill, I have time and again voted to the left of the Labour
party. When we came to discuss the Iraq war, I voted against it because I thought it was wrong, and the Labour party voted for it. Now I have to vote for the poor on bingo, because the Labour party wants to tax them more.

What is really happening is that we are seeing the social revolution that will end on 8 May or whenever it is, when a Conservative Government committed to the poor replace a Labour Government committed to the rich. The public will welcome that with open arms.

Mr. Adrian Bailey (West Bromwich, West) (Lab/Co-op): May I just ask the right hon. Gentleman what his position is on his party’s inheritance tax proposals?

Mr. Gummer: I might ask the hon. Gentleman what his position on his party’s proposals—

Mr. Deputy Speaker: Order. Fascinating as those views might be, they have no place in the debate on this particular amendment.

Mr. Gummer: I am sure that I can be guided by you on that matter, Mr. Deputy Speaker. I wish I could not be.

We are now facing a Government in disarray. This is another small example of a Government who have lost the plot on every issue, of their just not thinking things through, not recognising what they are doing and not listening. It is not just the Prime Minister who does not listen; nobody else does either. There is a commonality of deafness that is much more serious than swine flu. It is a really serious problem, so I ask the Exchequer Secretary, who is a sensible Minister, to listen to us on this. She must recognise that it does not do the Government any good constantly to push forward with measures that disadvantage the already disadvantaged and advantage those who have already got enough.

It is time we recognised that there are serious gambling issues to consider. Online gambling is particularly serious: people do it in their own homes, in entirely uncontrolled circumstances, with no peer pressure or concern and no one to see. That is where the danger comes, and I would much prefer the Government to attack that through taxation than bingo, which is largely a happy, cheerful activity indulged in by happy, cheerful people who used to vote Labour.

Ms Dari Taylor (Stockton, South) (Lab): I ask the Government to think again. The argument has been well presented three times in the Chamber that bingo is a pleasurable activity for many people, often the elderly and those on low incomes. It is clear that we all want the Government to reconsider.

I support the amendments that my hon. Friend the Member for Barnsley, Central (Mr. Illsley) has tabled, and if the Government give us no room for manoeuvre, I will vote for the amendments and against the Government. I do not do that easily, but I will do it.

It is important to understand that although Mecca thoroughly celebrated the removal of VAT, unrecoverable VAT has become a factor. The industry needs time to work out whether the funding stream is adequate and can ensure the quality and delivery of bingo halls—we do not know that yet. We know that the industry says that it can achieve the Red Book estimates and it wants time to do that. I therefore say to my hon. Friend the Exchequer Secretary, who has been a friend for many years, that the Government must show us that they will think again.

I think that we would all like gambling and gaming to be treated equally, but they are not. If the measure goes ahead, there will be bingo online. The right hon. Member for Suffolk, Coastal (Mr. Gummer) could not have introduced that issue better or more colourfully. Casino online and poker online, sports betting in betting shops, betting exchanges and football pools will all end up with 15 per cent. tax, though that does not apply to casinos. Yet bingo will face tax of 22 per cent. That is not fair.

Not only the money aspect but the other side of the coin concerns me. We speak passionately in the House about the leisure facilities that we would like afforded to our young people. We focus on that appropriately. However, there are not many discussions in the House about the leisure facilities that we should support for our elderly. Indeed, I do not think that I have ever heard a discussion in the House about that. We have talked about free bus travel, which is excellent, but we are considering a leisure activity. I am talking about 400 to 500 people who twice a week go to a pleasing environment, where they meet up—it is very sociable—eat a good meal for a reasonable price and thoroughly enjoy the afternoon or evening. They hope that they will win, although they often do not, but that is part of the game.

We should appreciate that those 400 to 500 people, who are on low incomes and retired, are spending time in pleasing surroundings, having inexpensive fun in a controlled environment. Again, the right hon. Member for Suffolk, Coastal made it clear that the environment is controlled, not only because people watch how much each other spends or perhaps drinks, but because if one person does not show up, a network starts up, with people asking, “What’s happened to old Fred?” and there is serious concern. For me, therefore, bingo is a critical bit of kit.

4.15 pm

I was once asked to call the numbers. I stress once; I was not exactly good at it, so I was not asked to do it again. The elderly thought that I was a deplorable caller; the management thought that training might possibly have helped. However, for me, it was important to see what was happening and to be part of it.

People have spoken about the employment opportunities. A critical aspect of those opportunities is that 70 per cent. of those employed in bingo are women. Bingo is an easy piece of the employment world for women to fit in with their families or their age, perhaps because their levels of activity are much more controllable in that environment than they would be in many others. We are talking about a particular group of women. They do not earn a fortune, but they earn enough to make life bearable. However, it is not just that those employed in bingo are women. Oftentimes, Mecca Bingo—and, I am sure, other organisations—give training. Youngsters get national vocational qualification opportunities.

All round, bingo is a good leisure activity which we should support. I therefore ask those on my Front Bench—I am asking them very carefully—please to think again. None of us will object to their thinking
again; indeed, the whole House will appreciate it. Bingo is a small part of leisure activities overall and it will produce a small amount of money for the Treasury. However, that amount will be smaller if there are further club closures on top of the 90 clubs that have closed so far. Surely spending that small amount is worth while given that so many people enjoy so much from the activity.

Mr. Hands: Remarkably, clause 20, on the taxation of bingo, has attracted more amendments than any other clause in this year’s Finance Bill, which reflects the Government’s botched approach to such an important sector.

I spoke for more than an hour on clauses 20 and 112, and I hope to speak for a rather shorter time today. However, let me make the Opposition’s position clear. We cannot see any reasonable or logical justification for bingo to be tax at 22 per cent. while the remainder of the gaming industry is generally taxed at 15 per cent. We would like the anomaly to be rectified as soon as time and the public finances allow it. However, rather like the hon. Member for Barnsley, Central (Mr. Illsley), we have found it incredibly difficult to get any sense out of the Treasury about its figures on either bingo or the ongoing court case, the consideration of which formed the centrepiece of our amendment in the Committee of the whole House, which took place two months and two Exchequer Secretaries ago.

Mr. Mark Field (Cities of London and Westminster) (Con): Although I do not necessarily share the anger about casinos expressed by my right hon. Friend the Member for Suffolk, Coastal (Mr. Gummer), not least because many are in my constituency, I am fairly positive about a lot of the online offerings. What is most perverse, however, is that online bingo is charged at 15 per cent., yet bingo in a club, which has so many desirable social outcomes, for all the reasons so adequately pointed out by the hon. Member for Stockton, South (Ms Taylor), is charged at 22 per cent. That is a quite ludicrous state of affairs.

Mr. Hands: I thank my hon. Friend for that intervention. We touched on that issue in the debate on clause 114, which covers the duty on online gaming. As was pointed out, there is now an incredible anomaly, in that playing online bingo will now attract far less tax. Surely we should all recognise the social benefits of bingo clubs for their clientele. It is therefore an incredible anomaly that we should be taxing the online version significantly less than the club version.

The Bill’s consideration in Committee of the whole House was, as I said, some two months and two Exchequer Secretaries ago, and we have seen some amazing figures since then. During the debate on clause 20 in May, I questioned the Government’s figures for the cost of removing VAT from participation fees—in other words, the theoretical cost of the linked clause 112, which we have already debated. I was referring to the cost assuming that VAT was being paid in all areas.

We have now obtained more information on how the Government arrived at their figure of £50 million, through the answers to some written questions. On 18 May, the Financial Secretary to the Treasury replied that the cost of removing VAT on main-stage bingo—the standard form of the game—was some £20 million. In one of her few acts during her short-lived nine-day reign in the Treasury, the hon. Member for Burnley (Kitty Ussher), the current Minister’s immediate predecessor, added on 10 June that the cost of removing VAT on interval bingo—the newer form that the High Court ruled on in the VAT tribunal case—was some £25 million. That adds up to a total of £45 million. As I said in the Public Bill Committee, I therefore assumed that the remaining £5 million of the £50 million related to participation fees on equal chance games other than bingo—principally poker.

That is the estimate relating to the £50 million in the Red Book, as I see it. In any case, the estimates for 2009-10 back up the argument that I made in the debates on clauses 20 and 112 that the industry will, in practice, pay more as a result of all the measures in the Finance Bill. We are not aware of any major operator paying VAT on interval bingo and, after the court ruling, it is hard to believe that any operator would even contemplate doing so. As I have said, a number were also withholding VAT receipts on main-stage bingo, and that number is now likely to swell. It is reasonable to conclude, therefore, that actual receipts would have been below £20 million for 2009-10, before the court ruling, and that they could now be zero.

However, the Red Book shows that the increase in bingo duty is expected to raise £35 million. Far from reducing the effective tax rate, as the Minister’s predecessor insisted, the Government’s proposals appear to constitute a tax hike of at least £15 million. This matter cropped up yet again in the Budget debate, and the Financial Secretary was wide of the mark when he said:

“Overall, the announcements in the Budget on the taxation of bingo are welcome to the industry.”—[Official Report, 23 April 2009; Vol. 491, c. 434.]

I found that absolutely extraordinary, but the point is that no one really knows for sure, because the Government refuse to be definitive.

The current Exchequer Secretary, who is with us today, told us during the last sitting of the Public Bill Committee on 25 June:

“The £50 million is made up of the cost of recovering VAT on mainstage bingo, interval bingo and card rooms. The roundings are to the nearest £5 million, so although £20 million, £25 million and £5 million are not exact figures, they show the proportions.”—[Official Report, Finance Public Bill Committee, 25 June 2009; c. 618.]

That is an extraordinary lesson in mathematics: figures of £5 million, £20 million and £25 million can all be subject to a rounding error of £5 million. Yet that is what the Red Book calculations are based on. It is absolutely amazing.

Stewart Hosie: Can the hon. Gentleman think of any other Government assessment where it is possible to be out on three figures by 100 per cent., 25 per cent. and 20 per cent. on the basis of rounding?

Mr. Hands: The hon. Gentleman’s intervention speaks for itself; he makes his point extremely well.

The Government are being evasive, to say the least, on the figures, and I am afraid that the Exchequer Secretary’s letter to the Committee on 1 July did nothing to clear the matter up. I would be grateful at last to
receive an explanation of where the figures come from. In the letter, the Minister reiterated that the estimates for VAT revenue in the Red Book were rounded to the nearest £5 million. Unfortunately, that leaves some confusion about whether the figures revealed in written answers subsequent to the publication of the Red Book, but before the debate in the Public Bill Committee, were rounded to the nearest £5 million. I think that the implication is that they were. The Minister said:

“I do not know the exact details of everything”.—[Official Report, Finance Public Bill Committee, 25 June 2009; c. 618.]

That was certainly the impression that she gave, and her letter has served only to confuse the situation still further.

The industry has raised yet another concern about the Treasury’s methodology. We heard in previous debates that the Government’s revenue figures are based on their interpretation of the law, and not on the actual sums that they have been receiving. However, bingo operators are now suggesting—that was the point raised by the hon. Member for Barnstaple, Central—that the Government failed to account for irrecoverable VAT when producing the estimates. One industry estimate—we have probably seen the same estimate—put the total incremental irrecoverable VAT at £21.7 million a year, assuming that it returns to a level of 17.5 per cent. next January. It is possible for the Exchequer Secretary to be precise—we have seen it, and she wants to be precise. Therefore, I invite her to answer right now whether the Treasury accounted for the irrecoverable VAT and, if it did, what was the figure—preferably not rounded to the nearest £5 million—that applied in that case?

The Government are extremely unwilling to provide meaningful figures on the costs of changes in gaming duty and VAT on bingo, yet they have asked us to consider the totality of measures in clauses 20 and 112. That makes it difficult, if not impossible, for us to judge the fiscal effects of any of the five amendments before us.

Meanwhile, we have only just this week learned that the court action that Conservative Members, and the hon. Member for Dundee, East (Stewart Hosie), referred to in our deliberations on clause 20 and 112 is still ongoing. The Minister was thus wrong to tell us that the Government had until 30 June to make a decision on the appeal. That was wrong: she had longer and she used the longer period to make the decision. As it turned out, the Government had until this week and they have now appealed, despite the Minister’s assertion about the expiry date. We understand that the case will now go to the Court of Appeal. We tabled an amendment in the Committee of the whole House to the effect that no changes should be made until the court case was resolved. The fact that the proceedings are ongoing is important information for our deliberations today.

Given the level of uncertainty on both the legal and the revenue fronts, it is very difficult to assess the likely impact of any of the five amendments. Furthermore, we have already voted through the ending of VAT on bingo in clause 112, so we need to be careful to maintain a balance in the tax consideration of bingo while being mindful of the appalling position of the public finances that the Government have brought on us all. The Government are holding their cards close to their chest on the amount of revenue, but if they were to support one or more of the amendments and show us that they could be afforded in terms of the Red Book, we would look favourably on that.

Let me clarify the Conservative position. The Government seem to think that bingo duty should by its very nature be higher than other gaming duties, but we do not see it that way. We view the 22 per cent. bingo duty as an anomaly. We thus await the Government’s moves with eager anticipation. We would welcome moves that were properly costed, affordable and transparent, to bring bingo duty back into line with other gambling duties.

Mr. Gummer: Will my hon. Friend help me on one point? It seems to me that we have to defend the revenue, which is perfectly understandable. The Government woolled their way through yesterday, defending the revenue in one way or another and threatening us with all the awful things that might happen. In case voting for the substantive amendment sends out the wrong signal to those who think that they can get away either with anything or with unfairness, would it not be sensible to vote for the amendment proposing to put these matters off to a later day, on which we could all agree, thereby supporting the revenue and forcing the Government to be sensible?

Mr. Hands: I thank my right hon. Friend for that intervention. The correct course of action would have been for the House to vote in the Committee of the whole House for our amendment, which sought to postpone changes to the taxation of bingo until such time as both the court case and the financial implications had been resolved. Given, however, that we have voted through clause 112, which removes VAT on bingo and is the right thing to do, I cannot agree with my right hon. Friend’s position—unless the Government can show that one of the amendments before us can be afforded without leaving a hole in the Red Book.

Mr. Jeremy Browne: This has been an interesting debate. The right hon. Member for Suffolk, Coastal (Mr. Gummer) told us that we had entered a new era in politics, in which the Conservatives were the champions of the poor and downtrodden and the Labour party had abandoned those people. It now transpires that when it comes to deciding whether they are in favour of people who are poor and downtrodden, the Conservatives are minded to abstain. Perhaps that is a metaphor for the wider positioning of their party.

4.30 pm

Let me turn to the matter in hand, which is bingo. I have visited Mecca Bingo in Taunton on a number of occasions, and I was there again last Friday, speaking to staff and customers about their pastime and about the effect that the Government’s taxation of bingo would have on them as individuals. I was struck yet again by just how popular this form of activity is in my constituency, and indeed in many towns and cities across the country. Typically, 1,900 people visit Mecca Bingo in Taunton every week, and on Sunday evening, which is the most popular time of the week, the club will have about 400 customers.

I think it fair to say, and indeed we have all observed for ourselves, that this form of gambling is particularly attractive to women—a point made by the hon. Member
for Barnsley, Central (Mr. Illsley)—that it attracts older people, generally although not exclusively, and that it is more attractive to those with lower incomes than, say, visiting a casino. That is inevitably a generalisation, because we are talking about hundreds of thousands of people throughout the country who enjoy bingo, but I think it can be said that bingo is a form of gambling that is more likely to be undertaken by women, older people, and people in lower income groups. It is extraordinary that they should be targeted for a higher rate of tax than those who engage in other forms of gambling.

Mr. Alan Reid (Argyll and Bute) (LD): My hon. Friend is right. Bingo takes place in a controlled environment, and the losses that people can make are very small compared to the almost limitless losses that can be made by those who go to casinos or engage in activities such as online poker or even online bingo. It is nonsensical to tax it at a higher rate than those other activities.

Mr. Browne: I entirely agree. I think it is safe to say that online bingo, for example, is more likely to be undertaken by younger and more affluent people than those who visit bingo clubs. It does seem extraordinary that that form of bingo should be taxed at 15 per cent. while people going to clubs will be taxed at 22 per cent.

Mr. Hands: Is not online bingo also likely to be much more addictive than the bingo hall version?

Mr. Browne: I understand that it is. Moreover, there are no controls in the case of online bingo. Although it may be in the immediate financial interests of a bingo hall to allow a particular customer to gamble beyond his or her means, I suspect that in the vast majority of cases the owners demonstrate a degree of paternalism. They have a fair sense of how much money the regular visitors have and of what it is safe and reasonable for them to spend.

Of course, many people do not go to bingo halls just to gamble. The gambling is often almost a secondary or peripheral attraction. Many people’s main reason for visiting the hall is social: they want to meet friends, and catch up on news and developments. When I visited Mecca Bingo on Friday, it was stressed to me that there were many associated attractions, such as the provision of meals and other forms of entertainment. It seems that people regard going to bingo halls as being only partly about gambling.

For all those reasons, it was pointed out for some years that bingo had suffered unfairly from what was described as double taxation, and that the anomaly ought to be addressed. The Government have now done that, but, as the right hon. Member for Suffolk, Coastal rightly observed, in effect they said, “Here you are; we are giving to you with one hand,” but just as everyone was celebrating that great victory, the Government took away the benefits with the other. The overall effect on the bingo industry and the people who enjoy playing bingo is that the current situation is no better than it was before.

When I visited Mecca Bingo in Taunton last Friday, it supplied the following statistics to me: across the United Kingdom last year 31 Mecca and other bingo clubs had closed and two had opened, which meant that there had been a net reduction of 29 bingo clubs. Some associated social factors may be at play in such closures, such as generational changes and a greater desire among people to spend more of their leisure time at home. The right hon. Member for Suffolk, Coastal speculated that the smoking ban may also have had an impact in some cases. It is, however, very hard to argue against the notion that the higher tax rate on bingo is making the situation worse, and making it harder for bingo clubs to be profitable.

Mr. David Heath (Somerton and Frome) (LD): Is that not what makes the Government’s decision to tax bingo more than other forms of gambling so odd? If their purpose is the suppression of vice, bingo is an odd target, as I am not aware of there being any particular links with organised crime, whereas if the purpose is to increase revenue, it is likely to have the opposite effect because of the consequent reduction in the size of the industry.

Mr. Browne: Absolutely, and I should like to refer to the very subject of revenue. During yesterday’s debate, we talked about beer duty. The problem in that regard is that because more and more pubs are going out of business on account of beer duty going up, the base from which the Government are collecting revenue is therefore falling. That is the case with bingo as well. If there is only one bingo club in a town—a seaside resort, let us say—and it is no longer profitable and therefore closes, the customers do not have an alternative place to take their custom. Many of them are unlikely to gamble online, and even if they did so, they would be taxed at a lower rate. The Government therefore forgo revenue as a result of that club closing.

Mr. Gunter: Has not the hon. Member for Somerton and Frome (Mr. Heath) given the clue to this? He says that the purpose may be the suppression of vice. He will, no doubt, remember that in the 19th century there was a Society for the Suppression of Vice and people added to its title, “For those with an income of less than £5,000 a year,” because it was not interested in that cause otherwise. This Government have, therefore, carried on a noble 19th century tradition.

Mr. Browne: Let me return to that theme in my concluding remarks, because that is an interesting observation.

As I have said, not only will the Government lose revenue when clubs close, but we should remember just how small the sums involved are. It has rightly been said that the total sums of money gambled on bingo are not great, so in the grand scheme of things the percentage tax take is not very significant. I am told that Mecca Bingo generates profits of only about £150 million a year. Therefore, the additional tax in respect of the differential between the rate that the Government have set and the figure that would be generated were bingo taxed in line with other forms of gambling is only a matter of a few million pounds a year. When one sets that against the backdrop of a public sector deficit this year of £175,000 million, it seems hard to argue that if the motivation behind this tax proposal is to plug the public finances, the Government will get very far using that particular plug.
Let us also consider the wider social costs. Although it is hard to measure those in absolute terms, I have observed—as, I am sure, have other Members—that many people who visit bingo clubs do not have many other social opportunities. The clubs provide those people with all kinds of support that they might not otherwise receive, and it might cost to provide such support in another form.

Most people would regard bingo as the safest and most benign form of gambling, and it is extraordinary that the Government should have got themselves on this hook. The point made by the right hon. Member for Suffolk, Coastal is surely the relevant political one for the Exchequer Secretary to consider. She must think about the sheer staggering ineptitude involved in a Chancellor, and a Department and its officials, not seeing this massive problem coming down the track. I do not blame her, because she was not at the Treasury at the time, but when she arrived and was given this brief she must have thought, “How on earth did the Labour party manage to get itself in a position where it is taxing bingo at a higher rate than other forms of gambling just before a general election?” If I were in her shoes, I would be appalled that I had been given such an impossible hand to play as a Minister and I would wonder whether my Government had completely lost their survival instinct.

If there is one theme running through this Finance Bill, it is that the Government seem to have had an unerring ability to identify groups in society that might be inclined to support the Labour party and to punish them with higher tax. It is no wonder that very few people now vote for the Labour party in elections, because it seems to be systematically trying to pick those people off and give them reasons to vote for other parties. Unless the Minister is able to respond to the concerns raised by her Labour colleagues and by Opposition Members, it will be no surprise if bingo players across the country draw the obvious conclusion, which is that the Labour party is no longer interested in having their support.

Mr. Bone: It is a great pleasure to follow the hon. Member for Taunton (Mr. Browne). As he made many of the points that I wished to make, I shall not repeat them. This is one of those occasions when, if every hon. Member had been here listening to the debate, rather than some of them hiding in their rooms, they would have supported the amendments proposed by those on both sides of the House. I have been sitting here waiting to speak for a while, and one of the pleasures has been imagining the hon. Member for Stockton, South (Ms Taylor), who made such a thoughtful speech, calling “Legs 11” and “Two fat ladies”. I really do not think that she could have been bad at that—but I digress.

My right hon. Friend the Member for Suffolk, Coastal (Mr. Gummer) made a powerful speech, and I agree entirely with him that the reason why we came into this House was to support the people in our society who are not well off, and who are vulnerable. Members on both sides of the House do that, but I have always believed that the Tory party has stood up for those people. I will be able to show again that we stand up for those people by supporting the amendments tonight.

I wish to discuss the Flutters bingo club in the centre of Rushden, the second biggest town in my constituency. Everyone who turns down the high street to go to the post office or Barclays bank has to go past Flutters—the building is an old cinema—and people who pass by will always be struck by the happiness of the people going in and out of the club. It is a social club as much as a gambling one, and we certainly do not wish to lose such a facility in my constituency. Unemployment in Wellingborough has risen by 84 per cent. since Labour came to power, and I do not want any more people to lose their jobs.

The arguments that I wish to put forward tonight have been submitted to me by the director and the owner of the Flutters club. The club is not a big concern; it is not part of Mecca bingo or some such organisation. This family have been in the business since 1982 and I believe that they run three small bingo clubs, of which the biggest is the Flutters club in Rushden. I am very much looking forward to going to it at 2.15 pm on Friday. Now I am worried that I shall be asked to call “Legs 11” and “Two fat ladies”; we shall see.

The club’s regulars are there to socialise, and not really to gamble. The owners see them as part of the family. The club has already been hit by decisions that Parliament has made. The smoking ban, introduced in July 2007, damaged business, but it was supported by the owners of the club. They do not smoke, and they thought that the ban was right for the health of customers and staff. It has also been hit by online bingo. The owners hoped that the Government would not make their life more difficult, but, they say: “new licensing laws, bureaucracy, and the punitive tax system kept piling on difficulties.”

Mr. Bone: I do not speak from the Front Bench—and probably never will—and my hon. Friend the Member for Hammersmith and Fulham (Mr. Hands) spoke with
great clarity on this subject. I just want to talk about the situation of that small family club in Rushden. The owner makes the point:

“Bingo is a working class pastime. It has amazed me that after 30 years it is a labour government that has brought us to the brink of closure.”

He wants to keep the club open because, if it closes, he “can see all those lovely warm grandmothers, everyone’s ‘Nan’, sitting in a lonely room, waiting to be picked up to go to her bingo night out which she loves. But it’s gone. So where can she go now for a night out, with a friend, or on her own because the staff and people are so friendly. Where?”

It is that social element that I do not think that the Government have addressed at all. They must think again.

The owner goes on to say:

“We are not ‘casinos’ we are not ‘bookeys’, we are totally different, we rely on lots of people so we need big venues, and the spending is small amounts, yet we are taxed ‘more heavily’?

I understand the increase in GPT can still be blocked and plead with you to do so, because, in short, it’s insane.”

Tonight I will do everything I can to block it.

Mr. Don Foster: In many ways, this is an excellent continuation of the debate that we had on 13 May. Indeed, we have heard some of the old favourites—the excellent introduction by the hon. Member for Dundee, East (Stewart Hosie) and the passionate speech by the hon. Member for Barnsley, Central (Mr. Illsley). There has also been some welcome new blood in the debate—not least the right hon. Member. Member for Suffolk, Coastal (Mr. Gummer), who, I suspect, will be bitterly disappointed with his Front Bench in a few minutes when we come to vote.

Two things have been a common theme in the debate this evening. First, there is total incomprehension among people on both sides of the House of what the Government are proposing to do about bingo. Not a single person so far has spoken in support of what they advocate, whereas there has been a good deal of support for the variety of amendments before us. Secondly, it has come across loud and clear that not only do people oppose what the Government are doing but there is genuine passion for recognising the importance of bingo clubs in our communities and supporting them. Everyone who has spoken has shown understanding of the importance of what the roughly 600 bingo clubs provide in our communities. They provide much-loved entertainment—largely, as my hon. Friend the Member for Taunton (Mr. Browne), who spoke from our Front Bench, has pointed out, for women, older people and people who are less well off. As we have all said, it is crucial to try to maintain that soft form of gambling so that we do not drive people into much harder forms.

The other thing that has come out in the debate is the fact that there is some surprise at the Government’s incompetence as regards getting the figures right. Let us look, as many have done already, at page 153 of the Red Book. It is very clear what the Government think will happen. There is the welcome removal of VAT on participation—incidentally, may I be the only one to pay tribute today to the Government for helping bingo by increasing the number of machines that clubs can have? However, that removal of VAT, the Government claim, will save the industry £50 million in the first year rising to 60 million in 2011-12. The bingo industry will then lose, through the increase in bingo duty, from 15 to 22 per cent. Many people have pointed out that those figures are meant to be an estimate; frankly, they are total fantasy. We know what is happening as a result of the Government’s loss at the EU tribunal in respect of duty on interval bingo, gaming bingo and so on. Many of the companies are not paying that duty. The Government’s figures are way out of order.

We have not yet had an answer to the question that the hon. Member for Hammersmith and Fulham (Mr. Hands) asked the Minister about whether the Government have taken account of irrecoverable VAT, but on the assumption that they have not, which I suspect is the case, that is a further example of the figures being way out of line.

The Government have done something that is incomprehensible because it will cause further damage to the bingo industry. Thirty clubs have closed in the past year, and more than twice as many since 2007. Only last week Gala, one of the major companies, announced that a further five clubs would close, and it explained to the Treasury that that was largely because of the taxation issue. No one can understand why the Government are doing something that could be so damaging to something so loved by people in our communities.

The right hon. Member for Suffolk, Coastal, among others, made it clear that there is another matter about which there is total incomprehension. Why have the Government failed to grasp the nettle of dealing with the different issues raised by the various forms of gambling in this country? Soft forms of gambling like bingo lead to very little addiction, but the harder forms like online gambling lead to high levels of addiction. Why can we not have a differential taxation policy, with a lower rate for soft forms of gambling and a higher one for the harder forms?

My hon. Friend the Member for Taunton was wrong about one thing. He said that online bingo was taxed at 15 per cent., but the truth is that it is rarely taxed at all, because the vast bulk of it is run through offshore websites that pay no tax in this country. Even if they are subject to European Economic Area regulation, or whitelisting, they do not contribute to the process. They certainly do not make any contribution, as they should, to the costs of research, education and treatment.

We need a differential tax regime. We certainly should not put the tax up to 22 per cent.; it should stay at 15 per cent. As the protesters in Trafalgar Square and Westminster said recently, “One and five, keep bingo alive!”

Sarah McCarthy-Fry: I thank all those who have contributed to the debate, especially the hon. Member for Dundee, East (Stewart Hosie) and my hon. Friend the Member for Barnsley, Central (Mr. Illsley) for speaking to their amendments. I also thank the Front-Bench spokespersons from both Opposition parties, and I am grateful for the contributions from the right hon. Member for Suffolk, Coastal (Mr. Gummer) and my hon. Friend the Member for Stockton, South (Ms Taylor), as well as from the hon. Members for Welvingborough (Mr. Bone) and for Bath (Mr. Foster).

As I am sure has been rehearsed many times, the rate increase is part of a package of measures that includes making bingo participation fees exempt from VAT.
The principal aim has been to simplify bingo taxation; as we know, the industry has been asking for that for many years.

Alongside the removal of VAT on bingo in this Budget, the bingo duty rate of 22 per cent. represents a reduction from a level of around 35 per cent. in 2003. We have to look at the effective tax rate which, on a comparable basis, was estimated at 24 to 25 per cent. before the Budget. The basis of that estimate was explained in some detail to the industry, which accepted it in correspondence with the Treasury before the Budget. However, the industry has since argued that the Red Book costing of the removal of VAT from gambling participation fees was wrong.

Some hon. Members have mentioned the High Court case. We have made it clear in previous debates that costings were based on the law as it stood at the time of the Budget. Key assumptions in the costings came directly from information provided by the industry, so they are not a fantasy. That information from the industry included detailed modelling on the impact of extra irrecoverable VAT, as well as detailed information from smaller clubs.

I have listened carefully to the concerns expressed by hon. Members today and in Committee, and I have read the transcript of the debate in the Committee of the whole House. I recognise the importance of bingo to local communities that has been pointed out by all those who have spoken this afternoon, and that is why we acted to simplify the regime, removing VAT and lowering the effective tax rate to 22 per cent. That is down from the 35 per cent. that was in place as recently as 2003, and it is below the 24 to 25 per cent. range in the pre-Budget report. Let me stress again that that figure was agreed with the industry at the time.

That is not all that we have done. The Gambling Act 2005 removed the 24-hour rule and the old membership requirements. It also allowed bingo operators for the first time to retain stakes, to be paid out as prizes at a later date. The bingo sector has also benefited from changes to gaming machine law, so it is not true that we are not helping it—and of course, the help that we are giving is ongoing. Despite my short tenure in this post, I have already met representatives of the industry, and that consultation will be ongoing.

All taxes are kept under review, but decisions are taken in the round at PBR and Budget time. All the amendments before us today would cost money—up to £35 million a year, depending on the amendment. That would have to be found from tax increases elsewhere or cuts in public expenditure.

I will continue to engage with the industry. I have already asked for evidence and data from its representatives on the points that they have raised, some of which has been received and some of which we still await. The information will be rigorously analysed, as hon. Members would no doubt want us to ensure that the figures are accurate. We can assure hon. Members that we will continue to have discussions on the state of the sector and the impact of taxation in the run-up to the next PBR and Budget. I am afraid I cannot support any of today's amendments, but on my assurance that we will continue to work with the industry, I ask hon. Members to withdraw their amendments.

Stewart Hosie: We have had a good debate again. We should have these bingo debates more often. They seem to engender real information and real passion from real Members from real communities, which is always a good thing.

The hon. Member for Barnsley, Central (Mr. Illsley) delivered another excellent defence of bingo clubs and communities, and an excoriating critique of the Government's assessment of the proposed tax changes. The right hon. Member for Suffolk, Coastal (Mr. Gunner) deduced that the Government have a new doctrine—to tax the poor to help the rich. The hon. Member for Stockton, South (Ms Taylor) made a gentle and thoughtful speech, and rightly made the case that the Government should think again.

The hon. Member for Hammersmith and Fulham (Mr. Hands) was right to say that there was no justification for a 22 per cent. tax on bingo. He knows that the Government's VAT assessment is flawed. We have just heard the weakest defence of it from the Minister in her summing up. The hon. Member for Hammersmith and Fulham knows that it is likely that the Revenue was never entitled to levy the tax in the first place, he knows that it takes cognisance, wrongly, of irrecoverable tax. He must not be conned by the Government's attempt to obfuscate. It will be shameful if the Conservative Front-Bench spokesman refuses to back one of the amendments today, when the only person supporting him is the Government Whip. That is how bad the Tory Front-Bench position has become.

The hon. Member for Taunton (Mr. Browne) drew attention to the sheer staggering ineptitude of the Government in not seeing the trouble coming down the track. He was right. He also said with some sympathy that the Minister had been given an impossible hand to play. The hon. Member for Wellingborough (Mr. Bone) spoke about the Flutters bingo club in Rushden. I feel as though I have been in it; the description was so intense and detailed. I am delighted that he said that he spoke about the Flutters bingo club in Rushden. I feel as though I have been in it; the description was so intense and detailed. I am delighted that he said that he knew the Minister had been given an impossible hand to play. The hon. Member for Wellingborough (Mr. Bone) spoke about the Flutters bingo club in Rushden. I feel as though I have been in it; the description was so intense and detailed. I am delighted that he said that he knew the Minister had been given an impossible hand to play. The hon. Member for Wellingborough (Mr. Bone) spoke about the Flutters bingo club in Rushden. I feel as though I have been in it; the description was so intense and detailed. I am delighted that he said that he knew the Minister had been given an impossible hand to play.

The Minister said that the effective tax rate for bingo had fallen. I am not convinced. Even if that is true, I am convinced that it leaves a profound unfairness—22 per cent. as opposed to 15 per cent. across the board. The only question is whether I should ask that we delay this for a year, or whether we should stick to the principle of the Government's V AT assessment is flawed. We have just heard the weakest defence of it from the Minister in her summing up. The hon. Member for Hammersmith and Fulham knows that it is likely that the Revenue was never entitled to levy the tax in the first place, he knows that it takes cognisance, wrongly, of irrecoverable tax. He must not be conned by the Government's attempt to obfuscate. It will be shameful if the Conservative Front-Bench spokesman refuses to back one of the amendments today, when the only person supporting him is the Government Whip. That is how bad the Tory Front-Bench position has become.

The House divided: Ayes 83, Noes 283.

AYES

Beith, rh Sir Alan
Bone, Mr. Peter
Brake, Tom
Breed, Mr. Colin
Brooke, Annette

Browne, Mr. Jeremy
Burston, Mr. Paul
Burt, Lorely
Cable, Dr. Vincent
Campbell, Mr. Ronnie

[5.3 pm]

Division No. 195
Carmichael, Mr. Alistair
Conway, Derek
Corbyn, Jeremy
Cormack, Sir Patrick
Cummings, John
Davey, Mr. Edward
Davies, Mr. Dai
Drew, Mr. David
Farron, Tim
Featherstone, Lynne
Field, rh Mr. Frank
Foster, Mr. Don
George, Andrew
Godsiff, Mr. Roger
Gummer, rh Mr. David
Hall, Patrick
Harris, Dr. Evan
Harvey, Nick
Heath, Mr. David
Hemming, John
Hoey, Kate
Hollondde, Mr. Philip
Holmes, Paul
Hopkins, Kelvin
Horwood, Martin
Hosie, Stewart
Howarth, David
Hughes, Simon
Hunter, Mark
Illsley, Mr. Eric
Jones, Lynne
Keetch, Mr. Paul
Kennedy, rh Mr. Charles
Kramer, Susan
Laws, Mr. David
Leech, Mr. John
Liwyd, Mr. Elfyn
MacNeil, Mr. Angus
McDonnell, John
Moore, Mr. Michael
Mulholland, Greg
Murphy, Mr. Denis
Ópik, Lembit
Pelling, Mr. Andrew
Price, Adam
Pugh, Dr. John
Reid, Mr. Alan
Rennie, Willie
Roberson, Angus
Roberson, Dan
Rowen, Paul
Russell, Bob
Sanderson, Mr. Adrian
Simpson, John
Smith, Sir Robert
Spinke, Bob
Stunell, Andrew
Swinson, Jo
Taylor, Ms Dari
Taylor, David
Taylor, Dr. Richard
Teather, Sarah
Thurso, John
Timpson, Mr. Edward
Wareing, Mr. Robert N.
Webb, Steve
Williams, Hywel
Williams, Mark
Williams, Mr. Roger
Williams, Stephen
Willott, Jenny
Wright, Mr. Anthony

Tellers for the Ayes:
John Mason and
Mike Weir

NOES
Abbott, Ms Diane
Ainger, Nick
Ainsworth, rh Mr. Bob
Alexander, rh Mr. Douglas
Allen, Mr. Graham
Anderson, Mr. David
Armstrong, rh Hilary
Atkins, Charlotte
Austin, Mr. Ian
Austin, John
Bailey, Mr. Adrian
Baird, Vera
Bal, rh Ed
Banks, Gordon
Barlow, Ms Gelia
Barron, rh Mr. Kevin
Battle, rh John
Bayley, Hugh
Begg, Miss Anne
Bell, Sir Stuart
Benn, rh Hilary
Benton, Mr. Joe
Berry, Roger
Betts, Mr. Clive
Blackman, Liz
Blackman-Woods, Dr. Roberta
Blears, rh Hazel
Blizard, Mr. Bob
Borrow, Mr. David S.
Bradshaw, rh Mr. Ben
Brown, rh Mr. Nicholas
Brown, Mr. Russell
Browne, rh Des
Bryant, Chris
Buck, Ms Karen
Burden, Richard
Burton, Col
Burnham, rh Andy
Butler, Ms Dawn
Byers, rh Mr. Stephen
Byrne, rh Mr. Liam
Caborne, rh Mr. Richard
Caims, David
Campbell, Mr. Alan
Campbell, Mr. Gregory
Caton, Mr. Martin
Challen, Colin
Chapman, Ben
Clark, Paul
Clarke, rh Mr. Tom
Clwyd, rh Ann
Coaker, Mr. Vernon
Coffey, Ann
Cohen, Harry
Connarty, Michael
Cooper, Rosie
Cooper, rh Yvette
Cousins, Jim
Crausby, Mr. David
Creagh, Mary
Cruddas, Jon
Cryer, Mrs. Ann
Cunningham, Mr. Jim
Cunningham, Tony
David, Mr. Wayne
Davidson, Mr. Ian
Davies, Mr. Quentin
Dean, Mrs. Janet
Denham, rh Mr. John
Dhanda, Mr. Parmjit
Dobbin, Jim
Dobson, rh Frank
Dodds, rh Mr. Nigel
Donaldson, rh Mr. Jeffrey M.
Donohoe, Mr. Brian H.
Doran, Mr. Frank
Eagle, Angela
Eagle, Maria
Ellman, Mrs. Louise
Engel, Natascha
Ennis, Jeff
Etherington, Bill
Farrelly, Paul
Fisher, Mark
Fitzpatrick, Jim
Fiell, Mr. Robert
Flint, rh Caroline
Flyn, Paul
Follett, Barbara
Foster, Mr. Michael
(Hastings and Rye)
Francis, Dr. Hywel
Gapes, Mike
Gardiner, Barry
George, rh Mr. Bruce
Gerrard, Mr. Neil
Gilroy, Linda
Goodman, Helen
Giffith, Nia
Griffiths, Nigel
Gwynne, Andrew
Hain, rh Mr. Peter
Hall, Mr. Mike
Hamilton, Mr. David
Hamilton, Mr. Fabian
Hanson, rh Mr. David
Harman, rh Ms Harriet
Harris, Mr. Tom
Havard, Mr. Dai
Healey, rh John
Henderson, Mr. Doug
Hendrick, Mr. Mark
Hepburn, rh Mr. Stephen
Heppell, Mr. John
Hesford, Stephen
Hewitt, rh Ms Patricia
Heyes, David
Hill, rh Keith
Hodgson, Mrs. Sharon
Hoon, rh Mr. Geoffrey
Howarth, rh Mr. George
Howells, rh Dr. Kim
Humble, Mrs. Joan
Iddon, Dr. Brian
Ingram, rh Mr. Adam
Irwin-Davies, Huw
Jackson, Glenda
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
Kebley, Mrs. Sally
Keeley, Barbara
Keen, Alan
Keen, Ann
Kelly, rh Ruth
Kemp, Mr. Fraser
Kidney, Mr. David
Kilfoyle, Mr. Peter
Knight, rh Jim
Kumar, Dr. Ashok
Ladyman, Dr. Stephen
Lammy, rh Mr. David
Laxton, Mr. Bob
Lazarowicz, Mark
Lepper, David
Levitt, Tom
Lewis, Mr. Ivan
Linton, Martin
Lucas, Ian
Mackinlay, Andrew
Mactaggart, Fiona
Mahmood, Mr. Khalid
Mailik, Mr. Shahid
Mallaber, Judy
Mann, John
Marris, Rob
Martlew, Mr. Eric
McAvoy, rh Mr. Thomas
McCallion, Mrs. M.
McCartney, Chris
McCarthy, Kerry
McCarthy-Fry, Sarah
McCrea, Dr. William
McDonagh, Siobhain
McDonnell, Dr. Alasdair
McFadden, rh Mr. Pat
McFall, rh John
McGovern, Mr. Jim
McGuire, rh Mrs. Anne
McIsaac, Shona
McKechin, Ann
McKenna, Rosemary
McNulty, rh Mr. Tony
Mealey, Mr. Alan
Merron, Gillian
Michael, rh Alun
Miller, Andrew
Moffat, Anne
Moffatt, Laura
Mole, Chris
Moon, Mrs. Madeleine
Morden, Jessica
Morgan, Julie
Morley, rh Mr. Elliot
Mudie, Mr. George
Munn, Meg
Murphy, rh Mr. Jim
Murphy, rh Mr. Paul
Naysmith, Dr. Doug
Norris, Dan
O’Hara, Mr. Edward
Osborne, Sandra
Owen, Albert
Palmer, Dr. Nick
Pearson, lan
Pope, Mr. Greg
Question accordingly negatived.

Clause 25

Agreements to forgo tax reliefs

Mr. Mark Hoban (Fareham) (Con): I beg to move amendment 31, in page 15, line 40, leave out from ‘unless’ to end of line 9 on page 16 and insert ‘they have been made in accordance with section 257 of the Banking Act 2009’.

After the excitement of bingo we move to clause 25, which is less exciting but more important for revenue raising. [Interruption.]

Mr. Deputy Speaker (Sir Michael Lord): Order. Will hon. Members not staying for this debate leave the Chamber quickly and quietly?

Mr. Hoban: Clause 25 creates a legal framework to enable any institution that has taken part in the arrangements set out in subsection (2) voluntarily to waive its tax losses. The clause was required to deal with the particular situation of the Royal Bank of Scotland, which agreed to forgo a certain element of its tax losses as part of its agreement to enter the asset protection scheme. Interestingly, the Government chose to encourage it to forgo its tax losses rather than some of the tax planning activities that the bank carries out on behalf of its customers. I am sure that the Government will be able to justify that later.

This framework has been put in place to deal with the price that RBS will pay to go into the asset protection scheme. It is worth noting that when I tabled a parliamentary question asking about the amount of losses that RBS would forgo, the Economic Secretary gave a vaguely worded answer that rather suggested that no one quite knew. Of course the reason for that is that the agreement on the APS is yet to be signed. It may be some months before that happens, and I suspect that the losses to be forgone will not be finalised until that point.

However, my concern is not so much that RBS has agreed to enter into the APS at a price—that is a deal struck between it and the Government—but about the breadth of clause 25. Subsection (2) creates a situation whereby if a company enters into an arrangement with any Government Department—not just the Treasury—it can forgo its tax losses if there are any guarantees, indemnities or payments. That potentially covers a wide range of schemes. It may cover the guarantees offered to the automotive sector for loans it is seeking from the European Investment Bank. Under subsection (2)(b)(iv), even the scrappage scheme may be covered, as it contains the phrase “gives other financial support or assistance to P or another person (whether in money or otherwise).”

So even an arrangement in kind could create a situation whereby a company could agree with the Government that in return for such assistance it would forgo its tax losses.

Mr. Redwood: Perhaps my hon. Friend will permit me to go back to RBS. Is he aware that although it would be good news in future if the company had to pay more corporation tax, at the point of sale of the shares back into the private sector taxpayers would get a lot less on corporation tax, at the point of sale of the shares back into the private sector taxpayers would get a lot less money because they would get the tax losses forgone knocked off a rather big multiple? This gives rise to a rather difficult situation relating to whether taxpayer value is being protected.

Mr. Hoban: My right hon. Friend, who has a great deal of experience in the City, makes an important point that we did not touch on in Committee: what is the value of the losses forgone, and how will they be valued in the market? That is a point to bear in mind for the future.

As I said, my concern is not so much about RBS as about the breadth of the scheme. My amendment would narrow its breadth by tying it back to the Banking Act 2009, which the Economic Secretary and I spent many happy hours debating in Committee. I sought to link my amendment back to the part of the Act that narrowed its breadth by tying it back to the Banking Act 2009, which the Economic Secretary and I spent many happy hours debating in Committee. I sought to link my amendment back to the part of the Act that

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As I said, my concern is not so much about RBS as about the breadth of the scheme. My amendment would narrow its breadth by tying it back to the Banking Act 2009, which the Economic Secretary and I spent many happy hours debating in Committee. I sought to link my amendment back to the part of the Act that relates to the provision of financial assistance. That would narrow the range of events in which a company could forgo tax losses to those that relate to any banking bail-outs. That would cover RBS in the context of the APS, but it would not cover, for example, guarantees from the Government for loans made to the automotive sector from the EIB.
[Mr. Hoban]

That is the rationale behind my amendment. When we debated this in Committee with the first of the three Exchequer Secretaries that we had to deal with during the course of our proceedings, the hon. Member for Wallasey (Angela Eagle) said:

“This is a narrow provision and must be agreed between the company that is asking for support and HMT. Although it is potentially wide, paradoxically it is also narrow at the same time.”—[Official Report, Finance Public Bill Committee, 2 June 2009; c. 210.]

My amendment would make it narrow from the outset and limit the range of transactions that could be entered into that could lead to a firm giving up its tax losses. That would make it much clearer what the clause is meant to do, and potentially protect companies from undue pressure being placed on them by the Treasury and other Departments to forgo their tax losses in return for a particular scheme or set of arrangements that the Treasury or other Department might wish to encourage them to enter into.

The Economic Secretary to the Treasury (Ian Pearson):

Clause 25 ensures that an agreement reached between a company and the Treasury will be effective for tax purposes if the company relinquishes its right to use tax losses as part of an agreement to access Government financial assistance. The clause will apply to arrangements forming part of an agreement under the asset protection scheme but, as the hon. Member for Fareham (Mr. Hoban) noted, it could be used in other situations, particularly if Government assistance is required to maintain financial stability and restore confidence. It is essential that when such an agreement is reached, we have provision in tax law for the agreement to have the intended effect.

As the hon. Gentleman pointed out, the amendment is intended to limit the scope of the clause to arrangements made in accordance with section 257 of the Banking Act 2009, thus making implementation of the clause subject to the laying of a statutory instrument. It is similar in purpose to amendments that he tabled in Committee.

On the technical aspects of the amendment, it has been pointed out previously that a statutory instrument would delay the resolution of the terms of any agreement, which could reduce rather than boost market confidence. If a company’s agreement to give up its losses were contingent on subsequent parliamentary approval, there would need to be provision in the agreement itself to revisit its terms if that approval were not given. Such terms would mean that the agreement would not have the necessary certainty to achieve its aim of restoring confidence and stability to the markets.

The hon. Gentleman made the point that he wanted to narrow the scope of the clause. It is important to bear in mind that it can apply only if a company has agreed to relinquish its losses and if that agreement is pursuant to the company’s accessing financial assistance from the Government. He referred to comments that have been made previously about a potential paradox, in that the clause may be seen to be necessarily wide-ranging but will be applied only in narrow circumstances. We believe that limiting the scope of the clause is unnecessary, and that the resulting extra layer of scrutiny would be potentially destabilising. It may mean that deals would need to be struck with absolute certainty and in a very short time scale.

My experience of Governments is that they tend to prefer cash to an agreement on tax losses. It would be up to a company that wanted financial assistance to agree voluntarily to relinquish its taxes, and it would be up to the Government to agree that that was in the best interests of taxpayers. In the normal scheme of events, Governments would much prefer to have cash than tax losses, so I do not believe that the clause will be used substantially. When it is necessary to use it in future, it will be right to do so. The amendment would unnecessarily restrict it and be potentially destabilising in the circumstances in which it is likely to be used. For those reasons, I ask the hon. Gentleman to withdraw it.

5.30 pm

Mr. Hoban: I am not entirely convinced by the argument about the delays that would be caused by agreeing a statutory instrument. If the Economic Secretary looks back over the history of the past few months, he will see that the Government have taken action to deal with Bradford & Bingley and the Dunfermline building society, for example, and taken measures that require statutory instruments to be approved. They have gone ahead with that quite happily, but now they claim that they cannot act without a statutory instrument that the House of Commons has approved. It is not the Government’s strongest argument.

I am not sure about the Economic Secretary’s assurance that the power will not be used often. Many clauses, which we are assured will not be used often, are included in Bills, yet the Icelandic banks were tackled under clauses in the Anti-terrorism, Crime and Security Act 2001. We must, therefore, be wary of Ministers’ reassurances. However, in this case I will take them at face value. I beg to ask leave to withdraw the amendment.

Amendment, by leave, withdrawn.

Clause 59

PAYMENTS BY REFERENCE TO FOREIGN TAX ETC

Amendments made:

Amendment 42, page 29, line 6, after ‘made’, insert ‘by a tax authority’.

Amendment, by leave, withdrawn.

Clause 91

HMRC CHARTER

Mr. Heath: I beg to move amendment 3, page 46, line 10, at end insert—

‘(3) The Charter prepared under section 16A (1) of CRCA 2005 shall not come into effect until it has been approved by a resolution of the House of Commons.’
Government amendment 43.

Amendment 32, in clause 92, page 46, line 26, at end insert—

'(3) That Schedule will cease to have effect on the fourth anniversary of the day on which this Act is passed.'.

Amendment 14, in clause 101, page 51, line 23, at end insert—

'(7A) Repayment interest is not taxable.'.

Government amendments 44 to 46.

Amendment 33, in schedule 46, page 353, line 21, at end insert—

'A Annual report by Commissioners

2A The Commissioners must, at least once a year, make a report on—

(a) compliance by companies with paragraph 1 (1), and
(b) the amount of additional tax collected as a consequence.

2B The first report should be made not later than 18 months after the date on which this Act is passed.'.

Amendment 7, in schedule 48, page 366, line 43, leave out from 'tax' to end of line 1 on page 367.

Amendment 8, page 368, line 14, leave out 'Paragraphs (c) and (d) of sub-paragraph 2A do' and insert 'Paragraph (c) of sub-paragraph 2A does'.

Amendment 9, in schedule 51, page 382, line 41, after 'a', insert 'deliberate'.

Amendment 10, page 384, line 11, after 'a', insert 'deliberate'.

Amendment 11, in schedule 52, page 392, leave out line 7.

Amendment 12, page 392, leave out lines 10 to 16.

Amendment 13, page 392, line 46, leave out sub-paragraph (7).

Amendment 19, in schedule 54, page 410, line 34, leave out from first 'is' to end of line 35 and insert 'the end of the accounting period in which the loss is incurred'.

Amendment 20, in schedule 55, page 419, line 21, at end insert—

'(3A) The aggregate penalties against partners of a partnership under this paragraph may not exceed the amount that could have been assessed on one partner.'.

Amendment 21, in schedule 56, page 423, line 14, leave out 'by'.

Government amendments 51 to 53.

Mr. Heath: I do not intend to discuss the other amendments in the group, I simply wish to talk about amendment 3.

I suggest that Her Majesty’s Revenue and Customs charter needs to be expanded to make it clear how HMRC will deal with circumstances in which a prosecution is possible or intended. I note and am perfectly content with the fact that prosecution policy as such is already tackled. Revenue and Customs prosecutors are statutorily bound to the code of conduct for prosecutors, and the circumstances in which they undertake a prosecution are already spelled out in some detail and are largely analogous to those that apply to other prosecuting authorities in the criminal law.

However, I am concerned that Revenue and Customs prosecutors are almost an afterthought. Many cases in which there is a suspicion of abuse of the tax system or even criminal behaviour are tackled in a non-judicial way—by direct recovery of funds, plea bargaining before passing papers to the prosecuting authorities, or a variety of civil actions, which HMRC increasingly takes as a substitute for criminal sanction. That gives us pause for thought. There is currently no clear policy for applying those sanctions, many are much more serious penalties than those in criminal law, and they are applied without due process—without being put before a court.

I therefore contend that people who interact with HMRC in that way need to know that the rules are applied equitably and fairly across the piece, how HMRC will interpret its extensive powers, and what they can expect from HMRC. I want to illustrate that with a particular case of a company in my constituency, which involves the vexed question of carousel fraud. I do not want to spend time explaining the intricacies of carousel fraud, which is a complex form of VAT fraud, working across international boundaries. We could spend much time discussing the details of that. That is not my purpose; rather, my purpose is to address the way in which HMRC chooses to deal with companies that it suspects of having been involved in carousel fraud.

The company with which I have had dealings in this respect is Third Dimension Ltd in Milborne Port. It deals in a commodity in which, in HMRC’s view, companies involved in carousel fraud trade—namely, mobile phones—and provides a platform for the international market via the internet, enabling traders to trade across international boundaries in the mobile phone market.

I have no truck with fraudsters. I want those involved in fraud to be interdicted and prosecuted. I certainly do not believe that fraud—either against the individual or, in the case of VAT, against the state—is a victimless crime. It is not, and I have always argued in this House that we should take it extremely seriously and impose appropriate sanctions. My constituents feel exactly the same way and they have expressed that view to me. They certainly do not want people getting away with VAT fraud.

I also ought to say that I am neither a forensic accountant nor a VAT expert. If anyone asks me difficult questions, I will probably not know the answers, because we are dealing with a complex area. However, I have dealt with the criminal justice system over many years in this House and my gut feeling is that there is something inherently wrong with the system that seems to have developed, in that everybody who has any connection with a particular area of trading is treated as though they were guilty and has sanctions applied to them irrespective of any evidence of guilt.

Indeed, one difficulty has already arisen in the courts in respect of how HMRC has interpreted its brief. The Financial Secretary will know of the Livewire judgment before the High Court chancery division, which has fundamentally undermined HMRC’s assumption that every trader in that area is tainted by fraud, not least because of the observations of Mr. Justice Lewison. He looked at the previous case that was relevant—the Kittel case, with which I am sure the Minister is also familiar. In particular, he looked carefully at the translation from French to English, which is a pretty rudimentary matter. His observation was that HMRC’s incorrect translation changed the emphasis to “the transaction was connected with a fraud” from the original, which said: “the transactions were directly involved in a fraud.”
HMRC misinterpreted the Kittel case, assuming that anybody with a passing connection with the trade was necessarily up for involvement, rather than applying the higher burden of proof implied in the original French of the Kittel judgment, which requires evidence of direct involvement. That case is now being challenged in the European Court of Justice and we may have a ruling in due course. Irrespective of that judgment, however, surely we do not allow collective punishment in British law for the crimes of a person or persons unknown, yet that appears to be how HMRC currently operates.

Since early 2006, HMRC has adopted what is described as an extended verification process for every trader involved in the industry, which means that it has effectively ceased paying VAT input tax refunds. A substantial amount of money is being withheld and we are now in the third year of withholding it. This has been done by a deliberately extended process, in my view. First, there is a delay in responding to requests for refunds. At the very point at which that matter reaches judicial review—sometimes only a matter of hours beforehand—there is a denial, which results in a further delay before a tribunal can consider the matter. That is followed by an HMRC appeal. That is a deliberate policy to withhold funds that are legally in the ownership of the companies, without judicial process.

When such cases have got as far as the tribunal or the High Court in chancery, there have been mixed results for the companies appealing. In some cases, the appeal has been upheld by both; in others, there has been a mixed result from the tribunal and the High Court; or the company has lost in both cases. I would be interested to know how much is currently withheld in relation to VAT reclams, and how much is earmarked for eventual refund when the appeals are successful. My suspicion is that a very large amount is involved.

The second method that HMRC has chosen to use as a means of reprisal against assumed fraud is illustrated in its dealings with overseas banks. HMRC uses its undoubted muscle to affect the way in which overseas banks are used. My constituents' company had funds held by the First Curaçao International Bank. The bank has effectively been closed down by HMRC, and the administrators have been told that they must not allow any funds to be given to those who have funds invested in the bank. No charges have been brought against the bank, under British jurisdiction or any other; this is simply a case of pressure being put on it.

A list has apparently been provided to the bank's administrators of the people to whom funds may not be made available, and of anyone having dealings with those people. That is a pretty extraordinary state of affairs. Those people have not been brought before any court. They have not been found guilty of any crime, yet they have had their funds frozen on suspicion and, in the case of the First Curaçao International Bank, in a foreign jurisdiction. I am led to believe that, in this context, we are talking about billions of pounds in funds held by companies, many of which must be innocent of any fraud.

The third instance of intervention is the pressure that has been applied to UK high street banks. Again, companies engaged in this area of trade have had their accounts closed on the recommendation of HMRC. They, too, are companies against which no evidence has been adduced, no prosecution brought and no conviction obtained. I would be interested to know how many companies have been closed in that way and, against that figure, how many have actually been prosecuted.

I suspect that what is happening is a substitution of a criminal legal process by a civil legal process that is entirely within the hands of HMRC, and I do not believe that the House has ever sanctioned such a process. Extra-judicial action by HMRC in the absence of any evidence is not something that we would normally countenance. If we were to do so, we would certainly place limits on the sanctions that could be applied—just as we place limits on the sanctions to be applied in criminal cases—rather than simply giving HMRC a free hand.

What we have here is an arbitrary exercise of power by HMRC without any due process. It is an exercise of guilt by association that is foreign to British law in any respect, either historically or currently. It involves the substitution of the opinion of HMRC for a judgment, and the testing of that judgment by probative means, in court. I have to say that HMRC opinion is not unquestionable and it is not by definition correct. If it were, these companies that are so strongly suspected of being involved in VAT fraud would not have been given VAT registration in the first place.

The amendment is designed to make transparent a process that seems to have developed. If it is believed right and proper for HMRC to use civil process in this way to deal with unquestionably serious matters of fraud, these issues should be put before Parliament and agreed here. We should apply proper tests of evidence, proper judicial process and appropriate sanctions in the case of the felony, for that is what it would be if the case were proven. Instead, we have seen an incremental approach by HMRC, which I do not believe is satisfactory.

To conclude, I have no evidence whether the company in my constituency or any of the other companies have been involved in fraud. How could I possibly know? What I am saying is that while I want HMRC to be rigorous in its approach, I also want it to be transparent and lawful. I do not believe that the actions currently taken by HMRC are, frankly, lawful. We have due process in this country and it should be transparent. I invite the Minister to answer my points if he can, as I would be grateful to know the answers, but I would also like to hear him accept the principle that such processes should be open, transparent and agreed by Parliament, rather than somebody in the recesses of HMRC deciding that they have a means by which they can exercise their powers without judicial process.

Mr. David Gauke

It is a pleasure to follow the hon. Member for Somerton andFrome (Mr. Heath), who has raised a number of important points, which I hope to touch on in the context of the HMRC charter and amendment 6. The group of amendments is rather lengthy, so I shall try to run through my amendments as quickly as possible.

Clause 92 and schedule 46 relate to the senior accounting officer and the new responsibilities placed on him. We debated the matter in Committee of the whole House.

[5.45 pm]
and, indeed, in the Public Bill Committee. My hon. Friend the Member for Fareham (Mr. Hoban) pointed out on a number of occasions how the proposals were produced in the Budget and the Finance Bill without any consultation, yet there are concerns about their impact on large companies and about the scope of the clause.

We are grateful that the Government have tabled amendment 43, which applies the measures not to "large" but to "qualifying" companies. That is a step forward, but we none the less have a number of doubts, particularly about the lack of clarity on the administrative costs to affected companies. No proper regulatory impact assessment was done prior to the announcement because the necessary consultation did not happen, so some doubt necessarily remains.

We know that the Government estimate that about £140 million will be raised by the measures, but there remains a degree of doubt about whether that will be the case. We have tabled two amendments which I think will help the House to assess the effectiveness of the proposals. Amendment 32 is a simple sunset clause and would enable the provision to fall after four years. If after four years it emerges that it is not causing a disproportionate cost to businesses to establish that the senior accounting officer can sign off the accounts, fair enough. If it proves that substantial amounts of revenue are being raised as a consequence of the provision, there will clearly be a strong case for renewing it, but if not—I have to say that at this stage we cannot be confident one way or the other—it will be dropped.

Amendment 33, which relates to schedule 46, would require the commissioners to prepare a report on compliance with the new provisions and the additional tax raised. It would enable us to have a much better view of whether the measure was proving to be effective, given that consultation was not carried out in advance and its origin remains something of a mystery.

Clause 95 and schedule 48 relate to the extension of information and inspection powers. We have tabled two technical amendments. Currently, there are powers to inspect property for valuation purposes, which relate to a number of taxes, including stamp duty reserve tax. The Law Society has questioned how those powers will be used, and I should be grateful if the Minister explains how they will be relevant to SDRT.

Let me put amendment 8 in context. The tribunal may not approve an inspection under the new powers unless certain conditions apply. They include the ability of the relevant taxpayer to make representations, the ability of the occupier of the premises to make representations, and the supplying of a summary of the representations to the tribunal. Those conditions are disallowed if the occupier of the premises cannot be identified.

It is reasonable for the requirement to supply a summary of the representations to the tribunal not to apply if the occupier cannot be identified, but why should it not apply if the taxpayer is able to make representations? If the taxpayer makes representations, there will be no obligation for a summary to be supplied to the tribunal. That seems somewhat strange. We seek to amend schedule 48 so that the occupier would not be given an opportunity to provide representations, but a summary could still be provided if the taxpayer has made representations.

Paragraph 15 of schedule 51 provides, broadly, for a 20-year time limit for assessments in a case involving a loss of tax attributable to a failure by a person to make a return under the stamp duty land tax legislation. Normally, the time limit is six years. The Law Society has told us that the period should be extended from six to 20 years only when failure is deliberate, rather than inadvertent and careless. Consequently, we have sought to add a period that a claim brought by HMRC to disallow a claim which then, in turn, means that the claim is disallowed. The second concern raised with us by the Law Society is exactly what a mistake means in those circumstances. The Minister might be able to help on those points, which relate to amendment 11.

Amendment 12 highlights the fact that there is a separate regime for mistakes relating to capital allowances. Will the Minister explain why capital allowances are singled out? Finally in terms of schedule 52, amendment 13 relates to case F, which excludes amounts paid, or liable to be paid, in consequence of enforcement action. Why are proceedings for enforcement relevant to HMRC’s liability under the schedule?

Clause 101 and schedule 54 relate to repayment interest on sums to be paid by HMRC. Amendment 14 seeks confirmation that repayment interest is not taxable. Will the Minister respond to that point? Amendment 19 essentially asks why the repayment interest start date should be on 31 January next, following the year in which the loss is incurred, rather than at the end of the accounting period in which the loss is incurred, which is what we have sought to achieve in amendment 19.

Clause 105 and schedule 55 relate to the penalty for failure to make returns. Paragraph 25 of the schedule states that where a representative partner fails to make a partnership return, a “penalty in respect of the failure is payable by every” person who was a partner in the partnership at any time during the relevant period. Amendment 20 would ensure that aggregate penalties are limited to the amount that could have been assessed on one partner. Otherwise, penalties could be more harsh where a partnership is late in making a return than where a company of equivalent size is late in equivalent circumstances. There does not seem to be any particular logic as to why the regime should be harder on a partner than as a whole than a company.

Clause 106 and schedule 56 relate to the penalty for failures to make payments on time. Amendment 21 would delete what I believe to be a typo. The Minister is a reasonable man and I assume he will accept it; if he does not, I am perfectly prepared to divide the House, but I am sure he will not make that necessary. The current wording of the schedule is as follows: “that person fails to make or deliver the return on or before the date by which it is required to be made or delivered.”
That first “by” appears to be a typo, and therefore should be removed.

In respect of clause 107 and schedule 56, the amendments are of a technical nature. The clause and schedule enable taxpayers to benefit from the suspension of penalties during the time-to-pay arrangements even if they have already incurred a late payment penalty. That ensures that any penalties arising after a taxpayer’s approach to HMRC will be suspended.

6 pm

I want to deal with the HMRC charter last because we have now gone through a number of clauses and schedules relating to HMRC powers. It is striking that every year we generally extend HMRC’s powers in this area as part of a process relating to powers, deterrents and safeguards. We spend a lot of time scrutinising the powers and deterrents, but very often the argument for the safeguards is that they will be set out in the HMRC charter. We debated the charter in Committee—the first draft of it caused considerable concern, but I acknowledge that the Government have moved on it. There remain some discussions to be had on this important document, and it is important that the House scrutinises how HMRC works and the safeguards that exist for the taxpayer. That is, in essence, the argument made by the hon. Member for Somerton and Frome.

The fact is that the House has very little oversight of the HMRC charter. We have had an opportunity to debate it in our consideration of the Bill and I dare say that we will be able to do much the same when we consider future Finance Bills. Amendment 6 would allow the House to debate the charter again before it is published and before it is finalised, so that the views of right hon. and hon. Members can be expressed and there is an opportunity to raise the concerns of constituents. Constituents have also come to me to discuss how they are treated while the Government and HMRC seek to address carousel fraud. That is but one example, and I am sure that hon. Members can identify others. It is important that the House has an opportunity to debate them.

I have covered, as quickly as possible, a large number of amendments, some of which are technical, others of which are broader in nature. I reiterate that it is important that the House scrutinises HMRC and that we ensure that the right balance is found between the powers, penalties and deterrents available to HMRC and the safeguards available to taxpayers. I press the Government to share that view, and I hope that we have future opportunities to debate the HMRC charter.

Mr. Breed: I just wish to make a few comments on the charter and the senior accounting officer. These wide-ranging amendments cover a variety of issues, both technical and probing, and I am sure that the Minister will respond to them. I am grateful to my hon. Friend the Member for Somerton and Frome (Mr. Heath) for raising specifically the issue of what the charter should cover, as the charter is an important aspect of this Bill. The Minister will recall that the Government announced a consultation on a taxpayers’ charter last year and we were given a ministerial statement on the matter. During the Report stage of last year’s Finance Bill, my Liberal Democrat colleagues and I tabled a new clause entitled “Taxpayers Charter”. Of course, it did not succeed, but we are grateful that something similar has appeared in this Bill.

It is important that taxpayers’ statutory rights, including the basic right of appeal against actions or decisions, is enshrined in some way, and the same applies in respect of taxpayers’ statutory duties—I am thinking of provisions relating to notice period requirements, documents that HMRC has a right to access and penalties for failure to comply. We are very happy about that arrangement, but clause 91 would insert a new section into the Commissioners for Revenue and Customs Act 2005. This clause only pays lip service to the call for a charter. In reality, it provides little or no protection or certainty for the taxpayer and, indeed, pays the taxpayer little regard. The charter cannot be independent if HMRC is solely to decide its content. I appreciate the amendment that the official Opposition have tabled to ensure that the House debates that issue, because it is important.

We would have liked the Government to consult on the content of the charter well before now. We have spent quite a lot of time consulting on stricter penalty regimes and very little on protecting the taxpayer. As I understand it, the charter will not be in statute—only the power to create a charter. That is a slight disappointment. The Bill says that the standards and values are to be “aspired” to, but there will be no way of requiring HMRC to meet and maintain the standards that it should already have achieved. The review of HMRC’s adherence to the charter would not require any consequential action. If HMRC fails to meet the aspirations in the charter, there is no provision to discipline it or enable parliamentary pressure to be applied.

While we welcome a charter setting out the rights and duties of the taxpayer, no protection is afforded to the individual. In fact, the Government have spun reforming ideas around to suit the interests of HMRC, rather than to protect the taxpayer. We do not have a taxpayers charter, but an HMRC charter—not what was envisaged at all. Some of our concerns are shared by professional bodies. The Institute of Chartered Accountants says:

“The current wording of the clause does not meet the needs of taxpayers. Firstly, it is drafted in terms of HMRC’s ‘behaviour and values’ rather than the rights of the taxpayer. Secondly, it does not make adequate provision for oversight and review.”

We have spent much time in recent Finance Bills extending the powers of HMRC in various ways, including the right to impose penalties, to make inspections, to collect data and to charge interest on late payments. Everything has been going HMRC’s way, and this was an opportunity to try to redress the situation, but the Government have failed to do so.

Clause 92 concerns senior accounting officers. I can understand the Government’s approach, which would identify someone who would be responsible for ensuring that the accounting systems are adequate and accurate for tax reporting. It refers to the preparation and submission of returns to HMRC, not tax figures in financial statements. The SAO must ensure that tax returns are timely and procedures are adequate for accurate tax reporting. The adequacy of the systems must be certified annually, because the tax code changes with alarming regularity. Systems have to be changed almost annually to ensure that the data in returns are accurate. The SAO will be personally liable for a penalty of up to £5,000 for
careless or deliberate failure to comply with the rules. According to the impact assessment, some 2,000 individuals will need to comply with this new regime.

The regime is supposed to target large companies, but the definition of large is not exact. Indeed, the Government have tabled some technical amendments to try to address that issue and ensure that we are targeting the right sort of large companies. That lack of definition is slightly disappointing in provisions that will charge individuals with some heavy responsibilities, for which the penalties can be significant—not only in financial terms, but in professional terms, because a person’s ability to retain their job or get another one might be limited if they were found liable in this respect. It is important that the Government have tight definitions and an understanding so that those individuals—it has been assessed that there are about 2,000 of them—have clear and accurate information about what their responsibilities are and what they have to do, and do not find themselves falling foul of inaccurate definitions or definitions that can be construed or introduced in different ways that could disadvantage them in their work.

Finally, on the issue of cost, although I can understand why the Government are formulating this proposal, there are serious concerns that businesses will face quite a considerable increase in costs, bearing in mind the potential of the expected yield. Do we have real proportionality? Will the costs incurred by businesses up and down the country be proportionate to what the expected yield might ultimately be? I would be grateful if the Minister could comment on that.

Mr. Timms: This group of amendments relate to the tax administration elements of the Bill. The formation of HMRC and the merger of the previous separate bodies provided a lot of opportunities to deliver more consistency and clarity for taxpayers and businesses. We are taking advantage of those opportunities in this part of the Bill.

The package has been the subject of extensive consultation. The key elements replace myriad complex penalties and surcharges with a more effective and proportionate penalty structure with improved safeguards; replace the confusing old range of interest rates and formulae with a new regime based on recompense, fairness and simplicity; make it easier for taxpayers to pay what they owe on time, so supporting HMRC and tackling effectively those who pay late; extend the compliance checking introduced in the Finance Act 2008 to other taxes, clarifying where visits can be made and what time limits reply; and pave the way for the launch of external members will monitor performance. It would be easily updated, and an advisory panel with a majority to do: the charter is intended to be a document that can

Amendment 32 would impose a four-year time limit on the application of clause 92. That would imply that, in four years’ time, large companies no longer needed to maintain tax accounting arrangements. That would be a mistake. As the House will be aware, we have significantly amended clause 92 to include the reference to materiality that the hon. Member for Fareham (Mr. Hoban) first suggested. I do not think that we should have a sunset clause to constrain it further.

Amendment 33 would require an annual report on the impact of the measure, but it strikes me that reviewing the benefits of one measure in isolation would be of
limited value. HMRC looks at the tax compliance position of large businesses, and its relationship with them means that it takes a wide range of factors into account. I do not think that it would be helpful to divert HMRC resources into an annual assessment of one measure in isolation.

Government amendment 43 is a consequential amendment to align the terminology in clause 92 and changes the reference to “large” companies in schedule 46 to “qualifying” companies. I am grateful to the hon. Member for South-West Hertfordshire (Mr. Gauke) for welcoming that.

Amendment 7 would remove stamp duty reserve tax from the narrow list of taxes to which the new aligned power to inspect property for the purposes of valuation applies. HMRC has to undertake valuations for stamp duty reserve tax, because the consideration for shares on which the tax arises may be in the form of property. The value of the property affects the value of the transaction, and the new power replaces existing individual powers for each tax, including stamp duty reserve tax. The powers being replaced took different forms and had different safeguards, and the new power has been welcomed because it has stronger safeguards. It is proportionate and necessary and includes improved taxpayer safeguards, so I hope that amendment 7 will not be pressed.

Amendment 8 relates to the valuation inspection power more generally. In Committee, I was pleased that Opposition Members appreciated that the clause providing for property valuations contained considerable improvements in the safeguards for taxpayers. The importance of that provision is recognised across the House, because the strongest possible safeguards should apply. The amendment would strengthen those safeguards, so I am content to accept it.

Sadly, I cannot be as helpful with amendments 9 and 10, both of which relate to stamp duty land tax. They would restrict to four years the time limit for HMRC to make assessments where the taxpayer has failed to notify it of a land transaction, unless that failure was deliberate. The provisions that we have reassure the majority who pay their taxes that those who try not to pay them will have to do so in the end. It would not be fair on the compliant majority if, after a period, people who failed to notify did not have to pay the tax because the limit had elapsed. I hope that those amendments will be withdrawn.

Amendments 11 and 12 seek to widen the scope for HMRC to accept a claim for repayment by removing some of the exceptions, but the capital allowances system is designed to give taxpayers very wide flexibilities and choices. Businesses have made it clear that they value some of the exceptions, but the capital allowances system is designed to give taxpayers very wide flexibilities and choices. Businesses have made it clear that they value choosing which type of claim is appropriate to extend time limits under the existing rules that would be no reason to allow a claim under this provision to achieve the same end. I hope those amendments will not be pressed.

Amendment 13 seeks to remove an exclusion which applies where HMRC started court proceedings to recover a sum and either obtained court judgment or the taxpayer agreed to settle the matter. By the end of the process, the taxpayer will have had every opportunity to contest the amount due. HMRC will have had to satisfy the court that the debt is due or the taxpayer will have had to agree to settle HMRC’s claim in order for the exclusion to apply. To allow taxpayers the possibility of further disputing the amount would seriously weaken HMRC’s ability to recover tax liabilities from defaulters.

On amendment 14, as each tax is brought into the new interest regime, consequential changes to existing legislation will be made by regulations, using the powers in clause 103. These changes will ensure that the result that the hon. Member for South-West Hertfordshire is seeking will be achieved. On amendment 19, the hon. Gentleman explained the effect of the proposal. The position is provided for in schedule 54 and is in line with the general rules that apply when repayment interest starts to run. Amendment 19 would be inconsistent with those rules and I must therefore resist it.

Amendment 20 relates to schedule 55, which creates an aligned and modern penalty regime to deter failures to submit tax returns. It is right that where an obligation to submit a return exists, failure to do so should result in a penalty. However, we consider every proposal on its merits. I agree that amendment 21 corrects a minor drafting error. I am grateful to the hon. Member for South-West Hertfordshire for drawing the attention of the House to it, and I am happy to accept amendment 21.

Government amendments 44 to 46 in clause 107 and Government amendments 51 to 53 in schedule 56 correct technical deficiencies that could lead to taxpayers not being able to benefit from the suspension of late payment penalties in the way that was intended. I believe they will find favour across the House.

Mr. Heath: I congratulate the hon. Member for South-West Hertfordshire (Mr. Gauke) on having won two amendments in a Finance Bill—quite a proud record. I am grateful to him for his support for some of my contentions, as I am to my hon. Friend the Member for South-East Cornwall (Mr. Breed).

With reference to the Minister’s comments on my amendment, we agree about the seriousness of the fraud, the potential loss to this and other jurisdictions, and the need for effective interdiction and penalty. I make it plain, however, that I still have concerns. The Minister says that the response of HMRC is reasonable and proportionate. Clearly, it is reasonable and proportionate to take those confiscatory measures in the case of somebody who is perpetrating a fraud, but by its actions HMRC seems to be extending that to anyone who is associated with a trade in which fraud has taken place, and I am not sure that it is reasonable and proportionate to take confiscatory action against a person or company who is trading in that environment if, in turn, have taken measures which are reasonable and proportionate to make sure that they are trading lawfully and not encouraging or permitting fraudulent behaviour by others.

The “reasonable suspicion”, which the Minister says is the test, is of course put to the test only when the case is before a tribunal or the High Court. The way in which matters have been—I was going to say “prosecuted”, but that is exactly the wrong term to use—carried out hitherto suggests that that finding of fact happens at a very late stage in the process. According to information that I have received, a large number of those cases are not found to be based on reasonable suspicion when a...
tribunal or, more particularly, the Court, has had a chance to adjudicate. That is what worries me. Having heard what the Minister said, I still feel that there is an extra-judicial process going on; it is perhaps necessary in some cases, but in others it is excessive.

The Minister has found me out, in the sense that he has realised that amendment 3 was a probing amendment to enable me to raise essential matters on behalf of my constituents and others. I would be most grateful if, having looked again at my remarks, he would write to me to explain the Government’s position, perhaps in slightly more detail than is possible in a speech. I may well then take him up on the suggestion that we discuss the matter privately. It is certainly not my intention to divide the House this evening, and I beg to ask leave to withdraw the amendment.

Amendment, by leave, withdrawn.

Clause 92

DUTIES OF SENIOR ACCOUNTING OFFICERS OF LARGE COMPANIES

Amendment made: 43, page 46, line 23, leave out ‘large’ and insert ‘qualifying’.—(Mr. Timms.)

Clause 107

SUSPENSION OF PENALTIES DURING CURRENCY OF AGREEMENT FOR DEFERRRED PAYMENT

Amendments made: 44, page 55, line 1, leave out from beginning to ‘P’ in line 2.
Amendment 45, page 55, line 4, leave out ‘whether before or after that date’.
Amendment 46, page 55, line 10, leave out ‘during’ and insert ‘between the date on which P makes the request and the end of’.—(Mr. Timms.)

Schedule 34

REAL ESTATE INVESTMENT TRUSTS

Mr. Gauke: I beg to move amendment 17, in page 289, line 23, at end insert—

‘Stock dividends
3A (1) Section 107 (conditions for tax-exempt business) is amended as follows.
(2) In subsection (8) omit ‘(a) by way of dividend, and (b)’.
(3) After subsection (8) insert—

“(8A) In this Part and for the purposes of section 973 of ITA 2007, a distribution of the profits of the property rental business shall include—

(a) an amount distributed by way of dividend, and
(b) an issue of shares to which section 249 (1)(a) of ICTA applies and in case a falling within (b), the amount of the distribution shall be the cash equivalent of share capital determined in accordance with section 412 of ITTOIA 2005, but otherwise Chapter 5 of Part 4 of ITTOIA 2005 shall not apply.”.

3B (1) Paragraph 6 of Schedule 17 is amended as follows.
(2) In paragraph 6 (4), delete “by way of dividend and (c)”.

(3) After paragraph 6 (4) insert—

“(4A) In the application of section 107 (8A) for ‘profits’ substitute ‘UK profits’ as defined in paragraph 6 (4).”.

(4) Section 142 (1) of TCGA 1992 is amended by inserting “or section 107(8A) (b) 2006” after the reference to “ITTOIA 2005”.

Mr. Deputy Speaker: With this it will be convenient to discuss the following: Amendment 18, in page 289, line 23, at end insert—

‘Conditions for tax-exempt business
3A (1) Section 107 (conditions for tax-exempt business) is amended as follows—

(2) In subsection (8)(b) after “before”, insert “the third anniversary of”.

(3) The amendment made by sub-paragraph (2) has effect for distributions in respect of accounting periods beginning on or after 1 January 2008 and ending on or before 31 March 2010.

3B (1) Schedule 17 is amended as follows.

(2) In paragraph 6 (4) after “before”, insert “the third anniversary of”.

(3) The amendment made by sub-paragraph (2) has effect for distributions in respect of accounting periods beginning on or after 1 January 2008 and ending on or before 31 March 2010.”

Government amendment 47.

Amendment 15, in page 290, line 24, at end insert—

‘Profit: financing-cost ratio
5A (3) Section 115 (4) is amended as follows.

(4) In subsection 115 (4) (a) after “costs giving rise to”, insert “credits or”.

(5) In subsection 115 (4) at end insert “but exclude—

(f) financing costs falling within (a) to (e) above which are exceptional due to their size or incidence.”.

Amendment 16, in page 290, line 29, at end insert—

‘Termination by notice: Commissioners
6A (1) Section 129 is amended as follows.

(2) In section 129 (2) (c) at end insert “but a breach of the condition in section 107 (8) where the company is in financial difficulties shall not be treated as serious”.

(3) The amendment made by sub-paragraph (2) is to be treated as always having had effect.”.

Mr. Gauke: This group of amendments relates to real estate investment trusts, or REITs, which were introduced with effect from 1 January 2007. Their introduction was, in part, a response to Kate Barker’s review of housing supply and the need to promote greater efficiency and flexibility in the UK property investment market. Two and a half years after their introduction, it is possible to make some evaluation of the effectiveness of the new REIT regime. It is clear that large property groups have obtained REIT status, but there have been no new REITs, and in particular none covering residential property. It would be fair to say that the economic climate has not been ideal for the creation of new REITs, but there is clearly a debate to be had on whether the REITs covering residential property have not come into effect is down to the economic problems or defects in the tax system.

Since we debated the matter in Committee, the House of Lords Select Committee on Economic Affairs has commented, in its report on the Finance Bill, that REITs have failed to live up to expectations.”.
Paragraph 245 of that report states: "It is difficult to conclude that this partial failure is wholly due to the economic circumstances and not also in part to structural defects in the system. Moreover there has been little attempt to respond flexibly or significantly in their design to the difficult economic context."

The group of amendments that we are considering is an attempt to encourage the Government to respond flexibly and significantly. Indeed, the Government have made some progress on that front. In Committee, I raised possible ways of providing some flexibility in design, based on proposals made by the British Property Federation. Since that date, the House of Lords Select Committee has recommended that the Government "look again with greater sympathy at the proposals by the representative bodies."

To assist, we have today tabled four amendments, which, as I say, are based on the British Property Federation proposals. We are pleased to see that in one case the Government have followed suit, at least partially, and tabled an amendment seeking to address one of the concerns that we identified.

Broadly, we seek in our amendments to address two issues. The first issue relates to the current requirement that REITs distribute 90 per cent. or more of property income, because in the current economic circumstances it is very helpful if companies can retain cash. Credit is clearly difficult to access, and companies need to build up balance sheets—in particular, to keep banks lending to them. If and when the property market picks up, a REIT with sufficient cash might be able to make several acquisitions.

6.30 pm

Amendment 17 seeks to address the issue of a mandatory distribution of 90 per cent., which has to be done in one year, by deferring it for four years. It would be only a temporary measure, and any profits arising in accounting periods ending after 31 March 2010 would be subject to the current distribution rules, but it would provide REITs with flexibility.

Amendment 18 would provide for distributions to be paid by new shares rather than by cash, and there should not be a revenue implication: shareholders receiving a stock dividend, which is a distribution for these purposes, would be automatically subject to tax, as they would be with a normal property income distribution in cash. We therefore press the Government to look sympathetically at the amendment.

Amendment 16 is a less radical proposal, but it addresses the same area and would retain the 90 per cent. test. Any breach of it would not result in the risk of expulsion from the REIT regime, as that would be expensive for the REIT, but would involve corporation tax being paid on the undistributed profits. The argument that the Government tend to make against all such proposals is that there is an issue of investor protection, but when institutions are looking for investors to invest in a REIT, there is strong commercial pressure to make use of such provisions only when necessary. It is a commercial judgment that, one might strongly argue, could be left to the REITs rather than to the regulations, so we would be grateful for the Government's response to those points.

The second issue relates to the profit-financing cost ratio. Property income distributions are subject to a withholding tax of 20 per cent., unless the recipient is a UK charity, pension fund or corporate. Payments of interest by a REIT, however, may not be subject to withholding tax, and there is therefore the clear possibility of a REIT distributing income through interest payments as an avoidance measure. The profit-financing cost ratio is an attempt to address that. It is an anti-avoidance provision aimed at preventing REIT investors from structuring their investment as a loan.

Broadly, the PFCR rule provides that the amount of a REIT's tax-exempt profits must be at least 1.25 times the size of the financing costs that are related to the REIT's tax-exempt business. There are, however, a couple of problems with that. First, a REIT might hedge market value movements in a debt with a derivative contract. The PFCR rule does not take into account any profit on debt, but it does take into account a matching loss on the derivative. The loss is counted as a financing cost so the REIT might breach the ratio as a consequence of market movements.

Secondly, the aggregate of all movements in a derivative contract is deferred until closing out occurs, and that could lead to a distortion of the ratio in one particular year. Amendment 15 seeks to address those specific problems.

As I mentioned earlier, Government amendment 47 addresses the issue of the profit-financing cost ratio by allowing HMRC to waive rules in particular circumstances—when a REIT is in severe financial difficulties, the circumstances arose unexpectedly and the company could not reasonably have taken avoidance action. I have communicated with the British Property Federation, which welcomes movement on the issue but is concerned that the particular circumstances that I have mentioned are somewhat restrictive, difficult to interpret and vague.

As a consequence, Government amendment 47 may not be effective enough in addressing what both sides of the House agree is a potential problem. I would welcome comments from the Minister on that, because we think that amendment 15 would provide REITs with greater certainty and clarity and address the specific problems raised by the British Property Federation, rather than having the apparently broader flexibility involved in HMRC's waiving the ratio, although in restricted circumstances that would be difficult for the REIT to understand. The Minister may well be able to provide guidance and clarity on the issue; as it stands, however, we are not sure that Government amendment 47 is as successful as amendment 15.

Ian Pearson: We believe that Government amendment 47 will be effective, and I shall explain why in a moment. As the hon. Gentleman will know, the British Property Federation and others have welcomed the amendment, which has arisen as a result of continued discussion with the industry in the post-Budget period. It makes a further change to the regime to ensure that its rules on financing costs achieve their original objectives without creating any unintended effects.

Government amendment 47 will allow the charge to tax to be waived when the commissioners of Her Majesty's Revenue and Customs think that a company is in severe financial difficulties and that it could not reasonably
have avoided breaching the profit-financing cost ratio owing to unexpected circumstances. That ensures that the tax charge can be waived if a REIT has not borrowed excessively breaches the profit-financing cost ratio because of a fall in its profits and/or an increase in its financing costs that have led it into severe financial difficulties.

The amendment does not seek to define “severe financial difficulties”. However, in case extra clarity should be needed, it provides HMRC with a power that may be used to specify in regulations criteria to be applied by commissioners in determining whether to waive the charge. The hon. Gentleman will be aware that currently there are 21 companies in the REITs regime. We believe that that number is manageable. However, if “severe financial difficulties” needs to be defined, the powers are there. We believe, however, that the phrase is pretty broadly understood.

Opposition amendment 15 would relax the requirements of the profit-financing cost ratio by bringing in credits in respect of debtor relationships and by excluding financing costs that are considered “exceptional due to their size or incidence.”

However, it is not clear to the Government why the size or incidence of a financing cost should be considered to make it exceptional and why that would make it an appropriate item to exclude from the profit-financing cost ratio. We also believe that the Government amendment, by seeking to protect the ratio while ensuring that it does not lead to any unintended consequences for companies in severe financial difficulties, is a more targeted and preferred measure.

Amendment 16 concerns the requirement of the REIT to distribute 90 per cent. of its profits from the property rental business to shareholders by way of a dividend. That helps to protect the investor and the Exchequer by ensuring that profits are distributed to shareholders who pay tax on them. The amendment seeks to ensure that if a company in financial difficulty fails to meet this distribution requirement it would not be treated as a “serious breach” of REITs rules. REITs legislation states that the consequences of multiple serious breaches of the rules are that REIT may be given notice by HMC to leave the regime. In the context of the distribution requirements, “serious” is not defined. However, if a company is in financial difficulties there is scope under the legislation for that to be taken into account in deciding whether to issue a termination notice. We therefore believe that there is no need for the amendment.

Amendment 17 also relates to the 90 per cent. distribution requirement. Its purpose would be to allow a REIT to issue stock, instead of cash, in order to meet the 90 per cent. requirement. Allowing a REIT to issue stock, rather than cash, as part of this requirement could risk harming the investor, particularly if stock is issued to shareholders on a mandatory basis. A mandatory issue of stock as part of the distribution requirement would reduce the size of the cash dividend received by each shareholder without increasing the value of their shareholding. There would also be a risk of imposing a tax charge on shareholders that could not be covered by the cash part of the distribution. If stock is issued on an optional basis, those electing to receive cash could still see their shareholding diluted by those electing to receive stock. However, I understand the point that the hon. Gentleman makes, and I can say in response that officials will continue to meet those in the industry to discuss this issue.

Amendment 18 is intended to provide REITs with an extra three years to distribute the profits from their property rental business. We cannot accept the amendment because we believe that allowing REITs an extra three years to make these distributions would harm the Exchequer and investors, many of whom have invested in REITs because of the expectation that they will receive frequent distributions.

Government amendment 47 takes a targeted approach, and it has been welcomed by the property industry. We cannot accept the Opposition amendments, but we will continue to keep the regime under review and remain in dialogue with the industry on these issues.

Mr. Gauke: I am grateful to the Minister for his comments about continuing to look at the stock dividend issue. I am still not entirely convinced by his view that his amendment is better than ours, but we should be grateful that we at least have an amendment. I beg to ask leave to withdraw the amendment.

Amendment, by leave, withdrawn.

Amendment made: 47, page 290, line 24, at end insert—

‘Profit: financing-cost ratio

5A (1) In section 115 (profit: financing-cost ratio), after subsection (3) insert—

“(3A) The Commissioners for Her Majesty’s Revenue and Customs may waive a charge in respect of an accounting period where they think that—

(a) the company was in severe financial difficulties at a time in the accounting period,

(b) the result of the sum specified in subsection (2) is less than 1.25 in respect of the accounting period because of circumstances that arose unexpectedly, and

(c) in those circumstances, the company could not reasonably have taken action to avoid the result being less than 1.25.

(3B) The regulations may specify criteria to be applied by the Commissioners in determining whether to waive a charge.”

(2) The Commissioners may waive a charge in respect of accounting periods ending before the day on which this Act is passed.’. —[Ian Pearson.]
Amendment 26, line 297, line 23, at end insert—

‘(3A) Where contributions are not paid in accordance with subsection 3(c) above, the protected pension input amount is the lower of £50,000 or the average of contributions made over the last three years.’.

Amendment 27, page 298, line 25, at end insert—

‘(3A) Where contributions are not paid in accordance with subsection 3(c) above, the protected pension input amount is the lower of £50,000 or the average of contributions made over the last three years.’.

Amendment 28, page 299, line 15, at end insert—

‘(2A) Where contributions are not paid in accordance with subsection 2(b) above, the protected pension input amount is the lower of £50,000 or the average of contributions made over the last three years.’.

Government amendments 49 and 50.

Mr. Timms: In the Budget, we announced a restriction of higher rate tax relief for the pension contributions of people with the highest incomes from April 2011. The House well understands why we had to introduce anti-forestalling rules in the meantime to protect an estimated £2 billion of tax that could have been at risk otherwise. The arrangements were designed to be fiscally neutral in the interim period between Budget day and April 2011. The principle that we adopted was to maintain higher-rate relief for continuing regular pension contributions over this interim period but to restrict the relief when contributions were additional to the regular pattern.

We have defined regular contributions as those made quarterly or more frequently—an established pattern of pension savings where it is readily possible to identify the typical level of contributions. The level is also likely to be consistent, as part of a contract with an employer or with a pension scheme direct, so it is relatively easy to isolate forestalling as distinct from normal pension saving. It is harder to identify as “normal” contributions that are made less frequently, particularly when that requires looking back over previous years, not least because the A-day changes made three years ago have altered pension saving habits. Irregular contributors have a much more limited track record on which to base judgments on typical levels of contributions, and the payments tend to vary more in size.

Many self-employed people and others, particularly those with personal pensions, make annual contributions or contribute on a more ad hoc basis as their circumstances allow, and we did not want to damage their interests. The regime includes an annual savings limit of £20,000 on which people are entitled to receive higher-rate relief. For some people—a relatively small group—£20,000 will be less than they have tended to contribute to their pension in the years since A-day. Incidentally, it will often be more than they could have contributed before A-day, but not since.

6.45 pm

In my written ministerial statement on Budget day and in our debate in Committee, I acknowledged that difficulty and made it clear that I wanted to consider how best to protect annual contributors alongside more frequent contributors, without risking large additional Exchequer losses. So we have Government amendments 48, 49 and 50, providing that if irregular contributions have been made over the past three years, the special annual allowance will be increased to the average of those contributions, but with an upper limit of £30,000.

The approach in the Government amendments is similar to that in Opposition amendments 25 to 28, which likewise refer to average contributions from the past three years and would set an upper limit. I welcome the Opposition’s support for that approach. The difference between us, not surprisingly, is what the limit should be. The Government amendments set it at £30,000 while the Opposition amendments suggest £50,000.

The majority of people contributing on a non-regular basis had average contributions below the £20,000 level and so will be fully protected. Of those whose average contributions exceed that level, many are not far above it. We estimate that setting the limit at £30,000 will extend full protection to many annual contributors and to more than three quarters of all those affected. Only the highest quarter of contributors will be constrained at all, and they will see their limit for higher-rate pensions tax relief increased by half as much again, so they, too, will benefit.

I suggest to the House that the £30,000 level is sensible and will bring the costs of the anti-forestalling regime down to an additional £70 million over the next two years—more than would have been the case without the relaxation, but an affordable level. Setting the level at £50,000, on the other hand, would raise costs by £130 million, nearly twice as much. The Opposition amendments would also potentially, though I imagine unintentionally, open a loophole for people with several pensions to have an annual limit of £50,000 on each. This is a difficult area, but I hope that Opposition Members will feel able not to press their amendments and to support ours instead.

I wish to say a word about the other Opposition amendments, which have not yet been spoken to. On amendment 30, I have received representations on the subject of flexibility for those who change provider. I have thought about it, and I accept that we can be more flexible so that if somebody changes pension provider and carries forward exactly the same pension arrangements, they can retain their protected pension contributions. There is a risk, though, of inadvertently opening up significant avoidance. I would therefore like to take the matter forward through regulations, after consulting the industry on draft regulations. I accept the argument that lies behind the amendment, but I hope that on the understanding that I want to deliver that aim, the Opposition will not press it.

One matter not covered by the amendments has been raised with me, which is that the rules on the commencement dates for the anti-forestalling regime are too stringent with regard to the treatment of those who set up new pension arrangements on or just before Budget day. There is scope there, too, to be helpful, and we will discuss the matter with providers and make any change necessary through regulations.

If, as suggested in the Opposition’s amendment 29, the income test applied only to the current tax year as opposed to the previous three, that would give people whose income is more than £150,000 a big incentive to reduce it below that level for the two years to which the anti-forestalling legislation will apply. People in that income bracket are often in a position to renegotiate
their pay to delay taking income into a later tax year. Removing the three-year rule would put at risk a significant amount of tax revenue—we estimate that it could be £100 million in the two years to April 2011. It is important to bear it in mind that, for the majority of pension savers—98.5 per cent.—schedule 35 changes nothing.

I hope that hon. Members will welcome the Government amendments and that Opposition Members will not be inclined to press their alternative amendments.

Mr. Hoban: Schedule 35 has caused much concern to many people, including pension providers and the self-employed. They are concerned about the hasty way in which it was introduced, without consultation, the rough edges that it creates and its discrimination against people who do not make regular contributions—quarterly or more frequently. People have made many representations and sought ways of amending the schedule so that the rules apply more reasonably.

The Financial Secretary, today and in Committee, emphasised a willingness to get the schedule right. However, he tempered that from time to time with a focus on the Revenue cost. He argued today and in Committee that some people are in a position to renegotiate their contracts to alter their package, thus taking advantage of amendment 29. However, some people who earn relatively low sums of money this year will have earned a large sum in the first year. I had an e-mail from a member of the public who earned little in the past two years but suddenly landed a contract this year and earned more than £150,000.

I wonder whether the Financial Secretary could have e-mailed other Members, too. That is the joy of e-mailing prolifically. Other examples have been given of other people who have received income in lumps. I want to ensure that the Government, in their pursuit of tax avoidance, do not create too many rough edges in the scheme so that people who are not in a position to manipulate their tax affairs lose out. That is why I tabled amendment 29.

I am grateful to the Financial Secretary for recognising the strength of the arguments behind amendment 30. Several people have mentioned not only a change in the provider of the scheme—obviously people do not want to lose the benefit of protection under the scheme if the business for which they work decides to change pension provider—but what happens when the scheme itself changes. I wonder whether the Financial Secretary could reassure me by saying that he will deal with that through regulation or that it is already covered in the schedule. It would be helpful if he listened to me rather than his neighbour.

We know that several large employers are closing down their defined benefit schemes and moving to defined contribution schemes. I had an e-mail from someone who was in a defined benefit scheme and was concerned that they would lose the benefit of the protected pension input amount provisions in schedule 35. Could the Financial Secretary say a little about how people in that situation would be protected? If someone remains in the same employment, with the same broad employment package, but the employer closes down the DB scheme and the employee is therefore forced to move to a DC scheme, will the protection remain? Given the changes that are likely to happen in the next couple of years and the number of DB schemes that are closing, that will be of interest to many people.

Let me turn now to amendments 25 to 28. I welcome the fact that the Government’s thinking has moved. In Committee we looked at either increasing the special allowance from £20,000 to £50,000 across the board or averaging the previous year’s contributions. We decided that we wanted to take a hybrid approach, and clearly the Treasury has been thinking along the same lines. We welcome the fact that the Government have moved some of the way, by introducing a £30,000 limit, which is not where I thought they were heading in Committee, when I thought that they were considering simply keeping the £20,000 limit. However, I am still not convinced that they have moved far enough in recognising the difficulties for those who are self-employed who make irregular contributions to their pension funds. I would have preferred a more generous limit, although I take on board the Minister’s comments about the cost of the £50,000 limit compared with the cost of the £30,000 limit.

In conclusion, I will not press amendments 29 or 30 to a vote. I am pleased that the Government have taken on board the thrust of amendment 30 and come up with a more elegant and cheaper version of amendments 25 to 28. If the Minister had tabled those amendments rather sooner than the Friday before debating them, I might have tabled a more elegant amendment of my own to change £30,000 to £50,000. However, the Government have moved somewhat, thanks to the pressure from both inside and outside this House. I do not think that the proposed measure is perfect by any stretch of the imagination. Some people will still suffer from the sharp edges that the proposed anti-forestalling measure will introduce, but schedule 35 is certainly in better shape than it was when the Finance Bill was published a few months ago.

Amendment 48 agreed to.

Amendments made: 49, page 302, line 41, at end insert—

‘Increased special annual allowance

16A (1) This paragraph has effect where the mean of the infrequent money purchase contributions amount for the tax years 2006-07, 2007-08 and 2008-09 (“the relevant mean”) exceeds £20,000.

(2) Where the relevant mean is less than £30,000, this Schedule has effect as if the references in paragraph 1(4) and (5) to £20,000 were instead to the relevant mean.

(3) Where the relevant mean is £30,000 or more, this Schedule has effect as if those references were instead to £30,000.

(4) The “infrequent money purchase contributions amount” for a tax year is the aggregate of any relevant contributions paid in the tax year—

(a) under money purchase arrangements, other than cash balance arrangements, under registered pension schemes, and

(b) less frequently than on a quarterly basis;

and so is nil if no such contributions were so paid).

(5) But if the infrequent money purchase contributions amount for a tax year would otherwise be greater than the annual allowance for the tax year, it is to be taken to be the annual allowance for the tax year.

(6) “Relevant contributions” means contributions which are—

(a) releivable pension contributions by or on behalf of the individual, or

(b) contributions paid by an employer of the individual in respect of the individual.’.
Amendment 50, page 303, line 18, leave out ‘are members of’ and insert—
‘(a) are or have been members of currently-relieved non-UK pension schemes, or
(b) have been members of overseas pension schemes that were not’.—(Mary Creagh.)

Schedule 48

EXTENSION OF INFORMATION AND INSPECTION POWERS

Amendment made: 8, page 368, line 14, leave out ‘Paragraphs (c) and (d) of sub-paragraph 2A do’ and insert ‘Paragraph (c) of sub-paragraph 2A does’.—(Mr. Gauke.)

Schedule 56

PENALTY FOR FAILURE TO MAKE PAYMENTS ON TIME

Amendment made: 21, page 423, line 14, leave out ‘by’.—(Mr. Gauke.)

Amendments made: 51, page 425, line 1, leave out from beginning to ‘P’ in line 2.

Amendment 52, page 425, line 4, leave out ‘whether before or after that date’,

Amendment 53, page 425, line 6, leave out ‘during’ and insert
‘between the date on which P makes the request and the end of’.—(Mary Creagh.)

Third Reading

6.58 pm

Mr. Timms: I beg to move, That the Bill be now read the Third time.

Let me begin by thanking all hon. Members who have participated in the various stages of this Bill, from Second Reading in early May through to the Committee stage, which all of us who were involved hugely enjoyed, and to debates yesterday and today on Report. The Bill has benefited in a number of respects from the scrutiny that it has received.

The world economy is experiencing the worst conditions for generations. We are taking action to help families and businesses so that we can come through the downturn sooner and stronger. The Bill introduces measures to support the economy and the public finances, and measures to continue the modernisation of the tax system. Together with other policies across Government, it will help to put Britain firmly on the path to recovery.

Help is needed to support the economy through the current problems, and the Bill will help to implement the temporary VAT cut until the end of the year—a fiscal stimulus of more than £11 billion into the economy that has supported households, from those on higher incomes to those receiving benefits. Businesses also benefit from additional household spending. In addition, the exempt sector—including charities and financial services, health and education—is benefiting directly from lower VAT costs. There has been growing recognition that the measure is working.

The freeze in the small companies’ rate of corporation tax will help more than 800,000 companies. The temporary extension of the loss carry-back rules, benefiting more than 140,000 businesses, will help many viable firms that face cash-flow difficulties. The Bill is helping to support investment by temporarily doubling, to 40 per cent., capital allowances for businesses investing now. That will benefit a further 60,000 businesses, together with the business payment support scheme, as part of which 160,000 agreements have already been reached with business, deferring tax payments of £2.7billion.

The Bill provides real help for businesses now, targeting it at those in most need while encouraging investment for growth in the future. It also introduces measures to support the public finances through the medium term, which is a critically important task for us to accomplish. It tackles the challenges faced by the economy, but also provides for changes that will support businesses and individuals in the medium term. The high level of consultation, both formal and informal, that we carried out in preparing the Bill is reflected in the World Bank’s “Doing Business 2009” survey, which ranks the UK sixth in the world for ease of doing business. The measures in the Bill are good for individuals, good for business and good for the economy as a whole. I commend the Bill to the House.

7.1 pm

Mr. Hoban: I wish that I could talk about the Bill with the same degree of conviction as the Financial Secretary. He has referred to what appeared to be a cornucopia of goodies, but I have to say that this has been a relatively uncontroversial Finance Bill. It has ducked the main issues. Although we have the legislation to establish the 50p rate, the measure to set the rate is deferred to another day; there are measures aimed at fiscal consolidation, such as the anti-forestalling measures on pension contributions, but the increase in national insurance contributions announced in the pre-Budget report is not in the Bill. That has rather limited the areas of heated debate between those on the two Front Benches.

As ever with Finance Bills, the areas of controversy have been principally those on which the Government have not consulted beforehand—the measures that were slipped into the Bill in the days and hours leading up to the Budget. We have had debates about the role of senior accounting officers, and about pensions anti-forestalling rules, for example. In both areas the Government have been widely criticised for failing to consult industry. That lack of consultation undermines the competitiveness of the tax system and creates uncertainty for businesses. It sends out a message that businesses cannot be sure of the tax system and creates uncertainty for businesses. The Bill provides real help for businesses now, targeting it at those in most need while encouraging investment for growth in the future. It also introduces measures to support the public finances through the medium term, which is a critically important task for us to accomplish. It tackles the challenges faced by the economy, but also provides for changes that will support businesses and individuals in the medium term. The high level of consultation, both formal and informal, that we carried out in preparing the Bill is reflected in the World Bank’s “Doing Business 2009” survey, which ranks the UK sixth in the world for ease of doing business. The measures in the Bill are good for individuals, good for business and good for the economy as a whole. I commend the Bill to the House.
to modify the rules on senior accounting officers in a way that leads us to ask what the measure is actually for. Will it simply impose additional costs on business but bring in no real return to HMRC?

Those are not the only areas in which the Government have been prepared to listen. My hon. Friends the Members for South-West Hertfordshire (Mr. Gauke) and for Hammersmith and Fulham (Mr. Hands) have either had amendments accepted by the Government or provided the inspiration for amendments that have been accepted. The Government might say that that shows that they are a listening Government, but it also demonstrates the value of consultation and discussion, as opposed to acting first and thinking later.

The Bill also demonstrates a lack of political will on the part of the Government, and a failure to push forward with difficult reforms. They have abandoned proposals for a per-plane duty as a replacement for air passenger duty. With political will, those proposals could have worked; instead the Government have introduced banded air passenger duty, which will affect many from the Caribbean community who will end up paying more for their flights. A lack of nerve has meant that sensible environmental tax changes have been abandoned.

There are measures in the Bill that we commend. The reforms to the taxation of foreign profits should make Britain a more attractive place to do business. I hope that it will stem the outflow of businesses from the UK seeking to re-domicile their headquarters overseas, but it should be a salutary reminder to the Government that they cannot afford to neglect the competitiveness of the UK’s tax system. That is why my hon. Friend the Member for South-West Hertfordshire tabled a new clause asking the Government to produce an annual report on the measure. Government neglect of the competitiveness of the UK tax system not only risks businesses from this country moving elsewhere, but acts as a barrier to the inward investment that we will need to restart the economy when the recession is over. Businesses are mobile and tax competition can erode our tax base as businesses move overseas, forcing tax rates to go up.

I have referred to measures introduced to deal with the taxation of foreign profits, and the new debt cap rules were part of that package. A number of representations have been made about the detail and the practical impact of those rules. A number of people have expressed the concern that there is a risk of incentivising debt at the expense of international businesses that use their own resources to fund inward investment.

Our debate on dividend exemption demonstrated the increasing influence of the EU on our tax affairs, as rules on the free movement of capital and establishment now make it difficult to have rules that favour UK companies. It was because of a threat from the EU that the dividend exemption rules dictate that dividends from UK companies are not automatically exempt. That is a retrograde step for UK companies that were previously used to having all their dividends and distributions automatically exempted.

Despite the Finance Bill running to 448 pages, there were only three measures on tax simplification. At a time when we need to reduce the burden on businesses, we should be seeking more opportunities to reduce the complexity of legislation and the costs of compliance.

There were few controversial issues for the Committee to get its teeth into. Difficult decisions, as with so many other areas of this Government’s policy, have been kicked into the long grass. At a time when the tax system needs reform to help businesses, to support families and to adjust to the realities of modern business, the Bill does little to address the challenges that lie ahead. This is a Bill from a Government who have run out of steam, run out of ideas and run out of road—no big arguments, no big ideas.

7.8 pm

Mr. Jeremy Browne: The Finance Bill is an inevitably enormous piece of legislation that is rightly subjected to many months of scrutiny both in Committee and on the Floor of the House. It has been a privilege to get to know the other hon. Members who have scrutinised the Bill with a degree of detail and to come to understand better their qualities—and occasionally, as in my own case, limitations. We have all got to know each other better and I hope that we have all subjected the Bill to a suitable level of scrutiny.

I would like to take this opportunity to thank a few people: Hanneke Hart, my master researcher, without whose efforts I would not have been as well equipped to try to hold the Government to account; Madeline Lewis from PricewaterhouseCoopers and John Whiting, formerly of that organisation, have been very helpful; and my hon. Friends the Members for South-East Cornwall (Mr. Breed) and for Southport (Dr. Pugh) have shouldered the burden of the many hours of scrutiny that we have undertaken.

The backdrop to this Bill is the ruinous state of the public finances. As a country, we are borrowing an extra £480 million every single day—a level of borrowing that is without precedent and clearly unsustainable in anything more than the fairly short term. That big backdrop required a Government who had big, bold measures in order to address the magnitude of the situation. Instead, we were given a very small Finance Bill containing many micro-proposals. In the last few days, for example, we have discussed a small above-inflation increase in the duty on beer at a time when pubs are closing, breweries are struggling and beer consumption is falling. The amount of extra revenue raised will be tiny, if it exists at all. Only this afternoon, we discussed further punitive measures affecting the bingo industry at a time when bingo halls are closing. Again, the amount of extra revenue raised will be tiny, if it exists at all.

The Minister talked of the VAT cut. The Bill enabled us to extend it by one extra month: that is another timid measure. Even the measures that have been sold to the public as big, headline, dividing-line issues, such as the 50p income tax rate—a broken Labour manifesto promise—turn out, when subjected to closer scrutiny, to be raising very little money in the grand scheme of things, and possibly no additional revenue at all.

The sad conclusion that we must reach after several months of detailed scrutiny is that this Government are exhausted, and that what is needed is a fresh start with innovative ideas and bold leadership for our country.

7.11 pm

Stewart Hosie: As the Minister said, the Bill extends the temporary VAT cut. He suggested that there was evidence that it is working. Even now, at the stage of this short Third Reading debate, there is still extraordinary
denial. The temporary VAT cut will protect fewer than half the number of jobs that the same amount of money would have protected had it gone into direct capital investment. The tragedy is that with debt approaching £1.6 trillion, with net investment due to fall from £44 billion to £22 billion and with employment rising—we have seen the largest ever single monthly rise this year—all that we are seeing is tinkering around the edges.

I will not detain the House further, but I agree with the other Front-Bench spokesmen that this is a Bill from a Government who have clearly hit the buffers.

Bill accordingly read the Third time and passed.

Business without Debate

DELEGATED LEGISLATION

Mr. Deputy Speaker (Sir Alan Haselhurst): With the leave of the House, we shall take motions 3 to 6 together.

Motion made, and Question put forthwith (Standing Order No. 118(6)).

PENSIONS
That the draft Financial Assistance Scheme (Miscellaneous Provisions) Regulations 2009, which were laid before this House on 16 June, be approved

LEGAL SERVICES COMMISSION
That the draft Criminal Defence Service (Provisional Representation Orders) Regulations 2009, which were laid before this House on 10 June, be approved.

CRIMINAL LAW
That the draft Criminal Justice and Immigration Act 2008 (Violent Offender Orders) (Notification Requirements) Regulations 2009, which were laid before this House on 9 June, be approved.

CHILDREN AND YOUNG PERSONS
That the draft Children Act 1989 (Higher Education Bursary) (England) Regulations 2009, which were laid before this House on 16 June, be approved.—(Mark Tami.)

Question agreed to.

SELECT COMMITTEE ON REFORM OF THE HOUSE OF COMMONS

Motion made,

(1) That a Select Committee be appointed to consider and make recommendations on the following matters:

(a) the appointment of members and chairmen of select committees;

(b) scheduling business in the House;

(c) enabling the public to initiate debates and proceedings in the House; and

(d) such other matters as appear to the Committee to be closely connected with the matters set out above, and to report on these matters by 13 November 2009;

(2) That the Committee also consider such other matters as may be referred to it from time to time;

(3) That the Committee consist of eighteen Members;

(4) That Mr Graham Allen, Mr Clive Betts, Mr Graham Brady, Mr David Clelland, Mr David Drew, Natascha Engel, Dr Evan Harris, David Howarth, Mr Michael Jack, Mr Greg Knight, Mr Eifynn Llwyd, Mr Chris Mullin, Dr Nick Palmer, Martin Salter, Dr Phyllis Starkey, Mr Andrew Tyrie, Dr Tony Wright and Sir George Young be members of the Committee;

(5) That Dr Tony Wright be Chairman of the Committee;

(6) That the Committee have power to send for persons, papers and records, to sit notwithstanding any adjournment of the House; to adjourn from place to place, to report from time to time and to appoint specialist advisers;

(7) That this Order be a Standing Order of the House until the end of the present Parliament.—(Mark Tami.)

Hon. Members: Object.
Taxation of Pensions

Motion made, and Question proposed, That this House do now adjourn.—(Mark Tami.)

7.12 pm

Barry Gardiner (Brent, North) (Lab): The debate has come about because of an unexpected reduction in the available pension commencement lump sum suffered by one of my constituents, whom I shall refer to simply as Dr. Robert, after he retired. I have corresponded with the Treasury about the matter, and I would not normally seek to detain the House by debating an issue that might otherwise be handled by means of an exchange of letters with the Minister. I do so on this occasion for the following reasons.

First, Dr. Robert’s case has exposed what I believe to be an anomaly in schedule 29 of the Finance Act 2004 as it relates to tax-free pension lump sum allowances. His case cannot, therefore, be remedied at an individual level; it can only be remedied by the will of the House in future legislation. Secondly, although the majority of pensioners will not have been affected by the injustice that I believe Dr. Robert has suffered, his case is far from unique. While I suspect that very few who have been affected by the anomaly in the regulations will have been able to articulate the fact with the same mathematical clarity as my constituent, they will have felt no less bewildered and cheated than he has.

My third reason for raising the matter in the House is that in his letter to me of 19 November last year, my hon. Friend the Economic Secretary to the Treasury acknowledged the real problems that had been created by the lump sum rule. He even acknowledged that my constituent had proposed “solutions that overcome these effects by taking account of the actual amounts of pension commencement lump sum paid in each case.”

Unfortunately, the letter proceeded to justify not adopting those solutions on the grounds that they would add administrative complexity. That cannot be right; injustice cannot be excused on the basis of administrative convenience.

Having set out my reasons for bringing the matter before the House, I must now present the detailed arguments relating to the tax rules. I apologise in advance that they are necessarily technical and complicated, but I will try to reconcile simplicity with accuracy as best I can.

Since what the Government chose to call A-day, 6 April 2006, there has been a lifetime allowance, known as an LTA, of £1.5 million. That is the limit imposed not on an individual’s pension fund itself, but on that element of the cumulative pension fund from which an individual can withdraw or crystallise a lump sum without incurring a lifetime allowance charge. The figures are indexed each year, but if we talk in 2006 money, an individual is entitled to take a tax-free lump sum called a pension commencement lump sum, or PCLS, of up to £375,000, which is 25 per cent. of the standard LTA of £1.5 million.

My constituent had a pension in progress at A-day that had a capital value of £250,000, with 25 per cent. crystallised lump sum rights of £62,500. He also had an NHS pension with a capital value of £1.2 million, where, under the NHS scheme, the lump sum entitlement was limited to 13.04 per cent. rather than the Government figure of 25 per cent. He also had four other uncrystallised pension funds totalling £580,000 in capital value, and a scheme lump sum entitlement of 20 per cent. amounting to £145,000. Finally, he had a post-1987 freestanding additional voluntary contribution scheme worth £60,000. That scheme, although allowing him to take a lump sum of £25,000, would under Treasury rules not be allowed to count as part of his VULSR, which is Treasury-speak for valuation of uncrystallised lump sum rights, and could therefore not be calculated towards the total lump sum rights minimum figure of £375,000, at which point he could register for primary or enhanced lump sum protection in accordance with RPSM03105070.

Dr. Robert registered for enhanced—dormant primary—transitional protection of his LTA. His declared LTA if needed later for primary protection was 139.33 per cent., which equates to £2.09 million rather than the £1.5 million. The reason he could not apply for enhanced lump sum protection was that his total lump sum rights on A-day did not quite reach £375,000. We should remember at this point that he had crystallised £62,500 already and had a further £156,480, which represented the 13.04 per cent. of his NHS pension, as well as a further £145,000 which represented 25 per cent. of his four pensions with a capital value of £580,000, and zero from his post-1987 freestanding AVC.

Dr. Robert chose to crystallise his NHS pension shortly after A-day and received a PCLS of £156,480. When added to his pre-commencement pension, this meant he had used up 96.66 per cent. of a standard LTA. However, because he had registered for enhanced—dormant primary—protection, he knew he had, in fact, got 42.67 per cent. of LTA still remaining. On deciding shortly thereafter to crystallise his four private pension plans, he was told that although he had crystallised only 58.4 per cent. of his available lump sum rights, he could now crystallise only £12,500 tax-free—or 3.34 per cent. of £375,000—before he would exceed his PCLS allowance. The Treasury deemed him to have used up 96.66 per cent. of his tax-free lump sum allowance when, in reality, he has used only 58.4 per cent. of it. The reason for that is because the way in which the lump sum rule operates does not recognise that the amount he could take as a lump sum from his national health service pension was limited to 13.04 per cent. of its capital value.

The lump sum rule, as defined in schedule 29(2) of the Finance Act 2004, tracks the decrementing “available portion” of PCLS remaining, after “benefit crystallisation events”, from an individual’s PCLS lump sum entitlement, called the “applicable amount”. The “applicable amount” is not the problem here; the problem is in the way the decrementing “available portion” is calculated after each progressive lump sum crystallisation event. The available portion is initially defined in schedule 29(2) and RPSM09104510 by the formula: “available portion” equals the current standard lifetime allowance indexed to the year in question minus the aggregate of amount crystallised—AAC—for each proceeding benefit crystallisation event, all divided by four.

The rationale behind the formula is that it progressively tracks the decrementing available portion to zero, thus ensuring that no excess PCLS is paid out by pension administrators. However, it makes the extremely unfair assumption that each individual crystallisation that goes
Mr. Deputy Speaker (Sir Alan Haselhurst): I now have to announce the result of a question deferred from a previous day on the question relating to identity cards (information and code of practice on penalties). The Ayes were 271 and the Noes were 219, so the Ayes have it.

I shall also announce the result of a Division deferred from a previous day on the question relating to identity cards (provision of information without consent). The Ayes were 272 and the Noes were 219, so the Ayes have it.

I shall also announce the result of a Division deferred from a previous day on the question relating to identity cards (application and issue of ID card and notification of changes). The Ayes were 271 and the Noes were 218, so the Ayes have it.

I shall also announce the result of a Division deferred from a previous day on the question relating to identity cards (prescribed information). The Ayes were 273 and the Noes were 217, so the Ayes have it.

I shall also announce the result of a Division deferred from a previous day on the question relating to identity cards (fees). The Ayes were 270 and the Noes were 218, so the Ayes have it.

Mr. Deputy Speaker (Sir Alan Haselhurst): I now have to announce the result of a question deferred from a previous day on a question relating to justice and security. The Ayes were 421 and the Noes were 64, so the Ayes have it.
attention of the House. I know that his constituent has already been the subject of some highly technical correspondence with HMRC, which, I understand, is ongoing. I do not think that this is the place for that detailed technical discussion of the finer workings of the pension legislation, but it would be helpful if I responded to my hon. Friend by considering the issues in broad terms.

As my hon. Friend is aware, under the new pension rules a pension scheme member can receive up to 25 per cent. of their pension fund as an initial tax-free lump sum when their pension starts to be paid. The total amount that individuals can save in a pension tax-free is subject to a lifetime allowance, which currently stands at £1.75 million. That limit is a maximum, within which pension funds may decide how best to provide benefits to their members. However, the Government need to ensure that the system is used fairly and remains affordable for the taxpayer, so there are limits on the amount of tax relief available to an individual.

If there were no limits to the amounts of tax relief available on pension savings, some people might use them as general savings accounts and would put away far more than was necessary simply to provide a retirement income, instead using pensions as a way to avoid income tax. In that case, the cost to the Exchequer in tax relief could be open-ended.

The cap on the size of tax-free lump sums therefore ensures that the tax relief available for pensions is kept to the level intended by Parliament and allows the Government to monitor the cost of tax relief to the taxpayer. As I said, the lifetime allowance is the maximum tax advantaged pension benefits an individual can accumulate, other than under transitional rules. That limit is an optional maximum, within which pension funds may decide how best to provide benefits to their members.

When the individual has more than one pension fund, the maximum tax-free lump sum that an individual can take is based on the lower of 25 per cent. of the money held in a particular pension fund and 25 per cent. of the lifetime allowance available. As each pension scheme comes into payment, the lifetime allowance is reduced by the value of the total benefits taken. Therefore, if one pension scheme pays a lump sum of less than 25 per cent., that will mean that the total lump sum from all schemes will be less than 25 per cent. of the value of all the pension funds as no pension can provide a lump sum bigger than 25 per cent. of the funds held by the individual in that scheme.

A similar issue arises in connection with the enhanced protection rules.

Barry Gardiner: My hon. Friend is absolutely right to make that point. However, does she not consider it wrong that there should be an assumption that runs absolutely counter to the fact of what the actual payment is? Is it not wrong that there should be an assumption that the full 25 per cent. has been paid out when, in many cases, it will not have been?

Sarah McCarthy-Fry: There is not a requirement for schemes to allow 25 per cent—I think that that is where we are getting a bit confused—rather it is the maximum tax-free lump sum permitted in tax rules.

Barry Gardiner: Indeed, that is the case—it is the maximum admissible—but, as my hon. Friend will know, the two pension schemes that I quoted and many others do not allow that and did not allow that. Millions of workers in this country are affected by the limitation of those schemes, and a correction to the regulations could avoid their being penalised.

Sarah McCarthy-Fry: Very few pensioners will have pensions anywhere near the lifetime allowance, and we have to take that fact into account. We must also take into account the fact that it would add complexity, a point that I will develop later. Our rules must balance what will affect a few individuals against the complexity that would affect many more pensioners. The decision about going to the maximum 25 per cent. is a matter for individual pension schemes.

I sympathise with my hon. Friend’s concerns on this matter, but the current rules work well for the vast majority of people. Pension simplification was intended to introduce rules that are simple, clear and certain. Using a scheme upper limit of 25 per cent. achieves that: it benefits pension schemes by reducing administrative burdens, and individuals by making the rules easier to apply.

The Government considered this issue when drawing up the framework that was eventually introduced on A-day, and it was recognised at the time that some individuals may not be able to claim the full 25 per cent. tax-free lump sum. Alternative methods that attempted to measure the size of multiple pension funds and calculate the relevant 25 per cent. lump sum would require pension schemes to maintain records of pensions savings before A-day. Opting for that method would require a complex and unrealistic approach to valuing pensions. Members would have to obtain or retain the values and dates of payment of all lump sum payments over a period that may be five, 10 or more years before April 2006.

That would be a costly and time-consuming exercise. Schemes are required to keep records for only six years, and finding that information would be either impossible or costly. Our experience of other pension law, such as trivial commutation, is that such record keeping would represent significant administrative burdens. Most schemes do not have complete records and it would be unrealistic to expect members to provide that information. That is why a simple formula based on a percentage was used.

It is also important to bear in mind that the tax rules do not guarantee that the maximum tax-advantaged benefit can always be paid: they simply provide a framework within which a pension scheme and its members are free to order their affairs as they wish. In some circumstances, that will mean that a member will not be able to obtain the maximum tax advantages.

The legislation deliberately does not prescribe the level of the tax-free lump sum. Instead, it provides a framework within which pension funds and individuals must operate, and that means that pension funds have the freedom to determine the appropriate package of benefits that they offer to their members. Legislating that pension schemes must provide a 25 per cent. lump sum, or allowing individuals to take a higher percentage from one fund to make up a lower percentage from another, would effectively remove the ability for pension funds to manage their affairs.
There is nothing to stop the maximum lump sum being paid if the member and pension scheme want to reorder their affairs. It is for the pension scheme to decide what benefits it wants to pay and for the individual to decide how to take them, within the framework that the legislation provides.

As I said, the tax rules have to cater for a large number of individuals and different circumstances. In doing so, they have to balance complexity with catering for different circumstances, and that is what the current lump sum rules do. They are simple, clear and certain, and very generous in allowing most individuals to take the maximum tax-free lump sum that they can. We also have to bear it in mind that we are talking about the tax-free lump sum only, and that the underlying pension is not affected.

Of course the Government keep all tax policy under review, but the rules cannot cater for all circumstances and it would be unrealistic to change them to try to do so. The Government want to balance fairness and simplicity, and we think that the rules would become overly complicated if they were to accommodate the circumstances of all individuals.

Question put and agreed to.

7.38 pm

House adjourned.
Deferred Divisions

Justice and Security

That the draft Justice and Security (Northern Ireland) Act 2007 (Extension of duration of non-jury trial provisions) Order 2009, which was laid before this House on 8 June, be approved.

The House divided: Ayes 421, Noes 64.

Division No. 188 [1085 10868 JULY 2009

AYES

Abbott, Ms Diane
Aliyne, Adam
Ainsworth, rh Mr. Bob
Alexander, rh Mr. Douglas
Allen, Mr. Graham
Amess, Mr. David
Ancram, rh Mr. Michael
Anderson, Janet
Arbuthnot, rh Mr. James
Armstrong, rh Hilary
Atkinson, Mr. Peter
Austin, Mr. Ian
Austin, John
Bailey, Mr. Adrian
Baird, Vera
Balls, rh Ed
Banks, Gordon
Barlow, Ms Celia
Baron, Mr. John
Barron, rh Mr. Kevin
Battle, rh John
Bayley, Hugh
Beckett, rh Margaret
Begg, Miss Anne
Bell, Sir Stuart
Benn, rh Hilary
Benton, Mr. Joe
Beresford, Sir Paul
Betts, Mr. Clive
Blackman, Liz
Blackman-Woods, Dr. Roberta
Blears, rh Hazel
Blair, Mr. Bob
Blankett, rh Mr. David
Bone, Mr. Peter
Borrow, Mr. David S.
Boswell, Mr. Tim
Brady, Mr. Adrian
Brady, Mr. Graham
Brazier, Mr. Julian
Brennan, Kevin
Brown, Lyn
Brown, rh Mr. Nicholas
Brown, Mr. Russell
Browne, rh Des
Bryant, Chris
Burden, Richard
Burgon, Colin
Burnham, rh Andy
Burns, Mr. Simon
Burrowses, Mr. David
Burt, Alistair
Butler, Ms Dawn
Butterfill, Sir John
Byers, rh Mr. Stephen
Byrne, rh Mr. Liam
Cabinet, Mr. Richard
Cairns, David
Campbell, Mr. Alan
Campbell, Mr. Gregory
Campbell, Mr. Ronnie
Cash, Mr. William
Caton, Mr. Martin
Cawsey, Mr. Ian
Challen, Colin
Chapman, Ben
Chaytor, Mr. David
Clapham, Mr. Michael
Clapson, Mr. James
Clark, Greg
Clark, Paul
Clarke, rh Mr. Charles
Clarke, rh Mr. Kenneth
Clarke, rh Mr. Tom
Clifton-Brown, Mr. Geoffrey
Clwyd, rh Ann
Coaker, Mr. Vernon
Coffey, Ann
Connarty, Michael
Cooper, Rosie
Cooper, rh Yvette
Cormack, Sir Patrick
Crabb, Mr. Stephen
Crausby, Mr. David
Creagh, Mary
Cruddas, Jon
Cryer, Mrs. Ann
Cummings, John
Cunningham, Mr. Jim
Cunningham, Tony
Curry, rh Mr. David
Darling, rh Mr. Alistair
David, Mr. Wayne
Davidson, Mr. Ian
Davies, David T.C. (Monmouth)
Davies, Philip
Davies, Mrs. Quentin
Dean, Mrs. Janet
Denham, rh Mr. John
Devine, Mr. Jim
Dhanda, Mr. Parmjit
Dobbin, Jim
Dodds, Mr. Nigel
Donaldson, rh Mr. Jeffrey M.
Donohoe, Mr. Brian H.
Doran, Mr. Frank
Dorrell, rh Mr. Stephen
Dorries, Nadine
Dowd, Jim
Drew, Mr. David
Duddridge, James
Duncan, Alan
Duncan Smith, rh Mr. Iain
Eagle, Angela
Eagle, Maria
Ellman, Mrs. Louise
Engel,Natasha
Ennis, Jeff
Evans, Mr. Nigel
Fallon, Mr. Michael
Field, Mr. Mark
Fitzpatrick, Jim
Fiello, rh Mr. Robert
Flint, rh Caroline
Flynn, Paul
Follett, Barbara
Foster, Mr. Michael (Worcester)
Foster, Michael Jabez (Hastings and Rye)
Fox, Dr. Liam
Francis, Dr. Hywel
Francois, Mr. Mark
Fraser, Christopher
Gale, Mr. Roger
Gapes, Mike
Garnier, Mr. Edward
Gauke, Mr. David
George, rh Mr. Bruce
Gerrard, Mr. Neil
Gibb, Mr. Nick
Gilian, Mrs. Cheryl
Gilroy, Linda
Godsiff, Mr. Roger
Goggins, rh Paul
Goodman, Mr. Paul
Gray, Mr. James
Greening, Justine
Grieve, Mr. Dominic
Griffith, Nia
Griffiths, Nigel
Grogan, Mr. John
Gummer, rh Mr. John
Gwynne, Andrew
Hague, rh Mr. William
Hain, rh Mr. Peter
Hall, Mr. Mike
Hall, Patrick
Hamilton, Mr. David
Hammond, Mr. Philip
Hammond, Stephen
Hands, Mr. Greg
Hanson, rh Mr. David
Harman, rh Ms Harriet
Harper, Mr. Mark
Harris, Mr. Tom
Havard, Mr. Dai
Hayes, Mr. John
Heald, Mr. Oliver
Healey, rh John
Heathcoat-Amory, rh Mr. David
Henderson, Mr. Doug
Hendrick, Mr. Mark
Hendry, Charles
Heburn, Mr. Stephen
Heppell, Mr. John
Herbert, Nick
Hesford, Stephen
Hewitt, rh Ms Patricia
Heyes, David
Hill, rh Keith
Hoban, rh Mr. Mark
Hodgson, Mrs. Sharon
Hollobone, Mr. Philip
Hoon, rh Mr. Geoffrey
Hope, Phil
Horam, Mr. John
Howard, rh Mr. Michael
Howarth, rh Mr. George
Howarth, Mr. Gerald
Howell, John
Howells, rh Dr. Kim
Hoyle, Mr. Lindsay
Humble, Mrs. Joan
Hunt, Mr. Jeremy
Hurd, Mr. Nick
Hutton, rh Mr. John
Iddon, Dr. Brian
Illsley, Mr. Eric
Ingram, rh Mr. Adam
Irranca-Davies, Huw
Jackson, Mr. Stewart
James, Mrs. Siân C.
Jenkin, Mr. Bernard
Jenkins, rh Mr. Brian
Johnson, rh Alan
Johnson, Ms Diana R.
Jones, Mr. David
Jones, Helen
Jones, Mr. Kevan
Jones, Lorraine
Jones, Mr. Martyn
Jowell, rh Mrs. Tessa
Joyce, Mr. Eric
Kawczynski, Daniel
Keeble, Ms Sally
Keeley, Barbara
Keen, Ann
Kelly, rh Ruth
Khan, rh Mr. Sadiq
Kidney, Mr. David
Kirkbride, Miss Julie
Knight, rh Mr. Greg
Knight, rh Jim
Kumar, Dr. Ashok
Ladyman, Dr. Stephen
Laing, Mrs. Eleanor
Lait, Mrs. Jacqui
Lammy, rh Mr. David
Lansley, Mr. Andrew
Laxton, Mr. Bob
Lazarowicz, Mark
Leigh, Mr. Edward
Lepper, David
Letwin, rh Mr. Oliver
Levitt, Tom
Lewis, Mr. Ivan
Lewis, Dr. Julian
Lilley, rh Mr. Peter
Linton, Martin
Lloyd, Tony
Loughoton, Tim
Lucas, Ian
Luff, Peter
Mackay, rh Mr. Andrew
Mackinlay, Andrew
Maclean, rh David
MacShane, rh Mr. Denis
Mahmood, Mr. Khalid
Malik, Mr. Shahid
Mallaber, Judy
Mann, John
Marris, Rob
Marsden, Mr. Gordon
Martlew, Mr. Eric
McAvoyle, rh Mr. Thomas
McCarthy, Kerry
McCarty-Fry, Sarah
McCreata, Dr. William
McFadden, rh Mr. Pat
The House divided: Ayes 272, Noes 219.

AYES

Baker, Norman
Beith, rh Sir Alan
Bennett, Tom
Breed, Mr. Colin
Browne, Mr. Jeremy
Bruce, rh Alan
Burton, Sir Paul
Burt, Lorely
Campbell, rh Sir Menzies
Carlisle, Mr. Alistair
Corbyn, Jeremy
Davies, Mr. Dai
Farron, Tim
Featherstone, Lynne
Foster, Mr. Don
George, Andrew
Gidley, Sandra
Goldsworthy, Julia
Harris, Dr. Evan
Harvey, Nick
Heath, Mr. David
Hemming, John
Horwood, Martin
Howarth, David
Hunter, Mark
Keetch, Mr. Paul
Kennedy, rh Mr. Charles
Laws, Mr. David
Leech, Mr. John
Llwyd, Mr. Elfyn

Question accordingly agreed to.

IDENTITY CARDS

The draft Identity Cards Act 2006 (Provision of Information without Consent) Regulations 2009, which were laid before this House on 6 May, be approved.

AYES

Ainsworth, rh Mr. Bob
Alexander, rh Mr. Douglas
Allen, Mr. Graham
Anderson, Janet
Armstrong, rh Hilary
Austin, Mr. Ian
Austen, John
Bailey, Mr. Adrian
Baird, Vera
Balls, rh Ed
Banks, Gordon
Barlow, Ms Celia
Barron, rh Mr. Kevin
Battle, rh John

Wicks, rh Malcolm
Widdecombe, rh Miss Ann
Willett, Mr. David
Williams, rh Mr. Alan
Williams, Mrs. Betty
Wills, rh Mr. Michael
Wiltshire, Mr. David
Wilson, Phil
Wilson, Mr. Rob
Wilson, Sammy
Winnick, Mr. David

Winterton, Sir Nicholas
Winterton, rh Ms Rosie
Woodward, rh Mr. Shaun
Wright, Mr. Anthony
Wright, David
Wright, Mr. Iain
Wright, Jeremy
Wright, Dr. Tony
Wyatt, Derek
Young, rh Sir George

NOES

MacNeill, Mr. Angus
Mcdonnell, Dr. Alasdair
Mcdonnell, John
McGrady, Mr. Eddie
Moore, Mr. Michael
Mulholland, Greg
Opik, Lembit
Pelling, Mr. Andrew
Pugh, Dr. John
Reid, Mr. Alan
Rennie, Willie
Robertson, Angus
Roberson, Dan
Rowen, Paul
Russell, Bob
Salmond, rh Mr. Alex
Sanders, Mr. Adrian
Shepherd, Mr. Richard
Simpson, Alan
Smith, Sir Robert
Spink, Bob
Stunell, Andrew
Swinson, Jo
Taylor, Matthew
Teather, Sarah
Webb, Steve
Williams, Hywel
Williams, Mark
Williams, Mr. Roger
Williams, Stephen
Willis, Mr. Phil
Willoot, Jenny

Young, rh Sir George

Deferred Divisions Deferred Divisions

Deferred Divisions Deferred Divisions

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Deferred Divisions

8 JULY 2009

Deferred Divisions

The House divided: Ayes 271, Noes 218.

Division No. 190

AYES

Ainsworth, rh Mr. Bob
Alexander, rh Mr. Douglas
Allen, Mr. Graham
Anderson, Janet
Armstrong, rh Hilary
Austin, Mr. Ian
Austin, John
Bailey, Mr. Adrian
Baird, Vera
Balls, rh Ed
Banks, Gordon
Barlow, Ms Celia
Barron, rh Mr. Kevin
Battle, rh John
Bayley, Hugh
Beckett, rh Margaret
Begg, Miss Anne
Bell, Sir Stuart
Benn, rh Hilary
Benton, Mr. Joe
Betts, Mr. Clive
Blackman, Liz
Blackman-Woods, Dr. Roberta
Blears, rh Hazel
Blizzard, Mr. Bob
Blunkett, rh Mr. David
Borrow, Mr. David S.
Bradshaw, rh Mr. Ben
Brennan, Kevin
Brown, Lyn
Brown, rh Mr. Nicholas
Brown, Mr. Russell
Browne, rh Des
Bryant, Chris
Burden, Richard
Burgon, Colin
Burnham, rh Andy

Spicer, Sir Michael
Spink, Bob
Spring, Mr. Richard
Stanley, rh Sir John
Streeter, Mr. Gary
Stuart, Mr. Graham
Stunell, Andrew
Swayne, Mr. Desmond
Swinson, Jo
Syms, Mr. Robert
Tapsell, Sir Peter
Taylor, David
Taylor, Matthew
Taylor, Dr. Richard
Teather, Sarah
Timpson, Mr. Edward
Todd, Mr. Mark
Tredinnick, David
Turner, Mr. Andrew
Tyrie, Mr. Andrew
Vara, Mr. Shailesh
Villiers, Mrs. Theresa

Wallace, Mr. Ben
Waterson, Mr. Nigel
Watkinson, Angela
Webb, Steve
Weir, Mr. Mike
Widdecombe, rh Miss Ann
Willetts, Mr. David
Williams, Hywel
Williams, Mark
Williams, Mr. Roger
Williams, Stephen
Willis, Mr. Phil
Willott, Jenny
Wills, Mr. David
Wilson, rh Mr. Rob
Wilson, Sammy
Winnick, Mr. David
Winterton, Sir Nicholas
Wishart, Pete
Wright, Jeremy
Young, rh Sir George

Question accordingly agreed to.

IDENTITY CARDS

That the draft Identity Cards Act 2006 (Information and Code of Practice on Penalties) Order 2009, which was laid before this House on 6 May, be approved.

The House divided: Ayes 271, Noes 218.
Deferred Divisions

8 JULY 2009

Deferred Divisions

1093

Doran, Mr. Frank
Dowd, Jim
Eagle, Angela
Eagle, Maria
Ellman, Mrs. Louise
Engel, Natascha
Ennis, Jeff
Fitzpatrick, Jim
Fiell, Mr. Robert
Flint, rh Caroline
Flynn, Paul
Follett, Barbara
Foster, Mr. Michael (Worcester)
Foster, Michael Jabez (Hastings and Rye)
Francis, Dr. Hywel
Gapes, Mike
George, rh Mr. Bruce
Gilroy, Linda
Godsiff, Mr. Roger
Goggins, rh Paul
Griffith, Nia
Griffiths, Nigel
Grogan, Mr. John
Gwynne, Andrew
Hain, rh Mr. Peter
Hall, Mr. Mike
Hall, Patrick
Hamilton, Mr. David
Hanson, rh Mr. David
Harman, rh Ms Harriet
Harris, Mr. Tom
Havard, Mr. Dai
Healey, rh John
Henderson, Mr. Doug
Hendrick, Mr. Mark
Hepburn, Mr. Stephen
Heppell, Mr. John
Hesford, Stephen
Hewitt, rh Ms Patricia
Heyes, David
Hill, rh Keith
Hodgson, Mrs. Sharon
Hoon, rh Mr. Geoffrey
Hope, Phil
Howarth, rh Mr. George
Howells, rh Dr. Kim
Hoyle, Mr. Lindsay
Humble, Mrs. Joan
Hutton, rh Mr. John
Iddon, Dr. Brian
Illsley, Mr. Eric
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, rhessa
Joyce, Mr. Eric
Keeble, Ms Sally
Keely, Barbara
Keen, Ann
Kelly, rh Ruth
Khan, rh Mr. Sadiq
Kidney, Mr. David
Knight, rh Jim
Kumar, Dr. Ashok
Ladyman, Dr. Stephen
Lammy, rh Mr. David
Laxton, Mr. Bob
Lazarowicz, Mark
Lepper, David
Levitt, Tom
Lewis, Mr. Ivan
Linton, Martin
Lloyd, Tony
Lucas, Ian
MacShane, rh Mr. Denis
Mahmood, Mr. Khalid
Malik, Mr. Shahid
Mallaber, Judy
Mann, John
Marris, Rob
Marsden, Mr. Gordon
Marlow, Mr. Eric
McAvoy, rh Mr. Thomas
McCarthy, Kerry
McCarthy-Fry, Sarah
McFadden, rh Mr. Pat
McFall, rh John
McGuire, rh Mrs. Anne
McIlsaac, Shona
McKechnie, Ann
McKenna, Rosemary
McNulty, rh Mr. Tony
Meale, Mr. Alan
Merrick, Gillian
Michael, rh Alun
Milliband, rh Edward
Miller, Andrew
Moffat, Anne
Moffatt, Laura
Mole, Chris
Moon, Mrs. Madeleine
Morden, Jessica
Morgan, Julie
Mountford, Kali
Mudie, Mr. George
Mullin, Mr. Chris
Munn, Meg
Murphy, Mr. Denis
Murphy, rh Mr. Paul
Nasmith, Dr. Doug
Norris, Dan
O’Hara, Mr. Edward
Olner, Mr. Bill
Osborne, Sandra
Palmer, Dr. Nick
Pearson, lan
Pope, Mr. Greg
Pound, Stephen
Prentice, Bridget
Prentice, Mr. Gordon
Primarolo, rh Dawn
Presser, Gwyn
Purchase, Mr. Ken
Purnell, rh James
Rammell, Bill
Reed, Mr. Andy
Reed, Mr. Jamie
Reid, rh John
Riordan, Mrs. Linda
Robertsion, John
Robinson, Mr. Geoffrey
Rooney, Mr. Terry
Roy, Mr. Frank
Roy, Mr. Stephen
Ruane, Chris
Rudock, Joan
Russell, Christine
Ryan, rh Joan
Salter, Martin
Sarwar, Mr. Mohammad
Seabeck, Alison
Sharma, Mr. Virendra
Sheeran, Mr. Barry
Sheldon, Jim
Simon, Mr. Slón
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
Snelsgrove, Anne
Soulsby, Sir Peter
Southworth, Helen
Spellar, rh Mr. John
Starkey, Dr. Phyllis
Stewart, lan
Stoate, Dr. Howard
Stringer, Graham
Stuart, Ms Gisela
Sutcliffe, Mr. Gerry
Abbott, Ms Diane
Afriyie, Adam
Amess, Mr. David
Ancram, rh Mr. Michael
Arbuthnot, rh Mr. James
Atkinson, Mr. Peter
Baker, Norman
Baron, Mr. John
Beith, rh Sir Alan
Beresford, Sir Paul
Bone, Mr. Peter
Boswell, Mr. Tim
Brady, Mr. Graham
Brake, Tom
Brazil, Mr. Julian
Breed, Mr. Colin
Brooke, Annette
Brown, Mr. Jeremy
Bruce, rh Malcolm
Burns, Mr. Simon
Burrows, Mr. David
Burnstow, Mr. Paul
Burt, Alistair
Burt, Lorely
Butterfill, Sir John
Campbell, Mr. Gregory
Campbell, rh Sir Menzies
Carmichael, Mr. Alistair
Cash, Mr. William
Challien, Colin
Chope, Mr. Christopher
Clappison, Mr. James
Clark, Greg
Clarke, rh Mr. Kenneth
Clifton-Brown, Mr. Geoffrey
Corbyn, Jeremy
Cormack, Sir Patrick
Crbb, Mr. Stephen
Curry, rh Mr. David
Davies, Mr. Dai
Davies, David T.C. (Monmouth)
Davies, Philip
Devine, Mr. Jim
Dodds, Mr. Nigel
Donaldson, rh Mr. Jeffrey M.
Dorrell, rh Mr. Stephen
Dorries, Nadine
Drew, Mr. David
Duddridge, James
Duncan, Alan
Duncan Smith, rh Mr. lain
Evans, Mr. Nigel
Fallon, Mr. Michael
Farron, Tim
Featherstone, Lynne
Field, Mr. Mark
Foster, Mr. Don
Fox, Dr. Liam
Francois, Mr. Mark
Fraser, Christopher
Gale, Mr. Roger
Garnier, Mr. Edward
Gauke, Mr. David
George, Andrew
Gerrard, Mr. Neil
Gibb, Mr. Nick
Gidley, Sandra
Gillan, Mrs. Cheryl
Goldsworthy, Julia
Goodman, Mr. Paul
Gray, Mr. James
Greening, Justine
Grieve, Mr. Dominic
Guimer, rh Mr. John
 Hague, rh Mr. William
Hammond, Mr. Philip
Hammond, Stephen
Hands, Mr. Greg
Harper, Mr. Mark

NOES

Davies, rh, Mr. David
(Letsford, Chippenham)
Davies, Philip
Devine, Mr. Jim
Dodds, Mr. Nigel
Donaldson, rh Mr. Jeffrey M.
Dorrell, rh Mr. Stephen
Dorries, Nadine
Drew, Mr. David
Duddridge, James
Duncan, Alan
Duncan Smith, rh Mr. lain
Evans, Mr. Nigel
Fallon, Mr. Michael
Farron, Tim
Featherstone, Lynne
Field, Mr. Mark
Foster, Mr. Don
Fox, Dr. Liam
Francois, Mr. Mark
Fraser, Christopher
Gale, Mr. Roger
Garnier, Mr. Edward
Gauke, Mr. David
George, Andrew
Gerrard, Mr. Neil
Gibb, Mr. Nick
Gidley, Sandra
Gillan, Mrs. Cheryl
Goldsworthy, Julia
Goodman, Mr. Paul
Gray, Mr. James
Greening, Justine
Grieve, Mr. Dominic
Guimer, rh Mr. John
Hague, rh Mr. William
Hammond, Mr. Philip
Hammond, Stephen
Hands, Mr. Greg
Harper, Mr. Mark
That the draft Identity Cards Act 2006 (Fees) Regulations 2009, which were laid before this House on 6 May, be approved.

The House divided: Ayes 270, Noes 218.

Division No. 191]

AYES

Ainsworth, rh Mr. Bob
Alexander, rh Mr. Douglas
Allen, Mr. Graham
Anderson, Janet
Armstrong, rh Hilary
Austin, Mr. Ian
Austin, John
Bailey, Mr. Adrian
Baird, Vera
Balls, rh Ed
Banks, Gordon
Barlow, Ms Celia
Barron, rh Mr. Kevin
Battle, rh Mr. John
Bayley, Hugh
Beckett, rh Margaret
Begg, Miss Anne
Bell, Sir Stuart
Benn, rh Hilary
Benton, Mr. Joe
Betts, Mr. Clive
Blackman, Liz
Blackman-Woods, Dr. Roberta
Blears, rh Hazel
Blizzard, Mr. Bob
Blunkett, rh Mr. David
Borrow, Mr. David S.
Bradshaw, rh Mr. Ben
Brennan, Kevin
Brown, Lyn
Brown, rh Mr. Nicholas
Brown, Mr. Russell
Brownwe, rh Des
Bryant, Chris
Burden, Richard
Burgon, Colin
Burnham, rh Andy
Butler, Ms Dawn
Byers, rh Mr. Stephen
Byrne, rh Mr. Liam
Caborn, rh Mr. Richard
Cairns, David
Campbell, Mr. Alan
Campbell, Mr. Ronnie
Caton, Mr. Martin
Cawsey, Mr. Ian
Chapman, Ben
Chaytor, Mr. David
Clapham, Mr. Michael
Clark, Paul
Clarke, rh Mr. Charles
Clarke, rh Mr. Tom
Clwyd, rh Ann
Coaker, Mr. Vernon
Coffey, Ann
Connarty, Michael
Cooper, Rosie
Cooper, rh Yvette
Crausby, Mr. David
Creegh, Mary
Cruddas, Jon
Cryer, Mrs. Ann
Cummings, John

Cunningham, Mr. Jim
Cunningham, Tony
Darling, rh Mr. Alistair
David, Mr. Wayne
Davidson, Mr. Ian
Davies, Mr. Quentin
Dean, Mrs. Janet
Denham, rh Mr. John
Dhanda, Mr. Parmjit
Dobbin, Jim
Donohoe, Mr. Brian H.
Doran, Mr. Frank
Dowd, Jim
Eagle, Angela
Eagle, Mara
Ellman, Mrs. Louise
Engel, Natascha
Ennis, Jeff
Fitzpatrick, Jim
Fiello, Mr. Robert
Flint, rh Caroline
Flynn, Paul
Follett, Barbara
Foster, Mr. Michael
(Worcester)
Foster, Michael Jabez
(Hastings and Rye)
Francis, Dr. Hywel
Gapes, Mike
George, rh Mr. Bruce
Gilroy, Linda
Godsiff, Mr. Roger
Goggins, rh Paul
Griffith, Nia
Griffiths, Nigel
Grogan, Mr. John
Gwynne, Andrew
Hain, rh Mr. Peter
Hall, Mr. Mike
Hall, Patrick
Hamilton, Mr. David
Hanson, rh Mr. David
Harris, Mr. Tom
Havard, Mr. Dai
Healey, rh John
Henderson, Mr. Doug
Hendrick, Mr. Mark
Hepburn, Mr. Stephen
Heppell, Mr. John
Hesford, Stephen
Hewitt, rh Ms Patricia
Heyes, David
Hill, rh Keith
Hodgson, Mrs. Sharon
Hoon, rh Mr. Geoffrey
Hope, Phil
Howarth, rh Mr. George
Howells, rh Dr. Kim
Hoyle, Mr. Lindsay
Humble, Mrs. Joan
Hutton, rh Mr. John
Iddon, Dr. Brian
Illesley, Mr. Eric
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<td>Kennedy, r Mr Charles</td>
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<tr>
<td>McGrady, Mr Eddie</td>
<td>Liberal Democrats</td>
</tr>
<tr>
<td>McIntosh, Miss Anne</td>
<td>Liberal Democrats</td>
</tr>
</tbody>
</table>
which were laid before the House on 9 June, be approved.

Bayley, Hugh
Battle, rh John
Barlow, Ms Celia
Banks, Gordon
Baird, Vera
Bald, rh John
Bayley, Hugh
Beckett, rh Margaret

Browne, rh Des
Bryant, Chris
Burden, Richard
Burgon, Colin
Burnham, rh Andy
Butler, Ms Dawn
Byers, rh Mr. Stephen
Byrne, rh Mr. Liam
Caborn, rh Mr. Richard
Cairns, David
Campbell, Mr. Alan
Campbell, Mr. Ronnie
Caton, Mr. Martin
Cawsey, Mr. Ian
Chapman, Ben
Chaytor, Mr. David
Clapham, Mr. Michael
Clark, Paul
Clarke, rh Mr. Charles
Clarke, rh Mr. Tom
Clwyd, rh Ann
Coaker, Mr. Vernon
Coffey, Ann
Connarty, Michael
Cooper, Rosie
Cooper, rh Yvette
Cousins, Jim
Crusddas, Jon
Cryer, Mrs. Ann
Cummings, John
Cunningham, Mr. Jim
Cunningham, Tony
Darling, rh Mr. Alistair
David, Mr. Wayne
Davidson, Mr. Ian
Davies, Mr. Quentin
Dean, Mrs. Janet
Denham, rh Mr. John
Dhanda, Mr. Parmjit
Dobbin, Jim
Donohoe, Mr. Brian H.
Doran, Mr. Frank
Dowd, Jim
Eagle, Angela
Eagle, Maria
Ellman, Mrs. Louise
Engel, Natascha
Ennis, Jeff
Fitzpatrick, Jim
Fiell, Mr. Robert
Flint, rh Caroline
Flynn, Paul
Follett, Barbara
Foster, Mr. Michael
Foster, Michael Jabez (Hastings and Rye)
Francis, Dr. Hywel
Gapes, Mike
George, rh Mr. Bruce
Gilroy, Linda
Godsiff, Mr. Roger
Goggins, rh Paul
Griffith, Nia
Griffiths, Nigel
Grogan, Mr. John
Gwynne, Andrew
Hain, rh Mr. Peter
Hall, rh Mr. Mike
Hall, Patrick
Hamilton, Mr. David
Hanson, rh Mr. David
Harris, Mr. Tom
Havard, Mr. Dai
Healey, rh John
Henderson, Mr. Doug
Hendrick, Mr. Mark
Hepburn, Mr. Stephen
Heppell, Mr. John
Hesford, Stephen
Hewitt, rh Ms Patricia
Heyes, David
Hill, rh Keith
Hodgson, Mrs. Sharon
Hoon, rh Mr. Geoffrey
Hope, Phil
Howarth, rh Mr. George
Howells, rh Dr. Kim
Hoyle, Mr. Lindsay
Humble, Mrs. Joan
Hutton, rh Mr. John
Iddon, Dr. Brian
Illsley, Mr. Eric
Ingram, rh Mr. Adam
Irranca-Davies, Huw
James, Mrs. Siân C.
Jenkins, Mr. Brian
Johnson, rh Alan
Johnson, rh Ms Diana R.
Jones, Helen
Jones, rh Mr. Kevan
Jones, Mr. Martyn
Jowell, rh Tessa
Joyce, Mr. Eric
Keeble, Ms Sally
Keeley, Barbara
Keen, Ann
Kelly, rh Ruth
Khan, rh Mr. Sadiq
Kidney, Mr. David
Knight, rh Jim
Kumar, Dr. Ashok
Ladyman, Dr. Stephen
Lammy, rh Mr. David
Laxton, Mr. Bob
Lazarowicz, Mark
Lepper, David
Levitt, Tom
Lewis, Mr. Ivan
Linton, Martin
Lloyd, Tony
Lucas, Ian
MacShane, rh Mr. Denis
Mahmood, Mr. Khalid
Malik, Mr. Shahid
Mallaber, Judy
Mann, John
Marris, Rob
Marson, Mr. Gordon
Martlew, Mr. Eric
McAvoys, rh Mr. Thomas
McCarthy, Kerry
McCarty-Fry, Sarah
McFadden, rh Mr. Pat
McFall, rh John
McGuire, rh Mrs. Anne
McIsaac, Shona
McKechin, Ann
McKenna, Rosemary
McNulty, rh Mr. Tony
Meaie, Mr. Alan
Merron, Gillian

Deferred Divisions
1099
1100
8 JULY 2009
Deferred Divisions

Question accordingly agreed to.

Identity Cards

That the draft Identity Cards Act 2006 (Application and Issue of ID Card and Notification of Changes) Regulations 2009, which were laid before the House on 9 June, be approved.

The House divided: Ayes 271, Noes 218.

Division No. 192]

Ayes

Ainsworth, rh Mr. Bob
Alexander, rh Mr. Douglas
Allen, Mr. Graham
Anderson, Janet
Armstrong, rh Hilary
Austin, Mr. Ian
Austin, John
Bailey, Mr. Adrian
Baird, Vera
Balls, rh Ed
Banks, Gordon
Barlow, Ms Celia
Barron, rh Mr. Kevin
Bate, rh John
Bayley, Hugh
Beckett, rh Margaret

Begg, Miss Anne
Bell, Sir Stuart
Benn, rh Hilary
Benton, Mr. Joe
Betts, Mr. Clive
Blackman, Liz
Blackman-Woods, Dr. Robert
Blears, rh Hazel
Blizzard, Mr. Bob
Blunkett, rh Mr. David
Borrow, Mr. David S.
Bradshaw, rh Mr. Ben
Brennan, Kevin
Brown, Llyr
Brown, rh Mr. Nicholas
Brown, rh Mr. Russell

Browne, rh Des
Bryant, Chris
Burden, Richard
Burgon, Colin
Burnham, rh Andy
Butler, Ms Dawn
Byers, rh Mr. Stephen
Byrne, rh Mr. Liam
Caborn, rh Mr. Richard
Cairns, David
Campbell, Mr. Alan
Campbell, Mr. Ronnie
Caton, Mr. Martin
Cawsey, Mr. Ian
Chapman, Ben
Chaytor, Mr. David
Clapham, Mr. Michael
Clark, Paul
Clarke, rh Mr. Charles
Clarke, rh Mr. Tom
Clwyd, rh Ann
Coaker, Mr. Vernon
Coffey, Ann
Connarty, Michael
Cooper, Rosie
Cooper, rh Yvette
Cousins, Jim
Crusddas, Jon
Cryer, Mrs. Ann
Cummings, John
Cunningham, Mr. Jim
Cunningham, Tony
Darling, rh Mr. Alistair
David, Mr. Wayne
Davidson, Mr. Ian
Davies, Mr. Quentin
Dean, Mrs. Janet
Denham, rh Mr. John
Dhanda, Mr. Parmjit
Dobbin, Jim
Donohoe, Mr. Brian H.
Doran, Mr. Frank
Dowd, Jim
Eagle, Angela
Eagle, Maria
Ellman, Mrs. Louise
Engel, Natascha
Ennis, Jeff
Fitzpatrick, Jim
Fiell, Mr. Robert
Flint, rh Caroline
Flynn, Paul
Follett, Barbara
Foster, Mr. Michael
Foster, Michael Jabez (Hastings and Rye)
Francis, Dr. Hywel
Gapes, Mike
George, rh Mr. Bruce
Gilroy, Linda
Godsiff, Mr. Roger
Goggins, rh Paul
Griffith, Nia
Griffiths, Nigel
Grogan, Mr. John
Gwynne, Andrew
Hain, rh Mr. Peter
Hall, Mr. Mike
Hall, Patrick
Hamilton, Mr. David
Hanson, rh Mr. David
Harris, Mr. Tom
Havard, Mr. Dai
Healey, rh John
Henderson, Mr. Doug
Hendrick, Mr. Mark
Hepburn, Mr. Stephen
Heppell, Mr. John
Hesford, Stephen
Hewitt, rh Ms Patricia
Heyes, David
Hill, rh Keith
Hodgson, Mrs. Sharon
Hoon, rh Mr. Geoffrey
Hope, Phil
Howarth, rh Mr. George
Howells, rh Dr. Kim
Hoyle, Mr. Lindsay
Humble, Mrs. Joan
Hutton, rh Mr. John
Iddon, Dr. Brian
Illsley, Mr. Eric
Ingram, rh Mr. Adam
Irranca-Davies, Huw
James, Mrs. Siân C.
Jenkins, Mr. Brian
Johnson, rh Alan
Johnson, rh Ms Diana R.
Jones, Helen
Jones, rh Mr. Kevan
Jones, Mr. Martyn
Jowell, rh Tessa
Joyce, Mr. Eric
Keeble, Ms Sally
Keeley, Barbara
Keen, Ann
Kelly, rh Ruth
Khan, rh Mr. Sadiq
Kidney, Mr. David
Knight, rh Jim
Kumar, Dr. Ashok
Ladyman, Dr. Stephen
Lammy, rh Mr. David
Laxton, Mr. Bob
Lazarowicz, Mark
Lepper, David
Levitt, Tom
Lewis, Mr. Ivan
Linton, Martin
Lloyd, Tony
Lucas, Ian
MacShane, rh Mr. Denis
Mahmood, Mr. Khalid
Malik, Mr. Shahid
Mallaber, Judy
Mann, John
Marris, Rob
Marson, Mr. Gordon
Martlew, Mr. Eric
McAvoys, rh Mr. Thomas
McCarthy, Kerry
McCarty-Fry, Sarah
McFadden, rh Mr. Pat
McFall, rh John
McGuire, rh Mrs. Anne
McIsaac, Shona
McKechin, Ann
McKenna, Rosemary
McNulty, rh Mr. Tony
Meaie, Mr. Alan
Merron, Gillian
That the draft Identity Cards Act 2006 (Prescribed Information) Regulations 2009, which were laid before this House on 9 June, be approved.

Byers, rh Mr. Stephen
Butler, Ms Dawn
Burnham, rh Andy
Burnham, rh Mr. Brian H.
Dobbin, Jim
Dhanda, Mr. Parmjit
Denham, rh Mr. John
Dean, Mrs. Janet
Davies, Mr. Quentin
Cunningham, Tony
Cruddas, Jon
Coaker, Mrs. Anna
Courtenay, Michael
Cooper, Rosie
Cooper, rh Yvette
Cousins, Jim
Crausby, Mr. David
Cragg, Mary
Craddas, Jon
Cryer, Mrs. Ann
Cummins, John
Cunningham, Mr. Jim
Cunningham, Tony
Darling, rh Mr. Alistair
David, Mr. Wayne
Davidson, Mr. Ian
Davies, Mr. Rhys
Dean, Mrs. Janet
Denham, rh Mr. John
Dhanda, Mr. Parmjit
Dobbin, Jim
Donehoe, Mr. Brian H.
Doran, Mr. Frank
Dowd, Jim
Eagle, Angela
Eagle, Maria
Ellman, Mrs. Louise
Engel, Natalaska
Ennis, Jeff
Fitzpatrick, Jim
Fiell, Mr. Robert
Flint, rh Caroline
Fynn, Paul
Pollett, Barbara
Foster, Mr. Michael
Foster, Michael Jabez
(Hastings and Rye)
Francis, Dr. Hywel
Gapes, Mike
George, rh Mr. Bruce
Gilroy, Linda
Godsiff, Mr. Michael
Goggins, rh Paul
Griffith, Nia
Griffiths, Nigel
Grogan, Mr. John
Gwynne, Andrew
Hall, rh Mr. Peter
Hall, Mr. Mike
Hall, Patrick
Hamilton, Mr. David
Hanson, rh Mr. David
Harris, Mr. Tom
Havard, Mr. Dai
Healey, rh John
Henderson, Mr. Doug
Hendrick, Mr. Mark
Hepburn, Mr. Stephen
Heppell, Mr. John
Hesford, Stephen
Hewitt, rh Ms Patricia
Heyes, David
Hill, rh Keith
Hodge, rh Margaret
Hodgson, Mrs. Sharon
Hoon, rh Mr. Geoffrey
Hope, Phil
Howarth, rh Mr. George
Howells, rh Dr. Kim
Hoyle, rh Lindsay
Humble, Mrs. Joan
Hutton, rh Mr. John
Iddon, Dr. Brian
Illsley, Mr. Eric
Ingram, rh Mr. Adam
Irранa-Davies, Huw
James, Mrs. Siân C.
Jenkins, Mr. Brian
Johnson, rh Alan
Johnson, rh Mr. Anthony
Johnson, Ms Diana R.
Jones, Helen
Jones, Mr. Kevan
Jones, Mr. Martyn
Jowell, rh Tessa
Joyce, rh Mr. Eric
Keeble, Ms Sally
Keeley, Barbara
Keen, Ann
Kelly, rh Ruth
Khan, rh Mr. Sadiq
Kidney, rh Mr. David
Knight, rh Jim
Kumar, Dr. Ashok
Ladyman, rh Mr. Stephen
Lammy, rh Mr. David
Laxton, Mr. Bob
Lazarowicz, Mark
Lepper, David
Levitt, Tom
Lewis, Mr. Ivan
Linton, Martin
Lloyd, Tony
Lucas, Ian
MacShane, rh Mr. Denis
Mahmood, rh Mr. Khalid
Malik, rh Mr. Shadih
Mallaber, Judy
Mann, John
Marris, Rob
Marsden, rh Mr. Gordon
Martlew, rh Mr. Eric
McAvoy, rh Mr. Thomas
McCarthy, Mr. Henry
McCarthy-Fry, Sarah
McFadden, rh Mr. Pat
McFall, rh John
McGuire, rh Mr. Anne
McIface, Shona
McKechnie, Ann
McKenna, Rosemary
McNulty, rh Mr. Tony
Meale, Mr. Alan
Merron, Gillian
Michael, rh Alan
Miliband, rh Edward
Miller, Andrew
Moffat, Anne
Moffatt, Laura
Mole, Chris
Moran, Mrs. Madeleine
Morden, Jessica
Morgan, Julie
Mountford, Kali
Mudie, Mr. George
Mullin, rh Mr. Chris
Munn, Meg
Murphy, rh Mr. Denis
Murphy, rh Mr. Paul
Naysmith, Mr. Doug
Norris, Dan
O’Hara, rh Mr. Edward
Olner, Mr. Bill
Osborne, Sandra
Palmer, Dr. Nick
Pearson, Ian
Pope, rh Mr. Greg
Pound, Stephen
Prentice, Bridget
Prentice, rh Mr. Gordon
Primarolo, rh Dawn
Prosper, Gwyn
Purchase, Mr. Ken
Purnell, rh James
Rammell, Bill
Reed, rh Mr. Andy
Reed, rh Mr. Jamie
Reid, rh John
Riordan, Mrs. Linda
Robertson, John
Robinson, rh Mr. Geoffrey
Rooney, rh Mr. Terry
Roy, rh Mr. Frank
Roy, rh Lindsay
Ruane, Chris
Ruddock, Joan
Russell, Christine
Ryan, rh John
Salter, Martin

House on 9 June, be approved.

Question accordingly agreed to.

IDENTITY CARDS

That the draft Identity Cards Act 2006 (Prescribed Information) Regulations 2009, which were laid before this House on 9 June, be approved.

The House divided: Ayes 273, Noes 217.

Division No. 193]
Deferral Divisions

Deferred Divisions

8 JULY 2009

DEFERRED DIVISIONS

1105

1106

Davies, Mr. Dai
Curry, Mr. David
Smith, Ms Angela C.
(Sheffield, Hillsborough)
Smith, rh Angela E.
(Basildon)
Davies, Mr. Mohammad
Seabeck, Alison
Sharma, Mr. Virendra
Sheerman, Mr. Barry
Sheridan, Jim
Simon, Mr. Siôn
Singh, Mr. Marsha
Skinner, Mr. Dennis
Slaughter, Mr. Andy
Smith, rh Mr. Andrew
Smith, Sir Patrick
Clifton-Brown, Mr. Geoffrey
Clarke, rh Mr. Kenneth
Clark, Greg
Clappison, Mr. James
Challen, Colin
Cash, Mr. William
Challen, Colin
Chope, Mr. Christopher
Clappison, Mr. James
Clark, Greg
Clarke, rh Mr. Kenneth
Clifton-Brown, Mr. Geoffrey
Corbyn, Jeremy
Cormack, Sir Patrick
Crabb, Mr. Stephen
Curry, rh Mr. David
Davies, Mr. Dai
Taylor, Ms Dari
Thomas, Mr. Gareth
Timms, rh Mr. Stephen
Touhig, rh Mr. Don
Trickett, Jon
Turner, Mr. Neil
Twiggy, Derek
Ussher, Kitty
Vis, Dr. Rudi
Walley, Joan
Walsho, Lynda
Warl, Claire
Watson, Mr. Tom
Watts, Mr. Dave
Whitehead, Dr. Alan
Wicks, rh Malcolm
Williams, rh Mr. Alan
Williams, Mrs. Betty
Wills, rh Mr. Michael
Wilson, Phil
Winterton, rh Ms Rosie
Woodward, rh Mr. Shaun
Wright, Mr. Anthony
Wright, David
Wright, Mr. Iain
Wright, Dr. Tony
Wyatt, Derek

Harvey, Nick
Hayes, Mr. John
Heald, Mr. Oliver
Heath, Mr. David
Heathcoat-Armory, rh
Mr. David
Hemming, John
Hendy, Charles
Herbert, Nick
Hoban, Mr. Mark
Hollobone, Mr. Philip
Horam, Mr. John
Horwood, Martin
Hosie, Stewart
Howard, rh Mr. Michael
Howarth, David
Howarth, Mr. Gerald
Howell, John
Huhne, Chris
Hunt, Mr. Jeremy
Hunter, Mark
Hurd, Mr. Nick
Jackson, Mr. Stewart
Jenkin, Mr. Bernard
Jones, Mr. David
Jones, Lynne
Kawczynski, Daniel
Keetch, Mr. Paul
Kennedy, rh Mr. Charles
Kirkbride, Miss Julie
Knight, rh Mr. Greg
Laing, Mrs. Eleanor
Lait, Mrs. Jacqui
Lansley, Mr. Andrew
Laws, Mr. David
Leech, Mr. John
Leigh, Mr. Edward
Letwin, rh Mr. Oliver
Lewis, Dr. Julian
Lilley, rh Mr. Peter
Llwyd, Mr. Elfyn
Loughton, Tim
Luff, Peter
Mackay, rh Mr. Andrew
Mackinlay, Andrew
Maclean, rh David
MacNeil, Mr. Angus
Mason, John
McCrea, Dr. William
McDonnell, Dr. Alasdair
McDonnell, John
McGrady, Mr. Eddie
McIntosh, Miss Anne
McLoughlin, rh Mr. Patrick
Mecer, Patrick
Miller, Mrs. Maria
Mitchell, Mr. Andrew
Moore, Mr. Michael
Mulholland, Greg
Mundell, David
Murrison, Dr. Andrew
Neill, Robert
O’Brien, Mr. Stephen
Ópik, Lembit
Osborne, Mr. George
Ottaway, Richard
Owen, Albert
Paterson, Mr. Owen
Pelling, Mr. Andrew

Penrose, John
Pickles, Mr. Eric
Pugh, Dr. John
Randall, Mr. John
Reid, Mr. Alan
Rennie, Willie
Rifkind, rh Sir Malcolm
Robathan, Mr. Andrew
Robertson, Angus
Robertson, Hugh
Robertson, Mr. Laurence
Robinson, Mrs. Iris
Robinson, rh Mr. Peter
Rogerson, Dan
Rowen, Paul
Russell, Bob
Salmond, rh Mr. Alex
Sanders, Mr. Adrian
Scott, Mr. Lee
Selous, Andrew
Shapps, Grant
Shepherd, Mr. Richard
Simmons, Mark
Simpson, Alan
Simpson, David
Smith, Sir Robert
Soames, Mr. Nicholas
Spelman, Mrs. Caroline
Spicer, Sir Michael
Spring, Mr. Richard
Stanley, rh Sir John
Streeter, Mr. Gary
Stuart, Mr. Graham
Stunell, Andrew
Swynne, Mr. Desmond
Swinson, Jo
Syms, Mr. Robert
Tapsell, Sir Peter
Taylor, David
Taylor, Matthew
Taylor, Dr. Richard
Teather, Sarah
Timpson, Mr. Edward
Todd, Mr. Mark
Tredinnick, David
Turner, Mr. Andrew
Tyrie, Mr. Andrew
Vara, Mr. Shalesh
Villiers, Mrs. Theresa
Wallace, Mr. Ben
Waterson, Mr. Nigel
Watkinson, Angela
Webb, Steve
Weir, Mr. Mike
Willetts, Mr. David
Williams, Hywel
Williams, Mark
Williams, Mr. Roger
Williams, Stephen
Willis, Mr. Phil
Willott, Jenny
Wiltshire, Mr. David
Wilson, Mr. Rob
Wilson, Sammy
Winnick, Mr. David
Winterton, Sir Nicholas
Wishart, Pete
Wright, Jeremy
Young, rh Sir George

Question accordingly agreed to.
That this House takes note of the unnumbered Explanatory Memorandum dated 11 June 2009 from HM Treasury on the Preliminary Draft Budget of the European Communities for the year 2010; and supports the Government’s efforts to maintain budget discipline in relation to the budget of the European Communities.

The House divided: Ayes 345, Noes 142.

Division No. 194]

AYES

Abbott, Ms Diane
Abbott, Mr. Bob
Ainsworth, rh Mr. Bob
Alexander, rh Mr. Douglas
Allen, Mr. Graham
Anderson, Janet
Armstrong, rh Hilary
Austin, Mr. Ian
Austin, John
Bailey, Mr. Adrian
Baird, Vera
Baker, Norman
Banks, Gordon
Barlow, Ms Celia
Barron, rh Mr. Kevin
Battle, rh John
Bayley, Hugh
Beckett, rh Margaret
Begg, Miss Anne
Beith, rh Sir Alan
Bell, Sir Stuart
Benn, rh Hilary
Bent, Mr. Joe
Betts, Mr. Clive
Blackman, Liz
Blackman-Woods, Dr. Roberta
Blears, rh Hazel
Blizzard, Mr. Bob
Blunkett, rh Mr. David
Borrow, Mr. David S.
Bradshaw, rh Mr. Ben
Brake, Tom
Breed, Mr. Colin
Brennan, Kevin
Brooke, Annette
Brown, Lyn
Brown, rh Mr. Nicholas
Brown, Mr. Russell
Browne, Mr. Jeremy
Bruce, rh Malcolm
Bryant, Chris
Burden, Richard
Burgon, Colin
Burnham, rh Andy
Burston, Mr. Paul
Burt, Lorely
Butler, Ms Dawn
Byers, rh Mr. Stephen
Byrne, rh Mr. Liam
Cabinet, rh Mr. Richard
Cairns, David
Campbell, Mr. Alan
Campbell, Mr. Gregory
Campbell, rh Sir Menzies
Campbell, Mr. Ronnie
Carmichael, Mr. Alistair
Caton, Mr. Martin
Cawsey, Mr. Ian
Challen, Colin
Champion, Ben
Chaytor, Mr. David
Clapham, Mr. Michael
Clark, Paul
Clare, rh Mr. Charles
Clarke, rh Mr. Tom
Clwyd, rh Ann
Coaker, Mr. Vernon
Coffee, Ann
Connarty, Michael
Cooper, Rosie
Cooper, rh Yvette
Corbyn, Jeremy
Cousins, Jim
Crausby, Mr. David
Craigh, Mary
Cruddas, Jon
Cryer, Mrs. Ann
Cummings, John
Cunningham, Mr. Jim
Cunningham, Tony
Darling, rh Mr. Alistair
David, Mr. Wayne
Davidson, Mr. Ian
Davies, Mr. Tony
Dean, Ms Janet
Denham, rh Mr. John
Devine, Mr. Jim
Dhanda, Mr. Parmjit
Dobbin, Jim
Dodds, Mr. Nigel
Donaldson, rh Mr. Jeffrey M.
Donohoe, Mr. Brian H.
Doran, Mr. Frank
Dowd, Jim
Drew, Mr. David
Eagle, Angela
Eagle, Maria
Elman, Mrs. Louise
Engel, Natascha
Ennis, Jeff
Farron, Tim
Featherstone, Lynne
Fitzpatrick, Jim
Fliell, Mr. Robert
Flint, rh Caroline
Flynn, Paul
Follett, Barbara
Foster, Mr. Don
Foster, rh Michael
Foster, Michael Jabez (Worcester)
Foster, Michael Jabez (Hastings and Rye)
Francis, Dr. Hywel
Gapes, Mike
George, Andrew
George, rh Mr. Bruce
Gerrard, rh Mr. Neil
Gidley, Sandra
Gilroy, Linda
Godsiff, Mr. Roger
Goggins, rh Paul
Goldsworthy, Julia
Griffith, Nia
Griffiths, Nigel
Grogan, Mr. John
Gwynne, Andrew
Hain, rh Mr. Peter
Hall, Mr. Mike
Hall, Patrick
Hamilton, Mr. David
Hanson, rh Mr. David
Harris, Dr. Evan
Harris, rh Mr. Tom
Harvey, Nick
Havard, Mr. Dai
Healey, rh John
Heath, Mr. David
Hemming, John
Henderson, Mr. Doug
Hendrick, rh Mr. Mark
Heburn, Mr. Stephen
Heppell, Mr. John
Hesford, Stephen
Hewitt, rh Ms Patricia
Heyes, David
Hill, rh Keith
Hodgson, Mrs. Sharon
Hoon, rh Mr. Geoffrey
Hope, Philip
Horwood, Martin
Howarth, David
Howarth, rh Mr. George
Howells, rh Dr. Kim
Hoyle, Mr. Lindsay
Huhne, Chris
Humble, Mrs. Joan
Hunter, Mark
Hutton, rh Mr. John
Iddon, Dr. Brian
Illsley, Mr. Eric
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, Lyne
Jones, Mr. Martyn
Jowell, rh Tessa
Joyce, rh Mr. Eric
Keeble, Ms Sally
Keeley, Barbara
Keen, Ann
Keetch, Mr. Paul
Kelly, rh Ruth
Kennedy, rh Mr. Charles
Khan, rh Mr. Sadiq
Kidney, Mr. David
Knight, rh Jim
Kumar, Dr. Ashok
Ladymann, Dr. Stephen
Lammy, rh Mr. David
Laws, Mr. David
Laxton, Mr. Bob
Lazarowicz, Mark
Leech, Mr. John
Lepper, Da, rh
Levitt, Tom
Lewis, Mr. Ivan
Linton, Martin
Lloyd, Tony
Lucas, Ian
Mackinlay, Andrew
MacShane, rh Mr. Denis
Mahmood, Mr. Khalid
Malik, Mr. Shahid
Mallaber, Judy
Mann, John
Marris, Rob
Marsden, rh Mr. Gordon
Martlew, Mr. Eric
McAvoy, rh Mr. Thomas
McCarthy, Kerry
McCarthy-Fry, Sarah
McCrea, Dr. William
McDonnell, Dr. Alasdair
McDonnell, John
McFadden, rh Mr. Pat
McFall, rh John
McGrady, Mr. Eddie
McGuire, rh Mrs. Anne
McIsaac, Shona
McKechnie, Ann
McKenna, Rosemary
McNulty, rh Mr. Tony
Mea, rh Mr. Alan
Merron, Gillian
Michael, rh Alun
Miliband, rh Edward
Miller, Andrew
Moffat, Anne
Moffatt, Laura
Mole, Chris
Moon, Mrs. Madeleine
Moore, Mr. Michael
Morden, Jessica
Morgan, Julie
Mountford, Kali
Mudie, Mr. George
Mulholland, Greg
Mullin, Mr. Chris
Munn, Meg
Murphy, rh Mr. Denis
Murphy, rh Mr. Paul
Naysmith, Dr. Doug
Norris, Dan
O'Hara, Mr. Edward
Olner, rh Bill
Öpik, Lembit
Osborne, Sandra
Owen, Albert
Palmer, Dr. Nick
Pearson, Ian
Pope, Mr. Greg
Pound, Stephen
Prentice, Bridget
Prentice, rh Mr. Gordon
Primarolo, rh Dawn
Prosser, Gwyn
Pugh, Dr. John
Purchase, Mr. Ken
Purnell, rh James
Rammell, Bill
Reed, Mr. Andy
Reed, rh Mr. Jamie
Reid, Mr. Alan
Reid, rh John
Rennie, Willie
Riordan, Mrs. Linda
Robertson, John
Robinson, Mr. Geoffrey
Question accordingly agreed to.
Westminster Hall

Wednesday 8 July 2009

[MR. CHRISTOPHER CHOPe in the Chair]

Human Rights (Iran)

Motion made, and Question proposed, That the sitting be now adjourned.—(Kerry McCarthy.)

9.30 am

Lembit Öpik (Montgomeryshire) (LD): I thank right hon. and hon. Members for attending this debate. I am particularly grateful to Mr. Speaker for granting my request for this debate on human rights in Iran. That we should be holding it now will come as no surprise. Regrettably, the authorities in Iran have not chosen to build bridges, despite the olive branches that have been offered by me and so many others. In the past few weeks, we have clearly seen demonstrated both the internal tensions within Iran and the readiness of elements in the Iranian state to use violence and oppression.

I come from the perspective of the problems faced by Iran's Baha'i community, but I note also the plight of many other Iranian minority communities and the treatment of Iranian women. And who can ignore the Iranian state's use of capital punishment? Few nations on earth execute people as often or for as many different reasons.

Nevertheless, I want to make it clear to this House and to the Iranian authorities that my objective is not to pillory that great nation. I do not conduct politics through confrontation or simplistic condemnation of individuals or Governments. Rather, my two goals are to resolve the pressing human rights issues facing the Baha'i faith in Iran and to prevent a dreadful miscarriage of justice in the days ahead.

The Baha'i faith has 5 million adherents worldwide, and there are 6,000 in Britain. However, the historic roots of the community lie in Iran. Despite persecution since the inception of the religion in the 19th century, the Baha'i remain the largest single religious minority community in that country, numbering around 300,000 members.

Baha'is have historically been treated as scapegoats during times of social tension, but conditions sharply deteriorated after the Iranian revolution of 1979. Sadly, that situation continues to this day. Since 1979, more than 200 Baha'is have been killed and 15 others have disappeared—we must presume that they are dead. Repression of their community has included executions and imprisonment, as well as denial of the right to educate their youth. There have been regular and persistent attacks on their social, economic and cultural rights.

The Baha'is seek no special privileges. All they seek are conditions that accord with the International Bill of Human Rights, of which Iran is a signatory. The right to life, the right to profess and practice their religion, the right to liberty and security of person, and the right to education and work: those are not heady demands. Indeed, I am the chairman of the all-party Friends of the Baha'i group only because I am not a Baha'i myself. Were I to sign up to the faith, technically, I would have to leave party politics—something which I am glad to say I have not yet been persuaded to do. [HON. MEMBERS: “Go on.”] Until this moment.

It is important to note that subversive activity and all forms of violence are not permitted by the Baha'i faith. It follows that the Baha'i community in Iran, and, in fact, in the United Kingdom, is not aligned with any Government, ideology or opposition movement. Furthermore, showing good will to the followers of all religions is a basic, fundamental tenet of the Baha'i faith. The Baha'is are not enemies of Islam nor, indeed, of Iran. One could not find a more benign and humanistic religion anywhere on earth. The faith is of a pure, gentle and spiritual giving nature. It threatens no one but holds out a hand of friendship to one and all.

Given the character of the Baha'i faith, it is all the more tragic that, in the past few years, there has been a resurgence of extreme forms of persecution directed at the Baha'i community of Iran. The upsurge has alarmed human rights monitors who fear not only for those Baha'is affected by the Government's renewed campaign but also that such attacks portend something far worse.

International experts on ethnic, racial and religious cleansing have identified a number of warning signs that often foreshadow widespread purges. Several recent developments add to those concerns, and I shall cite them now. First, seven members of the Baha'i leadership group have been arbitrarily detained for more than eight months and still have no access to legal counsel. They form the core concern that has led to this debate. There are worrying precedents to the situation. After the revolution in Iran, the nine members of the National Assembly were abducted and disappeared. Nothing has been heard of them since then, and they are presumed dead. A new National Assembly was elected, and in 1981 eight of the nine members of that body were executed.

Secondly, arbitrary arrests and detentions are being made, chiefly by the Intelligence Ministry. Currently, 31 Baha'is are in prison, and, as of June 2009, 78 Baha'is who had been detained and then released on bail are awaiting trial. Thirdly, there has been a general upsurge in vigilante attacks against Baha'is and their properties, such as the bulldozing of Baha'i cemeteries and the torching of Baha'i homes. Fourthly, there appears to be an increase in incitement and propaganda in state-run news media to vilify and defame Baha'is as individuals and the faith as a whole. The fifth example is the deliberate policy of denying Baha'is their right to a livelihood by banning them from employment options, confiscating their means of business, and blocking their access to higher education.

Much of that is part the Iranian Government's strategy to suppress the Baha'i community without attracting undue international attention, as outlined in a secret memorandum from 1991 that aimed at establishing a policy regarding “the Baha'i question”. So we know that there has been a strategy behind all this in the past, and it is reasonable to assume that there is a similar strategy at present.

Little wonder, then, that the Baha'is of Iran are denied the right to practice their faith freely, which is a right guaranteed under international human rights instruments such as the International Bill of Human Rights, to which, I stress again, Iran is a state party.
Baha'is recognise that there are many other oppressed groups in Iran, including academics, women's rights activists, students and journalists. The situation of Iranian Baha'is, however, offers a special case, inasmuch as they are persecuted solely because of their religious belief, despite remaining committed to non-violence and non-partisanship and seeking only to contribute to the development of their homeland.

Our experience indicates that bilateral and multilateral scrutiny of Iran's human rights record is the best method of engaging the Iranian authorities and preventing further deterioration of human rights for the many citizens of that country who face repression. The seven members of the Yaran—the Friends—constitute an ad hoc leadership body that co-ordinates the activities of the 300,000 strong Baha'i community in Iran. The elected administrative bodies of the Baha'i faith are banned, so these people, detained and on trial as they are, represent the focus of the matter in hand. This, despite the fact that the Iranian authorities have had regular, if informal, contact with the Yaran for many years.

The secretary of the Yaran, Mrs. Mahvash Sabet, was arrested on 5 March 2008 while attending a Baha'i funeral. The remaining six members, Mrs. Fariba Kamalabadi, Mr. Jamaloddin Khanjani, Mr. Afif Naeimi, Mr. Saeid Rezaie, Mr. Behrouz Tavakkoli, and Mr. Vahid Tizfahm, were arrested on 14 May 2008. I expect the Minister to read out all those names as well when he responds. All seven have been detained for more than a year in Evin prison, Tehran. They have been held in section 209, which is under the direct control of the Revolutionary Guard Corps. The five male members have been incarcerated in a cell with no bedding.

In June, the Centre for Human Rights Defenders in Iran learned that the seven will face revolutionary trial, and our best guess is that that will happen on 11 July—this Saturday. The lawyers have indicated that they have had the opportunity to review the related case files but have not been able to complete the process as the files are unusually extensive.

Further to the decision of Ms Shirin Ebadi of the Centre for Human Rights Defenders in Iran to serve as legal counsel for the seven Baha'is, fraudulent claims have appeared in the Iranian media that aim to malign or intimidate her and thereby prevent the Baha'is from having legal representation. Untrue and erroneous stories have also asserted that Ms Ebadi's daughter has apostatised from Islam and converted to the Baha'i faith. Ms Ebadi has also had death threats pinned to the door of her office, one of which was signed "The Association of Anti-Baha'is".

It is understood that the trial will be carried out under the jurisdiction of branch 28 of the revolutionary court. That is significant because the recent case of American-Iranian journalist Roxana Saberi was also tried in branch 28, in camera, in proceedings that lasted a single day, at the end of which she was sentenced to eight years for espionage.

Under Iranian law, the lawyers for the Baha'is are not allowed to reveal information they are privy to from the case file. Amazingly, it remains unclear whether the seven Baha'is have been formally charged with any offence to date—just days before the trial. However, reports in February 2009 indicated that they will be charged with
- "espionage for the state of Israel"
- "spreading propaganda against the Islamic Republic"
- "insulting religious sanctities".

In May of 2009 it was even reported that they will also face accusations of
- "spreading corruption on earth"—a pretty gigantic charge.

The Baha'i international community categorically denies the accusations against these individuals, but fears that they may none the less face execution. So-called spying has long been used as a pretext to persecute Baha'is and as an attempt to impede the progress of the Baha'i community. Since the 1930s, Baha'i have successively been cast as tools of Russian imperialism, of British colonialism, of American expansionism and, most recently, of Zionism. The Baha'i faith has never been a part of any of these movements. There is no truth in this allegation and no evidence to support it.

That the international headquarters of the Baha'i faith is located within the borders of modern-day Israel is purely the result of Baha'u'llah, the founder of the faith, being banished from his native Tehran and sent by Persian and Ottoman authorities in the 19th century to perpetual exile in the city of Acre, near Haifa. Baha'u'llah arrived in Acre in 1868, 80 years before the establishment of the state of Israel. The Iranian Government know this but wilfully chooses to misrepresent the facts.

What would we like to see? Initially, we ask our British Government to apply whatever pressure they can to encourage the Iranian authorities to release the seven members of the Yaran. They have done nothing wrong and do not deserve the treatment that they have received; they deserve justice and release from their unjustified incarceration. If a trial goes ahead—as I say, it is scheduled for 11 July, which is this Saturday—we ask Ministers to impress upon the Iranian authorities before then that it must be carried out in an open, transparent manner, according to international standards, with proper access to legal representation and with no effort to fix the outcome.

In terms of wider action by the Government, we ask for collective action by British Ministers and our European and international partners for a longer-term easing of the persecution that is being endured by the Baha'is and others, including Christians, in Iran. In this context, I cite the plight of Maryam Rostampour and Marzieh Amirizadeh, both held in Evin prison since March 2009, apparently for being Christians. We understand the considerable difficulties in dealing with the Iranian authorities and the limitations of international pressure.

Mr. David Drew (Stroud) (Lab/Co-op): I apologise for missing the first few minutes of the hon. Gentleman's excellent speech. Does he accept that although Christians are less subjugated in Iran they are often the butt of other forms of criticism? Christian Solidarity Worldwide did a great deal of advocacy, as it does in many parts of the world, to get those two ladies out. I hope that my
hon. Friend the Minister will take that matter up. The Baha'is are special people, but the Christians also face difficulties.

Lembit Öpik: I welcome the hon. Gentleman's intervention. I underline the points that he has made to the Minister and to hon. Members. The church that I attend, the Hope community church in Newtown, does a great deal of international work. Alan Hewitt, the chief pastor there, shares the concerns raised by the hon. Gentleman. I hope that the Minister will comment on the plight of Christians and other oppressed minorities, not all of them religious minorities, in Iran. There are considerable difficulties for Christians, as the hon. Gentleman has underlined, but especially for Baha'is.

Scrutiny from national and international bodies has in the past helped to discourage a ratcheting-up of abuses and, hopefully, we can do so again now and in future. Our experience indicates that bilateral and multilateral scrutiny of Iran's human rights record is the right method of engaging the Iranian authorities and preventing a further deterioration of human rights for the many citizens of that country facing repression. A number of Governments, international organisations, and prominent individuals have reacted to the announcement of the trial of the seven members of the Baha'i leadership, including the European Parliament, the United Kingdom Foreign and Commonwealth Office, the United States State Department, the European Union, the Government of Australia, a Canadian parliamentary committee and Amnesty International, which has done tireless work in this regard.

Naturally, the Baha'i international community is calling on the international community at large to request that the Iranian authorities ensure that the seven are either released or receive a fair and open public trial that will be held according to international standards.

I have no visceral dislike of Iran, its people or its Government; it has a great and noble history that exceeds that of many other countries. I have even requested permission to visit Tehran to discuss these matters directly with Iranian officials and politicians to see how we can best resolve these matters to the mutual benefit of all concerned. So far, I have not been able to secure permission to go, but I will keep on trying, despite the fact that the Iranian embassy informed me that I was not able to go due to technical difficulties and the fact that the Iranian authorities do not want to receive observers here. Every country's electoral process should be open to observation, which would create a welcome observers here. Every country's electoral process should be open to observation, which would create a constructive reality in the world, including the UK, should be more than acceptable in any society, be it in Iran, China or anywhere else in the world. People have an absolute right to express their views peaceably on the streets.

I do not believe for one moment that Iran will accept outside supervision of elections, but every country in the world, including the UK, should be more than happy to accept international observers and reporting of elections. We should not be so precious about that. We send observers to other countries and we should welcome observers here. Every country's electoral process should be open to observation, which would create a degree of equality.

These are interesting times, but it seems that after the demonstrations of the past few weeks following the election, the Iranian Government has underlined, but especially for Baha'is. I congratulate the hon. Member for Montgomeryshire (Lembit Öpik) on securing this timely and welcome debate. I endorse all the points that he made about religious freedoms and tolerance, which are necessary in any modern society. In Iran, which has a plethora of ethnic communities and religious groups, that sort of tolerance is more important than in many other countries. I therefore support what the hon. Gentleman said about the rights of Baha'is, Jews, Zoroastrians, Christians, non-Shia Muslims, and people of other religious faiths to be able to practise their religion and to operate in freedom. What he said this morning is extremely important and it is important to have that on the record. Iran is a signatory to the United Nations charter—obviously, because it is a member of the UN—and the universal declaration of human rights. All those rights are protected in international law, so it is perfectly right and proper to exert that pressure.

The demonstrations of the past few weeks following the election have been unprecedented since 1979—phenomenal numbers of people have appeared on the streets. I deplore the way in which many of the demonstrators have been treated—the beatings and killings. That is not acceptable in any society, be it in Iran, China or anywhere else in the world. People have an absolute right to express their views peaceably on the streets.

Coverage of the demonstrations that was received around the world was interesting. Initially, various Iranian channels reported on the demonstrations, as did the BBC, CNN and others, and there was an interesting degree of opening in political debate, both inside and outside Iran, immediately after the elections. One should be pleased about that.

I was pleased to sign and support early-day motion 1755, tabled by my hon. Friend the Member for Stroud (Mr. Drew), which condemns "the arrest, torture and murder of protesters...and urges the Iranian Government to accept fair and free UN-supervised elections."

I do not believe for one moment that Iran will accept outside supervision of elections, but every country in the world, including the UK, should be more than happy to accept international observers and reporting of elections. We should not be so precious about that. We send observers to other countries and we should welcome observers here. Every country's electoral process should be open to observation, which would create a degree of equality.

These are interesting times, but it seems that after the protests about the election and the demands by Mousavi's supporters for a recount following the declared very large majority for Ahmadinejad, the Guardian Council approved a limited and partial recount, but the Supreme Leader declared that the election result must stand and
that was the end of the matter. At that point, public debate was effectively closed down, as was any attempt at serious discussion. We must express serious concern about that, not in a spirit of hostility to Iran or its history and culture, but in a spirit of co-operation and support for civil society in Iran. There is an important distinction to be drawn, which I shall discuss.

The excessive rhetoric, particularly from the Bush Administration and at various times from our Governments, has not helped the situation—in fact, it has made it worse. There must be a process of dialogue and respect. Far too little is understood of Iranian history—Iran is the inheritor of the great civilisation of Persia—and the persistent British and American meddling in Iranian affairs. During the first world war, Britain occupied parts of what is now Iran; we installed and removed various Governments of Iran; and British and Soviet Union forces occupied Iran again during the second world war, eventually withdrawing.

In 1952, the nationalist Mosaddeq Government were elected on a manifesto of obtaining equality of oil revenues from the Anglo-Persian Oil Company, later the Anglo-Iranian Oil Company, which later became BP. The British refused, there was a dispute, and a coup was engineered by the CIA and the British. The Mosaddeq Government were removed, the Shah came to office, compensation was paid to BP, and we were back to square one with a repressive regime under the Shah. Those events are remembered in Iran. Iranians do not forget British involvement and our obsession with their oil reserves. When dealing with Iran, we must remember that we do not have clean hands, and we should be prepared to admit that.

The Shah's oppressive regime, with its appalling human rights record, used outside SAVAK forces to attack Iranian students. I remember that during the 1970s, when the Shah's secret agents operated in British universities and tried to criticise Iranian students who were active. The Shah's human rights record led to huge protests and demonstrations and he was eventually removed in 1979, apparently only a few weeks after the British security services and the CIA had said that it was perfectly safe for him to stay there for many decades. They misunderstood the situation somewhat, and not for the first time.

In the turmoil of the 1979 revolution, Iran did not turn into a secular democracy. It became a Muslim state under Ayatollah Khomeini and the present constitution was invoked. It is an interesting document, but the western press simply fails to understand Iran's power structures. It assumes that President Ahmadinejad, because he is President, is equivalent to President Bush or an executive Prime Minister in the west, but he is not. He is head of the civil Government, obviously, but he and anyone else are allowed to be a candidate in the election only if they are approved by the Council of Guardians, which is responsible to the Supreme Leader. The Assembly of Experts also has a role in appointing the Supreme Leader.

There is a tripartite/quadrupartite sharing of power in Iran, and we should remember that whatever the President or anyone else says, that is not the whole story; it is only part of it. One should try to understand that, and the fact that within all the complications of Iranian society and its structures, there are people who manage to speak up for civil rights and women's rights, to organise trade unions, to pursue intellectual work, and to operate in independent universities. Like any other society, Iran is not a seamless whole, and we should also be aware of that, too. Western strategy on Iran is part of the problem, and I shall be grateful if the Minister says a little more about that.

After Khomeini became the Supreme Leader, Iran entered a period of isolation and US sanctions. Because of the relationship between the US and Iran following the taking of US hostages and the resulting difficulties, the Iran-Iraq war occurred. Although that dreadful war probably suited Saddam Hussein and Ayatollah Khomeini in equal measure, it cost the lives of at least 500,000 people. It also made a great deal of money for the arms industry around the world. We should remember that, again, Britain and the United States do not have clean hands, because at the same time as we were trying to buy oil from Iran, we were supplying arms to Iraq to provoke that war. Our role in recent history is not clear and not clean. Whatever we say about Iran, we should have some respect for our own role.

Israel's threats to Iran are obviously serious and Israel's ability to bomb Iran is very strong. Iran is a signatory to the nuclear non-proliferation treaty, but not the supplementary protocol allowing unannounced inspections. It is developing a nuclear reactor and processor, but that is not the same as developing nuclear weapons. Although I do not want Iran or any other country in the world to develop nuclear weapons, any more than I want this country to continue to hold nuclear weapons, it is impossible to argue credibly for nuclear disarmament and a nuclear-free middle east while we remain silent about Israel's development of nuclear weapons and its obvious ability to use them at some point. If we are serious about bringing about peace in the region, that also requires promotion of a nuclear-free middle east, which requires Israel to be brought to the table through a nuclear weapons convention.

It is important to get those general points on the record. In supporting human rights in Iran, we must build up the best possible contacts and relationships. Parliament to Parliament, there have been Inter-Parliamentary Union delegations, which have enabled some contact and the development of a relationship in that way. Much better relations must also be developed between universities, trade unions and civil society groups, and there must be support for individual cases such as those to which the hon. Member for Montgomeryshire referred.

I chair an organisation called Liberation, which was involved originally as the Movement for Colonial Freedom and is now more of an international solidarity organisation. We had our annual meeting last Saturday and we passed an extensive resolution on Iran. I shall quote some of that very long resolution. We said:

"The high rate of people's participation in the election alerted the international community to the fact that the Iranian people wish to have and take an active role in their own destiny."

It is important to say that. We went on to make specific requests, stating:

"The international community therefore should support the Iranian people's struggle for peace, democracy and social justice in their country."
We pointed out the “continued deterioration” of human rights in recent years in Iran and the “flagrant disregard” for internationally accepted conventions. We were referring to the most extreme forms of sharia law that are not unusual involving the stoning of individuals, amputations and public executions. Obviously, that is totally wrong and must be condemned, as I would condemn the death penalty in any circumstances anywhere in the world.

We also raised the violations of the rights to free speech, freedom of association and peaceful protest, which are important, and the continued detention of trade unionists and workers’ activists, including the leader of the Tehran Public Bus Company workers synodicate, Mansour Osanloo. I hope that a message goes out that we support his release just as much as we would support the release of any other person held on grounds of conscience or activity. We pointed out that the International Labour Organisation conventions 87 and 98 require all signatory states to allow the organisation of independent trade unions. That applies just as much to Iran as to any other country. In raising all those issues, and in supporting women’s rights and women’s activists in Iran, we have to send a message that we are serious about supporting human rights and civil society in Iran.

Our history is not clean by any means. The rhetoric used against Iran, the sanctions policy being used against Iran and the implicit military threats that have been made against Iran at various times do not force Iran to back down and operate differently. Instead, they unite the Iranian people against the west, build the feeling of isolation and build the power of those who wish to pursue military options in Iran rather than peaceful options.

There must be a way for us to open a dialogue. A previous Foreign Secretary—the current Secretary of State for Justice—went to Iran and tried to open that dialogue and I commend him for doing that. I did not agree with what he did over the Iraq war, but I did agree with the fact that he was prepared to go to Iran and participate in that dialogue.

I hope that when the Minister replies, he will say that we are prepared to maintain dialogue with the Government of Iran; to co-operate in sending observers to future elections, if the Iranians are prepared to allow that, because it would be a helpful way forward; and to do what we can to take up individual cases of human rights abuse and individual cases in which people are wrongfully detained. Doing that will promote the development of the very strong civil society that has demonstrated itself on the streets of Tehran and the other cities in the past two weeks, and will help to develop the tolerant civil society that traditional Muslim countries have and the tolerance that traditional Islam is all about. The Jewish community has always been present in Tehran; the Zoroastrians have always been there, as have people of many other faiths. There is much to be proud of in the history of Iran and in the tolerance of ordinary people in Iran towards those of different faiths.

That is the message that we must send: one of sympathy, support and understanding, but above all condemning the abuses of human rights and the illegal and irrational imprisonment of people who are merely standing up for their cultural identity, their trade union rights or their right to demonstrate and express their political views.

Mr. David Amess (Southend, West) (Con): I congratulate the hon. Member for Montgomeryshire (Lembit Öpik) on his speech. I agree entirely with its content and I congratulate him on his pronunciation of the Iranian names, which was far better than mine would be.

The subject of the debate is human rights in Iran. Let us be frank: there are no human rights in Iran unless people support the totally discredited President. That is the reality. This is not the first time that we have had such a debate. We have had many debates on this issue, because there is a band of Members of Parliament and Members of the House of Lords who have long been critics of the Iranian regime. The hon. Member for Islington, North (Jeremy Corbyn) made excellent points. He was right to remind hon. Members of a number of issues. I am not sure that I entirely agreed with every point that he made, but I agreed with the overall thrust of his argument.

I say to the Minister that the British Government’s policy of appeasement—oh, the Minister frowns at that, so I shall tell him precisely what I mean. The British Government’s policy of appeasement has had disastrous results. When the present Secretary of State for Justice was Foreign Secretary, whether he was guided by the retired former Prime Minister, I know not, but there certainly was a policy of appeasement, and it has had disastrous effects. Let the House be in no doubt at all about the election in Iran: it was a sham election. I assume that it was overseen by Mr. Mugabe—presumably he flew over personally to count the votes. It was an absolute sham. As a result of the British Government’s policy of appeasement, who did the Iranian religious leader immediately attack? The United Kingdom.

I agree with the hon. Member for Islington, North that jaw-jaw is better than war-war. I agree with part of his remarks about the retired President George W. Bush, but I also think that the British policy of appeasement has had disastrous results, and I stand here today as one of the people who listened to the former Prime Minister tell the House of Commons that weapons of mass destruction were aimed at us and other parts of the world. I believed everything that he said, and was misguided enough not to join the 18 of my colleagues who voted against that war, which has had disastrous consequences. In hindsight, it was Iran rather than Iraq that, with regard to nuclear weapons, was the real threat.

Let me return to the issue of human rights in Iran. There is no point in having debates in Westminster Hall unless the British Government listen to what we say and something happens; they must not only go through the motions. This issue has been raised countless times. My hon. Friend the Member for Northampton, South (Mr. Binley) and I turned up at a rally outside the United Nations. I think that we addressed a crowd of 4,000 people. We were demonstrating against the arrival of Mr. Ahmadinejad. The leaders in the west applauded his arrival; they now seem to have changed their view on that.

We are talking about a country in which more than 200 people have been killed by the Revolutionary Guard since 12 June. Several thousand people have been arrested following the nationwide uprising in mid-June. Since June, security forces have randomly attacked people in
their homes. More than 1,000 hangings have taken place—34 people were hanged in the first four days of July 2009—and more than 1,700 death sentences have been issued since August 2005. Since the 1979 Islamic revolution, more than 120,000 political prisoners have been executed—I repeat, 120,000. A further 500,000 Iranians have suffered torture in the regime's notorious prisons. I could go on and on about those issues.

Mr. Drew: Like the hon. Gentleman, I support the Iranian opposition. One of the worst features of Iran is its attitude to capital punishment. It hangs juniors and it does so in public. It has the second-worst record after the Chinese. Does the hon. Gentleman agree that one way in which Iran could begin to prove that it is willing to engage is by doing something about its dreadful record?

Mr. Amess: I absolutely agree. Eighteen months ago we debated that very point in this Chamber, although another Minister responded—but there we are, that is the merry-go-round that we experience in Westminster.

I conclude with a plea to the Minister and his boss, the Foreign Secretary, as I am a born optimist. Mrs. Maryam Rajavi, the president-elect of the Iranian resistance, has urged the west to reject the regime's sham elections and the appointment of Mr. Ahmadinejad. She has also urged it to force the regime to accept a free UN-supervised election based on people's sovereignty, not the rule of the Supreme Leader. She has also suggested that we suspend all political and diplomatic ties with the mullahs' regime until the suppression is completely stopped. She suggests that we impose a trade, diplomatic, arms and technology embargo on the regime and a foreign travel ban on its senior officials. Finally, she urges the UN Security Council to refer the crimes committed by the regime's leaders—particularly Khamenei and Ahmadinejad—to an international tribunal.

The Minister frowns, and I accept that that is an extremely ambitious list—if he mentions it in his winding-up speech, he will probably say that it is not achievable. We will, however, have a general election before May or June next year, and the Government, who have made some terrible mistakes on all sorts of issues, now have an opportunity to do the right thing on human rights in Iran. As the hon. Members for Islington, North and for Montgomeryshire said, we are asking not for blind rhetoric—the time for that has passed—but for engagement. All that I am asking is that the Government speak up clearly to try to improve the human rights situation in Iran.

10.12 am

Mark Williams (Ceredigion) (LD): It is a pleasure to serve under your chairmanship this morning, Mr. Chope. I congratulate my hon. Friend the Member for Montgomeryshire (Lembit Öpik) on introducing the debate. I pay tribute to him for his work on the Bahá’í community as chairman of the all-party group, and particularly for highlighting the case of the seven leaders of that faith who are languishing in prison awaiting news of their fate.

The debate is of course timely, as we reflect on the demonstrations that we have seen on our TV screens over the past few weeks since the presidential elections. However, it could have been held at any time in the past 30 years, and we have had many such debates in that time. Indeed, as the hon. Member for Islington, North (Jeremy Corbyn) reminded us, we could have debated these issues in the years before that time, when Iran was under control of the discredited Pahlavi regime, which had form on its human rights policy, given the role of SAVAK and other bodies.

The well-documented catalogue of abuses at the heart of the Iranian regime has been added to in the past few weeks. I have reflected on the need for dialogue and the case for it remains—jaw-jaw is better than war-war—but, to date at least, unless the Minister can suggest otherwise, our words have fallen on deaf ears. The Iranian regime had two strategies after the presidential elections, and the analogy that comes to mind is that of the stunned rabbit in the car's headlights. The first strategy was to attribute democratic protests on the streets of Tehran to the British Government and western influences. That is an old tactic, which is not without foundation, given our history in Persia and Iran. In that respect, I would be interested to hear from the Minister about the state of the remaining local staff in our Tehran embassy. The treatment of our staff there is obviously part of a deliberate tactic to pass blame elsewhere.

The second strategy was to launch what can only be described as a savage attack on demonstrators and agents of free speech, and that has been the story of the past few weeks. We have heard of the alleged killings of 200 protesters. We have also heard about the historical context and the 120,000 members of the opposition who have lost their lives over the past 30 years. We are grateful to Human Rights Watch, Amnesty and the US State Department, as well as to the Foreign Office for the evidence that it collected in its 2007 report, which has been disseminated around the world. We are also grateful to the human rights monitoring lobby in Iran—or rather what is left of it, given that prominent members have been subjected to harassment and worse in recent weeks.

Last November, the UN General Assembly called for harassment, intimidation and the persecution of political opponents and human rights defenders to cease, and that is certainly necessary now. It also called on the Iranian Government to facilitate visits by human rights bodies, although I must say that I repeat that call with unwarranted optimism. I agree with what was said earlier about the need to have UN election supervisors in all countries, and that was certainly necessary in Iran's elections. However, such calls will fall on deaf ears. So too, presumably, has the statement from the G8 Foreign Ministers meeting in Italy, which reaffirmed their belief in Iranian sovereignty, but made the case for human rights. I would be interested to hear what the Iranian Government’s response was, if there was one. Our Government have made 40 representations bilaterally and through the EU about specific human rights abuses in 2008.

I agree that we should not launch an attempt at poetic rhetoric, but we face a regime that is desperate to survive, and that need to survive has necessitated desperate measures. We have seen the forces of reform brutally repressed. There have been mass detentions; raids by the Revolutionary Guard and militia on university campuses; the closure of opposition newspapers; media restrictions that have made it difficult for journalists to...
report the protests first-hand; and attempts to close
digital media. My goodness, if anything should make us
grateful for digital technology, it is the hazy, fuzzy
pictures that have come out of Tehran in recent weeks.

We have also seen the threats from the Iranian regime.
There was the chilling warning from prosecutor Mr. Habibi,
from Isfahan, who had no difficulty expounding his
views in the Iranian media:

“We warn the few elements controlled by foreigners who try to
disrupt domestic security by inciting individuals to destroy and to
commit arson that the Islamic penal code for such individuals
waging war against God is execution”.

The unfortunate Miss Neda Agha-Soltan, a 26-year-old
bystander in the protests, was shot dead on the
streets of Tehran on 20 June, and another 200 people
have met a similar fate. That is not to mention the
countless arrests of major reformist politicians, clerics,
student leaders, bloggers, journalists and human rights
lawyers.

Like the hon. Member for Islington, North, I watched
the coverage of the election campaign in the days before
the vote and I had some optimism, despite being cynical
about the Iranian regime by and large. It was good to
see people on the streets talking and arguing. Mr. Mousavi's
credentials as a reformist are not particularly clear, but
it was none the less good to see people on the streets. It
was also good to see the Iranian footballers making
their mark. We should remember, however, that
Mr. Mousavi was one of four permitted candidates in
the election and that the Council of Guardians did not
allow the 450 other people who aspired to the job of
Iranian President to stand. None the less, Mr. Mousavi
did tap a mood for change, and I welcome the meetings
and the debate that took place.

Jeremy Corbyn: Does the hon. Gentleman acknowledge
that Mousavi's campaign was different, in that the issue
of women's rights was raised for the first time in Iranian
national politics and women spoke on platforms during
his campaign?

Mark Williams: I certainly endorse what the hon.
Gentleman says. Mrs. Mousavi, in particular, had a
pride record of standing up for Iranian women's rights.

The upshot of recent events, however, is that the
Government in Tehran will not go. Despite assertions
that the turnout was high—I suspect that it was higher
than in the previous election—it was a lot lower than
people have suggested, and sufficient evidence is coming
out of Iran to assert that there was vote rigging and the
like. Those of who have had some interest in such
matters in the past few years have battled against the
media to bring to people's attention what is going on in
Iran and the extent of abuses. The events of the past few
weeks have made the case, and there is no doubt about
the human rights record. I reaffirm my belief in dialogue,
and the Government should continue, through the EU
and the UN, to declare the unacceptability of the state
of human rights in Iran. However, we must be in no
doubt about the regime. Even if there are reformist
elements with the will to change things, there has not
been an ability in Iran to abide by its own structures. For
example, there was a decree from the judiciary in October
2008 against the execution of juveniles, but there were
reports of the execution of minors on 29 October and
30 December. There continue to be stonings, floggings,
mutilation and arrest on the basis of political opposition,
religious faith, sexuality or any criticism of the leadership.

Human Rights Watch noted:

"Instead of coming clean about what happened on the streets
of Tehran on June 20th, Iran is busy covering up the responsibility
of its security forces for the killing of demonstrators. It is clear
that Iran's supreme leader has sent a strong message to security
forces to end the protests regardless of the level of violence
involved."

That is the hallmark of the regime, and it is why
international pressure and dialogue must continue. I
hasten to go down the line pursued by the hon. Member
for Southend, West (Mr. Amess). I agree with much of
what he said. We are involved in the same group
campaigning for human rights and change in Iran. I
would hesitate to go down the route of economic sanctions,
for the reasons outlined by the hon. Member for Islington,
North. Given the history of the west in Iran we must
tread carefully. However, at the very least I should like
the United Nations Security Council to commit to an
international tribunal the crimes against humanity that
are happening in Iran. All of us, whatever our background,
oberving a country we love, whose sovereignty we
respect, should none the less make our voices clear
about what is happening in Iran, and its unacceptability.

10.22 am

Mr. Nigel Evans (Ribble Valley) (Con): I am grateful
for an opportunity to speak in this important debate,
and I congratulate the hon. Member for Montgomerghshire
(Lembit Õpik) on obtaining it. It could not be more
timely. Frankly, we could have a daily debate on Iran,
given the abuses of human rights and the violations that
go on there. However, although talking among ourselves
is okay up to a point, we want action.

I have been involved in Iranian issues for several
years now. A frustrating thing was that although I
thought the diaspora had very effective knowledge of the
deficiencies in Iran—which was probably a reason
for not living there—I wondered why the people who
lived there did not do more to help themselves. Then I
started to look at the repressive nature of the regime
and began to understand why people who lived there
were scared, and were afraid to do anything. If people
can be detained in prison for something like turning up
at an opposition rally, and can then be beaten and raped
daily, it takes a brave person to stand up to the regime.
That hideous repression is at so many levels in society
that I suspect many people do not know who to trust or
turn to.

With the enormous reaction to the stolen election in
June, I began to feel that there was a spark of hope in
Iran, and that we could have real change and perhaps
bring down the regime and bring freedom to a people
who deserve it. The hon. Gentleman said what a great
people the Iranian people are. Yes, they are; it is
the regime that is rotten and that needs changing, not
the people. That is why I believe we must support the
resistance movement that operates outside and within
Iran.

On 1 July The Guardian gave an example of an
18-year-old, still in school, who turned up at an opposition
rally. He was not really interested in politics, and his
dad even supported the current President. The evidence
was:

"'I was kept in a van till evening that day and then transferred
to a solitary cell where I was kept for two days,' he said. 'Then I
was repeatedly interrogated, beaten and hung from a ceiling. They call it chicken kebab. They tie your hands and feet together and hang you from the ceiling, turning you around and beating you with cables.

'They gave us warm water to drink and one meal a day. Repeated smacking was a regular punishment. In interrogations, they kept on asking if I was instructed from abroad. I believed I was going to be sent from the detention centre to prison. But they sent me to where they called Roughnecks’ Room…'

'...I refused to confess during interrogations. They said: “Ask your friends what we’ll do to you if you don’t co-operate.” Others in the room were also arrested on 15 June. I was tempted to confess at this point but I didn’t. On the third and fourth day, they beat me up again. They insisted we were instructed from abroad…'

'It was on Saturday or Sunday that they raped me for the first time. There were three or four huge guys we had not seen before. They came to me and tore my clothes. I tried to resist but two of them laid me on the floor and the third did it. It was done in front of four other detainees.

‘My cell mates, especially the older one, tried to console me. They said nobody loses his dignity through such an act. They did it to two other cell mates in the next days.”

I find reading that incredibly moving; to think that that is going on in another part of this world is appalling.

Executions have been mentioned. I have voted in favour of the death penalty in the past, but have now said that I would trade that in for the cessation of executions throughout the world, in places such as China and Iran. The hon. Member for Ceredigion (Mark Williams) mentioned sexuality. When I looked at the evidence about two young boys being hanged in public, accused of being gay, I could not get over the depravity that is possible. The authorities wanted that made public as a warning to everyone else. Clearly, the public execution of teenagers has an enormous impact. There is stoning of women, and the treatment of women generally is appalling. When I and other hon. Members met Iranian politicians at an Inter-Parliamentary Union conference, thank goodness the right hon. Member for Cynon Valley (Ann Clwyd) was the leader of our delegation, and she put a forthright case about the maltreatment of women in Iran. Clearly the Iranian politicians did not like that, and they hid behind the mullahs on many an occasion. They have no hiding place, as far as I am concerned. If they are politicians they should stand up for the rights and freedoms of the people they represent.

The repression that has followed the elections has been mentioned in the debate, together with the shooting of Neda Agha-Soltan. That 26-year-old lady is an icon at this moment for all people fighting for freedom, throughout the world where there are repression and hostilities. The latest instance to hit the headlines is in Urumqi in China. The shooting dead in cold blood of a young lady, full of hope, the way her family were told they could not have the funeral in a mosque, and that they should shut up about what had happened and must rip down the black flags indicating bereavement, outside their homes, shows the hideousness and the depths to which the regime will go to try to suppress the spirit within Iran. The spirit that we have seen in the past few weeks in Iran cannot be extinguished. The regime can suppress the people, but only in the short term. Their spirit can never be broken.

I believe that it is the duty of politicians in the free world—we who enjoy freedoms every day, and take them for granted—to stand shoulder to shoulder with the people of Iran in the struggle that they face. We must ensure that our Government and the Governments of all free countries do whatever they can, whether through dialogue or other sorts of action.

Fundamentally, we must see change. We must stand shoulder to shoulder with the people of a country who want the freedoms that we have. That is one reason why we were elected as Members, and I hope that the Government will be able today to give us some hope—hope that I am sure will be passed back to the people of Iran, through the technologies that have been mentioned, so that they can continue their struggle for freedom.

Mr. Christopher Chope (in the Chair): We now come to the wind-ups, for which we have half an hour. May I say to the Opposition Front-Bench spokesperson that it is not necessary for them each to take the full 10 minutes if they do not wish to do so? If they take less than 10 minutes, it will give the Minister more time to respond to this important debate.

10.30 am

Jo Swinson (East Dunbartonshire) (LD): I too congratulate my hon. Friend the Member for Montgomeryshire (Lembit Öpik) on securing this debate. He has a strong record of fighting for justice in Iran, particularly for the Baha’i, which was the focus of much of his remarks. Indeed, he chairs the all-party group Friends of the Baha’i. None the less, the debate was wide-ranging and dealt with various aspects of human rights in Iran.

All too often when discussing Iran, our thoughts turn to the important question of nuclear proliferation; it is particularly helpful that we find time to think also of human rights. I was moved by the contribution of the hon. Member for Ribble Valley (Mr. Evans) because, even in the language of human rights, it is sometimes easy to forget that we are talking about not only philosophical concepts but the horrific and unthinkable experiences of individuals in Iran and other countries, who do not have even the basic rights, which, getting up in the morning and going about our daily business, we too often take for granted. It is important to reflect upon that.

The debate is timely, given the protests over the Iranian election and the harsh repression of those protests. It is difficult to know the exact figures, but reports suggest that dozens of people have been killed and that possibly hundreds of protesters are still in prison, their families not necessarily knowing their fate. Those being held in prison do not even have good access to lawyers. My hon. Friend the Member for Ceredigion (Mark Williams) and the hon. Member for Ribble Valley mentioned the case of Neda Soltan; those who have seen her image will find it forever seared on their minds and consciousness as a symbol of repression. It is deeply concerning that someone should have suffered that fate.

There is a danger that when we in Parliament discuss human rights in Iran, or in any other country, it could be seen as meddling. However, in this case we are absolutely not meddling in Iran’s internal affairs. As my
to act as journalists. Crackdowns on the social media have been reported, so it is still a concern, but it is difficult to crackdown on everyone, especially given the internet—as even the Chinese are finding. I believe that the internet will become an increasingly powerful tool for freedom, particularly in those countries where there is repression. Those countries may employ thousands and thousands of people to crack down on its use, but ultimately they will be unsuccessful.

Jeremy Corbyn: I agree with the hon. Lady, but would she put strictures on Google and other operators that go along with regime interference and connive at censorship and repression of free speech?

Jo Swinson: The hon. Gentleman makes an excellent point. Google’s motto is “Don’t be evil”, but there are certainly questions over whether collaborating in the repression of peoples’ freedom of expression would be living up to that motto.

I shall not rehearse all the arguments on freedom of religion. My hon. Friend the Member for Montgomeryshire expertly described the situation with the Baha’i community, Iran’s largest non-Muslim religious group. I have a small Baha’i community in Bearsden in my constituency, and I know that it shares our concerns for their detained leaders, particularly with the timing of the expected trial. I have written to the Foreign Secretary and the Iranian ambassador, asking them to apply pressure to get them a fair trial—and, indeed, their release. I have yet to receive a response, but our thoughts are with them. We must hope that true justice will prevail, but I am not overly optimistic about the outcome.

It is not only the Baha’i community that is discriminated against in Iran. Christians, Jews and Zoroastrians are recognised minorities under Iran’s constitution and are apparently protected by law, but they still experience discrimination. The case of the two Christian women being held in prison has been mentioned. Iranian Jews experience official discrimination. President Ahmadinejad is well-known for his anti-Semitic views and for holocaust denial. Religion is another worry.

Iran is one of only seven countries not to have signed up to or ratified the convention on the elimination of all forms of discrimination against women. The others are Sudan, Somalia, Qatar, and the Polynesian islands of Tonga, Palau and Nauru. Family law imposes many restrictions on women; marital rape is not a crime; killings are regular; and the women’s rights groups that have tried to fight for equality have experienced a huge cracking down and imprisonment. That is a huge concern. I say that as the only woman speaking in this debate, but I am sure that hon. Gentlemen share my worries about the position of women in Iranian society. Furthermore, homosexuals regularly experience dreadful discrimination, and execution, in Iran, where more than 4,000 people have been executed for homosexuality since 1979. Worryingly, the UK Government still deport gay Iranians, despite the possible risk of imprisonment or execution in their home country. Although I do not have time to go into greater detail, I would welcome the Minister’s comments on these matters.

The horrendous execution of minors has already been mentioned. I am against the death penalty in all its forms, but the execution of minors is explicitly against international law. Even the Americans have stopped doing it since 2005. It is clearly unacceptable, and yet
just this year three minors have been executed in Iran. So there is great concern on a range of human rights issues in Iran. I appreciate that the Government can bring limited influence to bear, but surely, given the importance of these humanitarian issues, we must continue to pursue all possible avenues to improve the human rights situation there.

10.41 am

Mr. Mark Francois (Rayleigh) (Con): It is a pleasure to serve under your chairmanship, Mr. Chope. I congratulate the hon. Member for Montgomeryshire (Lembit Öpik) on securing this important debate. Hon. Members might not know this, but last century, he and I were at Bristol university together: he was the chairman of the student union and I was the chairman of the Conservative association, and we had many lively debates. Since then, his has been a meteoric career, and I am delighted to see him in his place this morning.

Lembit Öpik: I have waited 23 years to say this, but after all those disputes, and given that he has been so supportive and complimentary, I can finally forgive him.

Mr. Francois: I am grateful to the hon. Gentleman for those kind words; I shall mull them over and decide whether to forgive him.

I also welcome the Minister to his place. We were sparring partners when he was in the Treasury and I was a shadow Treasury spokesman, and I look forward to sparring with him now. I hope that he will enjoy some security of tenure, at least for a few months, in the Foreign Office. I say that in particular because we have just had news that Lord Malloch-Brown, a Foreign Office Minister, has announced his resignation from the Government. Perhaps this Minister will last a little longer.

Iran is an ancient civilisation that cannot easily be caricatured. It is a little-known fact that it can claim to have produced the earliest-known charter of human rights on earth, back in 539 BC. In this remarkable document, a copy of which hangs in the UN Security Council, the Persian King Cyrus states:

“Until I am alive, I prevent unpaid, forced labour… I announce to the Christians that I forgive them for the suffering of Christ… I announce to the Persians, Jews and Medes that I forgive them for their suffering caused by their kings… I announce to the Egyptians, Syrians, Greeks and Persians that I forgive them for their suffering caused by the Persians… I announce to the Babylonians that I forgive them for the suffering caused by Nebuchadnezzar."

The country is blessed with abundant natural resources, but suffers several daily power cuts. It has the world’s fifth-largest global oil reserve, but outside petrol stations, queues of cars continue often for half a mile. Its people have a thirst for change so telling that hundreds of thousands of citizens took to the streets to call for recounts after the recent elections, only to be ruthlessly crushed by the Government authorities. We witnessed masked paramilitaries roaming the streets on motorbikes chasing peaceful protesters, intimidating, hounding and beating them. We are still unaware of exactly how many protesters died.

My hon. Friend the Member for Ribble Valley (Mr. Evans), in his powerful speech, mentioned Neda, the 27-year-old music student, whom we saw, apparently shot by paramilitaries, lying bloodied on the street in Tehran. Her death was captured on video and beamed across the world in a day to millions of viewers. In many ways, she has become the icon of the clash between the old and the new in Iran. In the end, no Government can rule without consent, and this is a crisis of the regime’s making. Although it must be for Iranians to decide how Iran should be governed, it is the demands of ordinary Iranians to which the Iranian Government should respond, and they forget that at their peril.

British foreign policy towards Iran should always be based on a pragmatic and hard-headed assessment of where British interests lie. Although those interests lie in an Iran once again engaged in the mainstream of the international community, we should never lose sight of the fact that Iran has one of the worst human rights records in the world. It is ranked 145th out of 167 in the Economist Intelligence Unit’s democracy index. In the past few days, locally employed staff in the British embassy were taken captive without provocation. The unjustified harassment of staff from any embassy is a violation of diplomatic norms and utterly unacceptable.

It is hard to know where to begin in the seemingly unending list of human rights abuses, a number of which were referred to by my parliamentary neighbour, my hon. Friend the Member for Southend, West (Mr. Amess).

The personal stories paint a powerful picture. Iranian authorities executed Delara Darabi in Rasht central prison on a Friday morning in May. Not only had there been no formal notification 48 hours before the hanging, as required under Iranian law, but just a fortnight earlier, Ms Darabi had been granted a two-month stay of execution by the head of the judiciary. The day before their daughter was walked to the gallows, her parents visited her in jail where she excitedly informed them that there was to be an appeal so that new evidence could be heard. Twenty four hours later, she was dead. The Iranian people responded with huge internet campaigns and mass demonstrations—a powerful expression of disapproval of the regime.

It is evident that Iran’s head of judiciary has little ability to control his own judges. Nevertheless, I urge him to act before any of the other 130 juvenile offenders on death row are executed. The international community has a clear duty to take a stand against an act that we all agree is wrong, and the message to the Iranian regime must be clear: its actions have consequences. Amnesty International regularly reports that trial hearings are often heard in private and that political detainees are denied access to legal counsel, often despite assurances to the contrary. It is ironic that when one visits Tehran, the Iranians talk with great pride about how there are designated seats in the Majlis for representatives of the Christian, Jewish and Zoroastrian minorities. That must be contrasted with the appalling apostasy laws that still exist in the provinces, and the ruthless treatment of members of the Baha’i faith, whose leaders are even now imprisoned without trial, possibly awaiting charges for which, if found guilty, they could face a capital penalty. I pay tribute to the strong case made on their behalf by the hon. Member for Montgomeryshire in his capacity as the chairman of the all-party friends of the Baha’i group.

Even the designated non-Islamic religions face persecution. According to the last US State Department report on religious freedoms, there was an exponential
rise in officially sanctioned anti-Semitic propaganda, including official statements, media outlets, publications and books. So-called President-elect Ahmadinejad still pursues a virulent and outrageous anti-Semitic campaign, regularly questioning the existence of the holocaust. He also persists in chauvinistic remarks and has vetoed Bills designed by the seventh Majlis to improve the position of women.

Gender inequality and discrimination are widespread, and are perpetuated by Iran's constitutional structures. In Iran today, a woman's testimony is worth half that of a man's; compensation payable to the family of a female victim of a crime is half that of a man's family; boys inherit double what girls receive; and securing a divorce and custody of children is near-impossible for a woman. However, despite all the constitutional discrimination set against them, we again see the spirit and determination of the Iranian people themselves: two-thirds of students are women, and there are female MPs, doctors, policewomen and taxi drivers, and some 97 per cent. of women can read and write, which is one of highest literacy rates in the middle east.

Iran's leaders face a clear choice. Either they can accept the United States' offer of engagement and negotiation, which means dramatically improving their human rights record and suspending their nuclear program, or they can face international isolation, economic stagnation and a tightening of international sanctions. We hope that they see it as in the long-term interests of Iran and its people to choose the former.

10.49 am

The Minister of State, Foreign and Commonwealth Office (Mr. Ivan Lewis): I congratulate the hon. Member for Montgomeryshire (Lembit Öpik) on securing this Adjournment debate. I know that it is often said that he champions minority causes, but the House is a place in which such voices should be heard. The issue under debate is of particular importance. The hon. Gentleman specifically drew our attention to the plight of the Baha’i community in Iran. Its seven leaders go on trial this weekend. It is probably appropriate that all we do at this stage is demand maximum transparency and openness in the way in which that trial is conducted. The judicial process should be conducted along the lines of international best practice, and international observers should be allowed to witness every conceivable stage of those court proceedings. For reasons that I hope the hon. Gentleman will understand, it is probably best that I leave it at that. We will be keeping a close eye on proceedings to ensure that the leaders of the Baha’i community are treated appropriately and properly.

Hon. Members have referred to the recent elections in Iran. Although it is not for Britain to determine the outcome of such elections, it is for us to say that the will of the Iranian people must prevail. Moreover, it is entirely appropriate to say that the reaction to those who felt motivated to go on to the streets to demonstrate against the outcome of that election was entirely unacceptable. The arrest of protesters and the alleged violent assaults against those who dared to question the result of the election is not acceptable in any country that claims to have been through a democratic process.

Lembit Öpik: Going back to what the Minister said about the Baha’is on trial this weekend, I understand why he takes his position. However, will he assure me that his Department will make a formal submission of that kind to the Iranian authorities? I am not asking him to go further than he has done in his comments, but I should be grateful if he made that as a formal submission through the usual channels.

Mr. Lewis: I will certainly make that submission through the relevant international institutions—whether it is the EU or the UN. We have made it very clear that we want to see that happen, but it is probably best that that is done through those international institutions in this particular case.

Going back to the elections, the will of the people must prevail. The regime's reaction to the protests following the elections is not acceptable, especially given the fact that it claims to have been through a democratic process. Part of going through a democratic process is being willing to allow people to express their objections and concerns about the outcome. The reaction of the regime is not very encouraging, particularly in the context of the recent positive overtures from the President of the United States of America, and our own Prime Minister, both of whom have said that they are willing to engage with Iran, but that it has to make fundamental choices. For example, as a nation, does it wish to become part of the mainstream international community, or does it want to remain on the margins, as defined by its human rights and other internal issues? Its recent behaviour in the aftermath of the recent elections cannot be encouraging for any hon. Member of this House who genuinely wants to see progress based on mutual respect, engagement and diplomatic processes.

Let me speak now about the human rights situation, then I will deal with the points that have been raised. Iran's human rights record is well documented. It has consistently deteriorated over the past few years. It has the highest execution rate per capita of any country worldwide, and juvenile executions continue apace. Despite Iran's history of tolerance and the rich and diverse mix of religious and ethnic groups that make up Iranian society, religious and ethnic minorities are subject to persecution, intimidation, arbitrary detention and denial of education. Even before the recent unrest began, the Iranian authorities had arrested large numbers of teachers, women's rights activists, students, trade unionists and ethnic minorities on charges of propaganda against the Islamic Republic, acting against national security and organising illegal gatherings. That was all part of a rigid clampdown on any form of dissent, opposition or peaceful organised protest.

In the aftermath of the elections, people's right of free assembly has been effectively withdrawn. Such actions are entirely unacceptable, and the European Union has made that abundantly clear to the Iranian authorities. Hard-line cleric Ayatollah Khatami's call for those involved in recent protests to be “dealt with severely and shown no mercy” is cause for serious concern.

We have heard about a number of examples of human rights abuses that cannot be tolerated. They include the arbitrary use of the death penalty; juvenile executions; persecution of minorities, whether religious minorities or minorities based on sexual orientation; the denial of people's right to express themselves freely; and the treatment of women in Iranian society. None of those issues is consistent with the stance of a country that
wants to move from the margins of the international community to the mainstream. It is appropriate that at every opportunity this House shines a light on those human rights abuses and supports those who argue that there is serious need for reform in Iran. We must also recognise that it is the people of Iran who should be leading that call for reform with the international community in support.

My hon. Friend the Member for Islington, North (Jeremy Corbyn) talked about trade unions in Iran and the fact that they are not allowed to organise in a free and effective way. The symbol of any civilised society is the ability of trade unions to fulfil their functions in that way. My hon. Friend is mistaken in suggesting that the west—whether it is the United States or Britain—is responsible for the actions of the Iranian Government. That lets them off the hook and plays into the hands of the propagandists in the Iranian regime. We must make it clear that it is the Iranian regime that has primary responsibility for the way in which it behaves towards its own citizens and the rest of the international community. We should not allow it to be said that it is our foreign policy that legitimises and justifies the behaviour of Iran or any similar regime.

Moreover, I totally reject the notion that we have ever tried to appease Iran. We have tried to engage with it, and that is the appropriate thing to do. It is regrettable that the Iranian regime turned its back on that offer of engagement. Let us hope that it does not make that mistake again following the offer that has come from the new President of the United States. The hon. Member for Southend, West (Mr. Amess) suggested that we have specifically appeased President Ahmadinejad. However, it was the UK ambassador who led the walk-out at the recent conference in Durban, when Ahmadinejad repeated his vile anti-Semitism, his unjustifiable denial of the holocaust and his suggestion that Israel should be wiped off the face of the map. It is this country that has constantly condemned that kind of behaviour and rhetoric from Ahmadinejad.

The hon. Member for Ceredigion (Mark Williams) raised the question of our local staff in the Iranian embassy. One member of staff is still being held and we are hopeful that, through dialogue with the Iranian authorities, that individual will be released soon. There is no justification or excuse either for any of our staff to be held a minute longer in Iran or for the suggestion that we as a country were responsible for whipping up the public reaction after the election.

I congratulate the hon. Member for Ribble Valley (Mr. Evans) on his passionate and authentic speech, which he turned into a human story. The hon. Member for East Dunbartonshire (Jo Swinson) focused on freedom of speech issues and the attack on minorities. I agree with most of the contribution of the hon. Member for Rainham (Mr. Francois). As he said, we enjoyed jousting in our previous roles, and I look forward to doing the same in our new roles.

It is essential that we make it clear where we stand on the human rights in Iran, which is totally unacceptable and not the behaviour of a country that seeks to come into the mainstream. We urge the regime to take a different path. If it does, it will find a willingness to engage in a constructive and positive way.

11 am

David Howarth (Cambridge) (LD): The effects of bullying on children can be devastating. Their mental and physical health can be destroyed, their self-esteem may be devastated, and they may even contemplate suicide. The fear of being bullied is a major reason for unauthorised absence from school, with all the effects that that can have on life chances.

The Cambridge-based charity, Red Balloon, which provides education and support for bullied children who have excluded themselves from mainstream education and helps them to recover and re-enter mainstream education, has helped many young people whose physical and mental health has been wrecked by bullying. I pay tribute to that charity, and I shall draw the Minister’s attention to three of its cases to illustrate what we are dealing with.

The first case is of a girl who was beaten up and locked in a toilet in primary school. That induced a complete physical and mental breakdown. Aged 11, she was admitted to an adolescent mental health unit. She was barely able to walk and suffered from a facial palsy, and had such low self-esteem that she refused even to have her photograph taken.

A second girl stopped going to primary school when she was eight after she had been humiliated and called names. She was diagnosed with myalgic encephalomyelitis and spent the next five years at home, receiving no education of any sort from the local authority. When she came to the charity aged 13, she was unable to read or write.

The third example is of a boy who was extremely badly bullied, constantly, over a long period. He was often surrounded and taunted by groups of boys. On occasion, he would lose his temper and fly into a rage, which just encouraged his tormentors to continue. Finally, one day he lifted a chair and threw it at them, and he was the one who was excluded.

All three of those stories end well. The first girl, within six weeks of receiving the specialist care and attention that she required, had recovered to the extent that the palsy had gone, she no longer limped and she was smiling. It was found that she had an excellent singing voice. Nine months later, she was performing solos in front of hundreds of people. She is now at sixth form college, and her mother says she is flying.

The second girl recovered to the extent that she is also at sixth form college doing A-levels. The boy, in the safe environment with which he was provided and the calm in which he could get on with his studies, did well and subsequently went into a good job.

However, many such stories do not end so well. Children exclude themselves from school for years and end up with no qualifications or, worse, they suffer lasting damage to their mental health and educational achievement. Of course, the most serious outcome is suicide, and such cases appear in the media from time to time. It is difficult to design studies to show a causal link between bullying and suicide, but a review of 37 studies from 13 countries by Kim and Leventhal of Yale medical school showed that bullied children were far more likely than normal—nine times more likely according to one study—to think about killing themselves.
My question for the Minister is this: what can the Government do to help bullied children and, in particular, should the Government be counteracting some of the tendencies in school funding that might act against the interests of bullied children? The first point to make is that there is uncertainty about how many children are affected by bullying to the extent that they miss school. The official returns concerning school absences do not include bullying as an official category, so we have to rely on unofficial research.

Research by Beatbullying, another organisation that does very good work on bullying, including in Cambridge, has estimated that 170,000 absences a day are caused by bullying, which amounts to about 20 daily absences in a school of 1,000 pupils. I do not know whether that is correct, but even a tenth of that number would be something to worry about. Red Balloon believes that anything up to 6,000 young people nationally could be in need of the sort of service that it provides, but we do not know for certain.

That is worrying because of the way in which provision for children not in school is funded. The Government intend that, by September this year, all secondary schools will be part of school behaviour partnerships, which will deal, among other things, with the question of absences from school and the commissioning of services to deal with them. In addition, encouraged by the Government, local authorities are increasingly devolving spending decisions on what services to provide for children not in school to those partnerships, via the devolution of funding to schools.

I am not against devolution of budgetary power and responsibility to schools. Indeed, this debate gives me the opportunity to commemorate one of the pioneers of local financial management of schools, the former leader of the Alliance group on Cambridgeshire county council, Peter Lee, who sadly died on election day this year. Peter understood that there are serious difficulties inherent in, and therefore limits to, local financial management. One difficulty with such local financial management is that it could accidentally give schools an incentive to reduce costs by reducing quality. There has to be something in the system to counteract that tendency.

I am concerned that schools and partnerships could have an incentive in the system as it has been set up to deny the extent of the problem of bullying, especially given the lack of official information.

It is important to understand that many children who are excluding themselves because of bullying do not have statements and, unlike the boy I mentioned, have not been excluded formally from school, so it is very difficult for them to show up in the numbers and easy for them to slip through the cracks. I do not want to make accusations against specific local authorities or imply that some councils are more prone to that behaviour than others, but my hon. Friend the Member for Hornsey and Wood Green (Lynne Featherstone) was told by her local authority that there were no known cases of pupils dropping out of school because of bullying. I cannot see how that contention is believable.

In addition, the devolution of budgets might add to an existing pressure on local authorities to adopt the view that everything necessary in the field of bullying can be achieved by preventive measures, which tend to be much cheaper than the kind of services that are required to recover children from serious bullying after it has happened. Some very good organisations work to prevent bullying. I mentioned Beatbullying, whose interventions can reduce bullying by up to 40 per cent., but I should also mention Stonewall, which deals particularly with homophobic bullying, which is the second most frequent form of bullying of schoolchildren, behind bullying about body shape and ahead of racial bullying. Stonewall reports that homophobic bullying can be 40 per cent. lower in schools that have adopted policies expressly against homophobia and in which students take part in lessons in which the equality of rights for gay people is discussed. Many other organisations do excellent work on preventing bullying. However, none of those organisations would say that it is possible entirely to prevent bullying or that we will be able at some point entirely to dispense with the services of organisations such as Red Balloon, which deals with children who have been seriously bullied.

Red Balloon’s mission is to recover such children and return them to mainstream education. The problem is that recovery is an expensive business, costing about £15,000 per pupil per year. I fear that schools and partnerships will feel under pressure not to refer pupils to such provision. We already see that sort of thing happening in parts of the country. Of course, the cost pales into insignificance when compared to the cost of not intervening, and it is important to stress that the kind of programme offered by Red Balloon is effective. Attendance levels are very high, and many of the pupils, like those I mentioned, go on to sixth-form education or further education, back into mainstream school or into employment. The success rate is high, as is the percentage of pupils gaining five A* to C-grade GCSEs.

By contrast, more conventional pupil referral units, to which such children might otherwise be referred, have very low rates of exam success. As the Government themselves say, only 1 per cent. of such pupils gain five A* to C GCSEs. It should be stressed that bullied children—it is important to remember that they are the victims of bad behaviour and not its instigators—are likely to find conventional pupil referral units at least as frightening as conventional school, meaning that such units are not the appropriate way forward.

As I see it, the problem is that the structure developed by the Government might disadvantage bullied children in two ways. It lumps them in, perhaps inappropriately, with children who have very different types of problem but who might well have access to additional resources because they have statements and the bullied children do not. It also encourages the false belief that there is no need to spend heavily on recovering bullied children and that everything can be done through prevention.

What can be done about that? I accept that the Secretary of State cannot and should not attempt to run every school in the country and that local policy making is vital, but there are three things that I suggest central Government can appropriately do.

First, the Government could bring together existing research and new authoritative research on the extent of the problem of self-exclusion because of bullying, so that schools and local authorities tempted to deny the existence or the extent of the problem can be challenged. A local authority or school that claims that none of its pupils has ever refused to come to school because of bullying should be open to legitimate challenge on the basis of established facts.
[David Howarth]

Secondly, there should be advice to schools and behaviour partnerships about the particular needs of bullied children. Such advice should point out the devastating costs not only of failing to prevent bullying, but of failing to offer effective routes to recovery to children who have been seriously bullied.

Thirdly, the Government should consider whether a policy aimed principally at changing the behaviour of disruptive pupils on the basis that, to quote the White Paper “Back on Track”,

“Primary responsibility for good behaviour sits with young people themselves”,
is at all adequate to meet the needs of bullied children, who are the victims of bad behaviour, not its perpetrators. If Beatbullying is right that one-third of unauthorised absences are caused by bullying, perhaps the central assumption of the Government’s policy must change. The costs of bullying are great to both society and victims. In some cases, it is literally a matter of life or death. I appeal to the Government to do more for victims.

11.14 am

The Minister for Schools and Learners (Mr. Vernon Coaker): It is a pleasure to be here under your chairmanship, Mr. Chope. I congratulate the hon. Member for Cambridge (David Howarth) on securing this important debate. We all know that he has been assiduous in pursuing the issue over a considerable period.

Bullying is hugely important. The only point that I would add to the hon. Gentleman’s remarks is that it is important not only because of the child being bullied but because of the bully. Sometimes that aspect is ignored. If somebody is allowed to continue to bully, that clearly damages the person being bullied—as the victim, they must be at the centre of our thoughts—but we must address the bully’s concerns as well.

The three cases that the hon. Gentleman referred to are absolutely appalling. They are only three out of numerous examples that could be found across the country. I am a former deputy head teacher and used to be responsible for trying to deal with such issues. I was not the most brilliant history teacher in the world; others were good at that. I was much better at dealing with the difficult disciplinary and behaviour situations that others would rather somebody else dealt with. I enjoyed it.

One important thing that the hon. Gentleman mentioned was name-calling. There is nothing more hurtful or damaging than name-calling. It is sometimes regarded as only a bit of fun or a throwaway remark, but name-calling is hugely damaging. It is an important example of bullying and should be taken very seriously. If bullying in the form of name-calling is not dealt with quickly, it can become much more serious for the person doing the name-calling and, more importantly, for the individual being bullied.

Before I move to the formal part of my remarks, I will respond to the three points that the hon. Gentleman made at the end, so I do not lose them. I will say something about what we are seeking to do in order to collect more accurate information about the number of young people in school who are being bullied or who self-exclude. Should we go ahead with our plans, as I think we will, there will be a consultation, and he may well wish to make the point in consultation that it is not only about who schools think is absent because of bullying; it is also about people who appear to be absent for other reasons when in fact they are excluding themselves. That is an important point to make.

I will write to the hon. Gentleman after checking what advice we send to schools and what guidance we send to behaviour partnerships. I am not clear whether we are as forthright as we need to be or how up-to-date the guidance is, so I will have a look at it. Otherwise, it is pointless having debates such as this one.

The hon. Gentleman is right to say that the position of a pupil who is out of school and in trouble with their school due to being bullied is different from that of a pupil who is out of school and in trouble with their school because they are difficult or have behavioural problems. One challenge for our education system and for any Government is how to distinguish between all the different reasons why individuals present problems in schools. If alternative provision is required, as it sometimes is, we must find a way to determine the most appropriate provision for the individual. Of course a child being bullied has different needs from a child excluded for other reasons. He is right to make that point. I would extend it, and he can probably think of other examples where that is the case.

In the best alternative provision, many local authorities take that into consideration. I cannot say that the situation will change overnight, but it is something of which I am acutely aware. When talking to pupil referral units and alternative provision with local authorities and others, I will make the point that they should not tar everyone with the same brush. Different young people in different circumstances have different needs.

The fundamental aim must be to get such children back into mainstream education. That is not always possible, but it should always be the aim. Such places should have a revolving door, as far as is possible. I am not stupid about these matters and understand that that is not always possible, but we must ensure that people who have had problems because they have been bullied are not simply left somewhere. They must be monitored, worked with and given the education that they deserve, with the objective of bringing them back into mainstream education. I hope that those opening remarks are helpful in responding directly to the hon. Gentleman’s points.

Bullying is an important subject. I have just been to a meeting of the Children, Schools and Families Committee. The hon. Gentleman may know that we are discussing the introduction of a school report card. Those who want to have a go at the report card ask why it refers to pupil well-being, when parents want to know about a school’s standards in reading and writing, how good it is at getting pupils through GCSEs, what academic breadth it offers and so on. However, I believe fundamentally that parents also want to know whether the school is safe for their children and whether it has an ethos that tackles bullying, whether it is racist, homophobic or any other form. The schools that have good policies on such matters and can reassure parents that they can deal those problems are usually the schools that are well regarded. They are also often the schools that have good exam results. He may want to read the
debate on the report card that we are seeking to introduce, because it explores what schools should be about as well as academic results.

I assure the hon. Gentleman that I take bullying seriously and I am grateful to him for raising the subject. Like him, the Government recognise that bullying is a corrosive problem that can steal years from a young person’s life if it is not acted against quickly. That is why we have made it clear and I repeat today that bullying is not and never will be acceptable in the classroom. As he knows, we are working closely through the national strategies and the Anti-Bullying Alliance to equip local authorities, schools and teachers with the information they need to deal with the problem. We are also giving staff the practical skills they need to challenge physical and verbal abuse through guidance such as “Safe to Learn”. All such support is aimed at preventing bullying from taking place.

Where abuse persists, we must ensure that young people are given the help and support they need immediately. As the hon. Gentleman said, that means having high-quality provision across the country, not just in some parts. He mentioned Red Balloon centres, which provide the high-quality provision for pupils that should be available when they need it. There is a legal duty on all local authorities to provide suitable education for pupils who cannot attend a mainstream or special school, whether through an appropriate alternative unit or through a voluntary or private sector provider such as Red Balloon.

The Government cannot and should not decide exactly what types of provision should be used in individual cases, as the hon. Gentleman accepted. Such decisions should be made at local level by those who are closest to the pupil and their family, because they are the professionals who know what the young person needs and when they need it. However, I recognise the tension that the hon. Gentleman mentioned. He is probably a stronger localist than I—I am not sure about you, Mr. Chope—but one problem is that when the Government back off and leave such matters to local bodies and that does not work, people say that the Government should intervene. On the other hand, when the Government do intervene, people say that they should get out of it and let local people get on with it. That is not a sarcastic remark because there is a real tension between the central and the local directions; it was ever thus and it probably always will be. Nevertheless, the Government should be concerned about the variability of provision and try to do something about it.

We cannot say from Westminster what sort of provision an individual pupil in any given town, city or rural area needs. Funding for alternative provision should therefore be left to those on the ground. Even if we were to direct the investment in individual providers, however well intentioned that might be, it could distort the alternative provision market, giving providers who receive Government funding an unfair advantage over those that do not. Red Balloon has an opportunity to market itself and the hon. Gentleman has done his best to market it, not in the bad sense of the word, but in its proper sense. The Secretary of State has written to authorities in a number of areas—for example, in South Yorkshire—urging them to consider the opportunities that the charity might offer.

I will briefly discuss how local authorities obtain alternative provision. Some authorities are worried about getting funds back from schools to help the pupils who have fallen out of mainstream education. The School Finance (England) Regulations 2008 were introduced to ensure that local authorities can access funding to set up such provision, but local authorities do not often make use of that. Local authorities, not only in Cambridge, should remember that those regulations give them the power to withdraw funding from a school when one of its pupils enters alternative provision. They also allow local authorities to retain funding centrally for alternative provision.

The hon. Gentleman mentioned the commissioning of research into the number of children and young people who are out of school because of bullying. He has discussed the matter with the Secretary of State, the hon. Member for Buckingham (John Bercow), who has since become the Speaker, and Dr. Herbert recently. We are considering the feasibility of such research and intend to introduce a statutory duty on schools to record incidents of bullying between pupils. We hope to consult on whether a further duty should be introduced for schools to report all bullying incidents to their local authorities and we will consider whether the types of bullying should be recorded, such as whether it relates to race, sexual orientation or disability. The hon. Gentleman might wish to respond to the full public consultation that we plan to hold on the draft regulations later this year. We expect them to come into force early next year.

Such regulations will underscore the fundamental principle that bullying is simply not acceptable. That is why there is a clear legal duty on schools to have policies in place to prevent and tackle bullying. We expect schools to apply disciplinary sanctions to bullies. That is the other side of the coin.

I hope that the hon. Gentleman is reassured by my brief comments that as the Minister with responsibility for this area, I take bullying seriously. I accept the three points he made and will pursue them. I hope that he is reassured that we are looking again at the statistics.

David Howarth: I thank the Minister for his remarks. I am reassured that he and the Government are taking this issue seriously. He can rest assured that I am glad of the progress that is being made.

Mr. Coaker: That is a constructive and helpful comment. No hon. Member wants any young person to be bullied. My concern is the variability in provision across the country, which should not exist. Notwithstanding the point I made about localism, it is right of the Government to ensure that there is adequate provision across the country. We must ensure that alternative provision is tailored to the individual needs of the pupil as far as possible.

I feel passionately about alternative provision for young people and it is clear that the hon. Gentleman does too. It is the sign of a good society that as well as caring passionately about the academic achievement in its schools, it thinks about what it can do for those who struggle, however that struggle is brought about. From my experience as a deputy head raising standards in difficult schools, when the young people with particular problems are dealt with in a caring way, achievement goes up. Schools that do that are the ones the parents
[Mr. Coaker]

want to send their children to. My message to schools is, let us see what more we can do together to tackle this serious problem.

11.30 am

Sitting suspended.

2.30 pm

Paul Flynn (Newport, West) (Lab): This is a very sombre moment, Mr. Chope. We have heard of the unprecedented deaths of seven of our soldiers within seven days. All our emotions are churned up by that, and there is sadness at the brutal deaths of seven unique young men. There is admiration for their bravery and professionalism, which we all salute, but there is also anger at some of the political decisions that have been made, which have led us to the carnage of NATO and Afghan civilians on a scale that was not anticipated.

We have heard today, from the new Secretary of State, that he will be resolute in the face of the situation. I believe that we are on the point of change in public opinion, in the same way that there was a change in public opinion in America when the body bags were returning in large numbers from the Vietnam war. I believe that public opinion will be tested and that the public will ask why this country should pay a disproportionate share of what is known as the blood price in Afghanistan. That, I do not believe, will be tolerated, and I believe that other questions will be asked about whether we can continue and tolerate those deaths on such a scale.

The Secretary of State today said: “For Britain to be secure, Afghanistan must be made secure”. That is a repeat of comments made by past Secretaries of State, meaning that there is somehow a threat of terrorism to Britain because of the Taliban. That is part of the canard that it is much easier, or more plausible, to repeat old myths than to reveal a new truth. That is a myth: there has never been any Taliban plot against any western European city. There have been al-Qaeda plots, and the two are conflated, but there is no risk to us from the Taliban.

As was vividly revealed in James Fergusson’s book “A Million Bullets”, the Taliban are fighting us because we are the farangi—the foreigners—in their country; they are fighting a jihad to expel us from their country. James Fergusson tells a story about a conversation he had with a top leader of the Taliban, who told him, “I’ve got three small children, but I don’t visit them very often because I don’t want to love them, or for them to love me, because if they do it’ll be a greater loss when I die.” James Fergusson asked him, “Do you want to die?”, to which he replied, “Of course I want to die; I want to die like my father, my grandfather and my great-grandfather died, fighting in a jihad against the farangi.” That is why they are fighting us. Their ambitions and their antagonism to us do not stretch beyond their own lands. They also made the point to James Fergusson that, “We are fighting you.” They would not kill him because of their tradition of hospitality and courtesy to strangers, but they asked him, “Wouldn’t you fight people who came to your land and killed your wives and children?” That is the reality of the position that we are in.

I shall concentrate on Helmand, because I believe that what happened there was a great turning point. I am grateful to see here in the Chamber my right hon. Friend the Member for East Kilbride, Strathaven and Lesmahagow (Mr. Ingram), who was the Minister answering a debate on this subject in March 2006. I am
not one to attack him or any other Minister, but having gone through the wonderful pack that the Library has prepared for the debate, which gives details of all the debates on this issue in recent years, I see one compelling truth: the Government and the main Opposition have always been wrong in their forecasts, and the critics have nearly always been right.

The intervention in Helmand took place in 2006, at which time the then Secretary of State, my right hon. Friend the Member for Airdrie and Shotts (John Reid), said that he hoped it would last for only three years and that not a shot would be fired. That phrase will be part of our history for a long time. To be fair to him, he pointed out the dangers, but his view was that the British should go there to ensure that reconstruction could take place, and that if there was any shooting to be done, it would be done by the Americans. However, others took a different view at that time. In a 2008 debate on this issue, it was said that what we were doing was as futile and as dangerous as the charge of the Light Brigade. This time it was

“Bush to the left of them, Blair to the right of them, Hollered and thundered, Thiers not to reason why, Thiers but to do and die, Into the valley of the shadow of death Into the mouth of Helmand Drove the five thousand.”

Those words were described as an exaggeration, but we now know that, since Helmand, more people have died there than died in the charge of the Light Brigade. At that time, the war, or intervention, in Afghanistan was going fairly well. Only seven British soldiers had died in five years, and five of those were in accidents, but since Helmand, 176 British lives have been lost. It was said then that we were stirring up a hornets’ nest, and that is what happened, but the Government blundered on, and the lives of our British troops have been sacrificed because of that.

Bob Spink (Castle Point) (Ind): No doubt the hon. Gentleman heard Prime Minister’s questions today; did he notice that the Leader of the House refused to call a passing acquaintance with a NATO soldier. The Afghan protests, and a father murdered his daughter for having a passing acquaintance with a NATO soldier. The Afghan President Karzai’s half brother, Wali Karzai, is head of Kandahar’s provincial council and is widely believed to be the source of drug trafficking and trade eastward beyond Kandahar. Many people in the Afghan Government and many of the provincial leaders are up to their neck in the drugs trade. What progress have we made in human rights that justifies us calling our young men to go to Afghanistan to die? Karzai refused a pardon to a young man who was sentenced to 20 years in prison for gang-raping a 13-year-old girl. A law to legalise rape in Afghanistan has been passed by the parliament. The victim was gang-raped a 13-year-old girl. The Afghan Government refused to intervene because it was an honour killing.

President Karzai’s half brother, Wali Karzai, is head of Kandahar’s provincial council and is widely believed to be the source of drug trafficking and trade eastward beyond Kandahar. Many people in the Afghan Government and many of the provincial leaders are up to their neck in the drugs trade. What progress have we made in human rights that justifies us calling our young men to go to Afghanistan to die? Karzai refused a pardon to a young man who was sentenced to 20 years in prison for gang-raping a 13-year-old girl. A law to legalise rape in marriage was approved by Karzai in spite of western protests, and a father murdered his daughter for having a passing acquaintance with a NATO soldier. The Afghan Government refused to intervene because it was an honour killing.
rights prize. Her judgment is that the rights of women in Afghanistan now are worse than under the Taliban. Is it really sensible to ask our soldiers to die for those human rights, which are the result of eight years of our presence there?

On drugs, Tony Blair was fond of saying that Afghanistan was a terrible state because 90 per cent. of the drugs on the streets of Britain came from there. I have heard almost every Secretary of State down the years say exactly the same thing. In some years, we have spent £90 million of our taxpayers’ money and in some years, up to £260 million of taxpayers’ money to eradicate drugs. That is British money. We led the field in the elimination of drugs. However, the result is that we have had the three biggest harvests of drugs ever in Afghanistan and the money spent has made no difference. There has been no reduction; the only reduction that takes place is when the price of wheat goes up and there is a higher market for that. The market for heroin is flooded throughout the world. There has been one change as a result of the misuse of taxpayers’ money: the price of heroin on the streets of this capital and every capital in the world has gone down and it is much easier for people to become drug addicts.

When David Loyn recently gave evidence to the Select Committee on Foreign Affairs, he said that 60 per cent. of the police are heroin addicts in Afghanistan and virtually all members of the Afghan army use cannabis. Those are our allies in our war against drugs. Afghanistan drug exports are worth £3.4 billion. For a cut of that, the Afghan officials and the police allow free passage along their roads. They allow public land to be used for growing drugs and they protect the drug dealers. The main source of the Taliban’s funding, which is certainly hundreds of millions of dollars, comes from the drug barons. They come to the Taliban and the money is used to buy weapons to attack our troops. Does anyone seriously believe that such an anti-drugs policy can ever change or be successful? Such a policy has failed for everyone during the past eight years—in fact, the money has had no effect whatsoever. The market out there is untouched by our interventions and activities—it is a hopeless cause.

We could all acknowledge that we cannot win by military means in Afghanistan, and that we have to win by persuading the Afghans that we are there for their own good. We need to win the battle for hearts and minds. I have received a reply today from the new Secretary of State for Defence that points out that we have discussed the terrorist threat before, but we need to call on the Government to provide the proof. Where is the evidence that we are protected against terrorist threats in Britain because we are in Afghanistan? I can think of none and I have not seen any produced, but that canard is repeated again and again as if it were a truth. Today it was used as a justification for the loss of seven lives in seven days. I press the Minister to tell us what he thinks the evidence is for that claim, which I am sure will continue to be repeated.

Our present position is very interesting because, just a year ago, there were signs that we would have to adopt a different policy. Exactly a year ago, I was in the Pentagon and I was told by the religious right and the old neo-cons that we will be in Afghanistan for generations. Others said that no invading alien army has ever won a battle against a local insurgency—a very chilling argument to make. The only possible exception is Malaya, but that insurgency did not have any popular support; it just represented a small tribe.

The way that these things go, we are likely to end up with one of two possible outcomes. One is that a deal is done: something happens and negotiations take place which will give us a chance to consolidate and preserve the gains made in education and reconstruction while making concessions on government concerns and the NATO presence. I believe that that is achievable. The alternative is that we run out in the same way the French did from Dien Bien Phu, the Americans did from Saigon and the Russians did from Kabul. In 2001, a fellow member of the Council of Europe, a Russian, slapped me on the back and said, “Ah, you British, you are very clever. You’ve conquered Afghanistan. We Russians did that. It took us six days. We spent billions of roubles there. We had 120,000 troops there. We killed 1 million Afghans and lost 16,000 of our own soldiers. We ran out, and, within a short period, there were 300,000 Mujahedeen around Kabul. It will happen to you.” That was in 2001, and the Russians are now looking at us and saying that we are making the same mistakes as they did.

A year ago, there was hope of drawing in other European states, as the hon. Member for Castle Point (Bob Spink) suggested. That is gone; it will not happen now. A year ago, our UK ambassador in Kabul, Sir Sherard Cowper-Coles, stated: “American strategy is destined to fail”, and warned that increasing troop levels would serve only to “identify us even more clearly as an occupying force and multiply the number of targets”. He urged the presidential candidates not to get bogged down in Afghanistan. America’s top general at the time, Brigadier Mark Carleton-Smith, said: “We’re not going to win this war.”
He went on to state:

“If the Taliban were prepared to sit on the other side of the table and talk about a political settlement, then that’s precisely the sort of engagement that concludes insurrections like this into a conflict in which it is impossible to win. There are hopeful signs in the election of President Obama. He was committed to the surge by an election promise. On 9 February, an early-day motion was put down in this House pointing out that a surge in troops in Afghanistan would mean a surge in fatalities. It is no comfort to see that the prophecy was accurate; it was certain to happen. We have had the surge of troops, which was based on the conclusion that if a surge worked in Iraq, for very different reasons, it might work in Afghanistan. Politically, President Obama had no choice but to become involved in the surge, but he has done other things that are far more promising—for example, he got rid of his previous NATO supremo and appointed General Stanley McCrystal, who has used words that have never been used before about Afghanistan. He used the word “defeat”, and we must consider the possibility of defeat. No one in America had ever dared to utter such a word, but General McCrystal uttered it, and he is a practical soldier. He used another word that is important to us: “exit”. We must now concentrate not on a perpetual war—a war without end—but on looking for practical ways of getting out. The main reason our soldiers are dying is not the wickedness of the Taliban; they are dying because of our presence in Afghanistan. We should look at previous insurgency wars that have taken place and learn from their results.

As I said earlier, we are at a turning point today and this week. Public opinion will suddenly become aroused. There are exact precedents for that in other parts of the world. We know of the anger that was expressed about our reasons for going to Iraq. There was virtually universal approval of the reason for our going to Afghanistan in the early stages, but, in my view, if there had been a debate and a vote in this House, there would not have been approval for the incursion into Helmand province. That was the disastrous turning point that turned a manageable situation into what we have now: one in which it is impossible to win.

I conclude by paying tribute to the soldiers. I speak as the proud son of a soldier who faced the enemy on many occasions. This House sent those young men and women to Afghanistan. It was our decision, and we should confront it. I was called on Friday by a reporter from the Wales on Sunday newspaper who asked whether I was proud that there were more Welsh troops in Afghanistan than there have been in any British operation since Malaya. I said that, yes, I was proud of their bravery and professionalism, but that I worried that the outcome would be the loss of more Welsh lives.

I recall the words that are on the side of the beautiful Welsh war memorial in Cardiff:

“Dros i wlad fe rodd ei lw,
Dros ffe aeth i farw.”


3.4 pm

**Nick Harvey** (North Devon) (LD): I begin where the hon. Member for Newport, West (Paul Flynn) finished. He reminded us of the ultimate price paid by so many of our soldiers in Afghanistan. I join him and others in paying tribute to those brave service people who did what they believed in and paid a terrible price for it. I pay tribute to everybody else who has fought in Afghanistan during the eight years that we have been there. I pay tribute to their courage, their professionalism and their determined perseverance in difficult circumstances at every twist and turn.
The hon. Gentleman made an interesting, powerful speech. He made some good points and some with which I do not agree. He strung his points together and came to a conclusion that I do not share, but he convinced me that we should have had a more substantial debate at the time at which the deployment into Helmand took place. Looking back, I do not think that there was enough understanding in Parliament, or among the public or the media, of quite how significant the change in our deployment from that point forward was going to be. I do not agree that, if there had been a full-scale debate and a vote, the House would have voted against going into Helmand. Perhaps if we had known then what we know now we might have done so, but we did not and could not know then what we know now.

With the benefit of hindsight, I wish that the Government had shared with the House, or at least with the Defence Committee, some of their background papers and risk assessments and some of the considerations that they weighed in the balance when they decided, as part of a NATO strategy, that we should go into Helmand. I wish that that had been so, because I wish that Parliament had gone into it with its eyes open. The task of bringing public and media opinion with us would have been easier if more of these things had been brought out at the time. All of that being said, and NATO having embarked on that strategy, I would still have voted to go ahead with it, but a debate over the fundamentals, in that sense, is rather overdue. To the extent that this short debate has begun to serve that purpose, it is welcome.

Bob Spink: No doubt the hon. Gentleman would pray in aid his decision to go ahead the fact that the education of girls in Afghanistan has increased perhaps tenfold during this period. Would he not also agree that, had the money that we spent on the war been spent instead in other ways to promote understanding and education and restructuring in that country in a peaceful way, without the loss of the 170-odd lives, we may have done even better in securing that objective without the loss of life and without quite as much money being spent?

Nick Harvey: That is an interesting point. I do not think that anyone should say that no progress is being made or that nothing is being achieved, because that is not so.

There are things to which we can point that are achievements, but whether, in principle, it would have been right to have committed British troops and put their lives in danger to achieve the objective of securing girls’ education in Afghanistan, I am not so sure. To that extent, the hon. Gentleman is making an interesting point; there might, in ideal circumstances, have been other ways of trying to bring about that objective. That brings me to the point that I wanted to make about the assertions made by the hon. Gentleman, Member for Newport, West about the Taliban. He was developing the point that the Taliban represented no threat to the UK and that, if we had left them alone, the UK would have faced no threat and would have been under no threat. I do not think that that assertion is correct, and I do not sign up to the challenge that the hon. Gentleman threw down—I listened to John Humphrys throwing down a similar challenge to the Defence Secretary this morning on the “Today” programme—on proving that terrorism would have been the consequence. On many occasions in armed conflict, people have to make their best guess as to what the enemy’s response would be to any particular situation.

We weigh up all the evidence that we have and arrive on the balance of probabilities at what we think the enemy is likely to do. With respect to the hon. Gentleman and John Humphrys, it is not up to those of us who think that the action in Afghanistan is justified or logical to prove that terrorism would result from having the Taliban back; it is up to those of the hon. Gentleman’s view to prove the opposite, given Taliban-run Afghanistan’s history as a haven for international terrorism. It is a perfectly reasonable working hypothesis to say that if the Taliban reasserted control in Afghanistan, the same things could and would happen again as time went on.

One has to look at Afghanistan’s history. Since 1974, Afghanistan has been unstable and has progressively deteriorated. There have been 35 years of hell for the people of Afghanistan, and it is many decades since we could view the country as anything other than a failed state. In that vacuum—that is what a failed state amounts to—international terrorism was able to secure a haven for itself. Only when we have used whatever means we can to put Afghanistan back together as a viable and stable state that is capable of functioning on its own terms—not necessarily as one built on some idyllic western concept of what constitutes a democracy—can we say that we have reasonably reduced the likelihood of international terrorism once again finding a safe haven and a home in Afghanistan. That is a perfectly logical conclusion to draw from the history and from an assessment of the current situation, and I simply do not believe that it is incumbent on anybody to prove that terrorism would follow the return of the Taliban. One has only to look back a short number of years to see that that was indeed what happened.

That said, it is perfectly clear that we are arriving not quite at the tipping point that the hon. Gentleman suggested, but at some sort of strategic stalemate in Afghanistan. One cannot say in all honesty that NATO’s current strategy and tactics are setting us on course to achieve success, victory or the goal of stabilising Afghanistan, and they are certainly not setting us on course to do that in any reasonable time frame. The longer progress does not seem to be made and the longer we continue in this stalemate, the truer the hon. Gentleman’s observation will become that the key rallying point for the insurgents—if one wants to use that word—is the simple fact of foreigners being in the country. That is why continuing to pursue our current strategy and vowing just to stick at it however long it takes is no longer a viable way forward, and I believe that President Obama has arrived at the same conclusion. His surge is not something that he feels bound to implement as a prisoner of his election promises, but something that he is doing with conviction, in the belief that something must be done to get over this impasse.

There is no guarantee that the surge will succeed in the terms that he has set for it. A surge into the large, rural, thinly populated areas of Helmand province is a very different proposition from a surge in the city of Baghdad, and I do not know whether it will be possible
to achieve even what President Obama wants, but he is right to have embarked on that course, because it is perfectly clear that we simply cannot go on as we have been calculating that up to 5,000 troops would be the number of western troops in Afghanistan all along, given the size of the population and of the country that we are trying to stabilise. In comparison with other international engagements in which stabilisation was the objective, we have lacked boots on the ground from the word go.

There are other problems that we have debated many times before. The Government have set about trying to address the problems with armoured vehicles, but there is still a chronic shortage of helicopter lift capacity. Some of the dangers to our troops would be obviated if we could move them about more in the air and less on the ground. Our strategy has also fallen into disarray, because we have not managed to keep the reconstruction effort, the war fighting and the conflict prevention together as one. In his book, “Swords and Ploughshares”, Paddy Ashdown talked about the need for a “seamless garment”, with conflict prevention, war fighting and reconstruction drawn together as interwoven strands.

Paul Flynn: This is the fourth Army that we have had in Afghanistan in our history. One emerged with just one of our soldiers alive. All our Armies ran out of Afghanistan defeated and our troops were generally slaughtered. The Russians had 120,000 troops in Afghanistan, but the Russians, too, ran away. It is calculated that up to 500,000 troops would be the right number to get some control over the country. How many troops does the hon. Gentleman think should be sent there to guarantee a military victory?

Nick Harvey: But the Russians’ objective was completely different. They were trying to take over the country and run it. We are not trying to do that in any sense. The objective of the NATO presence in Afghanistan is to help the elected Government stabilise the country to the point where reconstruction can take place and Afghanistan can retake its place in the community of nations. That is a totally different objective from bringing in an invasionary force to take complete control of the country and run it.

The difficulties in what we are doing are all too clear. The hon. Gentleman rightly pointed up the shortcomings in the emerging governance of Afghanistan. There are shortly to be elections, and it is dearly to be hoped that something more viable will come out on the other side of them, but there are not necessarily grounds for optimism. None the less, we were right to go in at the beginning. The change of strategy in 2006 was agreed in NATO, and we have done what we undertook to do in Helmand to the best of our ability. Equally, however, the hon. Gentleman is right to have sought a debate about the overall strategy, because we will not achieve the undefined goals that we have set ourselves by carrying on as we are at present. I very much hope that the change of tempo that President Obama has signalled is the beginning of a complete change.

The hon. Gentleman is right that a deal would be struck in the end and that a political solution would have to be found. Everywhere where we have been involved in a long-term commitment, we have talked people as terrorists and said that we would have nothing to do with them, only to end up having to sit down and talk to them. There is no doubt that that will ultimately happen in Afghanistan, but we must ensure that what emerges enables Afghanistan to rebuild itself over a long period, so that it can become a stable country and not a haven for terrorism. I very much hope that we can get to that point sooner rather than later. Previously, I might have believed that we could carry on as we are doing for 20 years and achieve the outcome that we seek, but I can no longer accept that as valid.

3.19 pm

Mr. Gerald Howarth (Aldershot) (Con): I thank the hon. Member for Newport, West (Paul Flynn) for providing the House with a timely opportunity to consider again the developments in Afghanistan. I am disappointed that more hon. Members are not here for the debate, as there is no doubt that the nation is following closely the progress of military operations in Afghanistan, saluting the extraordinary courage and commitment of Her Majesty’s armed forces, and grieving at the loss of so many fine men and women, whose names the hon. Gentleman read out.

I have a particular reason to grieve, because the Welsh Guards are based in my constituency and they have already taken a pretty heavy hit, not least in the loss of their commanding officer, Lieutenant-Colonel Rupert Thorneloe, whom I had the privilege of meeting when he gave a cocktail party on the regiment’s arrival in Aldershot and prior to its deployment. Therefore it touches us greatly. Today, the funeral of Major Sean Birchall took place at the Guards chapel a few hundred yards from where we are having this debate. Lieutenant Paul Mervis was also the son of friends of ours. The issue touches the entire nation, and it is appropriate that Parliament should debate it with all seriousness.

Although it was not by any means a sure-footed performance, the Secretary of State tried on this morning’s “Today” programme to set out the reasons for NATO forces being in Afghanistan. They are, first, to prevent the country lapsing back into a failed state that provides a safe haven for those who have plotted the bombing of western cities—a point made admirably by the hon. Member for North Devon (Nick Harvey); and secondly, to enable the Afghan Government to deliver a reasonably stable country, providing economic and social benefits to its people according to their customs. The Secretary of State did not allude to drugs, and it is extremely disappointing that we have made so little progress in dealing with the drugs problem, because there is no doubt that those drugs are reaching the streets of our towns and cities, killing our young people and destroying lives. I know that the hon. Member for Newport, West has some interesting ideas on how that might be approached, and perhaps the Minister will want to say something on it.

With the number of British fatalities approaching the level experienced in Iraq, we have a duty to check how well our national strategy is working. The British Army spokesman on the radio this morning, Lieutenant-Colonel Richardson, set out some of the successes, such as the increase in educational and medical provision in Helmand province, to which he might have added the repair of the Kajaki power station, which has done a great deal to improve the long-term destitution of ordinary people in the Helmand valley. The focus is now clearly on the military operation, Operation Panther’s Claw. Helmand is the key battleground, suffering twice the number of insurgent-initiated attacks.
as neighbouring Kandahar province since January. It is important to record that it is not just in fighting the Taliban that British forces are working hard; their commitment to the winning of hearts and minds is central to their understanding of their role in theatre. We should pay tribute to the ability of those men and women, many of whom are very young indeed, to switch from close-quarter combat to metaphorically putting their arms round local people, and trying to help them to improve facilities and their lives, in the face of attack by the Taliban.

Paul Flynn: I hope that I did not give the impression that I thought our British soldiers were primarily responsible for the deaths of civilians. It would certainly be untrue. They have been on course to win hearts and minds from the time they were first there. The great majority of the collateral damage—the killing of civilians, including women and children—results from American bombing.

Mr. Howarth: I was not attributing an indifference to the hearts and minds policy to the hon. Gentleman—far from it. However, he is slightly wrong in singling out the Americans with respect to attacks on civilians. The overwhelming majority of civilian deaths in Afghanistan arise from the actions of the Taliban. They are the people responsible for killing so many Afghan civilians. However, those unfortunate, tragic incidents of collateral damage—that rather euphemistic expression that we all use—show why we must invest so much money in high-technology precision equipment that reduces collateral damage. That enables us to look our constituents in the face and say, “We have done everything possible to ensure that our armed forces seek to carry out their mission clinically, and take great care not to inflict casualties on civilians.”

Some of our key concerns were set out by the shadow Secretary of State, my hon. Friend the Member for Woodspring (Dr. Fox) during the “Defence in the World” debate on 4 June, which was local and European election day. The Secretary of State promised to write to hon. Members whose questions had not been answered, but a month later, I regret to inform the House we have not yet received anything. I remind the Minister of some of the questions. First, what strategy do the Government of an exit strategy? I have a passage in my speech on this; the hon. Gentleman and others have mentioned it elsewhere. I want to return to it. My hon. Friend expressed fears that Britain could end up with a “Charge of the Knights” syndrome whereby the UK’s contribution would be deemed too small to accomplish the military task, inflicting damage on the Anglo-American relationship and tarnishing the reputation of our armed forces. That concern has been exacerbated by reports that requests by British military commanders for an increase in troop numbers have been rejected. As Con Coughlin wrote in The Daily Telegraph—I apologise to some hon. Members for mentioning that newspaper, but there we go; I do not think that he was involved in other matters—on Friday:

“If British commanders had got their way, an extra 2,500 of our troops would have been sent to Afghanistan this summer to do precisely what the Americans are now doing—taking the fight into the heartland of the insurgency. But Gordon Brown...refused the request on grounds of cost. As a consequence, British forces find themselves in the humiliating position of having to watch as the Americans do their job for them.”

The Parliamentary Under-Secretary of State for Defence (Mr. Kevan Jones): Not true.

Mr. Howarth: The Minister says it is not true. Let me just say that it is of course true that the Prime Minister has never shown any interest in providing the support necessary to fund the core military budget. That is evidenced by the fact that there has never been proper funding for the strategic defence review of 1998, let alone a proper budget on which to fight two wars. However, our force of 9,000 is actively participating rather than watching. I would not want to give the impression to anyone that British forces were somehow not participating, but there is no doubt that the Americans are probably the spearhead in Operation Panther’s Claw.

Bob Spink: Would the hon. Gentleman care to say whether it is Conservative party policy to increase the number of troops sent to Afghanistan, and what the numbers might be? Has the Conservative party set out what it would see as an exit strategy, with timings?

Mr. Howarth: If I may, I shall come on to the matter of an exit strategy. I have a passage in my speech on that, the hon. Gentleman and others have mentioned it and it is a critical issue that I want to return to.

My third point was raised by my hon. Friend the Member for Woodspring during the debate last month when he asked the Secretary of State to update the House on how many of the 5,000 NATO troops promised at Strasbourg had arrived in Afghanistan. We still have not had an answer to that question, and I hope that the Minister will respond to it.

I want to raise two further issues, including the exit strategy, which the Minister should deal with today so that the British public are clear about the Government’s intentions. First, there is a real imperative to meet the here and now. I understand that the budgetary difficulties that the Ministry of Defence is suffering are leading to battles between each of the services for resources. Some people, particularly those who are Army-orientated, are saying that we must scrap this, that and the other to concentrate on the main endeavour, which is to win in...
Afghanistan. I understand that argument, but there are other issues that we as politicians must address. There are other potential threats to our nation that we must address. We cannot simply devote everything to the here and now.

Having said that, the here and now is important, and it is our duty to ensure that our armed forces have what they need in theatre to do the job that we have asked them to do. There is no doubt that the introduction of new vehicles, such as the Mastiff and the Jackal, have helped, but there are insufficient numbers of them. The US has ordered 10,000 Mastiffs, but the UK has ordered just 235 with delivery already delayed. Furthermore, heavily armoured vehicles are not the universal solution because the enemy increases the power of its mines and roadside bombs to defeat whatever new armour we provide. It is important that people understand that. One cannot simply bolt on more and more armour. That will undoubtedly protect troops, but it will inhibit their wider operations. Some people believe that our only duty is to ensure that troops can travel with impunity in armoured vehicles, and that has been the case so far, but a soldier told me at the Aldershot Army Show that last Saturday that one reason why troops like the Jackal, which has no top, is that it gives them situational awareness and they can see what is going on. Troops in the back of a Mastiff, and even the driver, have a very limited view outside. I have always said that we should concentrate on the range of kit that commanders in the field need.

The Government’s decision five years ago to cut £1.4 billion from the helicopter budget was an unmitigated disaster. I understand that we have no spare capacity to increase the supply of helicopters, and those that are deployed are being hammered by the tempo of operations, and the inhospitable environment. Although the number of UK forces deployed to Afghanistan has increased to 9,000, the number of helicopters has not changed since late 2006, when the UK had just 4,500 troops in theatre.

The Leader of the House, standing in for the Prime Minister at Prime Minister’s questions today, claimed that the number of helicopters in theatre had increased by 60 per cent. She must know that it is not the number of helicopters that has increased so dramatically, but the number of flying hours, which subjects the machines to vastly increased wear and tear. As long ago as October 2006, an RAF Chinook pilot, Flight Lieutenant Stuart Hague, was reported to have said:

“We feel exposed and we have so few machines; we need more helicopters and newer ones”.

Such reports make the public believe that their Government have not delivered what the troops in theatre require, and such reports betray the meaningfulness of the assurance given by Tony Blair that commanders in the field could have whatever they need. The Minister, who is a good man, will undoubtedly refer to the six Merlin helicopters acquired from the Danes and to the re-roling of the eight mark 3 Chinooks, which have been gathering dust in a hangar for the past 12 years.

Mr. Kevan Jones: That is the Tories’ fault.

Mr. Howarth: It is not the Tories’ fault. The Government have had 12 years to put it right, and they have been very slow about it. None of those Chinooks is available now, so what are the Government going to do to increase the immediate availability of helicopter lift, and what has happened to the NATO commitment at Bucharest to create a pool of helicopters available for deployment?

My second point, which the hon. Member for Castle Point (Bob Spink) wanted me to address, is the exit strategy. I do not detect any discernible exit strategy from Afghanistan. As the hon. Member for Newport, West said, we all know the history of British military involvement in that country in the 19th century, and we need to be reassured that history is not about to repeat itself.

That is not an attack on the Government; it is, I hope, a sober challenge to all of us to understand the magnitude of the issue. To know where we are going, it helps to know where we have come from, and there is no doubt that our experience in Afghanistan in the past does not auger well, although the hon. Member for North Devon was entirely right in pointing out that our mission is very different from that undertaken by the Soviets. I hope that the Minister will tell us what state of transformation in governance and self-sustaining Afghan military capability will constitute success, and at which point it will be safe for Britain and NATO to withdraw.

For sure, there is no way in which we can sustain this tempo of operations for an extended period, let alone the 30 years mooted two years ago by the then British ambassador, Sir Sherard Cowper-Coles, with whom I breakfasted, as did the Minister, at the British embassy at Kabul prior to his going on the “Today” programme to explain his view. Nor is there any way in which we can create a benign sort of Hampton-in-the-Helmand in the society described by a friend of mine who is a former brigade commander in Afghanistan. When we were discussing the general situation, he said: “If you want to understand this place, Gerald, just go back to the 15th-century Scottish borders”—that is where I am half from—“and you will then have some idea of what this country is like.” We must be realistic about what we can achieve.

There is widespread acceptance that the battle in Afghanistan must be won, not least because NATO’s credibility is on the line, but also so that those who have given their lives in this cause will not have done so in vain. However, we must recognise that it is part of a much larger picture involving al-Qaeda and Pakistan. I suggested to General Richards some time ago that there was a risk that Helmand province would act as a magnet for Islamic fundamentalists—foreign insurgents—who are keen to exploit the chance to hit the West. I believe that I was not wide of the mark, although few agreed with me at the time. That is another issue. We must consider the extent to which it is becoming, as the Leader of the House said, a “crucible” that is acting as a magnet for those forces who perhaps failed to deal with us in Iraq and are now looking to deal with us in Afghanistan before they reject everything that we stand for.

Yesterday, the Government announced their intention of beginning work on a new defence review—an announcement that, given its serious implications for the nation’s entire defence strategy, should have been made on the Floor of the House so that all hon. Members could have the opportunity to question the Secretary of State. That review must be foreign policy-led, not Treasury-led and, above all, it must factor in lessons from Iraq and Afghanistan, and the likely impact that
The Parliamentary Under-Secretary of State for Defence (Mr. Kevan Jones): I thank my hon. Friend the Member for Newport, West (Paul Flynn) for securing this debate. However, I believe that the hon. Member for Aldershot (Mr. Howarth) has made some good points, and I agree with the hon. Gentleman on another matter. I also want to dispel the nonsense that somehow Britain is in Afghanistan on its own. We are not; we are working in a coalition with some very brave individuals and other nations, who have lost quite significant numbers.

Mr. Gerald Howarth: I am pleased that Her Majesty the Queen last week announced the creation of the Elizabeth cross. As a Back Bencher, I campaigned for such an award, to recognise the sacrifice that families have made in the defence of this country. It is also important to put it on the record that our thoughts are with those who have been injured in Afghanistan and Iraq since 2001. My area of responsibility covers the Defence Medical Services, and I regularly meet very brave individuals who now have very challenging lives because of the sacrifice that they made.

I agree with the hon. Gentleman on another matter. I have visited Afghanistan on five occasions—first in 2002 and most recently about three months ago—and the one thing that always heartens me is that morale is very high. Like him, I pay tribute to the servicemen and women. British youth get a bad name, but the best of British youth can be seen taking a huge amount of responsibility in Afghanistan.

As I said, I congratulate my hon. Friend the Member for Newport, West on securing the debate. However, I fundamentally disagree with his approach, although I respect his right to hold that view. He asks why we are in Afghanistan—what the reasons are for our involvement. My right hon. Friend the Secretary of State outlined those this morning in his speech. First, it is to prevent the return of the Taliban, which would allow terrorism to flourish. We cannot forget that. The hon. Member for North Devon (Nick Harvey) reiterated that point. Secondly, this year, it is to ensure that there is the right environment for the elections to take place. The hope is that they will be free from intimidation and the insurgents will not deny the free will of the Afghan people to decide who governs them. Another reason is, in the long-term, to make space for civic society to develop and to ensure that the security of Afghanistan can be taken over by the Afghan people themselves.

My hon. Friend and others ask what the strategy is. As I said, I have been visiting Afghanistan since 2002 and I have always been very clear on the strategy. We cannot, as some people naively try to do, separate reconstruction from security. The strategy is clear. It is about ensuring that we achieve security and then bring in reconstruction and governance building, which is taking place. Certainly on my visits to Kabul, I have seen tremendous progress being made. People ask, “Has progress been made?” Yes, progress has been made not only on education, which was mentioned, but on governance and the reach of the Afghan Government across the country. People ask, “Why are we there?” One of the interesting things is that Kabul today is very different from the city I first visited in 2002. It is important that we continue that strategy.

People are rightly anxious about what is happening in Helmand. We have to recognise why, before 2006, there was not a great deal of violence or action in the south of the country. It is because NATO troops, the Americans and we did not go into that area—it was a safe haven for the Taliban. I totally disagree with my hon. Friend when he suggests that somehow our moving into the province has created the problem. I do not think that it has. Our action was about ensuring that we took the fight to the Taliban to secure those areas for the Afghan people, but also to ensure that the Taliban did not have a free haven from which to attack our troops and the Afghan people in Afghanistan and to go over into Pakistan.

I cannot accept the argument that no progress has been made in Helmand. When I first went there in 2006, I flew into Lashkar Gah. Our control in Lashkar Gah extended to the provincial reconstruction team compound and that was it. I went there a few months ago and I also went there last year with the Select Committee on Defence when we went into Lashkar Gah to have lunch with Governor Mangal. The writ of the Afghan Government and our security is growing. On my most recent visit, I went to Garmisir, which was a no-go area only 12 months ago. In many of the villages and towns, commerce is coming back. People genuinely want the peace and security that we all need. There is clearly advancement in relation to school attendance and, for example, the Kajaki dam project, which was mentioned. Has progress been slow? Yes, progress has been slow. Has this been a tragic week, in which we have lost seven people? Yes, it has, but we then have to consider what is actually going on.

I do not accept either what has been said about President Obama’s position. He is very clear on what that position is. The person leading the Americans is General McChrystal. The strategy is to ensure that we secure ground and bring in the development and governance behind that, and that is what is happening at the moment. Is it an intense time? Yes, it is. Is the momentum being maintained? Yes, it is. To say at this stage that we should change strategy is not right. I do not agree with that. Clearly, the Americans, with their uplift of 17,000 people, have made a big difference to the footprint.

I also want to dispel the nonsense that somehow Britain is in Afghanistan on its own. We are not; we are working in a coalition with some very brave individuals and other nations, who have lost quite significant numbers. I refer to the Dutch and the Canadians, among others.

A few months back, I met the Estonians, who are doing a fantastic job. We must not forget that it is a coalition effort. Sometimes we think that it is just a UK operation; it is not. The hon. Member for Aldershot asked about...
the command. The Dutch are the lead at the moment. In terms of the overall footprint, it is definitely a coalition operation. I would hate anyone to go away with the impression that the Americans have arrived and the UK troops are not involved in current operations. They are very much involved in operations, along with the troops from those other nations, ensuring that we can get peace and reconstruction.

Paul Flynn: Can my hon. Friend confirm the reports that the Americans wanted us to contribute more than 2,000 troops to the present surge and we contributed about one third of that? If that is true, is it not a matter of congratulations for the Prime Minister?

Mr. Jones: Again, a lot of nonsense has been talked about that. I have read in the newspapers that the military wanted increased numbers and the Prime Minister denied them that. That is just not the case. Decisions on numbers are an operational matter. We have increased the numbers for the election, and that includes improvised explosive device specialists, who are needed. The fact is that we are doing a good job in Afghanistan, working very closely with our American allies and others. The idea that there has been a great disagreement between the military and the politicians on that is not correct; there has not. The previous Secretary of State and the present one work very closely, as I do, with our senior military, and it is operational reasons that dictate such decisions.

The issue of equipment was raised. We heard not unusual sniping from the hon. Member for Aldershot at the Prime Minister, but my right hon. Friend, when he was Chancellor of the Exchequer, ensured that the urgent operational requirements for equipment were put in place.

Bob Spink: I certainly acknowledge that other NATO countries, particularly in the EU, increased their burden in April this year and I welcome that, but can the Minister confirm whether the British Government’s position is now that the burden sharing is well balanced and at an appropriate level, or do they still feel that other NATO countries should take a greater share of the burden?

Mr. Jones: We have always made clear our position that other nations should do more, and they have done more. If we consider the numbers of Canadian troops as a proportion of the total, it is quite high. The most senior Dutch general lost his son in Afghanistan. Estonia is a very small nation, but the Estonians are doing a fantastic job in Afghanistan. We should not underestimate that. It does not help the debate or what we are trying to do in Afghanistan to try to apportion blame.

May I turn to the subject of drugs?

Mr. Howarth: Before the Minister turns to the matter of drugs, may I ask him to respond to my question on helicopters? It goes to the heart of the problem. For the reasons that I gave, we cannot always rely on up-armouring our vehicles. If he could deal with that point, I would be grateful.

Mr. Jones: I shall come to that point in a moment. I want to deal first with drugs.

The impression is being given that no progress has been made on drugs, but Governor Mangal has run an effective narcotics programme in Helmand, working with the coalition force in providing grain for local farmers. Overall, more than half of Afghanistan’s provinces are now poppy-free. We started with six in 2006; there are now 18. The question is whether it will be a long, slow process. It may be, because we must ensure that we bring in alternative lifestyles behind the poppy eradication.

I shall now pander to the hon. Member for Aldershot and his question on helicopters. I have to say that I agree with him about protected vehicles. Even if all our vehicles were highly protected, we still would not get rid of the potential for injury. We are dealing with a dangerous situation and clever opponents are always changing their tactics. That is why our counter-ID teams and others are working hard to look at the different techniques that are used.

Our approach is clear. The Government not only put in the money, but we make a wide range of vehicles available. However, it is for commanders on the ground to decide when they are used, not politicians. The hon. Gentleman is right that to say using a Mastiff vehicle in parts of Helmand province is not on. First, it would not move; it would sink into the sand in certain areas. Secondly, he is right to say that winning hearts and minds cannot be done from inside a vehicle. Our people will be exposed, and it is important to ensure that we get the training tactics and techniques right. The way to win hearts and minds and influence the local people is not to fly everywhere: there is a case for getting out on the ground.

We have increased the operating hours of helicopters by 84 per cent. We have also brought in some capacity, with our coalition partners, for commercial helicopters to do some of the heavy lifting. Again, we should get away from the notion that Britain is out there on its own, using its own helicopters for its own use. It is a coalition approach, and helicopters are being shared—as we learned this week, when a British soldier was tragically killed in a Canadian helicopter. It is all about pooling our resources and using them in the most appropriate way.

As for the next move, the hon. Member for Aldershot will know that when the Merlins come out of Iraq, they will be moved to Afghanistan. When I was there, I had to share helicopters. People were asking whether we have the helicopters that we need. Yes, we have. The next question is whether they could do with more. Someone said, “We will always ask for more.” However, for the operations going on at the time we have the helicopters that are needed.

My hon. Friend the Member for Newport, West asked what is the alternative. I see one weakness in that approach. It is the question, “What would you do differently? What other conclusion could be drawn?” It is clear that if we leave Afghanistan, it will become a safe haven, as the hon. Member for North Devon suggested. I pay tribute to the Pakistan army, which is taking the fight to the Taliban in the north of that country and is having great success in bearing down on safe havens for terrorists. The Pakistan army should be congratulated on that and we recognise the sacrifice that they are making. I do not agree that we are at a stalemate position in Helmand. We are at a turning
point, given the surge of Americans and our strategy. It is all about keeping the momentum going. Is it going to be tough? Yes it is; no one would say that it is not a difficult situation.

I was asked what the end game is. The end game—we are moving in that direction—is to ensure that the Afghan national army, and the police and the Government, can take over security. I pay tribute to them; they are taking an increasing role, including in the successful operation at Musa Kala. The Kajaki dam convoy was supported by the Afghan national army, and it is taking a clear role in providing security for the Afghan presidential elections later this year. We need to train the Afghan national army to ensure that it can continue in that role.

The hon. Member for Aldershot asked about our exit strategy. It has been clear from the start that it about ensuring that we put in security, bring in development, and train the Afghan national army and the Afghan police to take over security. We also need to put government structures in place that will lead to the sustainable development that is needed. I do not accept the analogy with the Russians drawn by my hon. Friend the Member for Newport, West. They took a very different approach to occupation. We should not think that the lessons of history can be necessarily be used in modern-day Afghanistan or in other situations.

Paul Flynn: My hon. Friend is generous in giving way. He has inadvertently overlooked one point in his reply, but he will be finished in a few moments. Will he give us the evidence behind what he and the Secretary of State for Defence have said today, that there is some link between our presence in Afghanistan and a reduction in the threat of terrorism on British streets?

Mr. Jones: I must agree again with the Liberal Democrats. The hon. Member for North Devon asked what the challenge is. The challenge is clear in terms of 9/11 and 7 July. We cannot allow Afghanistan to become a failed state again, and to be a springboard for terrorism. I should not use this word, but it is a little naive to think that somehow the Taliban are not in any way connected to al-Qaeda, to which they gave safe haven, or to that repressive regime and theology which, if it were allowed to gain a foothold in Afghanistan, would sit there and ignore the rest of the world.

Paul Flynn: Where is Osama bin Laden?

Mr. Jones: My hon. Friend asks about Osama bin Laden. The fact of the matter is that we cannot leave a failed state and its entire infrastructure. The Taliban are not only persecuting the people of Afghanistan but exporting terrorism and ideology around the world. It would be nice if they were peace-loving people, but I do not believe that that they are.

My hon. Friend spoke about reconciliation. That is already happening in Afghanistan. When I was there last year and met Governor Mangal, some members of the provincial council were Taliban but had come over. However, that is a matter for the Afghan Government. The clear position laid down by President Karzai is right: if people want to renounce violence and contribute to the peaceful prosperity and growth of Afghanistan, they will be welcomed—but not if they continue to support the Taliban in their horrendous persecution of the Afghan people or their terrorism. The process has to be Afghan-led and some progress is being made.

Is it a hard task that we ask of our people in Afghanistan? Yes, it is; we are asking them to do a difficult job, but we can be proud of them. The influx of the Americans, the work that is happening in Pakistan and the continued commitment of our British forces will make a difference, and we can be proud of that. I have met our forces, both in Helmand and in Pakistan, and they know that they are making a difference. They are proud of what they are doing. If that means not only bringing prosperity to Afghanistan but ensuring that there is no threat against the UK mainland, it is a cause that is well worth fighting for.
Vaccine Damage Compensation

4 pm

Ian Stewart ( Eccles) (Lab) : I am pleased to have the opportunity to raise this issue today as chair of the all-party group on vaccine damaged children. I preface my remarks, as I always do, by saying that the all-party group supports a public vaccination programme and the protection of workers in the workplace. We recognise the role that vaccination plays, and has played, in the reduction and eradication of disease, and like everyone, I want protection against disease for my nearest and dearest, and for everybody else’s too.

With protection, however, comes responsibility. Society must accept its duty to give financial support to the small number of workers who have a serious, adverse reaction to a vaccination. The vaccine damage payment scheme, which we are discussing today, is administered by the Department for Work and Pensions, but the Department of Health has an input too. The DWP was first in the drawer for this debate, so I went for it first, but I hope to tackle the DOH at the earliest opportunity. The all-party group has established a good working relationship with the DWP, but sadly the same cannot be said of the DOH. Some of my remarks are intended for the latter, but basically I want to consider what financial support is, or could be, offered to workers damaged by vaccines, whether through the payment scheme, industrial injury benefits or, if appropriate, a new 21st century system of assistance.

Today’s debate focuses on adults such as those in the medical professions. 1993 DOH guidance required, as a condition of service, that all new employers in “exposure prone procedures” should receive hepatitis vaccines. However, people in other jobs are affected too, and I have listed them in my recent early-day motion 1646, which has attracted 138 signatories from all parties. The DWP was first in the drawer for this debate, so I went for it first, but I hope to tackle the DOH at the earliest opportunity. The all-party group has established a good working relationship with the DWP, but sadly the same cannot be said of the DOH. Some of my remarks are intended for the latter, but basically I want to consider what financial support is, or could be, offered to workers damaged by vaccines, whether through the payment scheme, industrial injury benefits or, if appropriate, a new 21st century system of assistance.

Today’s debate focuses on adults such as those in the medical professions. 1993 DOH guidance required, as a condition of service, that all new employers in “exposure prone procedures” should receive hepatitis vaccines. However, people in other jobs are affected too, and I have listed them in my recent early-day motion 1646, which has attracted 138 signatories from all parties represented in the House. I repeat that the numbers affected are small, but, as with all vaccine victims, the casualties are completely innocent; their lives, and those of their families, have been badly diminished through no fault of their own. This is a family issue.

Mr. Denis Murphy ( Wansbeck) (Lab) : I congratulate my hon. Friend on securing this debate and on his many years of excellent work, in this House, in trying to secure justice for individuals such as Mr. Robinson, a constituent of mine, who, six years ago—when he was a fit, young man of 43 years—had to be vaccinated for hepatitis B as part of his work as a forensic scientist. Two days later he was taken ill, and unfortunately several weeks later had to finish work. He is now 60 per cent. disabled. Does he agree that this vaccination has had a very detrimental effect on some people’s lives and health, and that they should be compensated?

Ian Stewart: I have met with Mr. Robinson and my hon. Friend, and I wholly accept his remarks. Unfortunately, however, this is not just about one worker. Having said that, we must keep the figures in realistic terms; the number of people affected is relatively small, so, in my view and that of the all-party group, the issues should be easier for the DWP and the DOH to tackle.

One victim wrote:

“The injuries we suffered as a result of the Hepatitis B vaccination are devastating. We have permanent serious health problems, lost our jobs, our careers, independence, ambitions, family life and the joy of life.”

That statement was made by a medical doctor suffering from vaccine damage. On 19 May, the all-party group held a meeting with workers who reasonably claimed to have been damaged by hepatitis vaccines. Some were receiving industrial injuries benefits, one was receiving a reduced NHS pension, and another was receiving a medical pension. All have had to fight, over a number of years, for those benefits. A number of MPs, from all parties, who could not attend the meeting, wrote to me about adult constituents who might have been damaged by hepatitis vaccines, and to offer their support to the all-party group.

The vaccine damage payment scheme has been described by Ministers as a scheme to provide assistance—not compensation—for people damaged by routine childhood vaccinations. DWP Ministers have stated that the scheme is designed—I emphasise “designed”—to cover routinely recommended vaccines in the childhood immunisation programme. Nothing in the Vaccine Damage Payments Act 1979 appears to state that the scheme relates only to children. It is my contention, therefore, that it could apply to adults also damaged by vaccines and who meet the criteria laid down in the scheme.

Mr. Tom Clarke ( Coatbridge, Chryston and Bellshill) (Lab) : I apologise for arriving two minutes into my hon. Friend’s speech. We all welcome the fantastic job that he has done in this field, but will he comment on the problem of vaccine-damaged children who become adults, but whose families continue to fight on their behalf?

Ian Stewart: My right hon. Friend has a long and esteemed history working in this area and has done far more than me on it and the area of care and health in general. He is of course correct: some of these “children” are now in their 50s and so of similar ages to some in this Chamber. Problems might begin in childhood, but will continue into adulthood, if the individual lives long enough—unfortunately some do not live long lives.

Today, however, we are concentrating wholly on adult workers damaged by hepatitis vaccines. In the majority of cases, people may apply for a payment only before, and up to, the age of 21. Adults can receive a vaccine damage payment for an adverse reaction to polio, rubella, meningitis C or human papilloma virus vaccines, though not for diphtheria, tetanus, pertussis and others, and some vaccines, such as those for hepatitis and influenza, are excluded completely. Applications under the payment scheme often go to appeal, which is adversarial, and for which no legal funding is available to help applicants.

DWP Ministers have always told me that the budget for VDPs is not capped, and I accept that assurance unreservedly. However, I have come to believe that DWP officials do not believe that there is such a thing as vaccine damage. In my view, they think that children and adults might have soreness and some local swelling after vaccination, but no significant or long-term damage as a result. I have no medical background, but I accept the word of the Government’s immunisation policy adviser, who said:

“There are side-effects with all vaccines.”
[Ian Stewart]

The recognised side-effects are published in the Department’s patient information leaflet. Workers tell me that they not only had no pre-vaccination discussion about the contents of the patient information leaflet, but did not even see it. I hope that the Department of Health will address that matter. Consent can be meaningful only if people have all the necessary information.

In the UK, the Department of Health acknowledges that chronic fatigue syndrome, rheumatoid arthritis and multiple sclerosis have been reported under the yellow card system as adverse reactions to hepatitis B vaccines, but points out that the reporting of the adverse reaction does not necessarily mean that it was caused by the drug or vaccine. I should like to put it on the record that I had correspondence and a meeting with NHS Direct, now re-established as NHS Choices, about the deletion of vaccination as a possible contributor to myalgic encephalomyelitis in its online directory after 2006. Up to that time, vaccination was listed as a possible contributory cause. I have been told that although there is no paper trail to say how the deletion came about, it is nevertheless correct as, in its view, there is no link between the hepatitis B vaccination and ME. It is small wonder that workers who are damaged by vaccine are suspicious, and I have to say here that I am suspicious, too. Furthermore, the information leaflet on HBvaxPRO, which was published in 2005, stated that serious side effects occur less frequently, and include allergic reactions certain severe types of rash, joint pain, muscle disorders such as Guillain-Barré syndrome and central nervous systems disorders such as multiple sclerosis.

So what happens elsewhere? The US has had a vaccine court since 1989. The system is simple, transparent and relatively quick. The judges are vaccine specialists. It is not a lawyers’ paradise, with just one legal representative and one expert allowed on each side. In 2007 and 2008, more than half of the cases that were compensated in the US were those of adults. Some 146 hepatitis vaccine cases out of a total of 578 have been fully compensated since the court was established. Therefore, the US accepts that hepatitis vaccines can cause significant and sustained damage to a small number of people.

The difficult truth is that what we have in place in the UK is not fit for purpose. It is not usual for me to use such new Labour jargon, but, in this case, it is appropriate. The system was designed in 1979 for a specific purpose. It now needs to be redesigned, upgraded or perhaps replaced with something better. The Labour Government improved the vaccine damage payment scheme in 2000 for which I give them full credit. To be frank, I am very proud that our Labour Government did that. Now, we urgently need further improvements. Since 1997, we have introduced significant and wide-ranging social security reforms. We need a fundamental review of how best to help vaccine victims.

As I said earlier, the vaccine damage payment scheme does not include hepatitis vaccines. Yet the all-party group was informed that at least one person whose hepatitis B claim failed was then told that they could appeal. As the vaccine is not part of the scheme, that has to be a waste of everybody’s time. So, what other help can the Department for Work and Pensions offer? There is industrial injuries assistance. I asked a number of parliamentary questions regarding industrial injuries claims for people who have had an occupational vaccine and can no longer work. Unfortunately, I was told that the information was not available. I also asked about the position of student doctors and nurses who are not covered by employee benefit schemes as they are classed as being in training. Again, the information was not available.

I have been informed by a voluntary group, which has had contact with about 200 people who believe that they have been damaged by a hepatitis vaccine at work, that only one of its number received industrial injuries benefit without going to a tribunal. Five of its members have received industrial injuries benefit following an appeal. Some appeals are still pending. One trainee doctor and one trainee nurse went through the whole tribunal hearing only to be informed that they were not eligible as they were trainees and not employees. So, the cases are there, but the DWP statistics are not.

The DWP knows that workers have been damaged by vaccines because it is, in some cases, paying them industrial injuries benefits. However, if we do not record what is happening, we do not identify the problems. It would appear that we have a postcode lottery of support, with some areas more likely to grant industrial injury payments than others.

I would have thought that the Health and Safety Executive would be interested in such information, particularly when people are assessed as having a 50 or 60 per cent. disability. It is hardly surprising, therefore, that a constituent of my hon. Friend the Member for Wansbeck told the all-party group that “the benefit system is a complete mess when it comes to those with a vaccine related illness. There is no consistency in its decisions or its knowledge of people’s problems, leaving many to lose confidence in the system that should help them in their need. Where is the duty of care?”

In highlighting the shortcomings of the present system, I hope that we can all work together to meet our duty of care to workers who are vaccine victims. As I said in my early-day motion 1646, I am flexible about what the best solution is. I hope that the Minister will work with his ministerial colleagues, MPs, peers and stakeholders to ensure that reforms are made and that a wrong is put right.

4.18 pm

The Parliamentary Under-Secretary of State for Work and Pensions (Jonathan Shaw): I congratulate my hon. Friend the Member for Eccles (Ian Stewart) on raising this important issue. He has presented his case in his usual way. He is focused, sceptical on behalf of the people for whom he is fighting, relentless and principled. He is exactly the type of union steward that one would want on one’s side. Importantly, he is also modest as well. He takes collective pride in the fact that the Government have increased their awards from £40,000 in 1988 to £100,000 now. However, we know that much of that increase was down to his hard work. We pay tribute to him for that. It has changed lives. That is what all who come into this place hope to achieve on behalf of our constituents and others in our country. He has done it, and we are very proud of him.

I acknowledge my hon. Friend’s constructive chairmanship of the all-party group on vaccine damaged people and I am pleased to hear that there is a good working relationship with the Department for Work
and Pensions. I am committed to maintaining and improving that relationship, and I can assure him that the Department will work closely with health officials on the vaccine damage payments scheme and to deal with issues that have arisen in this debate, including those raised by my hon. Friend the Member for Wansbeck (Mr. Murphy) and my right hon. Friend the Member for Coatbridge, Chryston and Bellshill (Mr. Clarke), who also has a distinguished record of working with disabled people.

Mr. Russell Brown (Dumfries and Galloway) (Lab): I, too, congratulate my hon. Friend the Member for Eccles (Ian Stewart) on securing this debate. Far be it from me to steal his thunder, but the Minister said that he would endeavour to work closely with Ministers in the Department of Health. On a previous occasion, my hon. Friend met two Secretaries of State to push the case for advances on payments for vaccine damaged children. If there were a request for a meeting with the Minister and someone from the Department of Health, would he accede to it?

Jonathan Shaw: Of course, I would gladly accede to such a request. Our hon. Friend the Member for Lincoln (Gillian Merron) now has policy responsibility as Minister of State, Department of Health, and colleagues who know her will know that one of her qualities is that she engages with colleagues from across the House, which is her responsibility. She and I will gladly see a delegation to discuss this important matter.

I realise that my right hon. and hon. Friends are familiar with the vaccine damage payments scheme and its operations, but for the record and to inform the debate, it would be helpful briefly to outline its background and explain how it works in practice. I am pleased that my hon. Friend the Member for Eccles categorically stated that he and the all-party group support a public vaccine programme. Immunisation with vaccines is a vital way of protecting individuals and the community from serious diseases. It is an important part of our public health policy and it continues to have a tremendous positive impact on the health of our population.

Vaccinations are safer now than they have ever been, but I recognise that on rare occasions, vaccines can cause severe disability, which can put individuals and their families under considerable strain—my hon. Friends the Members for Eccles and for Wansbeck were right to describe those human tragedies in the House. That is one of the main reasons why the Government established the vaccine damage payments scheme at a time, which is one of the main reasons why the Government established the vaccine damage payments scheme at a time, which is the vaccine damage payments scheme. It is important at the beginning to understand that the vaccine damage payments scheme is not intended to address all the financial implications of disablement for those affected by vaccines; it is only one part of a wide range of support and help available to severely disabled people in the UK. For example, the disability living allowance provides an important non-contributory, non-means tested and tax-free cash contribution towards the extra disability-related costs incurred by severely disabled people.

On the side effects of vaccination and hepatitis B, my hon. Friend perceives that the Department of Health does not recognise that vaccines can cause damage. That is not the case. I hope that Ministers from the DWP and the Department of Health can assure my hon. Friend the Member for Dumfries and Galloway (Mr. Brown) of that at the meeting he requested.

Ian Stewart: Although we expected to get some answers today—hopefully we will get some—the Minister cannot possibly answer everything we have put to him. Therefore, this short debate is the stepping stone towards other debates and meetings in pursuit of our constituents’ interests.

Jonathan Shaw: I am aware, as my hon. Friend said, that the debate is part of a process. As I said in my opening remarks, he is focused, principled and relentless, so this will not be the last time that we discuss this matter. I welcome debate and discussion on this important issue.

I reiterate that the Department of Health takes great pains to ensure that its vaccination information material stresses that no vaccine is 100 per cent. safe. Because the Department of Health recognises the risks, it continues to work closely with the DWP on the vaccine damage payments scheme.

Hepatitis B vaccine is widely considered to be safe. There are known side effects, but the majority are mild, transient and uncommon. With common medical conditions, it is inevitable that some people develop symptoms after they receive a vaccine. It is completely understandable how conditions occurring shortly after vaccination can be attributed to vaccination, but the onset of symptoms after vaccination does not necessarily mean that the vaccine was responsible. Those claims have been extensively evaluated, and there is currently no good scientific evidence that hepatitis B vaccines cause long-term illnesses such as MS, rheumatoid arthritis and chronic fatigue syndrome. That position is supported by the World Health Organisation and the Centre for Disease Control and Prevention in the United States.

It is also important to reiterate that the report of a suspected adverse reaction to the hepatitis B vaccine through the yellow card scheme and its consequent inclusion in the list does not necessarily mean that a reaction was caused by the vaccine. MS was included as a possible side effect in product information, with the proviso that no causal link had been established, long before the studies found that there was no link. The only potentially serious adverse reaction attributable to the hepatitis B vaccine is anaphylaxis. Such severe allergic reactions, which can result in death, are believed to occur about once in 1.1 million doses. It may also be helpful to point out that the US vaccine injury system listed that serious adverse reaction as an adverse event to hepatitis B in its vaccine injury table.

I shall now consider the suitability of including the hepatitis B vaccine in the current vaccine damage payments scheme. It is important at the beginning to understand...
the background and rationale of the scheme. The scheme has always covered the diseases that are vaccinated against as part of the Department of Health’s routine childhood immunisation programme. Such an approach underlines the intention of successive Governments for the scheme to help those children who are—extremely rarely but regretfully—severely disabled as a result of vaccinations aimed at preserving the health and safety of the wider community.

Changes to the childhood immunisation programme are made on the recommendation of the Joint Committee on Vaccination and Immunisation. As my hon. Friend indicated, in some cases, as with vaccinations against polio, rubella, meningitis C and HPV, the scheme also covers those vaccinated up to and sometimes over 18 years of age.

I am sorry to take up the Minister’s time, but he is clearly going to be unable to answer all the points that have been raised in the debate. Will he write to me to cover all the points that he has been unable to cover in this short time?

Mr. Pitman: I am not going to be able to say everything that I wanted to say, and I will certainly write to him with those details.

4.30 pm

Dr. Andrew Murrison (Westbury) (Con): It is a pleasure to serve under your chairmanship, Mr. Chope. I am grateful to have the opportunity to debate the effectiveness of management systems at the Foreign and Commonwealth Office.

My interest in the matter was provoked by the unfortunate case of my constituent, Mr. John Pitman of Trowbridge. I will use his appalling experience to illustrate what I believe to be a wider malaise within the FCO, an organisation that has a formidable reputation for diplomacy but clearly regards management, particularly of its human resources, as being somewhat below the salt.

Mr. Pitman, a former employee of the Foreign Office, has had a long battle to rectify a number of management failings that affected him during his service. The Minister will be aware that I have had an extensive correspondence on behalf of my constituent since 2001, but residual issues and concerns remain that warrant attention and suggest that HR management within the Foreign Office is not done well.

Mr. Pitman, who has spent his life in Her Majesty’s service in the Royal Marines and the FCO, was made redundant from his work as a Foreign Office security officer in 1996. He was re-engaged on a temporary contract between 1998 and 2000 to fill the position in Moscow from which he had been made redundant. At a function in 2000, Mr. Pitman met a senior figure, a non-UK national, in a security company that provided services to the FCO. Potential employment opportunities for my constituent were discussed in the course of the encounter, and a subsequent meeting was held. My constituent became uneasy at the gentleman’s line of questioning and the information that he apparently held and duly reported the encounter officially, as he was bound to do.

In July 2000, after he had left his posting, Mr. Pitman was told by his line manager that he had contravened the terms of his employment, citing the testimony of an unnamed witness who my constituent believes was the gentleman he had met from the security firm. My constituent tells me that his line manager and the security firm official both questioned his integrity, and cites a written report from the latter to the former stating that Mr. Pitman was a security risk and that they should not trust him. My constituent’s line manager reported that opinion to the Foreign and Commonwealth Office.

The upshot of those unsubstantiated allegations from a foreign, unvetted civilian contractor and a junior FCO manager apparently in close contact with the former was the summary removal of my constituent’s security clearance, with no form of investigation and no audit trail worth the name. Mr. Pitman was neither given the opportunity to comment nor informed of the removal of what was effectively his licence to practise, both directly for the FCO and for a range of private operators in the security field. In blissful ignorance, he continued applying for employment within the FCO. Unsurprisingly, given his unwitting lack of security clearance, no work was forthcoming. However, Mr. Pitman was aware that there were plenty of appropriate security opportunities in the FCO, as officers were being brought...
out of retirement to fill vacancies. Still, nobody told him that his security clearance had been revoked.

Eventually, Mr. Pitman, his lawyer and I fetched up in the office of Mrs. Tessa Redmayne, a senior person in the FCO’s human resources department. We asked why my constituent was being passed over for work that he knew was plentiful. In the course of that extraordinary meeting, it became apparent that the problem was that Mr. Pitman’s security clearance had not been renewed, and that there was no intention to renew it. I expressed surprise, knowing full well from my own service career what a big deal failure to renew security clearance represents and the proper steps that must be taken in connection with it. It is not something to be done on the say-so of a junior official, on the back of hearsay from a foreign national, without any form of investigation.

It seems that, as his contract came to an end, Mr. Pitman was simply not made aware of the security clearance issue. Instead, his clearance was withdrawn without his knowledge. He was told subsequently that the clearance had expired along with his contract, which was simply not true. Only after becoming aware, via a freedom of information request, that his security clearance had been removed was he able to discover, among the heavily wielded and redacted documents made available, the underpinning allegations made against him.

The consequences for my constituent have been profound. He has suffered a substantial loss of earnings in the nearly three years between the loss of his security clearance and its reinstatement. He was unable to secure employment without clearance and now finds that he cannot get clearance without an offer of employment. His strong suspicion is that Foreign Office management are using that to deny him work. Furthermore, his reputation has been traduced and his chances of employment in the tightly knit public and private security world are greatly diminished. It has all taken a heavy toll, as the Minister can imagine.

My constituent received a vague apology for management shortcomings from one of the Minister’s predecessors, and the head of personnel security at the Foreign Office gave an unreserved apology after my intervention in 2004. Mr. Pitman’s security clearance was reinstated to allow him two short-term contracts, which rather vindicates him. However, he believes, and I find it entirely credible, that he has been blacklisted as a troublemaker, which has meant that further work has dried up. He is now told that he cannot have work because his security clearance needs updating. When he asks for his security clearance to be updated, he is refused because he has no clearance needs updating. When he asks for his security clearance, he is told that he cannot have work because his security clearance needs updating. When he asks for his security clearance to be updated, he is refused because he has no clearance needs updating. When he asks for his security clearance, he is refused because he has no clearance needs updating. When he asks for his security clearance, he is refused because he has no clearance needs updating. When he asks for his security clearance, he is refused because he has no clearance needs updating. When he asks for his security clearance, he is refused because he has no clearance needs updating. When he asks for his security clearance, he is refused because he has no clearance needs updating. When he asks for his security clearance, he is refused because he has no clearance needs updating. When he asks for his security clearance, he is refused because he has no clearance needs updating. When he asks for his security clearance, he is refused because he has no clearance needs updating. When he asks for his security clearance, he is refused because he has no clearance needs updating. When he asks for his security clearance, he is refused because he has no clearance needs updating. When he asks for his security clearance, he is refused because he has no clearance needs updating. When he asks for his security clearance, he is refused because he has no clearance needs updating. When he asks for his security clearance, he is refused because he has no clearance needs updating. When he asks for his security clearance, he is refused because he has no clearance needs updating. When he asks for his security clearance, he is refused because he has no clearance needs updating. When he asks for his security clearance, he is refused because he has no clearance needs updating. When he asks for his security clearance, he is refused because he has no clearance needs updating.

A sum was paid to Mr. Pitman to cover some of the earnings lost to the wrongful withdrawal of his security clearance, but it has not compensated him for the loss of his residual career, his earnings, his pension and, crucially, his sense of well-being and worth. A loyal and hard-working public servant has been badly let down by shoddy, shameful and frankly chaotic middle management in the FCO.

My constituent’s case touches on issues of wider public interest, on a number of which I have kept up a correspondence with Ministers. Mr. Pitman remains concerned that the Foreign and Commonwealth Office is completely incapable of controlling its costs, citing by way of example its failure to undertake full comparative costings for the employment of security firm contractors.

When Mr. Pitman completed his contract as an overseas security manager in Kabul in July 2005, he was replaced by an individual from one such security company. In July 2006, my constituent applied to work for the individual who had replaced him in Kabul, who was now working on his own account as a contractor to the FCO. Mr. Pitman was told that the post offered £400 a day, tax-free. That equates to £146,000 a year, a significant multiple of the cost of my constituent’s direct employment even before the contractor takes his slice. One does not have to be a cost-management accountant to appreciate that that is unlikely to offer good value for money for hard-pressed taxpayers.

The Foreign and Commonwealth Office has a public service agreement to improve its value for money. The comprehensive spending review commits the Department to achieving 2.5 per cent. efficiency savings year on year over the review period. Yet we find the FCO in the dock for squandering millions of pounds of taxpayers’ money, with lurid headlines last month that highlighted diplomatic excess.

We in this place must show a little humility when discussing excess, given our recent history. However, I hope that the Minister is able to comment on reports that officials are able to book business or first-class transport but to travel economy and use the balance for their private travel and that of their families. An insider said: “This is a multi-million pound rip-off and the loophole should be closed immediately… Management at the Foreign Office are very weak and terrified of upsetting the diplomats so they give them whatever they want, which is huge amounts of public money.”

All hon. Members are now unhappy experts in loopholes, highly permissive rule books and management who are not sufficiently empowered. I hope that the Minister is taking a look at all those matters in his Department in the light of the Commons’ fall from grace and the dawning of the new age of austerity.

Another insider said: “There is complete apathy about this reckless spending, while a silent minority within the FCO rage and fume about this gross extravagance.”

I strongly suspect that that is just the tip of the iceberg. That is certainly the belief of my constituent, who can be counted among the instinctively silent minority, but who has been provoked by the extraordinarily poor way in which he has been handled.

We are indebted to people, such as the insider quoted in the press recently and my constituent, who from time to time raise examples of apparent excess in organisations of which they have experience. It is often such grass-roots experiences being brought to MPs as Mr. Pitman’s case has been brought to me that shine light on areas where previously there had been darkness. We in this place have suffered because of such issues in recent weeks and it behoves those in the rest of the public sector to look at their practices to see how things could be improved.

It would be naive to suppose that problems of wastefulness are confined to the Palace of Westminster. From recent press reports, it appears that the FCO is a prime candidate for a little light to be shone on darkness.
The Government’s propensity for hiring expensive consultants to tell them what they should be capable of determining for themselves led them to commission Collinson Grant Ltd to produce a report in two phases in 2004 and 2005. The second is by far the most interesting. Its somewhat provocative title, “Efficiency, effectiveness and the control of costs in the Foreign and Commonwealth Office”, holds much promise. However, that report rowed back considerably on the savings identified by the initial findings, which is disappointing. It concluded that, managerially, the FCO is too deep and too narrow. According to Collinson Grant, that fosters organisational torpor; insufficient delegation; poor accountability; middle managers obsessed with the monitoring, review and repetition of the work of juniors to justify their existence; senior officials conducting themselves as desk officers; and an overall lack of understanding of how to manage a team.

Of direct relevance to my constituent’s case, Collinson Grant found that the finance and human resources departments saw themselves as providing advice, rather than mandating adherence to good practice. Furthermore, the short tenure in key positions, such as those within the finance and human resources departments, combined with a lack of professional experience in those specialist disciplines, was found to limit effectiveness.

Collinson Grant concluded that although the entire organisation needed to be challenged and reformed, its leadership lacked the skills and the will to challenge the status quo. The report makes for deeply depressing reading. Four years on, I and my constituent are left with no sense that matters have improved significantly.

I am sure that the Minister will pray in aid the formation of FCO Services, an Executive agency of the Foreign and Commonwealth Office that was created following the Lyons and Gershon reviews. It holds some prospect of an improvement in infrastructure, facilities management, security and training—the unglamorous nuts and bolts of the FCO that are apparently spurned by the organisation’s mainstream to the detriment of people such as Mr. Pitman.

I seek three things from the Minister. The first is a comprehensive re-examination of the way in which my constituent has been handled and the Minister’s guarantee that he will be considered fairly for the overseas security work that we know exists, without being given the runaround as he has been or any more spurious pretexts being deployed to keep him out. Secondly, what is the Minister’s plan to resolve the ongoing management inadequacies within his Department highlighted by the Collinson Grant report, which has apparently been left to gather dust, as the case of Mr. Pitman so graphically illustrates? Finally, I would like an account of what will be done to get a grip on the Foreign Office wastefulness that was identified recently by the media and to which my constituent bears witness.

4.46 pm

The Parliamentary Under-Secretary of State for Foreign and Commonwealth Affairs (Chris Bryant): It is a delight to serve under your chairmanship, Mr. Chope, because I have never done so before. I have sat on many Committees with you, in which we have taken a different view on almost every issue. Perhaps your Whips and mine took a particular delight in putting us on the same Committees. However, I know that you have to be impartial this afternoon, so it is a great joy to serve under your chairmanship and I might tease you a little later.

The hon. Member for Westbury (Dr. Murrison) raises some serious matters. His first concerns relate to his constituent. I spoke to the hon. Gentleman earlier on the telephone and know that he has a large amount of correspondence on this case. He will understand that the Foreign and Commonwealth Office has a similarly large amount of correspondence.

I want to make it clear from the outset that the Foreign and Commonwealth Office apologises fully and unreservedly. If the hon. Gentleman thinks that there have been any reservations in the way in which the apology has been proffered so far, I hope that he will accept that there is no reservation in the apology I offer now for the way in which his constituent was dealt with. We accept fully that there were failings in the way we went about this matter, which is why we provided compensation. I hope that Mr. Pitman understands that the Foreign and Commonwealth Office takes its management responsibilities seriously and takes responsibility for any failings there have been.

If I may, I will correct a few things that the hon. Gentleman said. First, he referred to the summary removal of Mr. Pitman’s security clearance. The truth is that nobody removed his security clearance, because that does not happen, except in exceptional cases. Mr. Pitman’s security clearance lapsed when he finished his tour. That might seem to be a nit-picking distinction, but it is an important one. The allegation is really of incompetence, because we allowed the security clearance to lapse, rather than there being a process of removal.

The hon. Gentleman outlined his firm view that Mr. Pitman is not currently able to apply for jobs and secure employment without security clearance. That is the standard procedure that applies to absolutely everybody. If everyone who applied for a job were to have security clearance before they were appointed, that would involve the FCO and many other agencies in vast expenditure to an unnecessary degree.

Dr. Murrison: Is the Minister aware that people with lapsed security clearance are being brought out of retirement, and that security clearance is then given to them following the necessary checks? It is not the case that jobs are not offered to individuals in the absence of security clearance. That rather confounds what he has just said.

Chris Bryant: The hon. Gentleman is absolutely right, and I was going to make that point. Once someone has applied for and secured a job, we take them through the security clearance process, and that is when Mr. Pitman would go through the process. I assure the hon. Gentleman that there is no bar to someone reapplying because they do not yet have security clearance. Clearly, some of the people who apply for jobs already have security clearance, which continues for six months after a tour. That was the problem in Mr. Pitman’s case—his was allowed to lapse.

I can assure the hon. Gentleman absolutely, and I can assure Mr. Pitman that he is free to apply for jobs, and that whether or not he has security clearance at the
moment is not a material matter that would affect whether he can or cannot be employed—or whether an application by him would be successful. That was outlined to the hon. Gentleman in a letter of late last year from one of my predecessors, in which the FCO made it clear that it would be perfectly possible for Mr. Pitman to apply. Indeed, it also gave details of how he could do so.

The hon. Gentleman has said that the whole process, at the beginning of this century, took a heavy toll on Mr. Pitman. We fully understand that, which is why I have made a full and unconditional apology. The hon. Gentleman said that Mr. Pitman’s reputation has been traduced, but I assure him that in the eyes of the FCO, Mr. Pitman’s reputation has not been tarnished in any sense at all. The hon. Gentleman suggested, rather dismissively, that there had been some sort of apology from my predecessor, but I am sure that she thought she had given a full and unreserved apology. In whatever sense that did not seem sufficient, I hope that I have met what the hon. Gentleman requested this afternoon. The original letter offering a full and unreserved apology was sent on 19 May 2004.

It might be helpful if I discuss compensation, because that is an important matter, which was debated considerably from 2004 onwards. On 8 September 2006, a letter from Andrew Noble to Mr. Pitman offered compensation of £50,593.15. That was followed up with a reminder to Mr. Pitman of the offer, giving a deadline by which it had to be accepted—22 February 2007. An FCO Minister wrote to the hon. Gentleman on 28 February 2007 to say that the deadline was being extended to 15 March, and on 18 April, the hon. Gentleman wrote to the FCO on behalf of Mr. Pitman to say that the compensation offer had been accepted. I must offer another apology, because there was then a mistake in the way in which the money was paid into Mr. Pitman’s account in July, for which my predecessor but two apologised fully. The hon. Gentleman then wrote in October to say that he did not believe that the compensation was a full and final settlement, despite the fact that his letter of 18 April confirmed that the compensation was a full and final settlement. I am afraid that, in terms of compensation, we believe this matter to be closed.

Dr. Murrison: The Minister is incorrect to suggest that either Mr. Pitman or I wrote to the FCO to say that the settlement that was offered by the FCO was considered by us to be full and final. I hope that my second letter clarified that point beyond any fear of peradventure.

Chris Bryant: I am sorry, but the letter of 18 April accepted the compensation offer on behalf of Mr. Pitman, and the payment was made on that basis. As far as the FCO is concerned, that draws a line under the issue of compensation. I am afraid that I am unable to offer the hon. Gentleman any further help on that.

The hon. Gentleman then discussed a series of issues relating to what he called lurid headlines in the press, but I think he meant lurid headlines in the Daily Mail; often, when people talk about lurid headlines in the press, those headlines are in the Daily Mail. I think he was referring to the matter that he raised, of whether foreign diplomats are able to claim the cost of business flights and keep the extra money if they do not travel business class. I assure him that that is completely and utterly not the case. There is a travel package, which is provided to all foreign diplomats. We have to understand that many of the people who work on behalf of the FCO do so in far-flung places, and that family arrangements are much more difficult now than they were 40 years ago when female diplomats had to resign from the Foreign Office when they married. The expectation then was that there would be a man and his wife. Today, our staff are just as likely to be women as men, and a couple may work in two different places. We believe that in the modern working environment it is important to offer staff a sensible, but not disproportionate, package.

The travel package that we provide is an allowance for staff to use for travel on substantive postings overseas—in other words, not just temporary ones. The funds cover the cost of transfer to and from a posting and, on top of that, an annual leave journey to the UK in postings of two years or more. The package gives staff flexibility in how and when they travel during a posting within the ceiling that is fixed by the cost of their official travel entitlements on approved routes and carriers. The maximum that they may spend on travel is therefore the precise amount that the Department would have had to pay to get them to post and back and to bring them home once a year, as happened when flights were booked centrally before the scheme was introduced. There is no amount of money that suddenly goes into a diplomat’s pocket simply because they have not travelled in a particular class. There are fixed routes, but people are allowed to change the route as long as they stay within the amount of money that we have already ascertained would be the best value for them. It is important that we have flexibility, and that system is not disproportionate to what other people would do in other areas of work for which they are required to work away from their home for a substantial period.

At the beginning of his speech, the hon. Gentleman said, again dismissively, that management in the FCO was an idea that was rather below the salt. That was a rather de haut en bas comment, suggesting that the FCO has a rather de haut en bas attitude. It may be that in the 1960s and 1970s, despite the considerable effectiveness that the Foreign Office has always had, for which it is renowned around the world, some of our management practices were lax. We have been keen to ensure that we constantly learn how we can improve our management practices. He is right that there are times when individual cases shine light on particular problems that may be endemic across an organisation, but in the brief time in which I have worked at the FCO, it has been my experience that management takes very seriously issues such as how best to manage people to develop change so that we can be the most effective organisation possible, and the most cost-effective organisation possible, and that Ministers are keen to drive those issues forward.

I am grateful to the hon. Gentleman for his debate. Some of his comments have been well placed, and I hope that I have been able to reassure him on the issue of whether Mr. Pitman is able to apply for jobs and on the issue of security clearance. I hope, too, that I have reassured him regarding the full and unreserved apology that we have already expressed.
Written Ministerial Statements

Wednesday 8 July 2009

CHILDREN, SCHOOLS AND FAMILIES

Key Stage 2 National Curriculum Tests

The Minister for Schools and Learners (Mr. Vernon Coaker): Strong accountability is essential if we are to help every child to succeed. The expert group on assessment reported that high levels of school accountability are beneficial for everyone who has a stake in the education system, including pupils, parents and the taxpayer.

Externally marked tests play an important role in our accountability system. The expert group confirmed in its report that external validation of pupils’ performance is vital and that national curriculum tests remain the best way of providing objective information on the performance of each pupil and each school.

I am pleased that the great majority of results of 2009 test results, 99.9 per cent., were made available to schools yesterday as planned. Results have successfully been made available to pupils across all subjects, with 99.87 per cent. of results available in English, 99.98 per cent. in mathematics and 99.85 per cent. in science. We will build on this next year and QCA will seek to award a single year contract for test delivery in 2010, which is similar in shape to this year.

I can confirm that tests in 2010 will take place as planned in the week commencing 10 May. Having taken account of QCA and Ofqual’s advice, we will seek to implement the expert group’s recommendation on moving the test to mid June in 2011; this will help to strengthen transition arrangements for year six pupils; it will also help to embed our assessment for learning strategy and the role of teacher assessment.

The efficient delivery of national curriculum tests and implementation of expert group recommendations play an important part in ensuring that a robust accountability system recognises all school outcomes, providing the greatest possible benefit to children, parents and the public.

TRANSPORT

Transport Personnel Review

The Parliamentary Under-Secretary of State for Transport (Paul Clark): It is almost a year since the Department received the independent report on personnel security in the transport industry by Stephen Boys Smith. Much work has been done since then and I can now give the House an update.

The review was commissioned as a health check on the current arrangements and covered all modes of transport. The review consulted more than 80 stakeholders and the report that emerged contained a detailed assessment of current security processes and recommendations of where changes might be needed. Because of the sensitive nature of the subject matter the report was not published in full, but a short summary was placed in the Libraries of both Houses and on the Department’s website. Relevant sections of the report were issued in full to industry stakeholders.

The report acknowledged that protective security is best applied in multiple layers and noted the importance of the existing physical security regimes. But it also pointed out that, as physical security continues to improve, the potential insider threat is likely to increase, and that, although a number of personnel security measures are already in place, there is a case and scope for incremental change. The overarching message of the report was that the time is right for there to be an increased focus on personnel security and that this should be informed by systematic analysis of the risks. The report also pointed to the need for industry employers to take greater ownership of personnel security, but that Government have a vital role in providing advice and assistance in mitigating the risks.

We have continued to build on our existing dialogue with the industry with a successful cross-modal conference on 3 October 2008 to discuss how we can collectively improve personnel security in the transport sector. We have established an Industry Sounding Board to help identify areas of concern to industry partners, and to test emerging ideas and proposals within the programme. Following the report’s central recommendation, we are currently carrying out a programme of risk assessments with industry stakeholders to identify priority areas. The outcomes of the risk assessments will inform the detail of the future programme of work, however, much continues to be done in the meantime.

We have produced and issued detailed guidance to employers on operating a voluntary regime of overseas criminal record checks. And the Centre for the Protection of National Infrastructure (CPNI) has produced and published detailed guidance on how overseas criminal record information can be obtained and assessed. We have consulted on the introduction of a mandatory requirement for overseas criminal record checks and I am announcing today that such checks will become mandatory for all new staff in posts which are subject to counter-terrorism checks. The necessary regulatory changes will be made, mode by mode starting with aviation where it will become a requirement as of 31 August 2009.

On identity we have been working with colleagues at CPNI and the UK Borders Agency (UKBA) to promulgate best practice guidance on verifying documents. We are supporting the work of the Identity and Passport Service in the delivery of improved identity services, including the roll-out of national identity cards. Stephen Boys Smith concluded that UK identity cards are a useful addition to identity assurance, and we support the decision of the Home Secretary that the objective of better identity assurance can be delivered without the need to make ID cards mandatory for airside workers.
We are examining with industry how best to make use of the range of information available as part of pre-employment checks. We have amended and reissued our regulations to reflect the report’s recommendation that the minimum gap period that should be referenced should be extended from 14 to 28 days.

With regard to National Security Vetting (NSV) we have been engaged in wider discussions across Government about the development of NSV policy and process, with the aim of making it more efficient. The Department has increased the resources allocated to this area and is actively exploring other options including contracting work to other vetting service providers.

We have reiterated to industry the need for personnel security measures to be applied down the contracting chain and are exploring how best to use existing inspection regimes to monitor and enforce this.

Personnel security post-recruitment is very important and we are working with colleagues across Government to ensure that policies and practice relating to existing employees are consistent, fair and robust. CPNI has published guidance for employers on handling approaches about their staff from security agencies, and DfT is working to establish agreed protocols for the handling of cases where there are security concerns about individuals already in post.

Finally, we are working with industry and CPNI to ensure that personnel security guidance is appropriately disseminated and focused on the requirements of its intended audience. The Department is considering ways in which this guidance can be tailored to reflect the variety in the scale and structure of companies in the transport industry.

WORK AND PENSIONS

Construction Fatal Accidents

The Secretary of State for Work and Pensions (Yvette Cooper): I am pleased to announce that Rita Donaghy has completed the inquiry and I am today able to announce the publication of her report entitled: “One Death is too Many. Inquiry into the underlying causes of construction fatal accidents”.

I would like to thank Rita, and her peer reviewers, for the thorough way in which she has carried out the inquiry—involving wide consultation with stakeholders.

We know that many in the construction industry work tirelessly to improve health and safety. But more work needs to be done to bring the number of accidents down. This report makes clear that a culture that expects safe and healthy working, and strong leadership are important for delivering further improvements in construction safety. Despite the welcome recent fall in construction fatalities, any death or major injury is a tragedy for individuals, their families and their colleagues.

The report makes far-reaching recommendations for improving safety in the construction industry, extending across safety representatives, building control, the legal system, training and competence, and public procurement. The Government will now consider the report and its recommendations fully over the summer, working with the industry, trade unions and HSE, before responding later in the year.

Copies of the report are available in the Vote Office and the Printed Paper Office.
Petition

Wednesday 8 July 2009

OBSERVATIONS

TREASURY

Christie NHS Foundation Trust

The Petition of the Cash Back for Christie M.E.N. Campaign,

Declares that the Financial Services Compensation Scheme should reimburse the Christie NHS Foundation Trust with the £6.5 million lost in the Icelandic banking collapse.

The Petitioners therefore request that the House of Commons urges the Government to take action to encourage the Financial Services Compensation Scheme to reimburse the Christie NHS Foundation Trust with the £6.5 million lost in the Icelandic banking collapse.

And the Petitioners remain, etc.—[Presented by Mr. John Leech, Official Report, 7 May 2009; Vol. 492, c. 441.] [P000363]

Observations from the Secretary of State for Chancellor of the Exchequer:

The Government note the petition of ‘Cash Back for Christies’ Manchester Evening News campaign, dated 7 May 2009. We are aware that NHS North West has taken the decision to offer financial support to The Christie NHS Foundation Trust, to help them face the challenges resulting from the loss of charitable funds in the collapse of the Icelandic bank, Kaupthing Singer and Friedlander.

The Financial Services Compensation Scheme had earlier ruled that Christies was not eligible for compensation under the Scheme for these deposits. The rules of the Financial Services Compensation Scheme (FSCS) are made by the Financial Services Authority (FSA). These rules and guidance are set out in the FSA Handbook (COMP) which is available on the FSA website.

The FSCS and FSA are independent bodies and the FSCS must administer the Scheme in accordance with its rules, including the assessment of whether or not a claimant is eligible for compensation. The FSCS had decided that Christies was not eligible under these rules and it has no discretion to act outside them.

The Charity Commission is the regulator for the charitable sector and issues guidance on the principles for the investment of charitable funds and the holding of reserves. The Commission’s guidance states that ‘the basic principle governing trustees’ decisions about investing their charity’s funds is that they must take a prudent approach’, and that trustees must have regard to the suitability to the trust of the investment to be made or being reviewed, and to the need for diversification.

While it is Government’s role to set out the broad principles and regulatory framework for the management of charitable investments, the third sector is an independent sector.

However, the Government recognise that many charities are struggling in light of the wider economic downturn, and that many are providing valuable support to the most vulnerable people in society during these difficult times. That is why this year’s budget announced a new £20 million Hardship Fund to provide grant support to frontline third sector organisations that have been most severely affected by the current global economic turbulence. This built on the Government’s £42.5 million action plan launched in February—‘Real Help Now: Volunteers, Charities and Social Enterprises’. This package of measures is designed to ensure resources are directed towards the areas of the sector under the most pressure during the economic downturn, helping organisations to modernise and adapt to meet current challenges.
Written Answers to Questions

Wednesday 8 July 2009

CULTURE, MEDIA AND SPORT

Departmental Carbon Emissions

Mr. Paice: To ask the Secretary of State for Culture, Media and Sport 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.

Mr. Sutcliffe: The estimate from carbon dioxide emissions from offices is as follows:

<table>
<thead>
<tr>
<th></th>
<th>Tonnes of carbon dioxide</th>
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<tbody>
<tr>
<td>In total</td>
<td>2006-07: 4,615</td>
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<tr>
<td></td>
<td>2007-08: 2,251</td>
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<tr>
<td>Per full-time equivalent member of staff</td>
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<tr>
<td>2006-07:</td>
<td>5.560</td>
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<tr>
<td>2007-08:</td>
<td>3.19</td>
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Mr. Paice: To ask the Secretary of State for Culture, Media and Sport what estimate he has made of the volume of carbon dioxide emissions arising from road-based transport of 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.

Mr. Sutcliffe: The Department has made the following estimate of carbon dioxide emissions arising from road-based transport of administrative operations.

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<thead>
<tr>
<th></th>
<th>Total</th>
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<tr>
<td>2006-07:</td>
<td>3.309 tonnes of CO₂</td>
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<tr>
<td>2007-08:</td>
<td>4.39 tonnes of CO₂</td>
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<tr>
<td>Per full-time equivalent member of staff</td>
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<tr>
<td>2006-07:</td>
<td>0.005 tonnes of CO₂</td>
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<tr>
<td>2007-08:</td>
<td>0.006 tonnes of CO₂</td>
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Mr. Paice: To ask the Secretary of State for Culture, Media and Sport 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.

Mr. Sutcliffe: The Department has made the following estimate on the amount of carbon dioxide emissions arising from air travel from staff:

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<thead>
<tr>
<th></th>
<th>Total</th>
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<tr>
<td>2006-07:</td>
<td>172 tonnes of carbon dioxide emissions</td>
</tr>
<tr>
<td>2007-08:</td>
<td>125.78 tonnes of carbon dioxide emissions</td>
</tr>
<tr>
<td>Per full-time equivalent member of staff</td>
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<tr>
<td>2006-07:</td>
<td>0.207 tonnes of carbon dioxide emissions</td>
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<tr>
<td>2007-08:</td>
<td>0.16 tonnes of carbon dioxide emissions</td>
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Departmental Energy

Gregory Barker: To ask the Secretary of State for Culture, Media and Sport how much was spent on energy efficiency measures for his Department’s estate in each year from 2004 to 2009; what assessment has been made of the effectiveness of that expenditure; and what plans he has for future energy efficiency measures.

Mr. Sutcliffe: The Department has not collected data on the amount of expenditure spent on energy efficiency measures on its estate.

Details of the Department’s future plans for energy efficiency measures can be found in the August 2008 Sustainable Procurement and Operations on the Government Estate Delivery Plan and the December 2008 Delivery Plan Update.

Mr. Paice: To ask the Secretary of State for Culture, Media and Sport 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.

Mr. Sutcliffe: The Department’s estimate of energy consumed per full-time equivalent member of staff is as follows:

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<tr>
<th></th>
<th>2006-07: 16,343 kWh/FTE</th>
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<td></td>
<td>2007-08: 8,109 kWh/FTE</td>
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Departmental Official Hospitality

Mr. Hunt: To ask the Secretary of State for Culture, Media and Sport how much was spent by his Department (a) on drink, (b) on food and (c) overall in relation to the departmental function held on 23 June 2009; and if he will list the people invited by his Department.

Mr. Sutcliffe [holding answer 2 July 2009]: The Department spent £243.25 on drinks and £600.00 on food (the overall cost was £1,251.25 which includes catering staff, equipment hire and delivery) for the function held on 23 June 2009. The people invited were journalists covering DCMS sectors.

Departmental Recycling

Mr. Paice: To ask the Secretary of State for Culture, Media and Sport what (a) volume and (b) percentage of waste his Department recycled in (i) 2006-07 and (ii) 2007-08.

Mr. Sutcliffe: The Department for Culture, Media and Sport produced the following volume and percentage of waste:

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<thead>
<tr>
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<th>2006-07: 60 tonnes recycled</th>
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<td></td>
<td>2007-08: 80 per cent.</td>
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Mr. Paice: To ask the Secretary of State for Culture, Media and Sport what (a) volume and (b) percentage of waste his Department produced in the current year that it is recycled in (i) 2006-07 and (ii) 2007-08.

Mr. Sutcliffe: The Department for Culture, Media and Sport produced the following volume and percentage of waste:

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<thead>
<tr>
<th></th>
<th>2006-07: 60 tonnes</th>
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<td></td>
<td>2007-08: 80 per cent.</td>
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</table>
Departmental Waste

Mr. Paice: To ask the Secretary of State for Culture, Media and Sport 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.

Mr. Sutcliffe: The Department has made the following estimate of the amount of waste arising:

<table>
<thead>
<tr>
<th></th>
<th>2006-07: 2,070 tonnes</th>
<th>2007-08: 187.32 tonnes</th>
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<tbody>
<tr>
<td>Per full-time equivalent member of staff</td>
<td>2006-07: 2.49 tonnes/FTE</td>
<td>2007-08: 0.27 tonnes/FTE</td>
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Departmental Water

Mr. Paice: To ask the Secretary of State for Culture, Media and Sport for what estimate he has made of water consumption on his Department’s office estate in (a) 2005-06 and (b) 2006-07 and (ii) per full-time equivalent member of staff.

Mr. Sutcliffe: The Department has made the following estimate of water consumption on the office estate:

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<tr>
<th></th>
<th>2005-06: 8,423</th>
<th>2006-07: 7,424</th>
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<tbody>
<tr>
<td>Per full-time equivalent member of staff</td>
<td>2005-06: 15</td>
<td>2006-07: 10.52</td>
</tr>
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</table>

DEFENCE

Afghanistan: Peacekeeping Operations

Nick Harvey: To ask the Secretary of State for Defence what plans he has for the operational deployment of the third tranche of Typhoon, and how many squadrons the third tranche of Typhoon will comprise when the delivery is completed.

Bill Rammell: I refer the hon. Member to the answer I gave him on 6 July, Official Report, column 558W. The planned Typhoon Tranche 3 aircraft will replace the current planned Typhoon Squadrons has not yet been decided and as such there has been no decision about their operational deployment.

Gurkhas: Pensions

Mr. Drew: To ask the Secretary of State for Defence what the average pension payment to a member of the (a) Gurkha Pension Scheme and (b) Armed Forces Pension Scheme was in the latest period for which figures are available; and if he will make a statement.

Mr. Kevan Jones: The latest available figures for the Armed Forces Pension Scheme (AFPS) relate to financial year 2007-08. This period has therefore been used for the figures given for the average monthly payments made under both schemes:

- Gurkha Pension Scheme (GPS): £122.64
- AFPS: £578.41

These figures are based upon average pensions paid to former members of the armed forces, their spouses, and dependants. These averages are not comparable because of different lengths of service, different rank structure between the Brigade of Gurkhas and the wider Army and, chiefly, because Gurkhas begin drawing on their pensions much earlier than British soldiers with equivalent service. For example, a Gurkha Rifleman or Corporal with 15 years service (approximately 85 per cent. of those receiving GPS payments) can claim an immediate pension after 15 years service (from age 33) whereas equivalent service under the AFPS would not attract pension payments until age 60.

Mr. Drew: To ask the Secretary of State for Defence how his Department calculated its estimate of the £1.5 billion required to give Gurkhas on the Gurkha Pension Scheme a retrospective pension equivalent to their UK counterparts.

Mr. Kevan Jones: £1.5 billion is an estimate of the capitalised cost of providing retired Gurkhas with Armed Forces Pension Scheme (AFPS) equivalent pension benefits for all pensionable service before 1 July 1997.

The estimate was calculated by the Government Actuary's Department and identifies the additional capitalised cost that would be incurred if benefits of equivalent value to the Armed Forces Pension Scheme were granted for all pensionable service before 1 July 1997, on the
same terms as provided for post-1 July 1997 service in the Gurkha Offer to Transfer exercise. The estimated cost is based on the assumptions and methodology applied in the Gurkha Offer to Transfer, and assumes that the profile of Gurkha pensioners and dependants who retired before 1 July 1997 is similar to those that retired post 1 July 1997.

Mr. Austin Mitchell: To ask the Secretary of State for Defence if he will review the Gurkha pension scheme to extend eligibility to those veterans who left the Brigade prior to 1997; and if he will make a statement.

Mr. Kevan Jones: Gurkha veterans who left the Army before 1 July 1997 are already eligible for benefits from the Gurkha Pension Scheme.

The hon. Member may have in mind the question of whether such individuals should be eligible for benefits from the Armed Forces Pension Scheme in the same way as those who left the Army on or after 1 July 1997. The High Court agreed in July 2008 that it was fair and reasonable for the Department to use this date as a cut-off point for eligibility for the pensions offer in 2007-08.

Although annual payments to British soldiers will eventually be higher than Gurkhas, with the same 15 years service, Gurkhas pensions begin paying out much earlier (as young as 33) whereas the British soldiers preserved rights do not become payable until age 60.

Iraq and Afghanistan: Peacekeeping Operations

Dr. Fox: To ask the Secretary of State for Defence how many times each type of aircraft has (a) come under fire and (b) been damaged by enemy fire in Afghanistan in each of the last five years.

Mr. Bob Ainsworth: I am withholding the information as its disclosure would, or would be likely to prejudice the capability, effectiveness or security of the armed forces.

Nick Harvey: To ask the Secretary of State for Defence whether the reference in the Operational Efficiency Programme to the greater involvement of the private sector with the Met Office includes involvement by (a) the private weather sector and (b) private equity.

Mr. Kevan Jones: An update on progress of the Met Office Operational Efficiency Programme (OEP) review was provided in the OEP Final Report published April 2009. The update included reference to the potential expansion of commercial operations at the Met Office, possibly through the introduction of private capital in some areas, as well as seeking opportunities to develop specific services with private sector partners to complement Met Office’s business. The private weather sector were involved in the Trading Fund Assessment work. Further involvement of the private sector, which could in principle include involvement by the private weather sector and private equity, will be considered as we develop more detailed work over the coming months. A further update on progress of the review will be provided with the pre-Budget report.

Military Aircraft

Andrew Rosindell: To ask the Secretary of State for Defence (1) how many military bases his Department have closed in Northern Ireland in each year since 1998; (2) how many military bases his Department has in Northern Ireland; and how many such bases it (a) owned and (b) operated in each year since 1998.

Bill Rammell: The information requested on the number of operational and closed military bases in Northern Ireland and the terms on which they were occupied, in each year since 1998, is not held centrally and could be provided only at disproportionate cost.

However, the Government’s Security Strategy Paper published in December 1999 recorded 72 open and 34 closed military sites including regular military bases, training areas, joint Police Service Northern Ireland/military bases, communication sites, and observation towers.

Further information on open and closed military sites from 31 May 2004 is included in the second, ninth, eleventh, fourteenth and sixteenth reports of the International Monitoring Commission (IMC), copies of which are available in the Library of the House. These reports can also be found on the IMC website: http://www.independentmonitoringcommission.org
In particular, the sixteenth report explains the terms on which the military occupied the sites and the arrangements for their disposal.

The current regular Northern Ireland Garrison bases and the terms on which they are occupied are as follows:

RAF Aldergrove (Freehold)
Abercorn Barracks, Ballykinler (Freehold)
Ballykinler Training Camp (Freehold)
Divis Key Point (on Divis Mountain) (Freehold)
Duke of Connaught Unit, Musgrave Park Hospital, Belfast (Leasehold)
Massereene Barracks, Antrim (Freehold)
Kinnegar Station, Holywood (Freehold)
Palace Barracks, Holywood (Freehold)
Thiepval Barracks, Lisburn (Freehold)
Magilligan Training Camp (Freehold)

**Trident**

Dr. Julian Lewis: To ask the Secretary of State for Defence what the planned lifespan is of the existing generation of Trident missile warheads; what recent consideration he has given to the practicability of extending that lifespan; and if he will estimate the likely savings to the public purse of undertaking such an extension instead of procuring a replacement system.

Mr. Hain: The UK’s existing nuclear warhead design is likely to last into the 2020s, although we do not yet have sufficient information to judge precisely how long we can retain it in service. We are currently undertaking detailed studies to assess this and potential options for replacement should that be necessary. It is too soon to estimate the precise timing and the potential costs of any options beyond the £2.3 billion estimate, at 2006-07 prices, given in the 2006 Defence White Paper.

Mr. Bob Ainsworth: The UK’s existing nuclear warhead design is likely to last into the 2020s, although we do not yet have sufficient information to judge precisely how long we can retain it in service. We are currently undertaking detailed studies to assess this and potential options for replacement should that be necessary. It is too soon to estimate the precise timing and the potential costs of any options beyond the £2.3 billion estimate, at 2006-07 prices, given in the 2006 Defence White Paper.

**WALES**

**Departmental Databases**

Jenny Willott: To ask the Secretary of State for Wales what categories of personal information on members of the public are contained on each database which contains such data managed by his Department and its agencies; when each category of information was first collected; and if he will make a statement.

Mr. Crabb: To ask the Secretary of State for Wales how many staff are based at each of his Department’s offices.

Mr. Hain: The Wales Office is split between two locations, London and Cardiff Bay. There are 41 staff based in London and 16 staff based in Cardiff Bay. A number of staff divide their time between the two offices.

**Departmental Manpower**

Mr. Crabb: To ask the Secretary of State for Wales how many staff are based at each of his Department’s offices.

Mr. Hain: The Wales Office is split between two locations, London and Cardiff Bay. There are 41 staff based in London and 16 staff based in Cardiff Bay. A number of staff divide their time between the two offices.

**Crime:**

**Alcoholic Drinks**

Mrs. Curtis-Thomas: To ask the Secretary of State for the Home Department how many people in Merseyside aged (a) under 18 and (b) between 18 and 24 years old have been (i) cautioned and (ii) prosecuted for alcohol-related offences in each of the last five years.

Mr. Alan Campbell: Data showing the number of offenders cautioned for alcohol related offences in Merseyside Police Force Area, broken down by age, from 2003-07 can be viewed in Table 1. The number of defendants proceeded against at magistrates courts can be viewed in Table 2 and the number of Penalty Notices for Disorder (PNDs) can be viewed in Table 3.

2008 data will be available in the autumn of 2009.

<table>
<thead>
<tr>
<th>Year</th>
<th>2003</th>
<th>2004</th>
<th>2005</th>
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<td>763</td>
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2 The cautions statistics cover simple and conditional cautions, reprimands and warnings. They relate to persons for whom these offences were the principal offences for which they were dealt with. When a defendant has been cautioned for two or more offences at the same time the principal offence is the more serious offence.

3 From 1 June 2000 the Crime and Disorder Act 1998 came into force nationally and removed the use of cautions for persons under 18 and replaced them with reprimands and warnings. These figures have been included in the totals.

4 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 police forces. As a consequence, care should be taken to ensure data collection processes and their inevitable limitations are taken into account when these data are used.

Source: Office for Criminal Justice Reform - Evidence and Analysis Unit
Mr. Alan Campbell: The available information relates to offences recorded by the police and is given in the table. Hemel Hempstead comes within the Dacorum Crime and Disorder Reduction Partnership area and separate figures for Hemel Hempstead are not available centrally.

A number of changes have been made to recorded crime in response to suggestions in the two reviews of crime statistics. One such change is that the term 'violent crime' is no longer used in connection with the recorded crime statistics and figures for violence against the person are now provided.

Selected offences recorded by the police in the Dacorum Crime and Disorder Reduction Partnership area and the Hertfordshire police force area

Table 2: Number of defendants proceeded against at magistrates courts for alcohol related offences, in Merseyside Police Force Area, broken down by age, 2003-07[3]

<table>
<thead>
<tr>
<th>Age</th>
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<td>18 to 24</td>
<td>1,453</td>
<td>1,174</td>
<td>860</td>
<td>785</td>
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The statistics relate to persons for whom these were the principal offences for which they were dealt with. When a defendant has been found guilty of two or more offences the principal offence is the offence for which the heaviest penalty is imposed. Where the same disposal is imposed for two or more offences the offence selected is the offence for which the statutory maximum penalty is the most severe.

2 Any 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: Office for Criminal Justice Reform - Evidence and Analysis Unit

Table 3: Number of Penalty Notices for Disorder (PNDs) issued for alcohol related offences in Merseyside Police Force Area, broken down by age, 2004-07[3]

<table>
<thead>
<tr>
<th>Age</th>
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<th>2006</th>
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<td>16 to 17</td>
<td>223</td>
<td>391</td>
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<tr>
<td>18 to 24</td>
<td>1,295</td>
<td>1,731</td>
<td>1,547</td>
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1 Includes offences under the: Criminal Justice Act 1967 s.91; Licensing Act 2003 s. 141, 146(1)(3), 149(1)(3)(4), 150(1)(2), 151; Licensing Act 1872 s.12; Criminal Justice and Police Act 2001 s. 12; The offence of 'drunk and disorderly' moved from the lower tier (£50) to the upper tier (£50) on 1 November 2004; Sale of alcohol to a person under 18, Purchase of alcohol for a person under 18, Delivery of alcohol to a person under 18, Possession of a supply of alcohol by a person under 18 on relevant premises. Allowing consumption of alcohol by a person under 18 on relevant premises, were added to the scheme on 1 November 2004; Sale of alcohol to a drunken person. Buying or Attempting to buy alcohol by a person under 18, were added to the Scheme with effect from 4 April 2005.

2 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: Office for Criminal Justice Reform - Evidence and Analysis Unit

Crimes of Violence: Hertfordshire

Mike Penning: To ask the Secretary of State for the Home Department how many (a) crimes of burglary, (b) violent crimes and (c) vehicle crimes were reported in (i) Hemel Hempstead, (ii) Dacorum and (iii) Hertfordshire in each of the last five years. [284319]

Dr. Kumar: To ask the Secretary of State for the Home Department what steps his Department has taken to reduce the level of credit card fraud in the last 12 months. [285197]

Mr. Alan Campbell: A great deal of fraud can be prevented if organisations have proper fraud prevention measures in place and if individuals protect their cards and financial details. Prevention initiatives complement fraud investigation and prosecution. The Home Office therefore works closely with the payments card industry and actively supports fraud prevention initiatives introduced by the finance and retail sectors such as the Be Card Smart Online campaign introduced by the payment card industry last year with support from Vernon Coaker. I (Alan Campbell) most recently met with representatives of the payments card industry in March this year to discuss issues around card fraud.


Fraud: Credit Cards

Andrew Rosindell: To ask the Secretary of State for the Home Department what recent steps his Department has taken to tackle homophobic crime. [284110]
Mr. Alan Campbell: The ‘Saving Lives, Reducing Harm, Protecting the Public; An Action Plan for Tackling Violence 2008-11’ committed us to producing a dedicated cross-Government action plan to assist local partners in developing their responses to hate crime. This strategic action plan involves a number of actions that will aim to increase victim and community confidence in the criminal justice system, help prevent hate crimes from occurring or escalating in seriousness; and improve access to and take up of victim support. The action plan will be published over the summer.

The Government have also introduced an offence of inciting hatred on the grounds of sexual orientation in the Criminal Justice and Immigration Act 2008. We expect the provisions on incitement to hatred on the grounds of sexual orientation to come into force in the autumn.

**Offensive Weapons**

Chris Grayling: To ask the Secretary of State for the Home Department how many people were convicted of offences related to possession of a knife in each police force area in each of the last 10 years. [281895]

Alan Johnson: Information showing the number of persons found guilty at all courts for having an article with a blade or point in a public place or on school premises, in England and Wales, broken down by police force area for 1998 to 2007 (latest available) can be viewed in the following table. Data for 2008 will be available in the autumn of 2009.

The statistics relate to persons for whom these offences were the principal offence for which they were dealt with. When a defendant has been found guilty of two or more offences the principal offence is the offence for which the heaviest penalty is imposed. Where the same disposal is imposed for two or more offences, the offence selected is the offence for which the statutory maximum penalty is the most severe.

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</tr>
<tr>
<td>Wiltshire</td>
<td>35</td>
<td>32</td>
<td>28</td>
<td>36</td>
<td>37</td>
<td>40</td>
<td>50</td>
<td>53</td>
<td>70</td>
<td>48</td>
</tr>
<tr>
<td>Dyfed-Powys</td>
<td>23</td>
<td>29</td>
<td>27</td>
<td>31</td>
<td>35</td>
<td>36</td>
<td>39</td>
<td>45</td>
<td>29</td>
<td>35</td>
</tr>
<tr>
<td>Gwent</td>
<td>18</td>
<td>20</td>
<td>21</td>
<td>20</td>
<td>33</td>
<td>23</td>
<td>48</td>
<td>36</td>
<td>56</td>
<td>66</td>
</tr>
</tbody>
</table>
Police: Pensions

Chris Huhne: To ask the Secretary of State for the Home Department (1) if he will estimate the average first year retirement pension payment of a police officer retiring after 30 years service in each of the principal ranks of the police service in 2009; [282796]

(2) how many retired police officers are aged (a) less than 50, (b) between 50 and 55, (c) between 56 and 60, (d) between 61 and 65 and (e) over 65 years old; [282881]

(3) what the average value of pension payments to retired police officers aged (a) under 50, (b) from 51 to 55, (c) from 56 to 60, (d) from 61 to 65 and (e) over 65 years old was in the latest period for which figures are available; [282874]

(4) what the cost of payments made to police pensioners (a) under 50, (b) between 51 and 55, (c) between 56 and 60, (d) between 61 and 65 and (e) aged 65 and more was in the latest year for which figures are available. [282876]

Alan Johnson: Information on the average first-year police pension is not held centrally and data on the accrued pension rights of retiring officers by rank are not currently included in the valuation data held on the police pension schemes by the Government Actuary’s Department. Therefore it is possible to give only a broad estimate of the average annual pension payment based on the salary scale for each main rank. The following information is based on the pay scales currently in place (since 1 September 2008, effective until 31 August 2009).

For the rank of constable, it is assumed that a retiring officer is at the top of the pay range. For other ranks, the middle of the pay range is used. It is also assumed that the retiring officer will elect to commute the maximum amount of pension allowable in order to receive a lump sum payment on retirement, as the majority of retiring officers do elect to receive a lump sum. This would mean the officer’s first-year pension payment would be 50 per cent. of his or her final salary. Given that the factors for calculating the commutation of a lump sum payment are based on the age of each officer, it is not possible to estimate an average amount for a lump sum payment.

The salary level of an officer of rank deputy chief constable (deputy assistant commissioner in the Metropolitan police) and above depends on the police force in which the officer serves. In the light of this, and the relatively small number of senior officers, estimating an average pension payment for these ranks would not provide an accurate reflection of the situation on retirement of an officer and could be misleading.

From the valuation data on the police pension scheme held by the Government Actuary’s Department, as at 31 March 2008 the total number of retired police officer pensioners, split by age, is broadly as follows (figures are rounded to the nearest 100)

<table>
<thead>
<tr>
<th>Group</th>
<th>Number</th>
</tr>
</thead>
<tbody>
<tr>
<td>Less than age 50</td>
<td>9,300</td>
</tr>
<tr>
<td>Between age 50 and 55</td>
<td>19,800</td>
</tr>
<tr>
<td>Between age 56 and 60</td>
<td>19,000</td>
</tr>
<tr>
<td>Between age 61 and 65</td>
<td>18,300</td>
</tr>
<tr>
<td>Over age 66</td>
<td>34,800</td>
</tr>
</tbody>
</table>

Information on the cost and value of police pensions broken down into different age groups is not held centrally.

NORTHERN IRELAND

Public Safety: Dissident Terrorists

9. Stephen Hammond: To ask the Secretary of State for Northern Ireland what recent assessment he has made of the level of threat to public safety in Northern Ireland from the activities of dissident terrorists.

[283762]

13. Angela Watkinson: To ask the Secretary of State for Northern Ireland what recent assessment he has made of the level of threat to public safety in Northern Ireland from the activities of dissident terrorists.

[283767]
Mr. Woodward: While no one should underestimate the capacity of these individuals to cause serious harm, it is even more the case today than a year ago that the people of Northern Ireland will not allow them to succeed.

Decommissioning: Loyalist Paramilitaries

10. Mr. Mackay: To ask the Secretary of State for Northern Ireland what recent reports he has received on decommissioning of weapons by Loyalist paramilitaries; and if he will make a statement.

Mr. Woodward: The Independent International Commission on Decommissioning has recently confirmed to me that it has witnessed a major decommissioning event by the Ulster Volunteer Force and Red Hand Commando, and that they have been advised that this includes all the arms under their control. I am pleased with this significant act of leadership by those who have been persuaded that democracy is the only way forward.

The IICD has also confirmed that it has witnessed a decommissioning event by the Ulster Defence Association, which represents a significant move. I encourage them to continue their engagement with the IICD and complete decommissioning as soon as possible.

Serving Police Officers

11. Mr. Vara: To ask the Secretary of State for Northern Ireland how many serving police officers there were in Northern Ireland on the latest date for which figures are available; and if he will make a statement.

Paul Goggins: On the 1 July 2009 there were 7,274 regular officers including 163 student officers. There are also 472 full-time reserve officers and 739 part-time reserve officers in Northern Ireland. The current composition is based on Patten’s recommendation of a force strength of 7,500 regular officers.

Romanian Nationals: Attacks

12. David Taylor: To ask the Secretary of State for Northern Ireland what recent reports he has received on the recent incidents of attacks on Romanian nationals in Northern Ireland.

Mr. Woodward: I refer the hon. Gentleman to the answer I gave earlier to the hon. Member for Kettering (Mr. Hollobone) and the hon. Member for Rochford and Southend, East (James Duddridge).

Deartmental Information Officers

Paul Holmes: To ask the Secretary of State for Northern Ireland what the cost to his Department of employing press office staff other than press officers has been in each year since 1997.

Mr. Woodward: The following table shows the cost to the Northern Ireland Office, including the Public Prosecution Service Northern Ireland and excluding its agencies and NDPBs, of employing press office staff other than press officers in each year since 1999 to 2000.

<table>
<thead>
<tr>
<th>Financial year</th>
<th>Total (£)</th>
</tr>
</thead>
<tbody>
<tr>
<td>1999-2000</td>
<td>413,753.13</td>
</tr>
<tr>
<td>2000-01</td>
<td>446,494.02</td>
</tr>
<tr>
<td>2001-02</td>
<td>452,404.98</td>
</tr>
<tr>
<td>2002-03</td>
<td>473,532.04</td>
</tr>
<tr>
<td>2003-04</td>
<td>502,576.39</td>
</tr>
<tr>
<td>2004-05</td>
<td>508,937.23</td>
</tr>
<tr>
<td>2005-06</td>
<td>567,582.21</td>
</tr>
<tr>
<td>2006-07</td>
<td>550,152.19</td>
</tr>
<tr>
<td>2007-08</td>
<td>510,555.08</td>
</tr>
<tr>
<td>2008-09</td>
<td>491,404.49</td>
</tr>
</tbody>
</table>

Financial records are not available for the years before 1999 to 2000.

Public Expenditure: Northern Ireland

Mr. Bone: To ask the Secretary of State for Northern Ireland what recent assessment he has made of the effect of the peace process on levels of public expenditure in Northern Ireland.

Paul Goggins: Devolution in Northern Ireland is delivering widespread benefits to all the people of Northern Ireland and is underpinned by strong public services. The Government’s public spending plans in Northern Ireland are set out in Public Expenditure Statistical Analyses 2009 (Cm 7630).

Smuggling: Fuels

Mr. David Jones: To ask the Secretary of State for Northern Ireland what recent estimate he has made of the level of fuel smuggling in Northern Ireland.

Paul Goggins: Latest HMRC figures indicate that the amount of fuel used, but not sourced in Northern Ireland, is reducing. However, we are not complacent and in the past year we have seized over 800,000 litres of illegal fuel.

TRANSPORT

A1: Speed Limits

Mr. Greg Knight: To ask the Minister of State, Department for Transport for what reasons a 40mph speed limit has been imposed on the A1(M) motorway in the vicinity of junction 4 where roadworks are taking place; and if he will make a statement.

Chris Mole: A 40 mph speed limit has been introduced on the A1(M) in the vicinity of junction 4 to allow for major refurbishment on the Hatfield Tunnel to be undertaken. The works started in June and will continue until April 2011.

The 40 mph temporary speed limit is in place for driver and work force safety in accordance with the requirements of Traffic Signs Manual chapter 8 road works and temporary situations.
Aviation: Caribbean

Sarah Teather: To ask the Minister of State, Department for Transport how many (a) flights and (b) passengers travelled from the UK to destinations in the Caribbean in each of the last five years. [283827]

Paul Clark: The following table shows the number of flights and passengers who departed from UK airports to destinations in the Caribbean in each of the last five years.

<table>
<thead>
<tr>
<th>Flights and passengers from UK airports to destinations in the Caribbean, 2004-08</th>
<th>Thousand</th>
</tr>
</thead>
<tbody>
<tr>
<td>2004</td>
<td>3.9</td>
</tr>
<tr>
<td>2005</td>
<td>3.9</td>
</tr>
<tr>
<td>2006</td>
<td>4.1</td>
</tr>
<tr>
<td>2007</td>
<td>4.0</td>
</tr>
<tr>
<td>2008</td>
<td>3.8</td>
</tr>
</tbody>
</table>

Source: Department for Transport analysis of Civil Aviation Authority (CAA) data.

Total passenger flows between UK airports and individual countries are published on the CAA website in table 12.1 at the following link:

http://www.caa.co.uk/default.aspx?catid=80&pagetype=88&pageid=3&sglid=3

Driving Under Influence: Death

Norman Baker: To ask the Minister of State, Department for Transport how many and what percentage of road deaths involved at least one driver with a blood alcohol level in excess of the legal limit in each year since 1980. [284804]

Paul Clark: The estimated numbers and the percentages of all road deaths in accidents involving at least one driver over the legal alcohol limit in each year since 1980 to 2007 are given in the table. Provisional 2008 data will be available on 6 August 2009.

A drink drive accident is defined as being an incident on a public road in which someone is killed or injured and where one or more of the motor vehicle drivers or riders involved either refused to give a breath test specimen when requested to do so by the police (other than when incapable of doing so for medical reasons), or one of the following:

(i) failed a roadside breath test by registering over 35 micrograms of alcohol per 100 millilitres of breath
(ii) died and was subsequently found to have more than 80 milligrams of alcohol per 100 millilitres of blood.

However, not all drink drive accidents are detected in this way, as there are some drivers involved for whom neither of the above test results are available, even though they were over the legal limit. The Department for Transport’s statistics therefore are adjusted to allow for this in order to produce a better estimate of the number of drink drive accidents and casualties. See in article 3 of “Road Casualties Great Britain—annual report 2007” published on the Department’s website at:


Copies of the report have been deposited in the Libraries of the House.

<table>
<thead>
<tr>
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<th></th>
<th></th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>Fatalities involving at least one driver over legal alcohol limit</td>
<td>1,450</td>
<td>1,420</td>
<td>1,550</td>
<td>1,110</td>
<td>1,170</td>
<td>1,040</td>
<td>990</td>
<td>900</td>
<td>790</td>
<td>810</td>
<td>760</td>
<td>660</td>
<td>660</td>
<td>540</td>
<td>540</td>
<td>540</td>
<td>580</td>
<td>550</td>
<td>460</td>
<td>460</td>
<td>530</td>
<td>530</td>
<td>550</td>
<td>580</td>
<td>580</td>
</tr>
<tr>
<td>Percentage of fatalities involving at least one driver over legal alcohol limit of all fatalities</td>
<td>17%</td>
<td>17%</td>
<td>18%</td>
<td>20%</td>
<td>21%</td>
<td>20%</td>
<td>18%</td>
<td>18%</td>
<td>16%</td>
<td>15%</td>
<td>15%</td>
<td>14%</td>
<td>16%</td>
<td>15%</td>
<td>15%</td>
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<td>17%</td>
<td>17%</td>
<td>18%</td>
<td>17%</td>
<td>15%</td>
<td>15%</td>
<td>16%</td>
<td>16%</td>
<td>15%</td>
</tr>
</tbody>
</table>

1 Provisional data. The 2007 estimates are based on a reduced sample of coroners’ returns and may be biased. They remain provisional until more complete information for 2007 is available.

Maritime and Coastguard Agency: Manpower

Mr. Brazier: To ask the Minister of State, Department for Transport how many (a) surveyors, (b) Coastguard Control Centre staff, (c) administrative staff and (d) human resources staff the Maritime and Coastguard Agency employed in each of the last 10 years. [282930]

Paul Clark: The number of staff employed by the Maritime and Coastguard Agency (MCA), broken down into the categories asked, since 2002 is shown in the following table. The MCA’s systems only hold records back to 2002:

<table>
<thead>
<tr>
<th>2002</th>
<th>2003</th>
<th>2004</th>
<th>2005</th>
<th>2006</th>
<th>2007</th>
<th>2008</th>
</tr>
</thead>
<tbody>
<tr>
<td>Surveyors</td>
<td>173</td>
<td>177</td>
<td>188</td>
<td>194</td>
<td>190</td>
<td>192</td>
</tr>
<tr>
<td>Coaseguard Control Centre</td>
<td>537</td>
<td>515</td>
<td>531</td>
<td>545</td>
<td>534</td>
<td>468</td>
</tr>
<tr>
<td>Administrative</td>
<td>386</td>
<td>411</td>
<td>423</td>
<td>473</td>
<td>467</td>
<td>536</td>
</tr>
<tr>
<td>Human Resources</td>
<td>47</td>
<td>55</td>
<td>50</td>
<td>57</td>
<td>58</td>
<td>58</td>
</tr>
</tbody>
</table>

Administrative staff includes, for example, senior managers and policy leads as well as administrators.
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 Maritime and Coastguard Agency office in each of the last five years. [285538]

Paul Clark: The number of directors at the Maritime and Coastguard Agency has been three from August 2008. Prior to that, in each of the last five years, the number of directors was five.

The information for (b) to (d) is not available in the format requested.

Motorcycles: Testing

Norman Baker: To ask the Minister of State, Department for Transport what recent assessment he has made of the safety for riders of the swerve manoeuvre in the motorcycle test; and if he will make a statement. [284808]

Paul Clark: The Driving Standards Agency is keeping the hazard avoidance manoeuvre under review as part of its monitoring process.

As of mid June 2009, there had been over 9,000 off-road Module 1 tests conducted, and 33 incidents, including non-injury incidents—an incident rate of 0.4 per cent.

Railway Network

Mr. Jenkins: To ask the Minister of State, Department for Transport how many miles of track have been added to the rail network in the last five years; and how much has been spent on improving and upgrading the rail network in that period. [284751]

Chris Mole: 24 miles of new two track high speed railway were built by London and Continental Railways for section 2 of the Channel Tunnel Rail Link completed in 2007. The Channel Tunnel Rail Link was constructed as a public private partnership project with a 90-year concession and is not the direct responsibility of Network Rail.

Otherwise, the amount of railway built each year is an operational matter for Network Rail, as the owner and operator of the national rail network. My hon. Friend should contact Network Rail’s chief executive at the following address for a response to his question.

Iain Coucher
Chief Executive
Network Rail
Kings Place
90 York Way
London N1 9AG

Spending on rail infrastructure is primarily the responsibility of Network Rail. Historic spending by the company is contained in the company’s annual reports and accounts, which can be found on the Network Rail website at

www.networkrail.co.uk

Government spending on the railway in the past five years is set out in National Rail Trends which is published by the Office of Rail Regulation at

http://www.rail-reg.gov.uk/server/show/nav.2026

A copy is available in the Library of the House.

Railways

Mr. Jenkins: To ask the Minister of State, Department for Transport how many rail journeys were made by passengers in each of the last five years. [284745]

Chris Mole: Rail passenger journeys in the past five years are shown in the following table:

<table>
<thead>
<tr>
<th>Passenger journeys (Great Britain, 2003-04 to 2007-08)</th>
</tr>
</thead>
<tbody>
<tr>
<td>Year</td>
</tr>
<tr>
<td>--------------</td>
</tr>
<tr>
<td>2003-04</td>
</tr>
<tr>
<td>2004-05</td>
</tr>
<tr>
<td>2005-06</td>
</tr>
<tr>
<td>2006-07</td>
</tr>
<tr>
<td>2007-08</td>
</tr>
</tbody>
</table>

Source:
The Office of Rail Regulation

Railways: Fares

Justine Greening: To ask the Minister of State, Department for Transport when he plans to issue the fares direction to train operating companies on the use of Oyster cards for national rail services in London. [285075]

Chris Mole: I refer the hon. Lady to the answer I gave to the hon. Member for Lewes (Norman Baker) on 25 June 2009, Official Report, columns 1078-79W.

Railways: Franchises

Mr. Hoyle: To ask the Minister of State, Department for Transport when the inclusion in rail franchise contracts of revenue support clauses was last reviewed; and when he next plans to review the inclusion of such clauses in those contracts. [284688]

Chris Mole: The revenue share and revenue support clauses are part of the template franchise agreement and National Rail Franchise Terms that the Department for Transport has used as the basis of all recent franchise competitions. The National Rail Franchise Terms were reviewed in preparation for the last franchise competition, South Central, although no substantive changes were made to these clauses at that time. We will assess such clauses again in the course of our preparations for future franchise competitions.

Railways: Greater Manchester

Paul Rowen: To ask the Minister of State, Department for Transport what estimate he has made of the savings to the public purse likely to result from the closure of the Oldham Loop Line in Greater Manchester in October 2009. [283353]

Chris Mole [holding answer 1 July 2009]: The Department for Transport is currently calculating changes to the subsidy payments to Northern Rail in line with the Franchise Agreement. Any savings arising were taken into account in the development of the Metrolink business case.
The Department will be contributing £244.3 million towards the expansion of Metrolink to Oldham, Rochdale and Chorlton.

Paul Rowen: To ask the Minister of State, Department for Transport what steps his Department is taking to relieve congestion on rail routes in Greater Manchester.

Chris Mole [holding answer 1 July 2009]: The Government are currently in discussions with relevant train operators on measures to increase peak-hour train capacity for commuters into Manchester by 2014. It is also working with Network Rail in its “Manchester Hub” study, to identify options for increasing rail capacity from 2014 onwards.

Rolling Stock: Greater Manchester

Paul Rowen: To ask the Minister of State, Department for Transport whether his Department will provide funding for the retention of rolling stock following the closure of the Oldham Loop Line in Greater Manchester in October 2009.

Chris Mole [holding answer 1 July 2009]: The Department for Transport is not planning to provide additional funding for the redeployment of the rolling stock displaced through the conversion of the Oldham Loop from heavy rail to Manchester Metrolink light rail. However, the rolling stock may be redeployed either commercially, through support from the passenger transport executive or through the High Level Output Specification Programme.

Shipping

Mr. Brazier: To ask the Minister of State, Department for Transport how many vessels were (a) surveyed and (b) certified by the Maritime and Coastguard Agency in each of the last 10 years.

Paul Clark: The number of vessels surveyed and certified by the Maritime and Coastguard Agency in each of the last 10 financial years is shown in the following table:

<table>
<thead>
<tr>
<th>Year</th>
<th>Number of vessels surveyed and certificated</th>
</tr>
</thead>
<tbody>
<tr>
<td>2008</td>
<td>2,452</td>
</tr>
<tr>
<td>2007</td>
<td>2,385</td>
</tr>
<tr>
<td>2006</td>
<td>2,479</td>
</tr>
<tr>
<td>2005</td>
<td>2,452</td>
</tr>
<tr>
<td>2004</td>
<td>2,449</td>
</tr>
<tr>
<td>2003</td>
<td>2,306</td>
</tr>
<tr>
<td>2002</td>
<td>2,279</td>
</tr>
<tr>
<td>2001</td>
<td>2,178</td>
</tr>
<tr>
<td>2000</td>
<td>2,106</td>
</tr>
<tr>
<td>1999</td>
<td>1,979</td>
</tr>
</tbody>
</table>

All surveys resulted in the issue of some form of certification.

Mr. Brazier: To ask the Minister of State, Department for Transport how much was paid in compensation to owners of (a) fishing vessels and (b) other commercial vessels by the Maritime and Coastguard Agency in respect of errors of judgment during certification surveys in each of the last five years.

Paul Clark: An ex-gratia payment of £550,000 was made in 2004 in relation to a fishing vessel. No other payments have been made since 2004.

Shipping: Safety

Mr. Brazier: To ask the Minister of State, Department for Transport what recent discussions his Department has had with the Maritime and Coastguard Agency on the removal of distress flares and other pyrotechnic devices from vessels registered under the UK flag.

Paul Clark: No discussions have taken place recently between officials in the Department for Transport and its executive agencies about the removal of distress flares and other pyrotechnic devices from vessels registered under the UK flag.

Requirements to carry flares on UK ships are regulated by The Merchant Shipping (Life-Saving Appliances For Ships Other Than Ships Of Classes III To VI(A)) Regulations 1999, which enact the UK’s international obligations under SOLAS Chapter III.

Marine Guidance Note 287 advises UK ship operators on the disposal of out of date pyrotechnics.

ENERGY AND CLIMATE CHANGE

Carbon Sequestration

Charles Hendry: To ask the Secretary of State for Energy and Climate Change pursuant to his statement on 23 April 2009, Official Report, columns 382-84, on coal carbon capture and storage, what assessment he has made of the effect on his Department’s carbon capture and storage (CCS) competition of the additional CCS demonstration projects.

Mr. Kidney: The proposals announced on 23 April 2009 are intended to complement the current CCS demonstration competition and therefore the competition will proceed as set out in the Budget statement.

Departmental Data Protection

James Brokenshire: To ask the Secretary of State for Energy and Climate Change 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.

Joan Ruddock: Information is a key asset to Government and its correct handling is vital to the delivery of public services and to the integrity of HMG. The Security Policy Framework and the Data Handling Report produced by the Cabinet Office provide a strategic framework for protecting information that Government handle and put in place a set of mandatory measures which Departments must adhere to.
DECC can confirm that no officials have been disciplined or dismissed for breaches of data protection requirements or inappropriate use of personal or sensitive data in the last 12 months.

If staff are found to have been responsible for a serious breach of data security procedures, dependent upon the circumstances, a range of sanctions are available including disciplinary or administrative action, and in extreme or persistent cases, termination of employment/services and, if appropriate, criminal proceedings.

DECC operate within the following Cabinet Office frameworks in respect of data security:

- Mandatory requirement 12 of the HMG Security Policy Framework published in December 2008 states that Departments and Agencies must provide all staff with guidance on the Data Protection Act and other legislation which affects their role. Reference: www.cabinetoffice.gov.uk/spf/mandatory_requirements/mr12.aspx
- Mandatory requirements 31 to 49 of the HMG Security Policy Framework published in December 2008 includes measures that Departments must put in place in relation to information security and assurance. Reference: www.cabinetoffice.gov.uk/spf7sp4_isa.aspx

**Departmental Public Consultation**

**Grant Shapps:** To ask the Secretary of State for Energy and Climate Change how many public consultations his Department has conducted since its creation; what the title of each was; how many responses were received to each; and what estimate he has made of the cost of each. [283922]

**Joan Ruddock:** In line with the code of practice on consultation, the Department of Energy and Climate Change publishes all its consultation documents on its website at:


The number of responses received for individual consultations is recorded in the Government response documents. These are published on the departmental website alongside the consultations themselves.

The total cost incurred for each consultation: The information is not available and could be obtained only at disproportionate cost. [283922]

**Energy: Meters**

**Lembit Öpik:** To ask the Secretary of State for Energy and Climate Change (1) when he expects the programme to install smart meters in households to begin; (2) whether his Department plans to bring forward legislation to limit the percentage of the cost of smart meters that can be passed on to consumers; and if he will make a statement. [283598]

**Mr. Kidney:** Last year the Government announced their intention to mandate smart metering for all households, with an indicative timetable for completion of the roll-out by the end of 2020.

We are currently consulting on our approach to key aspects of the roll-out of smart meters. Our final decisions will be followed by the detailed work required to prepare for the roll-out. As part of this work, a wide range of policy, technical and operational issues will need to be addressed. These will include the start-date for roll-out and determination of appropriate regulatory frameworks.

**Lembit Öpik:** To ask the Secretary of State for Energy and Climate Change whether customers who subscribe to a pre-payment tariff for smart metering will be charged more than those who do not; and if he will make a statement. [283616]

**Mr. Kidney:** A substantial programme of work must be completed before the roll-out of smart meters begins. As part of this, a wide range of policy and operational issues needs to be addressed to maximise the benefits that all consumers can obtain from smart metering.

There is currently a price differential between prepayment and standard credit meters because of the additional costs of prepayment meters and the infrastructure required to support them. It is anticipated that these costs will be reduced by smart metering.

**Lembit Öpik:** To ask the Secretary of State for Energy and Climate Change (1) what provision exists for customers who already have a smart meter to change their energy provider prior to the national roll-out of smart meters; and if he will make a statement; (2) whether any mechanism exists for energy companies to provide smart meters to customers who request one prior to their becoming available nationally; and if he will make a statement. [283690]

**Mr. Kidney:** The provision of smart meters ahead of a Government-mandated roll-out is a matter for energy suppliers and their customers. Suppliers are obliged to measure gas and electricity through an approved meter, but there is no obligation to provide a “smart” meter.

Customers with existing “smart” meters will continue to be able to switch energy provider; however the metering services provided by the new supplier may be different.

**Energy: Prices**

**Mr. Sanders:** To ask the Secretary of State for Energy and Climate Change if he will take steps to ensure that energy tariffs are the same before account is taken of administration costs for customers who pre-pay and those who pay quarterly bills. [283095]

**Mr. Kidney:** The Government believe that differences in charges relating to the method of payment should reflect the costs of servicing that method, and should not discriminate unfairly against any group of customers. Therefore, we strongly support the regulator Ofgem’s work putting in place rules to ensure that prices paid by consumers are cost reflective.

**Mr. Baron:** To ask the Secretary of State for Energy and Climate Change when he expects Ofgem to publish its final report on its Energy Supply Probe. [283280]

**Mr. Kidney:** Ofgem’s initial probe report identified a number of areas where action was required and proposed a range of remedies.

Ofgem published its decision document on new licence conditions to prohibit undue discrimination and ensure payment methods are cost reflective on 26 June. Subject to responses, the new licence conditions should be introduced in August.
Ofgem aims to proceed to Statutory Consultation on the final package of its Energy Supply Probe remedies, including better consumer information and improved protection for small businesses, towards the end of this month and to have the new measures in licences ahead of the coming winter.

Ms Barlow: To ask the Secretary of State for Energy and Climate Change what progress his Department has made in ensuring that those with pre-payment meters for energy supplies are not overcharged. [283349]

Mr. Kidney: The Government believe that differences in charges relating to the method of payment should reflect no more than the costs of servicing that method, and should not discriminate unfairly against any group of customers. Therefore, we strongly support the regulator Ofgem’s work putting in place rules to give effect to this approach.

Following a consultation on their proposals Ofgem published its decision to implement a licence condition change requiring cost reflective payment methods on 26 June. Ofgem intend that this change will be in place by August 2009. This decision can be found online at: http://www.ofgem.gov.uk/Markets/RetMkts/ensuppro/Documentsl/Addressing%20Undue%20Discrimination.pdf

Fossil Fuelled Power Stations: Planning Permission

Mr. Dai Davies: To ask the Secretary of State for Energy and Climate Change what assessment he has made of the merits of including an emissions performance standard in the criteria for securing planning permission for new fossil fuel power plants. [281898]

Joan Ruddock: The Government are considering the merits of emissions performance standards as part of its current consultation into the development of clean coal. A statement of the Government’s position on emissions performance standards will be given in its response to the consultation.

Sizewell A Power Station

Mr. Weir: To ask the Secretary of State for Energy and Climate Change what information his Department holds on (a) the causes of the coolant leak at Sizewell A discovered on 7 June 2007 and (b) when it is understood the leak occurred. [280799]

Mr. Kidney: The Department is not aware of a coolant leak which occurred at Sizewell A on 7 June 2007. It is assumed the question refers to the Sizewell A pond leakage event which was identified on 7 January 2007.

The Health and Safety Executive (HSE) lead on the investigation in this case and they have informed my Department that the cause of the leak was a vertical longitudinal split in a section of 8 inch diameter plastic pipe in the cooling pond recirculation system. The alarm was raised at 11:30 hours on Sunday 7 January 2007. HSE’s initial assessment is that due to the nature of the split in the pipe the breach is most likely to have happened suddenly and only a short time (no more than a few hours) before the alarm was raised.

Mr. Weir: To ask the Secretary of State for Energy and Climate Change whether the Government has received any requests for additional resources from (a) the Nuclear Installations Inspectorate and (b) the Environment Agency as a result of the discovery of a coolant leak at Sizewell A on 7 June 2007. [280808]

Joan Ruddock: I assume that the hon. Member is referring to the coolant leak at Sizewell A on 7 January 2007 as I am not aware of a coolant leak at the site on 7 June 2007.

Neither the Nuclear Installations Inspectorate nor the Environment Agency made a request to Government for additional resource as a result of the Sizewell A coolant leak event of 7 January 2007.

Solar Power: Housing

Mr. Chaytor: To ask the Secretary of State for Energy and Climate Change how much grant funding his Department provided for the installation of solar photovoltaic technology in domestic dwellings in each of the last five years; and what budget is available for these purposes in 2009-10. [283210]

Mr. Kidney: Since 2001 the Government have committed over £41 million to the development of solar PV in the UK through grant programmes and field trials. Currently solar PV has benefited significantly under the Low Carbon Buildings (LCBP) programme with an original budget of £86 million. The Government have committed a further £45 million to the Low Carbon Buildings Programme in the recent Budget. This now brings support for the programme to over £130 million.

<table>
<thead>
<tr>
<th>Year application received</th>
<th>2006</th>
<th>2007</th>
<th>2008</th>
<th>2009</th>
</tr>
</thead>
<tbody>
<tr>
<td>Number of grants committed</td>
<td>365</td>
<td>325</td>
<td>669</td>
<td>481</td>
</tr>
<tr>
<td>Value of grants committed (£)</td>
<td>2,748,292.47</td>
<td>1,415,543.89</td>
<td>1,597,069.11</td>
<td>1,154,418.80</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Year grant paid</th>
<th>2006</th>
<th>2007</th>
<th>2008</th>
<th>2009</th>
</tr>
</thead>
<tbody>
<tr>
<td>Number of grants paid</td>
<td>87</td>
<td>506</td>
<td>304</td>
<td>436</td>
</tr>
<tr>
<td>Value of grants offered (£)</td>
<td>613,675.52</td>
<td>3,224,486.78</td>
<td>1,226,030.39</td>
<td>1,048,257.10</td>
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LCBP communities, 2A and 2B streams relating to residential developments

<table>
<thead>
<tr>
<th>Year application received</th>
<th>Combined total across other streams</th>
<th>2006</th>
<th>2007</th>
<th>2008</th>
<th>2009</th>
</tr>
</thead>
<tbody>
<tr>
<td>Number of grants committed</td>
<td></td>
<td>2</td>
<td>12</td>
<td>—</td>
<td>—</td>
</tr>
<tr>
<td>Value of PV grant committed/paid amount (£)</td>
<td>83,246.00</td>
<td>1,009,483.89</td>
<td>—</td>
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</table>

<table>
<thead>
<tr>
<th>Year paid</th>
<th>Combined total across other streams</th>
<th>2006</th>
<th>2007</th>
<th>2008</th>
<th>2009</th>
</tr>
</thead>
<tbody>
<tr>
<td>Number of grants paid</td>
<td></td>
<td>—</td>
<td>—</td>
<td>3</td>
<td>2</td>
</tr>
<tr>
<td>Value of PV grants paid (£)</td>
<td>—</td>
<td>68,919.00</td>
<td>89,829.85</td>
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</tr>
</tbody>
</table>

ENVIRONMENT, FOOD AND RURAL AFFAIRS

Agriculture: Buckinghamshire

Mr. Lancaster: To ask the Secretary of State for Environment, Food and Rural Affairs how much funding his Department allocated to the development of agricultural businesses in (a) Milton Keynes and (b) Buckinghamshire in each of the last five years.

Jim Fitzpatrick: Data on total spend are not available at constituency or county level. The table gives, by financial year, funding allocated to the development of agricultural businesses in the South East region. These figures include payments made under rural development programmes, which includes agri-environment payments, and payments made directly to agricultural businesses by the South East of England Development Agency.

<table>
<thead>
<tr>
<th>Year</th>
<th>Total (£)</th>
</tr>
</thead>
<tbody>
<tr>
<td>2004-05</td>
<td>4,966,000</td>
</tr>
<tr>
<td>2005-06</td>
<td>6,166,000</td>
</tr>
<tr>
<td>2006-07</td>
<td>5,437,000</td>
</tr>
<tr>
<td>2007-08</td>
<td>4,972,000</td>
</tr>
<tr>
<td>2008-09</td>
<td>5,793,000</td>
</tr>
<tr>
<td>Grand total</td>
<td>27,334,000</td>
</tr>
</tbody>
</table>

1 Source: DEFRA, Natural England, South East England Development Agency. Figures rounded up or down to the nearest thousand.

Agriculture: Hertfordshire

Mike Penning: To ask the Secretary of State for Environment, Food and Rural Affairs how much funding his Department allocated to the development of agricultural business in (a) Hemel Hempstead, (b) Dacorum and (c) Hertfordshire in each of the last five years.

Jim Fitzpatrick: The following table gives, by financial year, funding allocated to the development of agricultural businesses in the East of England region from 2004-05 onwards. Total figures are not available at county or constituency level. These figures include payments made under Rural Development Programmes, including agri-environment payments, and payments made directly to agricultural businesses by the East of England Development Agency.

<table>
<thead>
<tr>
<th>Year</th>
<th>Total (£)</th>
</tr>
</thead>
<tbody>
<tr>
<td>2004-05</td>
<td>4,966,000</td>
</tr>
<tr>
<td>2005-06</td>
<td>6,166,000</td>
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<tr>
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<td>5,793,000</td>
</tr>
<tr>
<td>Grand total</td>
<td>27,334,000</td>
</tr>
</tbody>
</table>


Animals: Abuse

Mr. Oaten: To ask the Secretary of State for Environment, Food and Rural Affairs how many individuals were prosecuted for neglect of animals resulting from leaving animals in confined and hot spaces for a prolonged period in each of the last two years; and what average fine was issued for those convicted in such cases.

Jim Fitzpatrick: It is not possible to separately identify the number of persons proceeded against at magistrates courts and found guilty under the Animal Welfare Act 2006 at all courts in England and Wales for neglect of animals left in confined and hot spaces for a prolonged period.

Animals: Quarantine

Andrew Rosindell: To ask the Secretary of State for Environment, Food and Rural Affairs how many animal quarantine centres are in operation in the UK.

Jim Fitzpatrick: In England, Scotland and Wales there are currently 29 authorised quarantine premises for domestic (i.e. pet) animals. Quarantine premises in Northern Ireland are licensed by DARDNI (the Department of Agriculture and Rural Development Northern Ireland).

Avian Influenza: Poultry

Ms Keeble: To ask the Secretary of State for Environment, Food and Rural Affairs what recent assessment he has made of links between stocking densities of broiler chickens and the incidence of avian influenza.

Jim Fitzpatrick: The management of animal disease risks forms part of sustainable livestock production. There is a variety of different livestock production systems and each present different animal disease challenges. More intensive systems in which the animals are housed provide greater opportunities for preventing disease...
entering a herd or flock but higher stocking densities mean that disease, once it gains entry to a farm, may spread more rapidly. Good husbandry and management will help reduce the risk of entry but this risk cannot be eliminated. Sometimes disease will occur. This can happen in both intensive and extensive systems.

The risk of influenza has not been shown to be greater in either, although experience has shown that close contact between animals and man is an important factor in possible transmission to man.

Further, there is no evidence of a correlation between intensive farming and the frequency of influenza pandemics. Indeed, the frequency of influenza pandemics has not changed despite the intensification of livestock production in developed countries since the 1950s.

**Avian Influenza: Vaccination**

Andrew Rosindell: To ask the Secretary of State for Environment, Food and Rural Affairs whether birds other than those in zoos may be vaccinated in the event of an outbreak of avian influenza; and if he will make a statement. [284097]

Jim Fitzpatrick: We would not vaccinate poultry in advance of an avian influenza outbreak, nor would we use the vaccine as an immediate disease control response, due to the limitations of the vaccines. Early reporting, rapid action, biosecurity, culling and surveillance remain the most effective ways of protecting against and controlling an avian influenza outbreak.

We keep our policy on vaccination under review in the light of scientific developments in vaccines. Vaccination also forms part of our contingency planning in view of the potential uncertainties in the nature and spread of the virus. However, preventive vaccination of poultry is not the most effective defence against avian influenza, because currently available vaccines have a number of disadvantages.

With some limited exceptions, it is against the law to import, possess or administer avian influenza vaccine without authorisation from the Department of Environment, Food and Rural Affairs.

**Bees**

Mr. Leech: To ask the Secretary of State for Environment, Food and Rural Affairs what recent representations he has received on funding for research into the problems affecting the honey bee.

Jim Fitzpatrick: DEFRA has received approximately 13 parliamentary questions, 34 letters from MPs and 123 other pieces of correspondence in the last three months on the subject of honey bee health, including funding for research. There was an MP debate about bee health organised by Dr. Ian Gibson, former Labour MP for Norwich North, on 29 April, and a House of Lords Debate about the effect of disease on the British bee population, moved by Lord Moynihan on 21 May.

DEFRA has recently provided increased funding to bee health. £2.5 million is being made available over the next five years to the insect pollinator initiative on pollinator decline. In addition, £2.3 million will be provided to the Food and Environment Research Agency’s National Bee Unit over the next two years to implement the first stage of the healthy bees plan.

**Carbon Emissions**

Mr. Hoyle: To ask the Secretary of State for Environment, Food and Rural Affairs what estimate he has made of the percentage of the UK’s (a) greenhouse gas, (b) methane and (c) nitrous oxide emission which derive from (i) agriculture and (ii) forestry.

Jim Fitzpatrick [holding answer 7 July 2009]: According to the UK greenhouse gas (GHG) Inventory: 1990-2006 report, GHG emissions from agriculture in 2006 were 44.71 Mt CO$_2$e, which was 7 per cent. of total UK emissions. Emissions for which agriculture was responsible are as follows:

- 18.7 Mt CO$_2$ of methane (CH$_4$) emissions which was 38.0 per cent. of the UK’s CH$_4$ emissions, mainly from the digestive systems of livestock and from manure and
- 25.7 Mt CO$_2$e of nitrous oxide (N$_2$O) emissions which was 67.4 per cent. of the total UK N$_2$O emissions, mainly from the use of nitrogen fertiliser.

Forestry is recorded in the UK GHG inventory as part of the Land Use, Land Use Change and Forestry (LULUCF) sector which contains both sources and sinks of GHGs. In 2006, the UK GHG inventory reported the following sources and sinks for the forestry sector:

- A net removal of 14.7 Mt CO$_2$, resulting from the growth of existing forests, and results of afforestation, but also accounting for emissions associated with deforestation (a removal, but in magnitude equivalent to 3 per cent. of UK CO$_2$ emissions);
- A source of 0.0029 Mt CO$_2$ CH$_4$ from wildfires and biomass burning (less than 0.1 per cent. of UK CH$_4$ emissions);
- A source of 0.0043 Mt CO$_2$ N$_2$O emissions from forest wildfires, biomass burning and nitrogen fertilisation of forest land (less than 0.01 per cent. of UK N$_2$O emissions).

**Dairy Farmers of Britain: Insolvency**

Mr. Hoyle: To ask the Secretary of State for Environment, Food and Rural Affairs if he will hold an inquiry into the circumstances surrounding the failure of Dairy Farmers of Britain, with particular reference to (a) the role of the banks, (b) when the receivers were brought in and (c) the expected financial effect on dairy farming.

Jim Fitzpatrick: Dairy Farmers of Britain (DFoB) is registered by the Financial Services Authority (FSA) under the Industrial and Provident Societies Act 1965. The FSA, in its capacity as registering authority, is working closely with the Receivers, who will be examining the reasons for the failure of DFoB and publishing their findings in a report to all creditors.

The Industrial and Provident Societies Act provides the FSA with only limited powers of investigation, and these are linked to its obligation to be satisfied that a society qualifies for registration under the Act.

The Receivers—PricewaterhouseCoopers were called in on 3 June. They have estimated the total financial costs to DFoB members to be around £83 million.

**Departmental Energy**

Gregory Barker: To ask the Secretary of State for Environment, Food and Rural Affairs how much was spent on energy efficiency measures for his Department's...
estate in each year from 2004 to 2009; what assessment has been made of the effectiveness of that expenditure; and what plans he has for future energy efficiency measures.

Dan Norris: DEFRA became responsible for implementing energy efficiency measures throughout the DEFRA in 2006. Since that date expenditure on energy efficiency measures is as shown in the table (DEFRA Estates does not hold information for the period 2004-06).

<table>
<thead>
<tr>
<th>Year</th>
<th>Dairy farmers</th>
<th>Arable farmers</th>
<th>Beef and sheep farmers</th>
<th>Mixed farmers</th>
</tr>
</thead>
<tbody>
<tr>
<td>2006-07</td>
<td>£244,272</td>
<td>£1,187,697</td>
<td>£2,369,134</td>
<td></td>
</tr>
</tbody>
</table>

These data do not include expenditure on energy efficiency measures in new builds and refurbishments as sustainable technologies and energy efficiency measures are inherent in the overall programme and costs.

The measures implemented by DEFRA Estates resulted in achievement of the Energy Efficiency Accreditation Scheme (EEAS) in 2007 and the Carbon Trust Standard in 2008, both of which are independently assessed and confirm increased energy efficiency and a reduction in carbon emissions.

DEFRA has already met the Sustainable Operations on the Government Estate (SOGE) Target for reducing carbon emissions from offices and the continued programme of spend on efficiency measures will ensure that the Department is in the best possible position when Carbon Reduction Commitment (CRC) begins in 2012. In addition, a Sustainable Built Environment Workplace Support (SBEWS) delivery partnership with Interserve plc which spans a 15-year period will deliver significant efficiencies, not just in energy but across the entire range of SOGE targets.

Departmental Information Officers

Paul Holmes: To ask the Secretary of State for Environment, Food and Rural Affairs what the cost to his Department of press office staff other than press officers has been in each year since 1997.

Dan Norris: The requested information cannot be provided due to disproportionate costs.

Dogs: Tagging

Andrew Rosindell: To ask the Secretary of State for Environment, Food and Rural Affairs if he will undertake research into the effect of dog microchipping schemes on (a) levels of crime and (b) perceptions of crime.

Jim Fitzpatrick: There are no plans to assess the effect of dog microchipping schemes on levels of (a) crime and (b) perception of crime.

Domestic Waste: Waste Disposal

Mr. Stewart Jackson: To ask the Secretary of State for Environment, Food and Rural Affairs pursuant to the answer to the hon. Member for Meriden of 19 May 2009, Official Report, columns 1279-82W, on domestic waste: waste disposal, what records the Waste and Resources Action Programme holds on the frequency of the collection of household residual waste in each of the new unitary councils.

Dan Norris: The Waste and Resources Action Programme’s (WRAP) records on the frequency of collection arrangements have not been updated since the local government reorganisation in April 2009. However, WRAP’S understanding is that these arrangements are still continuing exactly as they did before the local government reorganisation took place.

Farmers: Manpower

Mr. Hoyle: To ask the Secretary of State for Environment, Food and Rural Affairs how many (a) dairy, (b) arable, (c) beef and (d) sheep farmers there are in each English county.

Jim Fitzpatrick: The number of farmers on dairy, arable, beef and sheep holdings in June 2008 (the latest data available) are shown in the following table. The type of farm is determined by the predominant agricultural activity taking place on the holding, using data from the annual June Survey of Agriculture. Beef and sheep farms are not categorised separately.

The number of farmers on mixed holdings are also shown as these are holdings with both livestock and crops but where neither activity dominates.

<table>
<thead>
<tr>
<th>Number of farmers by predominant farm type</th>
<th>Dairy farmers</th>
<th>Arable farmers</th>
<th>Beef and sheep farmers</th>
<th>Mixed farmers</th>
</tr>
</thead>
<tbody>
<tr>
<td>(a) Dairy farmers</td>
<td>(b) Arable</td>
<td>(c) and (d)</td>
<td>(e) Mixed</td>
<td></td>
</tr>
<tr>
<td>Farmers</td>
<td>Cereals</td>
<td>Beef and sheep</td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>Grazing Livestock (LFA)</td>
<td>Grazing Livestock (lowland)</td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>Mixed</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Hartlepool</td>
<td>17</td>
<td>147</td>
<td>1—</td>
<td>58</td>
</tr>
<tr>
<td>and Stockton-on-Tees</td>
<td></td>
<td></td>
<td></td>
<td>22</td>
</tr>
<tr>
<td>South Teesside</td>
<td>29</td>
<td>75</td>
<td>1—</td>
<td>28</td>
</tr>
<tr>
<td>Darlington</td>
<td>18</td>
<td>129</td>
<td>0</td>
<td>53</td>
</tr>
<tr>
<td>Durham CC</td>
<td>133</td>
<td>534</td>
<td>37</td>
<td>1,078</td>
</tr>
<tr>
<td>Northumberland</td>
<td>89</td>
<td>711</td>
<td>75</td>
<td>1,333</td>
</tr>
<tr>
<td>Tyneside</td>
<td>85</td>
<td>1—</td>
<td>18</td>
<td>43</td>
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<tr>
<td>Sunderland</td>
<td>35</td>
<td>0</td>
<td>0</td>
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<tr>
<td>West Cumbria</td>
<td>771</td>
<td>118</td>
<td>32</td>
<td>760</td>
</tr>
<tr>
<td>East Cumbria</td>
<td>1,402</td>
<td>175</td>
<td>40</td>
<td>2,608</td>
</tr>
<tr>
<td>Halton and Warrington</td>
<td>24</td>
<td>89</td>
<td>55</td>
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<tr>
<td>Cheshire CC</td>
<td>1,337</td>
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<td>263</td>
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<tr>
<td>Greater Manchester South</td>
<td>35</td>
<td>30</td>
<td>21</td>
<td>106</td>
</tr>
<tr>
<td>Greater Manchester North</td>
<td>127</td>
<td>115</td>
<td>24</td>
<td>335</td>
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<tr>
<td>Liverpool</td>
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<td>1—</td>
<td>113</td>
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<tr>
<td>Blackpool</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>13</td>
</tr>
<tr>
<td>Lancashire CC</td>
<td>1,388</td>
<td>184</td>
<td>494</td>
<td>1,548</td>
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<tr>
<td>East</td>
<td>0</td>
<td>103</td>
<td>45</td>
<td>0</td>
</tr>
<tr>
<td>Merseyside</td>
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<td>27</td>
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<tr>
<td>Liverpool</td>
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<tr>
<td>Seton</td>
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<td>Wirral</td>
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<td>15</td>
<td>10</td>
<td>0</td>
</tr>
<tr>
<td>Kingston upon Hull, City of</td>
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<td>0</td>
<td>0</td>
</tr>
<tr>
<td>Location</td>
<td>(a) Dairy farmers</td>
<td>(b) Arable farmers</td>
<td>(c) and (d) Beef and sheep farmers</td>
<td>(e) Mixed farmers</td>
</tr>
<tr>
<td>-----------------------------------------</td>
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</tr>
<tr>
<td><strong>England</strong></td>
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<td></td>
<td></td>
</tr>
<tr>
<td>Inner</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>0</td>
</tr>
<tr>
<td>London—east</td>
<td>0</td>
<td>30</td>
<td>17</td>
<td>0</td>
</tr>
<tr>
<td>London—east and north-east</td>
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<td>0</td>
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<tr>
<td>London—south</td>
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</tr>
<tr>
<td>Outer</td>
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</tr>
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<td>Outer—east and north-east</td>
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<td>0</td>
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<tr>
<td>Berkshire</td>
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<tr>
<td>Milton Keynes</td>
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<td>112</td>
<td>0</td>
<td>63</td>
</tr>
<tr>
<td>Buckinghamshire CC</td>
<td>114</td>
<td>462</td>
<td>34</td>
<td>0</td>
</tr>
<tr>
<td>Oxfordshire</td>
<td>102</td>
<td>951</td>
<td>84</td>
<td>0</td>
</tr>
<tr>
<td>Brighton and Hove</td>
<td>0</td>
<td>8</td>
<td>0</td>
<td>14</td>
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<tr>
<td>East Sussex CC</td>
<td>114</td>
<td>342</td>
<td>81</td>
<td>0</td>
</tr>
<tr>
<td>Surrey</td>
<td>73</td>
<td>129</td>
<td>24</td>
<td>0</td>
</tr>
<tr>
<td>West Sussex</td>
<td>111</td>
<td>419</td>
<td>107</td>
<td>0</td>
</tr>
<tr>
<td>Portsmouth</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>0</td>
</tr>
<tr>
<td>Southampton</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>0</td>
</tr>
<tr>
<td>Hampshire CC</td>
<td>190</td>
<td>793</td>
<td>112</td>
<td>0</td>
</tr>
<tr>
<td>Isle of Wight</td>
<td>57</td>
<td>88</td>
<td>21</td>
<td>0</td>
</tr>
<tr>
<td>Medway</td>
<td>0</td>
<td>18</td>
<td>20</td>
<td>28</td>
</tr>
<tr>
<td>Kent CC</td>
<td>102</td>
<td>895</td>
<td>334</td>
<td>0</td>
</tr>
<tr>
<td>Bristol, City of</td>
<td>0</td>
<td>24</td>
<td>0</td>
<td>0</td>
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<tr>
<td>N and NE</td>
<td>403</td>
<td>279</td>
<td>35</td>
<td>0</td>
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<tr>
<td>Somerset</td>
<td>0</td>
<td>0</td>
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<td>0</td>
</tr>
<tr>
<td>Gloucestershire</td>
<td>432</td>
<td>748</td>
<td>88</td>
<td>0</td>
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<tr>
<td>Swindon</td>
<td>24</td>
<td>65</td>
<td>0</td>
<td>50</td>
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<tr>
<td>Wiltshire CC</td>
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<td>Bournemouth and Poole</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>10</td>
</tr>
<tr>
<td>Dorset CC</td>
<td>789</td>
<td>447</td>
<td>53</td>
<td>0</td>
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<tr>
<td>Somerset</td>
<td>1,338</td>
<td>685</td>
<td>167</td>
<td>507</td>
</tr>
<tr>
<td>Cornwall and Isles of Scilly</td>
<td>1,251</td>
<td>609</td>
<td>396</td>
<td>954</td>
</tr>
<tr>
<td>Plymouth</td>
<td>0</td>
<td>0</td>
<td>20</td>
<td>0</td>
</tr>
<tr>
<td>Torbay</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>27</td>
</tr>
<tr>
<td>Devon CC</td>
<td>2,419</td>
<td>1,081</td>
<td>334</td>
<td>2,172</td>
</tr>
<tr>
<td><strong>Suppressed to prevent disclosure of information about individual holdings.</strong></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

**Notes:**
1. Farmers includes full- and part-time farmers, partners, directors and spouses if working on the holding.
2. The grazing livestock farm type categories also include a small number of holdings with farmed deer and goats.

**Source:**
June Agricultural Survey

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Grants: Tamworth

**Mr. Jenkins:** To ask the Secretary of State for Environment, Food and Rural Affairs how many residents of Tamworth constituency have received funding from the (a) Rural Enterprise, (b) Processing and Marketing Grants and (c) Vocational Training scheme in each year since the inception of each such scheme; and for what period such funding was allocated from each such scheme.
Dan Norris: The Rural Enterprise Scheme, the Processing and Marketing Grant and Vocational Training Scheme formed part of the England Rural Development Programme (ERDP) which closed on 31 December 2006. The Programme covered the period 2000 to 2006. The following table provides the number of projects approved under these schemes in the West Midlands region during the life of the ERDP. Figures are not available at a constituency level. Figures for the actual number of trainees assisted under the Vocational Training Scheme are available only on a national (England) basis.

<table>
<thead>
<tr>
<th>Calendar year—January to December</th>
<th>2000</th>
<th>2001</th>
<th>2002</th>
<th>2003</th>
<th>2004</th>
<th>2005</th>
<th>2006</th>
<th>Total</th>
</tr>
</thead>
<tbody>
<tr>
<td>Processing marketing grant (PMG)</td>
<td>0</td>
<td>2</td>
<td>4</td>
<td>6</td>
<td>9</td>
<td>4</td>
<td>8</td>
<td>33</td>
</tr>
<tr>
<td>Rural enterprise scheme (RES)</td>
<td>0</td>
<td>23</td>
<td>51</td>
<td>58</td>
<td>100</td>
<td>100</td>
<td>80</td>
<td>412</td>
</tr>
<tr>
<td>Vocational training scheme (VTS)</td>
<td>0</td>
<td>5</td>
<td>5</td>
<td>19</td>
<td>13</td>
<td>11</td>
<td>58</td>
<td></td>
</tr>
<tr>
<td>Total</td>
<td>0</td>
<td>30</td>
<td>69</td>
<td>128</td>
<td>117</td>
<td>99</td>
<td>503</td>
<td></td>
</tr>
</tbody>
</table>

Source: DEFRA.

Grocery Trade: Competition

Mr. Hoyle: To ask the Secretary of State for Environment, Food and Rural Affairs what discussions he has had with the Competition Commission on its proposed grocery supply code of practice. [284687]

Jim Fitzpatrick: My right hon. friend the Secretary of State has not discussed the proposed Groceries Supply Code of Practice (GSCOP) with the Competition Commission.

In its inquiry into the groceries market the Commission found that one of the features that adversely affected competition in the market was the exercise of buyer power by certain grocery retailers with respect to their suppliers of groceries, through the adoption of supply chain practices that transfer excessive risks and unexpected costs to those suppliers. The GSCOP is being introduced by the Competition Commission, which is an independent public body, in response to this finding.

Incorporators

Mr. Andrew Smith: To ask the Secretary of State for Environment, Food and Rural Affairs which individuals and organisations were invited to make submissions to the Environment Agency’s H14 ecotoxicity consultation in 2007. [284472]

Dan Norris: The Environment Agency’s consultation on H14 ecotoxicity was a public consultation to which any individual or organisation was welcome to respond. The consultation period started on 10 September 2007 and finished on 6 November 2007.

I am arranging to have placed in the Library of the House the responses to the consultation on H14 ecotoxicity.

Pesticides Safety Directorate: Consultants

Bob Spink: To ask the Secretary of State for Environment, Food and Rural Affairs how much the Pesticides Safety Directorate spent on external consultants in each of the last five financial years for the Pesticides Safety Directorate was as follows:

<table>
<thead>
<tr>
<th>Spend activity</th>
<th>Amount (£000)</th>
</tr>
</thead>
<tbody>
<tr>
<td>2008-09 IT security accreditation</td>
<td>27</td>
</tr>
<tr>
<td>Specialist IT support</td>
<td>61</td>
</tr>
<tr>
<td>Annual Report and Accounts (design and printing)</td>
<td>10</td>
</tr>
<tr>
<td>Customer survey</td>
<td>10</td>
</tr>
<tr>
<td>Other</td>
<td>2</td>
</tr>
<tr>
<td>Total</td>
<td>110</td>
</tr>
<tr>
<td>2007-08 Specialist IT support</td>
<td>30</td>
</tr>
<tr>
<td>Annual Report and Accounts (design and printing)</td>
<td>10</td>
</tr>
<tr>
<td>Staff survey and IIP review</td>
<td>6</td>
</tr>
<tr>
<td>Other</td>
<td>2</td>
</tr>
<tr>
<td>Total</td>
<td>48</td>
</tr>
<tr>
<td>2006-07 Specialist IT support</td>
<td>11</td>
</tr>
<tr>
<td>Annual Report and Accounts (design and printing)</td>
<td>10</td>
</tr>
<tr>
<td>Support to EU twinning project</td>
<td>7</td>
</tr>
<tr>
<td>Other</td>
<td>7</td>
</tr>
<tr>
<td>Total</td>
<td>35</td>
</tr>
<tr>
<td>2005-06 Specialist IT support</td>
<td>36</td>
</tr>
<tr>
<td>Annual Report and Accounts (design and printing)</td>
<td>7</td>
</tr>
<tr>
<td>Business development</td>
<td>30</td>
</tr>
<tr>
<td>Recruit Director of Finance, IT and Corporate Services</td>
<td>9</td>
</tr>
<tr>
<td>Other</td>
<td>10</td>
</tr>
<tr>
<td>Total</td>
<td>92</td>
</tr>
<tr>
<td>2004-05 Specialist IT support</td>
<td>63</td>
</tr>
<tr>
<td>Annual Report and Accounts (design and printing)</td>
<td>12</td>
</tr>
<tr>
<td>Staff survey</td>
<td>17</td>
</tr>
<tr>
<td>Other</td>
<td>11</td>
</tr>
<tr>
<td>Total</td>
<td>103</td>
</tr>
</tbody>
</table>

Property Searches

Mr. Stewart Jackson: To ask the Secretary of State for Environment, Food and Rural Affairs what discussions his Department has had with the (a) Information Commissioner’s Office, (b) Local Government Association and (c) Department for Communities and Local Government on the classification of local authority property search data as environmental information; and if he will make a statement. [284135]

Dan Norris: Officials in my Department have had discussions with all these bodies on the classification of local authority property search data as environmental information and these discussions are ongoing.

We understand the Information Commissioner intends to issue further guidance shortly.
Recycling

Mr. Waterson: To ask the Secretary of State for Environment, Food and Rural Affairs if he will take steps in co-operation with local authorities to ensure that recycling initiatives facilitate the participation of older people in composting and re-use schemes. [284051]

Dan Norris: While decisions on the most suitable waste management solution for an area are best left to the local authority concerned, DEFRA has always advised waste collection authorities to be open-minded and understanding when considering particular residents' needs, and flexible in the solutions the authority offers. Many local authorities offer assisted collections to the elderly to ensure, among other things, that they are able to fully participate in recycling and re-use initiatives. [284139]

Mr. Stewart Jackson: To ask the Secretary of State for Environment, Food and Rural Affairs which Government Office regions have regional recycling forums.


Regional Planning and Development: Finance

Mr. Stewart Jackson: To ask the Secretary of State for Environment, Food and Rural Affairs how much funding his Department had provided to each regional improvement and efficiency partnership on the latest date for which information is available; and for what projects such funding was allocated.

Dan Norris: In 2008-09, DEFRA and the Department for Communities and Local Government provided £4 million to Regional Improvement and Efficiency Partnerships (RIEPs) for the delivery of a Climate Change Best Practice Programme. Responsibility for this programme passed from DEFRA to the Department for Energy and Climate Change on its creation in October 2008.

DEFRA provided a further £500,000 in 2008-09 and 2009-10 to support the RIEPs work on waste. The funding was paid to Improvement and Efficiency South East, which leads the RIEPs' national work in this area, to support local authorities develop partnership working on waste. This can help promote improvements to service delivery and realise efficiencies.

Veterinary Laboratories Agency: Manpower

Bob Spink: To ask the Secretary of State for Environment, Food and Rural Affairs how many (a) directors, (b) senior managers, (c) specialist and delivery managers and (d) executive support and administration staff there were in each Veterinary Laboratories Agency office in each of the last five years.

Jim Fitzpatrick: I have placed in the House Library the tables providing information on staff numbers at each of the VLA's 16 locations over the last five years.

Voluntary Organisations

Mr. Tyrie: To ask the Secretary of State for Environment, Food and Rural Affairs what grants his Department made to third sector organisations in 2007-08; how much was paid; and what the purpose of each such grant was. [284597]

Dan Norris: DEFRA does not hold this information centrally. The Department’s grant programmes are administered by a wide range of delivery bodies.

To collect the information centrally would incur disproportionate cost.

Waste Disposal: Fees and Charges

Mr. Stewart Jackson: To ask the Secretary of State for Environment, Food and Rural Affairs if he will place in the Library a copy of the ROAME document produced for his Department’s research project on impacts of household charging in England, WR0708.

Dan Norris: DEFRA does not create ROAME (Rationale, Objectives, Appraisal, Monitoring, Evaluation) statements for individual research projects but the process is adopted to provide a clear statement of rationale for developing projects under particular evidence programmes. ROAME statements have been created for each of the themes (A-F) of DEFRA’s Waste and Resources Evidence Strategy (2007-11). The project WR0708 falls under Theme A of this programme: Understanding Economics and Incentives. As requested, the ROAME statement for this part of the programme has been placed in the House Library.

Water: Meters

Mr. Andrew Smith: To ask the Secretary of State for Environment, Food and Rural Affairs if he will discuss with Ofwat the introduction of a social tariff by water companies for low-income households which face higher costs from water metering.

Huw Irranca-Davies: Assistance is currently available to low income households that are metered through the Government’s Vulnerable Groups Tariff, also known as WaterSure. This caps bills at the average bill for their water company if they receive means-tested benefits and suffer either from a medical condition which causes a substantial increase in the use of water or have three or more dependent children under 19 in full-time education. The independent Walker Review of charging for household water and sewerage services was looking at whether WaterSure should be revised.

Mr. Andrew Smith: To ask the Secretary of State for Environment, Food and Rural Affairs what assessment he has made of the effect on low-income households of water metering.

Huw Irranca-Davies: The interim report of the independent Walker Review of charging for household water and sewerage services was published on 29 June. It includes analysis of the costs and benefits of metering and the affordability of water. The report is available on DEFRA’s website.
The final report is expected to be published in the autumn and the Government will provide a full response to this.

**Mr. Andrew Smith:** To ask the Secretary of State for Environment, Food and Rural Affairs what recent representations he has received on the effect on low-income households of water metering. [284334]

**Huw Irranca-Davies:** Ministers have regular meetings with the Consumer Council for Water, which represents the interests of water customers. These include discussions around metering and affordability.

The independent Walker Review of charging for household water and sewerage services received 78 responses to its call for evidence and held five stakeholder workshops. These included representations on metering and affordability.

**WOMEN AND EQUALITY**

**Council Housing: Waiting lists**

**Mr. Stewart Jackson:** To ask the Minister for Women and Equality what assessment she has made of the likely effects of the proposed duty of local authorities to tackle socio-economic disadvantage on their ability to give priority to housing applications from people who live in the area. [284092]

**Michael Jabez Foster:** The ability to attach priority to local connection will continue to be an important tool as local authorities use allocation policies to address socio-economic disadvantage.

**Members: Correspondence**

**Mr. Stewart Jackson:** To ask the Minister for Women and Equality pursuant to the answer to Lord Ouseley of 18 May 2009, *Official Report, House of Lords*, column WA252, on Equality and Human Rights Commission, if she will place in the Library a copy of the results of the Commission’s staff survey. [283973]

**Michael Jabez Foster:** A copy of the Equality and Human Rights Commission staff survey results has been placed in the Library of the House on their behalf.

**CABINET OFFICE**

**Charities: Essex**

**Bob Spink:** To ask the Minister for the Cabinet Office how much funding has been allocated under the CapacityBuilders programme to charitable organisations active in each constituency in Essex in the last 12 months. [283893]

**Angela E. Smith:** Capacitybuilders funding by constituency in Essex is as follows: Braintree: £325,037; Saffron Walden: £88,025; Rochford and Southend, East: £310,992; West Chelmsford: £125,880; Harwich: £3,000; Harlow: £2,000; Brentwood and Ongar: £2,000; Thurrock: £1,000. Please note that most funded projects will be providing benefit to a number of constituency areas. The variation in awards is due to the different types of funding programmes provided by Capacitybuilders. All allocations are subject to satisfactory verification of recipients’ details. More information on the split between constituencies by grant programme is available as follows.

<table>
<thead>
<tr>
<th>Programme</th>
<th>Constituency</th>
<th>Allocation (£)</th>
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<tbody>
<tr>
<td>Consortium Development Grant</td>
<td>Braintree</td>
<td>194,000</td>
</tr>
<tr>
<td>Improving Reach Grant</td>
<td>Saffron Walden</td>
<td>41,025</td>
</tr>
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<td>308,992</td>
</tr>
<tr>
<td>East</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Consortium Modernisation Grant</td>
<td>Braintree</td>
<td>64,607</td>
</tr>
<tr>
<td>Consortium Modernisation Grant</td>
<td>Braintree</td>
<td>62,430</td>
</tr>
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<td>Modernisation Fund</td>
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<td></td>
</tr>
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<td>Social Enterprise Programme</td>
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</tr>
<tr>
<td>Regional Network Fund</td>
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</tr>
<tr>
<td>Real Help for Communities</td>
<td>Rochford and Southend,</td>
<td>1,000</td>
</tr>
<tr>
<td>East</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Real Help for Communities</td>
<td>West Chelmsford</td>
<td>1,000</td>
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<tr>
<td>Modernisation Fund</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Real Help for Communities</td>
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</tr>
<tr>
<td>Modernisation Fund</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Real Help for Communities</td>
<td>Harlow</td>
<td>1,000</td>
</tr>
<tr>
<td>Modernisation Fund</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Real Help for Communities</td>
<td>Harwich</td>
<td>1,000</td>
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<tr>
<td>Modernisation Fund</td>
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<tr>
<td>Real Help for Communities</td>
<td>West Chelmsford</td>
<td>1,000</td>
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<tr>
<td>Modernisation Fund</td>
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<tr>
<td>Real Help for Communities</td>
<td>West Chelmsford</td>
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<td>Modernisation Fund</td>
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<td>West Chelmsford</td>
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<td>Real Help for Communities</td>
<td>Saffron Walden</td>
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<td>Modernisation fund</td>
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<td>Real Help for Communities</td>
<td>Saffron Walden</td>
<td>1,000</td>
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<td>Modernisation fund</td>
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<td>Harlow</td>
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<td>West Chelmsford</td>
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<td>Saffron Walden</td>
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<td>Real Help for Communities</td>
<td>Saffron Walden</td>
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<td>Modernisation fund</td>
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<td>1,000</td>
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<td>Modernisation fund</td>
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</tr>
<tr>
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<td>Harwich</td>
<td>1,000</td>
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<tr>
<td>Modernisation Fund</td>
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<tr>
<td>Real Help for Communities</td>
<td>West Chelmsford</td>
<td>1,000</td>
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<tr>
<td>Modernisation Fund</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Real Help for Communities</td>
<td>West Chelmsford</td>
<td>1,000</td>
</tr>
<tr>
<td>Modernisation Fund</td>
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</tbody>
</table>

**Intelligence Services: Information and Communications Technology**

**Dr. Murrison:** To ask the Minister for the Cabinet Office who the project director of the SCOPE programme is; and if she will make a statement. [278986]

**Angela E. Smith:** There is no project director for the SCOPE programme.

**Lobbying**

**Mr. Gordon Prentice:** To ask the Minister for the Cabinet Office when she expects to respond to the First Report of the Public Administration Select Committee, Session 2008-09, on Lobbying: access and influence in Whitehall, HC 36. [284298]
Angela E. Smith: I refer my hon. Friend to the evidence I gave to the Public Administration Select Committee on 2 July 2009. I expect to be in a position to respond before the summer recess.

Managing Diversity

Mr. Maude: To ask the Minister for the Cabinet Office with reference to the answer of 16 December 2008, Official Report, columns 643-4W, on National School of Government, which public sector organisations sent representatives to the course held in Sunningdale Park in 2008.

Tessa Jowell: This is a matter for the National School of Government. I have asked the principal and chief executive to reply.

Letter from Rod Clark, dated July 2009:

In the Written Ministerial Statement to the House on 9 January 2007 (Official Report Col SWS), the then Parliamentary Secretary for the Cabinet Office (Pat McFadden MP) announced that the National School of Government was now a Non Ministerial Department. Consequently, the Minister for the Cabinet Office has asked me to reply to your Parliamentary Question about the National School of Government.

The National School of Government’s Managing Diversity five-day programme is for HR Practitioners and Diversity Officers from any organisation from all sectors. The 2008 course included one official from the following public authorities:

Channel 4;
University of Lincoln;
Charity Commission;
HM Prison Service;
Victoria and Albert Museum;
Suffolk Constabulary;
Ministry of Justice; and
two from the Department for Work and Pensions.

National School of Government

Mr. Hoyle: To ask the Minister for the Cabinet Office (1) what the estimated running costs of the National School of Government are in 2009-10; [283581]
(2) how much funding the Government is providing to the National School of Government in 2009-10; [283582]
(3) how much the National School of Government received from each Government Department in payment for courses for their staff in each of the last three years. [283588]

Tessa Jowell: This is a matter for the National School of Government. I have asked the principal and chief executive to reply.

Letter from Rod Clark, dated July 2009:

In the Written Ministerial Statement to the House on 9 January 2007 (Official Report Col SWS), the then Parliamentary Secretary for the Cabinet Office (Pat McFadden MP) announced that the National School of Government was now a Non Ministerial Department. Consequently, the Minister for the Cabinet Office has asked me to reply to your Parliamentary Questions about the National School of Government.

The National School has running cost provision in the 2009-10 Main Parliamentary Estimates of £30,395,000 (PQ 283581).

The National School recovers the large majority of its costs from charging for the learning and development and consultancy services that it provides and is expected to earn Appropriations-in-Aid of £30,000,000 in 2009-10. £395,000 net funding is provided to the National School via the Parliamentary Estimate (PQ 283582).

The attached table shows the income that the National School received from government departments including agencies and other bodies in the financial years 2006-07, 2007-08 and 2008-09 (PQ 283588). The income relates to departments:

1. sending staff on the School’s open programmes that are contained in our portfolio. Latest information on courses and services is available on the National School website: http://www.nationalschool.gov.uk
2. commissioning the School to run tailored programmes specifically for the department; and
3. consultancy work.

Some of the tailored work commissioned by departments may involve the attendance on programmes of people from outside the department. In particular, the Department for International Development commissions the School to carry out international work as part of the UK aid programme.

National School of Government: Income

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Stress

Mr. Maude: To ask the Minister for the Cabinet Office which public authorities have provided stress management training courses for their staff through the National School of Government in the last 36 months.

Letter from Rod Clark, dated July 2009:

In the Written Ministerial Statement to the House on 9 January 2007 (Official Report Col 5WS), the then Parliamentary Secretary for the Cabinet Office (Pat McFadden MP) announced that the National School of Government was now a Non Ministerial Office what recent discussions she has had with the component of engaging employees to achieve effective performance. Consequently, the Minister for the Cabinet Office has asked me to reply to your Parliamentary Question about the National School of Government.

Since July 2006 the National School of Government has run one Stress Management Workshop. Members of staff from the following public authorities attended:
The Home Office;
Department for Work and Pensions;
Communities and Local Government;
Department for Environment, Food and Rural Affairs;
National School of Government;
Office of the Parliamentary and Health Service Ombudsman; and
The House of Lords.

Stress Management is part of the overall Organisational Health and Well Being agenda which is recognised as essential to the component of engaging employees to achieve effective performance.

Water

Mrs. Maria Miller: To ask the Minister for the Cabinet Office what recent discussions she has had with the Secretary of State for the Environment, Food and Rural Affairs on the effect on the publication of the Basingstoke Water Cycle report of the national security circular in relation to water assets.

Letter from Mel Groves:

The Secretary of State has asked me to reply to your question asking what role Jobcentres have in the promotion and uptake of Government-funded apprenticeships. This is something which falls within the responsibilities delegated to me as Acting Chief Executive of Jobcentre Plus.

Jobcentre Plus work in partnership with the Learning and Skills Council and local agencies to promote apprenticeship opportunities and our advisers will discuss and refer customers to apprenticeship vacancies in the normal course of business. Apprenticeship vacancies that are notified to Jobcentre Plus are clearly displayed on Jobpoints in all Jobcentres and on our vacancies Internet site.

In addition, we signpost and refer customers to careers advisory services where customers who might benefit from apprenticeship training receive more in-depth advice and guidance.

Jobcentre Plus promotes the Government’s funding for training to employers as part of our integrated approach to providing an employment and skills service with our learning and skills partners.

Children: Maintenance

Mr. Chaytor: To ask the Secretary of State for Work and Pensions if she will bring forward proposals for non-resident parents to be reimbursed for clothing purchased for their children; and if she will make a statement.

Helen Goodman: There is no specific provision in legislation which allows the Child Support Agency to treat clothing purchased for children as “voluntary payments” for child maintenance purposes. However, the Agency is able to treat any form of payment as a voluntary payment where the parent with care accepts them in lieu of child maintenance; this could include clothing purchased for children.

An amendment to legislation is not therefore appropriate in this case.

Departmental Procurement

Mr. Harper: To ask the Secretary of State for Work and Pensions how many private sector organisations have submitted proposals to her Department under the right to bid programme on improving the delivery of services provided by her Department; how many of these proposals relating to each of her Department’s services are being considered by her Department; and if she will make a statement.

Jim Knight [holding answer 15 May 2009]: The right to bid initiative was introduced on 1 January 2009 and we are pleased to say that we have had a significant amount of interest. As of 6 July 2009, 91 bids have been received from a mixture of organisations, 47 of which are from private sector organisations.

Disability Living Allowance

Derek Twigg: To ask the Secretary of State for Work and Pensions (1) what guidance her Department issues to assessors on the account to be taken of representations by (a) parents and (b) professionals who know the child concerned in determining amounts of disability living allowance in respect of young people with autism; (2) what training her Department’s officials who assess claims for disability living allowance receive in respect of issues affecting young people with autism.

[284257]

[284258]
Jonathan Shaw: All claims for disability living allowance are decided by decision makers who are required to make decisions fairly and impartially based on the application of the law to the facts of the individual case. Decision maker training covers all available legal and medical guidance in relation to the weighing of evidence from individual sources. The impairment specific training received by decision makers includes sessions on autistic spectrum disorder and learning disability. Evidence provided by parents and professionals involved in the care of children with autistic spectrum disorder are considered an important source of evidence.

The Department provides decision makers with guidance on deciding claims for disability living allowance within the Decision Makers Guide. In addition, guidance is given in respect of children with autistic spectrum disorder within the Disability Handbook which includes guidance on the best sources of evidence.

The Department is reviewing and updating medical guidance for people under 16 covering a number of impairments with relevant medical experts. Autistic spectrum disorder is included in this review.

All staff determining claims to disability living allowance receive training on how to use all guidance. Advice is also provided on how to interpret information provided by parents and other professionals. This will also be reviewed and updated in line with the new medical guidance.

Drugs: Rehabilitation

Mike Wood: To ask the Secretary of State for Work and Pensions how many individuals claiming (a) employment support allowance and (b) jobseeker’s allowance who voluntarily disclosed the use of crack cocaine or heroin were referred to a drug treatment provider in each of the last two months for which figures are available.

Jim Knight: The information is not currently available broken down into benefit types. The available information is in the following table.

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Ethnic Employment Taskforce

Peter Luff: To ask the Secretary of State for Work and Pensions between what dates the Ethnic Employment Taskforce sent fictitious job applications to businesses; and at what cost to the public purse.

Jim Knight: CVs and application forms were sent out by the research company to businesses between November 2008 and May 2009. The total cost of the research project including fieldwork, analysis of data and the production of the final report will be £168,700.

Peter Luff: To ask the Secretary of State for Work and Pensions whether the Ethnic Employment Taskforce consulted organisations representing (a) employers and (b) business on its proposal to submit fictitious job applications to businesses before such applications were sent.

Jim Knight: In October 2007, the employer-led Business Commission on Race Equality recommended ‘matched CV’ testing to measure progress towards eliminating the ethnic minority employment gap. The Chancellor of the Exchequer accepted this recommendation and asked the Ethnic Minority Employment Task Force (EMETF) to oversee delivery and report back to him in writing by December 2009. A Confederation of British Industry (CBI) member sits on the EMETF. The CBI is also on the steering group for the research project.

Future Jobs Fund

Mr. Harper: To ask the Secretary of State for Work and Pensions whether an impact assessment has been undertaken in respect of the (a) Future Jobs Fund and (b) Young Persons’ Guarantee.

Jim Knight: Both an equality impact assessment and a privacy impact assessment have been prepared for the Future Jobs Fund and Young Person’s Guarantee. These are currently being quality assessed. Following this, they will be published in line with current guidance.

Jobcentre Plus: Manpower

Jenny Willott: To ask the Secretary of State for Work and Pensions what the ratio of jobseeker’s allowance claimants to members of frontline staff in Jobcentre Plus was (a) in the UK, (b) in each region and (c) in each Jobcentre Plus district on the latest date for which information is available; and if she will make a statement.

Jim Knight: The information has been placed in the Library.

Mrs. May: To ask the Secretary of State for Work and Pensions how many staff engaged in what types of work were employed by Jobcentre Plus in each month since January 2007.

Jim Knight: The administration of Jobcentre Plus is a matter for the acting chief executive of Jobcentre Plus, Mel Groves. I have asked him to provide the right hon. Member with the information requested.

Letter from Ruth Owen:

The Secretary of State has asked me to reply to your question asking how many staff engaged in what types of work were employed by Jobcentre Plus in each month since January 2007. This is something which falls within the responsibilities delegated to Mel Groves as Acting Chief Executive of Jobcentre Plus. As Mel Groves is currently on annual leave, I am replying in his absence.
The tables below show the number of staff against a range of activities for each month from January 2007 up to February 2009. Functions in the customer service operations part of Jobcentre Plus are standard activities and each month Jobcentre Plus captures how many full-time equivalents are deployed on each of these activities. In addition to staff deployed on standard activities, there are also around 2,500 people in Directorates who support Jobcentre Plus operations. People in these roles undertake a wide variety of activities and are recorded as Other Business Support.

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<td>49</td>
<td>42</td>
<td>37</td>
<td>34</td>
<td>30</td>
<td>29</td>
<td>28</td>
<td>31</td>
</tr>
<tr>
<td>New Deal for Disabled People</td>
<td>21</td>
<td>20</td>
<td>22</td>
<td>6</td>
<td>5</td>
<td>5</td>
<td>4</td>
<td>5</td>
<td>4</td>
<td>4</td>
</tr>
<tr>
<td>Customer Service Manager</td>
<td>1,392</td>
<td>1,370</td>
<td>1,380</td>
<td>1,401</td>
<td>1,423</td>
<td>1,428</td>
<td>1,414</td>
<td>1,403</td>
<td>1,429</td>
<td>1,452</td>
</tr>
<tr>
<td>Jobcentre Manager (JCM)</td>
<td>555</td>
<td>559</td>
<td>567</td>
<td>583</td>
<td>587</td>
<td>576</td>
<td>573</td>
<td>568</td>
<td>564</td>
<td>571</td>
</tr>
<tr>
<td>National Sales Team</td>
<td>133</td>
<td>76</td>
<td>34</td>
<td>43</td>
<td>45</td>
<td>44</td>
<td>47</td>
<td>53</td>
<td>61</td>
<td>62</td>
</tr>
<tr>
<td>Access to Work (includes</td>
<td>253</td>
<td>252</td>
<td>250</td>
<td>259</td>
<td>267</td>
<td>262</td>
<td>259</td>
<td>261</td>
<td>258</td>
<td>250</td>
</tr>
<tr>
<td>Management and Support)</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>
**Mrs. May:** To ask the Secretary of State for Work and Pensions how many staff engaged in what types of work were employed by Jobcentre Plus in each year since 1997. [271696]

**Jim Knight:** The administration of Jobcentre Plus is a matter for the acting chief executive of Jobcentre Plus, Mel Groves. I have asked him to provide the right hon. Member with the information requested.

**Letter from Ruth Owen:**

The Secretary of State has asked me to reply to your question asking how many staff engaged in what types of work were employed by Jobcentre Plus since 1997. This is something which falls within the responsibilities delegated to Mel Groves as Acting Chief Executive of Jobcentre Plus. As Mel Groves is currently on annual leave, I am replying in his absence.

The enclosed tables show the average number of staff across each year from April 2003 up to February 2009, against a range of activities. Information is not available prior to April 2003. Functions in the customer service operations part of Jobcentre Plus are standard activities and each month Jobcentre Plus captures how many full-time equivalents are deployed on each of these activities. In addition to staff deployed on these activities, there are also around 2,500 people in Directorates that support Jobcentre Plus operations. People in these roles undertake a wide variety of activities and are recorded as Other Business Support.

You will see in the table a sharp reduction in Personal Adviser numbers between 2004/05 (22,479) and 2005/06 (14,614). You will wish to note that is due to staff involved in Fortnightly Job Reviews being removed from the Personal Adviser count from 2005/06 and subsequently.

### JCP activities

**JCP activities**

<table>
<thead>
<tr>
<th>Activity</th>
<th>2003-04</th>
<th>2004-05</th>
<th>2005-06</th>
</tr>
</thead>
<tbody>
<tr>
<td>Disability Services</td>
<td>1,768</td>
<td>1,467</td>
<td>1,120</td>
</tr>
<tr>
<td>Employment Zones</td>
<td>31</td>
<td>47</td>
<td>38</td>
</tr>
<tr>
<td>Personal Adviser Activities (includes Management and Support)</td>
<td>22,966</td>
<td>22,479</td>
<td>14,614</td>
</tr>
<tr>
<td>NDDP</td>
<td>—</td>
<td>—</td>
<td>178</td>
</tr>
<tr>
<td>Business Support Activities</td>
<td>16,785</td>
<td>16,687</td>
<td>9,952</td>
</tr>
<tr>
<td>Other Business Support</td>
<td>—</td>
<td>—</td>
<td>1,452</td>
</tr>
<tr>
<td>Total</td>
<td>75,010</td>
<td>72,540</td>
<td>68,600</td>
</tr>
</tbody>
</table>

**JCP activities**

<table>
<thead>
<tr>
<th>Activity</th>
<th>2006-07</th>
<th>2007-08</th>
<th>2008-09</th>
</tr>
</thead>
<tbody>
<tr>
<td>IS New Claims Processing</td>
<td>1,768</td>
<td>1,467</td>
<td>1,120</td>
</tr>
<tr>
<td>IS Claims Maintenance</td>
<td>3,700</td>
<td>2,548</td>
<td>2,331</td>
</tr>
<tr>
<td>JSA New Claims Processing</td>
<td>3,416</td>
<td>1,626</td>
<td>1,771</td>
</tr>
<tr>
<td>JSA Claims Maintenance</td>
<td>1,978</td>
<td>1,540</td>
<td>1,572</td>
</tr>
<tr>
<td>Debt Referrals Activities</td>
<td>—</td>
<td>546</td>
<td>442</td>
</tr>
<tr>
<td>IB New Claims Processing</td>
<td>1,282</td>
<td>1,004</td>
<td>712</td>
</tr>
<tr>
<td>Incapacity Benefit Claims</td>
<td>2,966</td>
<td>2,315</td>
<td>2,155</td>
</tr>
<tr>
<td>Maintenance</td>
<td>—</td>
<td>—</td>
<td>486</td>
</tr>
<tr>
<td>ESA New Claims Processing</td>
<td>—</td>
<td>—</td>
<td>208</td>
</tr>
<tr>
<td>ESA-Claims Maintenance</td>
<td>—</td>
<td>—</td>
<td>—</td>
</tr>
<tr>
<td>Benefit Telephony Team</td>
<td>2,693</td>
<td>3,002</td>
<td>3,570</td>
</tr>
<tr>
<td>Social Fund Activities</td>
<td>2,860</td>
<td>3,158</td>
<td>2,711</td>
</tr>
<tr>
<td>Benefit Management</td>
<td>454</td>
<td>482</td>
<td>503</td>
</tr>
<tr>
<td>Other Benefit Processing and Maintenance Activities</td>
<td>10,003</td>
<td>13,535</td>
<td>8,135</td>
</tr>
<tr>
<td>Provide Fraud Investigation Service</td>
<td>1,642</td>
<td>2,708</td>
<td>2,796</td>
</tr>
<tr>
<td>Provide Customer Compliance Service</td>
<td>883</td>
<td>897</td>
<td>882</td>
</tr>
<tr>
<td>National Sales Team</td>
<td>897</td>
<td>621</td>
<td>—</td>
</tr>
<tr>
<td>Job Seeker Direct</td>
<td>1,521</td>
<td>1,229</td>
<td>1,427</td>
</tr>
<tr>
<td>Employer Vacancy Handling</td>
<td>28</td>
<td>128</td>
<td>77</td>
</tr>
<tr>
<td>Job Enquiry Activities</td>
<td>3rd Party Provision</td>
<td>283</td>
<td>224</td>
</tr>
<tr>
<td>Management (non ESF)</td>
<td>3rd Party Provision</td>
<td>137</td>
<td>133</td>
</tr>
<tr>
<td>Benefit Management</td>
<td>3rd Party Provision</td>
<td>—</td>
<td>235</td>
</tr>
<tr>
<td>Customer Service Agent</td>
<td>4,571</td>
<td>4,721</td>
<td>4,901</td>
</tr>
<tr>
<td>Job Search Review</td>
<td>4,571</td>
<td>4,721</td>
<td>4,901</td>
</tr>
<tr>
<td>Allowance Payment Processors</td>
<td>381</td>
<td>83</td>
<td>84</td>
</tr>
<tr>
<td>Access to Work (includes Management and Support)</td>
<td>40</td>
<td>35</td>
<td>37</td>
</tr>
</tbody>
</table>
Jim Knight: The performance offers of each provider for the flexible new deal (FND) contracts are commercially sensitive. We have notified bidders of the results of the FND competition and we intend to award contracts in good time to begin delivery in October 2009.

Social Security Benefits

Dr. Kumar: To ask the Secretary of State for Work and Pensions what the average processing time for claims received for (a) pension credit, (b) jobseeker’s allowance and (c) winter fuel allowance in (i) the UK, (ii) the north-east, (iii) Teesside and (iv) Middlesbrough South and East Cleveland constituency was in the latest period for which figures are available. [282940]

Angela Eagle: Information is not available in the format requested.

Pension credit information is not available broken down geographically. Information on the national average actual clearance times (AACT) for pension credit for 2008-09 is in the following table.

Pension credit clearance times: Great Britain, 2008-09

<table>
<thead>
<tr>
<th>Working days/number</th>
<th>Working days</th>
</tr>
</thead>
<tbody>
<tr>
<td>Target AACT (Working days)</td>
<td>15</td>
</tr>
<tr>
<td>Total Processed (Number)</td>
<td>298,075</td>
</tr>
<tr>
<td>AACT (Working days)</td>
<td>15</td>
</tr>
</tbody>
</table>

Note:
The AACT is calculated by dividing the total number of working days taken to clear cases by the total number of cases cleared.
Source:
Pension Service Legacy System.

Information for jobseeker’s allowance is not available by local authority district or parliamentary constituency. The available information for jobseeker’s allowance is in the following table.

Jobseeker’s allowance average actual clearance times, June 2008 to May 2009

<table>
<thead>
<tr>
<th>Working days</th>
</tr>
</thead>
<tbody>
<tr>
<td>Great Britain</td>
</tr>
<tr>
<td>North East Benefit Delivery</td>
</tr>
<tr>
<td>Newcastle BDC</td>
</tr>
<tr>
<td>Sunderland BDC</td>
</tr>
<tr>
<td>Stockton BDC</td>
</tr>
</tbody>
</table>

Source:
Management Information System Programme.

Information is not available for processing times for winter fuel payments as the process is largely automatic.

Winter fuel payments are made to eligible customers aged 60 or over, each year to provide help with fuel bills. During 2008-09 DWP delivered automatic winter fuel payments to over 99.9 per cent. of eligible customers by the end of December, and as a result, over 12.5 million customers received their payment before Christmas 2008.

We paid over £2.7 billion in winter fuel payments to over 12.6 million customers.

Social Security Benefits: Medical Examinations

Mrs. Moon: To ask the Secretary of State for Work and Pensions if she will make an assessment of the merits of introducing mechanisms for the monitoring by independent assessors of doctors conducting medical assessment interviews for the work capability assessments of vulnerable claimants. [271106]
Jonathan Shaw: Robust mechanisms already exist to monitor the quality of the Work Capability Assessments. Monitoring is carried out by Atos Healthcare, the company which is contracted to provide medical services to the Department for Work and Pensions. The Department also carries out a range of quality checks independently.

JUSTICE
Consultants: Ministry of Justice

Mr. Garnier: To ask the Secretary of State for Justice how much and what proportion of his Department’s expenditure on external consultants in 2008-09 was incurred on each project or programme. [281154]

Mr. Straw: The Ministry’s provisional expenditure on external consultants in 2008-09 is £53,600,000. This is disclosed in the Ministry of Justice departmental annual report 2008-09 on page 72 which can be found in the link:

This amount covers the Ministry of Justice HQ, HM Courts Service, Tribunals Service, and the National Offender Management Service. This figure is an early estimate and will be subject to change.

The Office of Government Commerce (OGC) collates data on consultancy expenditure as part of its Consultancy Value Programme which assists Departments in driving greater value from Government’s use of consultants.

The finalised figures for 2008-09 will be available on the OGC website (see link) in due course. A manual data collection exercise for this period is scheduled to begin in the summer of 2009 with the data expected at 31 October 2009.

http://www.ogc.gov.uk/
professional_services_consultancy_value_programme.asp

The information requested for each project or programme is not held centrally and would involve a manual trawl of each unit at a disproportionate cost.

Crime: Justice

Mr. Garnier: To ask the Secretary of State for Justice how many and what proportion of offences committed in each of the last 12 years were classified as offences brought to justice within 18 months of the offence being committed. [283856]

Claire Ward: The number of recorded crimes and offences brought to justice (OBTJ) for the period year ending March 1999 to year ending December 2008 are given in Table 1. It is not possible to directly compare recorded crimes to the offences for which the offender is subsequently brought to justice. In addition, there is an inevitable time lag between a crime being committed and the offence being brought to justice at court, so the level of recorded crime in a particular period is not directly comparable to the number of offences brought to justice in the same period. However, in the vast majority of cases offences will be brought to justice within 18 months of the crime being recorded.

Table 1: Number of recorded crimes and offences brought to justice (OBTJ) for the period year ending March 1999 to year ending December 2008

<table>
<thead>
<tr>
<th>12 months ending</th>
<th>Number of crimes recorded by the police</th>
<th>Thousand Total offences brought to justice</th>
</tr>
</thead>
<tbody>
<tr>
<td>March 1999</td>
<td>5,109</td>
<td>1,103</td>
</tr>
<tr>
<td>June 1999</td>
<td>5,195</td>
<td>1,096</td>
</tr>
<tr>
<td>September 1999</td>
<td>5,234</td>
<td>1,086</td>
</tr>
<tr>
<td>December 1999</td>
<td>5,261</td>
<td>1,085</td>
</tr>
<tr>
<td>March 2000</td>
<td>5,301</td>
<td>1,084</td>
</tr>
<tr>
<td>June 2000</td>
<td>5,262</td>
<td>1,071</td>
</tr>
<tr>
<td>September 2000</td>
<td>5,218</td>
<td>1,046</td>
</tr>
<tr>
<td>December 2000</td>
<td>5,195</td>
<td>1,013</td>
</tr>
<tr>
<td>March 2001</td>
<td>5,162</td>
<td>996</td>
</tr>
<tr>
<td>June 2001</td>
<td>5,209</td>
<td>989</td>
</tr>
<tr>
<td>September 2001</td>
<td>5,298</td>
<td>989</td>
</tr>
<tr>
<td>December 2001</td>
<td>5,422</td>
<td>1,001</td>
</tr>
<tr>
<td>March 2002</td>
<td>5,525</td>
<td>1,002</td>
</tr>
<tr>
<td>June 2002</td>
<td>5,670</td>
<td>1,010</td>
</tr>
<tr>
<td>September 2002</td>
<td>5,787</td>
<td>1,025</td>
</tr>
<tr>
<td>December 2002</td>
<td>5,844</td>
<td>1,031</td>
</tr>
<tr>
<td>March 2003</td>
<td>5,898</td>
<td>1,038</td>
</tr>
<tr>
<td>June 2003</td>
<td>5,910</td>
<td>1,044</td>
</tr>
<tr>
<td>September 2003</td>
<td>5,932</td>
<td>1,051</td>
</tr>
<tr>
<td>December 2003</td>
<td>5,932</td>
<td>1,060</td>
</tr>
<tr>
<td>March 2004</td>
<td>5,935</td>
<td>1,077</td>
</tr>
<tr>
<td>June 2004</td>
<td>5,850</td>
<td>1,087</td>
</tr>
<tr>
<td>September 2004</td>
<td>5,750</td>
<td>1,097</td>
</tr>
<tr>
<td>December 2004</td>
<td>5,679</td>
<td>1,125</td>
</tr>
<tr>
<td>March 2005</td>
<td>5,560</td>
<td>1,138</td>
</tr>
<tr>
<td>June 2005</td>
<td>5,523</td>
<td>1,187</td>
</tr>
<tr>
<td>September 2005</td>
<td>5,507</td>
<td>1,235</td>
</tr>
<tr>
<td>December 2005</td>
<td>5,504</td>
<td>1,277</td>
</tr>
<tr>
<td>March 2006</td>
<td>5,479</td>
<td>1,327</td>
</tr>
<tr>
<td>June 2006</td>
<td>5,452</td>
<td>1,356</td>
</tr>
<tr>
<td>September 2006</td>
<td>5,414</td>
<td>1,386</td>
</tr>
<tr>
<td>December 2006</td>
<td>5,387</td>
<td>1,409</td>
</tr>
<tr>
<td>March 2007</td>
<td>5,351</td>
<td>1,423</td>
</tr>
<tr>
<td>July 2007</td>
<td>5,255</td>
<td>1,444</td>
</tr>
<tr>
<td>September 2007</td>
<td>5,139</td>
<td>1,454</td>
</tr>
<tr>
<td>December 2007</td>
<td>4,982</td>
<td>1,456</td>
</tr>
<tr>
<td>March 2008</td>
<td>4,951</td>
<td>1,446</td>
</tr>
<tr>
<td>June 2008</td>
<td>4,869</td>
<td>1,430</td>
</tr>
</tbody>
</table>
Table 1: Number of recorded crimes\textsuperscript{1,2,3} and offences brought to justice (OBTJ)\textsuperscript{4} for the period year ending March 1999 to year ending December 2008

<table>
<thead>
<tr>
<th>12 months ending</th>
<th>Number of crimes recorded by the police</th>
<th>Thousand</th>
<th>Total offences brought to justice</th>
</tr>
</thead>
<tbody>
<tr>
<td>September 2008</td>
<td>4,838</td>
<td>1,406</td>
<td></td>
</tr>
<tr>
<td>December 2008</td>
<td>4,789</td>
<td>1,386</td>
<td></td>
</tr>
</tbody>
</table>

\textsuperscript{1} Police recorded crime statistics based on data from all 43 forces in England and Wales excludes British Transport for the period before year ending March 2008.

\textsuperscript{2} Includes British Transport police from period year ending March 2008.

\textsuperscript{3} The introduction of the National Crime Recording Standards (NCRS) in April 2002 resulted in significant increases in the number of crimes recorded.

\textsuperscript{4} Excludes British Transport police

\textsuperscript{5} The numbers of offences brought to justice (OBTJ) for 2008 are un-validated data from the courts and police, therefore provided as management information as they are provisional and likely to change.

\textit{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.

### Disability Living Allowance

**Derek Twigg:** To ask the Secretary of State for Justice how many appeals his Department has received against a refusal to award disability living allowance to a young person diagnosed with autism in each year since 2001. [284259]

**Bridget Prentice:** The First-tier Tribunal—Social Security and Child Support (SSCS) does not keep the information requested in a readily available format. This information could be provided only at disproportionate cost.

The following disability living allowance data is available.

<table>
<thead>
<tr>
<th>Total number of disability living allowance appeals</th>
<th>Number of appeals cleared at hearing</th>
</tr>
</thead>
<tbody>
<tr>
<td>2001-02</td>
<td>78,169</td>
</tr>
<tr>
<td>2002-03</td>
<td>71,034</td>
</tr>
<tr>
<td>2003-04</td>
<td>71,800</td>
</tr>
<tr>
<td>2004-05</td>
<td>73,211</td>
</tr>
<tr>
<td>2005-06</td>
<td>71,125</td>
</tr>
<tr>
<td>2006-07</td>
<td>63,727</td>
</tr>
<tr>
<td>2007-08</td>
<td>58,842</td>
</tr>
<tr>
<td>2008-09</td>
<td>54,645</td>
</tr>
</tbody>
</table>

**Derek Twigg:** To ask the Secretary of State for Justice what training members of appeals tribunals considering awards of disability living allowance receive in respect of issues affecting young people with autism. [284261]

**Bridget Prentice:** The First-tier Tribunal—Social Security and Child Support (SSCS) panels which hear disability living allowance appeals are composed of three members: a legally qualified member, a medically qualified member and a member with experience of disability issues.

All members of the disability living allowance panel attend refresher training once every three years. While this training is seldom specific to any particular age group or medical condition, it often involves consideration of case studies which deal with the type of physical and mental disability (including autism) which frequently present themselves at tribunals. The same considerations apply to the residential training for lawyers which all fee paid tribunal judges attend once every four years. Both these training sessions are mandatory.

All medically qualified panel members who hear disability living allowance appeals were invited to attend a one day training programme during the period 2005-07. The main focus of the training was on attention deficit hyperactivity disorder and autistic spectrum disorders, including issues affecting young children with autism. The take-up for this training was 87 per cent. and training material was also made available on the judicial website.

In addition, all members of the panel are issued with the Department for Work and Pensions Disability Handbook which has a chapter devoted to autism and Asperger syndrome.

### Driving Offences: Fines

**Mr. Amess:** To ask the Secretary of State for Justice what the average fine for a person convicted of an offence under section (a) 14(3) and (b) 41D of the Road Traffic Act 1988 was in the last 12 months. [283726]

**Claire Ward:** The average fine imposed at all courts for seat belt offences under sections 14 and 15 of the Road Traffic Act (RTA) 1988 in England and Wales, 2007 is shown in the following table. It is not possible to separately identify section 14 (3) from other offences in sections 14 and 15.

Section 41D of the RTA 1988, as added by the Road Safety Act 2006 S.26, which came into force February 2007, gave authority to existing regulations, under the Road Vehicles (Construction and Use) Regulations 1986, to make certain offences endorsable. The average fine imposed at all courts for these offences are also given in the table.

Court proceedings date for 2008 will be available in the autumn of 2009.

The average fine imposed at all courts for selected motoring offences\textsuperscript{2}, England and Wales, 2007:

<table>
<thead>
<tr>
<th>Offence description</th>
<th>Average fine (£)</th>
</tr>
</thead>
<tbody>
<tr>
<td>Seat belt offences</td>
<td>54</td>
</tr>
<tr>
<td>Use of hand held mobile phone while driving</td>
<td>82</td>
</tr>
<tr>
<td>Causing or permitting the use of a mobile phone while driving a motor vehicle</td>
<td>76</td>
</tr>
<tr>
<td>Using a mobile phone while supervising the holder of a provisional driving licence to drive a motor vehicle on the road</td>
<td>74</td>
</tr>
</tbody>
</table>

Includes the following statute:

Road Traffic Act 1988 Sections 14(1), (2), (3), 15(1)(A), (2) & (4), & 15B

Road Vehicles (Construction and Use) Regulations 1986, R.110(1)(2)(3)

\textsuperscript{2} 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 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:
Office for Criminal Justice Reform—Evidence and Analysis Unit.
National Offender Management Service

John McDonnell: To ask the Secretary of State for Justice (1) what the principal duties are of each director of offender management in England and Wales; and whether they have responsibility to supervise the activities of frontline probation services; [280179]
(2) how many directors of offender management have been appointed in England and Wales; how many staff are employed by each; what percentage of staff employed by each was previously employed (a) in HM Probation Service; (b) in HM Prison Service background and (c) elsewhere.

Maria Eagle: The principle duties of each director of offender management in England and Wales includes delivery of the departmental strategic objective of protecting the public and reducing reoffending through driving the effective integration of the work of all agencies in localities and across the region. While a key element of this work is to optimise the integration of the prison and the national probation service at local and regional levels, to protect the public, reduce reoffending and improve performance they are not directly responsible for the supervision of front-line probation as this is the responsibility of the probation chief officers via relevant probation boards or trusts.

There are 10 directors of offender management in post in England and Wales. The remaining region is currently being filled by an interim appointment.

Currently over 500 staff operate in the regional structure undertaking core work and delivery support work. Numbers in post vary from region to region depending on size and operational set up. The staff are predominantly Prison Service staff who were part of the former Service’s Area Office Support Network. The regional offender managers offices were a newer organisation with smaller numbers of staff, comprising of a mixture of Prison Service and national probation service secondees.

The information on exact percentages would incur disproportionate costs to obtain this as all of the DOMs would need to be contacted and they would then need to go further afield in order to obtain this information.

During the design phase of the regional restructure, it was recognised that to operate effectively, it is imperative that the newly created regional teams reflect and utilise the skills, competencies and experience from all parts of the agency and existing fast-track arrangements across the Ministry of Justice. Secondees will continue to be sought into the regional structure from probation to maintain the benefits of probation expertise in the regional offices.

National Probation Service for England and Wales

Mr. Garnier: To ask the Secretary of State for Justice if he will bring forward legislative proposals to prohibit companies which have registered a trading loss from making donations to political parties.

Mr. Wills: The Government have no current plans to do so.

The Political Parties, Elections and Referendums Act 2000, and the Political Parties and Elections Bill which is before Parliament, require certain conditions to be satisfied in order for donors to be deemed permissible. Under the 2000 Act, for a company to be a permissible donor, it must be registered under the Companies Act 1985 or the Companies (Northern Ireland) Order 1986, incorporated within the United Kingdom or another member state in the European Union, and must carry on business in the United Kingdom. A company which makes a trading loss in a given year is capable of satisfying this condition. The Electoral Commission offers additional guidance for political parties in receipt of donations from companies. The guidance states that where parties are in any doubt about the status of a company offering a donation, they should seek to obtain a signed statement from the registered director of the company or the company secretary confirming that they are carrying on business. A full copy of the commission’s guidance is available at:


Mr. Austin Mitchell: To ask the Secretary of State for Justice (c) the number of staff currently being filled by an interim appointment. The DOMs are from a wide range of backgrounds with extensive experience in all aspects of offender management.

The decision to devolve significant powers in offender management to a regional level has, inevitably, required a review of management functions at a national level. There are no longer distinct prisons and probation headquarters functions—the work is now performed by staff directly employed by the NOMS agency.

At the most senior level, these changes are exemplified by the creation of a new post with operational responsibility for both prisons and probation—the NOMS Chief Operating Officer. From 1 April this year, the Chief Operating Officer has taken responsibility for the previous functions of Prisons Director of Operations and Director of the National Probation Service. This post was filled following a full external competition supervised by the Civil Service Commissioner to ensure that the most suitable candidate was selected.

The post of Chief Operating Officer is much more than an amalgamation of senior posts in order to achieve efficiencies. The Chief Operating Officer’s function is to ensure that the DOMs are delivering and to hold them accountable if they are not.

The DOMs will now undertake much of the work at a regional level that was previously conducted nationally by either the Director of the National Probation Service or the Director of Operations for the Prison Service.

As a result, there is no intention to reappoint another Director of the National Probation Service, just as there is no intention to reappoint another Director of Operations for the Prison Service.

Political Parties: Finance

Mr. Austin Mitchell: To ask the Secretary of State for Justice if he will bring forward legislative proposals to prohibit companies which have registered a trading loss from making donations to political parties.

Mr. Wills: The Government have no current plans to do so.

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The Political Parties and Elections Bill contains measures to strengthen the controls on political donations—including those from companies—by requiring all donations over £7,500 to be accompanied by a declaration as to the identity of the true donor.

Probation: Essex

Bob Spink: To ask the Secretary of State for Justice what the average ratio of offenders to Probation Service staff in the Essex probation area was in each of the last five years.

Maria Eagle: The ratio of offenders supervised by Essex probation area to Essex probation staff as at 31 March each year is as follows. The ratio between the number of offenders and offender management staff only is also provided:

<table>
<thead>
<tr>
<th>Year</th>
<th>All staff : offenders</th>
<th>Offender Management staff : offenders</th>
</tr>
</thead>
<tbody>
<tr>
<td>2005</td>
<td>1:11</td>
<td>—</td>
</tr>
<tr>
<td>2006</td>
<td>1:12</td>
<td>1.47</td>
</tr>
<tr>
<td>2007</td>
<td>1:14</td>
<td>1.50</td>
</tr>
<tr>
<td>2008</td>
<td>1:16</td>
<td>1.49</td>
</tr>
<tr>
<td>2009</td>
<td>1:15</td>
<td>1.49</td>
</tr>
</tbody>
</table>

The number of offenders includes some in custody who would be subject to probation supervision on release. Essex probation area restructured its staff grades in 2006 and introduced a split between offender managers and staff who undertook intervention work. Therefore it is not possible to provide the ratio between offender managers and offenders for 2005.

Probation: Finance

Mr. David Anderson: To ask the Secretary of State for Justice (1) when he expects to announce the re-adjusted funding formula for the Probation Service; (2) what the re-adjusted funding formula is for the distribution of probation area budgets.

Maria Eagle: The funding formula for the distribution of probation area budgets remains in place, and the 2009-10 budget allocation process was based primarily on the 2008-09 outturns calculated using this formula.

In 2009-10, the National Probation Service is required to make efficiency savings of £20 million gross in line with the wider Ministry of Justice efficiency programme. But taking account of a £17 million underspend in 2008-09 the net saving will be £3 million. Allocating these savings requirements according to the traditional funding formula would have had a disproportionate impact on some areas. A number of additional factors were therefore taken into account including convictions data, current and past financial performance, externally verified savings potential, and the need to avoid radical budget shifts in any one area.

Final decisions on how to allocate probation area budgets for 2010-11 and subsequent years will not be finalised until there is a definitive budget for the service as a whole for those years.

Probation: Wales

Mr. Llwyd: To ask the Secretary of State for Justice what the average caseload for a probation officer working in Wales was on 31 December (a) 1997, (b) 2001 and (c) 2007.

Maria Eagle: The average case load for a probation officer working in Wales on 31 December 2007 was 28 cases.

Information on the average case load for 2001 and 1997 is not available for an all Wales perspective. Some of this information is no longer held, and would have been disposed of in accordance with the six-year retention limit specified by the Data Protection Act.

As follows is a table of the information that is available:

<table>
<thead>
<tr>
<th>Year</th>
<th>1997</th>
<th>2001</th>
<th>2007</th>
</tr>
</thead>
<tbody>
<tr>
<td>North Wales</td>
<td>—</td>
<td>25</td>
<td>39</td>
</tr>
<tr>
<td>South Wales</td>
<td>—</td>
<td>23</td>
<td>38</td>
</tr>
<tr>
<td>Dyfed-Powys</td>
<td>31</td>
<td>15</td>
<td>23</td>
</tr>
<tr>
<td>Gwent</td>
<td>—</td>
<td>—</td>
<td>27</td>
</tr>
<tr>
<td>Average</td>
<td>—</td>
<td>—</td>
<td>28</td>
</tr>
</tbody>
</table>

Young People: Remand in Custody

David Howarth: To ask the Secretary of State for Justice (1) how many juveniles remanded in custody were subsequently (a) acquitted and (b) given a non-custodial sentence in (i) a magistrates’ court and (ii) the Crown Court in each year since 2003; (2) what proportion of juveniles appearing before a court on (a) Monday to Friday and (b) Saturday were given a custodial remand in the most recent year for which figures are available.

Claire Ward: The information contained in the table shows the proportion of juveniles remanded in custody who were subsequently acquitted or given a non-custodial sentence at all courts, England and Wales 2003 to 2007. These data are from the Ministry of Justice Court Proceedings Database. Data for 2008 will be available in the autumn of 2009.

Information on the proportion of juveniles appearing before court on a particular day, who were remanded into custody is not collected centrally.

| Estimated proportion of juveniles remanded in custody who were subsequently acquitted or received a non-custodial sentence at magistrates courts and the Crown court, England and Wales 2003-07 |
|-----------------------------------------------|-----------------|-----------------|-----------------|-----------------|-----------------|
| Percentage | 2003 | 2004 | 2005 | 2006 | 2007 |
| Magistrates courts | | | | | |
| Acquitted | 34 | 31 | 28 | 26 | 24 |
| Non-custodial | 42 | 43 | 44 | 45 | 51 |
| Crown court | | | | | |
| Acquitted | 18 | 16 | 14 | 12 | 14 |
| Non-custodial | 26 | 21 | 21 | 18 | 18 |
FOREIGN AND COMMONWEALTH OFFICE
British Overseas Territories: Discrimination

Mr. Pope: To ask the Secretary of State for Foreign and Commonwealth Affairs if he will make it his policy to include a prohibition on discrimination on the grounds of sexual orientation in the constitutions of Overseas Territories.

[284634]

Chris Bryant: The Government take the protection of human rights very seriously. We ensure that all new constitutions contain a Bill of Rights that reflects, at a minimum, the European Convention on Human Rights (ECHR) and the International Covenant on Civil and Political Rights. This ensures that all groups, whether or not specifically mentioned in each Bill of Rights, have at least the same degree of protection under the relevant constitution as people in the UK have under the ECHR and Human Rights Act. Under these instruments discrimination on the ground of sexual orientation is prohibited.

In addition, we strongly encourage each Overseas Territory to agree to include a specific prohibition on discrimination on the grounds of sexual orientation in their new constitutions. The outcome depends on the constitutional negotiation with each territory.

Mr. Pope: To ask the Secretary of State for Foreign and Commonwealth Affairs how many recently amended constitutions of Overseas Territories do not prohibit discrimination on the grounds of sexual orientation.

[284635]

Chris Bryant: Since 2006, the Government have agreed new constitutions with five Overseas Territories and implemented them by Order in Council: the British Virgin Islands, the Falkland Islands, Gibraltar, the Turks and Caicos Islands and the Cayman Islands (not yet in force). Only the Falkland Islands’ constitution specifically mentions sexual orientation as a ground on which discrimination is prohibited.

The new St. Helena, Ascension and Tristan da Cunha Constitution, which has been agreed and will be submitted to Her Majesty the Queen in the Privy Council on 8 July 2009, also specifically mentions sexual orientation as a ground on which discrimination is prohibited.

The Government take the protection of human rights very seriously. Even though there may not be specific provision within a constitution for non-discrimination on the grounds of sexual orientation, we do ensure that all constitutions contain a Bill of Rights that reflects at a minimum the European Convention of Human Rights (ECHR) and the International Covenant on Civil and Political Rights. The effect is that all groups, whether or not specifically mentioned in the Bill of Rights have at least the same degree of protection under the constitution as people in the UK have under the ECHR and the Human Rights Act.

Mr. Pope: To ask the Secretary of State for Foreign and Commonwealth Affairs how many constitutions of Overseas Territories which do not prohibit discrimination on the grounds of sexual orientation the Government has agreed to since 1997.

[284636]

Chris Bryant: Six new Overseas Territory constitutions—the British Virgin Islands, the Cayman Islands, Gibraltar, the Falkland Islands, the Turks and Caicos Islands, and St. Helena, Ascension Island and Tristan da Cunha—have been agreed since 1997. In each case the constitution contains a Bill of Rights that reflects at a minimum the European Convention on Human Rights (ECHR) and the International Covenant on Civil and Political Rights. This means that everyone in those territories has at least the same degree of protection under each constitution as people in the UK have under the ECHR and the Human Rights Act. It also means discrimination on the grounds of sexual orientation, as enshrined in the ECHR, is prohibited.
Chris Bryant: The Foreign and Commonwealth Office (FCO) annual salary cost of press office staff other than press officers was £429,648 in the 2008-09 financial year, £421,532 in 2007-08 and £410,677 in 2006-07. These staff work in areas such as: updating the news section of the FCO website and other e-media; liaising with foreign journalists in the UK; photographing official ministerial meetings; and managing the logistics of FCO media events.

Figures previous to 2006-07 could not be split between press office staff and press officers. These figures are calculated on an average salary cost basis which includes basic pay, national insurance, superannuation and the London location allowance.

EU Budget

Mr. Swire: To ask the Secretary of State for Foreign and Commonwealth Affairs what the Government’s (a) gross and (b) net contribution to the EU budget is in 2009. [282749]

Ian Pearson: I have been asked to reply.

The Government’s latest forecast of UK net contributions to the EC Budget in 2008-09 and 2009-10 were published in Table C9 (page 238) of the 2009 Budget (C 407). A more detailed breakdown of these contributions and an estimate of UK contributions in 2009 will be included in the 2009 European Community Finances White Paper which will be published shortly.

Gibraltar: Territorial Water

Mr. Hoyle: To ask the Secretary of State for Foreign and Commonwealth Affairs what discussions he has had with the government of Gibraltar on its application to the Court of First Instance in relation to the Spanish government’s designation of Gibraltarian territorial waters under the EU Habitats Directive. [283615]

Chris Bryant: We are in close contact with the Government of Gibraltar and are aware of their application to the Court of First Instance in relation to the Spanish government’s designation of Gibraltarian territorial waters under the EU Habitats Directive.

[284363]

Gurkhas

Mr. Drew: To ask the Secretary of State for Foreign and Commonwealth Affairs if he will make an estimate of the number of retired Gurkhas working as private security contractors in (a) Iraq and (b) Afghanistan; and if he will make a statement. [28447]

Mr. Ivan Lewis: Information on the number of retired Gurkhas working as private security contractors in Iraq and Afghanistan is not held centrally and could be provided only at disproportionate cost.

161 former Gurkhas are working for a contractor providing security services at our Missions in Iraq. 299 are working for a contractor providing security services at our Missions in Afghanistan.
Mr. Ivan Lewis: We continue to make clear to Israel that, while we recognise fully Israel’s right to self-defence and agree that if it decides to build a barrier, it should be able to do that, the barrier must be built either on or behind the green line.

Mr. Lidington: To ask the Secretary of State for Foreign and Commonwealth Affairs what representations the UK has made to the Government of Israel on the boarding of and removal of persons from a Free Gaza boat in international waters by Israeli forces; and if he will make a statement.

Mr. Ivan Lewis: I can confirm the Israeli navy boarded the vessel “Spirit of Humanity” on 30 June 2009. The Israeli navy took control of the vessel and diverted it to Ashdod port in Israel, where all those on board, including six British nationals, were handed over to Israeli immigration officials. All six were deported and arrived in the UK on 6 July 2009.

When my right hon. Friend the Foreign Secretary spoke to his Israeli counterpart, Avigdor Lieberman, on 1 July 2009, he raised the issue with him and asked for clarification of whether the “Spirit of Humanity” had been intercepted in international waters.

Nepal: Internally Displaced Persons

Lembit Öpik: To ask the Secretary of State for Foreign and Commonwealth Affairs what discussions his Department has had with the government of Nepal on civilians who are missing following the conflict in that country in the last 12 months; and if he will make a statement.

Mr. Ivan Lewis: We regularly raise our concerns about human rights abuses with the Government of Nepal, both bilaterally and with the EU, at both official and ministerial level. This includes the issue of enforced and involuntary disappearances.

My noble Friend the Minister for Africa, Asia and the UN, Lord Malloch-Brown, raised our concerns about the human rights situation, including the need to make progress on investigations into the disappeared, with the then Nepalese Foreign Minister, Upendra Yadav, on 4 March 2009 in the margins of the 10th Human Rights Council Ministerial in Geneva. Lord Malloch-Brown specifically raised the case of Maina Sunuwar, the handling of which will be emblematic of many conflict-era disappearances. The UK also ensured that Nepal was specifically mentioned in the EU statement in the plenary of the 10th Human Rights Council.

Lord Malloch-Brown raised our concerns about the disappeared with Nepalese Foreign Secretary Acharya during his visit to Nepal in July 2008. He also raised the importance of transitional justice mechanisms with the National Human Rights Commission.

In Kathmandu, the EU missions have voiced their concerns on the draft Disappearances Bill prepared by the Government of Nepal, through press statements and high-level meetings. EU ambassadors also raised, in detail, the question of dealing with disappearances and the proposed Disappearances Commission with the Prime Minister and leaders of the four largest parties, in a series of discussions in January and February 2009.

Our embassy in Kathmandu has played an active part in the production of a local strategy to tackle impunity, of which addressing disappearances is a central theme. The embassy also financially supports victims’ groups, such as those in Bardiya District, in filing cases and advocating for justice.

We will continue to engage with the Government of Nepal to urge it to meet the commitments it has made to uphold and promote human rights, and to address past abuses.

Orrissa

Mr. Clifton-Brown: To ask the Secretary of State for Foreign and Commonwealth Affairs whether he expects a second EU delegation to visit Orissa.

Mr. Ivan Lewis: We regularly raise our concerns about human rights abuses with the Government of Nepal, both bilaterally and with the EU, at both official and ministerial level. This includes the issue of enforced and involuntary disappearances.

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We will continue to engage with the Government of Nepal to urge it to meet the commitments it has made to uphold and promote human rights, and to address past abuses.
Mr. Ivan Lewis: An EU delegation, which included a representative from our high commission in New Delhi, visited Orissa between 9-12 December 2008 to assess the latest situation. A second visit was planned for spring 2009, but was then postponed. We have not yet been informed of the new dates. [284452]

Mr. Clifton-Brown: To ask the Secretary of State for Foreign and Commonwealth Affairs whether his Department has had discussions with the Indian government on the protection of Christians called as witnesses in trials relating to the recent violence in Orissa. [284452]

Mr. Ivan Lewis: We have not discussed the protection of Christians called as witnesses in trials relating to the recent violence in Orissa with the Indian Government. The EU maintains a constructive dialogue with the Indian authorities about human rights and minority rights issues, which includes the situation in Orissa and its neighbouring states following the violence in 2008. Officials from our high commission have had an active part in these discussions. [284575]

Mr. Clifton-Brown: To ask the Secretary of State for Foreign and Commonwealth Affairs what discussions he has had with his international counterparts on the UN’s role in Orissa since the publication of the UN’s recent report on Orissa; and if he will make a statement. [284575]

Mr. Ivan Lewis: We are aware of a report issued by the UN Special Rapporteur for freedom of religion or belief following a UN mission to India in 2008. However, we have not been involved in discussions with international partners about the UN’s role in Orissa, beyond noting the conclusions and recommendations contained in that report. The UK already works multilaterally through the ongoing EU dialogue with the Indian authorities on minority rights, which includes the situation in Orissa. [284575]

Pakistan

Mr. Hayes: To ask the Secretary of State for Foreign and Commonwealth Affairs what recent steps his Department has taken to assist the government of Pakistan in seeking alternatives to militant control in the Federally-Administered Tribal Areas of Pakistan. [284183]

Mr. Ivan Lewis: My right hon. Friend the Foreign Secretary last discussed the security situation in Pakistan and the Federally-Administered Tribal Areas (FATA) with President Zardari on 11 May 2009. Foreign and Commonwealth Office officials based at our high commission in Islamabad also continue to hold frequent discussions with a wide range of Pakistani Ministers, politicians and officials. We are pressing the Government of Pakistan to design and implement a long-term comprehensive strategy for improving governance, justice and services in the FATA. We continue to support Pakistan’s efforts to reform the judicial system, build effective policing services and address the drivers of radicalisation. The Department for International Development’s programme of £665 million over the next four years will include programmes focussed on the border areas, and will help to addressing the underlying causes of conflict and insecurity. During the EU-Pakistan summit on 17 June 2009, we and our EU partners made a commitment to enhance our support of Pakistan’s efforts to counter violent extremism. We will encourage the EU Commission to deliver its commitments to build police capacity, help counter radicalisation and to promote judicial reform. [284796]

Mrs. Curtis-Thomas: To ask the Secretary of State for Foreign and Commonwealth Affairs what representations he made to the government of Pakistan on the reported murder of five women in Baluchistan province in July 2008. [284796]

Mr. Hayes: To ask the Secretary of State for Foreign and Commonwealth Affairs what recent steps his Department has taken to assist the government of Pakistan in seeking alternatives to militant control in the Federally-Administered Tribal Areas of Pakistan. [284183]

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Pakistan: Overseas Aid

Mr. Hayes: To ask the Secretary of State for Foreign and Commonwealth Affairs what funds the Government has made available to (a) the government of Pakistan and (b) others to help combat extremism and militant control in the Federally-Administered Tribal Areas of Pakistan in the last two years; on what initiatives such funds have been spent; and if he will make a statement. [284184]

Mr. Ivan Lewis: As part of our CONTEST counter-terrorism strategy, we continue to help build Pakistani capacity to tackle violent extremism. We have a £10 million programme of counter-terrorism support, which helps build the capacity of Pakistani law enforcement agencies and also helps to address some of the drivers of radicalisation. Through our bilateral programmes and conflict prevention funding we are also working to support Pakistan’s efforts to bring long-term peace and security to the border areas, including through capacity-building support to the North West Frontier Province police. As part of our wider programme of defence engagement we have helped to build the capacity of the Pakistani security services to conduct effective operations. More broadly, the Department for International Development is providing £665 million over the next four years, which will be key to addressing the underlying causes of conflict and insecurity.

Russia: Georgia

Ms Keeble: To ask the Secretary of State for Foreign and Commonwealth Affairs what representations his Department has made to the Russian government on its decision to veto the renewal of the UN observer mission in Georgia. [283920]

Chris Bryant: We deeply regret Russia’s decision to veto the renewal of the UN Observer Mission in Georgia. We and our partners worked hard to come up with a compromise text that was acceptable to all, including Russia. Since Russia’s veto, my right hon. Friend the Foreign Secretary has spoken to Russian Foreign Minister Lavrov, making clear the UK’s disappointment, our demand that Russia complies with the 12 August 2008 and 8 September 2008 peace agreements, and encouraging Russia to participate constructively in the Geneva process. We also continue to urge EU partners to raise these concerns with Russia.

South Ossetia: Abkhazia

Ms Keeble: To ask the Secretary of State for Foreign and Commonwealth Affairs what recent discussions he has had with his EU counterparts on monitoring the security situation in South Ossetia and Abkhazia. [284268]

Chris Bryant: We discuss Georgia frequently with our EU partners. My right hon. Friend the Foreign Secretary discussed international monitoring with his EU counterparts at the June European Council. My noble Friend the Minister for Europe, Baroness Kinnock, went on patrol with the EU Monitoring Mission in Georgia (EUMM) on 24 June 2009.

Taking Chess to the Townships Project

Mr. Hayes: To ask the Secretary of State for Foreign and Commonwealth Affairs what recent representations he has received on the Taking Chess to the Townships project; if he will meet representatives of the organisers of the project and other stakeholders to discuss the project’s future; and if he will make a statement. [284129]

Mr. Ivan Lewis: [holding answer 3 July 2009]: My right hon. Friend the Foreign Secretary has not received any representations on the Taking Chess to the Townships project.

USA: Africa

Mr. Drew: To ask the Secretary of State for Foreign and Commonwealth Affairs what discussions he has had with the US administration on its policy priorities for Africa. [284792]

Mr. Ivan Lewis: My right hon. Friend the Foreign Secretary discusses African issues on a regular basis with his US counterpart, including most recently during his visit to Washington on 11-12 May 2009. My noble Friend the Minister for Africa, Asia and the UN, Lord Malloch-Brown met with senior US officials in Washington on 22 June 2009, and again at the African Union summit in Libya on 30 June-1 July 2009.

Foreign and Commonwealth Office officials also have regular dialogue with the US Administration on Africa, including at a senior level. These discussions have ranged across priority countries and issues, including on promoting human security and functioning government in Somalia, reform in Zimbabwe, action in Kenya to address issues underlying the violence following the 2007 elections, support for the Comprehensive Peace Agreement in Sudan, relations with Nigeria, and tackling drug trafficking in West Africa.

Uzbekistan

Lembit Öpik: To ask the Secretary of State for Foreign and Commonwealth Affairs what contribution his Department made to the recent UK-Uzbekistan human rights dialogue in relation to religious minorities in Uzbekistan; and if he will make a statement. [284014]

Chris Bryant: Our ambassador in Tashkent makes a significant contribution to regular reporting by EU Heads of Mission on human rights in Uzbekistan. These reports, including in respect of religious freedom and supported as necessary through interventions by the UK Representation in Brussels, play a key role in driving the agenda for the annual EU-Uzbekistan Human Rights Dialogue. Our embassy worked closely with the
Czech presidency in Tashkent in the run-up to the most recent dialogue, which took place on 9 June 2009. Our aim is to continue to draw attention to our concerns on religious freedom and other human rights issues in constructive contacts with the Uzbek authorities.

**HEALTH**

**Alcoholic Drinks: Misuse**

Mr. Lansley: To ask the Secretary of State for Health what treatments NHS hospitals provide for patients who have consumed excessive amounts of alcohol.

[283930]

Gillian Merron: There are a wide range of diseases and health problems associated with both short-term and long-term excessive consumption of alcohol, which can range from injuries sustained from accidents while under the influence of alcohol, which may be treated by accident and emergency departments, through to alcohol-related liver failure and diseases such as hypertension and certain types of cancer, for which alcohol consumption may be a cause.

It is, therefore, not possible to provide an exhaustive list of the treatments that national health service hospitals provide for patients with diseases caused by consuming excessive amounts of alcohol.

In relation to treatments for alcohol dependence:

in 2006, the Department commissioned the National Treatment Agency for Substance Misuse to review the published international research literature on alcohol interventions and treatment. The “Review of the effectiveness of treatment for alcohol problems”, was published in November 2006 and describes a wide range of treatments and interventions.

the Department and the National treatment Agency for Substance Misuse jointly published, in June 2006, best practice guidance to aid commissioners and providers in delivering effective interventions and treatment, “Models of care for alcohol misusers (MoCAM)”. A copy of both documents has been placed in the Library and are also available on the National Treatment Agency website www.nta.nhs.uk

**Ambulances**

Mr. Oaten: To ask the Secretary of State for Health how many (a) ambulances and (b) rapid response vehicles per head of population there are in each ambulance trust.

[285078]

Mr. Mike O’Brien: This information is not held centrally. The purchasing of ambulance vehicles is a matter for national health service ambulance trusts to manage in order to provide appropriate resources to meet local demand.

**Dental Health: Children**

Mike Penning: To ask the Secretary of State for Health what estimate he has made of the average number of teeth a child aged five years had which (a) were actively decayed, (b) were filled and (c) had extracted in each of the last five years.

[284768]

Ann Keen: The information available centrally is from national health service dental health surveys of five-year-old children which are normally conducted every other year under the auspices of the British Association for the Study of Community Dentistry. The data in the following table relate to decayed, missing (not necessarily extracted) and filled (at point of examination) teeth.

<table>
<thead>
<tr>
<th>Five year old children</th>
<th>Average decayed teeth</th>
<th>Average missing teeth</th>
<th>Average filled teeth</th>
</tr>
</thead>
<tbody>
<tr>
<td>2005-06</td>
<td>1.10</td>
<td>0.20</td>
<td>0.16</td>
</tr>
<tr>
<td>2003-04</td>
<td>1.12</td>
<td>0.20</td>
<td>0.18</td>
</tr>
<tr>
<td>2001-02</td>
<td>1.09</td>
<td>0.19</td>
<td>0.19</td>
</tr>
</tbody>
</table>

The results of the survey conducted in 2007-08 will be published shortly.

**Dental Services**

Mr. Hepburn: To ask the Secretary of State for Health how many people were waiting for orthodontic treatment in (a) South Tyneside, (b) the North East and (c) England in each of the last five years.

[284638]

Ann Keen: Information is not collected centrally on waiting times for national health service orthodontic treatment provided in primary care.

From 1 January 2009, no one should wait more than 18 weeks from the time they are referred by their general practitioner or dentist to the start of their consultant-led treatment unless it is clinically appropriate to do so, or they choose to wait longer.

The 18 weeks commitment covers pathways that involve or might involve consultant-led care. Referral to treatment (RTT) data collection monitors the length of time from referral through to treatment and is used to measure performance against the 18 weeks operational standard.

Information is collected on the total number of incomplete RTT pathways, for oral surgery, which includes orthodontic treatment. This data looks at patients who have entered a RTT pathway but whose treatment had not yet started. Data is available from August 2007. The following table shows data for South Tyneside primary care trust (PCT), North East strategic health authority (SHA) and England:

<table>
<thead>
<tr>
<th>Oral surgery, total number of incomplete RTT pathways</th>
</tr>
</thead>
<tbody>
<tr>
<td>South Tyneside PCT</td>
</tr>
<tr>
<td>-------------------</td>
</tr>
<tr>
<td>August 2007</td>
</tr>
<tr>
<td>April 2008</td>
</tr>
<tr>
<td>April 2009</td>
</tr>
</tbody>
</table>

Note: RTT data are only available from 2007 onwards.
Source: Department of Health 18 weeks RTT data.

Mr. Hepburn: To ask the Secretary of State for Health what the average combined waiting time for initial orthodontic assessment and subsequent treatment was in (a) South Tyneside, (b) the North East and (c) England in each of the last five years.

[284640]

Ann Keen: Information is not collected centrally on waiting times for national health service orthodontic treatment provided in primary care.
From 1 January 2009, no one should wait more than 18 weeks from the time they are referred by their general practitioner or dentist to the start of their consultant-led treatment unless it is clinically appropriate to do so, or they choose to wait longer.

The 18 weeks commitment covers pathways that involve or might involve consultant-led care. Referral to treatment (RTT) data collection monitors the length of time from referral through to treatment and is used to measure performance against the 18 weeks operational standard.

Information is collected on the median RTT waiting times for oral surgery, which includes orthodontic treatment. Data for admired pathways is available from April 2007, and data for non-admitted pathways is available from August 2007.

The following table shows data for South Tyneside primary care trust (PCT), North East strategic health authority (SHA) and England.

<table>
<thead>
<tr>
<th>Oral Surgery - RTT waiting times (weeks)</th>
<th>South Tyneside PCT</th>
<th>North East SHA</th>
<th>England</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Admitted pathways</strong></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>April 2007</td>
<td>24.0</td>
<td>25.7</td>
<td>22.0</td>
</tr>
<tr>
<td>April 2008</td>
<td>10.0</td>
<td>11.7</td>
<td>11.1</td>
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<tr>
<td>April 2009</td>
<td>9.5</td>
<td>9.8</td>
<td>10.5</td>
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<tr>
<td><strong>Non-admitted pathways</strong></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>August 2007</td>
<td>10.0</td>
<td>9.6</td>
<td>8.3</td>
</tr>
<tr>
<td>April 2008</td>
<td>5.7</td>
<td>6.0</td>
<td>5.3</td>
</tr>
<tr>
<td>April 2009</td>
<td>6.2</td>
<td>8.3</td>
<td>5.9</td>
</tr>
</tbody>
</table>

Notes:
1. The median waiting time reflects the amount of time that the 'middle' patient treated has waited.
2. RTT data is only available from 2007 onwards.

Source:
Department of Health 18 weeks RTT data

Mr. Hepburn: To ask the Secretary of State for Health how many orthodontic treatments were performed by dentists and orthodontists for (a) adults and (b) children in (i) South Tyneside, (ii) the North East and (iii) England in each of the last five years.

[284641]

Ann Keen: The information requested is not available, and could be provided only at a disproportionate cost.

However, the NHS Information Centre intends to publish information relating to units of orthodontic activity for 2008-09 in the NHS Dental Statistics for England: 2008-09 report, expected to be published in August 2009. This will be provided by strategic health authority area in England.

Departmental Manpower

Mr. Lansley: To ask the Secretary of State for Health with reference to page 232 of his Department’s Annual Report 2009, what the job titles are of those staff members who earn more than £150,000 per annum.

[283883]

Phil Hope: The job titles of the staff members who earn more than £150,000 per annum are presented as follows:

| Permanent secretaries | 3 |
| Directors general     | 6 |
| Director              | 1 |
| Doctors employed by the Department on national health service pay terms | 7 |

Earnings referred to above include salary and pay-related allowances but not non-consolidated performance pay (bonuses).

Departmental Official Engagements

Sandra Gidley: To ask the Secretary of State for Health from how many public engagements each Minister in his Department has withdrawn after accepting an invitation to attend in the last 12 months.

[284987]

Phil Hope: This information is not held centrally and could be obtained only at disproportionate cost.

Departmental Public Expenditure

Mr. Hurd: To ask the Secretary of State for Health what terms and conditions are set by his Department in relation to the provision of funding from his Department’s budget to (a) charities, (b) voluntary organisations and (c) social enterprises.

[284211]

Phil Hope: The standard terms and conditions of grants awarded to third sector organisations through the Third Sector Programme, the Social Enterprise Investment Fund and Opportunities for Volunteering scheme have been placed in the Library.

Departmental Sick Leave

Mr. Lansley: To ask the Secretary of State for Health how many (a) staff in his Department and (b) NHS staff are on long-term sickness absence; and how many such staff are on long-term sickness absence for mental health reasons.

[283935]

Phil Hope: In the Department itself, as of 30 June 2009, 23 people were on long-term sick leave (defined as being more than 28 days continuous sick leave). Of those long-term sickness absences, five were for reasons of mental health.

Centrally available data on national health service staff does not provide the information requested.

Epilepsy: Medical Treatments

Fiona Mactaggart: To ask the Secretary of State for Health what recent discussions his Department has had with epilepsy patient groups on the generic substitution of branded anti-epileptic drugs.

[284649]

Mr. Mike O'Brien: A number of patient representative groups, such as those representing epilepsy sufferers, have written to the Department expressing their concerns on the implementation of generic substitution. We have not yet met with any such groups but we want to make sure we engage with all stakeholders in the best way possible and are currently considering how best to do so.
Patient safety will be paramount in taking forward the work on generic substitution. It has long been the Department’s policy to encourage generic prescribing where possible, for reasons of good professional practice and because of the opportunities for more effective use of national health service resources. However, we have always recognised that there are circumstances in which it may be clinically appropriate to prescribe a particular brand of drug even where a generic is available if the prescriber considers it essential for the patient to receive that specific product. This position will need to be maintained under any new specific proposals made as part of the work on generic substitution.

Health Services: Hygiene

Mr. Evans: To ask the Secretary of State for Health what steps he is considering, other than hand sanitisation, to reduce the incidence of healthcare-associated infections. [284587]

Ann Keen: I refer the hon. Member to the answer I gave him on 17 June 2009, Official Report, column 381W.

Health Services: Volunteers

Mr. Stephen O’Brien: To ask the Secretary of State for Health when he plans to announce policy decisions following his Department’s consultation on supporting volunteering in health and social care. [284428]

Phil Hope: A response document to ‘Towards a strategy to support volunteering in Health and Social Care: consultation’, will be published in the next few weeks.

Hospitals: Smoking

Mr. Greg Knight: To ask the Secretary of State for Health what steps he is taking to ensure the implementation of the ban on smoking in public places in psychiatric hospitals and psychiatric wards of hospitals; and if he will make a statement. [284877]

Phil Hope: The smoking ban in mental health in-patient settings came into force on 1 July 2008. We believe that many mental health trusts have implemented the ban with little or no difficulty. These inpatient settings are being transformed for the better and going smoke free is part of this. Mental health staff and patients deserve the same healthier, smoke free environment as the rest of the national health service.

We will continue to encourage mental health trusts to maintain smoke free environments in in-patient settings.

Influenza: Drugs

Mr. Lansley: To ask the Secretary of State for Health by what date he expects sufficient stockpiles of Tamiflu to be in place to be able to treat 80 per cent. of the population. [284200]

Gillian Merron: The delivery profile as indicated by the manufacturer should lead to us completing the stockpile in October 2009.

Kidneys: Health Education

Mrs. Dean: To ask the Secretary of State for Health what health education programmes his Department has initiated in the last 12 months to raise the level of public awareness of chronic kidney disease; and what further such programmes are planned in the next 12 months. [284485]

Ann Keen: Awareness of the risk of chronic kidney disease is being raised as part of the NHS Health Checks programme and we are also developing a patient information leaflet on identifying unhealthy kidneys, which could lead to earlier identification of chronic kidney disease. This information will be made widely available.

There is also information on “knowing the symptoms of kidney disease” including a self-assessment tool on the NHS Choices website which can be found at: www.nhs.uk/Tools/Pages/Kidneydisease.aspx

Local Involvement Networks: Stoke-on-Trent

Joan Walley: To ask the Secretary of State for Health whether he has evaluated the (a) selection criteria for, (b) level of expertise of and (c) relevant interests of the Local Involvement Networks executive board in Stoke-on-Trent; what assessment he has made of the adequacy of the resources available to the board to carry out its functions; and if he will make a statement. [284967]

Ann Keen: No evaluation or assessment has been made of the Stoke-on-Trent Local Involvement Network (LINk) executive board, or the adequacy of resources available. The Local Government and Public Involvement in Health Act 2007 put a duty on local authorities with social services responsibilities to establish LINks in their area from 1 April 2008. LINks are independent and have the power to develop their own priorities, agendas and governance arrangements. The Stoke-on-Trent LINk management board is elected by the members of the LINk. The Department has issued a range of guidance to support LINks, their hosts, and local authorities in this new role and provides the funding for LINks (currently £84 million for 2008-09 to 2010-11), the vast majority of which goes directly to local authorities. The level of the local authority contribution to the LINk is a matter for individual councils. As part of its annual reporting to the Secretary of State, an individual LINk is asked to declare the amount of funding made available to it in order that it might carry out its duties. The Department has not yet received the annual report from Stoke-on-Trent LINk.

Medical Treatments: Pain

Mr. Evans: To ask the Secretary of State for Health what factors his Department has identified as increasing the likelihood of patients in intensive care...
not receiving treatment for pain; and what steps he is taking to reduce the number of such patients with untreated pain.

Mr. Mike O’Brien: It is the responsibility of all national health service trusts and independent sector hospitals that provide intensive care services to ensure, through their clinical governance arrangements, that the pain that may be experienced by critically ill patients is managed appropriately, effectively and sensitively.

Consistent with their professional discipline and grade, all clinicians working in intensive care locations are expected, to be trained and competent in the delivery of strategies to minimize the incidence of pain. All critical care services should be led by doctors with specialist training in intensive care medicine and it is recommended that all medical consultants in intensive care medicine should possess the relevant competencies recommended by the Royal Colleges and the Intensive Care Society. These include the management of pain and pain relieving strategies.

Mr. Evans: To ask the Secretary of State for Health what percentage of patients in intensive care units reported experiencing untreated pain during a hospital stay in each of the last five years.

Mr. Mike O’Brien: This information is not held centrally and could be obtained only at disproportionate cost.

NHS: Finance

Mike Penning: To ask the Secretary of State for Health what savings have been recorded by each primary care trust in England as a result of the national re-organisation in 2006; and how those savings have been achieved.

Mr. Mike O’Brien: The information requested is provided in the following table.

<table>
<thead>
<tr>
<th>Name</th>
<th>£000</th>
</tr>
</thead>
<tbody>
<tr>
<td>Ashton, Leigh and Wigan PCT</td>
<td>1,304</td>
</tr>
<tr>
<td>Barking and Dagenham PCT</td>
<td>760</td>
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<td>Barnet PCT</td>
<td>1,205</td>
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<td>Barnsley PCT</td>
<td>602</td>
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<tr>
<td>Bassetlaw PCT</td>
<td>266</td>
</tr>
<tr>
<td>Bath and North East Somerset PCT</td>
<td>0</td>
</tr>
<tr>
<td>Bedfordshire PCT</td>
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<tr>
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<tr>
<td>Berkshire West PCT</td>
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<td>Blackpool PCT</td>
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<tr>
<td>Bolton PCT</td>
<td>1,033</td>
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<td>Bournemouth and Poole PCT</td>
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<tr>
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<td>Brent Teaching PCT</td>
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<td>Brighton and Hove City PCT</td>
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<tr>
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<td>2,000</td>
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<td>Hillingdon PCT</td>
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### Total annualised savings 2006-07 and 2007-08

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<tr>
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<td>Kensington and Chelsea PCT</td>
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<tr>
<td>Richmond and Twickenham PCT</td>
<td>608</td>
</tr>
<tr>
<td>Rotherham PCT</td>
<td>730</td>
</tr>
<tr>
<td>Salford PCT</td>
<td>827</td>
</tr>
<tr>
<td>Sandwell PCT</td>
<td>1,183</td>
</tr>
<tr>
<td>Sefton PCT</td>
<td>1,703</td>
</tr>
<tr>
<td>Sheffield PCT</td>
<td>3,017</td>
</tr>
<tr>
<td>Shropshire County PCT</td>
<td>862</td>
</tr>
<tr>
<td>Solihull NHS Care Trust PCT</td>
<td>700</td>
</tr>
<tr>
<td>Somerset PCT</td>
<td>1,899</td>
</tr>
<tr>
<td>South Birmingham PCT</td>
<td>1,207</td>
</tr>
<tr>
<td>South East Essex PCT</td>
<td>1,293</td>
</tr>
<tr>
<td>South Gloucestershire PCT</td>
<td>373</td>
</tr>
<tr>
<td>South Staffordshire PCT</td>
<td>1,610</td>
</tr>
</tbody>
</table>

Source: 2007-08 audited summarisation schedules.

### NHS: Standards

#### Mr. Lansley
To ask the Secretary of State for Health how many times an NHS organisation has assessed itself as compliant with a core standard but been found by the Care Quality Commission to be non-compliant in the last three years; and which (a) NHS organisation and (b) core standard was concerned in each such instance. [284195]

Mr. Mike O’Brien: In the last three years of assessment the Healthcare Commission adjusted 369 declarations for individual core standards; 0.6 per cent. of the total submitted. A table showing declarations adjusted has been placed in the Library.

#### Queen Mary’s Sidcup Hospital NHS Trust: Accident and Emergency Departments

Tim Loughton: To ask the Secretary of State for Health what the timetable is for the closure of the Accident and Emergency Department at Queen Mary’s Hospital, Sidcup. [284849]

Mr. Mike O’Brien: The South London Healthcare NHS Trust is responsible for this issue and have indicated to us that they will publish the implementation plans for A Picture of Health by the end of July. These plans will
include a timetable for the service changes that will take place at Queen Mary’s Hospital, Sidcup, including the phased closure of Accident and Emergency, and the development of an Urgent Care Centre.

Sick Leave: Hertfordshire

Mr. Penning: To ask the Secretary of State for Health what the rate of (a) absence and (b) absence resulting from injury at work was amongst those social service employees for which his Department is responsible in (i) Hemel Hempstead and (ii) Hertfordshire in each of the last five years; what estimate he has made of the cost to the public purse of such absences; and if he will make a statement.

Phil Hope: Information on absence rates among social service staff is not held centrally by the Department.

It is the responsibility of local employers to collect information on absence rates among their employees.

Swine Flu

Mr. Lansley: To ask the Secretary of State for Health how many courses of antivirals have been dispensed for the treatment of swine flu; and how many of these have been given to (a) patients with swine flu and (b) contacts of patients with swine influenza as prophylaxis.

Gillian Merron: As at 2 July 2009, data from the Health Protection Agency’s fluzone database showed that:

- the number of antivirals dispensed to patients with swine flu influenza was 6,138; and
- the number of antivirals dispensed to contacts of patients with swine influenza as prophylaxis was 10,363.

Treatment Centres: Hygiene

Mr. Stephen O’Brien: To ask the Secretary of State for Health when he expects all NHS and independent sector treatment centres to be compliant with the provisions of the EU Directive on Medical Devices in relation to the sterilisation of surgical instruments.

Mr. Mike O’Brien: Information on conformity assessments undertaken by UK Notified bodies to the requirements of the EC Medical Devices Directive 93/42/EC is not kept centrally by the Medicines and Healthcare products Regulatory Agency.

Waiting Lists: Hemel Hempstead

Table 1: Median in-patient waiting time for elective admission, time periods 2003-06 (commissioner based)

<table>
<thead>
<tr>
<th>Organisations</th>
<th>2003</th>
<th>2004</th>
<th>2005</th>
<th>2006</th>
</tr>
</thead>
<tbody>
<tr>
<td>Hertsmere PCT</td>
<td>13.1</td>
<td>11.9</td>
<td>10.7</td>
<td>8.2</td>
</tr>
<tr>
<td>Watford and Three Rivers PCT</td>
<td>14.8</td>
<td>10.6</td>
<td>9.8</td>
<td>7.7</td>
</tr>
<tr>
<td>Dacorum PCT</td>
<td>12.8</td>
<td>11.0</td>
<td>11.1</td>
<td>8.6</td>
</tr>
<tr>
<td>St. Albans and Harpenden PCT</td>
<td>13.0</td>
<td>11.2</td>
<td>10.2</td>
<td>8.0</td>
</tr>
</tbody>
</table>

Notes:
1. Figures are shown for organisations that existed at the time.
2. Inpatient waiting times are measured from decision to admit by the consultant to admission to hospital.
3. The figures show the median waiting times for patients still waiting for admission at the end of the period stated.
4. Hertsmere, Watford and Three Rivers, Dacorum and St. Albans PCTs were combined to form West Hertfordshire PCT.
5. Median waiting times are calculated from aggregate data, rather than patient level data, and therefore are only estimates of the position on average waits. In particular, specialties with low numbers waiting are prone to fluctuations in the median. This should be taken into account when interpreting the data.

Source:
Department of Health Waiting List Collections Quarterly Commissioner return and Monthly Monitoring Commissioner (MMRCOM)

Table 2: Median in-patient waiting time for elective admission, time periods 2007-09 (commissioner based)

<table>
<thead>
<tr>
<th>Current strategic health authority area</th>
<th>Organisations</th>
<th>2007</th>
<th>2008</th>
<th>2009</th>
</tr>
</thead>
<tbody>
<tr>
<td>East of England - West Hertfordshire PCT</td>
<td>7.5</td>
<td>5.6</td>
<td>4.5</td>
<td></td>
</tr>
</tbody>
</table>

Notes:
1. Figures are shown for organisations that existed at the time.
2. Inpatient waiting times are measured from decision to admit by the consultant to admission to hospital.
3. The figures show the median waiting times for patients still waiting for admission at the end of the period stated.
4. Median waiting times are calculated from aggregate data, rather than patient level data, and therefore are only estimates of the position on average waits. In particular, specialties with low numbers waiting are prone to fluctuations in the median. This should be taken into account when interpreting the data.

Source:
Department of Health Waiting List Collections Quarterly Commissioner return and MMRCOM.

Mr. Stephen O’Brien: To ask the Secretary of State for Health what the average inpatient waiting time for treatment on the NHS was in each primary care trust area in Hemel Hempstead in each of the last 10 years.

Mr. Mike O’Brien: The following data shows the average (median) waiting time for elective admissions for primary care trusts (PCTs) in Hertfordshire since 2003 which is the earliest data available.

Table 2 shows data for the newly-formed West Hertfordshire PCT.

<table>
<thead>
<tr>
<th>Month ending March each year</th>
</tr>
</thead>
<tbody>
<tr>
<td>Weeks</td>
</tr>
<tr>
<td>Organisations</td>
</tr>
<tr>
<td>----------------</td>
</tr>
<tr>
<td>Hertsmere PCT</td>
</tr>
<tr>
<td>Watford and Three Rivers PCT</td>
</tr>
<tr>
<td>Dacorum PCT</td>
</tr>
<tr>
<td>St. Albans and Harpenden PCT</td>
</tr>
</tbody>
</table>

Notes:
1. Figures are shown for organisations that existed at the time.
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Source:
Department of Health Waiting List Collections Quarterly Commissioner return and Monthly Monitoring Commissioner (MMRCOM)
BUSINESS, INNOVATION AND SKILLS

Non-domestic Rates: Ports

Mr. Stewart Jackson: To ask the Minister of State, Department for Business, Innovation and Skills what representations his Department has received from businesses on the application of business rates to ports in the last 12 months; and what responses have been made to such representations.

Ms Rosie Winterton: The Department for Communities and Local Government has received correspondence from around 40 business contacts, and from 18 MPs, concerning the issues arising from the rating review of ports.

The Government have responded in writing to all those making representations, and in a number of parliamentary debates this year. In these responses, the Government have made it clear we have introduced legislation enabling all businesses (not just those in ports) facing backdated rates bills of 34 months or more, which meet certain criteria, to enter a schedule of payments to permit payment over up to eight years.

Space Technology

Adam Afriyie: To ask the Minister of State, Department for Business, Innovation and Skills when the British National Space Centre commissioned a report from Moreton Hall Associates and JRA Technology Ltd into the space licensing regime; what the cost of commissioning the report was; when the report was finalised; what its main findings and recommendations were; and if he will place a copy of the report in the Library.

Mr. Lammy: The Moreton Hall report was commissioned in February 2005 and presented to the British National Space Centre in June 2005. The cost of the report was £26,100. The report is classified as 'Commercial-in-confidence' and there are no plans to put it in the public domain.

The list of recommendations from the report is as follows:

A system for licensing should be retained.

BNSC should act to establish precise responsibility for sub-orbital manned flight with the Civil Aviation Authority (CAA) and, if necessary, introduce changes to the licensing process and procedures to suit.

The different classes of satellites and missions should be recognised and addressed in different licence application procedures and fees as detailed in this report.

Overseas Territories/Crown Dependencies should be permitted to issue their own licences provided that clauses are inserted to ensure that ascent phase third party liability insurance provides cover to UK Government and that the territory indemnifies the UK Government.

Protocols should be established for each of the territories, with respect to division of responsibility BNSC/Territories for licence application support and licence issue, and guidance notes should be produced for staff.

In-orbit third party liability insurance should be no longer routinely required. However, BNSC may wish to consider insisting upon TPL insurance if the space object is designed/planned to re-enter. The omission of in-orbit TPL should be kept under review because of the presence of man-made orbit debris that could, in future, be identified.

With regard to post-separation-pre-orbit phase third party liability, this should be retained, and if possible, be covered by an extension of launch vehicle TPL insurance.

Research and educational satellites are now exempt from all third party liability indemnities and insurance requirements, and this practice should continue. The UK Government must be fully aware that they have unlimited liability for third party damages which may be incurred by these satellites.

BNSC should propose the establishment of protocols for proportional sharing of liability where more than one state is classified as Launching State within the meaning of the UN treaties/conventions.

Consideration should be given to establishing a simple bilateral recognition of 'other countries' safety evaluations and licensing procedures.

Consideration should be given on taking an active part (i.e. even leadership role) in the EU/ESA licence harmonisation process.

With respect to the Human Rights Act, no changes to the existing or herein proposed licence procedures are recommended; however, it should be clearly understood that if the SoS wishes to refuse a licence, there must be strong grounds for so doing, such as national security/threatened safety of persons, not in public interest (if strong enough).

BNSC should take the lead in establishing clear protocols for resolving quickly any disagreements as to responsibilities between Government Departments in respect of space activities.

The division of responsibility vis-à-vis BNOSC/Ofcom for Radio Frequency aspects of satellite missions is well-established and no further action is required.

De-orbiting strategies should be required and included in the licence terms. Further, ensure that they are compatible with the emerging International Office for Standardisation (ISO) standards.

Earth Observing mission licences should include a requirement on licensees to comply with 1986 Principles relating to Remote Sensing of Earth.

In the secondary register, where ownership has changed, it should be recorded that change of liability has similarly been transferred (if it has) and to which state.

To ensure the proper notification of orbit changes to the UN, some form of regular monitoring of licencee’s activities must be established.

BNSC should ratify, and fully implement, a revised auditable licensing process, addressing through-life monitoring, as identified in this report.

The process, supporting procedures and forms, should be documented and disseminated in the form of updated notes for the guidance of staff and applicants (two sets).

Procedures, methodologies and associated acceptance criteria for the safety evaluation should be defined in more detail as outlined in this report.

The safety evaluation contractor should be given the added responsibility of development and maintenance of a database of acceptance criteria and relevant best practice and international standards.

The responsibility for the debris-collision risk assessment at time of application may be transferred to the applicants either to undertake themselves, or via a service company.

Debris-collision risk assessment should be undertaken as part of the through-life monitoring function/responsibility, and these may be delegated to the operator (by wider dissemination of the debris-collision risk assessment model). In addition, measures should be implemented to ensure the debris data content of the debris-collision risk assessment tool be maintained as current.

Applicants who have supplied comprehensive insurance briefing packages should make BNOSC aware of the detailed table of contents as soon as possible, as the information therein may well provide adequate responses to the safety evaluation questions.
BNSC should give considerations to the revision of the fee structure as indicated in this report.
BNSC should give consideration to delegation of responsibility for elements of the licence application process as indicated in this report. In particular, a new role of Safety Licence Support Contractor should be considered, and, if agreed, may be competed for by appropriately qualified organisations.

The role of safety evaluation and maintenance of safety standards may be competed for by appropriately qualified organisations.
The BNSC website should be revised to provide enhanced guidance to applicants and links to relevant documents and standards as outlined in this report.
Changes should also be made to the licence application form on the site as detailed in this report.

TREASURY
Andrew Hudson

Mrs. Spelman: To ask the Chancellor of the Exchequer what remuneration package Mr. Andrew Hudson will receive in his capacity as his Department’s Managing Director (Public Services and Growth Directorate).
Andrew Hudson was appointed as a senior manager at HM Treasury on 30 March 2009. Details of his remuneration will be included in HM Treasury’s Resource Accounts for 2008-09 and future years.

Sarah McCarthy-Fry: Government Departments report annually on the remuneration of senior managers in their Resource Accounts.

Andrew Hudson was appointed as a senior manager at HM Treasury on 30 March 2009. Details of his remuneration will be included in HM Treasury’s Resource Accounts for 2008-09 and future years.

Departmental Correspondence

Alistair Burt: To ask the Chancellor of the Exchequer 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.

The report for 2008 was published on 2 April 2009, Official Report, columns 80-86WS.

Departmental Databases

Mr. Watson: To ask the Chancellor of the Exchequer what information databases his Department (a) maintains and (b) uses which do not contain personal information.

Jenny Willott: To ask the Chancellor of the Exchequer which databases managed by his Department and its agencies hold personal information on members of the public; on what date each such database become operational; and if he will make a statement.

Sarah McCarthy-Fry: I refer the hon. Gentleman to the answer given by the then Exchequer Secretary to the hon. Member for Fareham (Mr. Hoban) on 18 February 2008, Official Report, column 349W. There are a number of databases maintained by the Department and its agencies that contain personal data, most of them related to staff. Those that are managed by the Treasury and its agencies and contain personal information on members of the public are Financial Sanctions (operational since October 2007), Gilts Register (December 2004) and DMO Job Applicants (2004).

Fuels

Sammy Wilson: To ask the Chancellor of the Exchequer how many litres of illegal fuel have been seized by HM Revenue and Customs in each of the last five years.

Mr. Timms: Figures for fuel seizures are published in HMRC Autumn Performance Reports, available on the HMRC website at www.hmrc.gov.uk/about/reports.htm.

Inheritance Tax

Mr. Stewart Jackson: To ask the Chancellor of the Exchequer what account the Valuation Office Agency takes of the effect of flooding of the market in assessing the value of a property for the purposes of inheritance tax.

Mr. Timms: The value of a property for inheritance purposes is the price that it might reasonably be expected to fetch if sold on the open market, which will fully reflect the state of the market at that particular time.
However section 160 of the Inheritance Tax Act 1984, contains specific provisions to ensure that the value of property within a large estate is not reduced on account of all the property being placed on the market at the same time.

Non-Domestic Rates

Mr. Stewart Jackson: To ask the Chancellor of the Exchequer how many Valuation Office Agency forms VO6403 have been (a) sent out and (b) returned as part of the 2010 business rates revaluation.

Mr. Timms: Form VO6403 is an internal form used to record information when inspecting licensed property. It is not sent out to ratepayers. A full list of forms used to request information from ratepayers is published on the Valuation Office Agency website at: http://www.voa.gov.uk/business_rates/List-of-Forms-Requesting-Information.htm

Students: Loans

David T. C. Davies: To ask the Chancellor of the Exchequer how much money HM Revenue and Customs has deducted from individuals’ salaries on behalf of the Student Loans Company in each of the last three years.

Mr. Timms [holding answer 7 July 2009]: HM Revenue and Customs (HMRC) collect Student Loan repayments for Income Contingent Loans via PAYE and Self-Assessment (SA) on behalf of the Department for Business Innovation and Skills. The amount of Student Loan repayments reported to the Student Loans Company in each of the previous three years are:
Mr. Timms: The primary ICT contracts for the VOA are via the HMRC Aspire and Sprint contracts effective from July 2004 and October 2005 respectively; the majority of 3rd party procurement is through the existing contract frameworks. In the preceding years, the primary ICT contracts were via the HMRC Eagle and eIROS contract frameworks.

A small system contract has been entered into separately:
Development and maintenance of time recording and case management system (TRACS software (including Panasonic data (barcode scanners)) with TMS.

Mrs. Spelman: To ask the Chancellor of the Exchequer pursuant to the answer to the hon. Member for Peterborough of 11 May 2009, Official Report, column 542W, on the Valuation Office: ICT, for what purposes the Valuation Office Agency’s Sprint contract was entered into; and what the terms are of that contract. [284767]

Mr. Timms: Sprint is a framework agreement contract awarded in 2005 by HMRC to Specialist Computer Centres plc. (SCC) and Dataserv CES Ltd. for the supply of information technology, telecommunications and audio visual and related supplies and services. The agency is a participating authority to that contract.

Valuation Office: Geographical Information System

Mrs. Spelman: To ask the Chancellor of the Exchequer what the scale is of the mapping data that will be held in the Valuation Office Agency’s new Geographical Information System. [284919]

Mr. Timms: The geographical information system will use the Ordnance Survey standard MasterMap toponymy product.

For cartographic representation, the scale of the mapping data within the geographical information system will range from 1:1250 to 1:250,000.

Valuation: Housing

Mrs. Spelman: To ask the Chancellor of the Exchequer what methodology is used by the Valuation Office Agency to allocate a TQ value significant code to a dwelling; and whether a maximum level of traffic has been set for the allocation of that code. [284763]

Mr. Timms: The value significant code TQ may be used where a property is located in a particularly quiet road, to the extent that this will affect the value of the property. There is no maximum level of traffic set for the allocation of this code—it is a matter of local knowledge and judgment. General guidance on the use of all its dwelling house codes is published on the VOA’s website at:
www.voa.gov.uk/publications/dwellinghousecodingguide/files/contents.htm

Mrs. Spelman: To ask the Chancellor of the Exchequer how many domestic dwellings were valued by the Valuation Office Agency for (a) inheritance tax and (b) capital gains tax purposes in England in the most recent year for which figures are available. [284926]

Mr. Timms: This information cannot be obtained without incurring disproportionate cost.

Mr. Timms: The Valuation Office Agency does not have a key performance indicator to improve the cost yield ratio for capital gains tax but one of its targets is to have a key performance indicator to improve the cost-yield ratio for capital gains tax. The aim is to spend less time on those valuations that do not require any adjustment and to focus on those that do, so that the amount of tax properly due is paid.

Mr. Timms: The Valuation Office Agency considers valuations submitted by taxpayers for inheritance tax purposes in accordance with long standing legislative rules and procedures. The Agency is reducing the cost of the resources that it uses on these cases, as measured by the cost yield ratio. The aim is to spend less time on those valuations that do not require any adjustment and to focus on those that do, so that the amount of tax properly due is paid.

Valuation Office: Contracts

Mrs. Spelman: To ask the Chancellor of the Exchequer how many domestic dwellings were valued by the Valuation Office Agency or its representatives on its behalf between May 2001 and May 2006. [284766]

These amounts include some deductions for previous years which have been reported in the tax years above. In certain circumstances, the amounts due to HMRC are received after they have been reported. These repayments are included in the table.

The amount of Student Loan repayments is increasing over time due to the increase in the number of graduates who have taken up Income Contingent Loans and have entered employment.

Taxation: Valuation Office

Mrs. Spelman: To ask the Chancellor of the Exchequer what key performance indicators the Valuation Office Agency has in relation to improving the cost yield ratio for capital gains tax. [284922]

Mr. Timms: The Valuation Office Agency has in relation to improving the cost-yield ratio for capital gains tax purposes in accordance with long standing legislative frameworks.

Mrs. Spelman: To ask the Chancellor of the Exchequer what steps the Valuation Office Agency is taking to increase the cost-yield ratio from inheritance tax. [284923]

Mr. Timms: The Valuation Office Agency is reducing the cost of the resources that it uses on these cases, as measured by the cost yield ratio. The aim is to spend less time on those valuations that do not require any adjustment and to focus on those that do, so that the amount of tax properly due is paid.

Valuation Office

Mrs. Spelman: To ask the Chancellor of the Exchequer pursuant to the answer of 27 April 2009, Official Report, column 1049W, on Valuation Office: ICT, for what purposes in accordance with long standing legislative rules and procedures. The Agency is reducing the cost of the resources that it uses on these cases, as measured by the cost yield ratio. The aim is to spend less time on those valuations that do not require any adjustment and to focus on those that do, so that the amount of tax properly due is paid.

Mr. Timms: I refer the hon. Member to the answer given to the hon. Member for Bromley and Chislehurst (Robert Neill) on 30 June 2009, Official Report, column 210W.

Valuation Office: Contracts

Mrs. Spelman: To ask the Chancellor of the Exchequer what information technology contracts were entered into by the Valuation Office Agency or its representatives on its behalf between May 2001 and May 2006. [284766]
In 2008-09 the VOA gave advice in 21,480 IHT cases and approximately 15,996 CGT cases. The majority of the IHT cases relate to dwellings but some also include non-domestic land and buildings. A lesser proportion of CGT cases also relate to dwellings.

Mrs. Spelman: To ask the Chancellor of the Exchequer pursuant to the answer to Baroness Warsi of 12 May 2009, *Official Report*, House of Lords, column 192WA, on housing: valuations, what factors are taken into account by the Valuation Office Agency when deciding whether to allocate a dwelling with a NA (Quality - atypical for Group or Type) value significant code.

Mr. Timms: The value significant code NA may be used where the quality of the property is considered to be significantly better or worse than properties of a similar style or type, to the extent that this will affect the value of the property. The Valuation Office Agency does not provide specific guidance to its staff on when to use the code—it is a matter of local knowledge and judgment. Guidance on the use of all its dwelling-house codes is published on the VOA’s website at: www.voa.gov.uk/publications/dwellinghousecodingguide/files/contents.htm

Mr. Michael Foster: The Department for International Development (DFID) manages the following databases that contain personal information on members of the public:

Financial and Projects systems (ARIES, MIS and Coda) are used for administration of projects and accounts. These databases contain DFID suppliers and customers’ contact and bank details. The MIS and Coda systems became operational in February 1998; the ARIES system that replaces them became operational in November 2007.

The Overseas Pensions system supports administration and payment of pensions to former colonial servants. This database contains personal, bank and payment data on former colonial servants, and became operational in February 1998.

Correspondence systems enable tracking of parliamentary and public correspondence. These systems contain names and contact details of correspondents and became operational in December 1999.

India: Overseas Aid

Lembit Öpik: To ask the Secretary of State for International Development what funding his Department has allocated to the Orissa region of India in the last five years; and what assessment he has made of the effects of that assistance on the Adivasi population.

Mr. Michael Foster: Through its state programme, the Department for International Development (DFID) has spent £124 million in Orissa over the last five years (2004-09). In addition, Orissa has benefited from DFID’s support to national level programmes and to civil society: an estimated £4.5 million in the year 2008-09, with comparable expenditure in each of the previous years.

Two DFID programmes directly address poverty among the Scheduled Tribes (Adivasis) in Orissa. The Western Orissa Rural Livelihoods Project, aims to benefit 725,000 people, including 140,000 belonging to Scheduled Tribes. A recent independent review found that so far 31 per cent. of those targeted have moved out of poverty. The second programme, the Orissa Tribal Empowerment and Livelihoods Programme (OTELP), co-funded with the International Fund for Agricultural Development, aims to benefit 1.7 million people, including 315,000 Scheduled Tribe people. An independent review of the programme found that so far food security has improved in 67,500 households, safe drinking water has been provided to 47,625 households and 15,134 families have benefited from paid employment.

DFID also provides major support to the health sector across Orissa. This benefits all people in the state including the tribal population.

Pakistan: Overseas Aid

Mr. Hayes: To ask the Secretary of State for International Development which organisations have managed each project funded by his Department in the North Western Frontier Province of Pakistan since 2005; what the budget for each such project was; and how much his Department has spent on each such project to date.

Mr. Michael Foster: The Department for International Development (DFID) has supported the following projects in the North West Frontier Province (NWFP) in Pakistan since 2005.

[284483] [284012] [284390] [284904]
DFID has also supported the following nationwide programmes, which have helped provide services in NWFP as well as other parts of Pakistan:

<table>
<thead>
<tr>
<th>Programme</th>
<th>Implementing agency</th>
<th>Commitment (£ million)</th>
</tr>
</thead>
<tbody>
<tr>
<td>National Health and Population Facility</td>
<td>Ministry of Health</td>
<td>100</td>
</tr>
<tr>
<td>Polio Eradication Initiative</td>
<td>WHO/UNICEF</td>
<td>31</td>
</tr>
<tr>
<td>Maternal and Newborn Health Initiative</td>
<td>Ministry of Health</td>
<td>91</td>
</tr>
<tr>
<td>Achieving Universal Access to Control HIV/AIDS</td>
<td>Ministry of Health (World Bank Trust Fund)</td>
<td>5.9</td>
</tr>
<tr>
<td>Rural Support Programmes Network (RSPN)</td>
<td>RSPN</td>
<td>11</td>
</tr>
<tr>
<td>Financial Inclusion Programme</td>
<td>State Bank of Pakistan</td>
<td>50</td>
</tr>
</tbody>
</table>

Mr. Hayes: To ask the Secretary of State for International Development what funds his Department has allocated to organisations in the Swat, Dir, Malakand and Buner regions working with internally displaced persons following the Pakistani government’s military action against the Swat region. [284191]

Mr. Michael Foster: There is limited access to the Swat, Dir, Malakand and Buner regions because of continued military operations and insecurity. The Department for International Development (DFID) is helping those who have been displaced from these districts in camps and host communities in neighbouring areas such as Swabi, Mardan, Charsadda, Peshawar and Nowshera.

DFID has committed a total of £22 million of humanitarian aid in response to this crisis, making us the second largest donor. Our funds are being used by international humanitarian agencies to meet critical needs. In total, DFID is funding 12 non-governmental organisations and eight United Nations’ agencies as well as the International Committee of the Red Cross. Our support is being used to provide shelter, food, water, sanitation, health care and protection for the most vulnerable, such as children.

Mr. Hayes:

To ask the Secretary of State for International Development what funds his Department has allocated to organisations in the Swat, Dir, Malakand and Buner regions because of continuing military operations and insecurity. The Department for International Development (DFID) is helping those who have been displaced from these districts in camps and host communities in neighbouring areas such as Swabi, Mardan, Charsadda, Peshawar and Nowshera.

DFID has committed a total of £22 million of humanitarian aid in response to this crisis, making us the second largest donor. Our funds are being used by international humanitarian agencies to meet critical needs. In total, DFID is funding 12 non-governmental organisations and eight United Nations’ agencies as well as the International Committee of the Red Cross. Our support is being used to provide shelter, food, water, sanitation, health care and protection for the most vulnerable, such as children.

Ms Diana R. Johnson: The Department for Children, Schools and Families (and predecessor Departments) Better Regulation Unit (BRU) has been operating since 1997. The current annual cost of salaries and overheads is £132,296.

Delivering value for money and better regulation are central to the work of the Department. The Department’s BRU, which has never exceeded three members of staff since its inception in 1997, is part of a central corporate services function which ensures we gain maximum value for the taxpayer’s money. Records separating the cost of different sections within the corporate services operation back to 1997 are not kept, but the total cost of the operation has been included in each year’s Departmental Report.

Care Homes

Ms Keeble: To ask the Secretary of State for Children, Schools and Families how many residential places there are for children in (a) local authority residential homes, (b) foster homes, (c) local authority secure accommodation and (d) Home Office secure accommodation.

[281506]

Dawn Primarolo: Information on the number of places in local authority residential homes in part (a) has been provided by Ofsted. There are 745 active local authority residential homes registered in England, consisting of boarding schools, children’s homes, further education colleges and residential special schools, collectively offering a maximum of 9,235 registered places. Table A provides a breakdown of the maximum number of registered places according to their provision type.

Table A: Number of local authority residential homes in England (consisting of boarding schools, children’s homes, further education colleges and residential special schools) as at 31 March 2009

<table>
<thead>
<tr>
<th>Provision Type</th>
<th>Number of providers</th>
<th>Maximum number of places(^1)</th>
</tr>
</thead>
<tbody>
<tr>
<td>Boarding School</td>
<td>26</td>
<td>2,550</td>
</tr>
<tr>
<td>Children’s Home</td>
<td>596</td>
<td>3,978</td>
</tr>
<tr>
<td>Further Education College</td>
<td>11</td>
<td>591</td>
</tr>
<tr>
<td>Residential Special School</td>
<td>112</td>
<td>2,116</td>
</tr>
<tr>
<td>Total</td>
<td>745</td>
<td>9,235</td>
</tr>
</tbody>
</table>

1 The maximum number of registered places is calculated from figures held by Ofsted. Where this data is missing, the number of places has been estimated based on the national average for that provision type and sector at that point in time. Here there were 21 out of the 745 providers where places were estimated (2.8 per cent. of total places). Of these, 20 providers (378 places) were from Residential Special Schools (17.9 per cent. of RSS), with one provider (seven places) from a Children’s Home (0.2 per cent. of CH). Where a provider’s sector is unknown, the maximum number of places is estimated using only the national average for that provision type.

Note: All data has been extracted from the Regulatory Support Application (RSA) database taken on 1 of April 2009.

Information on the number of foster homes places in part (b) is not held centrally by the Department.
Information on the number of places approved in local authority secure children’s homes, requested in part (c) can be found in our publication ‘Children Accommodated in Secure Children’s Homes at 31 March 2008: England and Wales’, which is available on the Department’s website via the following link:


At 31 March 2008, there were 340 approved places in the 19 secure children’s homes open in England and Wales.

Information on the number of places in Home Office secure accommodation in part (d) has been provided by the Joint Youth Justice Unit and consists of 3,007 places in Young Offender Institutions and 301 places in Secure Training Centres.

Children: Databases

Tom Brake: To ask the Secretary of State for Children, Schools and Families how many people have requested the name of one of their children to be removed from the ContactPoint database since the database was introduced. [283205]

Dawn Primarolo: The inclusion of all children and young people in England is a legal requirement of ContactPoint and its purpose could never be achieved through a consent-based or opt-out system. Including all children avoids the potential stigma that a targeted directory could have. The information on ContactPoint is very limited and it is proportionate to hold this information for all children rather than having to continuously make and review threshold decisions as vulnerable children’s circumstances change over time. It is also important and appropriate to cover every child in England because any child or young person could require the support of additional services at any time. It is not possible to predict accurately in advance which children will have additional needs—estimates show that 3-4 million children and young people will need additional targeted and specialist services at any one point in time and 5-6 million will have such needs at some point throughout their childhood. We need a universal approach because we do not know, or cannot readily predict, who they may be, or when their needs may arise.

All children have a right to the universal services of education and primary health care. ContactPoint will show whether or not they are receiving those services. ContactPoint will also support local authorities to identify children not in receipt of universal services.

They have duties, for example, to identify children missing education. Only a universal system can do this.

Since the introduction of ContactPoint in January 2009 the DCSF has received 58 requests via correspondence from parents to have their child’s details removed from the ContactPoint database.

We are not aware of the numbers of requests made direct to local authorities.

Tom Brake: To ask the Secretary of State for Children, Schools and Families how many people have been convicted of an offence related to misuse of information on the ContactPoint database. [283274]

Dawn Primarolo: There have been no convictions related to misuse of the ContactPoint.

ContactPoint is designed, built, operated and managed to HM Government standards for security and complies with the strict controls imposed by HM Government security policy. Before being granted access, all users must have completed identity checks, enhanced Criminal Records Bureau disclosure (renewable every three years) and mandatory training which covers the importance of security and good security practice, the Data Protection Act and Human Rights Act. Users will also be members of the Independent Safeguarding Authority (ISA) Scheme when it is introduced.

Every access to a child’s record is detailed in the audit trail. This is regularly reviewed to ensure that any misuse is detected and investigated.

ContactPoint training and guidance will also alert users that any misuse will lead to an immediate investigation, disciplinary procedures and criminal sanctions where appropriate. Criminal sanctions include fines under the Data Protection Act 1998 and fines or imprisonment under the Computer Misuse Act 1990.

Children: Emigration

Sir Nicholas Winterton: To ask the Secretary of State for Children, Schools and Families (1) if he will bring forward legislative proposals to strengthen the rights of parents resident in England seeking to challenge leave to remove applications; and if he will make a statement;

(2) what recent assessment he has made of the effects on the well-being of families of the use of leave to remove applications; and if he will make a statement;

(3) what recent assessment he has made of the effects of successful leave to remove applications on the well-being of the (a) children subject to the application and (b) parent remaining in the UK;

(4) if he will make it his policy not to recognise leave to remove applications; and if he will make a statement;

(5) whether his Department takes steps to monitor the welfare of those children who have been the subject of successful leave to remove applications; and if he will make a statement;

(6) what information he holds for benchmarking purposes on the policies of the (a) US and (b) New Zealand government on leave to remove applications. [283304]

Dawn Primarolo: The Department currently has no plans to consider not recognising leave to remove applications or to strengthen the rights of those seeking to challenge leave to remove applications.

The Children Act 1989 ensures that any decision regarding a child or young person will be made in the child’s best interests and his or her long and short-term welfare will be fully considered before any decisions, including leave to remove application, are taken. Following a successful removal the welfare of the child will be safeguarded by the country in which the child is resident.
The Department has not undertaken any recent research or benchmarking comparison into the effect on the family or the child where there has been a leave to remove application.

Children: Protection

Tim Loughton: To ask the Secretary of State for Children, Schools and Families when he plans to issue guidance to local authorities on the new framework for the integrated children's system.

Dawn Primarolo: On 22 June Directors of Children’s Services received a ministerial letter setting out the actions we will take to facilitate immediate improvements in local systems and to support local authorities in doing so. This letter was accompanied by a circular which sets out the immediate and longer term practical steps that we will take, and establishes the new principles which will guide future development of the Integrated Children’s System. A copy has been placed in the House Libraries.

Children: Sight Impaired

Sandra Gidley: To ask the Secretary of State for Children, Schools and Families what assessment his Department has made of the effect on the eye health of children under the age of 16 years of prolonged exposure to television and computer screens.

Ms Diana R. Johnson: The Department has not made any assessment of the affect of prolonged exposure to television and computer schemes. However the Health and Safety Executive (HSE) do offer advice on the impact of computer screens or monitors (Visual Display Units) on eye health on their website:

“Extensive research has found no evidence that VDU’s can cause disease or permanent damage to eyes. But long spells of VDU work can lead to tired eyes and discomfort. Also, by giving your eyes more demanding tasks, it might make you aware of an eyesight problem you had not noticed before. You and your employer can help your eyes by ensuring your VDU is well positioned and properly adjusted, and that the workplace lighting is suitable. Ask for an eye test if you still think there is a problem.”

Children’s Play: Essex

Bob Spink: To ask the Secretary of State for Children, Schools and Families how much funding his Department has allocated for children’s play schemes in (a) Essex and (b) Castle Point in 2009-10.

Mr. Coaker: Essex began receiving play funding from April 2009, as part of the second wave of the children’s plan play capital investment programme. The authority has been allocated £545,655 capital funding and £27,681 revenue funding for 2009-10.

This capital investment programme will provide capital and revenue funding to every one of the 152 top-tier local authorities in England in order to develop/improve play spaces. Decisions on where the capital funding is spent within local authority boundaries are taken locally, based on providing improved play spaces where they are most needed and involving a robust consultation process with local children and young people, families and wider communities.
Ms Diana R. Johnson: The following answer outlines the (a) most recent annual budget, (b) purpose and (c) staff complement of the each of the Department’s (i) advisory bodies, (ii) tribunals and (iii) corporations.

(i) Advisory Bodies

Teenage Pregnancy Independent Advisory Group

(a) Net annual budget is £0.04 million.
(b) The Teenage Pregnancy Independent Advisory Group is an advisory NDPB which monitors and advises Ministers on the Government’s 10-year teenage pregnancy strategy to reduce teenage conceptions and improve support for teenage parents. It is funded through Teenage Pregnancy Programme.
(c) The body does not employ any staff.

Teachers’ TV board of Governors

(a) Net annual budget is £0.14 million.
(b) The board acts as a high-powered advisory body that informs decisions taken by the Department. The board provides open accountability about the plans and performance of Teachers TV to the channel’s audience, stakeholders and to the public. The board upholds the editorial independence of Teachers TV, ensures that the channel supplier adopts the best practices of a UK public service broadcaster; advises the Department on ways that Teachers TV could develop so that it best meets the needs of its audience; approves the supplier’s Statement of Content Policy; helps ensure the Teachers TV supplier is held accountable for the public funds it receives via an annual performance review; and acts as an ambassador for the service.
(c) The board is supported by one FTE employed by the Department.

Children’s Plan Expert Group

(a) The group does not have a dedicated budget.
(b) There are three expert groups (ages 0-7, 8-13, and 14-19) whose remit will be to look at services and policies affecting children, young people and families and to make recommendations to the Secretary of State on how best to deliver his long-term objectives to:
   - Improve the health and well-being of children and young people.
   - Safeguard the young and vulnerable.
   - Close the gap in educational achievement between those from disadvantaged backgrounds and their peers.
   - ‘Raise our game’ on raising standards.
   - Increase post-16 participation and attainment.
   - Increase the number of children and young people on the path to success.
(c) The group does not employ any staff.

Information Standards Board

(a) Net annual budget of £0.74 million.
(b) The Information Standards Board (ISB) for education, skills and children’s services in England is the system-wide authority for all information and data standards. Its mission is to facilitate information sharing across the system; agree information standards to aid frontline delivery; improve efficiency, reduce costs and minimise bureaucracy. The ISB is designated as an Internal Advisory Committee, but has ministerial authority to make recommendations and approve decisions on behalf of the system.
(c) The board does not employ staff directly. A part-time independent Chairman is appointed by the Ministers. A Secretariat of 9.75 full-time equivalent (FTE) staff is provided is provided by the Department. A Technical Support Service of 2.5 FTE is provided under contract.

Talent and Enterprise Taskforce

(a) The net annual budget is £4.00 million.
(b) The purpose of the Talent and Enterprise Taskforce is to promote the imperative of enabling everyone to discover, develop and apply their talents to fulfil their own aspirations and contribute to Britain’s success in the new global economy. The Talent and Enterprise Taskforce is based in the Department of Children, Schools and Families (DCSF) but reports through to the cross-government Talent and Enterprise Committee.
(c) The taskforce currently employs 4.6 FTE.

National Council for Educational Excellence

(a) The net annual budget is £0.01 million.
(b) The National Council for Educational Excellence (NCEE) was set up to provide advice to the Prime Minister and Secretary of State for Children, Schools and Families about strategy and measures to achieve world-class education performance for all children and young people from birth to age 19. It published its recommendation in October 2008. Since then council members have been working on implementation. Council members act as advocates and champions to transform expectations and aspirations for the education system, and to rally the teaching professions, businesses, the third sector, universities and colleges, schools and parents to raise standards year on year.
(c) The council does not employ any staff however currently one FTE co-ordinates its activities.

National Young People’s Advisory Group

(a) The net annual budget is £0.02 million.
(b) The purpose of the advisory group is to draw on the expertise of young people’s panels across the country to help consider issues relating to delivery of the Youth Opportunity and Youth Capital Funds.
(c) The advisory group employs one FTE for 10 days and one contractor for 10 days.

Children and Youth Board

(a) The annual budget is £0.2 million.
(b) The Children and Youth Board (CYB) was established in 2004 as part of the ‘Every Child Matters’ programme, where a commitment was made to endearing the participation of children and young people in shaping services that affect their lives. They provide advice to the Department on policies that affect them.
(c) The Children and Youth Board is managed by the National Children’s Bureau (NCB) on the Department’s behalf. The number of NCB staff involved in managing the CYB is three.

Young Muslims Advisory Group

(a) The annual budget is £0.25 million.
(b) The Young Muslims Advisory Group is a jointly funded project with CLG. The group was established in October 2008 to provide young Muslims in England a platform to directly engage with the Government on the issues affecting them, particularly the causes of violent extremism.
(c) OPM is the lead contractor of a consortium supporting CLG and DCSF managing the Young Muslims Advisory Group, with a dedicated project manager providing support throughout the two-year project. There is a seconded youth worker based in CLG who supports the 23 members of Y MAG in meeting the two-year project. There is a seconded youth worker based in CLG who supports the 23 members of Y MAG in meeting the two-year project. There is a seconded youth worker based in CLG who supports the 23 members of Y MAG in meeting the two-year project. There is a seconded youth worker based in CLG who supports the 23 members of Y MAG in meeting the two-year project.

Child Safety Reference Group

(a) The group does not have a dedicated budget.
(b) The group was set up to provide advise and challenge the delivery of the improvements outlined in the PSA 13 Delivery Agreement; to provide a view on delivery based on experience at the frontline of service delivery, and to drive delivery through their organisations.
(c) The group consists of approximately 30 members.

(ii) Tribunals

Currently, the Department is not responsible for any tribunals.

(iii) Corporations

General Teachers Council of England

(a) Net annual budget of £18.97 million.
(b) The General Teaching Council for England is the independent professional body for teaching in England. It works for children, through teachers, in the interests of the public. It is committed to making sure young people have the best possible standards of learning and achievement. It keeps a register of qualified teachers in England and sets out and enforces standards for the teaching profession in the interests of the public. It provides advice to Government and other agencies on important issues that affect the quality of teaching and learning. It works with teachers to make sure its advice is based on practical experience and reliable research. It brings together teachers and other partners with an interest in the education service, including parents, governors and employers.

(c) The staff complement is 206.

**Departmental Information Officers**

**Paul Holmes:** To ask the Secretary of State for Children, Schools and Families what the cost to his Department of employing (a) press officers and (b) other press office staff has been in each year since 1997. [283072]

**Ms Diana R. Johnson:** The cost of employing staff in the Department’s Press Office in 2008/09 was £1,350,713.10. The other requested information was provided in the answer of 27 January 2009, *Official Report*, columns 480-81W.

**Departmental Work Experience**

**Mr. Oaten:** To ask the Secretary of State for Children, Schools and Families how many (a) paid and (b) unpaid graduate interns his Department has awarded in each of the last six months. [281511]

**Ms Diana R. Johnson:** The Department has not appointed any graduate interns in the last six months. The Department, however, has recruited 32 graduate and undergraduate interns whose internships will be starting from 29 June 2009 for six to eight weeks as part of a Cabinet Office internship programme. The Department has also increased its recruitment of graduates this year to support its resourcing needs and provide opportunities for those entering the labour market at this time. The Department is currently recruiting around 80 executive officers and we are targeting graduates as part of this process. In addition to this, around 20 graduates will join the Department in October 2009 as part of the Civil Service Fast Stream.

The Department also intends to be part of the ‘Graduate Talent Pool’ programme that has been developed by the Department for Business Innovation and Skills.

**Free School Meals: GCSE**

**Tim Loughton:** To ask the Secretary of State for Children, Schools and Families how many and what proportion of pupils eligible to receive free school meals have been entered for GCSE Latin in each year since 1997. [284578]

**Ms Diana R. Johnson:** The information requested can be provided only at disproportionate cost.

**Gifted Children: Finance**

**Mr. Laws:** To ask the Secretary of State for Children, Schools and Families what his most recent estimate is of spending by his Department on the gifted and talented programme in each year from 2009-10 to 2011-12; and if he will make a statement. [283223]

**Ms Diana R. Johnson:** The Department has historically spent between £10 to £20 million annually on delivering gifted and talented education. Information on the cost of the contracts to deliver the gifted and talented programme is commercial in confidence. Projected figures after 2011 are not available.

**Health Education: Sex**

**Mr. Lancaster:** To ask the Secretary of State for Children, Schools and Families what factors his Department took into account when determining the age at which sex education becomes compulsory for children. [283510]

**Ms Diana R. Johnson:** Only certain aspects of sex and relationships education, mainly the biological ones, are compulsory for all children in certain age groups. These are taught as part of the National Science Curriculum. Primary school children in Key Stages 1 and 2 are taught about reproduction, puberty and how a baby is born. In addition we expect schools to have a programme on sex and relationship education (SRE) that is delivered through well planned and non statutory Personal, Social, Health and Economic education (PSHE). We make it clear in our Sex and Relationship Education Guidance (July 2000) to schools that any programme of study must be tailored to the age and the physical and emotional maturity of the children. In early primary schools, SRE should focus on relationships such as friendship, bullying and the building of self-esteem.

We have announced our intention to make SRE compulsory as part of statutory PSHE, subject to the results of a consultation which the Qualifications and Curriculum Authority is currently conducting. If this were to become statutory, schools will be required to provide a comprehensive programme covering both the biological and relationship aspects of SRE.

This will ensure that as well as receiving factual information, children and young people will have the opportunities to develop the skills they need to deal with the real life situations they face.

**Pre-school Education: Finance**

**Mr. Laws:** To ask the Secretary of State for Children, Schools and Families how much of his Department’s £2.4 billion unspent capital funding at the end of the financial year 2008-09 referred to in the National Audit Office’s report on financial management in his Department, HC 267, Session 2008-09, had been earmarked for early years capital programmes; for which such programmes such funding was earmarked; and whether that unspent funding will be carried over into future years. [284302]
Ms Diana R. Johnson: The cumulative amount of the Department’s unspent capital funding as at the end of the 2008-09 financial year relating to Early Years capital programmes is £363 million.

The Programmes that this affects is the delivery of Sure Start Children Centres, Early Years provision and Childcare.

Unspent capital funding from prior financial years as well as 2008-09, is added to the Department’s end of year flexibility (EYF).

Pupils: Special Educational Needs

Bob Spink: To ask the Secretary of State for Children, Schools and Families what proportion of schoolchildren with a special educational need was diagnosed with behavioural, emotional and social difficulties in each of the last five years; and if he will make a statement. [283486]

Ms Diana R. Johnson: The available information for the four latest years (2009, 2008, 2007, 2006) can be found in Table 9 of the following links:

http://www.dcsf.gov.uk/rsgateway/DB/SFR/s000794/SEN_NationalTablesFinal.xls

The available information for 2005 can be found in Table 18 of the following link

http://www.dcsf.gov.uk/rsgateway/DB/SFR/s000584/AdditionalAnalysesv1.2.xls

Information on type of special educational need is collected only for those pupils with statements of SEN or those at School Action Plus.

Schools

Bob Spink: To ask the Secretary of State for Children, Schools and Families what proportion of maintained schools have identified the social and emotional aspects of learning as a key focus for their work with children; and if he will make a statement. [282440]

Mr. Coaker: Our latest figures for the implementation of the social and emotional aspects of learning programme in maintained schools show that 88 per cent. of primary schools and 63 per cent. of secondary schools in England were participating as at June 2009. Last year we set target participation rates for July 2009 of 90 per cent. for primary schools and 45 per cent. of secondary schools.

Schools: Admissions

Mr. Sanders: To ask the Secretary of State for Children, Schools and Families if he will assess the effects of school admissions policies based on residential location on social diversity among school pupils. [283094]

Ms Diana R. Johnson: The Department published a bulletin in 2008 on “The Composition of Schools in England” which included data at local authority level to enable a comparison to be made between the socio-economic composition of a local authority area and the schools in the same area.

Bob Spink: To ask the Secretary of State for Children, Schools and Families how many school places there are in (a) Castle Point, (b) Thurrock, (c) Southend and (d) Essex. [284953]

Ms Diana R. Johnson [holding answer 7 July 2009]: The Department collects information annually from each local authority on the capacity of all maintained mainstream schools, as part of the Surplus Places Survey. The most recent data available relates to the position at January 2008. The following table shows the overall capacity of schools within the constituency of Castle Point and the authorities of Thurrock, Southend and Essex.

<table>
<thead>
<tr>
<th>Area</th>
<th>Primary school capacity</th>
<th>Secondary school capacity</th>
</tr>
</thead>
<tbody>
<tr>
<td>Castle Point</td>
<td>6,839</td>
<td>7,098</td>
</tr>
<tr>
<td>Thurrock</td>
<td>14,996</td>
<td>8,124</td>
</tr>
<tr>
<td>Southend</td>
<td>14,121</td>
<td>13,158</td>
</tr>
<tr>
<td>Essex</td>
<td>115,979</td>
<td>96,960</td>
</tr>
</tbody>
</table>

Schools: Finance

Mr. Laws: To ask the Secretary of State for Children, Schools and Families how much funding from each source fund of his Department’s standards funds has been allocated in the last 12 months; and how much such funding he expects to be allocated in the next 12 months. [283224]

Mr. Coaker: The following table shows the Standards Fund allocations made to local authorities for 2008-09 and 2009-10 to date.

<table>
<thead>
<tr>
<th>Standards Fund allocations to local authorities</th>
<th>2008-09</th>
<th>2009-10</th>
</tr>
</thead>
<tbody>
<tr>
<td>Revenue Grants</td>
<td></td>
<td></td>
</tr>
<tr>
<td>School Development Grant¹</td>
<td>1,915.0</td>
<td>1,916.2</td>
</tr>
<tr>
<td>School Lunch Grant</td>
<td>78.8</td>
<td>78.8</td>
</tr>
<tr>
<td>Ethnic Minority Achievement Grant</td>
<td>184.9</td>
<td>194.0</td>
</tr>
<tr>
<td>Targeted Improvement Grant²</td>
<td>12.2</td>
<td>4.4</td>
</tr>
<tr>
<td>Making Good Progress</td>
<td>7.7</td>
<td>126.6</td>
</tr>
<tr>
<td>l-2-1 Tuition and Participation Key Stage 2 early roll out³</td>
<td>15.7</td>
<td></td>
</tr>
<tr>
<td>Extended Schools—Sustainability</td>
<td>73.5</td>
<td>134.4</td>
</tr>
<tr>
<td>Extended Schools Subsidy</td>
<td>7.1</td>
<td>37.8</td>
</tr>
<tr>
<td>Targeted Support for the Primary National Strategy</td>
<td>195.8</td>
<td>207.4</td>
</tr>
<tr>
<td>Targeted Support for the Secondary National Strategy</td>
<td>109.5</td>
<td>106.3</td>
</tr>
<tr>
<td>City Challenge²</td>
<td>32.8</td>
<td>3.6</td>
</tr>
<tr>
<td>Extending and increasing flexibility of free entitlement for 3 to 4-year-olds</td>
<td>80.0</td>
<td>170.0</td>
</tr>
<tr>
<td>Music</td>
<td>82.6</td>
<td>82.5</td>
</tr>
<tr>
<td>Playing for Success</td>
<td>12.8</td>
<td>13.1</td>
</tr>
</tbody>
</table>
Mr. Laws: To ask the Secretary of State for Children, Schools and Families how much funding from each source fund of the area-based grant scheme he expects to be allocated in the next 12 months.

Mr. Coaker: The following DCSF funding streams, totalling £1,305,693,127, will be paid as part of the area based grant in the 2009-10 financial year:

<table>
<thead>
<tr>
<th>Fund Source</th>
<th>2008-09</th>
<th>2009-10</th>
</tr>
</thead>
<tbody>
<tr>
<td>School Development Grant (LA element)</td>
<td></td>
<td></td>
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<tr>
<td>Extended Schools Start-up Grant</td>
<td></td>
<td></td>
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<tr>
<td>Primary National Strategy (Central Coordination)</td>
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<tr>
<td>Secondary National Strategy (Central Coordination)</td>
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<td></td>
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<tr>
<td>Secondary Behaviour and Attendance Central Coordination</td>
<td></td>
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<tr>
<td>School Improvement Partners</td>
<td></td>
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<tr>
<td>Education Health Partnerships</td>
<td></td>
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<tr>
<td>School Travel Advisers</td>
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<tr>
<td>Choice Advisers</td>
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<tr>
<td>School Intervention grant</td>
<td></td>
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<tr>
<td>Flexible 14-19 Partnerships funding</td>
<td></td>
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<tr>
<td>Sustainable Travel to School (General Duty)</td>
<td></td>
<td></td>
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<tr>
<td>Extended Rights to free transport</td>
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<td></td>
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<tr>
<td>Connexions</td>
<td></td>
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<tr>
<td>Children's Fund</td>
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<tr>
<td>Positive activities for young people</td>
<td></td>
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<tr>
<td>Teenage pregnancy</td>
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<tr>
<td>Children's Social Care</td>
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<tr>
<td>Workforce</td>
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<tr>
<td>Youth Taskforce</td>
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<tr>
<td>Care matters</td>
<td></td>
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<tr>
<td>Child death review process</td>
<td></td>
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<tr>
<td>Child Trust Fund</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Substance Misuse</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Designated Teacher Funding</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Total</td>
<td>1,305,693,127</td>
<td></td>
</tr>
</tbody>
</table>

1 Provisional allocation for 2009-10. Subject to change as a result of final pupil numbers.
2 Further allocations to be made during 2009-10 as projects progress.
3 From October 2009 the Department intends to transfer certain of its operational functions in relation to schools capital funding, including capital grant payments to local authorities, to Partnerships for Schools.
4 Full year spend for 2009-10 could reach £1,010 million (BSF) and £350 million (Framework Academies) if projects in the pipeline reach their expected milestones during the year.
5 Part of TCF Standards and Diversity programme in 2008-09.
6 Allocations for 2009-10 yet to be made.
7 Home Access programme will be not routed through local authorities in 2009-10.

Ms Diana R. Johnson: The Government have accepted Sir Jim Rose’s proposals for a new primary curriculum to come into effect from 2011 which will give schools more flexibility to meet pupils’ individual needs and build on prior learning. From January 2010, a support package will be available to help schools and teachers implement the new primary curriculum. The support package is currently being developed in consultation with schools and teachers and will include promoting the effective teaching of science.

It will also be accompanied by the new Assessing Pupils’ Progress (APP) materials for primary science which will enable teachers to make judgments about their pupils’ attainment against national curriculum levels and inform individual learning to promote improved teaching of science in primary schools and complement the approach taken at secondary schools.

The national network of Science Learning Centres provides high quality CPD in science for primary and secondary science teachers, teaching assistants and...
technicians. Primary teachers are also eligible for bursaries to cover the cost of attending professional development courses at the National Science Learning Centre in York.

The Department has awarded a contract to the Association for Science Education (ASE) to run a support programme to improve the use of practical work in science across primary and secondary schools. The programme builds on the work undertaken by SCORE (Science Community Representing Education) on best practice in this area and aims to provide teachers with innovative, effective advice, guidance, and support regarding the use of practical work in science.

Teaching Methods

Anne Main: To ask the Secretary of State for Children, Schools and Families pursuant to the Statement of 30 June 2009, *Official Report*, columns 165-80, on 21st century schools, what criteria he plans to use to identify children who are behind at the end of their primary school education who are to be offered additional tuition at the start of their secondary education; what arrangements will be made for allocating funding to meet expenditure on such tuition; and whether the tuition offered will be in hours outside of their secondary school curriculum who need one-to-one tuition. If pupils are identified for one-to-one or small group catch-up tuition in year 7. Local authorities will be responsible for allocating funding to their secondary schools to support any year 7 pupils who need one-to-one tuition. If pupils are identified for small group tuition or other catch-up support, money has already been included within school budgets up to 2011 to support personalised learning.

It is up to schools to decide when and how to offer the catch-up tuition. The new secondary curriculum which we began implementing from September last year gives schools more scope to provide catch-up support during the school day if they judge this the most appropriate option for their pupils.

COMMUNITIES AND LOCAL GOVERNMENT

Allotments

Mr. Stewart Jackson: To ask the Secretary of State for Communities and Local Government what steps his Department is taking to discourage the (a) closure and (b) development for other uses of local authority allotments.

Ms Rosie Winterton: Local authorities are already required under section 8 of the Allotments Act 1925 to obtain consent from the Secretary of State to dispose of statutory allotments. Section 8 applications are considered against criteria set out by the Secretary of State, which require local authorities to ensure that adequate provision is made for displaced allotment holders, that the availability of allotment sites has been actively publicised, and that they have taken into account the number of people on the allotment waiting list as well as latent demand.

Given the ever increasing demand for allotments, my Department has recently written to the Government office responsible for determining applications for consent for disposal of statutory allotments in England on behalf of the Secretary of State, to stress the need to demand and scrutinise evidence from local authorities to support their applications for allotment disposals.

Audit Commission

Mr. Stewart Jackson: To ask the Secretary of State for Communities and Local Government what plans the Audit Commission has for the rebranding of its comprehensive area assessment programme. [284040]

Ms Rosie Winterton: This is an operational matter for the Audit Commission and I have asked the chief executive of the Audit Commission to respond to the hon. Member direct.

Lett er from Steve Bundred, dated 8 July 2009:

Your Parliamentary question on what plans the Audit Commission has for the rebranding of its comprehensive area assessment programme has been passed to me for reply.

The Audit Commission, Care Quality Commission, HMIs, HMICFRS, Probation and Constabulary, and Ofsted, set out in our published Framework document our aim to develop a user-friendly reporting system for comprehensive area assessments.

The Framework states that: ‘CAA is an important part of assessing and reporting on how well public money is spent, and making sure that local public bodies are accountable to the public for their service quality and impact.’

We are currently developing a user-friendly format for the reporting of the assessment results. We will be branding our dedicated CAA website ‘oneplace’.

The public launch of the ‘oneplace’ website, delivered through Directgov, will be in early December. We began to communicate ‘oneplace’ through our presence at the recent Local Government Association (LGA) conference in Harrogate.

If you would like a more detailed briefing on our work in this area and the ‘oneplace’ website, please let me know.

A copy of this letter will be placed in Hansard.

City-regional Government

Mr. Stewart Jackson: To ask the Secretary of State for Communities and Local Government with reference to paragraph 20, chapter one of the Draft Legislative Programme 2009, Cm 7654, what definition his Department uses of city-regional government. [283769]

Ms Rosie Winterton: City-regional government in this context refers to local government working in partnership across a city-region.

Council Housing

Grant Shapps: To ask the Secretary of State for Communities and Local Government pursuant to the written ministerial statement of 30 June 2009, *Official Report*, columns 7-10WS, on housing, on what date he plans to publish his Department’s consultation document on the reform of the council housing finance system; and when he expects the consultation exercise to be completed. [284476]
Mr. Ian Austin: My right hon. Friend the Minister for Housing (John Healey) intends to publish the consultation document before the summer recess. The consultation period will be for a minimum of 12 weeks in accordance with the Government’s Code of Practice on Consultation.

Mr. Austin Mitchell: To ask the Secretary of State for Communities and Local Government when the report of the review of council housing finance which began in December 2007 will be published; and what the timetable is for the consultation on council housing finance he plans to launch before the summer recess.

Mr. Ian Austin: We will publish a research report alongside the consultation. The consultation period will be for a minimum of 12 weeks in accordance with the Government’s Code of Practice on Consultation.

Council Housing: Property Transfer

Mr. Austin Mitchell: To ask the Secretary of State for Communities and Local Government if he will direct a moratorium on large-scale voluntary transfers of local authority housing stock.

Mr. Ian Austin: No. The consultation document we will publish shortly on our proposal to devolve council housing finance will include further information on how we might deal with current and future housing transfer proposals.

Council Housing: Standards

Mr. Austin Mitchell: To ask the Secretary of State for Communities and Local Government what protections will be provided to local authority tenants on (a) security of tenure, (b) rent levels and (c) improvements to reach the Decent Homes standard under his proposals for the self-financing of council housing.

Mr. Ian Austin: The proposals for self-financing would have no impact on the statutory security of tenure enjoyed by council tenants. Nor do they include any proposed changes to the Government’s social rent policy. Self-financing would need to deliver the resources required to maintain the Decent Homes standard; any backlog of Decent Homes work at the time of a self-financing settlement would have to be addressed through Communities and Local Government capital programmes, as currently.

Council Tax

Mrs. Spelman: To ask the Secretary of State for Communities and Local Government how much money was raised in gross council tax receipts in England in each year from 1997 to 1998.

Ms Rosie Winterton: The total amount of council tax collected in 1997-98 and 1998-99 was £9.5 billion and £10.5 billion respectively.

Council Tax: Discounts

Mr. Stewart Jackson: To ask the Secretary of State for Communities and Local Government what estimate he has made of the average annual change in council tax revenue collected by local authorities exercising their powers to reduce council tax discounts on (a) second and (b) empty homes in the last three years.

Ms Rosie Winterton: Details of the average annual change in council tax revenue to be collected by those local authorities that have exercised their powers to reduce council tax discounts on (a) second and (b) empty homes in the last three years are shown in the table.

<table>
<thead>
<tr>
<th></th>
<th>Second homes</th>
<th>Empty homes</th>
</tr>
</thead>
<tbody>
<tr>
<td>2006-07</td>
<td>5.4</td>
<td>5.4</td>
</tr>
<tr>
<td>2007-08</td>
<td>5.2</td>
<td>5.1</td>
</tr>
<tr>
<td>2008-09</td>
<td>5.0</td>
<td>4.8</td>
</tr>
</tbody>
</table>

Council Tax: Overpayments

Mr. Stewart Jackson: To ask the Secretary of State for Communities and Local Government what guidance his Department provides to local authorities in relation to overpayments of council tax.

Ms Rosie Winterton: The Department does not provide guidance to local authorities in relation to overpayments of council tax. The administration of council tax is for local authorities, not central Government.

Council Tax: Valuation

Mr. Stewart Jackson: To ask the Secretary of State for Communities and Local Government whether the Valuation Tribunal Service makes an estimate of the number of homes which are (a) over-valued for council tax purposes and (b) in too high a council tax band.

Ms Rosie Winterton: The Valuation Tribunal Service makes no such estimates.

Councillors: Allowances

Mr. Stewart Jackson: To ask the Secretary of State for Communities and Local Government if he will make it his policy to collate and publish figures for allowances paid to councillors by each local authority.

Ms Rosie Winterton: Local authorities are required to publish the recommendations of their independent remuneration committee for the level of councillors’ allowances, the level of allowances for councillors determined by the authority and the actual amount of allowances claimed by councillors.

Councillors: Pensions

Mr. Stewart Jackson: To ask the Secretary of State for Communities and Local Government what guidance his Department has issued on levels of (a)
employee and \(b\) employer pension contributions in relation to councillors who are members of the Local Government Pension Scheme.

Ms Rosie Winterton: The contribution rate paid by councillors who are members of the Local Government Pension Scheme is set out in the Local Government Pension Scheme Regulations 1997. The contribution rate for their authority is set by the actuary appointed to carry out the triennial valuation of the relevant scheme pension fund.

**Departmental Public Expenditure**

Mr. Stewart Jackson: To ask the Secretary of State for Communities and Local Government what assessment he has made of the likely effects of implementation of the proposals in the draft legislative programme 2009 on his Department’s budget for the next two years.

John Healey: Communities and Local Government continually assesses the impact of new legislation on both departmental and local government finances for current and future years. Forthcoming legislation for both departmental and local government finances for three years from the date on which it is issued, or until a newer EPC is issued for the building concerned, unless it is to be used as one of the prescribed documents in a home information pack (HIP), which is required to be in place for all residential properties marketed for sale in England and Wales, in which case it will be valid for three years from the date on which it is issued.

**Domestic Waste: Waste Disposal**

Mr. Stewart Jackson: To ask the Secretary of State for Communities and Local Government what latest estimate is of the number of empty dwellings in (a) England, (b) the South East, (c) Hertfordshire and (d) Hemel Hempstead.

Mr. Ian Austin: In October 2008, there were 784,022 empty domestic dwellings in England. Of these, 105,111 were in the South East of England, 11,435 were in Hertfordshire and 1,612 were in the Dacorum council area. Data are not available at constituency level.

**Energy Performance Certificates and Home Information Packs**

Mr. Stewart Jackson: To ask the Secretary of State for Communities and Local Government what information his Department holds on the average maximum duration of validity of an energy performance certificate for a domestic property.

John Healey: An energy performance certificate (EPC) is valid for 10 years from the date on which it is issued, or until a newer EPC is issued for the building concerned, unless it is to be used as one of the prescribed documents in a home information pack (HIP), which is required to be in place for all residential properties marketed for sale in England and Wales, in which case it will be valid for three years from the date on which it is issued.

Mr. Stewart Jackson: To ask the Secretary of State for Communities and Local Government what estimate he has made of the number of (a) energy performance certificates and (b) home information packs that were purchased in the last 12 months.

Mr. Stewart Jackson: To ask the Secretary of State for Communities and Local Government what assessment his Department has made of levels of
Mr. Ian Austin: Information about English local housing authorities’ actions under the homelessness legislation (part 7 of the Housing Act 1996) is collected quarterly at local authority level. Data collected includes the number of decisions on applications from households eligible for assistance, who were found by local authorities to be in a priority need category but had become homeless intentionally. Information is not held centrally on the overall number of intentionally homeless households.

The number of households found to be intentionally homeless and in priority need, in each of the past 10 years, is published in table 1 of the Statistical Release on Statutory Homelessness, available on the web and in the Library at:

Housing and Planning Delivery Grant

Mrs. Spelman: To ask the Secretary of State for Communities and Local Government what assessment he has made of the likely effect on local authority budgets for 2009-10 of his Department’s decision to reduce housing and planning delivery grant allocations in order to fund changes to local authority rent increases.

[284442]

Mr. Ian Austin: The housing and planning delivery grant (HPDG) allocation was reduced from £160 million to £135 million in 2009-10 and from £250 million to £200 million in 2010-11 in order to balance budgets, including the impact of changes to local authority rent increases. This reflects the decline in housing completions and the lower number of plans being submitted. The baseline of HPDG will still increase significantly, almost doubling to the £200 million figure next year from £101 million in 2008-09.

The average HPDG allocation to local authorities is therefore budgeted to rise from £254,000 in 2008-09 to £340,000 in 2009-10 and £504,000 in 2010-11.

Housing: Construction

Mr. Austin Mitchell: To ask the Secretary of State for Communities and Local Government (1) what estimate he has made of the number of (a) local authority and (b) housing association properties which will be (i) started and (ii) completed before May 2010; (2) pursuant to the written ministerial statement of 30 June 2009, Official Report, columns 7-10WS, on housing, what estimate he made of the cost of building each new (a) local authority and (b) housing association property in order to calculate the numbers of each type to be built.

[284912]

Mr. Ian Austin: The national average total cost of building a new social home has been estimated at around £150,000. All grant funding provided as part of Building Britain’s Future will be subject to competitive bidding and is expected to be considerably less than the total cost of providing a new home.

The details of the number of homes to be started and completed, taking account of the additions announced in Building Britain’s Future, will be published in the HCA corporate plan.

Housing: Energy

Bob Spink: To ask the Secretary of State for Communities and Local Government how many homes classified as energy-efficient have been built in Castle Point in each of the last five years.

[281973]

Mr. Ian Austin: All new homes built in England in the last five years have been required to meet the energy efficiency standards set out in part L of the Building Regulations. The part L standard for new homes was raised by 25 per cent. in 2002 and by a further 20 per cent. in 2006. This requirement will progressively increase leading up to the target for all new homes to be zero carbon from 2016. The following table shows the total number of new build dwellings in the East of England region for each year from 2004-05 onwards.

<table>
<thead>
<tr>
<th>Year</th>
<th>Number</th>
</tr>
</thead>
<tbody>
<tr>
<td>2004-05</td>
<td>19,890</td>
</tr>
<tr>
<td>2005-06</td>
<td>20,250</td>
</tr>
<tr>
<td>2006-07</td>
<td>22,560</td>
</tr>
<tr>
<td>2007-08</td>
<td>22,230</td>
</tr>
<tr>
<td>2008-09</td>
<td>17,680</td>
</tr>
</tbody>
</table>

The Government’s Standard Assessment Procedure (SAP) provides an energy rating for new dwellings by demonstrating compliance with part L of the Building Regulations. In general, homes built to current part L correspond with SAP ratings of B or C. Some homes are built to exceed minimum regulatory standards, for example as a result of building to the code for sustainable homes.

SAP is used to generate Energy Performance Certificates (EPCs) for new build dwellings. From 6 April 2008, it became mandatory to lodge all SAP EPCs for new build dwellings on the England and Wales Domestic EPC Register. In the constituency of Castle Point 19 SAP EPC lodgements were made in 2008 and 11 SAP EPC lodgements have been made in 2009 up to and including 29 June 2009.

Housing: Finance

Mr. Stewart Jackson: To ask the Secretary of State for Communities and Local Government how much funding the Homes and Communities Agency has allocated to each local authority for 2009-10.

[283918]
John Healey: Information on the Homes and Communities Agency expenditure, including by local authority area, will be published annually in the Agency’s report and accounts.

Housing: Low Incomes

Grant Shapps: To ask the Secretary of State for Communities and Local Government (1) what estimate he has made of the number of housing (a) starts and (b) completions under the National Affordable Housing Programme in each region in (i) 2009-10 and (ii) 2010-11; (2) what targets for housing (a) starts and (b) completions under the National Affordable Housing Programme have been set for each region for each of the next three years.

Mr. Ian Austin: Communities and Local Government do not set regional targets for the National Affordable Housing Programme (NAHP). The details of how the NAHP will be managed, taking account of the Housing Pledge, part of Building Britain’s Future, announced on 29 June 2009, will be published in the HCA Corporate Plan shortly.

Mr. Stewart Jackson: To ask the Secretary of State for Communities and Local Government how much his Department has spent on (a) OwnHome, (b) My Choice HomeBuy and (c) Open Market HomeBuy schemes in each of the last three years.

Mr. Stewart Jackson: To ask the Secretary of State for Communities and Local Government whether the Audit Commission plans respond to the Seventh Report of the Communities and Local Government Committee of Session 2008-09, HC 164, on local authority investments.

Ms Rosie Winterton: Yes, the Audit Commission has been invited to make a formal response by the Select Committee on the inquiry into local authority investments and will do so by the required date of 21 September 2009.

Local Government: Contracts

Mr. Liddell-Grainger: To ask the Secretary of State for Communities and Local Government how many procurement contracts have been agreed by (a) unitary or county councils and (b) district councils with IBM in the last five years.

Ms Rosie Winterton: This information is not held centrally.

Local Government: Debt Collection

Ms Rosie Winterton: Details of the amount of council tax and national non-domestic rates uncollected in cash terms in England in each year since 1997-98 are shown in £ millions in the following table. The data relate to the non-collection of council tax and national non-domestic rates within the year to which it relates. The table also shows the amount of uncollected council tax and national non-domestic rates as a proportion of the total amount of council tax and national non-domestic local authorities expected to collect if every taxpayer paid the full amount for which they are liable after discounts and benefit.

<table>
<thead>
<tr>
<th>Year</th>
<th>Council tax not collected within year (£ million)</th>
<th>Council tax not collected as percentage of net collectable debt</th>
<th>National non-domestic rates not collected within year (£ million)</th>
<th>National non-domestic rates not collected as percentage of net collectable debt</th>
</tr>
</thead>
<tbody>
<tr>
<td>1997-98</td>
<td>428</td>
<td>4.5</td>
<td>394</td>
<td>3.4</td>
</tr>
<tr>
<td>1998-99</td>
<td>463</td>
<td>4.4</td>
<td>387</td>
<td>3.3</td>
</tr>
<tr>
<td>1999-2000</td>
<td>501</td>
<td>4.4</td>
<td>350</td>
<td>2.8</td>
</tr>
<tr>
<td>2000-01</td>
<td>517</td>
<td>4.2</td>
<td>352</td>
<td>2.6</td>
</tr>
<tr>
<td>2000-02</td>
<td>518</td>
<td>3.9</td>
<td>316</td>
<td>2.1</td>
</tr>
<tr>
<td>2002-03</td>
<td>531</td>
<td>3.6</td>
<td>281</td>
<td>1.9</td>
</tr>
<tr>
<td>2003-04</td>
<td>582</td>
<td>3.5</td>
<td>266</td>
<td>1.7</td>
</tr>
<tr>
<td>2004-05</td>
<td>590</td>
<td>3.4</td>
<td>249</td>
<td>1.7</td>
</tr>
<tr>
<td>2005-06</td>
<td>592</td>
<td>3.2</td>
<td>269</td>
<td>1.6</td>
</tr>
<tr>
<td>2006-07</td>
<td>613</td>
<td>3.1</td>
<td>229</td>
<td>1.3</td>
</tr>
<tr>
<td>2007-08</td>
<td>601</td>
<td>2.9</td>
<td>215</td>
<td>1.2</td>
</tr>
<tr>
<td>2008-09</td>
<td>636</td>
<td>3.0</td>
<td>423</td>
<td>2.2</td>
</tr>
</tbody>
</table>
Collection of council tax and national non-domestic rates continues once the financial year to which the tax relates has ended. This means that the final amount uncollected is somewhere between the figures shown here and zero.

The data are derived from data reported on QRC4 forms submitted annually by all billing authorities to Communities and Local Government and its predecessor Departments.

Local Government: Joint Ventures

Mr. Stewart Jackson: To ask the Secretary of State for Communities and Local Government what assessment he has made of the likely effects of the recent judgement of the Court of Appeal in the case of Risk Management Partners United v Council of the London Borough of Brent and others on the establishment of new joint working service ventures.

Ms Rosie Winterton: I refer the hon. Member to the answer I gave to the hon. Member for Meriden (Mrs. Spelman) on 30 June 2009, Official Report, column 196W.

Local Government: Reorganisation

Mr. Stewart Jackson: To ask the Secretary of State for Communities and Local Government if he will withdraw plans for unitary local government restructuring in Norfolk, Suffolk and Devon.

Ms Rosie Winterton: As my right hon. Friend, the right hon. Member for Wentworth (John Healey) told the House on 24 February 2009, Official Report, column 22-24WH, if appropriate unitary structures are identified they have the potential to offer real benefits for the residents of Devon, Norfolk and Suffolk by delivering better services, improved efficiency, stronger strategic leadership and genuine engagement and empowerment of local communities.

There is strong evidence that the nine new unitary authorities established on 1 April 2009 are already delivering such benefits, and we will therefore carefully consider any advice from the Boundary Committee, which we have requested by 15 July 2009, and intend to take our statutory decisions as to whether to implement any unitary proposals for these three county areas as soon as practicable.

Mr. Stewart Jackson: To ask the Secretary of State for Communities and Local Government what recent estimate is of the gross cost to the public purse of the recent round of local government restructuring.

Ms Rosie Winterton: I refer the hon. Member to the answer I gave to the hon. Member for Westbury (Dr. Murrison) on 2 July 2009, Official Report, column 373W.

Local Government: Standards

Mr. Stewart Jackson: To ask the Secretary of State for Communities and Local Government what percentage public satisfaction rate with (a) household waste collections and (b) local government as a whole was recorded by the (i) Best Value Survey and (ii) Place Survey in each relevant year since 1997.

Ms Rosie Winterton: The following tables provide the percentage public satisfaction rate with (a) household waste collections and (b) local government as a whole recorded by the BVPI Survey and Place Survey in each relevant year since 1997.

<table>
<thead>
<tr>
<th></th>
<th>Percentage satisfied with the waste collection service overall (BV90a)</th>
<th>Percentage satisfied with the way the authority runs things (BV3)</th>
</tr>
</thead>
<tbody>
<tr>
<td>2000-01</td>
<td>86</td>
<td>65</td>
</tr>
<tr>
<td>2003-04</td>
<td>84</td>
<td>55</td>
</tr>
<tr>
<td>2006-07</td>
<td>79</td>
<td>54</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th></th>
<th>Percentage satisfied with refuse collection</th>
<th>Percentage satisfied with how the council runs things</th>
</tr>
</thead>
<tbody>
<tr>
<td>2008</td>
<td>78</td>
<td>45</td>
</tr>
</tbody>
</table>

Published results from the BVPI surveys are not directly comparable with the results from the Place Survey. The published BVPI national results are averages based on each council's results. The published Place Survey results are weighted totals for all respondents in England.

The requested information was collected by the BVPI surveys in 2000-01, 2003-04, and 2006-07. The results have been published in a report by Communities and Local Government which is available to download via the following website address:

http://www.communities.gov.uk/publications/localgovernment/bestvalueuser

Tables 2, 3 and 6 contain the requested information.

Similar information was collected by the Place Survey in 2008. The results have been published in a statistics release by Communities and Local Government which is available to download via the following website address:


The requested information can be found on pages 4 and 5.

Mortgages: Government Assistance

Mr. Stewart Jackson: To ask the Secretary of State for Communities and Local Government how many households have received financial support under the (a) Mortgage Rescue Scheme and (b) Mortgage Homeowners Support Scheme.

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 to May 2009, provided by local authorities operating the scheme and broken down by Government office region, are available on the Department's website. The figures can be accessed using the following link:

The aim of homeowners mortgage support is to prevent repossessions, where households suffer a temporary income shock. The Government have published an impact assessment, which estimates how many borrowers, at UK level, could be eligible. Official figures on the number of households entering the scheme will be published later this year.

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.

**Pete Wishart**: To ask the Secretary of State for Communities and Local Government how many homeowners are in receipt of assistance under the Homeowner Mortgage Protection Scheme. [284279]

**John Healey**: I refer the hon. Member to the answer I gave to the hon. Member for Tamworth (Mr. Jenkins) on 1 July 2009, **Official Report**, column 317W.

**Non-domestic Rates**

**Mr. Stewart Jackson**: To ask the Secretary of State for Communities and Local Government whether firms which are in arrears in their business rate payments will be eligible for the business rate deferral scheme. [284008]

**Ms Rosie Winterton**: Ratepayers in arrears can be granted deferral by billing authorities. However, in cases where a ratepayer has been noticed by their billing authority that they have lost the right to make payments by instalment and that therefore their whole liability has become due, the billing authority can deny them deferral. This will be set out in regulation.

Billing authorities will have discretion to enter into special payment arrangements with businesses facing financial difficulties, of which the deferral scheme should be seen as an additional tool.

**Mr. Stewart Jackson**: To ask the Secretary of State for Communities and Local Government what recent estimate he has made of the rate of take-up of small business rate relief amongst eligible firms; and on what assumptions on take-up made in the 2008-09 financial year the increase in the multiplier for business rates for medium-sized and large firms was based. [284081]

**Ms Rosie Winterton**: The number of properties reported by local authorities as claiming small business rate relief as at 31 December 2006 was 392,000.

Local authorities reported that they granted £723 million small business rate relief between 1 April 2005 and 31 March 2008. They expect to grant a further £570 million of relief in 2008-09 and 2009-10.

We have made no recent estimate of the overall take-up rate of Small Business Rate Relief (SBRR) as data are not held on the number of firms that are eligible. We asked local authorities to estimate numbers of businesses that were eligible for SBRR in the annual national non-domestic rate return. We are examining these data to assess their quality before making a decision whether they are suitable for publication. Meanwhile, we are working to see if we can establish an estimate for take-up using previous research in this area.

Small business rate relief is funded by a supplement on the multiplier paid by those firms not receiving the relief. In 2008-09, an assumption was made that there would be a small increase in the number of ratepayers receiving the relief, following a change in legislation in 2008-09 allowing ratepayers to apply just once for the relief in each revaluation period.

**Mr. Stewart Jackson**: To ask the Secretary of State for Communities and Local Government what estimate he has made of the expected take-up rate of the partial deferment scheme for increases in business rates. [284084]

**Ms Rosie Winterton**: An assessment of the impact of the deferral scheme will be published alongside the regulations when they are laid in Parliament in July.

**Mr. Stewart Jackson**: To ask the Secretary of State for Communities and Local Government whether the proposed business rate partial deferment scheme will provide for refunds to businesses which have paid more than 40 per cent. of the value of the 2009-10 rate increase. [284175]

**Ms Rosie Winterton**: The deferral scheme will enable businesses to defer payment of 60 per cent. of the annual RPI increase in their 2009-10 rates bill—and, where applicable, 60 per cent. of any increase due to the end of the 2005 transitional relief scheme—until 2010-11 and 2011-12. Regulations implementing the scheme will be brought into force by the end of July.

It does not matter whether ratepayers have already paid, through monthly instalments, a certain portion of their 2009-10 rates bills when the scheme comes into force. All ratepayers with outstanding 2009-10 rates liabilities will be able to defer the amounts set out above (or their entire outstanding liability if that is a lesser amount). The deferred amount will be deducted from their remaining 2009-10 instalment payments.

The Government do not have the power to make the regulations apply retrospectively, so billing authorities will not be able to provide refunds to any ratepayers who have chosen to pay their 2009-10 rates liabilities in full instead of exercising their right to pay by instalments.
Mr. Stewart Jackson: To ask the Secretary of State for Communities and Local Government what estimate he has made of the average business rate bill in (a) 2008-09 and (b) 2009-10 in England.

Ms Rosie Winterton: The average non-domestic rates bill in England is estimated as £11,357 in 2008-09 and £12,145 in 2009-10.

Justine Greening: To ask the Secretary of State for Communities and Local Government pursuant to the answer of 8 June 2009, Official Report, columns 754-55W, on non-domestic rates, what the amount of costs associated with implementing deferral of business rate payments is in Table C11 of the 2009 Financial Statement and Budget Report within the departmental expenditure limit for his Department.

Ms Rosie Winterton: The net additional costs to local government as a whole associated with implementing the business rates deferral scheme will be fully funded in accordance with the Government’s policy on new burdens. We have estimated those costs to be approximately £5.8 million. The costs will be found from the existing 2009-10 CLG Local Government Departmental Expenditure Limit of £25.6 billion, as set in Column 3 of Table C11.

Non-domestic Rates: Aerials

Mr. Stewart Jackson: To ask the Secretary of State for Communities and Local Government whether business rates may be levied in respect of mobile telephone pico-masts.

Ms Rosie Winterton: Yes.

Non-domestic Rates: Empty Property

Mr. Stewart Jackson: To ask the Secretary of State for Communities and Local Government what estimate he has made of the additional net revenue raised under the new arrangements for empty property business rates in (a) 2008-09 and (b) 2009-10.

Ms Rosie Winterton: The amount of empty property rates relief that local authorities estimated that they will grant in 2008-09 and 2009-10 was £1,001 million and £570 million respectively, compared with £1,294 million in 2007-08.

These data are available in table 2 of the Statistics Release “Non-domestic rates/forecast/” on the Communities and Local Government website at http://www.communities.gov.uk/localgovernment/localregional/localgovernmentfinance/statistics/nondomesticrates/forecast/

Justine Greening: To ask the Secretary of State for Communities and Local Government what estimate has been made of the number of non-domestic buildings which were demolished in each region in each year from 2005-06 to 2008-09; on what proportion of such buildings business rates were being paid; and what estimate he has made of the equivalent figures for each year from 2009-10 to 2011-12.

Ms Rosie Winterton: Neither the Department nor its agencies collect statistics on the number of demolitions of non-domestic properties. Nor do we make estimates of these figures for the next three years.

Non-domestic Rates: Ports

Mr. Austin Mitchell: To ask the Secretary of State for Communities and Local Government what steps the Valuation Office Agency took to implement the Government’s policy that 2000 businesses within the hereditaments of the statutory ports should be separately rated in 2005.

Ms Rosie Winterton: From 1 April 2005, the statutory ports (i.e. the operational land and buildings occupied by the statutory port operators) were removed from the prescribed assessment under paragraph 3 of Schedule 6 to the Local Government Finance Act 1988. Instead, their rateable values were assessed by the Valuation Office Agency using conventional valuation rules (in paragraph 2 of Schedule 6 to the 1988 Act).

Where a company has exclusive use, under a licence or other agreement with the designated port operator, a separate assessment is appropriate. This is a principle that applies right across rating and is not limited to ports. This is a long established principle for assessing properties both pre and post 1 April 2005.

The change in how the port operator was rated did not affect the principle determining whether the operator or occupier was liable to rates. There have been separate assessments at ports for a number of years where the circumstances justify it.

Ms Rosie Winterton: On 22 May 2006, the Valuation Office Agency initiated the review of all major ports to ensure consistency of treatment across the ports themselves and with the rating of similar businesses outside. They approached the port operators for full details of all port occupiers and—as the information they required was supplied—started to inspect all the ports as part of the conventional rating process. A number of instances were found where a property that constituted a separate rateable property was either not assessed at all or was included in the overall port assessment.

Occupiers were initially contacted in writing, by telephone or in person. Depending on the circumstances of the case, more than one inspection may have been required. As part of the review process the Agency highlighted the potential effect of the ports review to the occupiers affected.

Mr. Austin Mitchell: To ask the Secretary of State for Communities and Local Government what business rate assessments the Valuation Office Agency made on port operators in 2005; when it decided to change these assessments; and for what reason it so decided.
Ms Rosie Winterton: The Valuation Office Agency assessed 55 large statutory ports and container terminals as part of the process of compiling the new rating lists for the 2005 revaluation. The original assessments in the 2005 list were produced in good faith on the basis of this information.

It was only after the 2005 rating lists were compiled that, through routine rating work in the port of Southampton, it was established that further properties should be separately assessed. Immediately, on 22 May 2006, the VOA initiated a review of all major ports to ensure consistency of treatment across the ports themselves and with the rating of similar businesses outside.

North East Regional Assembly: Sovereign Strategy

Mr. Stewart Jackson: To ask the Secretary of State for Communities and Local Government what recent payments the North East Regional Assembly and its successor have made to Sovereign Strategy in each of the last three years; and for what purposes. [283781]

Ms Rosie Winterton: The Association of North East Councils (ANEC) have checked their records and confirmed that no payments have been made to Sovereign Strategy in any of the last three years from either the North East assembly or themselves.

Shared Ownership Schemes

Mr. Stewart Jackson: To ask the Secretary of State for Communities and Local Government what assessment he has made of the effect of the requirement of the Local Government Act 2003 in relation to the pooling of receipts from equity share sales on the number of local authorities which offer shared equity housing schemes. [284046]

Mr. Ian Austin: No overall assessment has been made of the effect on all local authorities which offer shared equity schemes of the requirement under section 11 of the Local Government Act 2003 in relation to the pooling of receipts.

Social Rented Housing: Finance

Sarah Teather: To ask the Secretary of State for Communities and Local Government what recent payments the Department, the Homes and Communities Agency has already allocated £8.6 million of grant funding to Torbay over the period 2008-11. This will deliver 185 new homes for rent and 39 shared ownership homes. Torbay could also benefit from the new funding streams (totalling £1.5 billion) in the Housing Pledge announced as part of “Building Britain’s Future” on 29 June.

My predecessor published Proposed Changes to the new South West Regional Spatial Strategy (RSS) which would require Torbay to accommodate at least 15,000 new homes between 2006 and 2026, of which at least 35 per cent. should be affordable housing. The core strategy which Torbay borough council are currently preparing as part of their local development framework will set out the policy context for the future development of the area, and will need to address the overall growth levels set out in the RSS.

Travelling People: Caravan Sites

David Tredinnick: To ask the Secretary of State for Communities and Local Government if he will estimate the cost to the public purse of providing the 49 additional pitches for Travellers sites in Hinckley and Bosworth required by the Gypsy and Traveller Accommodation Assessment under the Local Development Framework. [284551]

Mr. Ian Austin: The Hinckley and Bosworth Submission Core Spatial Strategy, part of the LDF, which has yet to be formally adopted, makes provision for an additional 42 residential pitches for Gypsy and Travellers but does not specify the delivery mechanism for these provisions. The expectation is that the Gypsy and Traveller allocations, as with other housing allocations, will be delivered through a mix of public and private investment. For further detail I would refer the hon. Member to Hinckley and Bosworth borough council.

Valuation Office: Local Government

Mrs. Spelman: To ask the Secretary of State for Communities and Local Government whether information derived from (a) building control and (b) planning departments is transferred to the Valuation Office Agency from local authorities using the Valuebill electronic interface. [284567]

Ms Rosie Winterton: I refer the hon. Member to the answer given by my right hon. Friend the Member for Wentworth (John Healey) to the hon. Member for Brentwood and Ongar (Mr. Pickles) on 1 May 2008, Official Report, column 672W.

Working Neighbourhoods Fund

Justine Greening: To ask the Secretary of State for Communities and Local Government how much funding had been (a) allocated to, (b) distributed to and (c) spent by local authorities in Neighbourhood Renewal Funding in (i) 2008-09 and (ii) 2009-10 on the latest date for which figures are available; and how
much such funding he expects to be (A) allocated, (B) distributed and (C) spent by local authorities in 2010-11.

Ms Rosie Winterton: The Working Neighbourhoods Fund (WNF) replaced the Neighbourhood Renewal Fund (NRF) in April 2008. £464.5 million WNF funds were allocated and distributed to local authorities in 2008-09 and £507.8 million in 2009-10.

Working Neighbourhoods Fund is paid to local authorities through the non-ringfenced area based grant. We expect local authorities to spend all of this money. Local authorities are subject to annual audit by Audit Commission appointed independent auditors who report on whether their general income is used efficiently and effectively with a view to ensuring value for money.
ORAL ANSWERS

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Lobbying

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