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**HOUSE OF COMMONS
OFFICIAL REPORT**

**PARLIAMENTARY
DEBATES**

(HANSARD)

Thursday 29 January 2015

House of Commons

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The House met at half-past Nine o'clock

PRAYERS

[MR SPEAKER *in the Chair*]

Oral Answers to Questions

ENVIRONMENT, FOOD AND RURAL AFFAIRS

*The Secretary of State was asked—
Rivers and Waterways*

1. **Sir Tony Baldry** (Banbury) (Con): What steps she has taken to improve the cleanliness of Britain's rivers and waterways. [907282]

11. **Stephen Metcalfe** (South Basildon and East Thurrock) (Con): What steps she has taken to improve the cleanliness of Britain's rivers and waterways. [907297]

The Secretary of State for Environment, Food and Rural Affairs (Elizabeth Truss): We have made good progress and cleaned up more than 10,000 miles of our rivers. Pollution from sewage has gone down significantly. During this Parliament, phosphate pollution will fall by a fifth and ammonia by a sixth. This shows that a healthy environment goes hand in hand with a healthy economy.

Sir Tony Baldry: The River Cherwell and the Oxford canal will soon appear proudly on Cherwell district council's new coat of arms as being two of the most valued and precious amenities in the district. Am I right in thinking that the total of rivers whose water quality has improved under this Government now exceeds the length of the Amazon and the Nile combined? What more can be done to ensure that our rivers and canals continue to become cleaner?

Elizabeth Truss: My right hon. Friend mentions two fine rivers, and I have been on the River Cherwell, a very fine river. He is absolutely right. We have cleaned more than 10,000 miles of river and we will shortly put in place our new countryside stewardship scheme, which will enable farmers to get grants to improve water quality even further.

Stephen Metcalfe: The Thames is not only England's longest river, but east of here and down to my constituency it is also the most populated. What steps are the Government taking to clean up the river, while balancing the needs of the users and flora and fauna?

Elizabeth Truss: My hon. Friend is absolutely right about the River Thames. It is vital not only for London but for our whole country, and it is unacceptable that at present raw sewage is regularly pumped into the Thames. That is why we are taking action, through projects such as the Thames tideway tunnel, to reduce that vastly.

Pork Exports

2. **Stephen Phillips** (Sleaford and North Hykeham) (Con): What discussions she has had with the Secretary of State for Business, Innovation and Skills on promoting pork exports. [907285]

The Secretary of State for Environment, Food and Rural Affairs (Elizabeth Truss): I discussed this issue early this week with my right hon. Friend the Business Secretary. Since 2010, we have opened 600 new overseas markets and UK pork exports reached £309 million in 2013, up 26% from 2010. I am committed to boosting this even further and we made major progress on my recent visit to China.

Stephen Phillips: As my right hon. Friend rightly says, and as regular watchers of "Have I Got News for You" know, she has recently been to China. Lincolnshire has first-class pig farmers. Will she update the House on her discussions in China to open up that market to my pig farmers?

Elizabeth Truss: It was fantastic to have representatives from major pork companies, such as Tulip, which has a plant in my hon. and learned Friend's constituency, and from Cranswick, which sells great Norfolk pork, on my visit to China. We made progress on inward inspections—getting items such as trotters approved, which will open up more produce in this country—and we were also able to announce the appointment of our first ever food and agriculture counsellor, based in Beijing, Karen Morgan, which will help to drive further business. This is vitally important, because China will be the biggest importer of food by 2018.

Kerry McCarthy (Bristol East) (Lab): According to the Soil Association, which is based in Bristol, in the past four years Dutch farmers have reduced antibiotic use by 58%, which means that British pig farmers now use more than three times more antibiotics than their Dutch counterparts. Would it not make our exports more attractive to overseas markets if we were to follow the Dutch example and set a similar 50% target for reducing UK farm antibiotic use?

Elizabeth Truss: I know that British farmers are working on that. This country has very competitive pork producers, who are expanding markets overseas, and it is vital for the health of our agriculture industry.

Miss Anne McIntosh (Thirsk and Malton) (Con): I applaud the efforts of the Secretary of State to boost the sale of pigs trotters from Karro at the Malton bacon factory. Will she use her recent visit to China to expand dairy exports to help boost dairy production in this country?

Elizabeth Truss: My hon. Friend is right; there are huge opportunities for dairy in China. Chinese consumers currently consume a third of the dairy products that we consume in Europe, but that is expanding rapidly and the present generation of Chinese children are eating a lot of dairy products. UK products are particularly well respected and I took representatives of dairy companies, including Somerdale cheese, out with me. I want to see

more companies out there and we are doing all we can to help the industry get its products into the Chinese markets.

Mr Speaker: The Chair of the Select Committee, the hon. Member for Thirsk and Malton (Miss McIntosh) has ingeniously invented the concept of dairy pork. We are grateful to her for doing so.

Mrs Caroline Spelman (Meriden) (Con): Pork exports have shown the way to opening new markets—cheese being a good example of that too. We could do more still at home with public procurement, which would help pork producers and especially our milk producers.

Elizabeth Truss: I thank my right hon. Friend for all the work she did in this area when she was Secretary of State at the Department for Environment, Food and Rural Affairs. We launched the Bonfield report last summer, which is all about making it easier for our schools and hospitals to buy British. It opens up £400 million-worth of new markets for our farmers, and by 2017 all Government Departments are committed to sourcing locally. Of course, DEFRA has led the way: we now serve British bacon in our canteen, rather than the Danish bacon that used to be served.

Roger Williams (Brecon and Radnorshire) (LD): In her discussions with the Secretary of State for Business, Innovation and Skills, was the right hon. Lady able to raise the issue of the supermarket adjudicator and her need to have powers to impose fines, and to extend her remit throughout the entire length of the food chain, rather than just between the last producer and the supermarket?

Elizabeth Truss: I thank the hon. Gentleman for his point. I work closely with BIS on this issue, and I am pleased to say that last night we laid the statutory instrument that will give the Groceries Code Adjudicator the power to fine companies.

Tree Planting

3. **Andrew Jones (Harrogate and Knaresborough) (Con):** What estimate she has made of the number of trees planted during the present Parliament. [907286]

The Parliamentary Under-Secretary of State for Environment, Food and Rural Affairs (Dan Rogerson): Although figures are not yet available for the current planting season, we estimate that since 2010 our rural development programme will have supported the planting of over 10 million trees through new woodland creation. At the same time, our Big Tree Plant project is set to meet its target of planting 1 million new trees in England's urban areas.

Andrew Jones: Trees and woodland are a hugely important part of our landscape in Yorkshire, and I congratulate the Government on their work nationally to support tree planting. Locally too, many community groups in Harrogate and Knaresborough have planted thousands and thousands of trees. What steps are the Government taking to safeguard the health of trees from the threat of disease?

Dan Rogerson: In April 2014 we published a tree health management plan alongside our plant biosecurity strategy, and we are implementing those, working closely with stakeholders. We take a risk-based approach to plant health and we have created a prioritised risk register to inform appropriate action against pests and diseases. For example, we have introduced movement restrictions or notification requirements for certain tree species, and we appointed a senior chief bio-health officer, Professor Nicola Spence.

Mr David Heath (Somerton and Frome) (LD): Planting trees has been one of the great success stories over the past few years, but simply planting trees is not enough. We must manage our woodland, find commercial uses for wood products, and make sure that our forests are available for a wide range of uses. Can the Minister reassure me that the report of the independent panel on forestry and the subsequent strategy developed within the Department are very much ongoing business, and that we will see many of those ideas put into practice over the coming years?

Dan Rogerson: I take this opportunity to pay tribute to my hon. Friend for all the work he did in this area as Minister. Yesterday I met our stakeholder forum, which involves people from the commercial sector right the way through to local charity and voluntary groups. We can do much better on managing woodland in this country and we are taking the steps that will enable us to do that so that it can be more productive, better for biodiversity and better for local economies too, through initiatives such as Grown in Britain.

Badger Vaccination: Cheshire

4. **Sir Andrew Stunell (Hazel Grove) (LD):** What assessment she has made of the benefits and costs of extending the Cheshire badger vaccination programme to include the borough of Stockport. [907288]

The Parliamentary Under-Secretary of State for Environment, Food and Rural Affairs (George Eustice): The deadline for applications for the badger edge vaccination scheme, which supports privately-led vaccination in the edge areas of England, which includes much of Cheshire, is 27 February. Decisions will be based on published criteria such as the size of the area, the location, value for money and operational readiness.

Sir Andrew Stunell: Sadly, I must report an outbreak of bovine TB in Stockport in my constituency that is just north of the Cheshire area for which bids can be accepted. May I press the Minister to extend the area from which valid bids will be accepted, to take account of the northern spread of this pernicious disease?

George Eustice: We are aware that there is a particular problem in Cheshire, and that is why we have introduced six-monthly surveillance testing. The boundaries of the so-called edge area are reviewed regularly on epidemiological grounds. The TB advisory group last considered this issue at the end of last year and decided that there was not a case for increasing testing at that stage. The matter will be considered again later this year.

Angela Smith (Penistone and Stocksbridge) (Lab): The Government keep on saying that there is no alternative to badger culling, yet the trials in Wales based on stringent cattle measures combined with vaccination show that there is a viable alternative to the Government's mass slaughter of badgers. However, Ministers are obviously allergic to science-based policy and deaf to alternative approaches. Will there be an announcement on the further roll-out of the mass culling of badgers before the Dissolution of Parliament? The country needs to know.

George Eustice: I think the hon. Lady is reading too much into what has happened in Wales. The vaccinated area is a little more than 1.5% of the total area. There has been a reduction in the incidence of TB, as there has been in the UK, predominantly through the introduction of cattle movement controls. We have always been very clear that there is no example anywhere in the world of a country that has tackled TB without also dealing with the reservoir of the disease in the wildlife population. We will stick to our 25-year strategy.

Bill Wiggin (North Herefordshire) (Con): The Minister will be aware that there is hearsay about the number of herd breakdowns within the pilot cull areas. When are we going to have some facts and figures?

George Eustice: It is too early to give those figures. My hon. Friend is right, though, that anecdotally there are examples of farms that have gone clear since the badger cull commenced. The farm of James Griffiths, which I visited last year, had been under restriction for 12 years, and I understand that he went clear earlier this year. However, these are currently anecdotal reports and it is too early to draw any definitive conclusions.

Wind Power

5. **Mr Barry Sheerman** (Huddersfield) (Lab/Co-op): What discussions she has had with her ministerial colleagues on the environmental case for supporting the development of onshore and offshore wind power. [907289]

The Parliamentary Under-Secretary of State for Environment, Food and Rural Affairs (Dan Rogerson): The Secretary of State has been working with ministerial colleagues to implement the electricity market reform programme. This will deliver the greener energy and reliable supplies that the UK needs while minimising costs for consumers in the long term. Government planning guidance makes it clear that the need for renewable energy should not automatically override concerns about local impacts. When applications for wind turbines are determined, the impacts on matters such as ecology, noise, landscape, heritage and amenity are considered.

Mr Sheerman: That is all very well, but 57% of applications for wind farms are rejected and a very large number are called in by the Secretary of State for Communities and Local Government. [HON. MEMBERS: "Hear, hear."] I note that Government Members are saying "Hear, hear." None of us wants wind farms in the wrong place, but surely that is a vital question, because we need renewable energy in this country. It is

about time the Minister worked with his colleagues to get a sensible way forward so that we can have alternative energy sources.

Dan Rogerson: I am delighted to work alongside my DECC colleagues on this issue. We have seen a dramatic increase in renewables such onshore and offshore wind. The hon. Gentleman is absolutely right to say that development has to be in the right place. It is only right and proper that local issues are considered, and we have to be very clear about the way it is done. He is welcome to come to my constituency and see that there has been an increase in onshore wind. However, this has to be taken forward through the proper planning procedure.

Mr Nigel Evans (Ribble Valley) (Con): If the Minister wants good will towards these hideous and useless items of industrial furniture, then he really does need to have another word with his planning inspectors. There is no way, had he done so, that they would have overturned the decision of the local authority against three wind turbines in the village of Langho that are incredibly unpleasant. The whole community and all the councillors were against them, but now the community has to put up with them. Will he have another word with his inspectors?

Dan Rogerson: I am sure that the hon. Gentleman's right hon. Friend the Secretary of State for Communities and Local Government will have heard his message.

Dr Eilidh Whiteford (Banff and Buchan) (SNP): Offshore wind has the potential not just to create green energy but to generate jobs, exports and research. Yet the support for offshore wind available through the current round of contracts for difference will not create the incentives needed for future investment. Frankly, this places in jeopardy the future of a fledgling industry. Will the Minister send a strong signal that the Government remain committed to offshore renewable energy?

Dan Rogerson: We are having a fascinating discussion on an issue that is not at the core of what our Department does. However, I am happy to reassure the hon. Lady that this Department is committed to working with others to take forward the decarbonisation of our economy. Through the investments in local growth deals and so on, we have shown how we are working with people right across the United Kingdom to create jobs and to deliver the green growth that will help us to restore our economy and work towards a far more positive future.

Mr David Nuttall (Bury North) (Con): In the case of the proposed extension to the Scout Moor wind farm near my constituency, my constituents are genuinely concerned that insufficient weight is being given to environmental considerations, such as landscape value, in the planning process. Does the Minister agree that, in considering such applications, sufficient weight must be given to the wishes and views of local constituents rather than to power and other matters?

Dan Rogerson: As I said to other hon. Members earlier, it is important that such local factors are taken into consideration. That is why some developments are approved, and others are not. Such decisions have to be based on important planning considerations, including those raised by my hon. Friend.

Water Companies: Social Tariff

6. **Grahame M. Morris** (Easington) (Lab): How many water companies offer a social tariff. [907290]

The Parliamentary Under-Secretary of State for Environment, Food and Rural Affairs (Dan Rogerson): Eight water companies across England and Wales already offer a social tariff on top of the national, mandated WaterSure scheme, and we expect six more to introduce a tariff from April.

Grahame M. Morris: I am grateful to the Minister for that answer. I am sure that he would join me in welcoming the announcement by Northumbrian Water in my area. After consultation with customers, it has introduced a social tariff, and it is working with debt charities to support vulnerable people in my area. However, only 25,000 people nationally benefit from social tariffs, so what practical steps is the Minister taking to encourage the scope and availability of social tariffs for vulnerable people?

Dan Rogerson: I know that the hon. Gentleman has a long-standing interest in this matter. I share his views on what is being achieved to help bill payers in his part of the country. As a Government, we have worked with the industry to look at ways to ensure that bills are affordable for people. The regulator, Ofwat, which has the key lead on this issue, has of course now taken action, and its price review has led to a very good deal for customers. More companies are taking advantage of the option of social tariffs. There will be more this year and more the year after, which will deliver a deal for vulnerable people who need help with their bills.

Mr Philip Hollobone (Kettering) (Con): Is not the big difficulty with water and sewerage bills separating those who cannot pay and need assistance from those who will not pay and need to be pursued? Is not the best way to reduce family water and sewerage bills to increase the spread of metering so that the volume of water consumed is less and the bill total is reduced?

Dan Rogerson: My hon. Friend makes a good point. In areas where there is higher metering, people have perhaps focused more on what they can do to reduce their water usage. We have not seen a case made for compulsory water metering across the country. However, people have the option of talking to their water company about water metering to help to reduce their usage and their bills.

Emergency Food Aid

7. **Chi Onwurah** (Newcastle upon Tyne Central) (Lab): What estimate she has made of the number of people who used emergency food aid in the last 12 months; and what steps the Government are taking to address food poverty. [907291]

The Parliamentary Under-Secretary of State for Environment, Food and Rural Affairs (George Eustice): The provision of food aid ranges from small, local provision to regional and national schemes. Some keep records, some do not, but we do not want to create new regulations or reporting burdens for volunteers and charity groups providing food aid. The best way to address poverty is to help people off benefits and into

work, and we have created 1.7 million jobs since 2010. Schemes such as free school meals will also help. Last week, the Secretary of State met retailers to encourage them to do more to redistribute surplus food to local charities.

Chi Onwurah: According to the Trussell Trust, the food bank in the west end of Newcastle is the busiest in the country, feeding thousands every month. I hope that the Minister is not going to pretend that these people are just attracted to free food or that they do not know how to cook, because I have seen the tears in the eyes of my constituents at the shame they feel when forced to go to this food bank by this Government's cruel and unfair policies. So what is he going to do about it?

George Eustice: We have reduced taxes for 25 million people, and we have taken 3 million of the lowest earners out of tax altogether. In the past year, food prices have fallen by 1.7%, which is the first time that food prices have fallen since 2002.

Michael Fabricant (Lichfield) (Con): Instead of harping on about what the Government might or might not be doing—and we are doing much to get people out of food poverty—I urge colleagues to do as I have done and visit their local food bank. I know that many colleagues have already done so. They should also emphasise to their constituents that what food banks require is not fresh food, but pasta, sugar and other goods that can be stored for some time.

George Eustice: My hon. Friend makes a good point. I visited the food bank in Camborne in my constituency just before Christmas to support the work that it does. It is better for food banks to have predominantly non-perishable goods to support the great work that they do.

Huw Irranca-Davies (Ogmore) (Lab): There is no shortage of food in this country, yet more than 1 million people are going hungry and relying on emergency food aid. There is no shortage of compassion from food bank volunteers, but there is a hunger of compassion in a Government who are taking us back to the 1930s in spending and to Victorian times in attitudes to the poor. The Secretary of State sat out the last debate on food banks. Will the Minister apologise for the Government's staggering complacency in the face of a food crisis in which an advanced nation cannot feed its working poor and its vulnerable, or will he join again the collective chorus of denial in the dying days of this Government?

George Eustice: The Government have got 1.7 million people back into work and taken 3 million of the lowest-paid out of tax altogether. If the Labour party had had its way, it would have frozen energy prices at the top of the market, but we have seen energy prices continue to fall. Food prices have fallen for the first time since 2002 and are continuing to do so.

Habitats Directive (Bats and Newts)

8. **Mr Andrew Robathan** (South Leicestershire) (Con): If she will review the measures put in place to protect bats and newts under the EU habitats directive. [907293]

The Parliamentary Under-Secretary of State for Environment, Food and Rural Affairs (George Eustice): DEFRA completed a review of the national implementation of the habitats directive in 2012. Although the review found that implementation was largely working well, it identified measures to improve things further, which have largely been delivered. In addition, the European Commission has started its own evaluation of the directive, which is due to conclude in the spring of 2016.

Mr Robathan: Before I receive any hate mail, may I say that I am a keen conservationist and that I like bats and newts? However, as my hon. Friend intimated, there are problems with the implementation of the EU habitats directive that are costing the taxpayer and private citizens huge amounts of money—millions and millions of pounds. I say gently to him that, during the review, Natural England and other agencies gold-plated the EU habitats directive to a great extent. Just to give an example, when I bought my semi-derelict house, there were 24 great crested newts in the cellar. If, heaven forfend, I had picked them all up and taken them outside, I would have been liable to spend 12 years in jail and pay a fine of £120,000.

Mr Speaker: I think we have got the gravamen of the right hon. Gentleman's inquiry.

George Eustice: My right hon. Friend is right. The Conservative party has a proud history of conservation. Indeed, we introduced the Wildlife and Countryside Act 1981. I point out to him that since our 2012 review, the changes to Natural England's licensing procedures have saved applicants an estimated £535,000 and 678 weeks of delay. DEFRA has assisted the Church of England to produce guidance to simplify the consideration of bats in churches and has funded research into bat deterrence. DEFRA will continue to work with stakeholders to address the problems that he has identified.

Food and Drink Exports

9. **Jason McCartney** (Colne Valley) (Con): What assessment she has made of successful strategies by UK food and drink businesses to export their products in the last 12 months. [907295]

The Secretary of State for Environment, Food and Rural Affairs (Elizabeth Truss): Food and drink is our largest manufacturing industry. The chain contributes more than £100 billion to the economy every year. Since 2010, we have supported 2,500 firms to get their produce into supermarkets, restaurants and pubs across the world. We now trade with more than 150 countries, selling wine and cheese to France, tea to China and chillies to Pakistan.

Jason McCartney: I am proud to have a meat producer in my constituency that makes chorizo sausage that it sells to Spain. Will the Secretary of State and the Department continue to work closely with all local food producers to get their products into supermarkets and new markets around the world?

Elizabeth Truss: I am delighted to hear about the chorizo. I look forward to coming to my hon. Friend's constituency to sample it. I want people to buy and sell more British food here in Britain and overseas. That is why we produced the Bonfield report about public

sector procurement. I have talked to the supermarkets about ensuring that they have good British labelling, so that we get British products into our supermarkets where possible. Strawberries are a huge success, with two-thirds of the strawberries sold in supermarkets being British. We are doing more to promote food and drink overseas through our food and drink export plan.

Mr John Spellar (Warley) (Lab): May I commend the Department and our embassies abroad for their work in expanding our exports? We also need to ensure that there is continuing access to markets abroad. What steps are being taken to ensure that the South African authorities accept regionalisation in the export health certificate for poultry, so that exports can resume following the outbreak of avian influenza in Nafferton?

Elizabeth Truss: Some exports were affected by the avian flu outbreak. We took action as swiftly as possible, and we had a Government vet on the premises on the day to ensure that we dealt with the situation. We are working with countries such as South Africa to open those markets as rapidly as possible.

Tim Loughton (East Worthing and Shoreham) (Con): The Secretary of State will be aware that there are now some 448 commercial vineyards in the United Kingdom, producing 4.5 million bottles of excellent wine a year, with méthode champenoise in particular renowned around the world. Is she aware that the UK pays two thirds of all the duty paid on wine in the EU—an average of £2.05 a bottle? Given the additional costs of producing wine in the UK, will she speak to the Chancellor about achieving a fairer tax treatment of this great British refresher?

Elizabeth Truss: My hon. Friend makes a good point. Our exports of wine have now exceeded £100 million for the first time, and we are exporting to France and Australia. I will certainly discuss the issue with the Chancellor.

Dog Microchipping

10. **Douglas Carswell** (Clacton) (UKIP): What steps she has taken to ensure that people are aware that by 2016 it will be a legal requirement to microchip their dog. [907296]

The Parliamentary Under-Secretary of State for Environment, Food and Rural Affairs (George Eustice): The draft Microchipping of Dogs (England) Regulations 2015 have recently been debated in both Houses and will come into force shortly. The regulations require that all keepers of dogs must, by April 2016, have their dogs microchipped. Welfare groups and the Department for Environment, Food and Rural Affairs have already taken steps to raise awareness of that requirement, and DEFRA will continue to work closely with vets and charities to highlight the new requirement.

Douglas Carswell: In a number of western countries where microchipping has been compulsory, fewer dogs are microchipped than in the UK where it has been voluntary. What is the maximum penalty that will be imposed on anyone who fails to comply?

George Eustice: The first thing to note is that about 70% of dogs in this country are already microchipped under the voluntary scheme. Our judgment is that we now need to make it compulsory to get to the remaining 30%. We will take a proportionate approach to penalties. In the first instance, somebody will be given an enforcement notice, not a penalty, and 21 days to comply.

Charities are doing a great deal to raise awareness. Officials pointed out to me this morning that a recent edition of *The Beano* included a storyline put there by the Dogs Trust in which Gnasher had a microchip installed.

Mr Speaker: That is useful to all of us, and in particular to the hon. Member for Clacton (Douglas Carswell), who would not otherwise have known of it.

Philip Davies (Shipley) (Con): You will be aware, Mr Speaker, that I raised with the Prime Minister last week the plight of Murphy, a dog who had been stolen in Bradford—one of a spate of dog thefts in the local area. Does the Minister think microchipping will help to reduce the number of dog thefts, and what other steps is his Department taking to ensure that we see fewer of these terrible instances?

George Eustice: My hon. Friend makes a good point. It is very distressing for families when they have a loved pet stolen. Compulsory microchipping of all dogs will make it far easier to detect such crimes, and we will issue guidance to vets and others that if they suspect a dog might have been stolen, they should report that to the relevant authorities.

Flood and Water Management

12. **Natascha Engel (North East Derbyshire) (Lab):** When she plans to implement schedule 3 to the Flood and Water Management Act 2010. [907298]

The Parliamentary Under-Secretary of State for Environment, Food and Rural Affairs (Dan Rogerson): Following significant discussions with local government and others and a formal consultation, the statement on 18 December by my right hon. Friend the Secretary of State for Communities and Local Government set out a simple way to clarify maintenance responsibilities for sustainable drainage systems, in response to Sir Michael Pitt's recommendation. That comes into effect in April, but we will keep it under review. Schedule 3 to the Flood and Water Management Act 2010 remains available for implementation.

Natascha Engel: Many people in North East Derbyshire who are moving into newly built homes are finding themselves knee-deep in sewage every time it rains, because the drains cannot cope with the extra capacity. That is a direct result of the sustainable drainage systems part of the 2010 Act still not having been implemented. When does the Minister plan to implement it, and what has been the delay?

Dan Rogerson: It is being implemented, and the provision to do so has been taken forward in collaboration with my colleagues in the Department for Communities and Local Government. We think it will make a real difference.

If the hon. Lady has particular issues that she would like to raise with me about the situation in her area, I would be happy to hear from her.

Common Agricultural Policy Funds

14. **Mr Alan Reid (Argyll and Bute) (LD):** When she plans to review the allocation of common agricultural policy funds between Scotland, England, Wales and Northern Ireland. [907301]

The Parliamentary Under-Secretary of State for Environment, Food and Rural Affairs (George Eustice): The review of allocations of common agricultural policy funds between UK Administrations will take place during 2016 and 2017. DEFRA will first work with the devolved Administrations to decide on the data needed to facilitate a comparison of payments across the UK. I have made it clear that one area that will be examined in the review is a comparison of land types and payment areas. That task will be easier once all UK Administrations have made the transition to area-based payments.

Mr Reid: I thank the Minister for that answer. If the review shows that farmers in any one part of the UK are being unfairly treated by the current allocation formula, it is obviously important that the outcome of the review is implemented straight away. I hope that the Minister will commit to supporting a speedy implementation.

George Eustice: We will consider implementation as part of the review. We have always made it clear that changing allocations before 2020—within the current programme—would have some legal difficulties, as well as practical difficulties for other Administrations. At the very latest, the changes will take effect from 2020.

Topical Questions

T1. [907307] **Mr Philip Hollobone (Kettering) (Con):** If she will make a statement on her departmental responsibilities.

The Secretary of State for Environment, Food and Rural Affairs (Elizabeth Truss): DEFRA's priorities are leading the world in food and farming; protecting our country from floods and animal and plant diseases; improving the environment; championing the countryside; and rural services. The British dairy industry is world leading, and we are doing all we can to make sure that our hard-working farmers are able to get through this tough period. That is why we are working with the banks and Her Majesty's Revenue and Customs to help farmers with any cash-flow problems and ensuring that payments to dairy farmers are prioritised by the Rural Payments Agency. We want to see more British dairy products being sold here and overseas and that is why I have been pushing for better country of origin labelling, why we launched the Bonfield report to get the public sector buying British and why we continue to promote exports, which are now at record levels.

Mr Hollobone: Northamptonshire Action with Communities in Rural England does a fantastic job in support of local parish councils and other village communities in the borough of Kettering and across

the county. What confidence can the Secretary of State give Northamptonshire ACRE and parish councils that the future funding for ACRE will be secure?

Elizabeth Truss: I completely agree with my hon. Friend about the vital work ACRE does and that is why, despite the fact that we live in tough economic times, we have been able to confirm the budget for 2015-16, so that it can carry on doing that valuable work.

Maria Eagle (Garston and Halewood) (Lab): The Under-Secretary of State for Energy and Climate Change, the hon. Member for Hastings and Rye (Amber Rudd), said on Monday in the House that the severely redacted report on the impacts of shale gas on the rural economy was prepared by a junior member in another Department “and it was not appropriate for them to have done so”.—[*Official Report*, 26 January 2015; Vol. 591, c. 594.]

In view of those comments, will the Secretary of State tell us why it was done and which one of her Ministers was responsible for overseeing the production of the report? Or is that information to be redacted too?

Elizabeth Truss: The paper in question was not analytically robust and it was not signed off by Ministers. The responsibility for the economic impacts of fracking is a matter for the Department of Energy and Climate Change and it is looking at the issue. I am clear that fracking has a huge potential to provide jobs and growth and lower our energy costs. That is why it is so important that we proceed with this vital technology.

Maria Eagle: Ministers have responsibility for what is done in their Department. The report has been so heavily redacted that even the name of its author has been removed. Given that the Government have now caved in to Labour’s demand for extensive and robust regulation, without which there can be no fracking for shale gas, why does the Secretary of State not now publish the report, unredacted, in the interests of full transparency? Does she understand that refusing to publish it merely fuels suspicion that the Government have something more to hide than her junior Minister’s embarrassment at being asleep on the job?

Elizabeth Truss: The majority of the proposals the Government accepted were already Government policy and were being carried out voluntarily by the industry, the Environment Agency and the Health and Safety Executive. We have agreed to accept the proposals to provide reassurance in law to give the industry the best chance of success in this important technology.

T3. [907310] **Mr Gary Streeter** (South West Devon) (Con): Many of my constituents are concerned about the levels of sea bass stocks and measures taken to support them. Will the Minister indicate what action the Government are taking to tackle this important problem?

The Parliamentary Under-Secretary of State for Environment, Food and Rural Affairs (George Eustice): My hon. Friend makes a very important point. In December Council, the UK pressed hard for a commitment to protect bass stocks. We got a statement from the Commission and subsequently wrote to it. I can confirm that it has now implemented emergency measures to

protect bass during the spawning season and ban the very damaging practice of pair trawling, which is a major step forward.

T2. [907308] **Helen Goodman** (Bishop Auckland) (Lab): My constituents who run rural businesses were very disappointed that the north Pennines LEADER bid for support was turned down. They think mistakes were made in the assessment. Will the Minister undertake to ensure that the bid is re-examined?

George Eustice: There is an appeals process and a number of bids were not successful. This was a competitive process. The LEADER group to which the hon. Lady refers is welcome to submit an appeal for consideration.

T4. [907311] **Robert Jenrick** (Newark) (Con): The Secretary of State is already the toast of the people of Southwell after she gave them the flood grants they had so dearly asked for, but she could cement her reputation in this part of Nottinghamshire by helping us to export our greatest gift to the world’s tables: the bramley apple. As everyone knows, the bramley apple was created by Miss Brailsford of Southwell, although the name was ruthlessly taken by the local butcher, Mr Bramley. The bramley apple is of course ubiquitous in this country, but is virtually unexportable because it is not known in the rest of the world. Can the Secretary of State reassure us that, with the staff and expertise she is building in new markets, she is developing expertise in branding so that we can create great British brands, which is the key to export?

Elizabeth Truss: I am a huge fan of the bramley apple and I eat them on a regular basis. As well as exporting more bramleys abroad, I would like more to be sold here in Britain. Currently, we import two thirds of our apples, so there is a huge opportunity here in the UK. I completely agree with my hon. Friend on branding, which is why we are working with the GREAT Britain campaign to ensure we have clear British branding on our products, and that all our small and other suppliers across the UK have access to those opportunities.

T5. [907312] **Ian Lavery** (Wansbeck) (Lab): Supermarkets are putting huge financial pressures on suppliers in the food industry. That is not benefiting the consumer, and it is driving wages and terms and conditions down for people who work in the industry. Is it not high time the Government considered regulating supermarkets?

Elizabeth Truss: As I mentioned earlier, last night we laid regulations to enable the Groceries Code Adjudicator to have the power to fine supermarkets. I have regular meetings with supermarkets. [*Interruption.*] It will be able to fine up to 1%, which is a significant sum.

T6. [907313] **Neil Parish** (Tiverton and Honiton) (Con): I very much welcome the Government laying the statutory instrument to enable the Groceries Code Adjudicator to issue fines. Dairy farmers in my constituency across the Blackdown hills and Exmoor are now producing milk well below the cost of production. Many big retailers are paying a good price for milk, but are keeping cheese prices artificially low, especially processed cheese. Will Ministers and the

Secretary of State put real pressure on retailers to be fair to farmers? At the moment, they are using dairy products as loss leaders and driving the price down.

Elizabeth Truss: I understand that dairy farmers are in a very difficult position. We have very low prices. We expect prices to improve, but clearly there are severe issues for our dairy industry. We are doing all we can, working with HMRC and the RPA on cash-flow issues, to help in the short term. He is absolutely right: there is a big opportunity with our supermarkets. We meet the supermarkets regularly to discuss these issues and to ensure that we have proper British labelling. It is really important that, when consumers go into supermarkets, they can see whether a product is from Britain and is sourced from British milk.

T7. [907314] **Gemma Doyle** (West Dunbartonshire) (Lab/Co-op): I am sure that, like me, the Secretary of State raised a toast this week to Scotland's national bard, Robert Burns, with Scotland's national drink. Exports of Scotch whisky are rising, with 1.3 billion bottles exported around the world in 2013, but will she talk to her colleagues in the Treasury ahead of the Budget about excise duty to ensure that the Scotch whisky industry is not penalised at home compared with other UK alcohol products?

Elizabeth Truss: I completely agree with the hon. Lady on whisky, and I was also pleased to celebrate Burns night with a Macsween haggis. We have seen fantastic exports of haggis, which are up; we exported £5 million-worth to 28 countries. It is a fantastic night to celebrate, and we are working with the whisky industry, and all other industries, to promote Scottish products.

T9. [907316] **Sir Andrew Stunell** (Hazel Grove) (LD): I thank the Secretary of State for her response on dairy farmers, but may I impress on her the damage that fluctuating and falling prices are doing to the industry and farmers in my constituency? Can she absolutely reassure us that she is treating this problem with the seriousness it deserves?

Elizabeth Truss: We are taking this issue very seriously and are working hard on it. We have just made the announcement about the groceries code adjudicator; we are working closely with HMRC and the Rural Payments Agency; and we are also working on our new countryside productivity scheme, which will be open to dairy farmers to help improve productivity and bring in the capital investment these farms need. We are working hard on this issue, because we know how difficult it is. I myself have met dairy farmers in Cornwall, Nottinghamshire and Norfolk to discuss it.

T8. [907315] **Mr William Bain** (Glasgow North East) (Lab): Between April and September last year, nearly 500,000 people were referred to a Trussell Trust food bank—a rise of 38% on the year before. When will the Secretary of State, as the Minister responsible for food poverty, say to the Secretary of State for Work and Pensions and the Chancellor that it is targets for benefits sanctions and the failure properly to raise the minimum wage that are responsible for this dreadful situation?

George Eustice: The evidence does not bear out what the hon. Gentleman says. On delays to payments, benefit payments are now made more quickly—93% are paid on time—and hardship payments are now available alongside sanctions.

Andrew George (St Ives) (LD): What percentage reduction in badger numbers did the two pilot culls achieve, and would it be inaccurate to say it was far more likely than not that both culls failed to meet the target of a 70% reduction?

Elizabeth Truss: The chief veterinary officer was clear that the cull in Somerset showed that culling helped to reduce disease. There were issues in Gloucestershire with criminal activity and sabotage.

Ian Paisley (North Antrim) (DUP): On a successful trade mission recently, the Secretary of State saw at first hand the needs of the Northern Ireland agricultural industry in terms of export licensing. I invite her to visit Northern Ireland at the earliest opportunity, meet those businesses and recognise that, in order to grow our most successful industry, we need more exports.

Elizabeth Truss: I was pleased to take a delegation to China that included Northern Ireland representatives, and we should shortly see inspections of Northern Irish plants taking place. I thank the hon. Gentleman for his invitation. I recognise that Northern Ireland has been a huge exports success story, and we need to support that.

ELECTORAL COMMISSION COMMITTEE

The hon. Member for South West Devon, representing the Speaker's Committee on the Electoral Commission, was asked—

General Election Count

1. **Mr Philip Hollobone** (Kettering) (Con): On what authority and for what reason it is a requirement that the count for the general election must be started within four hours of the close of poll. [907273]

Mr Gary Streeter (South West Devon): Provisions to ensure that returning officers begin counting at UK parliamentary elections within four hours after close of poll were introduced under the Constitutional Reform and Governance Act 2010. The Act requires returning officers for constituencies where counting did not begin within this time scale to publish a statement explaining the delay. They must send a copy of the statement to the Electoral Commission within 30 days of the declaration of the result, and the commission must publish details of those constituencies in its statutory election report.

Mr Hollobone: It is really important that the number of ballot papers issued is reconciled with the number of ballot papers received before counting takes place. In constituencies where there are also local elections at district, borough, town and parish council levels on the same day as the general election, the four-hour time limit is going to put huge pressure even on the very best electoral returning officers. Where local candidates and agents are in agreement with a more relaxed time frame, should they not be allowed to proceed on that basis?

Mr Streeter: As usual, my hon. Friend raises an important question. He represents an area that has a strong reputation for delivering an efficient and timely count. In the end, it is for the returning officer to consider this matter carefully and to decide whether starting the count within four hours can be done. If it is decided in advance that that cannot be done, the matter should be discussed with local politicians and broadcasters and a statement should be issued, as was done by 45 constituencies in the 2010 general election.

Meg Hillier (Hackney South and Shoreditch) (Lab/Co-op): The question of the hon. Member for Kettering (Mr Hollobone) underlines the complexity of our current polling system. I was proud to be a member of your Commission on Digital Democracy, Mr Speaker, which recommended a move towards online voting. That, of course, would obviate the need for the counts. Will the Electoral Commission spokesman tell us its views on how fast we can move towards delivering on that?

Mr Streeter: It is a very important issue, but there are of course concerns about security in connection with online voting. These matters will have to be properly considered and looked at over the next few years; I do not think there is going to be any rush towards online voting in the UK.

Tim Loughton (East Worthing and Shoreham) (Con): It is always frustrating to me that the count in my constituency rarely comes before the sun rises, yet other constituencies are able to report within an hour or two. Why does he think that there is that differential? In this day and age, should we not be producing these results in a much more timely and efficient manner?

Mr Streeter: My hon. Friend raises an important point. The British public are certainly very keen on their election night drama and are not keen on having too many constituencies counting on Friday. It is a matter for returning officers in every constituency to sort out their own procedures, to discuss them with local campaigners and to deliver an accurate and efficient account. The most important thing is that the count attracts public confidence and that it is returned accurately.

Mr Barry Sheerman (Huddersfield) (Lab/Co-op): In most things, I want to move with the times, so I am in favour of the Commission on Digital Democracy recommendations. There is a long tradition in this country, however, that we count on the night of the poll. Increasingly, because of local government cuts, up and down the country, returning officers and chief executives—very often the same people—are deciding to count the vote the next day to save money. That is a retrograde step; what is the hon. Gentleman going to do about it?

Mr Streeter: The hon. Gentleman is, of course, cutting-edge, but he is five years out of date in relation to the point he has just raised. Just before the last election, Parliament attended to this matter. More and more constituencies are now counting on Thursday nights, and we are going to deliver to the great British public the election night drama—with a great outcome at the end, I am sure—that they demand.

CHURCH COMMISSIONERS

The right hon. Member for Banbury, representing the Church Commissioners, was asked—

Economy

2. **Miss Anne McIntosh** (Thirsk and Malton) (Con): What assessment he has made of the implications for the Commissioners' policies of the Church of England report, "On Rock or Sand", published on 21 January 2015. [907274]

The Second Church Estates Commissioner (Sir Tony Baldry): The central argument of "On Rock or Sand" is that we should seek to enhance the well-being, and the personal and communal flourishing, of all in society, and to seek the common good—or the "common profit", as the book calls it—and that no one should be left behind. These are principles entirely in accord with the objectives of the Church Commissioners.

Miss McIntosh: I am sure the whole House would wish to congratulate my right hon. Friend on being made a lay canon of Christ Church cathedral, Oxford, this weekend. This is only the first or second occasion on which a Second Church Commissioner's work has been recognised in this way. I heartily congratulate my right hon. Friend. May I ask him to turn his big gun on my question? [Laughter.] Does he agree that when money rules, we remember the price of things but forget their value, and that while retail therapy has a role to play, everything should be done in moderation?

Mr Speaker: In congratulating the right hon. Gentleman on his new elevation, I can say only that the House is in a state of eager anticipation to witness his big gun.

Sir Tony Baldry: Thank you very much, Mr Speaker, but we have heard quite enough weightist comments. I note that Quentin Letts described me yesterday as some sort of human shield for Prime Minister's questions.

This is an excellent book. I commend it to every colleague as Lenten reading, and I shall put a copy in the House of Commons Library. I think that colleagues should read it because many of the commentaries were written by people who had not read the book, but were simply commenting on what other commentators had said. That started with one journalist quoting from it selectively. I think that everyone in the House wants no one to be left behind, and that the essays in this book are well worth all of us reflecting on.

Kerry McCarthy (Bristol East) (Lab): I certainly hope to avoid the right hon. Gentleman's big gun when he answers my question. I know that he referred to selective quoting, but the archbishops said in the book that Britain had been "dominated" by "rampant consumerism and individualism" since the Thatcher era, and described our economy as "a tale of two cities".

The latter comment is certainly true of Bristol, where we still see huge economic divides. What work is the Church of England doing with politicians to try to rectify that?

Sir Tony Baldry: The Church of England is working hard to develop the common good in every community, including the diocese of Bristol. I think that we all owe it to ourselves, our families and the communities in which we find ourselves to promote the common good, and that that is a responsibility for all of us. However, if the hon. Lady thinks that the book argues in favour of a larger welfare state and more state dependency, I must tell her that it most certainly does not. That is why I suggest that every colleague read it properly and in full.

Investment: Pharmaceutical Companies

3. **Fiona Bruce** (Congleton) (Con): What ethical investment policies the Church of England applies when investing in pharmaceutical companies or other medical organisations. [907275]

Sir Tony Baldry: The Church Commissioners' ethical investment policy prevents investment in pharmaceutical companies when more than 10% of their main business involves human or embryonic cloning. No such companies have been identified to date.

Fiona Bruce: Does my right hon. Friend agree that there should be a better understanding of the implications of the proposed mitochondrial donation regulations, and that the outstanding experiments relating to their safety should be completed and reviewed—as has been recommended by the Human Fertilisation and Embryology Authority—before they are approved by the House?

Sir Tony Baldry: I think that, in due course, the House will have to consider some quite difficult issues relating to both the start and the end of life. The Church of England accepts that embryo research is permissible if it is undertaken to alleviate human suffering, but there are, I agree with my hon. Friend, concerns that there has been insufficient scientific study of, and informed consultation on, the ethics of mitochondrial transfer, not least in respect of the role that mitochondria play in the transfer of hereditary characteristics.

Helen Goodman (Bishop Auckland) (Lab): It is extremely important for people to understand investment. The Church has made great progress in setting up credit unions, but what is being done to encourage young people and children to develop a better understanding of the importance of saving?

Sir Tony Baldry: We seem to have skipped the question tabled by my hon. Friend the Member for Bury North (Mr Nuttall), and to have skipped the hon. Lady's preliminary question, so I shall reply to her question as if it were a supplementary.

The Archbishop of Canterbury's task group on responsible credit and savings has received £150,000 funding from the Treasury for a trial of savings clubs known as "life savers" in six schools located in various parts of the country. I entirely agree with the hon. Lady's point about the importance of financial education. If the trial works, the Church of England intends to extend the programme to more than 100 Church of England schools over a four-year period, which will benefit more than 30,000 children.

Anglican Communion Tour

4. **Mr David Nuttall** (Bury North) (Con): What discussions the Commissioners have had with the Archbishop of Canterbury on lessons learnt for the Church from his year-long tour of the Anglican Communion. [907276]

Sir Tony Baldry: The Archbishop of Canterbury visited 36 of his fellow archbishops during his pilgrimage around the Anglican Communion. In his presidential address to the General Synod in November, he reported that it was a

"flourishing...but also a divided Communion."

Mr Nuttall: The Archbishop of Canterbury will have encountered widespread concern in the Church of England about the difficulties faced by Christians in other parts of the world. What is the Church doing to help those in other countries, particularly in the middle east, who are persecuted because of their religious beliefs?

Sir Tony Baldry: My hon. Friend raises a very serious issue which I am sure the House will treat seriously. The Archbishop of Canterbury has observed:

"Not a day goes by without something which should break one's heart at the courage and the difficulties involved"

for such people. I think the fact is that the hostility Christians are facing is now on a far more serious level and we are reaching the point where the word "persecution" no longer adequately describes the treatment of Christians in many parts of the world. Religious cleansing and a type of cultural genocide—which is a crime against humanity—is a more accurate description, and we are now seeing that in Iraq, Syria, parts of Nigeria, Egypt, Sudan, Somalia and Pakistan. The goal of Islamic extremists such as ISIS is total Islamicisation, and this has nearly been achieved in Iraq, for example, which a decade ago was home to one of the four most robust Christian communities in the Arab world. Sadly, that is no longer the case.

First Female Bishop

6. **Michael Fabricant** (Lichfield) (Con): What responsibilities have been allocated to the Right Rev. Libby Lane, Bishop of Stockport; and if he will make a statement. [907279]

Sir Tony Baldry: The Bishop of Stockport was consecrated at York Minster on 26 January and she has commenced her role as assistant bishop in the diocese of Chester.

Michael Fabricant: I think it will not just be cutting-edge MPs like the hon. Member for Huddersfield (Mr Sheerman) who will welcome this, but the whole House. Does my right hon. Friend agree that in four or five years' time we will—rather like with women newsreaders—take the appointment of a woman bishop as a matter of course?

Sir Tony Baldry: I entirely agree with my hon. Friend. It was fantastic seeing 100 bishops at the consecration of the Bishop of Stockport earlier this week, but I am

quite sure that within two or three years it will be commonplace and, quite rightly, unremarkable when a woman is consecrated as a suffragan or diocesan bishop, and I think everyone will soon start to wonder what all the fuss was about as we get excellent women bishops in the Church of England ministering in dioceses across the country.

Bats

7. Mr Andrew Robathan (South Leicestershire) (Con): What steps have been taken in co-ordination with Natural England to exclude bats from churches where they are causing significant damage to the fabric of church buildings. [907280]

Sir Tony Baldry: We are working hard with Natural England to seek to ensure an appropriate licensing regime and to develop equipment that can cost-effectively deter bats from roosting in churches where they may cause damage.

Mr Robathan: I know that my right hon. Friend is very concerned about this as well. Those of us who like bats also know they should not be desecrating our extremely valuable architectural heritage, as they are doing, as he knows, in a church on the edge of my constituency, St Nicholas's in Stanford on Avon.

Sir Tony Baldry: I think the sensible thing to do is for me to ask the chair of Natural England if he will come with me to visit St Nicholas's in Stanford on Avon, because it is obviously a church with many difficulties. When I stand down from this House in March, at the request and invitation of the archbishops I am going to take on the role of chair of the Church Buildings Council, and I hope that then I can add my substantial weight to trying to ensure that the problem of bats at St Nicholas's in Stanford on Avon is resolved.

ELECTORAL COMMISSION COMMITTEE

The hon. Member for South West Devon, representing the Speaker's Committee on the Electoral Commission, was asked—

Electoral Fraud

8. Philip Davies (Shipley) (Con): What steps are being taken to tackle electoral fraud at the forthcoming general election. [907281]

Mr Gary Streeter (South West Devon): The Electoral Commission has worked with the College of Policing to publish detailed guidance to police forces on preventing and detecting electoral fraud. Additional measures are also being put in place by returning officers and police forces in areas where there have been allegations of electoral fraud at previous elections. The Electoral Commission has worked with political parties to agree a code of conduct for campaigners and is developing a simple guide for voters about how to protect their vote and report electoral fraud.

Philip Davies: I commend the Electoral Commission on asking the universities of Manchester and Leeds to produce a report on electoral fraud in the Pakistani and Bangladeshi communities in this country in particular. We have had problems with that in the Bradford district in the past, I am afraid to say. One of the recommendations was that some kind of identification be taken into the polling stations when people vote. I think that that would be a massive step forward. Is this something the Electoral Commission will progress?

Mr Streeter: My hon. Friend is right to draw the House's attention to the important report released by the Electoral Commission this week, which is the first of its kind. The Electoral Commission has separately recommended that additional identification be taken by every voter into the polling stations, but that is a matter now for this House and for Government to decide, and it is therefore perhaps something to come back to after the 2015 election.

Business of the House

10.34 am

Ms Angela Eagle (Wallasey) (Lab): Will the Leader of the House give us the business for next week?

The First Secretary of State and Leader of the House of Commons (Mr William Hague): The business for next week will be:

MONDAY 2 FEBRUARY—Second Reading of the Armed Forces (Service Complaints and Financial Assistance) Bill [Lords], followed by consideration of Lords amendments to the Social Action, Responsibility and Heroism Bill, followed by motion to approve the draft Scotland Act 1998 (Modification of Schedules 4 and 5 and Transfer of Functions to the Scottish Ministers etc.) Order 2015.

TUESDAY 3 FEBRUARY—Consideration in Committee and remaining stages of the Insurance Bill [Lords], followed by motion to approve a money resolution relating to the National Insurance Contributions Bill, followed by consideration of Lords amendments to the National Insurance Contributions Bill, followed by motion to approve a statutory instrument relating to mitochondrial donation, followed by general debate on rural phone and broadband connectivity. The subject for this debate has been determined by the Backbench Business Committee.

WEDNESDAY 4 FEBRUARY—Opposition Day (16th Allotted Day). There will be a debate on 18-25 apprenticeships, followed by a debate on electoral registration. Both debates will arise on an Opposition motion.

THURSDAY 5 FEBRUARY—Debate on a motion relating to building sustainable GP services, followed by general debate on improving cancer outcomes. The subjects for both debates were determined by the Backbench Business Committee.

FRIDAY 6 FEBRUARY—The House will not be sitting.

The provisional business for the week commencing 9 February will include:

MONDAY 9 FEBRUARY—Motions relating to the draft Social Security Benefits Up-Rating Order 2015 and the draft Guaranteed Minimum Pensions Increase Order 2015, followed by motions relating to the draft Mesothelioma Lump Sum Payment (Conditions and Amounts) (Amendment) Regulations 2015 and the draft Pneumoconiosis etc. (Workers' Compensation) (Payment Of Claims) (Amendment) Regulations 2015.

TUESDAY 10 FEBRUARY—Motions relating to the police grant and local government finance reports, followed by motion to approve a money resolution relating to the Counter-Terrorism and Security Bill, followed by consideration of Lords amendments to the Counter-Terrorism and Security Bill.

WEDNESDAY 11 FEBRUARY—Opposition Day (17th allotted day). There will be a debate on an Opposition motion including on a debate entitled "Labour's job guarantee"—*[Laughter.]* I kept a straight face while reading that out, Mr Speaker. That will be followed, if necessary, by consideration of Lords amendments.

THURSDAY 12 FEBRUARY—Business to be nominated by the Backbench Business Committee.

FRIDAY 13 FEBRUARY—The House will not be sitting.

I should also like to inform the House that the business in Westminster Hall for Thursday 5 February will be:

THURSDAY 5 FEBRUARY—Debate on the fourth report from the Political and Constitutional Reform Committee on voter engagement in the UK, followed by debate on the first report from the Work and Pensions Committee on employment and support allowance and work capability assessments.

Ms Eagle: I thank the Leader of the House for announcing next week's business and for giving us a hint of what might follow thereafter. This week, we marked Holocaust memorial day and the 70th anniversary of the liberation of Auschwitz. The sheer scale of the evil perpetrated by the Nazis almost defies belief. Does the Leader of the House agree that the testimony of the survivors will help us to ensure that that obscenity is never repeated? Will he join me in welcoming plans for a new Holocaust memorial in this country that will honour the memory of all the victims? Does he also agree that this anniversary must motivate us to redouble our efforts to combat anti-Semitism and other forms of prejudice, including racism, homophobia and religious hatred, which are on the rise across the world today?

I notice one thing missing from this week's business is any reference to plain packaging for cigarettes. After the Government had supported it, the House then backed it. The Government then changed their mind and opposed it, but last week the Under-Secretary of State for Health, the hon. Member for Battersea (Jane Ellison) U-turned on the U-turn late at night in an Adjournment debate, presumably when she thought tobacco lobbyist Lynton Crosby was not looking. Given the reports that more than half of Conservative Back Benchers are willing to rebel against the Government and oppose plain packaging—

Philip Davies (Shipley) (Con): Hear, hear!

Ms Eagle: That has just been confirmed. Given those reports, will the Leader of the House acknowledge that he is going to have to rely once again on Labour votes to pass the measure? Will he also confirm that he will bring this debate to the Floor of the House before Dissolution?

I notice that, just in the nick of time, the Government yesterday appointed someone to review the impact of their gag on free speech in the run-up to the election. But the man they have chosen to review the Transparency of Lobbying, Non-Party Campaigning and Trade Union Administration Act 2014 is a Conservative peer who did not once vote against the Government on the Bill and who voted with them on some of its worst aspects. Yesterday, my right hon. and learned Friend the Member for Camberwell and Peckham (Ms Harman), the deputy leader of the Labour party, was forced to write to the Culture Secretary about the disgraceful and overt political bias of another Conservative peer, the supposedly impartial deputy chair of Ofcom. This morning I have been reading about the extent of this Government's pork barrel politics, abusing public money to prop up their candidates in marginal seats, and refusing to admit how much they are spending on it. So will the Leader of the House now arrange to publish full details of Government spending in marginal seats? Will he also arrange for a

statement from the Cabinet Secretary on this Government's widespread neglect of the Nolan principles for public appointments, as these appointments seem to have little to do with impartiality or integrity and much more to do with membership of the Conservative party? Given that Ofcom has today said that Baroness Noakes's comments were clearly inappropriate, will the Leader of the House explain why she is still in her job?

Yesterday, we saw the Prime Minister refusing to acknowledge that all the hospital units he stood outside and promised to save before the last election have been closed or downgraded while he has been Prime Minister. More than 1,000 ambulances a day are now queuing outside accident and emergency units, overstretched hospitals are cancelling 1,500 operations a week and all the Government have done is make it harder for hospitals to declare major incidents. The Tories' pledge to protect the NHS is now in tatters. They promised they would put patients first, but instead they gave us a £3 billion top-down reorganisation and an NHS in crisis. They promised they would cut the deficit not the NHS, but borrowing has soared and they have missed every target they ever set themselves on the economy. They promised a recovery for everyone, but they gave us queues at food banks, record insecurity at work and tax cuts for their millionaire mates. I am not the only one who is glad there are only 98 days left of them.

This week, the Liberal Democrat Transport Minister, Baroness Kramer, turned up in Taipei on a rail mission with a very special gift. Local journalists looked on in horror as she gave the city's mayor a watch, which is taboo in local culture because it suggests that the recipient's time is running out. She should have given it to her party leader. The mayor was less than impressed, saying:

"I can just re-gift it to someone else or take it to a metal dealer and sell it for cash."

I just wish we could get as much use out of other Lib Dem offerings. Someone else who has been struggling with timepieces is the invisible man, the Tory Chief Whip. In Cabinet, he inadvertently interrupted the Chancellor with a sudden musical outburst. His Cabinet colleagues looked on in horror as Beyoncé's latest hit began blasting from the Chief Whip's new smartwatch. Any watch that is smart enough to play Beyoncé should surely be able to tell him when business questions is.

Mr Hague: I absolutely share the sentiments expressed by the hon. Lady about the commemoration of the holocaust and the importance of the testimony of survivors. We had an excellent presentation at the Cabinet meeting this week from Mr Mick Davis, who chaired the commission on commemorating the holocaust and came up with excellent proposals, which the Government have adopted and which have support from all across the House. She is absolutely right about the need to redouble and intensify all our efforts to counter not only anti-Semitism, but racism, homophobia and religious intolerance and hatred of every kind.

The hon. Lady asked about parliamentary business and plain packaging for cigarettes. I explained the position on that last week. The Under-Secretary of State for Health, my hon. Friend the Member for Battersea (Jane Ellison) announced that the Government are committed to laying regulations. These draft regulations will be laid in good time before the end of the Parliament. The regulations cannot be made until after 2 March, under the EU technical standards directive. To correct what I

said last week, they can be laid before then but they cannot be made until after 2 March. So that is the constraint.

The hon. Lady asked about spending. A statement will be made later today about local growth deals, and the Minister responsible for those will be showing how the Government work with local authorities across the country to spend money a great deal more productively in supporting local infrastructure and local economic growth than ever happened under the previous Government.

The hon. Lady asked about hospitals. Of course health has been extensively debated in the House over recent weeks. As of today, we have almost 9,500 more doctors and 6,300 more nurses since the last election. Rather inconveniently for her argument, the survey of satisfaction with the health service was published today showing that satisfaction has gone up to 65%, which is the second highest level in 30 years, and that it has fallen in Wales, which is something that the Labour party is often unwilling to discuss. We will doubtless talk about health further before the dissolution of Parliament.

The hon. Lady talked about the gift of a watch in Taipei, but the Leader of the Opposition received an even greater gift this week, which was the gift of being defended by the noble Lord Kinnock. That is a sure sign of impending disaster. Lord Kinnock's belief that the Labour party is following the right election strategy is a great comfort to all of us on the Government Benches, and we hope that he will express it regularly. The hon. Lady neglected to ask about the good news, which is that, at 2.6%, we have the fastest economic growth in the G7.

The background today is one of collapsing credibility on the Labour Benches after a former Labour Health Secretary said that

"Labour's position on the health service becomes almost an emblem for Labour showing an unwillingness"

to learn. When the Leader of the Opposition tried to weaponise the NHS, he never expected that it would be a boomerang that would come back and hit him so hard.

Added to that collapse in credibility, the Labour website still has a "freeze that bill" page. I can give the House more details. Gas and electricity bills under Labour's energy plan will be frozen until 2017. There is even a little calculator to work out how much a consumer can save, which is presumably now showing negative results for everybody. I might try it out to see what the results are. That is the sort of chaos that we are seeing. There has to be something desperate about casting around for a future coalition with parties that want to break up the United Kingdom, and something intensely desperate about doing so with parties that do not actually vote in this House, such as Sinn Féin. That is the very definition of desperation, and that is what the Opposition have reached this week.

Sir George Young (North West Hampshire) (Con): Last week, the Government honoured their commitment to the people of Scotland by publishing the draft Scotland Bill. Will my right hon. Friend tell the House how that Bill will be scrutinised? Will there be a Joint Committee of both Houses, or will the work be done by the Political and Constitutional Reform Committee, or some combination? When will that consideration be completed?

Mr Hague: Four Committees have an interest in the matter. We expect the Scottish Affairs Committee to be the lead in looking at the package as a whole. But the Government also welcome the Political and Constitutional Reform Committee's scrutiny of clauses with constitutional significance. It is important that there is engagement not only in Parliament but with civic Scotland, the Scottish Government, and the Opposition to translate the draft clauses into a Bill, ready for introduction at the beginning of the next Parliament. Of course it is up to each Committee when it reports.

Steve Rotheram (Liverpool, Walton) (Lab): I have been contacted by a whistleblower from Her Majesty's prison in Walton—the old Walton prison in my constituency—who claims that low staffing levels are endangering both prison officers and prisoners. Will the Leader of the House consider a debate in Government time to look at the effect of the cuts on the prison service?

Mr Hague: The hon. Gentleman will be able to raise that matter directly with the responsible Ministers next Tuesday, if he catches your eye, Mr Speaker, because it is questions to the Justice Secretary. That is the most immediate opportunity to raise such matters further on the Floor of the House, and to add to the points that he has already made today.

Mr Peter Bone (Wellingborough) (Con): My hon. Friend the Member for Kettering (Mr Hollobone), Tom Pursglove, the national director of Together Against Wind, and I were waiting to go in Downing street last week, and my hon. Friend said that in his constituency, unemployment had gone down 50% since Labour lost power. I said that in my constituency it had gone down 55%. Then Tom said that in Corby, it had gone down 60%. Was I right in thinking that the Leader of the House announced a debate called "Labour's job guarantee"? Is that some sort of joke?

Mr Hague: Well, my hon. Friend and I might think that it is some kind of joke, but such a debate will give us the opportunity to talk about the huge fall in unemployment since the last election, including in Corby, to which my hon. Friend draws attention. Employment is now up by 1.75 million, which is a remarkable record. We are creating more jobs in this country than in the whole of the rest of the European Union put together.

Mrs Madeleine Moon (Bridgend) (Lab): Last week the all-party suicide and self-harm prevention group published a report that showed that one third of local authorities in England did not have a suicide prevention plan; they did not have the funds for such a plan and had not produced one. Last year, 4,500 people took their lives in England. May we have a debate on the importance of local authorities meeting their responsibilities and preparing and publishing plans to prevent unnecessary deaths in England?

Mr Hague: This is an important report on an important subject. What the hon. Lady has said in the House today will help to draw the attention of local authorities to the matter, and I add to that. It is a wholly legitimate and important subject for debate, and exactly the sort of debate that can be held through the work of the Backbench Business Committee, so I encourage the hon. Lady to take that forward.

Mr David Heath (Somerton and Frome) (LD): May we have a debate on the responsibilities of householders for contaminated land since the removal of contaminated land grants? An elderly couple in Langport in my constituency are facing crippling bills for the removal of contamination from the land on which their house stands—contamination for which they were not responsible, and which they had no idea was there when they bought the property. The local authority has to require the removal of the contamination and cannot provide any grant aid. This is a gross injustice. May we please debate it?

Mr Hague: My hon. Friend has just now done a very good job of raising the matter in the House. Questions to the Department for Communities and Local Government Ministers are next Monday, and this is an obvious subject for an Adjournment debate, so while there is not a debate scheduled on these matters in the coming weeks, I am sure that my hon. Friend will be able to find other opportunities to pursue this important issue.

Ian Paisley (North Antrim) (DUP): Fuel smuggling is at epidemic proportions in Northern Ireland and the Republic of Ireland and it is a serious crisis that affects all these islands, while criminals are on the make. The Treasury appears to be doing its best to resolve the issue, but for whatever reason—something sinister—there is frustration at trying to solve the issue of identifying a new fuel marker for Northern Ireland. Will the Leader of the House schedule a full and frank debate to sort this matter out once and for all and prevent criminals getting their way on our islands?

Mr Hague: This is also an important issue. I know that the Government Departments work together to ensure that the problem is dealt with effectively. We must never rest in our attempts to make sure that criminal gangs cannot make profits in this or any other way. I cannot offer a debate about it in the near future, but I will draw the issue that he has raised to the attention of my colleagues in the Northern Ireland Office and all the other relevant Departments.

Robert Halfon (Harlow) (Con): May we have an urgent statement on the role of private car park owners such as NCP? My constituents have been fleeced by NCP, which has signposted restricted areas improperly and then fined people who innocently park in them. Furthermore, it has fined people for allegedly displaying their ticket in the wrong place on the car's dashboard. Will my right hon. Friend contact the Secretaries of State for Transport and for Business, Innovation and Skills and call for an urgent inquiry into this disgraceful behaviour by NCP?

Mr Hague: My hon. Friend is an ardent campaigner on behalf of his constituents and he will understand that in such car parks—for example those owned by train operators—the charges are a commercial matter. It may aid him and his constituents to know that it is for the Office of Rail Regulation to consider any complaint that a car parking charge at a station is excessive. It has issued guidance, setting out the circumstances in which it will investigate, but I will let my ministerial colleagues know of his concerns, and they may contact him to guide him further on it.

Mr Barry Sheerman (Huddersfield) (Lab/Co-op): All of us in this House will be appalled, on the 70th anniversary of the holocaust, when we remember how many children were gassed in those terrible camps. Is it not right that we have a debate on the efficiency of the United Nations convention on the rights of the child? Worldwide, we are seeing children killed in wars. In Pakistan, whole classes of children—150—were killed. In Nigeria—all over the world now, it seems that the life of a child is not valued. May we have a debate on children and childhood and how we protect them?

Mr Hague: The hon. Gentleman makes a valid point, and there would be all too many terrible situations in the world to refer to in such a debate, as he has described, including the fate of children in so many conflicts, such as those in Syria and Iraq, as well as the victims of terrorist attacks in Nigeria and Pakistan. That would be a welcome debate. Of course, it is primarily for the Backbench Business Committee to consider, but I think it would be welcomed across the House.

Jason McCartney (Colne Valley) (Con): In the past week, at a planning inquiry in Huddersfield, the excellent Save Butterley Spillway group has been fighting Yorkshire Water's plans to rip out the unique Victorian heritage of a listed spillway in Marsden in my constituency and replace it with a concrete monstrosity. Will my right hon. Friend join me in praising the work of Diane Ellis, David Preston, Ian Ladbrooke, Tom Lonsdale and the many members of the group who have been campaigning to save the spillway and hoping that the inquiry will say that it can be made safe and our Victorian heritage preserved?

Mr Hague: As a Minister, I cannot comment on the individual case, but all decisions on such applications need to take into account the national planning policy framework, which is clear that heritage assets are an irreplaceable resource and sets out clear policies for cases where a proposal would harm a heritage asset. I certainly join my hon. Friend in praising local people who have engaged in the planning inquiry to make sure their views are heard, and I know he will be, as ever, a very strong spokesman for them.

Gemma Doyle (West Dunbartonshire) (Lab/Co-op): My constituents in Clydebank, particularly in Whitecrock, are affected by loud noise from aircraft in the Glasgow flight path overhead. In the past few years I have been round the houses, contacting the UK Department for Transport, the Scottish Government, our local council and, of course, the airport itself, but all are unwilling or unable to do anything about it. Might we have time for a debate about exactly whom my constituents can hold accountable and look to for mitigation measures?

Mr Hague: That is also an entirely legitimate subject for a debate, particularly given that many different Departments may have an interest. It sounds like a wholly suitable subject for an Adjournment debate, and I recommend that the hon. Lady pursues the matter in that way.

Philip Davies (Shipley) (Con): With regard to the idiotic nanny-state proposal for plain packaging—why on earth we need plain packaging for a product that is already behind shutters, Lord only knows, not to mention

the fact that it will put many good jobs in Bradford at risk—will the Leader of the House promise that when the matter is further considered, it will not be passed through some Committee upstairs and so sneaked through, but will be debated on the Floor of the House, and that there will be a vote at the end of it, and that that vote will be a free vote for Ministers as well as Back Benchers?

Mr Hague: My hon. Friend always states his case very clearly and moderately. I explained earlier the time constraints on this, and that such regulations cannot be made—they can be laid, but not made—before 2 March. No decision has been made on how both Houses of Parliament consider the regulations—both will need to do so. That can be done on the Floor of the House or in Committee; a decision will have to be made about that in due course. Decisions about whipping will of course be made by other authorities sitting not far from me.

Ian Mearns (Gateshead) (Lab): The Leader of the House earlier expressed concern about the welfare of children around the world, in places such as Nigeria. Last Friday, the Home Office deported to Nigeria two people who lived in my constituency, a Mrs Bola Fatumbi and her five-year-old son, Rafeeq Atanda. When they landed in Nigeria, they found that the cash card with which they had been provided did not work, and they were stranded in the airport for two days before trying to walk into the city. I know that there are rights and wrongs in this situation, but for the life of me I do not know what a five-year-old child, who has never set foot outside this country, has done to be treated like that by this Government. We need an urgent debate in Government time about the rights of children in deportation cases.

Mr Hague: As the hon. Gentleman says, without much more detail none of us can know the merits of individual cases, but he is clearly concerned about this case, and he could pursue it with Home Office Ministers, not only through correspondence but at questions. The next Home Office questions will be on Monday 9 February, so I encourage him to raise it directly with them, but I will inform Home Office Ministers of the concerns that he has expressed today.

Miss Anne McIntosh (Thirsk and Malton) (Con): I welcome the news that the regulations empowering the Groceries Code Adjudicator to levy fines have been laid. Will my right hon. Friend use his good offices to ask the Prime Minister to clarify his welcome remarks, in response to a question, on extending the adjudicator's remit to, as I understand it, the whole dairy industry chain, so that processes will be brought within the supply chain? That will be a very welcome move indeed.

Mr Hague: I know that those remarks by the Prime Minister were warmly welcomed in different parts of the House, and the Government are considering how to take that forward. My hon. Friend is quite right that the relevant related regulations have been laid. The Ministers responsible, particularly at the Department for Environment, Food and Rural Affairs, will be able to expand on this when the decisions have been made.

Mr Iain Wright (Hartlepool) (Lab): The Secretary of State for Health refuses to meet me and Hartlepool borough council to discuss the growing uncertainty

[Mr Iain Wright]

about the future of Hartlepool hospital and how services can be returned to the town. Does the Leader of the House think that the refusal by Ministers to meet elected representatives is appropriate? In the light of that snub to Hartlepool, may we have a debate on the matter?

Mr Hague: I know that my right hon. Friend the Secretary of State for Health has many meetings with Members of Parliament, and has been very much available in recent months to discuss concerns from different parts of the country; but the hon. Gentleman says that no meeting has taken place with him. I will tell my right hon. Friend of his concerns, so that the Department of Health can further respond to him directly about this.

Mr Nigel Evans (Ribble Valley) (Con): In the United Kingdom, 2.7 million people have diabetes, half a million have it and do not know they have it, 700 a day are being diagnosed with it and it is costing the NHS £1 million an hour. It is sometimes referred to as a ticking time bomb, but I think the bomb has gone off. If we do not want the next generation of young people to be the fallout from this, may we have a debate about the education of young people within schools about what they need to do to reduce the possibility of getting diabetes?

Mr Hague: There would be very good arguments for such a debate; indeed, my hon. Friend has just made a good argument for such a debate. This is an increasing strain on the NHS, an increasingly serious disease in this country, and even more so in some other countries, so there is a good case for more discussion of the education that is required. Whether it will be possible to have a debate before the dissolution of Parliament I do not know, but it is exactly the sort of issue on which a cross-party approach to the Backbench Business Committee can be made.

Steve McCabe (Birmingham, Selly Oak) (Lab): Following the urgent question to the Health Secretary yesterday, may we have an early debate or statement on the issue of election purdah in relation to health bodies? Since they are not run by the Government, and the Secretary of State is clear that he does not want to see any political news management of the health sector, it seems logical that they are exempt, yet many bodies are proceeding on the basis that election purdah applies to them. To ensure that no one is tempted to accuse the Government of deliberately fudging the matter, may we have an early debate or statement to clear it up?

Mr Hague: I am sure no one would accuse the Government of deliberately fudging the matter and the hon. Gentleman is not suggesting that, but he raises an interesting point about the application of purdah. I do not have the instant answer to his question, but I or other Ministers will write to him about how we understand the situation, so that there can be clarity on the matter.

Tim Loughton (East Worthing and Shoreham) (Con): Considerable uncertainty continues to surround the current status and future of the independent panel on historical child sex abuse, and the Home Secretary

undertook to make an announcement before the end of this month about the appointment of a new chair. No announcement has been scheduled, today is 29 January and now there is some doubt about the ability to appoint a judge or not. As a matter of urgency next week, will the Home Secretary make a statement to the House about the situation, and before Dissolution may we, in the House and in Government time, have a full debate on the nature of the inquiry going forward, as it will need to sit after March when the House is no longer sitting and it has important business to get on with?

Mr Hague: I will certainly tell the Home Secretary of the points that my hon. Friend has raised. She answered an urgent question on the matter just a week ago and spoke about the appointment of the chair of the inquiry. It is Home Office questions a week on Monday, on 9 February, so the Home Secretary will come back to the House then, but of course it is possible that she will want to make an announcement before then, in line with what was said during the urgent question. My hon. Friend is right about the importance of the matter. We are determined that appalling cases of child abuse should be exposed, so that perpetrators face justice and the vulnerable are protected. The work of the inquiry will have to go on through the period of Dissolution, so there will be a very powerful case for the House to be able to consider this further by means of a statement or debate.

Kerry McCarthy (Bristol East) (Lab): The Government consultation on the draft guidance to be issued under the Counter-Terrorism and Security Bill, known as the Prevent duty, closes tomorrow. Last week I met representatives of the Muslim community in Bristol, who are very worried about certain aspects of that consultation. In the light of the responses received, may we have a debate, which we were not able to have during the debate on the Bill, so that we can discuss some of those concerns?

Mr Hague: I am not sure whether we will be able to have a further debate, in addition to the debates on the Counter-Terrorism and Security Bill. The Bill will come back to the House from the Lords, so there will be some debates on related subjects. I will, of course, pass on these concerns to the Home Office Ministers, but we have reformed Prevent significantly, as the hon. Lady knows, to make sure that it tackles all forms of terrorism. We have introduced new procedures to make sure that we work only with organisations that respect British values. We have changed the objectives so that it deals with non-violent extremism as well as violent extremism. These have been important and positive reforms, but I will draw the attention of Home Office Ministers to what the hon. Lady said.

Robert Jenrick (Newark) (Con): Thirty miles north of my constituency sits the greatest building in Europe that no one has ever heard of, Wentworth Woodhouse, the original northern powerhouse. I say no one, but my right hon. Friend knows it well because he grew up beside it. Wentworth Woodhouse is now for sale and a campaign has been launched cross-party and across conservation organisations to raise £7 million and much more to restore it and regenerate the former coalfield area that surrounds it. Will my right hon. Friend consider

supporting the campaign and holding a debate on what the Government could do to save the building and the area around it?

Mr Hague: Although I cannot immediately offer a debate, I am very familiar with the house, as my hon. Friend says, having grown up just over the wall from it. It is a splendid, grade I listed country house. In the 18th century it was known as the Whitehall of the north, being the seat of the Marquess of Rockingham, who was Prime Minister, as the House will recall, in 1782. The Wentworth Woodhouse Preservation Trust has a number of proposals to find sustainable uses for it. To date Save Britain's Heritage and the preservation trust have generated pledges of about half their target sum. My hon. Friend the Minister for Culture and the Digital Economy spoke at an event last week to help raise funds for the acquisition of the house, so I am sure that the Department for Culture, Media and Sport will continue to support efforts to protect this wonderful building as quickly as possible.

Huw Irranca-Davies (Ogmore) (Lab): Earlier today at the Dispatch Box, an Environment Minister said that he had no responsibility for the issue of offshore wind farms, which quite surprised me, as a former Environment Minister. It made me wonder who is now dealing with environmental regulations and permissions in offshore. May we have a debate on ministerial responsibilities, so that this House and the public know who does what in Government, and, more importantly, Ministers know what they should be doing as well?

Mr Hague: I do not think a debate will be required to be clear about that. There will be opportunities to question other Ministers who have an interest in these things. Next Thursday we have Department of Energy and Climate Change questions, and of course those Ministers have a major interest in these matters. I am sure that if the hon. Gentleman continues to ask about these matters in the House, he will find a Minister who will give him the necessary answers.

Mr Andrew Robathan (South Leicestershire) (Con): I wonder whether my right hon. Friend will provide a debate on whether the party of Labour is any more the party of the working man or the party of welfare. It is very important for historical reasons—I know that he is a historian—that we look at these things.

Mr Hague: These matters can be brought up in other debates. As I said, the Opposition have scheduled debates on apprenticeships and on so-called jobs guarantees, and my right hon. Friend may well want to make these points then. More than 100 years after the Labour party was founded by trade unions for working people,

it has become the party of welfare, while the party of hard-working people sits on the Government side of the House.

Andrew Jones (Harrogate and Knaresborough) (Con): The Government—indeed, all parties here—have a very strong commitment to tackling homelessness. Harrogate homeless hostel, which my right hon. Friend will know, is directly next door to my constituency office and does an excellent job. I was very pleased that Harrogate borough council and North Yorkshire county council supported it with grants of £30,000 each. May we have a debate to explore what more we can do to support the organisations that tackle homelessness every day as we strive to eliminate it?

Mr Hague: Last week there was a well-attended debate in Westminster Hall about homeless young people—an issue of great interest around the House. We have introduced a range of initiatives and projects to help rough sleepers, to prevent single homelessness, and to help those who have been homeless to find and sustain accommodation. Government spending to prevent and tackle rough sleeping and homelessness has increased; we have made over £500 million available. It is extremely important when authorities such as Harrogate and North Yorkshire come in to support that. I know that my hon. Friend will continue to do all he can to tackle this issue in Harrogate and the surrounding area.

Mr Philip Hollobone (Kettering) (Con): I bring good news from Kettering. This year there have been 860 apprenticeship starts in the borough, with 3,680 in the past four years. I welcome the forthcoming debate on apprenticeships for 18 to 25-year-olds that is to be held on the Floor of this House. During that debate, there will be an opportunity to highlight the success of Tresham college in opening up a further 100 apprenticeship starts this year at its open day at its Kettering campus on Saturday 28 February. We can also highlight the very welcome and ambitious plans in the Conservative manifesto to spend £1 billion on creating 3 million more apprenticeships up to 2020—a very real jobs guarantee.

Mr Hague: We are enjoying each week the bulletin of good news from Kettering. I have no doubt that that bulletin will continue on a regular basis, because there is plenty of good news to draw attention to. What my hon. Friend talks about is part of a very important national trend. It is an important national policy for many of us in this House to introduce 3 million apprenticeships in the next Parliament to abolish youth unemployment. I am pleased to say that long-term youth unemployment is already down by 53,000 on the year and is lower than it was at the time of the last general election.

Birmingham Schools

11.14 am

The Secretary of State for Education (Nicky Morgan): With permission, I should like to update the House on progress in implementing the recommendations contained in Peter Clarke's report on Birmingham schools.

The Government have accepted every one of Peter Clarke's recommendations, and I am today placing a document in the Libraries of both Houses outlining the progress that has been made on each. I am pleased to report that since I last updated the House in July, all the recommendations have been implemented or are on track. As a result, I am confident that if the events we witnessed in Birmingham were repeated again, they would be identified and dealt with more quickly and far more effectively.

However, let me be clear that there is no room for complacency either in the specific case of Birmingham or more generally. We must always remain vigilant. There is no more important responsibility than keeping children safe, and giving them the chance of a first-class education that prepares them for life in modern Britain. That is why I am determined that we should not only act when and where we receive information of concern, but build resilience into the system to ensure that it is more able to withstand attempts to undermine or subvert it. We are addressing both concerns.

On the specific issue of Birmingham, a significant amount has been achieved. The job is not done—the problems we encountered in Birmingham arose over a number of years and will not be resolved overnight—but we have already made considerable progress. We have acted quickly in the schools most affected by the issues in Peter Clarke's report. New trustees are in place at all the academies, led by outstanding and dedicated head teachers who are able to tackle the troubling legacy of previous trustees. I am enormously grateful to them for their work.

There has been good progress at two of the three Park View academies. More needs to be done at Park View academy itself, where the significant number of suspended staff has hampered progress, but through the regional schools commissioners network my Department has supported the trustees to find new staff, and it will consider all reasonable requests for additional funding if and where it can help.

In respect of Oldknow academy, the trustees have voted to bring in Ark, a well-established multi-academy sponsor with the capacity and capability to turn the academy around. I am confident that that arrangement will deliver the right results for the children at that school.

I am pleased to report that yesterday the trustees of the Park View Educational Trust announced that Golden Hillock will also join the Ark network. This decision is a significant step along the road to ensuring that its pupils get the best possible chance to fulfil their potential.

In April 2014, Ofsted judged that Saltley school and specialist science college required special measures. The governing body resigned in June, and an interim executive board was appointed. Since 1 September, leadership at Saltley has been the responsibility of Washwood Heath academy, which was praised by Ofsted last year for its

“strong lead on issues of religious extremism.”

It is now sponsoring Saltley's application to convert to academy status, which will happen on 1 March.

Peter Clarke recommended that my Department should consider the case for taking formal action against individual governors or teachers who may have breached their teacher standards. The two academy trusts at the centre of concerns have already suspended a significant number of staff pending disciplinary hearings. I can confirm that the National College for Teaching and Leadership is investigating a number of teachers and that officials are considering formal action against other individuals involved. We must take prompt and decisive action, but we must also follow established and fair processes. I expect to see further progress in this area very shortly, but it is important to note that all cases will be judged against the strengthened advice that I have issued to the NCTL.

Some key people involved in Birmingham schools were leading figures in the Association of Muslim Schools UK, which performs some statutory functions in state-funded Muslim schools. They have now been removed from their positions, and AMSUK now has a new constitution that recognises the importance of member schools upholding and promoting fundamental British values. The Department will continue to monitor closely how AMSUK implements that constitution to be sure that it is suitable for its statutory role.

We have acted swiftly to turn around the academies mentioned in Peter Clarke's report, but his investigation also recommended that Birmingham city council should review the systems, processes and policies for supporting maintained schools in the city. For that reason, I appointed Sir Mike Tomlinson as education commissioner for Birmingham last September to work with the council and oversee the necessary reforms. I would like to thank Sir Mike and his deputy, Colin Diamond, for their invaluable work to date.

The House will also be aware that Sir Bob Kerslake published his review of governance in Birmingham city council in December. That showed the scale of the challenge. I am pleased that Sir Bob recommended that Sir Mike and Lord Warner, who continues as children's social care commissioner in Birmingham until March, should be ex officio members of an improvement panel that will oversee the much needed reform.

The council now has an education services improvement plan, which I welcome, but it has much more to do to put it into practice. Schools need to be confident that any concerns they raise with the council will be tackled quickly and effectively. I met the leader of the council earlier this month, along with the cabinet member for children's services and senior council officers. I told them that I was concerned that the reform was too slow, and that I wanted to see much stronger leadership. If the council does not take urgent steps to improve its leadership capacity, I am prepared to use the powers available to me to issue a statutory direction to the council. I will continue to keep that under review. I can tell the House that I have extended Sir Mike Tomlinson's appointment to March 2016 to oversee the council's delivery of the plan it has developed.

As I said earlier, we need not only to act on individual cases, but to build greater resilience into the system. As Peter Clarke recommended, I have increased my

Department's capacity and expertise in counter-extremism by dramatically expanding the due diligence and counter-extremism group in the Department and placing it under the leadership of a full-time director. We will make further changes in the Department in response to my permanent secretary's report, which was laid before the House on Friday 16 January. For example, we will establish a counter-extremism steering group to ensure that the whole Department recognises and acts on its responsibilities in this area.

Since Peter Clarke's report was published, my Department has strengthened the process for converting to academy status or joining a multi-academy trust. New checks are now done on prospective trustees, and regional schools commissioners decide on convertor applications using local intelligence, with help from local head teacher boards. Academies must also publish registers of trustees' interests and inform the Education Funding Agency of changes of trustees. We are consulting on similar requirements on registers of interest for governors of maintained schools. We have made important changes and clarifications to the governors' handbook, with clear expectations about skills and capacity, and the information that governors need to provide. We are also responding to the recommendations on Prevent training by changing the statutory safeguarding guidance.

I want school staff and the public to feel confident about reporting safeguarding concerns, including about extremism, to the Department. I intend to extend the scope of legal protections to school staff who make whistleblowing allegations. Ofsted is also reviewing its arrangements for handling complaints to ensure that they adequately capture concerns about extremism.

On 25 November, Ofsted published an advice note on no-notice inspections, having indicated that it would broaden its criteria for considering when to conduct them. There were 35 unannounced inspections in the autumn term. Although the chief inspector has confirmed that Ofsted will not routinely inspect schools without notice, it does so where concerns arise. That was the case with a number of inspections in Tower Hamlets in October. That has proven to be an effective approach.

Other important changes that have been made over the last six months, including to the inspection handbook for publicly funded schools, respond partly to the lessons from Birmingham. The handbook makes it clear that inspectors should assess how schools keep children safe from the risks of extremism and radicalisation, and how they promote the fundamental British values of democracy, the rule of law, individual liberty, and mutual respect and tolerance of those with different faiths and beliefs.

I want to be clear that all schools of whatever type should promote those values. They lie at the heart of our country and society. They help to open young people's minds, making them into citizens who respect difference, welcome disagreement and challenge intolerance. They are the attributes that have, in this century and the last, made our country one of the greatest forces for good. They are the values that bind us together. They are the values that mean that, despite the many differences in our nation, we can find a way to move forward together.

These values unite rather than divide, so I say again that no school should be exempt from promoting them, just as no school should be exempt from promoting

rigorous academic standards. There is not one rule for some and another for the rest, but a fair and transparent system that has the best interests of children at its heart. Every school should be promoting fundamental British values, not just because they act as a bulwark against extremism, but because it is the right thing to do.

The Government will not tolerate extremism of any kind. It turns one against another, warps minds, and causes harm and division in communities. It can ultimately lead to support for terrorism. The battle against it begins at school, where young people learn to be active, resilient and tolerant citizens who are ready to seize the rich opportunities of modern Britain. That is why I am proud that no Government have done more to tackle extremism in schools than this Government, and we shall continue to do so in the years to come.

I commend this statement to the House.

11.24 am

Tristram Hunt (Stoke-on-Trent Central) (Lab): I thank the Secretary of State for her statement and for advance notice of it.

It is well to begin at the start of this unfortunate episode. In 2010 the then Schools Minister, Lord Hill, was told by the Birmingham head teacher Tim Boyes of serious concerns about attempted takeovers of Birmingham schools by activists and governors with a radical Islamist agenda. The Government did nothing with that information. In the words of the permanent secretary, the Department showed a sustained

"lack of inquisitiveness on issues relating to potential extremism or destabilisation of schools by external interests."

Meetings were not followed up, warnings were ignored. Only when the so-called Trojan horse affair hit the newspapers did Ministers think it would be a good idea to act to safeguard the children of Birmingham. It is all very well for the Secretary of State to come here and say "We have acted quickly in the schools affected," but for four years they did nothing at all.

The Clarke report found that messages circulated among some of the school staff concerned included

"explicit homophobia; highly offensive comments about British service personnel; a stated ambition to increase segregation in the school; disparagement of strands of Islam; scepticism about the truth of reports of the murder of Lee Rigby and the Boston bombings; and a constant undercurrent of anti-western, anti-American and anti-Israeli sentiment."

I agree with the Secretary of State that there can be no place for such intolerance in British society, and especially not in our schools. Recent events in Paris and Peshawar and heightened concerns over anti-Semitism make that all the more important. We welcome the teaching of British or enlightenment values as part of the syllabus and the Government's new commitment to a broad and balanced curriculum as part of the school inspection system, not least because it has long been Labour party policy.

However, the Clarke report also revealed that the speed of the Government's academisation policy and their aggressive fragmentation of the schools system had increased the risk of radical takeover. Peter Clarke heavily criticised the Government's policy

"by which single schools are able to convert to academy status."

He found that there was no

[Tristram Hunt]

“suitable system for holding the new academies accountable for financial and management issues”,

and concluded that the Government’s accountability policy amounted to “benign neglect”. It was the pupils at Golden Hillock, at Nansen primary school, at Park View, at Oldknow and at Saltley school who suffered because of that neglect.

Although the Opposition fully accept that the challenge of dealing with minority achievement in high-poverty inner-urban areas, the growth of conservative Islam and faith and identity in a state education system are issues beyond party politics, we do hold the Government to account for a chaotic and disjointed schools policy that has increased the threat to child safety and attainment.

Sadly, the Government’s response has fallen short. The Secretary of State still thinks it is possible to run thousands of schools from behind a desk in Whitehall. She is confident that if the events that we witnessed in Birmingham were repeated today, they would be “identified and dealt with”. I hate to say it, but the Government’s chaotic reforms offer no such certainty. The structures and systems for that are not in place, and we have a fragmented and chaotic schools landscape with no system of oversight and accountability, not least in Birmingham.

Can the Secretary of State explain the difference between the functions of Ian Kershaw, Bob Kerslake, Mike Tomlinson, Colin Diamond, Lord Warner, the regional schools commissioner and the regional Ofsted inspector? Who is in charge of schools in Birmingham? Where do parents go if they have a concern? If the Secretary of State thinks we need a middle tier in Birmingham, why not in Bradford? Why not in Plymouth? Why not in Newcastle? Why not introduce some system back into our schools?

We welcome the arrival of the Ark academy chain, but in the light of the problems with Park View academy trust, will the Secretary of State explain why she still refuses to allow Ofsted to inspect academy chains? What oversight will we have of future academy chain problems?

Like me, the Secretary of State has received reports about private faith schools and allegations of discrimination. Is she satisfied that she is doing everything she can to prevent radicalisation and discrimination in private faith schools? What resources in her Department are dedicated to that? Is she satisfied with the inspection regime for these schools?

What reform mechanism has the Secretary of State proposed for Ofsted? What lessons has it learned from taking a school from outstanding to special measures almost overnight? Does she think that Ofsted inspectors currently have the capacity and the skills to judge schools in the difficult terrain of British values?

The events in Birmingham that were discovered last year are deeply worrying. They showed a school system atomised, fragmented and unable to deliver for the parents and pupils it serves. The Government’s chaotic schools policy exacerbated the risk, and nothing the Secretary of State has said today will convince the people of Birmingham that she has a proper plan for Britain’s second city or for safeguarding and attainment across England’s schools.

Nicky Morgan: I welcome the support from the shadow Secretary of State for the fact that there is no place for extremism or intolerance in our schools, and for the teaching and promotion of fundamental British values. Let me turn to the points that he made in response to my statement. He will be aware that the permanent secretary did not only review the events of the past four years; in fact, he went back much further, including to times when members of the hon. Gentleman’s party—including the shadow Chancellor—were Secretary of State for Education.

The permanent secretary’s report found that the Department had not missed any warnings—[*Interruption.*] If the hon. Gentleman would stop talking, he would be able to hear the answers—[*Interruption.*] He is clearly not interested in hearing the answers even though he said that the issue was not about partisan politics. He talked about our policies, but they have delivered improvements than mean 1 million more children are in good or outstanding schools since 2010. That is thanks to this Government’s reforms.

The permanent secretary’s review concluded that Ministers from both sides of the House had not missed warnings but had shown a lack of inquisitiveness, and we are putting procedures in place. The hon. Gentleman is right to say that Peter Clarke’s report set out compelling evidence of a determined effort by people with a shared ideology to gain control of the governing bodies of a small number of schools in Birmingham, but he is wrong to say that that is down to Government policy or the reforms that we have put in place since 2010. Given that the hon. Gentleman is a historian, I am surprised that he has not gone back to look at the history of these events. The problems started much earlier, before this Government, and even before the conversion of schools to academies. This Government have had to react, to listen to the accusations in the letter and to work with members of the hon. Gentleman’s party on Birmingham city council. Academies are more accountable under the new system, and we have improved the education of 1 million children in this country.

The hon. Gentleman completely overlooks the role of the regional schools commissioners, who are extremely active in relation to the schools in Birmingham. He asks who is in charge in Birmingham. I am surprised that he does not know the name of his own party’s lead member for children’s services. In my statement, I made it clear that the leadership capacity of Birmingham city council left much to be desired. The hon. Gentleman does not appear to understand the difference between children’s services, the Bob Kerslake review of the governance of Birmingham city council—which should worry him, given that it is his party that is in charge in Birmingham—and the education of children in Birmingham.

In relation to the inspection of academy chains, I have made it very clear, both in evidence to the Select Committee and in the House, that while we fully support the way in which Ofsted talk to academy chains and the support that it offers to schools, looking at a head office will never give it any experience.

The hon. Gentleman mentioned private faith schools and supplementary schools. Local authorities have a duty in relation to the safeguarding of all children in their local areas and we continue to look at any other regulations or protections that are needed.

As I said in my statement, we are putting in place whistleblowing provisions so that those who are aware of, and concerned about, what is going on in a school will have an easy mechanism to report their concerns to the Department. The hon. Gentleman will also be aware of the evidence that Sir Michael Wilshaw, the chief inspector, gave to the Select Committee yesterday on training put in place for Ofsted inspectors to inspect on the issue of British values.

We have made it clear that there is no place for extremism in any school. We have made strong progress, as Members will see from the documents I am placing in the House of Commons Library today, on the recommendations in the Peter Clarke report. We are tackling this problem at both ends: taking determined action where we find areas of concern and building resilience into the system—a resilience that was lacking under the 13 years of the previous Labour Government.

Tim Loughton (East Worthing and Shoreham) (Con): The Ofsted report into Birmingham schools that came out in June found that

“Often, the curriculum, culture and values now promoted in these schools reflect the personal views of a small number of governors.”

I welcome the measures the Secretary of State has announced. She touched on whistleblowing, which is a specific recommendation of the Ofsted report. Will she provide more detail on how that is going to work, particularly in relation to governors and parents who might want to whistleblow? She mentioned legal protections for members of staff only. Why does she think the system will be more effective than it has proved in the past in what are, in many cases, very closed communities?

Nicky Morgan: I thank my hon. Friend for that question. As he says, we are working with Ofsted to improve procedures for schools on whistleblowing. We are also strengthening the way anyone can contact the Department to raise concerns. I mentioned the strengthening of the due diligence and counter-extremism group—I think my hon. Friend was a Minister in the Department when the group was set up by the previous Secretary of State for Education—in order to take these issues extremely seriously and to tackle them. Concerns can be raised by parents, governors and members of the general public. We are also considering extending legal protections in the Public Interest Disclosure Act 1998 for school staff making whistleblowing allegations. We continue to work with local authorities and regional schools commissioners. The wider point is that, until the Clarke report was published last year, there was perhaps a general disbelief that these sorts of things could be going on in our schools. We are now very well aware of the risks to our children.

Mr Liam Byrne (Birmingham, Hodge Hill) (Lab): I welcome the Secretary of State’s statement and her offer of additional resources to Park View school to get the teachers who are needed. I know that she would want to recognise a number of parents, including Sabina Kauser, Waheed Saleem and Arshad Malik, who helped to rebuild the governance along with Adrian Packer, Bev Mabey and the extraordinary group of teachers who came in to help restore the schools and ensure that, thanks to their work over the summer, they opened on time in September.

I very much welcome the emphasis that the Secretary of State put on the teaching of British values, in particular democracy and the rule of law. She will agree, I know, that it is important that we practise what we preach. It was therefore regrettable that parent members of the trust were not able to be elected by parents at the school. Instead, the trust took a decision to go through the most mind-bending process of selection to hand-pick parents to serve at trust level. I hope she will now encourage the trust to revisit that decision and ensure that democracy prevails.

Nicky Morgan: I thank the right hon. Gentleman for the tone and spirit of his remarks. He has worked incredibly hard with the schools in his constituency and the wider Birmingham area in the aftermath of the reports from last year. He is absolutely right. We do not want the message to go out that we do not want people from Muslim communities or any other community to stand as governors of their schools. I am happy to look at the particular issue he has raised. I join him in thanking all those who worked so hard last summer to get the schools open. At the end of the day, this is all about making sure that the young people at the heart of those schools get the best possible education to fulfil their potential.

Mr Philip Hollobone (Kettering) (Con): Teachers, governors, pupils and parents should be focused on promoting rigorous academic standards and not on pursuing particular agendas, whether relating to extremism or anything else. With regard to the role of school governors, is there no commitment or undertaking they have to sign to say that they will be committed individually to the promotion of British values, so that we can hold errant governors and teachers to account?

Nicky Morgan: Although we do not ask them to sign something, all governors are subject to the governors handbook, which was updated last September with some important changes and clarifications. In particular, one paragraph mentions the need for governors to ensure that a school’s ethos promotes the fundamental British values I mentioned in my statement. We could give the matter some consideration, but as my hon. Friend will know, just because someone signs a piece of paper does not necessarily mean that they have taken onboard all that it requires. One thing this matter has taught us is the need for cultural change as well.

Mr Barry Sheerman (Huddersfield) (Lab/Co-op): Does the Secretary of State agree that the overwhelming majority of Muslims in our country do not want to take over schools and are not extremists, but just want a darn good education for their children?

The Secretary of State’s remarks have disappointed me, because there is a systemic failure. For whatever reason, the Government have bypassed local authorities’ power to exercise authority over, and supervision of, schools. We all know that is true. I am in contact with people who rushed to save the Birmingham situation, and they say that the problem is a lack of power locally. Everything has to go through the Department for Education, which rushes in to help, but it does not have the capacity either. If senior advisers, including Ofsted,

[Mr Barry Sheerman]

are saying that there is systemic failure with the academy model, surely she should recognise that and do something about it.

Nicky Morgan: The hon. Gentleman started so well, and I certainly agree that the majority of Muslims in this country want the best education for their children, grandchildren, nephews and nieces. The Clarke report identified just a very small number of people with a particular ideology.

I have to disagree with the hon. Gentleman, however, when he talks as if there was some golden age in the role of local authorities. I mentioned in my statement that we were working hard with Sir Mike Tomlinson, the commissioner, to build the capacity of Birmingham city council. The council is critical to learning the lessons from last year, but it has some way to go in implementing the plan. I should also point out that the head teachers who identified the problems went to the local authority, but rather than their problems being dealt with or their concerns being listened to, they were encouraged to enter into a compromise agreement and then moved. Those are not the actions of a responsible local authority.

Mr Andrew Robathan (South Leicestershire) (Con): I was surprised by the comments of the Opposition spokesman, given that the problems identified sprang from the failed policies of the past, particularly the discredited policy of multiculturalism promoted by the Labour party. I commend my right hon. Friend for her statement. Does she agree that it is important that every child is taught the Judeo-Christian tradition and history of this country, from which has sprung our values of parliamentary democracy, tolerance and freedom of speech and expression, notwithstanding past intolerance, and that many people have come to this country because of those freedoms?

Nicky Morgan: I thank my right hon. Friend for his points. He is absolutely right that we want every school to be teaching their pupils a broad and balanced curriculum and not only to respect things such as democracy, but to have mutual respect and tolerance of those with different faiths and beliefs. We are a much stronger country because of everybody who has come here and the freedoms, protections and opportunities we have offered—as he will know, being like me an MP for a constituency in Leicestershire, in which lies that fabulously rich city of Leicester.

Pat Glass (North West Durham) (Lab): The Secretary of State will know, as I do, that one of the tools that the previous trustees used was isolation. They prohibited any relationship with neighbouring schools or any school that did not share their warped philosophy. The Education Select Committee report published this week on academies and free schools identified that 47% of converter academies—schools that have converted to academy

status since 2010—were stand-alone academies, which worried us enormously. We felt that Ofsted had a role and that no school should receive an outstanding judgment unless there were positive signs of co-operation with other schools. Does she agree that that would be one structural way of trying to prevent what happened in Birmingham from happening again?

Nicky Morgan: I shall certainly look at this week's Education Select Committee report in detail. One thing explored in previous evidence sessions—I gave evidence to that inquiry—was the growth of collaboration, which we are seeing up and down the country, regardless of the type of school. When I visit schools up and down the country, whether they be converter stand-alone academies, part of a chain or still working within the local authority, and talk to heads and teachers, I see evidence of how much collaboration there has been and how much strength heads and teachers are drawing from working with other schools—locally, but thanks to modern technology, also in other parts of the country and even other parts of the world.

Mr Clive Betts (Sheffield South East) (Lab): If our constituents have problems with the delivery of public services, ultimately they have recourse to the ombudsman. That was true of parents who had problems with working relationships in their children's schools until 2012, when the Government changed the policy. Now, if a parent has a problem with an academy, they can go to the Education Funding Agency, but not with a complaint about the school, only with a complaint about the operation of the complaints procedure itself. Does that not need addressing?

Nicky Morgan: We of course have a very strong inspection system through Ofsted. In my experience as Secretary of State for Education over the course of the past few months, parents find many ways in which to complain, whether it be through Ofsted, the EFA or directly to me as Secretary of State or via the Department for Education. There are mechanisms to enable parents to raise complaints about their children's schools, but of course they often start with the local school itself.

Kerry McCarthy (Bristol East) (Lab): The matters raised by the Education Secretary today, particularly the work she mentioned about her Department's counter-extremism group, overlap considerably with the issues covered in the Home Office consultation on the Prevent duty, which closes tomorrow. I know that some groups in my constituency are keen to have some input. How can they have input into the work of the counter-extremism group in the right hon. Lady's Department as well as influence the Prevent duty?

Nicky Morgan: I welcome all and any engagement that any groups want with the Prevent duty. I recommend that they contact the Department directly. They can come straight through to my office, and we would make sure that their thoughts were shared with the appropriate officials either in my Department or the Home Office.

Growth Deals

11.47 am

The Minister for Universities, Science and Cities (Greg Clark): With permission, Mr Speaker, I would like to make a statement about growth deals. During the past four and a half years, the Government's long-term economic plan has put the British economy on the road to prosperity. Since 2010, the deficit has been cut by half as a proportion of national income; 1.75 million more people are in work; there are 750,000 more businesses; and growth is among the strongest in the G7.

For Britain to fulfil its maximum potential, every part of the country must be an engine of growth, powering the nation ahead. Every city, town and county in Britain is unique, and the people who know best what is needed to build on the particular strengths of each place are the men and women who live, work and do business there. It is in the local interest, but also in the national interest, that they should be given the power to exercise leadership.

This Government have negotiated a series of city deals with England's principal cities outside London, and also with the city of Glasgow. Impelled by Lord Heseltine's report, "No Stone Unturned", £12 billion was taken from central Government Departments and made available for devolution to business and civic leaders in every area across England. In July, I announced growth deals with each of the 39 local enterprise partnerships. They were a great success—welcomed in all parts of the country by businesses, local leaders from all parties and indeed in all parts of the House. The strength of the projects put forward, leveraging in at least twice the value of Government funds devolved, allowed me to invite LEPs to bring forward further proposals, building on this momentum.

In the autumn statement, the Chancellor made another £1 billion available for this purpose, and I am announcing today that we have agreed expanded growth deals with all 39 LEPs. The expanded deals will help to train the people that industry needs in order to fulfil the orders on its books in the future, such as through the Institute for Advanced Manufacturing at Nottingham university, which will train more than 3,000 engineers. The deals will improve road connections that allow people to get to work on sites that can provide more jobs in future, such as at Fareham and Gosport. They will provide the infrastructure that will help growing places to prosper, such as the new high-level bridge across the Manchester ship canal at Warrington. They will improve rail services: for instance, there will be a major overhaul of Gatwick airport station, track improvements on the midland main line, and better facilities for the Night Riviera sleeper service to Cornwall, which provides one of the country's most magical train journeys.

The deals will regenerate parts of towns and cities that can be attractive destinations for employers, visitors and residents, such as Blackfriars and the quayside in Gloucester. They will enhance the collaboration between growing businesses and universities which has produced, for example, the incubation and innovation centre at the university of Huddersfield. They will expand successful programmes of grants to small businesses, including those in Sheffield and Liverpool. They will allow local economies—and the national economy—to benefit from

cutting-edge technologies, such as those that will be provided by the national centre for healthcare photonics that will be established in Sedgefield. Once again, the £1 billion of central Government funding will be added to, by at least £2 billion of private and local funding. That will give a £3 billion boost to local economies all over Britain.

The cities, towns and counties of this country are on the rise. Between 2004 and 2010, two thirds of net job creation took place in London and the south-east; since 2010, those areas have continued to create jobs, but they are being created everywhere else as well. The balance has been reversed, and 60% of the rise in employment is now taking place outside London and the south-east. The expanded growth deals that I have announced today will fuel the resurgence of our local economies, and I commend them to the House.

11.51 am

Roberta Blackman-Woods (City of Durham) (Lab): I am grateful to the Minister for giving me advance sight of his statement.

There is strong support throughout the House for devolution, and communities all over the country are crying out for more power. I pay tribute to the Minister for the role that he has played in Whitehall as a champion of decentralisation. He has been helped enormously by the initiative of Labour councils throughout the country which have come together to form combined authorities, and I also pay tribute to all the councils that are doing that in the interests of the people whom they serve.

The Opposition recognise the steps that the Government have taken, and the progress that has been made with the work that was set in train by the Labour Government through multi-area agreements and the legislation that allowed the creation of combined authorities and economic prosperity boards. However, local enterprise partnerships have not been supported properly—their performance has been patchy—and, as the Business Secretary now admits, abolishing regional development agencies without providing proper replacements caused chaos. Furthermore, the Government's flagship regional growth fund has been dogged by delay.

The Minister has tried his best, but there are reports that his efforts have not made him popular in Whitehall. Some say that his localism scorecard embarrassed the Government and led to his being reshuffled, and some say that attempts to enlist the power of Lord Heseltine and his report "No Stone Unturned" caused him to be reshuffled again. I think that it is all a little unfair, because there is only so much that one man can do.

The Minister talks a great deal about the northern powerhouse. Why, then, is he trickling out bits and pieces with one hand, while taking away much more with the other? Can he explain why, under the present Government, Manchester city council, one of the most deprived parts of the country with some of the greatest needs, has suffered a reduction in spending power of £741 per household, whereas Wokingham, one of the very least deprived parts of the country, has been given an increase of £20? Why have Liverpool, Newcastle and Birmingham, which have some of the greatest needs in the country, faced some of the greatest funding reductions? What happened to the Prime Minister's pledge that those with the broadest shoulders would bear the greatest burden?

[*Roberta Blackman-Woods*]

Can the Minister update the House on any discussions that he has had with the Department for Communities and Local Government about the deeply unfair cuts that have been made in many areas, which are having an impact on councils and their partners, and a wider impact on local economies? Both the National Audit Office and the Public Accounts Committee have been highly critical about the uneven impact of the cuts and the Government's failure to make any assessment of it. Has the Minister made an assessment himself?

The small amounts of money that have been announced today seem to have more to do with another round of overblown press releases than with substance. We know Tory Ministers are big fans of trickle-down economics, but this stuttering decentralisation under this Government gives the term a whole new dimension, and it has not gone unnoticed that the Minister is not announcing new devolution of money for this year, but from 2016, and spread thinly over the next Parliament—indeed, some is not for the next Parliament, but for the Parliament after that. That is not a long-term economic plan; it is more delay and continued centralisation.

Will the Minister back up his rhetoric with substance by matching Labour's commitment to devolve £30 billion of funding for city and county regions over five years? Why does the Minister think it is acceptable to offer limited devolution to some areas and none to others? Why are county regions excluded? County areas are responsible for generating over half of England's gross value added outside London and this Government are refusing to back them. Were there any areas that sought funding that were unsuccessful? What happened to the significant deals for the Leeds and Sheffield city regions? Were they stymied by the Chancellor's obsession with imposing metro mayors, or was it just Whitehall inertia?

As Ministers fan out across the marginal seats that the Government are courting with today's announcements, people in many other cities, towns and rural areas will ask why they are being ignored by this Government when it comes to devolution. A Labour Government will make our devolution offer open to all parts of England—not just to cities, but to towns and villages that come together in combined authorities, with city and county regions across the whole country.

A Labour Government will pass an English devolution Act to reverse a century of centralisation and secure devolution for the people of England's city and county regions. As I said, we will transfer £30 billion of funding over five years, passing power and resource down for transport, skills, employment support, housing and business support. That is three times more money than the current Government have said they will devolve. We will also give city and county regions more power over their public transport networks so that they can set the right bus routes and have fairer fares, as well as integrate their transport services to help working people and businesses succeed in their areas.

Today's announcement is more of the same from this Government: limited powers for a small number of areas. Labour's devolution offer will be far more ambitious in scale and scope. This statement looks like a desperate attempt to produce press releases for Tory marginals, rather than giving the long-term investment in infrastructure and skills that our country so desperately needs.

Greg Clark: I am grateful to the hon. Lady; she has given us some entertainment this morning. I am also grateful for her warm words at the beginning of her comments; they are appreciated. I have never set out to be the most popular person with Whitehall officialdom, but I have enjoyed the full-hearted support of my official colleagues. They have been working extremely hard in recent months, and I want to pay tribute to them. It is a funny kind of reward if getting promoted to the Cabinet is seen as a punishment for success. I am very pleased to be taking these measures forward.

Let me respond to some of the hon. Lady's points. She is mistaken to hark back to regional development agencies. When I go around the country talking to even Labour leaders of cities there is no nostalgia for the RDAs. Under the last Government £20 billion was spent on the RDAs and the regional disparities worsened during that time. What we have seen since 2010 is a different approach—a locally led approach recognising that places such as Liverpool and Manchester are proud cities with an identity of their own and should not be subsumed under an artificial Whitehall creation called “the north-west” run from Whitehall. They need to have their voice, and they are proudly expressing it.

As I have said, since 2010 most new jobs have been created outside London and the south-east. Under the last Government, during the boom the number of private sector jobs in the city of Birmingham actually contracted. We do not want to go back to RDAs.

Enthusiasm is widespread across the country, and that is making a difference. I am very happy to confirm to the hon. Lady that counties and districts are very much included. Every part of England is covered by a local enterprise partnership and will benefit from this, and we want to go further forward in the future.

The difficulty we have with this agenda is that the enthusiasm of all parties throughout the country is not reflected on the Labour Front Bench. I am afraid that we heard this in the hon. Lady's tone when she concluded her remarks. The Labour mayor of Leicester has said:

“Today's announcement is excellent news for businesses and communities in our city and county.”

The leader of Sandwell council has said:

“The additional investment...will boost the quality of life in the Black Country”.

The leader of Birmingham city council says:

“This is fantastic news for Birmingham and the wider region”, and the leader of Barnsley council has described it as a milestone. Even Labour council leaders across the country are in despair at the half-hearted approach of those on the Labour Front Bench.

We will continue this programme. We have more to allocate in the years ahead. Lest any hon. Member on either side of the House should be gulled into thinking that there is any prospect of greater devolution under Labour, they should be aware of the fact that the shadow Chancellor has confirmed that Labour has no plans to make extra funding available to be devolved to local government. Indeed, the devolution report that Lord Adonis authored made it clear that any devolved funds would be offset by a reduction in grants to local government—robbing Peter to pay Paul. We are taking money away from Whitehall and London and putting it into the hands of local leaders. That is working; it is creating jobs and confidence right round the country.

Geoffrey Clifton-Brown (The Cotswolds) (Con): I warmly welcome the funding that the growth fund will give to the new innovation centre at the Royal Agricultural university in Cirencester. However, the biggest problem in Gloucestershire is the “missing link”: the A419 between the M4 and the M5. It is part of the road scheme but it is going to be very expensive and the budget will need to be supplemented. Could that supplement be obtained from the growth fund?

Greg Clark: I welcome my hon. Friend’s remarks. He demonstrates the fact that these growth deals apply not only to our industrial cities but to counties, such as his own, with a substantial rural population. We know that the road schemes and improvements to connections in those counties are particularly important. The devolution of funds, now and in the future, to the Gloucestershire local enterprise partnership will allow it to put forward—as it has done—the schemes that will make the biggest difference in its area, and I encourage my hon. Friend to work with his LEP to achieve precisely that.

Mr Kevan Jones (North Durham) (Lab): Devolution of expenditure needs to be transparent and beyond reproach. In August, I raised with the Minister the role of the chair of the North East LEP, Paul Woolston, who had just been appointed to the chairmanship of Middleton Enterprises, a company owned by Jeremy Middleton, a Conservative party member and donor who is now also on the investment board of the LEP. The Minister promised me, outside the House, to look into that arrangement. Is he satisfied with it?

Greg Clark: I did indeed look into it. Paul Woolston is the chairman of the LEP, which has members from all the local authorities in the north-east. I think he is doing a very good job. I also raised this matter with my officials and I was assured that there were no questions at all to be addressed, but I will happily write to the hon. Gentleman about this.

Mr Robin Walker (Worcester) (Con): The Worcestershire LEP has warmly welcomed the extra £7 million of investment that has been announced today, which will enable more than 600 apprenticeships to be created in our area. I am very grateful for that. All the south Worcestershire MPs recently joined Worcestershire county council in lobbying the Department for Transport for further investment in the southern link, and particularly in the dualling of Carrington bridge. We have had some positive commitments to work with the county on the southern link, but will my right hon. Friend meet us to discuss taking the matter further, and ensure that in future rounds of allocations from the local growth fund, which I am sure he will be championing at the Cabinet table, he will be as strong an advocate as he has been today?

Greg Clark: I will indeed. There is no stronger advocate for Worcester than my hon. Friend. He will know that the agreement we have with the LEP mentions the importance of improving the capacity of that road, and there is a commitment from the Government to work with local leaders to advance that.

Mr Clive Betts (Sheffield South East) (Lab): May we have a reality check? The extra money for the Sheffield city region—£30 million over a number of years—needs

to be put in the context of the £60 million of cuts to Sheffield city council in the next year alone. The Minister is recognised as one of the most committed devolutionists in the Government. We can accept and welcome extra money and extra powers going to our city regions and combined authorities—more money where the decision on how it will be spent is made at the local level not the national level. Will he explain, however, why we cannot have a package of devolution measures that transfers responsibility for raising taxation at a local level in England—this is done in Scotland—and therefore give more powers to local councils in that way? He probably believes that that is the right approach, so why can he not convince his Government colleagues of it?

Greg Clark: No, I do not. It is worth pointing out that the total size of the growth deal with Sheffield is £328 million, which is a huge investment; it is a transfer of funds from central Government to the leaders of Sheffield. I do not think that the answer to the problem of creating further opportunities for places outside London is to increase taxes; I think the answer is to take money away from central Government and put it in the hands of people who can make decisions better informed by their local knowledge.

Andrew Bingham (High Peak) (Con): My constituency is covered by a thick blanket of snow this morning, but this announcement has caused great warmth in Buxton, because the D2N2 LEP bid in respect of the Buxton Crescent hotel and spa is the final piece of a very long jigsaw that has taken many years. It will create jobs, boost the local economy and increase the tourism offer of Buxton and the High Peak for people across the world. I thank the Minister on behalf of my constituents, and may I tell the hon. Member for City of Durham (Roberta Blackman-Woods) that Buxton is not a city?

Greg Clark: My hon. Friend is right. I am delighted that the thaw has started in Buxton, although I am sure it looks even nicer under a covering of snow. From a rival spa town of Tunbridge Wells, I commend the attractiveness of the great town of Buxton and I hope to be able to visit it to see the impact of this investment.

Mr Barry Sheerman (Huddersfield) (Lab/Co-op): The Minister will know that Huddersfield is not a city but that the Kirklees local authority is one of the largest in the land. Nobody from my constituency would not welcome new money to the university of Huddersfield or our area, but may I put this in context? The research published last week by the Centre for Cities gives a very different picture of the way in which over the past five years power and resources have flowed to the richest parts of our country, particularly to London and the south-east. Is he aware of how much of a cut people in Kirklees have suffered in recent years and face in the future? Services are being cut at every level.

Greg Clark: The university of Huddersfield is a strong institution. I know that the hon. Gentleman takes a particular interest in its connections with business, so I hope he will welcome locally the investment that has gone in there. The Centre for Cities is a good and valued think-tank. It carried out a 10-year review of the performance of cities over that period. It did not split what happened before 2010 from what happened

[Greg Clark]

subsequently, but when one does that, the story is striking: most of the net new jobs before 2010 were in London and the south-east, whereas most now are outside London and the south-east. Strikingly, since 2010 the list of areas that have had the biggest fall in unemployment, as measured by the claimant count, is topped by Liverpool, followed by the black country, Birmingham, Teesside, Manchester, Coventry and Warwickshire, the Humber, and Stoke and Staffordshire. That is a picture of the revival of our local economy, which is due to the efforts of local leaders but backed by this Government.

Sir Alan Beith (Berwick-upon-Tweed) (LD): I welcome this coalition Government's investment in the north-east of England—in skills, science and manufacturing—including in Northumberland college. May I, however, underline the fact that the college needs to extend its services into the north of Northumberland, where many students are 40 or 50 miles away from the college?

Greg Clark: I welcome my right hon. Friend's endorsement. The investment in the north-east has been striking, and it is making a big impact. We have been talking about the local growth fund, but there is also the regional growth fund, of which the north-east has been a big beneficiary to the tune of more than £300 million. That is the right way to go—to take money from Departments in Whitehall and to put it into the hands of local leaders and business leaders in the community, because they know where to get the best bang for their buck.

Kerry McCarthy (Bristol East) (Lab): I understand that the Deputy Prime Minister is in Bristol West this morning to announce the new money that Bristol will be getting. I am sure the visit has nothing to do with the fact that the election prospects of the local Liberal Democrat MP are looking rather precarious. I welcome the new money for Bristol, but urge the Minister to consider one proposal that has not yet received funding, which is a centre of excellence for the food and drinks industry. It is an exciting proposal and Bristol would be the perfect city to host it.

Greg Clark: I will certainly look at that proposal, but the great advantage of these growth deals is that it is not me, but local leaders who make the decision to put such projects forward. I hope the hon. Lady will take up that matter with the West of England local enterprise partnership. The Deputy Prime Minister may be in Bristol today, but representatives from Bristol came to 10 Downing street on Tuesday, and I was pleased to have the chair of the LEP and the mayor of Bristol, George Ferguson, pitching to international investors some of the fantastic projects that are available in Bristol. The projects went down a storm, and the meeting was a huge hit, so, quite apart from the investment that comes from these local growth deals, the interest in international investment in Bristol is now rising very strongly.

Paul Maynard (Blackpool North and Cleveleys) (Con): I welcome the Government's support for Lancashire in this latest package and also the application from the

LEP to make Blackpool airport an enterprise zone, but will the Minister join me in accepting that the LEP's track record on enterprise zones has been deeply disappointing to say the least? There are concerns across the House about the performance of the Lancashire LEP. Will he meet Lancashire MPs as soon as possible to try to put the LEP back on track again?

Greg Clark: I will indeed. As my hon. Friend knows, I have had a meeting with Lancashire MPs across the House. It is important that that enterprise zone achieves its potential, which means that it must be properly implemented. I am happy to convene the meeting that he suggests.

Steve McCabe (Birmingham, Selly Oak) (Lab): The Minister will be aware that the National Audit Office says that the original figure claimed for jobs likely to result from these initiatives was 54,000, which was later revised down by the Government to between 6,000 and 18,000. What steps is the Minister putting in place to ensure that there are comparable outcome measures so that these initiatives can be properly analysed and assessed and we have a true picture of what they are achieving?

Greg Clark: All the agreements are in the public domain. They are published and on the websites of all the local enterprise partnerships. There is a framework that tracks the implementation of each component of the deal. We have signing ceremonies that commit the local leaders as well as central Government to do what is laid out. But the difference between the growth deals and previous programmes is that the growth deals are in the hands of the local leaders. It is the local businesses that make estimates of the jobs that they are going to create, so it is an estimate not by the Government but by the local business leaders.

Philip Davies (Shipley) (Con): The Minister has said that the West Yorkshire combined authority will use the new single appraisal framework to inform a formal review of transport funding priorities by 2015 to include the Shipley eastern bypass, which is something that I very much welcome. Does that mean that the Government have been persuaded by the persistent case I have made for the need for that bypass? Will he confirm that the funding is now available to progress the scheme, and whether the onus is now on Bradford council and the West Yorkshire combined authority to prioritise schemes that benefit the whole of west Yorkshire, and not just its Labour heartlands?

Greg Clark: I agree with my hon. Friend that he is a persistent advocate for Shipley, which is quite right as he is the local MP. The transport funds have been devolved to the West Yorkshire combined authority. In fact, £1 billion is available. Of course it is right that, in prioritising the transport schemes, the authority should cover the whole area. That is clearly understood and is set out in the agreement. I know that my hon. Friend will make his cause locally with the same vigour and passion that he does here in Westminster.

Mr Jim Cunningham (Coventry South) (Lab): The Government have foisted massive cuts in local services on Coventry. Will the Minister tell me what has happened to the gateway project in Coventry? There have been

delays, and there is now talk about an announcement next week. Will he also outline the reasons for that delay? He announced in his statement that there would be grants for LEPs. What grants are available for small businesses in Coventry?

Greg Clark: On the Coventry and Warwickshire local enterprise partnership, its expanded growth deal is now worth nearly £90 million and it includes a programme of grants and advice and support for growing businesses. As for the access improvements to Coventry city centre, they have been funded. Sites that are being brought into use require planning permission, but that is a matter for the local authority. If the hon. Gentleman wishes to meet me, I will take up the matter with the LEP and the local authority.

Damian Collins (Folkestone and Hythe) (Con): I welcome the announcement of funding for the Folkestone seafront regeneration scheme. Does the Minister agree that the regeneration of Folkestone, which is led by Sir Roger de Haan, is a model for the regeneration of coastal towns, and that this extra funding through the local growth fund will help to kick-start the next important stage of the development?

Greg Clark: I do indeed agree. I pay tribute to Sir Roger who has worked very closely with my hon. Friend to develop and promote Folkestone as the attractive destination that it is. The area is going from strength to strength, and this further investment will enhance its attractiveness.

Jason McCartney (Colne Valley) (Con): I thank the Minister for the extra £2.9 million allocated to Huddersfield university through the local enterprise partnership. It will help fund a new incubator centre at the Globe Mills development project at Slaithwaite in my constituency. Does the Minister agree that that is a real sign that the northern powerhouse is making a difference in my beautiful part of Yorkshire?

Greg Clark: It certainly is, and Huddersfield is an excellent university. It is always good to reinforce success. Another aspect of this is that it shows the close working relationship between universities, businesses and local authorities. Universities are now, unambiguously, among the leaders of their local economies. It is very gratifying to see in so many of these deals that universities are playing a very strong and impressive role.

Mr Philip Hollobone (Kettering) (Con): May I commend the Minister for today's announcement of an expanded growth deal for Northamptonshire? I press him to try to find an urgent funding solution for the Weekley-Warkton bypass, which is mentioned in his statement. The Department for Transport has already provided £110 million for the widening of the A14 around Kettering. It has also promised £15 million to fund a new junction—junction 10A. The Weekley-Warkton bypass is the missing bit of

the circle around Kettering that is required for the necessary traffic relief for all the new houses that are being built locally.

Greg Clark: My hon. Friend makes an important point. There has been substantial investment in the road capacity in and around Northamptonshire. This particular project has the support of the Government. It is mentioned in the deal with the local enterprise partnership as something that is a priority to be taken forward through further discussions.

Ben Gummer (Ipswich) (Con): I, too, wish to thank the Minister for his great support for the Ipswich innovation centre, run by University Campus Suffolk, and also for the feasibility funding for the Wet Dock crossing, both of which were welcomed by the Labour leader of Ipswich borough council as “excellent news”—clearly, he had not co-ordinated his message with those on the Labour Front-Bench. I hope that he will not listen to the voices of the Labour party on this, because the new Anglia LEP has delivered for towns such as Ipswich the kind of investment that was never present during the previous Government.

Greg Clark: My hon. Friend is absolutely right. We have been able to work very cordially with leaders of all parties across the country because we recognise that, where there is local knowledge that can bring forward compelling propositions, it is in the national as well as local interest to do so. Ipswich is a good example in that regard. In the city deal with Ipswich, I was pleased to see one of the first youth oriented jobcentres in the country, which is a tremendous success. The investment that comes from this deal, which was proposed locally, will have just such an impact, and my hon. Friend has been a great champion of such deals.

Andrew George (St Ives) (LD): I particularly welcome the £11.3 million announced today for Cornwall. The Minister mentioned the Night Riviera service—something on which I have campaigned and petitioned the House for many years. Investment in that, as well as the broadband investment are welcome. I do not want to sound a discordant note, but may I urge the Minister to ask his Cabinet colleagues to look again at whether Cornwall should achieve intermediate body status so that the LEP does not have to go to Whitehall to ask permission every time it wants to move a paper clip around the county? Surely we could be given the same status as many cities so that we can advance our European convergence programme.

Greg Clark: It is fantastic news that Cornwall has had such substantial success through the growth deal programme. Further improvement of the facilities on the sleeper service will be good for the visitor economy as well as the people who live and work in Cornwall. The hon. Gentleman knows that I am determined to continue the substantial progress that we have made towards getting power out of its centralised bunker in Whitehall and into the hands of people right across the country, and I will not let up in pursuing that.

Backbench Business

Iraq Inquiry

12.12 pm

Mr David Davis (Haltemprice and Howden) (Con): I beg to move,

That this House regrets that the Iraq Inquiry has decided to defer publication of its report until after 7 May 2015; and calls on the Inquiry to publish a timetable for publication and an explanation of the causes of the delay by 12 February 2015.

The second Iraq war led to the deaths of more than 4,800 allied soldiers, 179 of them British. The lowest estimate of Iraqi civilian fatalities is 134,000, but plausible estimates put that number four times higher. So let us be clear—at least 134,000 innocent people died. The war created 3.4 million refugees, half of whom fled the country. It cost the British taxpayer £9.6 billion and it cost the American taxpayer \$1,100 billion.

The war has done untold damage to the reputation of the west throughout the middle east, and indeed among Muslim populations both at home and abroad. Initiated to protect the west from terrorism, it has in fact destroyed the integrity of the Iraqi state and triggered a persistent civil war that has created the conditions for perhaps the worst terrorist threat yet to the west—ISIL. It has done huge harm to the self-confidence and unity of the west, neutering our foreign policy. The war was, with hindsight, the greatest foreign policy failure of this generation, and I say that as someone who voted for it. So that is why the Chilcot inquiry was set up.

The Iraq inquiry was announced in 2009 with broad and proper terms of reference. Sir John Chilcot, the inquiry's chairman, made it clear that this was principally about learning lessons. He said that these

“lessons will help ensure that, if we face similar situations in future, the government of the day is best equipped to respond to those situations in the most effective manner in the best interests of the country.”

Governments are often prompted by acts of terrorism into making mistakes. The United States rushed into extraordinary rendition, torture, illegal surveillance and Guantanamo Bay. We attempted to introduce 90-day detention without charge, which everyone now accepts was unnecessary and wrong. But the greatest and most dangerous errors are in foreign policy. As Lady Manningham-Buller, the former head of MI5 stated, the invasion of Iraq “undoubtedly increased the threat” of terrorist attacks in Britain.

Since the announcement of the inquiry, three major foreign policy decisions would have greatly benefited from the lessons that arose from the Iraq war. In Libya we undertook a military intervention that was intended to prevent a massacre, quite properly. It was successful, but it was the precursor to protracted conflict and unrest following our nominal military victory. In Syria, the Government were blocked by this House from military intervention, an intervention that would have led us to be the military supporters of our now sworn enemies, ISIS. And now in Iraq the UK has become embroiled in the ongoing civil war that has raged since the invasion in 2003.

Mr John Baron (Basildon and Billericay) (Con): Will my right hon. Friend give way?

Mr Davis: I will, but as the Government have, in my view improperly, made two statements on a Backbench Business day, I will have to limit the number of interventions I take.

Mr Baron: As someone who voted against Iraq and Libya, I can only concur with what my right hon. Friend has said. Does he accept that the Chilcot inquiry has made it clear that it has cleared a lot of evidence for publication, but has not published it since 2012? Would it not be right, in the absence of the report itself, to get the evidence published, which would be the next best thing?

Mr Davis: My hon. Friend makes a good point. I will refer in a moment to the Winograd commission, which produced an interim report before the final report. Either of those approaches would have been sensible and worth while, and are still possible.

When decisions such as those that were made in Libya, Syria and Iraq are made without knowledge of all the facts, mistakes are made and sometimes people die as a result. So it is not hyperbole to say that the delay to the Iraq inquiry could cost lives because bad decisions could be made.

When it was announced in 2009, the inquiry was expected to take one year, and that was thought by the then Leader of the Opposition to be too long. Had the inquiry stuck to that timetable, the Government would have had the benefit in all the actions I have mentioned of any lessons that might have been learned from the final report. Six years on from the start, Sir John Chilcot has said that the report has taken

“longer than any of us expected would be necessary”.

Paul Flynn (Newport West) (Lab): Will the right hon. Gentleman give way?

Mr Davis: If the hon. Gentleman will forgive me, I will not for the moment.

That was perhaps the understatement of the decade. It has been claimed that it is not an unreasonable period of time for such an important inquiry, but the Franks report on the Falklands war took six months, and we should not forget that that war had a controversial start. There were controversial aspects to the continuing diplomatic negotiations. It was incredibly sensitive in diplomatic, national security, military and espionage terms, yet it took six months.

The Winograd commission—the Israeli Government-appointed commission of inquiry into the war with Lebanon in 2006—is another relevant example. The commission held its first session in September 2006, released a preliminary report within seven months and then published in January 2008, less than a year and a half after the inquiry was announced. Any argument for delay on the grounds of political sensitivity or national security would be far more pertinent in Israel, where the immediate threat to life is considerably greater than in any other country in the world.

Dr Liam Fox (North Somerset) (Con): By the time we get to see this report, we will be in the third Parliament during which it has been written and considered. Is my right hon. Friend aware of any precedent for that and is there any possible legitimate excuse for the delay?

Mr Davis: No, and that is the case that I am going to explore. I will not do what the Father of the House did and go back to the Dardanelles, but even if we went back further than that we would not get to this level of delay.

Paul Flynn: Sir Jeremy Heywood was asked two days ago whether he would approve of this House subpoenaing the evidence to Chilcot and publishing it ourselves. His comment was that he did not want to rush the Chilcot report. Is that a reasonable view?

Mr Davis: When the hon. Gentleman listens to what I intend to say shortly, he will realise that Sir Jeremy Heywood certainly does not want to rush the report, and there are some reasons for that of which I do not approve.

I have been asked by a number of colleagues why I believe that the delay has occurred. The truth is that no one in this House knows, not even the Minister. There is not enough information in the public domain, which is why the motion requires an answer to that exact question from Sir John Chilcot. Nevertheless, there are some clues. For clarity, I should say that I do not believe, at this stage at least, that the witnesses are the cause of the delay, and I say that because I think that one of them will be speaking later.

Some of the delay is undoubtedly down to the conflict between the inquiry and Whitehall—Sir Jeremy Heywood and others—about what can and cannot be disclosed. What the inquiry can publish is wrapped up in a series of protocols that have criteria so broad that a veto on publication can virtually be applied at Whitehall's discretion. Compare this with the Scott inquiry into the Iraqi supergun affair. It also covered issues of incredible sensitivity in terms of national security, international relations, intelligence agency involvement, judicial propriety and ministerial decision making. Sir Richard Scott was allowed to decide himself what he would release into the public domain, unfettered by Whitehall. By contrast, Sir John Chilcot, who is a past Northern Ireland Office permanent secretary, who chaired an incredibly sensitive inquiry into intercept evidence, and who is considered a responsible keeper of Government secrets, is tied up in protocols, subject to the whim of Whitehall.

We know there have been long negotiations between the inquiry and Sir Jeremy Heywood, the Cabinet Secretary, and his predecessors over the disclosure of some material, most notably correspondence between ex-Prime Minister Tony Blair and George W. Bush. There is no point whatsoever in the inquiry if it cannot publish the documents that show how the decision to go to war was arrived at. Chilcot himself wrote in a letter to the Cabinet Secretary:

“The question when and how the prime minister made commitments to the US about the UK's involvement in military action in Iraq and subsequent decisions on the UK's continuing involvement, is central to its considerations”.

The negotiations between Chilcot and Jeremy Heywood concluded only in May last year, when it was announced that an agreement had been reached. The process was clearly frustrating for the inquiry: Sir John Chilcot queries why it was that

“individuals may disclose privileged information (without sanction) whilst a committee of privy counsellors established by a former prime minister to review the issues, cannot”.

He was of course referring to Alastair Campbell and Jonathan Powell's respective diaries, which quoted such information. Sir John stated in his letter that documents “vital to the public understanding of the inquiry's conclusions” were being suppressed by Whitehall. That is ridiculous. If that is the approach taken, nothing will be learned and there is little purpose in the inquiry.

The inquiry protocols are symptomatic of a mindset that seems to assume that serving civil servants are the only proper guardians of the public interest. That leads me to a particular problem: if a Minister is asked to make a decision that affects him, his family, his property or even his constituency, he is required to withdraw—in the jargon, to recuse himself—from the decision and have somebody else make it. That does not say that the Minister is corrupt; it simply means that one can avoid the appearance of corruption and any chance of an improper decision, and it removes the risk of unconscious bias. It is a proper procedure. No such rule applies for civil servants.

This inquiry process is littered with people who were central to the very decisions the inquiry is investigating. Sir Jeremy Heywood was principal private secretary to Tony Blair for the entire period, from the 9/11 atrocity through to the first stage of the Gulf war, yet he is Whitehall's gatekeeper for what can and cannot be published. Even the head of the inquiry secretariat, Margaret Aldred, was deputy head of the foreign and defence policy secretariat and therefore responsible for providing Ministers with advice on defence and policy matters on Iraq, and she was nominated to the inquiry by the Cabinet Secretary of the day.

All of that would matter less if the ridiculous restrictive protocols that Whitehall has imposed on the Chilcot inquiry were not there. Like Scott, Sir John Chilcot should be allowed to publish what he thinks is in the public interest, and not what Whitehall thinks is acceptable.

Mr Bernard Jenkin (Harwich and North Essex) (Con): Will my right hon. Friend allow me to intervene?

Mr Davis: If my hon. Friend will forgive me—

Mr Jenkin: I want to intervene on this—

Mr Davis: I know, but I am making progress.

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

Mr Davis: No.

To finish my point, if that had been the case, we might well have had the inquiry report already and there would be less public concern about an establishment cover-up.

We also know that the Maxwellisation process is causing some delay. Those due to be criticised in the final report are being allowed lengthy legal consultation. Although this is a necessary part of the process, strict time controls are needed. It cannot be right that those who are to be criticised can delay publication for their own benefit.

Finally, let me deal with the question of preventing publication during the run-up to the general election. Purdah periods exist for a simple reason: to prevent Governments from using their power to publish information

[Mr David Davis]

that would give them electoral advantage. They are not to prevent impartial information from being put in the public domain—[HON. MEMBERS: “Hear, hear”]—so why delay a deliberately impartial report of vital interest to the nation just because the election is pending? It is nonsense. I say to those who are cheering that, frankly, it is not clear that there will be much political advantage anywhere. It was started by a Labour Government, but it was supported by the current Prime Minister, who spoke in favour of it even as late as 2006; the current Labour leader did not vote for it because he was not in the House. There is complete confusion about where there could be any advantage, but the public interest should trump any interest of party advantage and that is why publication should not be delayed by the election.

The Iraq inquiry has been a missed opportunity. Terrible mistakes were made but, fatally, we have so far failed to learn our proper lessons from them. Douglas Hurd, the former Foreign Secretary and in no way an anti-establishment figure, has branded the endless delays a “scandal”. He is right. It is a disgrace. It is an insult to those who died on our behalf in that war and a betrayal of the people they died to protect. That is why I ask the House to pass the motion today.

Several hon. Members *rose*—

Mr Deputy Speaker (Mr Lindsay Hoyle): Order. I would like to suggest that Members speak for up to 10 minutes. Otherwise, we will have to impose a time limit.

12.35 pm

Mr Jack Straw (Blackburn) (Lab): I am pleased to follow the right hon. Member for Haltemprice and Howden (Mr Davis). I welcome the debate, and in doing so I formally draw the attention of the House to the fact that as Foreign Secretary between 2001 and 2006, I have been a witness before the Iraq inquiry.

Of all the many decisions I had to make as a Minister, none was more serious than my decision not just to support military action against the Saddam Hussein regime, but actively to advocate that course in the final speech in the momentous debate in this House on 18 March 2003. The House went on to vote by 412 to 149 in favour of military action if Saddam Hussein failed to meet the terms of an ultimatum presented to him.

If one accepts the privilege of high office, one has to accept the consequences that flow from the decisions one makes. It was therefore entirely right that there should be a comprehensive and independent inquiry about the Iraq war, not least to hold those of us who had to make those decisions properly to account. There was an issue between the parties about the timing of the inquiry, and I shall discuss that briefly later in my speech, if I have time. The inquiry was established in mid-June 2009 and when it began its oral evidence sessions, in November 2009, its chairman, Sir John Chilcot, said:

“We aim to report, if possible, by the end of 2010”.

Any inquiry of this nature has to follow rules of natural justice and public law principles, including that it judges decision takers on the circumstances that obtained at the time, on the information then available

and without the benefit of hindsight. Alongside that, there is the Maxwellisation process to give witnesses an opportunity to respond to the drafts of any criticisms intended to be made of them, and the inquiry then has to have time and space to consider those representations.

Mr Baron: Is the right hon. Gentleman now going to admit something that his party and a good number of people on my side have not admitted, which is that we went to war on a false premise? There were no weapons of mass destruction. Is he willing to admit that now?

Mr Straw: With great respect, no, and this is not the occasion to do that. I gave extensive evidence to the Iraq inquiry, as I will explain.

As part of the process of Maxwellisation, all relevant witnesses were required to sign undertakings of confidentiality. The House will therefore understand that those who are part of the Maxwellisation process are constrained in what they can say. I would, however, like to say this. I gave oral evidence to the inquiry on three occasions: twice in early 2010 and then on 2 February 2011. The third time I was before the inquiry—four years ago this coming Monday—was the inquiry’s final evidence session. At that point, Sir John said it was

“going to take some months to deliver the report itself”,

which was taken to mean that publication would take place by the end of 2011. However, 18 months later, in July 2013, the inquiry announced that the Maxwellisation process would begin in October of that year. As the House now knows, it did not begin for more than 12 months after that.

Sandra Osborne (Ayr, Carrick and Cumnock) (Lab): Why does my right hon. Friend think that the Chilcot inquiry adopted a convoluted Maxwellisation process, rather than the straightforward one adopted in the Inquiries Act 2005?

Mr Straw: I am afraid that the answer to that is well above my pay grade. My hon. Friend would have to ask the inquiry, or those responsible for the inquiry, about that. But I just say, parenthetically, that when this is all over, there will be many issues for parties on both sides of the House to consider about the conduct of such inquiries, not least whether they would be aided, as I soundly believe they would be, if counsel and high-grade legal teams were available to them.

There has been much nonsense around suggesting that it has been witnesses who have caused the extensive delays in the inquiry’s progress, and therefore its final report. I am grateful to the right hon. Member for Haltemprice and Howden for what he said, because these claims are wholly without foundation. A moment’s thought should convince anyone that no witness has had any interest in the inquiry’s being dragged out for this long. For example, to prepare for my evidence sessions in 2010 and 2011, I had to study hundreds of records. If the Maxwellisation process had taken place at the time, the detail from those records would still have been fresh in my mind. As it is, a further four years has elapsed, requiring fresh study of reams of documents. I am conscious too, as the whole House will be, of the anxiety and concern of those who have lost loved ones in the conflict at the delays in publishing the report.

When Sir John wrote to the Prime Minister last week with an update on the progress of his inquiry, he said that he could confirm that,

“individuals are currently being given the opportunity to respond to provisional criticism in the inquiry’s draft report”.

The House should note the use of the adverb “currently”, to which the adverb “recently” might have been an informative addition. It follows from this that no witness to the inquiry has remotely been responsible for any of the delays that have occurred to date. Nor, as Mr Blair has made clear in a recent statement, has he or any other witness been involved in delaying the process of declassifying previously sensitive documents.

Jeremy Corbyn (Islington North) (Lab): Is there not then a question as to any obstruction that might have come from the office of George Bush, the former President of the United States, or the current White House, which seem to be very reluctant to reveal the details of correspondence and communication between former Prime Minister Blair and former President Bush?

Mr Straw: I have no information about any of the process of declassification.

At the same time, my hope is that in the Maxwellisation process, which is only “currently” under way, no one is suggesting that any person who is the subject of provisional criticisms by the inquiry should not be given a proper opportunity to consider those and to respond, with sufficient time, proportionate to the volume and complexity of the material involved. It has, after all, taken the inquiry more than five years finally to produce its initial report, and as the Prime Minister has conceded, even that may not be complete.

Let me deal briefly with the claims that if the last Government had established an inquiry earlier, we would have had the report by now. There are two responses to that. The first, the obvious one, is that no one anticipated delays of the length that we have seen. The then Leader of the Opposition’s complaint, when the announcement was made in June 2009, was that the inquiry

“is due to take—surprise, surprise—until July or August 2010.”—[*Official Report*, 15 June 2009; Vol. 494, c. 25.]

That is after that general election. There was never the remotest suggestion from anyone, nor anticipation, that this report would not be out well before the 2015 general election.

Secondly, although they were the subject of controversy, the previous Government did have sound reasons for not establishing an inquiry earlier than we did, because British troops were heavily involved in combat operations at the time when earlier calls were made. Our rationale—

Mr Angus Brendan MacNeil (Na h-Eileanan an Iar) (SNP): The idea that the Iraq inquiry could not have been held during the Iraq war was shown to be a fallacy by Douglas Hogg at the time. He pointed out in the House that the inquiry into the Norway debacle happened during world war two. That was a smokescreen by the then Labour Government.

Mr Straw: With great respect, it was not. I have looked at the precedents. There can be inquiries in the middle of wars. I have looked, as it happens, at the precedents of the Dardanelles and the Crimea. A contemporaneous report of the conclusions of the report

on the Crimea, which were read out to the House by the Clerk for one hour and 25 minutes, spells out that the difficulty of the task

“has been materially enhanced by the impossibility of summoning some persons by considerations...of State policy”,

and the committee admits that

“they have been unable satisfactorily to complete”

the inquiry.

The Franks inquiry was the subject of huge controversy at the time. I was in the House. Yes, it did report in six months, but it was a committee of privy counsellors, four of the six were former Labour and Conservative Cabinet Ministers, and one had been the former permanent secretary at the Ministry of Defence. Some said that they were *parti pris*. They took all their evidence in secret and, as far as I know, they published no documents to be declassified. It can be done in that way, but it is not acceptable these days.

There were many debates about a meaningful inquiry, for example the one in October 2006. At the time it was said,

“important operations are under way in Iraq. Major political decisions...and efforts to contain the insurgency appear to be in the balance...Any inquiry should be able to examine what happens in the coming months...as well as the events of recent years. To begin an inquiry now would therefore be premature.”—[*Official Report*, 31 October 2006; Vol. 451, c. 183.]

Those powerful words were the argument that we were advancing. What is interesting is that they were not offered by a Minister, but from the Opposition Front Bench by the right hon. Member for Richmond (Yorks) (Mr Hague).

I do not envy members of the inquiry the burden they have had to face. The unanticipated delays in the inquiry’s progress now make for additional pressures on the inquiry members themselves. In particular, as the months go past, wholly unfounded suspicions fall on the inquiry about a whitewash, and there is an equal and opposite concern that they may feel obliged to respond to these pressures by conclusions more starkly drawn than the evidence would allow.

Paul Flynn: Will my right hon. Friend give way?

Mr Straw: I am just coming to the end.

Everyone bears a heavy responsibility for ensuring that the inquiry is not put in a position where it becomes impossible to conduct a fair process and reach a fair and independent conclusion. As the right hon. Member for Haltemprice and Howden importantly noted outside the House on 14 January:

“The purpose of the inquiry is not vilification or vindication—it is to learn lessons.”

That is the path all of us wish the inquiry to follow, and I hope, as we all do, that it can be published as quickly as possible.

12.48 pm

Sir Richard Ottaway (Croydon South) (Con): It is a pleasure to follow the right hon. Member for Blackburn (Mr Straw). He and I have sparred over this issue for the best part of a decade, but I welcome the clarity of his remarks. I congratulate my right hon. Friend the Member for Haltemprice and Howden (Mr Davis) on securing the debate. On his very last point about political advantage,

[*Sir Richard Ottaway*]

I could not agree with him more. This was a political decision, and when can the public pass comment and judgment on a public decision but at a general election? So it would be entirely appropriate if the report was ready for publication in the next few months.

On 18 March 2003, Tony Blair, the Prime Minister, stood at the Dispatch Box and looked Parliament and the nation in the eye and said that the security of the western world was threatened. He was not my party leader, but he was my Prime Minister, and I reached the conclusion, while I was sitting in the Chamber on the Opposition Benches, that it would be irresponsible not to accept his warning and his advice. The question I have asked myself ever since was whether that was the right decision. Twelve years later, we still do not have a definitive answer, and in truth I have regretted that decision that I made to support the Prime Minister, in the absence of clear evidence, ever since.

There have been no fewer than four inquiries into this subject during my time in Parliament. None of them has taken more than six months. The first was conducted by the Foreign Affairs Committee, of which I was a member, and resulted in a split decision. The key passages of the report were carried on the casting vote of the Chairman, but I did not agree with its conclusion that the action taken was justified by the information available at the time. That inquiry was triggered by a report on the “Today” programme by Mr Andrew Gilligan, who said that he had evidence that the case for war had been “sexed up”. That led to war between No. 10 and the BBC, largely provoked by Alastair Campbell. It led to the resignation of the director-general, Greg Dyke, and the chairman, Gavin Davies.

During that inquiry, the Government put up Dr David Kelly to give evidence to the Committee. It was done by a devious process and eventually the media managed to ascertain the name of Dr Kelly. It was an unfathomable tragedy for him and his family, and the mystery to this day is why the Government put him up to give evidence in the first place. During his evidence he denied that he said to Andrew Gilligan the words that were quoted, but more critically, he had given a briefing to Susan Watts of “Newsnight”, and “Newsnight” published the quotation that he had given to it. When questioned by myself and David—now Lord—Chidgey as to whether he had said those words, Dr Kelly denied saying them. In fact, the BBC had recorded the conversation, and it is believed that he died on the day that he discovered this and was about to be outed as having misled the Committee.

That led to the second inquiry, the inquest conducted by Lord Hutton, which concluded that Dr Kelly took his own life.

Norman Baker (Lewes) (LD): Will the right hon. Gentleman give way?

Sir Richard Ottaway: I will not give way to the right hon. Gentleman because I know exactly what he has to say and I will let him give his conspiratorial twaddle to the House in his own time, rather than mine. [*Interruption.*] I am sure he will let the House know shortly.

In the inquest conducted by Lord Hutton, he concluded that Dr Kelly took his own life. Although the case for war may have been exaggerated, he concluded that it

was not “sexed up” in the sense that it contained false or unreliable intelligence. But the evidence that came out during that hearing was that the weapons of mass destruction that we had invaded Iraq to remove were, in fact, small-calibre shells and battlefield weapons—in other words, they were defensive weapons, not offensive weapons that would threaten the security of the western world.

When the report was published and we had the debate in the House on the Hutton inquiry, I intervened on Tony Blair and asked him if he knew that information on the day that we voted to go to war, and if not, why he had not told the House that. He replied that he did not know. So the question is, how could we be going to war when the Prime Minister of the day, who made the decision to go to war, was not properly briefed about the threat that we faced? I, the House and the nation want to know the answer to that. We expect that the Chilcot inquiry will provide the answers.

That the threat was only battlefield weapons was confirmed by the third inquiry, which was conducted by the Intelligence and Security Committee in 2003. It made no judgment on the rights or wrongs of the case for war, but it looked at the use of intelligence and it accepted that there had been convincing intelligence that Iraq had weapons of mass destruction programmes. That has subsequently been established to be manifestly wrong, so why was that information there? Again, we want the Chilcot inquiry and the Iraq inquiry to provide the answer.

The Intelligence and Security Committee inquiry led to the fourth inquiry—the Butler inquiry of 2004, which was a continuation of the ISC inquiry. Two members of the Intelligence and Security Committee sat on the Butler inquiry, together with Lord Butler, the chairman, who is now a member of the ISC, and Field Marshall Inge, who gave military advice to the committee. The final member was Sir John Chilcot. This was by far the most in-depth inquiry and looked at the many issues that had surfaced. It concluded that the 45-minute claim should not have been made in the way that it was. But—and it is an absolutely critical but—the inquiry still had not had full access to all the information, and questions remained. Those questions continue to reverberate. Eventually the Chilcot inquiry was established, and Chilcot had the great advantage that he was at least briefed when he started.

I feel that I have only scraped the surface of the high number of unanswered questions. I appreciate the enormity of the task faced by the Iraq inquiry. It has had to deal with former President Bush’s office, the security services, the Cabinet Office, Tony Blair’s office and the offices of the witnesses. It has had to cope with hundreds of hours of oral evidence and thousands of pages of written evidence. There has been personal illness on the committee. The committee has my sympathy, but six years? The prediction at the time, as has just been said, was that it would take two years. The Franks inquiry took six months and the issue in 2009, as has been said, was whether the Iraq inquiry’s report would be ready by the 2010 election. My only regret is that when it is published, I will not be here to debate fully the issues that have been raised.

Jeremy Corbyn: The right hon. Gentleman and I have been involved in all the debates on Iraq. Does he recall that a number of us, maybe including himself, felt that

the whole inquiry process was wrong, and that there should have been a judicial inquiry that could have been seen to be totally independent of what has been revealed by the right hon. Member for Haltemprice and Howden (Mr Davis), which is, essentially, that pretty well everybody is involved in some way along the line in the decision making or the prevention of evidence coming forward?

Sir Richard Ottaway: The hon. Gentleman is right—we have been debating these things for a long time. He neatly leads me into the final part of my speech, which is the appearance of Sir John Chilcot before the Foreign Affairs Committee next Wednesday, when, I hope, we can establish answers to such questions. I want to give him a chance to put the record straight.

Sir John Chilcot is a distinguished public servant who has done his best to assist the country. There is no finger of blame pointed at him, or there will not be next Wednesday afternoon, and I quite accept that he will not be able to discuss substantive matters when he appears before us. What I want him to talk about is the process, and I want him to guide us on how to streamline procedures for the future, and maybe to provide the answers to the hon. Member for Islington North (Jeremy Corbyn).

Mr Jenkin: I am pleased that my right hon. Friend is going to see Sir John Chilcot in front of the Foreign Affairs Committee. Would he ask him about the role of the Cabinet Secretary? It is suggested by some, as we heard earlier from my right hon. Friend the Member for Haltemprice and Howden (Mr Davis), that somehow he is irrevocably conflicted, even though he is only negotiating what might be published, not what the inquiry can see. Will my right hon. Friend put that question to Sir John, so that he can fairly say whether he feels that the Cabinet Secretary has been obstructing or not? I suspect not.

Sir Richard Ottaway: That is a fair point and I will have a look at my hon. Friend's request. I do not make a promise but clearly, the Cabinet Secretary and the role of the Cabinet Office are highly relevant to all this. I want to give Sir John an opportunity to answer the questions. Whether he chooses to do so or feels able to do so is a matter for him.

In conclusion, what we want to try and find out is what has gone wrong and how we can deal with such matters in the future, so that these situations never happen again.

12.58 pm

George Galloway (Bradford West) (Respect): Dead men cannot tell tales, and Dr David Kelly is not here to answer what I believe were several unwarranted interpretations of events surrounding him given by the right hon. Member for Croydon South (Sir Richard Ottaway).

In the words of Lord Hurd, the circumstance we now find ourselves in is a scandal, and one compounded by the acres of empty green Benches all around us today. There are some 30 Members of the House present. There are some seven members of the Labour party which took us into the war, and most of those were resolute opponents of the war, and another is in the dock in the inquiry. I will come to him later.

The Schleswig-Holstein question took a long time, but that is because nobody knew the answer. Everybody knows the answer to the question of why Sir John Chilcot has come forward—a week before our debate, when he knew that it was on the Order Paper—to tell us that this inquiry will not report before the general election. Everybody knows the answer to that, however much flannel is pulled around it. It is to avoid the fact that the report can only highlight the iron-clad consensus that existed at that time between the two Front Benches: the then Prime Minister and his acolytes, only one of whom has the courage to be here today, and the then Leader of the Opposition, who is not here today but whose principal role in these matters was to egg the Prime Minister on to war, bigger and faster, as those of us who were here well remember—bitterly remember.

I declare an interest. I am the maker of the film “The Killing of Tony Blair”, which will be out soon, and will no doubt hugely benefit from the postponement of the Chilcot report. In the absence of Chilcot, we will have to be the report. But I have many other interests, of a non-pecuniary nature, in this. Like some of my friends who were not so gullible as the highly expensively educated right hon. Member for Croydon South (Sir Richard Ottaway), we did not look into the Bambi eyes of the then—[*Interruption.*] I am talking about his university education; I probably helped to pay for it.

Sir Richard Ottaway: Just for the record, I went to a secondary modern school.

George Galloway: But you went to an expensive university that the rest of us paid for.

The right hon. Gentleman says, and many others now say, that they gazed into the Bambi eyes of the then Prime Minister, Tony Blair, and he was their Prime Minister, so what could they do except follow him over the cliff? What kind of parliamentarian takes such an approach—that because somebody tells you something is true, you must follow them, when the consequences were easily predictable and were predicted by millions of ordinary citizens out in our streets, without the benefit of that education and without the benefit of a seat in this House? “What kind of parliamentarian?” is a question I want to concentrate on. I could talk for hours, and regularly do, about what all this has cost the people of Iraq and the people of the wider region, but I want to concentrate on what it has cost us—and I do not mean financially either.

When the Chilcot inquiry was announced in this House, I described it as a parade of establishment flunkeys. Who will now say that I was wrong? I decried the fact that there was no soldier on the panel. One could have had the right hon. Member for Haltemprice and Howden (Mr Davis)—a man who knows what military affairs are about. I decried the fact that there was no lawyer on the panel. I had in mind the right hon. and learned Member for North East Fife (Sir Menzies Campbell), who could have covered for the fact that there was no parliamentarian on the panel. I decried the fact that nobody would recognise some of the panel members if they were sitting next to them on the Clapham omnibus, and it was difficult to understand why they had been chosen. I decried the fact that two of the members of the panel had described Bush and Blair as the Truman and Churchill de nos jours. Talk about

[George Galloway]

parti pris! They were proselytisers for the war they were now being asked to inquire into. The principal gatekeeper to the Chilcot inquiry—I am grateful to the right hon. Member for Dwyfor Meirionnydd (Mr Llwyd) for this information; he is in our film, by the way, and very eloquent too—was the principal gatekeeper between the Foreign Office and the intelligence services, and Ministers, in the run-up to the war. Talk about parti pris! These individuals were either unqualified for or disqualified from participation in this inquiry.

That this has taken so long and been so expensive would be tolerable if our position in the world had not continued to deteriorate, and the conditions in the world had not continued to deteriorate. I tell the right hon. Member for Blackburn (Mr Straw)—who is, as I said, in the dock here—that he will never escape the consequences of what he has said and done. He looks to me a haunted figure compared with the Spring-Heeled Jack that he used to be—as well he might, because he will never escape this. It will follow him to the grave and into the history books that he proselytised for something which has turned into an unmitigated catastrophe for the world, but also for us. I do not blame Sir Jeremy Heywood—Sir Humphrey. I do not blame even the Chilcot inquiry. I do not blame Tony Blair, at least not for this. I blame us. This is a poor excuse for a Parliament, if only its Members could more clearly see so. It is a poor excuse for a Parliament that sets up an inquiry, funds an inquiry, and then says, three Parliaments on—as the former Defence Secretary, the right hon. Member for North Somerset (Dr Fox) said—that we might, who knows when, get the fruits of that inquiry.

This is Pontius Pilate. This is washing our hands of something that is bleeding us at home and abroad. What do I mean? I mean this. This has cost us millions, yes; it has cost us six years, yes; but the world is hurtling to disaster. The decision that was made in here on the basis of the arguments made by the Government at the time has torn Iraq and its region asunder. It has fantastically, unbelievably and incalculably inflated the danger of extremism, fanaticism and terrorism. Iraq no longer exists as a state. One third of it is controlled by the heart-eating, head-chopping, amputating, crucifying so-called Islamic State. And Members still will not say that they were wrong, let alone the then Prime Minister skating around in Davos—Mr Blair, the former Prime Minister, who still says he was right and would do it all again.

Iraq had no weapons of mass destruction. The argument for the war was therefore false, if it was not a falsehood. It has been a catastrophe. I told the then Prime Minister, “There are no al-Qaeda in Iraq, but if you and Bush invade, there will be hundreds of thousands of al-Qaeda in Iraq.” Little did I know that al-Qaeda would spawn something even more horrific than al-Qaeda. I told the then Prime Minister, “The fall of Baghdad will not be the beginning of the end but merely the end of the beginning, and the fanaticism and extremism that you will unleash will travel and cascade everywhere, including on to our own streets.”

I will close now, as I see that you are anxious, Mr Deputy Speaker. I close with this. No one outside can really understand how all these political professionals—highly remunerated, highly rewarded, with all their intelligence

and education—can have made such a catastrophic error when millions of people outside who did not enjoy those privileges already knew that it would end in the disaster in which it has ended.

1.9 pm

Mr Dominic Grieve (Beaconsfield) (Con): It is always a pleasure to follow the hon. Member for Bradford West (George Galloway), who made a very powerful speech. He touched on some really serious and important issues surrounding the process of making the decisions on which we went to war in 2003. I hope that he will forgive me if I do not follow him on that, but concentrate on one or two discrete matters on which I may be able to help the House.

I find the current delay in the publication of the Chilcot report very regrettable. The mere fact that we are having this debate highlights the growing public unease about how the inquiry has been conducted and how the report has been handled. Almost inevitably, that will have the knock-on consequence of reducing trust in its conclusions.

The irony is that everything I saw in my time in government—limited as it was—suggests that Sir John Chilcot has been trying to produce an extremely thorough report and, indeed, that he is leaving no stone unturned, even at the cost of embarrassing those who may be criticised. It troubles me even more to see a process that I certainly do not think will prove to be meaningless undermined by a delay that is in no one’s interest.

I am quite satisfied from my time in government that my ministerial colleagues in the Government have no role at all to play in the inquiry, and are not in a position to influence its progress. Suggestions that there may be some political motivation either for them or, for that matter, for witnesses who have given evidence to the inquiry are completely without foundation.

The difficulty that seems to me to have arisen is the lack of explanation of why the delays have accumulated. As my right hon. Friend the Member for Haltemprice and Howden (Mr Davis) said, it was made quite clear at the outset that there was a timetable on which the inquiry was designed to run. It is also quite clear that that timetable has not been followed.

It has been suggested—rightly, from what I know of the matter—that a lot of the delays following the conclusion of the evidence sessions relate to what documentation can or cannot be published. Before it is said that that may somehow be suspicious, let me say that it was probably inherent in the inquiry that the documentation would cause difficulties. Conspiracy theorists might say that the documents are not being published because they will give rise to embarrassment, but I have very little doubt that issues of national security and of international relations will arise in relation to some of them, and those issues cannot be lightly brushed to one side. Sir John has undoubtedly had to wrestle with that matter.

I can only give the House an impression, but my impression when I left office was that such problems had been resolved. Of course, I may have been mistaken, but it was certainly my understanding by early 2014—indeed, this was suggested by facts communicated publicly—that the inquiry could move on to the Maxwellisation process.

As so often happens in government, there has perhaps been a tendency for Sir Humphrey-isms to creep in. I noted with amusement that when, on 8 September 2014, Sir Jeremy Heywood was questioned at a one-off session by the House of Commons Public Administration Committee, he said:

“There has been a delay of sorts as we processed tens of thousands of requests for declassification of very complicated and sensitive documents. I don’t think that has held up the inquiry. It is a very difficult thing. The controversy around this continues today. It is very important that the whole story is told.”

As I have already said, I have no doubt—this is my impression—that Sir John Chilcot’s wishes the whole story to be told, but the fact remains that there is an internal contradiction in Sir Jeremy Heywood’s statement. If the processing of “tens of thousands” of requests was complicated and has caused “a delay of sorts”, I do not see how that cannot have been one of the factors holding up the inquiry. I would have thought that that was capable of clarification.

The issue that has caused me most concern—it is why I supported and signed the original motion—relates to what has happened since last year. My understanding was that it would have been possible, despite the delays, for the matter to be concluded by the end of 2012. That was my impression, which is all I can call it, when I was in government. I therefore find it strange, in almost February 2015, to find from what others have said that the Maxwellisation process is going so very slowly. I would have hoped that it could be resolved earlier.

Steve Baker (Wycombe) (Con): I know that my right hon. and learned Friend’s remarks will be closely followed outside the House. For those not familiar with the term, will he confirm that Maxwellisation is the opportunity given to people who are going to be criticised in a report to defend themselves before it is published?

Mr Grieve: Yes, my hon. Friend is right. Maxwellisation provides people with the opportunity to respond to passages in a report that relate to them. In such circumstances, a reasonable period needs to be allowed for the process.

The point made by the right hon. Member for Blackburn (Mr Straw) is valid: if it is many years since a witness gave their evidence, it will take them longer to consider their response than if the process occurs a few weeks afterwards. However, I would still hope that a period of a few months was sufficient to conclude the process. That was why I was surprised, first, that the report was not published at the end of 2012 and, secondly—I must say that I am even more troubled by this—that we will not get it before the next general election.

Mr Jenkin: I will commit the sin of asking a question in the House to which I do not know the answer. Why is it called Maxwellisation? We used to talk about Salmon letters. Is this process different or more protracted, and is it an opportunity for lawyers to extend the process for which they are paid?

Mr Grieve: The terms mean one and the same thing. As with so many descriptions used in government, there is no difference between them. They started out as Salmon letters, but since Mr Maxwell’s experience the process has been described as Maxwellisation. I am sure that either term can be used.

Is Maxwellisation an opportunity for lawyers to crawl over the report? I hope not. At the end of the day, it gives the person going to be criticised an opportunity to explain whether they agree or disagree with the criticisms, and in the light of any representations made it gives the inquiry members an opportunity to think about whether they wish to change their conclusions.

I must say, however, that the report is not ultimately holy writ. It will obviously have a marked effect, but it is the opinion of the inquiry. As long as the opinion has been arrived at reasonably and the process has been fair, the inquiry has to go ahead and produce its conclusions. Disagreements should not therefore lead to endless ping-pong. At some point, the inquiry has to come to a conclusion about whether or not it wishes to accept a representation. That is why I would not expect a Maxwellisation process to go on endlessly.

What has made me anxious is my impression that the Maxwellisation process seems hardly to have begun in many cases. For me, that raises these questions: has a further problem over the documentation led to the delays or has some other phenomenon crept in and caused the delays, and why has the Maxwellisation process taken so long to commence?

Mr Jenkin: As the inquiry is not a judicial one, do its findings have the legal immunity required to protect the authors of the report from judicial proceedings if they publish something defamatory or deeply unfair? Is that part of the reason why the process is taking longer?

Mr Grieve: I can see where my hon. Friend is coming from, but his question goes into the realms of speculation. On the face of it, if the inquiry, which has been properly set up and conducted, makes a report—a Privy Council report—to Parliament, I do not see why such an issue should arise. My concern is to get an explanation.

Mr Jim Cunningham (Coventry South) (Lab): In 2012, the right hon. and learned Gentleman was in government and he had the impression that the inquiry would report at that time. He was still in government after 2012. What impression did he have then about the delays?

Mr Grieve: The hon. Gentleman asks me to stray into areas where I do not think I should go.

Pete Wishart (Perth and North Perthshire) (SNP): Yes you should!

Mr Grieve: No, I should not. I am mindful of my responsibilities and I want to help the House as much as I can.

I simply make two points to the hon. Member for Coventry South (Mr Cunningham). First, I saw nothing in my time in government to suggest that Sir John Chilcot is not trying to be absolutely thorough or that he is being diverted from his conclusions in any way by external pressures from anyone. Secondly, it is quite clear, because it is public knowledge, that after 2011 there was a substantial difficulty over the documentation because of its nature. That was an inherent difficulty and I would not read into it any conspiracy theories or adverse view whatsoever—it just had to be resolved. The point that I am making is that it was my impression

[Mr Grieve]

at the time I left office that, despite those difficulties, it ought to have been possible to publish the inquiry by the end of last year. Therefore, the further delay causes me concern.

I am pleased to hear that my right hon. Friend the Member for Croydon South (Sir Richard Ottaway) will have Sir John Chilcot in front of him next week, because that will provide an opportunity for the clarification that is needed to restore public confidence in the way in which the inquiry is being conducted. For the reasons that I have set out, it really is in the public interest that there should be public confidence in the process. The public are entitled to have the conclusions on something that was done—I am the first to admit this, having voted in 2003 for military action—on a series of flawed premises.

1.21 pm

Mr Elfyn Llwyd (Dwyfor Meirionnydd) (PC): It is always a great pleasure to follow the right hon. and learned Member for Beaconsfield (Mr Grieve), but it is also a challenge, because I believe that he has one of the finest analytical minds in this place.

Twelve years ago, the UK went into what I believe to have been an unlawful war against Iraq. That happened against the background of the protestations of thousands of members of the public and dozens of Members of Parliament, and on the basis of legal advice that Parliament was not allowed to see.

The impact of the war can be measured in bodies. Between March 2003 and May 2011, when UK operations ended, 179 UK armed forces personnel lost their lives in Iraq. Of those, 136 died in combat. As was mentioned by the right hon. Member for Haltemprice and Howden (Mr Davis), whom I congratulate on leading the call for this debate, the Iraq Body Count project estimates that between 134,000 and 151,000 civilians have been killed as a result of violence in Iraq since March 2003. The number of violent deaths, including combatants, stands at 206,000 and is still growing. The website reports that only yesterday, 26 people were killed in Iraq. That is because Iraq was not left in anything like a stable condition when the UK and US armed forces pulled out in 2011.

In March 2005, I visited Iraq and travelled to Basra and Baghdad. It was plain to see then, as it is now, that little preparation had been put into planning for peace after the war ended. It is a distressing place to visit. We found open sewers, a lack of any infrastructure and badly underfunded social services, if any. The thinking in Washington, after all, was that it would take only weeks to get rid of Saddam. A former White House adviser, Kenneth Adelman, said that

“demolishing Hussein’s military power and liberating Iraq would be a cakewalk.”

Instead, Iraq is a troubled, crippled state. How wrong the establishment was.

Six years ago, the inquiry was set up with the express aim of finding out why such a colossal mistake as this war was allowed to be made. At the launch of the inquiry, its chairman, Sir John Chilcot, said that the inquiry would be

“considering the UK’s involvement in Iraq, including the way decisions were made and actions taken, to establish... what happened and to identify the lessons that can be learned. Those lessons will help ensure that, if we face similar situations in future, the government of the day is best equipped to respond to those situations in the most effective manner in the best interests of the country.”

The scale of the inquiry was significant. Those of us who had opposed the war from the beginning had some hope that at last we would hear answers to the questions that we had posed since 2002.

How disappointing it is for me to stand here today, four years since the inquiry concluded taking evidence, with the knowledge that those answers are no closer to being published. Indeed, if the reports are to be believed, the conclusions are yet to be written. Those criticised by the report have, of course, been given the right of reply by means of the Maxwellisation principle, which we have just discussed.

After all is said and done, the Chilcot inquiry finished taking evidence in early 2011—I believe that the right hon. Member for Blackburn (Mr Straw) was the last to give evidence—and the expectation was that the findings would be published in the autumn of that year. Prevarication followed each delay and in November 2013 the inquiry said that it had reached an impasse over the release of crucial documents, including transcripts of the conversations between Mr Blair and Mr Bush. In May 2014, the inquiry announced that those transcripts would have to be published in a redacted form. Now, in January 2015, we learn that the findings of the inquiry will not be published until after the election, with no guarantee of when they will be published. It is becoming a farce—a very expensive farce—and an affront to democracy.

I have had grave misgivings from the very beginning about the independence of the Chilcot inquiry. I believe that it may well have been flawed and even compromised from the beginning. I have a particular interest in the transcripts of the conversations between our former Prime Minister and the then American President.

Jeremy Corbyn: The right hon. Gentleman points to what I suspect will be a grave disappointment when the Chilcot report finally comes out. Would he then favour a totally independent judicial inquiry, so that we get to the bottom of this? I, for one, will not leave this subject, and I am sure that he will not either.

Mr Llwyd: The hon. Gentleman is right. He and I agree, as I believe does the right hon. Member for Blackburn, that it should have been a judge-led inquiry. It might have had two lay assessors, but it definitely should have had a counsel to the inquiry, who would have directed the line of questioning forensically and would not have been batted away by the simple answers that were given, often in artistic and heroic terms, by some individuals, the right hon. Member for Blackburn excepted.

The inquiry did not go into any real depth. Being a Privy Counsellor does not make one a forensic analyst. I am a Privy Counsellor and I happen to be a lawyer, so I am able to ask the odd question, but the fact that someone is a Privy Counsellor does not take them any further on from Joe Public on the Clapham omnibus. It was quite ridiculous. Those are some of my misgivings.

As I said, I have a particular interest in the transcripts of conversations between the former Prime Minister and the former American President. In 2008, confidential documents were dispatched to my office from an unknown source. The documents showed that discussions had been held between the leaders of the two countries in 2001 and 2002 relating to removing Saddam using military force. Mr Blair had committed us to war even then, before seeing any proof of weapons of mass destruction.

My colleague, Adam Price, and I were visited by two very senior Metropolitan police officers—I believe they were from SO13—and questioned about the documents. The fact that they visited us made me believe that the documents were genuine. They were marked “Top Secret”. I believe that one was an American transcript and the other a British transcript. To this day, I have no knowledge of where they came from. I thought that the proper course of action was to say to the police, “I do know where the documents are, but I am not going to make them public until we have an inquiry. When that inquiry is set up, I shall take them to the inquiry personally so that it can look at them.”

I therefore decided to hand the documents over to the Chilcot inquiry when it was set up. I have doubts that they ever saw the light of day, but I do not know what has happened. After submitting the documents, nine months went by before I received any response. When one came, it simply informed me that I would not be called to give evidence. That is fine, but I have since found out that the way in which the gatekeeper to the inquiry, Ms Margaret Aldred—the hon. Member for Bradford West (George Galloway) referred to her a few moments ago—was appointed as the inquiry’s secretary did not follow the procedures in the civil service code. The Cabinet Office refuses to disclose any paper trail relating to that appointment, if indeed there is one. Ms Aldred was appointed on the nod by Sir John Chilcot—the same Sir John Chilcot, by the way, who criticised Tony Blair’s Government as a “sofa Government”. A good example of sofa government is when someone rings their pal to say, “Come and be a secretary to my inquiry.”

Margaret Aldred’s appointment showed a glaring conflict of interest, since she had regularly chaired the Iraq senior officials group, which co-ordinated across Government. Ms Aldred met US officials in October 2008 to discuss Iraq, and she even flew to Washington for discussions with her counterparts in the three weeks before the inquiry was announced. It was Ms Aldred’s section of the Cabinet Office that drew up the plans for regime change, and it was the Cabinet Office—the Joint Intelligence Committee and its staff—that produced the so-called dodgy Iraq dossier.

What I would like to know is the following. Why has the inquiry stopped publishing documents on its website? It did so for the first year, then it stopped. What is the total number of individuals who have been granted a right to reply to the accusations against them, when were they contacted by the inquiry, and what time scale have they been given to respond? Why has the inquiry been allowed to be so cowed by the establishment?

I am afraid that those and many other questions have not yet been answered. I sincerely hope that they are in the near future, because otherwise it will be an affront to democracy, an insult to Parliament and, more

importantly, a gross offence to people who have lost loved ones out in Iraq and to the people of Iraq themselves. Democracy demands that something is done urgently, otherwise this Parliament will be the laughing stock of the world.

1.31 pm

Tim Farron (Westmorland and Lonsdale) (LD): I share with most Members of all parties a deep disappointment at the postponement of the release of the Chilcot report. It is massively disappointing to us, but emotionally exhausting for the families of those who lost their lives in Iraq as they wait for closure and for the answers to which they are entitled.

The former Prime Minister, the right hon. Member for Kirkcaldy and Cowdenbeath (Mr Brown), sanctioned the report in 2009 and, as we have heard, advised that there should be a report within one year. We are now six years on. Motions in the last Parliament on an earlier inquiry into the Iraq war were voted down by the Labour Government, including the current Leader of the Opposition, so it would have been entirely possible for the process to be concluded sooner. As things stand, the next general election after the Chilcot report is released will be in 2020—17 years after the Iraq war. As the right hon. Member for Dwyfor Meirionnydd (Mr Llwyd) said, that is an affront to democracy.

I have absolute sympathy for Sir John Chilcot and his inquiry team, not least because of the difficulties that they have experienced with the illness of some team members. I support the rigorous and forensic way in which Sir John has gone about the process and insisted on the fairness of allowing those who are likely to be criticised in the report the right to respond—the process that is referred to as Maxwellisation. That strikes me as fair.

It is worth the House reiterating and getting behind the offer that my right hon. Friend the Deputy Prime Minister made last week of additional resources for the inquiry team’s secretariat. That would ensure that Sir John Chilcot could speed up the process of communications between the team and those given the opportunity to respond if they are mentioned in the report. I have written to senior witnesses including the right hon. Member for Blackburn (Mr Straw) and the former Prime Minister, Tony Blair, to give them the opportunity to clarify that they have responded in a timely fashion to the letters from Sir John. That would enable them to make it clear that any hold-up is not their responsibility. That is important, and I hope that they will take the opportunity to do so.

I do not believe that the House needs to wait to know that the Iraq war was a disastrous episode in British and international history. We have heard that something in the region of 100,000 to 150,000 civilians in Iraq lost their lives as a result of the conflict, and that 179 British servicemen and women died in it. I strongly suggest that the narrative that Islamic State is able to hide behind and run with has been hugely fuelled by the illegal intervention by the United States and United Kingdom in Iraq from 2003 onwards. International law and international institutions were undermined as a consequence of that attack, and in these dangerous and unstable times, the importance of maintaining the integrity of

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those institutions could not be greater. British interests and influence overseas have been set back by our involvement in that illegal war.

I suspect that the Chilcot inquiry will confirm that the Labour Government were obsessed with the special relationship with the United States and allowed their judgment to be not just clouded but eclipsed, out of a desire to be part of the maybe exhilarating experience of being at one with the leader of the free world. I suspect that it will show that UK foreign policy, going back decades, has tended to be simplistic in simply snuggling up to the United States.

Rory Stewart (Penrith and The Border) (Con): I am grateful to my Cumbrian colleague for giving way. Is there not a paradox at the heart of this? One way in which the United Kingdom has responded to the humiliation of Iraq is by reducing our capacity to develop our own foreign policy and missions. If we look at our current position in Iraq, we see that we are in even less of a position today to provide an independent assessment of the US mission and strategy than we were in 2003.

Tim Farron: My hon. Friend and neighbour makes a very good point. In many ways, the lessons to be learned from Iraq are about how we exert soft and hard influence throughout the world in a wise way, using methods of diplomacy but acting in concert with regional powers as well as those we have traditionally worked alongside.

It is important to state that I support our relationship with the United States. It is important, and we do have a special relationship. I believe that the United States thinks of the United Kingdom in a specific light, just not as being nearly as significant as we would perhaps like to believe. Our emphasis on the relationship with the United States has been at the cost of our relationship with Commonwealth countries and, particularly, with our colleagues, friends and neighbours in the rest of Europe.

Mr MacNeil: Must we not face the fact that post-Iraq, and perhaps with the decline of the imperial mindset, the relationship between America and the UK is in fact that of master and poodle?

Tim Farron: One would hope not. One would hope that in any relationship, one good friend tells the other when they are making crass mistakes, rather than just nodding their head and going along with it. The hon. Gentleman's analogy is useful, and I hope it is not the case, but I suspect that, as he says, we will find out that it was the case in the Iraq process.

Mr MacNeil: Is that not exactly what happened in the Iraq debacle?

Tim Farron: That is why we need Chilcot, to tell us these things. My assumption is that that is what happened, but I would like to get to the bottom of it, which is why the Chilcot report must come out soon.

I strongly suspect that we will also find from the report that the enthusiasm of, dare I say it, Labour and the Conservatives to stand with George W. Bush in a

wrong response to the 9/11 outrages, irrespective of the evidence, was a major factor in why we went to war with Iraq. Among other things, the assurances by the United States that ordinary Iraqis would welcome western intervention with open arms now strike me as having been as faulty as the intelligence on the existence of weapons of mass destruction. Instead of assisting Afghanistan in its fight against the Taliban, we diverted our resources and attention to an Iraqi state that had nothing to do with the 9/11 outrages, although 97% of the US population at the time believed that it did—because, one assumes, the likes of Fox News and George W Bush and his friends said so.

The United Kingdom focused on a lengthy Iraq campaign, before shifting its attention back to the deteriorating situation in Afghanistan in 2006, two wars that pushed our military resources to breaking point. The Iraq war was a shameful blot on our country's history and indeed the biggest foreign policy disaster since the Suez crisis. As a country and a Parliament, we are now in a position in which legitimate intervention will be much harder. I am proud of my party's stance against the Iraq war, but I am just as proud of my party's stance in favour of intervention in the Balkans in the 1990s. I am no pacifist: I am in favour of wise intervention when necessary. But we have been denuded of our ability to get involved in legitimate action when necessary, largely because of this appalling error.

I am proud of my right hon. Friends the Members for Ross, Skye and Lochaber (Mr Kennedy), for Berwickshire, Roxburgh and Selkirk (Michael Moore) and, of course, for North East Fife (Sir Menzies Campbell) for their leadership of the opposition to the Iraq war. But I am proudest of all of the brave men and women who fought in Iraq. We owe them more than this. We owe their families an explanation and we owe our country the right to hold its leaders to account. We must sort out the delays and publish the Chilcot inquiry before the election.

1.41 pm

Sandra Osborne (Ayr, Carrick and Cumnock) (Lab): I shall be brief, not least because I am anxious to take part in the next debate, which is very important to my constituency. I concur with the final comments of the hon. Member for Westmorland and Lonsdale (Tim Farron) about the sacrifices that were made and where the whole debacle leaves us in relation to legitimate intervention and our general foreign policy approach.

We are here to talk about the delay in publication of the report and to press for its early publication. I welcome the debate on this very important matter and, as we know, the Government have said that the report will not be published before the general election if submitted after the end of February. Whether we agree with that or not, the reality is that the general election has effectively already started in all but name—one aspect of a fixed term Parliament that is different from what went before.

The report should have been published long ago, and I recognise the pressure to question its delay. I particularly recognise the work of the Public Administration Committee which has tried to get to the bottom of what is holding up the publication, as well as looking more widely at the use of inquiries by both

Parliament and Government. That is something that should be followed up again after the report is eventually published. What has more than £10 million of public money actually achieved, when the families still have no chance of closure or moving on all these years later and the public are becoming more cynical by the day, if that is possible? We seem to see this so often with inquiries—it takes years to persuade Governments to hold them and that is followed by lengthy delays and often unsatisfactory conclusions, leading people to think it was all a waste of time and money.

I agree with the hon. Member for Bradford West (George Galloway)—he never said a truer word—that this House is to blame. We should have pressed much more firmly for the report to be published long ago. We did not apply enough pressure.

Martin Horwood (Cheltenham) (LD): The problem is not just one of administrative delay and cost, but that on this time scale of 17 years or more so many of the actors will have left public life. It becomes an exercise in history, not accountability.

Sandra Osborne: I agree, and that has happened time and again, leading to public cynicism. I hope that, after the publication of the report, the Public Administration Committee will look at that issue again.

It is not good enough, 90 days before a general election to call this debate. Welcome though it is, it should all have been done long ago. Publication of the report was never going to happen before the general election, however. I hope that when he comes before the Foreign Affairs Committee next week, Sir John Chilcot will be able to give an indication of time scale, but I am not holding my breath.

Pete Wishart: I am appreciating the hon. Lady's speech, but can she explain why she voted against holding an inquiry when the Labour Government were in power?

Sandra Osborne: As the hon. Gentleman knows, the policy at the time was to wait until the forces had withdrawn from Iraq, and that is why I voted against.

As I say, I am not holding my breath for Sir John Chilcot to throw much light on the situation next week. He has already made it clear that he will not be pressurised by Parliament into anything. It is worth having the session, but I am not confident that much will result from it.

Finally, we were told that the inquiry would help learn lessons that would strengthen the UK's democracy, diplomacy and military forces to ensure that if we face similar situations in future, the Government of the day will be best equipped to respond to them in the most effective manner in the best interests of the country. I was worried before the debate but I am even more worried now, especially when I hear from the right hon. Member for Dwyfor Meirionnydd (Mr Llwyd) about how his information was treated. I hope that we will get the opportunity next week to ask Sir John Chilcot about some of the questions the right hon. Gentleman raised.

When I look at the situation in Iraq, Syria and throughout the Arab world today—thousands being slaughtered, an Iraqi army unable to cope in spite of the

millions of pounds spent building it up after the Iraq war and wholly inadequate resources for our diplomatic effort through the FCO—I see few lessons learned so far. I cannot imagine that the Iraq inquiry will give us the answers we need. It may tell us the mistakes that were made, and it may tell us that civil servants are more worried about damaging UK relations with the US than satisfying the justified demands from many people in this country for the truth. I accept that diplomatic relations with the US are important, but the question is, how important. Do they cancel out the wishes and desires of the British people for the truth about this matter? I do not think so. Above all, for the sake of those who lost their lives and the families who grieve, I hope the inquiry will report as soon as possible after the general election.

1.47 pm

Mr Keith Simpson (Broadland) (Con): I congratulate my right hon. Friend the Member for Haltemprice and Howden (Mr Davis) and other hon. Members on bringing forward this debate. There is no doubt that pressure in this House and the other place—I also had a small debate in October in Westminster Hall on the Chilcot inquiry—was undoubtedly one of the reasons why Sir John Chilcot wrote to the Prime Minister. He realised that a large head of parliamentary steam was building, wanting to know the facts.

Sadly, I have concluded that whatever Sir John Chilcot's inquiry finally says, there will be a considerable body of opinion in this country who—unless he actually names individuals and says they were guilty of duplicity and treason—will dismiss it as a whitewash. As several hon. Members have already said, this is now a matter of history. This is more like an official history than an inquiry, for many reasons. It was the right hon. Member for Blackburn (Mr Straw) who put his finger on it, and it is at the heart of what we are debating today. When such a momentous series of decisions is made, and the Government are reluctant to investigate it, although there is political pressure to do so, should we go for the short, quick inquiry, which may not be able to look at all the evidence but will probably have a good, broad picture of what happened, or do we go for a long inquiry that tries as much as possible to question everybody and to get as much information as possible? With the best will in the world, the latter will take several years—although possibly not as long as this inquiry has taken.

I declare an interest as a military historian. With the best will in the world it is no good trying to compare this inquiry, under these circumstances, with perhaps the Crimean war or Mesopotamia for example. It is the equivalent of a decision at the end of the second world war to have an inquiry into British foreign policy in the 1930s—an inquiry on appeasement. It would be just as difficult. There is no doubt—I accept the point made by the hon. Member for Bradford West (George Galloway); it is a pity it is such a thin House—about the emotions that have developed here in this House to try to reach some form of agreement about what should happen, but we are here today to debate the timing of this report.

Mr David Davis: My hon. Friend will have noted that I deliberately avoided the Crimea, Dardanelles and other examples. The example I did cite was the Israeli

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Winograd inquiry, which was equally controversial and very sensitive. That inquiry was brought out, during the tenure of the Prime Minister involved, within seven and 17 months. Surely that is possible?

Mr Simpson: I agree with my hon. Friend, but the other factor, which has been touched on by a number of hon. Friends and colleagues, is that this is not a stand-alone British inquiry. We were the junior partner in an alliance with the United States of America. That lies at the heart of the Iraq inquiry. I would like to emphasise—I have discussed this with a number of hon. Friends and colleagues—that the Iraq inquiry is only act one of a two-act play. The second act is, of course, Afghanistan, and one feeds into the other. This is obviously a much broader subject, but we need to bear it in mind.

Mr MacNeil: The hon. Gentleman seems to be suggesting that we have reached the end of the road for inquiries. Does he foresee a time when it might be a matter for the courts in The Hague?

Mr Simpson: No, I do not. I have to say, with the greatest respect to my right hon. and learned Friend the Member for Beaconsfield (Mr Grieve), the former Attorney-General, that my heart sinks every time I hear we are going to have lawyer-led inquiries. Ironically, despite the suspicion that it would be a cover-up, I actually think it is a great pity that we cannot have a parliamentary-led inquiry. There is enough talent in both Houses—experienced men and women—for Parliament to elect a person to chair such an inquiry and for the resources to be allocated. I would like to see that. That does not get around the length of timetable.

Mr Grieve *rose*—

Mr Simpson: I see my right hon. and learned Friend wants to intervene.

Mr Grieve: Only to agree with my hon. Friend. I certainly do not think that these inquiries have to be led by lawyers—I want to make that absolutely clear. That was not in any part of my speech and I would not wish the House to think that I took that view.

Mr Simpson: I, of course, accept that from my right hon. and learned Friend. In my opinion, it is a great pity he is no longer Attorney-General—[HON. MEMBERS: “Hear, hear.”]—but that is above my pay scale, as they say.

How can we help my hon. Friend the Member for Penrith and The Border (Rory Stewart), the Chair of the Foreign Affairs Committee, in his approach towards questioning Sir John Chilcot? One way around the problem is to suggest to Sir John Chilcot—other colleagues have touched on this—that he puts into the public domain, when he publishes his report, a lot of the correspondence and communications that went on between his inquiry, the Cabinet Office and various other organisations. My experience as a military historian is that when the official histories were published on the first and second world wars, they were interesting, but it was not until 30 years later that we were actually able to see the correspondence between official historians, individual

commanders and others. We could then see how at times the official historians stood up to pressure, but how at other times things were massaged. I would be particularly interested to see the e-mails, correspondence and telephone conversations between Margaret Aldred, who ran the secretariat, Sir Jeremy Heywood and perhaps members of the Cabinet Office. That may be beyond his remit.

My final point is that we are where we are. When Sir John Chilcot publishes his inquiry, he will have a press conference. I assume that the Prime Minister of the day will make a statement, with questions and answers, but it is very important indeed that we have a full debate in both Houses, not immediately or on the next day, but within about three or four days. A report consisting of 1 million words will be a lot for us to consider. I do not blame Sir John Chilcot. I am not a man who sees a great conspiracy behind this, but I believe in transparency. It is about not just learning lessons, but trying to establish the truth.

1.55 pm

Paul Flynn (Newport West) (Lab): It is always a pleasure to follow the hon. Member for Broadland (Mr Simpson), but I disagree with him on the idea that we see the events of 2003 as history. We see them under the cold light of eternity. They are not a matter of history for the loved ones of the 179 of our brave soldiers who fell. They still suffer a living wound that will never heal. I would like to repeat a speech I made in 2009 when I was sitting where the hon. Gentleman is sitting now. I am not allowed to repeat that speech, but not a word of it would change. The speech consisted of 10 minutes of reading out the names of all the British soldiers who died. I believe that that is a far more effective way of making the point that, as the result of a decision taken here in this House by many of us, those young people lost their lives.

An American-British enterprise was not inevitable. We need not have been involved. The Americans were going in anyway and we had the choice to stay out, as Harold Wilson did many years ago. The main reason I am offering myself to my electorate in a few months' time is because of this. I want to see the end of this and I want to see us get to the nub of the terrible mistake we made. It is to do with the role of Prime Ministers and their relationship with Back Benchers in this House.

Something happens to Prime Ministers when the war drums start to beat. They talk in a different way. They drag out the old Churchillian rhetoric. The rolling phrases come out. They walk in a different way—they strut like Napoleon—and they are overwhelmed by hubris. No longer are they dealing with the boring detail of day-to-day operations; they are writing their own page in history. Usually, it is a bloody page in history.

We do not need an inquiry into the whole Afghanistan enterprise, on which there was general agreement, but we certainly need one into why we went into Helmand when only half a dozen British soldiers had been killed in combat. We went in with a belief that not a shot would be fired and we would be out in three years, but 453 deaths followed. That is what we need an inquiry into.

There has been a profound change in this House. It happened on 29 August 2013, when the Prime Minister came here to encourage us—I believe, with a certain complicity with other party leaders—to go into Syria to attack Assad, who was the deadly enemy of ISIS. Now we are attacking ISIS, which is the deadly enemy of Assad. How on earth could we have been persuaded to be dragged into the middle of that conflict, which is ancient, deep and incomprehensible to us? Thank goodness the good sense and pooled wisdom of 650 MPs, informed by the terrible tragedies of Iraq and Afghanistan, persuaded this House not to follow the prime ministerial instinct for war. That will change this House for a long time.

Along with others, I believe there is nothing political about this in any way. Those of us who remember the vote, which was the most serious vote we ever took, remember the imprecations of the Front Benchers. One hundred and thirty-nine Labour MPs voted not to go to war, against the strongest three-line Whip of my time here, but 50 others, who were very doubtful, were bamboozled, bribed and bullied into the wrong Lobby or into abstaining—and nearly all of them bitterly regret it now. It was a misuse of the organs of this House. Virtually every Committee that looked into it—those that are supposed to know better, such as the Intelligence and Security Committee, the Defence Committee, the Foreign Affairs Committee—were all cheerleaders for the war. And where were the Opposition? There is nothing political here. The then Leader of the Opposition was more gung-ho for war than Tony Blair. Only half a dozen hon. Members on the Conservative side voted against the war, and to their great credit, of course, the Liberal Democrats and Plaid Cymru voted the same way.

We are being denied the truth. I find it astonishing that the right hon. Member for Blackburn (Mr Straw) does not agree there were no weapons of mass destruction. It is amazing if he still believes there was an imminent threat to British territory. I have a document—I have no time to go into its detail—referenced by Tony Blair as evidence of the existence of weapons of mass destruction and the threat posed. It concerns a meeting on 22 August 1995 at which the principal person giving evidence was a General Hussein Kamal. For goodness' sake, read the document!

Mr Straw: I dealt only briefly with the intervention from the hon. Member for Basildon and Billericay (Mr Baron) because this debate is about the Iraq inquiry and its timing, not about the substance, and I would have been slapped down very quickly. For the avoidance of doubt, however, the whole Security Council judged in November 2002 that there was a threat to international peace and security from Saddam's weapons of mass destruction.

George Galloway: Because they believed you and Colin Powell.

Paul Flynn: Because they were fooled. The right hon. Gentleman should recall—[*Interruption.*]

Mr Deputy Speaker (Mr Lindsay Hoyle): Order. This has been a good debate, and we do not want to spoil it. Let us continue in the manner we have done so far. I want to get to the end and make sure everybody gets to speak.

Paul Flynn: The intervention was contemptible. On that point, I share the view of the hon. Member for Bradford West (George Galloway). We remember the ignominy of the right hon. Member for Blackburn walking behind Colin Powell after the latter had presented a tissue of lies about the threat. It was not true, and our representative was supporting him in those lies, and they sent all those young men and others to their deaths.

At the time, I wrote a letter and got a reply from the right hon. Gentleman. It was on my blog, and I will put it back up now. In March 2003, I told Tony Blair, "If we go into Iraq alongside George Bush, we will deepen the division in the world between the Christian western world and the Muslim eastern world, and we will create a division that will cause bloodshed from my local mosque to the far corners of the world." The right hon. Gentleman replied to that letter, and a contemptible reply it was too—as was his reply today. He should recognise the terrible error of his ways and what he did. I agree with the hon. Member for Basildon and Billericay (Mr Baron). It is nonsense to suggest there were weapons of mass destruction or a 45-minute threat to Britain. We, as Members of Parliament, the people who took that decision, should be thoroughly ashamed of it, and I will stay in this House, and I will fight to be here, until the truth is known and those who committed this terrible crime are brought to book.

2.4 pm

Mr Andrew Mitchell (Sutton Coldfield) (Con): I am grateful for the chance to take part in an important debate that strikes at the heart of our role as Members of Parliament, for many of the uncomfortable reasons presented by the hon. Members for Newport West (Paul Flynn) and for Bradford West (George Galloway). It touches particularly on our responsibility, as the legislature, to our constituents. Our reaction, therefore, as Members of the House of Commons and on behalf of our constituents, to the grotesque delays in producing the report is a matter of great importance.

This debate is not about former Prime Minister Tony Blair. However, like my right hon. Friend the Member for Croydon South (Sir Richard Ottaway), the Chairman of the Foreign Affairs Committee, I was here for that debate in 2003. Although advised by the Opposition Whips, I had not made up my mind how to vote when I entered the Chamber. I could not get a seat, so I sat in the Gangway, and I listened to the Prime Minister. To some extent, this answers the important question from the hon. Member for Bradford West about how we, who were supposedly well educated and informed, knew less than the phenomenal number of people out on the streets demonstrating against the Iraq war. Sitting in the Gangway, with the Prime Minister a few feet away, speaking about the threat to Britain and the international order and the importance of military action, I was persuaded.

Pete Wishart: May I suggest that the right hon. Gentleman was not persuaded by the Prime Minister, but duped by the Prime Minister, with a fabrication, a fallacy and a pack of lies? Does he not now see that he was misled?

Mr Mitchell: The question whether we were duped is exactly the reason the process of this inquiry is so important. As I sat there, I firmly believed that the

[Mr Andrew Mitchell]

Prime Minister of Great Britain and Northern Ireland was making a case that I had a duty to support.

This was a hugely divisive matter. In my constituency, there were very deep divisions that had nothing to do with party politics. I remember the bizarre occasion when the entire executive committee of the Sutton Coldfield Labour party—not a large body—came to urge me as their Conservative Member of Parliament to vote against the Iraq war and their own party's Prime Minister. During the debate, I remember going home to have dinner with my wife, who has always been viscerally opposed to the war and believes it was a terrible mistake. So these divisions run deep.

At the end of the day, however, this is not an attack on the former Prime Minister. It is inconceivable—this is an incredibly important point—that he could have made the case he did that afternoon without the passive acquiescence, if not the active support, of the full panoply of the Government machine. In my judgment, the Chilcot report is required not to expose an idiosyncratic Prime Minister—if that is the charge—but to hold to public account the workings of our Government machine.

Last December, we saw the long-awaited publication in the US of the Senate Intelligence Committee's report into the CIA's use of torture in the aftermath of 9/11. It was certainly controversial, possibly flawed, but such reports, and the problems they throw up for politicians and Administrations, are crucial to the democratic process and our ability, as the legislature, to hold to account those who make these decisions. There is a clear benefit to be derived from revisiting these profound and significant decisions and actions, and although it might leave us open to criticism and reopen old wounds, it is a fundamental step in the process of moving forward and building on past actions.

For this House, therefore, this debate is an important and timely one. It follows the pertinent and important comments made in the other place by former Foreign Secretary Lord Hurd. His remarks should ring around the political establishment. I also congratulate the three promoters of the debate, and as ever my right hon. Friend the Member for Haltemprice and Howden (Mr Davis) did the House credit in introducing it. It is a debate not about the substance of Sir John's report, which none of us should prejudice, but about the manner of its conduct and timing and the way these issues have been pursued.

In allowing the inquiry to drift on in this way, Sir John and all of us are doing great damage to the process of accountability—a process that Parliament has a right to expect and a duty to pursue in order to hold the Government to account. It really matters that it is taking so desperately long for the report to be delivered. The failure to have this report before us will undoubtedly have had some impact—probably both ways—on the way in which Members voted on the Government motion for action on Syria.

On the Libya campaign, when I was the International Development Secretary, I had responsibility for the Government's humanitarian duties and role, and my first question to officials in my Department was about the lessons to be drawn from the Iraq war, most especially on the plans for the aftermath of that conflict, which were fundamental to the plans we were making in

respect of Libya. The lack of a proper inquiry meant relying on the memory and understanding of officials, which is what we had to do.

We come to the meat of the matter. This inquiry is entering its sixth year; it has already cost £9 million. That is clearly not the fault of the current Government. The events did not take place on our watch. Indeed, both the Prime Minister and I voted to set up this inquiry in 2006. The delay is an insult to every one of our constituents, to every taxpayer in the country and to every parent, spouse and loved one of the 179 servicemen and women who died in the Iraq war and of the many who were wounded and still live with those wounds today.

The Foreign Affairs Committee, led so ably by my right hon. Friend the Member for Croydon South, is absolutely right to call Sir John before it next week to ask him not for the contents of his report, but for a full and detailed explanation of the delays, the timing and the process over which he has presided. It is essential that we, the legislature, prosecute this matter vigorously and fully if we are not to bring ourselves into considerable disrepute. It is our role to hold the Government to account, and what could be more important than the issues surrounding a decision like this one—to go to war?

2.12 pm

Pete Wishart (Perth and North Perthshire) (SNP): It was 18 March 2003, and both you and I were in the House that day, Mr Deputy Speaker. It was an ugly, brutal day. It was one of these huge set-piece occasions that we have in the House of Commons when every single thing is reported and every single nuance noted. It was the day that we voted to go to war. I will never, ever forget it.

I was a Whip that day, and I remember observing the Government Whips rounding up the recalcitrant, the doubters and those who were trying to make up their minds. I remember lots of good women and men being dragooned into the Lobby—against their better judgment—to support the Prime Minister and the fabrication of a case on Iraq. It was a horrible day—a day that should be ingrained in the collective consciousness of this House and remembered for its eternal shame. It was the day that we voted to go to war on a total fabrication, and we must find out why this House decided to do that.

Mr MacNeil: I was not a Member of the House at that time, but my hon. Friend reminds me of the time when the then Deputy Prime Minister was arguing that the road map for Palestine was somehow connected to the maiming and the murder in Iraq.

Pete Wishart: To try to get a flavour of what the House was like that day, I watched a YouTube video of Tony Blair's speech that morning. I know that sounds a bit masochistic, but I wanted to find out what was said and what the case for war was. What I had to listen to was absolute and utter nonsense—fabrications and flights of fancy that Blair must have known were totally false and ridiculous. He said there were weapons of mass destruction that could, without doubt, reach us within 45 minutes. But there were none—there was nothing there. This House was misled; this House was duped.

I have listened to Conservative Members saying that they believed the Prime Minister. The rest of the country knew. The rest of the country was not fooled by his mendacious nonsense—of course not. We were on a march in central Glasgow, and 100,000 people turned up to march against that war. Some 1 million people turned up in London to march against it. Yet this House voted to go to war on the basis of a lie—a House that was duped and misled. If anybody needs to know the reason why this House was misled, it is because of us, the parliamentarians.

I am disappointed in the right hon. Member for Haltemprice and Howden (Mr Davis). He should not have changed his motion. We should have demanded today that we got that report. I do not want to hear the reasons why we are not getting it. I do not want to hear about the process of getting it in the future—we should have it now. We should have it before the general election, and this suggestion that it is political and somehow gets in the way of a democratic process in the run-up to an election is just fatuous nonsense.

Kate Hoey (Vauxhall) (Lab): I, too, recall that day, and I concur with everything the hon. Gentleman says about how people who were feeling very strongly about the issue were pushed and cajoled, with notes and letters being sent asking me to meet all sorts of people. Does he agree that this tells us the lesson that this House must always be very careful that the Whips and the party machine do not always get their way?

Pete Wishart: I am very grateful to the hon. Lady, who makes such a powerful and potent point about something as important as going to war. I was just a new Member, having been in the House for just a year; I was a young whippersnapper barely out of my shorts, yet I was listening to a Prime Minister making this case. I thought, “Surely, there must be something in it,” but I realise now, along with many other Members, that an issue as important as going to war should not have been whipped on this basis.

The House passed the vote on Iraq by 412 to 149. I was among the 149; my right hon. Friend the Member for Dwyfor Meirionnydd (Mr Llwyd) was among the 149; I see two Liberal Democrat Members in their places—the right hon. Member for Hazel Grove (Sir Andrew Stunell) and the right hon. Member for Lewes (Norman Baker)—who were among the 149. This was the proudest vote of my 14 years in this House. It was a vote that defined the Parliament between 2001 to 2005. It was a vote, I now believe, that characterised the Labour Government. It was a vote that is now personally associated with Tony Blair, and it will follow him to the grave and be on his tombstone. Such his association with it that he might as well have it tattooed on his forehead. The Iraq war will for ever be bound up with the last Labour Government and the personality of the last but one Prime Minister.

Rory Stewart: Is there not a danger of this debate becoming an opportunity for self-congratulation or self-laceration on the part of Members of Parliament rather than focusing on the real lessons for how Britain acts in the world?

Pete Wishart: I want to come on to that; it is so important because this House was misled. I do not know whether the hon. Gentleman agrees with that, but

I am sure that, as someone who looks at and understands these issues, he knows that this was a total fabrication. I see him shaking his head. The case for war was non-existent. We have got to understand why a majority of Members voted for it. We have to start to get to the bottom of why this was allowed to happen.

We are still feeling the implications and repercussions: half a million presumed dead; a region destabilised; a country divided; international diplomacy discredited. A point that the hon. Member for Bradford West (George Galloway) made was that we have alienated a generation of young Muslims—here and around the world—dangerously radicalising many of them, giving them a grievance for some of the perverted causes that have been picked up to justify what they see as their perverted agenda. These are things that we now have to deal with for our own security. That is what Iraq bequeathed us. We have got to find out how this happened and why this set of conditions was allowed, enabling us to pursue this particular course of action.

I remember the almost ingenious lengths to which the Labour Government went to try to invent this case. I remember that the House was recalled. It was not just that day in March; we were recalled in September of the previous year. We were told to come down and find in our pigeon-holes the document that subsequently became known as “the dodgy dossier”—100-odd pages of utter drivel, manufactured fabrications and plagiarised sources. We found that most of it came from the post-doctoral work of some student called Ibrahim al-Marashi. It almost seemed like a script for a comedy sketch, yet this was the UK getting prepared to go to war in the 21st century!

We now know, of course, that there were never any weapons of mass destruction—still less any that could be deployed in 45 minutes. There was no collusion with al-Qaeda, even though jihadists now wander at will in the IS forces across Iraq. There was no evidence of any uranium project, and nothing whatsoever could be found relating to any nuclear programme. We were misled; this House was misled.

There are several Members in the House who understand and realise that they were duped, but there are still some who believe that it was right to go to war. I am very fond of the right hon. Member for Blackburn (Mr Straw), but he must at some point say that this was a total fabrication, that the House was misled, and that a case was fabricated to go to war. The sooner the right hon. Gentleman does that, the sooner he will get himself off the hook, because this will pursue him, and the others who made the case for war, to the very end of their careers.

I do not think that the issue will end with the publication of the Chilcot report. We seen had four whitewashes—there have been four attempts to put this to bed—but it is not going to end. We will have the Chilcot report, but I do not think that it will get us there; I think it will be another generation before we get to the truth of Iraq. It is possible that there will be a judge-led inquiry, and that might help to get us there, but this is going to go all the way. I foresee that significant people will eventually be taken to The Hague, because this is such an important issue which has redefined so much contemporary foreign history. People say that it was a disaster bigger than Suez—of course it was. This was the biggest single foreign policy blunder and disaster ever made by any Government in modern history.

[Pete Wishart]

So we need the Chilcot report. Do I believe that it will get us to the heart of this with the Chilcot report? No, I do not, but I think it will go a long way towards describing and explaining some of the things that happened. It will be another generation before we arrive at the absolute truth. There are too many big reputations to be tarnished—again, I say that to the right hon. Member for Blackburn. There are people who will be in a position to try to ensure that this is kicked into the long grass. The only reason I have any confidence in the Chilcot report is that the establishment is trying to prevent us from seeing it, so there must be something good in it. I hope that that means that we may get a glimpse into the workings of this Government.

We are where we are. We hope that we shall see the Chilcot report soon. We should have demanded its publication in this debate, and I am disappointed that we have not been given an opportunity to do so. However, I do not think that the report will be the end of the process. I believe that this will go all the way to The Hague. We engaged in an illegal war on the basis of a fabrication and a downright lie, and we deserve to know the truth. Some day we will get the truth, but I do not believe that we will get it from Chilcot.

2.22 pm

Rory Stewart (Penrith and The Border) (Con): It seems to me that the challenge in relation to the Chilcot inquiry is our inability in Britain to come to terms with failure, our inability to come to terms with what exactly went wrong with Iraq, and our inability to reform. As a result of all that, we have a real problem when it comes to acting in the world in the future. Unless we go through the process of coming to terms with who we are and how we got this wrong—whether through the Chilcot inquiry, through our Parliament, or by some other means—we will remain paralysed.

At present, Iraq is sitting like some rotting corpse in a cupboard, the nature of which we do not quite understand. We can see the consequences of that in the problems of British foreign and defence policy in the last 13 years. We can see the inability to come to terms with Iraq in our mistakes in Afghanistan. We can also see the inability to come to terms with Iraq in our current inaction. Britain is currently in a very paralysed state. There is a deep insecurity, and an anxiety. We are not pulling enough weight in NATO, and we are not pulling enough weight in the United Nations. We are failing to commit ourselves to spending 2% of our GDP on defence, which is symptomatic of our inability to come of terms with Putin or Ukraine.

All that brings us back to the four-letter word “Iraq”. Iraq has become, for us, a kind of Vietnam. It has become, in the British consciousness, something that we cannot get beyond, something that we cannot see through. The Chilcot report needs to be published to enable us in Britain to understand what happened in Iraq—understand exactly what happened in Iraq—to enable us to introduce the reforms that the Government need in order to be able to act again in the future, and to enable us to recover our confidence as a nation.

One of our problems with the debate, and, perhaps, with the Chilcot inquiry, has been that the understanding of what went wrong in Iraq is still too limited. We are

still understandably obsessed with the legality of the war, and also with the issue of post-war planning. In Afghanistan we went into a war that was legal, in those terms, and in which, at least in Helmand, a great deal of planning took place; yet the results there were also a mess. In other words, the problem of Iraq cannot simply be reduced to legality and post-war planning. There is a deeper problem in Iraq, and the deeper problem in Iraq, with which I think we all struggle to deal, is a problem with ourselves. It is the problem of who Britain is, and what Britain does in the world. One way of expressing it is that we are failing to come to terms with our limits—the limits of our knowledge, the limits of our capacity, and the limits of our legitimacy.

Mr MacNeil: The hon. Gentleman has called for reflection. He may recall the reaction of the American ambassador, when he appeared on “Question Time” after 9/11, to some of the things that were being said to him. There seemed to be an inability to look in the mirror, and to see the effects of foreign policy in the west pre-9/11 in the form of some of the things that were happening in the world and the anger that was being created in the world. I congratulate the hon. Gentleman on his call for us to use a mirror to look at ourselves, and to look at ourselves very hard.

Rory Stewart: I disagree with the hon. Gentleman in that I am calling for more confidence and more seriousness, not less. The problem with our interpretation of Iraq is that we have ended up with despair. This empty House, the lack of interest among journalists, and the general lack of focus on the issue imply that Britain wants to put this in the past—to put it in its history—and to behave as though it related to some other country and some other Government rather than to us.

The lessons of Iraq must be, among other things, lessons of seriousness. We are not serious, as a country. What Chilcot needs to focus on, above all, is our lack of seriousness on the ground—one problem with the Chilcot inquiry is that it did not spend enough time taking evidence from people who had operated in civilian roles in provincial areas—and that will involve our criticising ourselves in ways that we do not like to criticise ourselves. It will involve us, as a country, getting beyond our anxieties—and this is a very difficult thing to say—about soldiers dying in vain.

A soldier’s life cannot be held relative to the decisions of politicians. A soldier’s courage, a soldier’s sacrifice, is a commitment to his or her country. The danger of reducing every mistake that this country has made—from the Boer war to the Afghan war of 1842 to our recent debacle in Iraq—to the question of a soldier’s life is that it stifles debate. No one can stand up and criticise what we did for fear that someone might say that soldiers died in vain.

Criticism begins with accepting that we were not serious enough in our commitment to Iraq. American soldiers did 13-month tours; why did we only do six-month tours? American civilians took leave once every six months; British diplomats took leave every six weeks, for two weeks. We remained highly isolated in compounds, under security restrictions which made it very difficult for us to engage with the local population. There was a serious failure to reach out to people who understood Iraq and the area. There was a lack of seriousness and commitment on the ground.

There was also an obsession with abstraction and jargon. We stood up in the House, and we stood up in the foreign service, talking all the time about “the rule of law”, “governance”, “civil society” and “human rights”. We had absolutely no idea how to relate that kind of jargon to the reality on the ground in Iraq. In fact, what we were doing, again and again, was using words that looked like a plan, but were simply a description of what we did not have. Every time we said that what we needed to bring to Iraq were “governance, the rule of law and security”, we were simply saying that Iraq was corrupt, unjust and violent. Every time we said that we needed to create transparent, predictable, accountable financial processes, we were simply saying what we did not have.

As we move forward, and as Chilcot—hopefully—helps us to come to terms with this catastrophe, we must reform, but what does reform mean? Reform means becoming serious. What I hope we can take from the Chilcot inquiry is that seriousness begins with investing in knowledge and understanding of other people’s countries. Where I differ, perhaps, from the Scottish nationalists is that I do not think that this means that the future for Britain is to become Denmark. I do not think that the future for Britain is to withdraw. I think that the future for Britain is to reach out, and to understand.

Mr MacNeil: I have got to disagree with the hon. Gentleman. Denmark was once in the empire game, but historians have noted that Denmark withdrew itself from that. It is time for us to learn from Denmark.

Rory Stewart: I understand absolutely that that is the hon. Gentleman’s position, but our position should be different, and this is where Britain differs from a country like Denmark. First, we should be investing in knowledge—investing in knowledge in the Foreign Office, which means ensuring that there are proper language allowances and that we dismantle the grisly core competency framework for promotion, and that we get out of the situation of there being only three out of 15 ambassadors in the middle east who can speak Arabic.

Mr Adam Holloway (Gravesham) (Con): I do not know whether my hon. Friend remembers this, but in 2007 or 2008, I think, there were no fluent Pashto speakers across the Foreign Office, the MOD or DFID in Afghanistan.

Rory Stewart: There were absolutely no fluent Pashto speakers, and only two operational Dari speakers in our embassy in Kabul.

We must also develop the habit of challenge.

George Galloway: I admire the hon. Gentleman, but as he is speaking I can almost see him in his pith helmet striding across the Punjab as a district commissioner in another era, and his remarks about Denmark compound that. He and I both know that we almost lost our own country just last September; we were almost severed—dismembered—because of the collapse in the credibility of the British political class, and I promise him that we are not going to get that back by being better imperialists than the last group of politicians.

Rory Stewart: We will get it back by being serious again. We will get it back by showing the British public that we have acknowledged the failure and we have

understood that failure—that we have learned the lessons and that we have reformed—and we will get it back by showing the superiority of Britain through a smaller conception of ourselves that is ultimately to do not with wearing pith helmets but with being an engaged global power. That does include, within the Ministry of Defence, having an ability to challenge ourselves, and having an ability, which we have lost in Iraq today, to provide an independent assessment of US missions. It includes, ultimately, our chiefs of staff recovering their confidence.

This is a good time to remember that, because I think where I and Opposition Members will agree is that on the 70th anniversary of the liberation of Auschwitz-Birkenau the conclusion that Britain should draw from Iraq is not one of isolation. It should not be that we should be doing nothing; it should instead be that we need to recover our confidence as a country—recover the confidence that we are the fifth largest economy in the world, that we have unique skills and expertise, that we have an enormous amount to contribute to the world—and that what we should take from the Chilcot inquiry is not despair or paralysis, but a need to recover our compassion, our common sense and our confidence.

Several hon. Members *rose*—

Madam Deputy Speaker (Mrs Eleanor Laing): Order. It will be helpful to other hon. Members if speakers restrict their remarks to about nine minutes, which is quite a long time.

2.33 pm

Jeremy Corbyn (Islington North) (Lab): Thank you, Madam Deputy Speaker. I was worried for a moment that you were going to come up with the dreaded four-minute warning, so I am obliged to you.

It is a pleasure to be able to speak in this debate, but it is a pretty big indictment of our Parliament that there are hardly any Members here to take part in what ought to be an incredibly serious discussion, and a process of very serious self-criticism of the failure of Parliament both in 2003 and since to hold to account those who took crucial decisions on our behalf, the consequences of which all of us will live with for the rest of our lives, and the population of this country, and indeed of western Europe and the USA, are going to live with for many, many decades and generations to come. What happened in 2003 was a seminal disaster.

I respect the hon. Member for Penrith and The Border (Rory Stewart) for his knowledge, his interest and his commitment, but I profoundly disagree with his analysis. It is essentially that we were good imperialists, then we became weak imperialists, and now we have got to be better imperialists. I have two messages. The first is that we cannot afford it. The second is that the lesson from the disaster of Auschwitz in the 70th anniversary of its liberation should surely be to say never again—never let racism raise its ugly head, be it against Jews, Muslims or anybody else—and also that we must learn a fundamental lesson: that the crazy triumphalism of the treaty of Versailles and that whole period in the 1920s led to the growth of the Nazis and to the disasters. The whole middle east region is still living with the disasters of Versailles—of the Sykes-Picot agreement and the borders we inherited.

Rory Stewart: The danger of the hon. Gentleman's anti-imperialist rhetoric is that we are not going to come to terms with how to prevent genocides in the future. What is he proposing in terms of reform, energy, compassion and confidence to deal with an Auschwitz-Birkenau, a Bosnia or a Rwanda in the future, if all he has to say is that we are a small country that cannot afford to do anything in the world?

Jeremy Corbyn: I propose a process of international law, a process of human rights engagement, a process of truth and honesty, and process whereby we do not denigrate whole peoples and turn the other way when human rights abuses take place.

On a lesser example, but nevertheless an important one, we are apparently more interested in selling weapons to Saudi Arabia than we are in human rights in Saudi Arabia. That example can be multiplied in country after country across the world. If we were serious about human rights, we would not provide the Government of Bahrain with equipment to kill and injure demonstrators who oppose what they do. There has to be some honesty in the whole of our foreign policy, and if this debate does anything to make us start to think more seriously about foreign policy, rather than racing headlong into spending £100 million on Trident, developing more weapons and yet more weapons for our armoury, that will be something.

We have had inquiry after inquiry on Iraq. Parliament showed itself to be a failure and could not do it, and then there was the Butler inquiry and a Foreign Affairs Committee inquiry. We ended up with the Chilcot inquiry.

In 2006 I voted for an Opposition motion, despite the endeavours of the Labour Whips Office. I was not that bothered with its endeavours at that time—or on one or two other occasions for that matter—because I thought setting up an inquiry was the right thing to do. However, I do not think it is the job of Parliament to pass its duties on to somebody else and then complain vaguely when they do not report while saying that we are not going to interfere with the inquiry. This really is our failure. There should have been a serious inquiry, judicial-led in my opinion, with counsel that could have asked some really good questions of Tony Blair, the Member for Blackburn (Mr Straw) and a whole lot of other people. Michael Mansfield QC would have been a very good interrogator, and I think that after a few days of interrogation by him we would have gained far more truth than we did from these showman-like trips by Tony Blair to the inquiry and his lucrative tours around the world to say he would do the same again. He clearly has not learned the lessons from this.

I remember those debates very well. I am chair of the Stop the War coalition, and I have been involved in every demonstration I can think of against this war. Indeed, I spoke to that million-strong audience in Hyde park on 15 February 2003. There was something amazing about that day. I was there with many others in this House on that huge platform looking out on Hyde park, with 1 million people and hundreds of thousands more who could not even get into the park. That was after we had been told by the Cabinet Office that Hyde park was not available and we should hold the meeting in Battersea park. I resisted the temptation to go into Battersea park on a Saturday afternoon, however, and we persisted with Hyde park. I saw people there who

politically profoundly disagree with me, and people who had never been at a public meeting or demonstration in their lives, but who were moved to oppose the war because of the obvious lies about weapons of mass destruction in Iraq and why we had to go to war. Everyone there learned a lesson that day. The cynicism that we meet on the doorstep as we approach the next election is in part due to the contempt shown by Parliament on that day.

I shall not go on much longer, Madam Deputy Speaker, but I just want to say this. The idea that Members were not aware of the misinformation concerning Iraq really does not cut much ice. We had the dodgy dossier. I remember arriving in Parliament at 8 am to read that heroic document; I was the first to arrive at the downstairs Table Office. I knocked on the door at 1 minute to 8 and the people there would not open it, but the moment the door opened at 8 o'clock I put my hand in and grabbed two copies. I gave one to Glen Rangwala, an excellent academic from Cambridge, and I kept the other for myself. He went off to read his, and I went to my office to read mine. When we spoke on the phone 20 minutes later, we said, "This thing is utter nonsense. Who could possibly believe this stuff?" But the House did, and some members of the Security Council did, although France, Russia, China and a lot of other countries did not.

I also remember the extraordinary pressure that MPs were put under to vote in that debate. A number of us who could reasonably be described as Iraq sceptics met Tony Blair in a room at the back of the Chamber. After we had been around the track several times, with him not wishing to engage in the discussion and others wishing to do so, he started looking at his watch and saying, "We've got to go now." I said, "Tony, just one question: why are we doing this?" He slapped his hand on the table and said, "It's the right thing to do. That's why we're doing it." When I said, "That's not an answer", he said, "That's the only one you're going to get." That was the enthralling answer that we got from him.

The lesson surely must be that when the Foreign Affairs Committee interviews Sir John Chilcot next week, they must ask him how he is getting on with obtaining records of the barbecue discussion between Blair and Bush and the correspondence that took place, along with the handwritten notes that civil servants and the Foreign Office maybe did not know about. Perhaps a lot of people did not know about them, because I understand that it was part of Tony Blair's charm and style to do things differently from anyone else so that people did not know what was going on. I also hope that the Committee will get from him an exact date for the publication of the report, but I think I shall be disappointed when it is published. I suspect that it will be full of redactions and that we will have to read a million words before we discover which bits have been redacted. This issue is not going to go away. We need to get to the truth, and we need a war powers Act to ensure that every MP is involved in decisions to send British troops abroad to war.

To follow up on something that the hon. Member for Penrith and The Border said, I agree that we need a serious debate on foreign policy and on our place in the world. Other countries that once had massive empires have learned these lessons. I recall being in Vienna in December when the Austrian Government proudly said, "Our Government have no nuclear weapons, want no

nuclear weapons and will never have any nuclear weapons. We want to be a force for peace in the world.” That was once the centre of the Austro-Hungarian empire. Most of the other European countries that were once the centre of empires have learned lessons. Maybe the disaster of Iraq and the growth of al-Qaeda, ISIS and all those other forces that have been let loose by the disaster of the Iraq war will provide a lesson that we will have to learn the hard way, but if we do not learn it, we will suffer by having to repeat it again and again. I do not want to go to war memorials. I do not want to go to memorial services. I want us to be a real influence for peace, for justice and for human rights around the world. We do not achieve that by lying to Parliament. We do not achieve that by invading countries that do not have the weapons it was claimed they had.

Several hon. Members *rose*—

Madam Deputy Speaker (Mrs Eleanor Laing): Order. There is now a competition to see who is the most honourable Member by sticking to nine minutes. I call Mr Adam Holloway.

2.43 pm

Mr Adam Holloway (Gravesham) (Con): I have no idea of the reason for the report’s delay—I do not think anyone has—but it does matter. This should not be about a pre-election period, or about bashing Blair or anyone else. As my right hon. Friend the Member for Haltemprice and Howden (Mr Davis) has said, more than 150,000 civilians and 632 British troops died in two completely idiotic wars in Iraq and Afghanistan, and we need the Chilcot report in order to ensure that we do not make the same mistakes again. The report will go some way towards helping us to work out why we made those mistakes. We need to learn.

It was Sir Basil Liddell-Hart who talked of the motivation to achieve the task in hand and of effective leadership from those placed in authority. Our failure in Iraq was caused, first and foremost, by a failure of effective political and military leadership. From what I have seen on the ground in Iraq, Afghanistan and Libya, we seem to have a deeply dysfunctional situation right across what my right hon. and gallant Friend the Member for Sutton Coldfield (Mr Mitchell) referred to as the “full panoply of the government machine”. I shall divide this into four parts: an inexperienced class of political leaders; ambitious civil servants, most of whom have since been promoted; “can-do” military officers, most of whom have also since been promoted; and experts who were ignored or marginalised.

I shall start by talking about the inexperienced political leaders. Obviously, I am not including the right hon. and brave Member for Blackburn (Mr Straw) in that category. There were no experts at the Prairie Chapel ranch when Tony Blair and George Bush agreed to go to war—when Tony Blair basically allowed his mate to drive the car while drunk. You don’t do that. Then there was the dodgy dossier, written late at night like something produced during a politics, philosophy and economics essay crisis. The line that the analyst had written in the intelligence report to say that the missiles no longer existed was completely ignored. We somehow convinced ourselves and most people in the House that there were weapons of mass destruction, and I think most people voted in good faith.

We then went on to convince ourselves that the reason we were in Afghanistan was that we were fighting them over there so that we would not have to fight them over here. Only about two years ago, after I had given a presentation to the National Security Council, an immensely senior person in our Government took me aside and said, “Adam, are you really saying that the Taliban aren’t a threat to the UK?” That revealed the most fundamental misunderstanding of the difference between the Taliban and al-Qaeda. It almost beggars belief. If I told you who had asked me that question, you would be appalled. [HON. MEMBERS: “Go on! Name them!”] No. We cannot be too unfair on the politicians, because I think that they have been badly served by ambitious civil servants.

Some of those civil servants had a “good news only” culture. General Petraeus spoke in that context of putting lipstick on pigs. A Secretary of State for Defence was at a briefing at Basra air station attended by two of my friends. Apparently—he denies this—he banged the table and said, “Why have you not been telling me the truth? I had no idea that things were quite so bad.” There is a sense that civil servants play back what the politicians want to hear. I shall never forget the briefing in Helmand when we were told everything was going well. A few weeks later, when I was back in Kabul on a private visit, I was in a bar and the same official bounded up to me and said, “Adam, I’m really sorry about that briefing in Helmand. The thing is, we just don’t get promoted for telling the truth.”

The same is true of senior military officers. I do not think anyone thought about our responsibility to the people of Basra after the invasion. Indeed, one of my friends was on the recce in 2004 before we went into Helmand. When he got back to England, he went to see a very senior guy at Permanent Joint Headquarters. That very senior general asked him, “So, what’s the insurgency like in Helmand?” My friend replied, “Well, there isn’t one, but I can give you one if you want one.”

We have the same sort of thing with helicopters. Senior military people are constantly saying, “We’ve got enough helicopters to do the job”. We all remember the deaths of Rupert Thorneloe and Trooper Joshua Hammond. Before he died, Rupert wrote in a report of “unnecessary...road moves”. He stated:

“This increases the IED threat and our exposure to it.”

And yet, as I have said, the top brass were saying that we had enough helicopters to do the job.

A senior British general who had been in Kabul attended a Defence Committee meeting, at which he basically tore my head off for being a nay-sayer. When I went back to Kabul a few weeks later on a private trip, I went into his office and said, “General, are we still winning? Ha ha ha!” He said, “If we f***ing are, I’ll be dead by the time we do.” So there was a real mismatch.

We also ignore the experts. Of the people who knew anything about Iraq, who suggested it was a good idea to dismantle Ba’athists from the various structures of government? Nobody thought about that. As a soldier I was in Iraq before the war in 1991, and in 2003 I was back on the ground in Iraq, partly with Marie Colvin, who was killed in Syria a couple of years ago. I will never forget driving into Mosul literally in the minutes the city was collapsing. It was the first occasion in my time in journalism that I was nursing a submachine gun

[Mr Adam Holloway]

under the chair of my four-wheel drive. There was the odd body on the streets, chaos and a threatening, nasty environment. American jets were coming down really low to intimidate. I went to the police station, where there were all these Saddam lookalikes. The chief one said to me, "You're looking for the Americans, aren't you?" I said, "Yeah." He said, "When you find the Americans, can you get them to send someone up here to tell us what we should do?" That was an amazing thing to hear from an Iraqi an hour after the city had, in effect, capitulated. So I found the American and did my business with the colonel and I said to him, "The Iraqi police brigadier wants you to go up there and tell him what his instructions are." The American colonel said, "You can tell him to go f*** himself."

In Afghanistan, we ignored the experts. I was there in 1984, the year before I went to university, and we had plenty of experts on Afghanistan then, but they were all ignored later. My hon. Friend the Member for Penrith and The Border (Rory Stewart), a former Foreign Office official, had been living in Kabul. He spoke a great deal of sense about it, but we ignored him. We ignored people such as Semple and Patterson, after their failed attempt to make a deal with the Taliban, until it was just too late. We ignored the Russians and their ambassador Kabulov, who had been there for a decade. I remember sitting, in his house in Kabul, with the Afghan general who held that city for two years after the Russians left. He had four mobile phones in front of him. I said, "So, presumably the British have been asking you how to run Helmand?" He looked down at his phones and said, "I am still waiting for them to ring." We still have not rung him.

In Syria, we are now largely ignoring the Foreign Office officials who, over the past few years, have been deployed forward with the Syrian opposition. I am talking about those who argue that ISIL is fundamentally a political and counter-terrorist problem, not a military problem: ISIL is a function of broken politics of the middle east. Those people are ignored.

I have not got much time left, so let me return to the importance of Chilcot. Clearly, Iraq went very badly wrong, and, similarly, the NATO deployment to Afghanistan was a disaster. Our overall approach since 9/11 has given this country an enormous level of strategic risk. After the chemical outrages in Damascus we were asked to bomb the Assad regime, yet a year later we were asked to bomb his enemies. So it is little wonder that the public do not have much confidence when Ministers tell them that they deserve their backing. As my hon. Friend the Member for Penrith and The Border says, we need to get serious and to learn. I hope that Chilcot goes some way to making the people of Gravesham safer.

2.53 pm

Sir David Amess (Southend West) (Con): I do not have a military background, as is obvious if one looks at my shoes—according to my wife, I am terribly untidy—but the House of Commons contains many military and foreign affairs experts. I recall 18 March 2003 clearly. My then party leader—in those days, we seemed to have a regular turnover of party leaders—was called to No. 10 Downing street and given a briefing. He came

back and addressed the Conservative parliamentary party meeting. I listened carefully to what he said, but my gut instinct was that it was wrong for us to get involved in the conflict. Colleagues who were there have mentioned the House, and I was part of that packed Chamber. I listened carefully to what the then Prime Minister said at that Dispatch Box. He clearly told us that there were weapons of mass destruction that could reach this country within 45 minutes. I have to say to other Members who have spoken that I really did believe him. So I changed how I was going to vote and I will regret that decision until the day I die.

Following on from what colleagues have said earlier, when it came to the vote on Syria I did not discuss the matter with any colleagues. I dare say they said, "We'll take the hon. Member for Southend West for granted. He is going to support the Government." They were surprised, because I decided to use my own judgment and not make the same mistake again. I was one of the 30 Conservative Members of Parliament who voted against that particular involvement in conflict. Just to pick up on what one hon. Member said earlier, it was not six Conservative Members of Parliament who voted against the Iraq war—I believe it was 16 to 18. Oh, how I wished I had done what they did.

Mr MacNeil: Will the hon. Gentleman give way?

Sir David Amess: I am sorry, but I just feel that to do so would be unfair on others.

I pay tribute to Lord Hurd and Lord Dykes, who have done a lot of work on this issue. I am in complete despair that this House has suddenly burst into life on this matter. It happened two Prime Minister's questions ago, when the Father of the House mentioned the issue and other Members chimed in behind, and I am puzzled as to why the Government have not done anything about this. In my naivety, I thought it was a clever ploy and we were going to have the report announced just before the general election. Clearly, that is not the case, and it is absolutely pathetic that this House is going to allow that situation to prevail.

I have taken advice from the Clerks in the House, having asked questions about this matter since 2010 and I have always been given the same answers. I have always been told, "The timing of the delivery is a matter for the inquiry as it is independent of the Government." There are three things this House can do. First, we can move a motion for an unopposed return of the documents to Parliament, as was the case with, for instance, the Scott report in 1996 and the Hutton inquiry in 2004. That would ensure that the report enjoys the protection of the Parliamentary Papers Act 1840, which would make it subject to privilege. That would bring the lengthy Maxwellisation process to an end, without opening up the prospect of defamation proceedings—that was mentioned earlier in the debate—enabling the report to be published quickly.

Secondly, we can ensure that the report is published as soon as possible by converting the Chilcot process into an inquiry under the Inquiries Act 2005. That can be done under section 15 of that Act and would require the consent of the Prime Minister who put in place the original inquiry. The Government would then issue new terms of reference, including a time frame, which is currently unspecified. Although the requirements of

the Act are for warning letters to be sent out to those subject to criticism, it might be arguable that that requirement has already been satisfied by virtue of the Maxwellisation letters that have already been sent.

Finally, this House could adopt emergency legislation to put the Chilcot inquiry under special provisions, and to include in those provisions immunity from process and a deadline. Some £9 million of public money has been spent on this inquiry, which has been delayed over and over again. I regret the fact that, since 1997, the mother of all Parliaments has lost much of its power, but it is quite wrong to say that we can do nothing about when this report is published. There was a huge loss of life as a result of the war, and it is naive to suggest that, as a result of our involvement in Iraq, there has not been a huge destabilisation of the area and that there is no link whatever with what is going on with Islamic State and all the developments since then. There is no doubt at all that when we went to war there were no plans in place for regime change or for what would happen in the future.

I hope that Parliament will not accept this idea that the Government are not able to do something about the inquiry; they are able to do something and I have given three practical suggestions as to how this report can be published before the general election.

2.59 pm

Mr Bernard Jenkin (Harwich and North Essex) (Con): I am pleased that my hon. Friend the Member for Southend West (Sir David Amess) spoke before me and came up with some very practical suggestions about how things could be done. I am particularly pleased because those suggestions really underline the fact that we allowed the Government of the day to set up this inquiry in a haphazard and casual way.

I speak as someone who straddles two aspects of this matter. I was shadow Defence Secretary at the time and often spoke from the Dispatch Box in the run-up to the Iraq war. I am also taking part in this debate, in answer to the hon. Member for Islington North (Jeremy Corbyn), as someone who feels a deep responsibility for what has happened as a consequence of that war. It may surprise the hon. Member for Perth and North Perthshire (Pete Wishart) that I agree with a phrase of his speech. It is that we need to understand the “set of conditions” that allowed us “to pursue this particular course of action”. It would have been nice if that had been put into the terms of reference, to which I will come in a moment.

The origins of the Chilcot inquiry go back beyond 2006, to which my right hon. Friend the Member for Sutton Coldfield (Mr Mitchell) adverted. I also congratulate my right hon. Friend the Member for Haltemprice and Howden (Mr Davis) on securing this debate, because it has proved already to be a very informative and interesting discussion.

Just to go back to the origins of the inquiry, I have in my hand the resolution that was tabled by the then Leader of the Opposition, my right hon. Friend the Member for Chingford and Woodford Green (Mr Duncan Smith). Another five of us were named on the motion, including me and a future leader of the Conservative party, now Lord Howard of Lympne. The motion said:

“This House is concerned at the growing public confusion since the summer adjournment as a result of increasingly conflicting accounts of intelligence relating to and events leading up to the

recent Iraq war and what has happened since; and calls for the setting up of a comprehensive independent judicial inquiry into the Government’s handling of the run-up to the war, of the war itself, and of its aftermath, and into the legal advice which it received.”

How long was it before we actually got an inquiry, and a rather watered down inquiry at that? Let me explain why we called for the inquiry at that point—and this is a significant point. I came back from Iraq shortly after the invasion, having been on a shadow ministerial visit to Basra and had a comprehensive briefing. I then tabled a paper to the shadow Cabinet on what I had found that had caused me a great deal of concern. The paper on post conflict Iraq mentioned

“the widening gap between expectations and reality.”

It said:

“Many are wondering how much longer before the coalition’s window of opportunity closes.”

I went on to explain that what we needed was a proper comprehensive plan, a road map and benchmarks in order to structure a proper coalition provisional Administration, backed by the necessary civilian and military resources. In the addendum to the paper, I wrote, “Quagmire?” and for that I pay tribute to the hon. Member for Bradford West (George Galloway)—and it may disturb him that I am doing so. Of all the speeches that we heard on that fateful day when we voted to go to war, his was the most disturbing. I chose the word “quagmire” because I remembered him saying that we were entering into a quagmire.

We had done our best to satisfy ourselves from the Opposition perspective that there was plenty of planning. It is true that there was plenty of planning in Washington, but the problem was that the Americans had more than one plan. They had a Rumsfeld plan and a State Department plan and there was a competition between the two of them over which should be implemented. But neither plan was based on any proper understanding, depth of assessment or analysis of what we were going to find when we got in there, which is why it became evident so quickly that we were facing a disaster. I wrote:

“Currently all the elements for protracted insurgency warfare exist, though there is every opportunity to prevent the situation deteriorating.”

There was an inability to get anyone to hear this message in Government and, I confess, even some in my own party—this was the Government’s problem, not our problem. It is the same kind of truth blindness to which my hon. Friend the Member for Gravesham (Mr Holloway) referred in the British political establishment, in the civil service, among the political leaders.

Jeremy Corbyn: Who does the hon. Gentleman think took the extraordinary decision to destroy the whole of the state structures in Iraq after the invasion, dismiss all the armed forces and the police and leave chaos behind?

Mr Jenkin: Yes, it was Ambassador Bremer. In my paper, I wrote:

“The Bremer administration has 3,000 US officials, only 16 of which are Arab speakers. 650,000 Iraqi Government officials have failed to return to work.”

There was a complete misappreciation in the first 100 days—the golden 100 days after the invasion—that we were sitting on a volcano. I remember asking questions from the Opposition Benches such as, “What are we going to

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do about the Iranian insurgents coming over the border?" The border between Iraq and Iran was completely open. There was flat denial that any of this mattered or was actually happening.

What this inquiry cannot do is resolve the controversies about legality or intelligence, which have been raked over so many times. So many other inquiries have looked at those things. What this inquiry must do is address the machinery of government problem, the capacity problem—the understanding problem to which my hon. Friend the Member for Penrith and The Border (Rory Stewart), the Chairman of the Defence Committee so capably referred.

The Select Committee on Public Administration produced—this is the other side of the equation in this debate—no less than three reports in the last Parliament about how to conduct inquiries. We produced a report at the beginning of this Parliament entitled "Who does UK National Strategy?" The informal answer that I received from the then Chief of the Defence Staff, which we put in our report, was nobody. Nobody holds a strategic concept for the United Kingdom. No one creates a single document and keeps it updated on how we are to conduct our statecraft in this increasingly troubled world in which we are increasingly vulnerable.

I say to the right hon. Member for Blackburn (Mr Straw) that we found that the Foreign Office had an aversion to any kind of strategy. Culturally, it does not like the idea of being tied to a plan, misunderstanding that a plan is different from strategy. We need to learn. How does the machinery of government allow us to go to war without a better understanding of the consequences? Those consequences have led to a complete loss of confidence in this Chamber in the ability of Whitehall to make those judgments, as my hon. Friend the Member for Gravesham said.

What sort of reform do we want to be able to drive—as my hon. Friend the Member for Penrith and The Border asked? Why does this disconnect exist between what people in Whitehall think is going on or think that they are able to control and what the people on the ground find out is actually going on and are unable to control?

When I came back from Basra on that occasion, I remember reporting to the shadow Cabinet that I had asked the General Officer Commanding in Basra what message he wanted me to take back home. He said in slightly less proper language, "Where the hell is DFID? What is the plan? What are we meant to do now?" There was no plan. I do not apologise for complaining about the lack of a plan in the aftermath because it reflects exactly what the General was saying. There is a lack of seriousness, a lack of trusting people who come with challenging information and uncomfortable truths.

We need more capacity in Whitehall to learn and understand, to gather real knowledge and information—capacity for analysis and assessment, which paradoxically we do quite well in the intelligence field through the Joint Intelligence Committee, unless it is sat on by political appointees. We need the ability to choose realistic objectives for our foreign and security policy; to formulate comprehensive plans and then be able to implement them.

As we wait for the inquiry to conclude and to report its findings, we must reflect on the process that we feel has failed us. The first lesson is that it is too late—much

too late. It started too late, and it is taking far too long. Why did we not set a time limit? Leveson was set a time limit; why did we not set one for the Iraq inquiry? I have struggled to find definitive terms of reference for the inquiry. In fact, the terms of reference are drawn from a long and rambling statement made from that Dispatch Box by the then Prime Minister, who boasted about how broad and comprehensive and utterly large it was going to be. One wonders whether the words "long grass" were lurking at the back of his mind—the longer the better.

This House failed. This House failed to create an accountable inquiry process. We let it happen. We were all so desperate for an inquiry, so desperate to get it started, that we lost our perspective. If this was a judicial inquiry, as we originally called for, the issues of conflict of interests of people involved on the fringes of the inquiry would not be allowed to arise. There would not be any question about people being able to give their evidence in public, immune from prosecution, which the Chilcot inquiry has been unable to do. We could have ensured the inquiry's independence. Speakers in this debate have asked why there are no politicians, lawyers or military figures on the inquiry. All those questions were asked when the inquiry was set up, and we are all now ruing the fact that those suggestions were not adopted.

I will recommend that my Committee follows up this inquiry in the next Parliament, covering such questions as how inquiries are established, why, what for, how they operate, judicial or parliamentary, lessons from the terms of reference, how the timing is organised when they are set up and how long they are allowed to sit. I fear this inquiry will turn out to be a shadow of what we really need and we will not learn the lessons. We did not learn the lessons before we went to Afghanistan, before we went to Libya, before we threatened Syria, and these are lessons that we must learn.

3.12 pm

Norman Baker (Lewes) (LD): I thank the Backbench Business Committee for facilitating this debate in my name and those of my right hon. Friend the Member for Haltemprice and Howden (Mr Davis) and my hon. Friend the Member for Leeds North West (Greg Mulholland), who for personal reasons is not here today. I regret that we are debating the non-publication of the report rather than the report itself—a report that, as others have said, the previous Prime Minister, no doubt in good faith, indicated in 2009 should be published within a year. We still have no date for publication. Last week's letter from Sir John Chilcot to the Prime Minister talked about taking "further months"—a phrase I think was also used in 2011. It is crucial that we have a time scale, which we do not have now.

It is a great disappointment to me and an insult to the British people that the report is not to be published before the general election. I am grateful that the Foreign Affairs Committee is to question Sir John Chilcot on 4 February. We do not know the reasons for the delay in publication, although some have been suggested today. One speaker suggested that there has been a shortage of staff, in which case, I suggest, Sir John Chilcot might have drawn that to people's attention rather earlier, to get more resources. We have also heard about the Blair-Bush

material—he says that that is now completed—and the Maxwellisation process, although we are not clear how far that has got.

May I ask the Foreign Affairs Committee to address these questions when it has Sir John Chilcot before it next week? How many people have been sent information to which they have been invited to respond? I am not asking for names, simply numbers. When did they receive the letter from the inquiry? What deadline was set for a response? There is some suggestion in the media that Maxwellees, if I can call them that, have sought expensive legal advice. Is any such person having his or her legal costs met from public funds? I think we ought to know that. Maxwellees have been given full access to the original documents or evidence used to support the criticism, and that is quite right, but we need to be clear whether their lawyers have been given the same access. I imagine they have been, if they are defending those individuals, in which case, have they been subject to clearance vetting for the material they see? Those all seem to me to be relevant questions.

Sir John Chilcot must have known of the desire of Members of Parliament to have the report published in good order, and of its importance. That is a point that many Members have made to Sir John, both publicly and privately. I made it to him when I saw him personally shortly after his inquiry was set up, and I reiterated it in a letter to him of 25 April 2014, which in turn followed an article in the *Daily Mail* the day before that suggested that a delay might take it past the general election. Why was no action taken at that point to ensure that the process could be speeded up, a whole year out, notwithstanding the other delays that have been referred to across the House this afternoon?

It is clear that Sir John Chilcot is totally independent—that is absolutely right—but we have a right to a statement from him next week on the process as to why the report is taking so long and a deadline for his action, which is one reason why I urge hon. Members to support the motion today.

The report is important because in the period 2002-03 the normal processes of Government were bypassed, the normal safeguards were trampled over, and a case was made for war that I believe the then Prime Minister knew to be false. We have talked about sofa government; that is exactly what happened at the time. I did not vote for the war, but other hon. Members did, believing that they should support the Prime Minister of the day when he had given such a clear undertaking that there was a problem. They feel betrayed by that process, as do our British servicemen and their families as a consequence of that war.

In September 2002 the Prime Minister told the House that the dossier—the famous dodgy dossier that was referred to earlier—was “extensive, detailed and authoritative”. Lord Butler, in his subsequent and underrated report—in civil service jargonese, but quite useful—called the report “vague and ambiguous”—very different from what the Prime Minister said. But the dossier had one element that the press were actively encouraged to cover—the 45-minute claim. So we had headlines in *The Sun*, saying “Brits 45 mins from doom”, and in the *Evening Standard*, “45 mins from attack”. What utter nonsense. There was no basis for that whatsoever. It was known by those in government—I include the right hon. Member for Blackburn (Mr Straw), for whom

I also have time—that if it was accurate in any sense, it related to battlefield munitions, not long-range weapons. Robin Cook raised those matters with the Prime Minister and others in government at the time, as he says in his diaries. The 45-minute claim was clearly bogus, yet it was allowed to be the headline, without correction. The then Defence Secretary, Geoff Hoon, when asked about this in the Hutton inquiry, refused to correct it and said it was not his business to correct what newspapers said that was not accurate.

How did this happen? We know that it happened because the Prime Minister of the day asked Alastair Campbell to chair meetings overseeing the production of the dossier. How can it be right that a political special adviser is asked to oversee intelligence information and is able to change the details of that intelligence information in the report? Alastair Campbell suggested 13 changes, 10 to strengthen language and three stylistic. These are not simply minor matters. The dossier, when it came to Alastair Campbell, said:

“The Iraqi military may be able to deploy chemical and biological weapons within 45 minutes of an order to do so.”

He changed “may be” to “are”, and John Scarlett agreed with that alteration, which he should not have done either. Yet Alastair Campbell told Lord Hutton that he had no influence “whatsoever”—that is his word—on the words in the dossier. Hans Blix subsequently said that question marks in the dossier had been replaced by exclamation marks.

The second dossier, in February 2003, entitled “Iraq: Its Infrastructure of Concealment, Deception and Intimidation”, was copied, as has been said, from an article in the *Middle East Review of International Affairs*, and not even copied very well. It refers to the 1991 Gulf war, in any case. What a disgrace that that should have been put out in the Government’s name at the time.

Lastly, there is the Matthew Rycroft memo from July 2002, which subsequently appeared in the papers before 2005. That included an assessment from the head of MI6 at the time, Sir Richard Dearlove, of his recent visit to Washington. He was reported as saying:

“C reported on his recent talks from Washington... Military action was now seen as inevitable. Bush wanted to remove Saddam through military action... but the intelligence and facts were being fixed around the policy.”

That is what was said in 2002. In April 2002, Tony Blair, giving a speech to the George Bush Senior presidential library in Crawford, Texas, said:

“we must be prepared to act where terrorism or weapons of mass destruction threaten us... if necessary... it should involve regime change.”

There can be no question but that this was all ramped up in order to get the House of Commons to agree to a war that had no justification whatsoever, and that the Prime Minister was party to that, as were others in government at the time, who were clearly very serious.

The events of 2002 are important in themselves and also highly relevant to today. Processes were abandoned. One process that was abandoned—I tried to intervene on the right hon. Member for Croydon South (Sir Richard Ottaway), who would not give way—was the so-called inquest on David Kelly. The right hon. Gentleman called it an inquest. It was not an inquest; it was a non-statutory inquiry under Lord Hutton. The inquest was stopped by Government Ministers, who took the coroner off the case. What a schoolboy error from the

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right hon. Gentleman. I am sorry to say that if he is going to throw insults at people, he should at least get his facts right when he does so.

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

Norman Baker: I had better not. I am sorry.

Normal processes were abandoned. We need to know what happened so that we can stop it happening again.

3.20 pm

Lisa Nandy (Wigan) (Lab): I thank the Backbench Business Committee and the right hon. Member for Haltemprice and Howden (Mr Davis) for bringing this important debate to the Floor of the House. The discussion has been wide-ranging and I have listened with interest to Members in all parts of the House who have expressed many different views both about the decision to go to war in Iraq and about the decision to set up the inquiry and the way that it was established. Most of all, what unites all those contributions is concern about the length of time that it has taken for the inquiry to report. The delay is deeply frustrating. When the inquiry was announced in June 2009, it was never anticipated that in 2015 we would still be awaiting its publication.

In 2001 Sir John Chilcot said that it would take “some months” to deliver the report, given the complexity of the issues, the nine-year period that the report covers and the sensitivity of some of the information that it looked at. We accept that there is a balance to be struck between the need to be thorough and the need to remain relevant, but when the inquiry was announced it was expected to be published within a year. The right hon. and learned Member for Beaconsfield (Mr Grieve) spoke compellingly about the subsequent delays, why they may have occurred and what that has meant for the inquiry.

We are keen for the report to be published as soon as possible, but the inquiry was established on an independent basis and we believe still that it would be wrong for the timing to be influenced by political parties. That in no way lessens the potential seriousness of the delay in publication. All of us are, or should be, acutely aware of the impact on the families affected by the Iraq war—179 British servicemen and women lost their lives and many others were injured, and we should remember, too, the thousands of Iraqi families who will be watching these events unfold. I know from my own experience of working with some of the families affected by Hillsborough just what a heavy price families pay for such delays.

Many of the questions that surfaced during the debate are questions for the inquiry. It is right to acknowledge that the reasons for the delay have not yet been made clear. When Sir John Chilcot appears before the Foreign Affairs Committee next week, I hope he will be able to provide some of the answers that Parliament and the public seek. Questions have been raised about the role of the Labour Government in setting up the inquiry, and I want to deal with the accusation that Labour voted against establishing an inquiry and in doing so caused unnecessary delay.

It is fundamentally untrue to suggest that Labour was opposed to establishing an inquiry into Iraq. It was the Labour party that established the Chilcot inquiry,

and Labour MPs voted against initiating an inquiry on the basis only that there were still troops on the ground, and that it would have been wrong to undermine their role and potentially jeopardise their security. This was also the position advanced by the shadow Foreign Secretary at the time on behalf of the Conservative Opposition. In 2006 the shadow Foreign Secretary said that the Opposition

“do not believe that such an inquiry should be established now. As the Foreign Secretary said, important operations are under way in Iraq. Major political decisions in Iraq and efforts to contain the insurgency appear to be in the balance.”—[*Official Report*, 31 October 2006; Vol. 451, c. 183.]

It is important to remember, too, that the scale and the breadth of this inquiry are unprecedented. It was established with such a wide remit to ensure that the full story was told. Given the numbers of people who lost their lives or were affected by this conflict, it was essential that the inquiry had broad parameters and commanded the confidence of families.

Norman Baker: Does the hon. Lady not accept that the inquiry could have begun and taken evidence while troops were still committed but not published until after the troops had come home?

Lisa Nandy: Looking back in *Hansard* at the debates of the time, we can see that many Members in all parts of the House felt very strongly that to do so would have undermined the role of the troops.

My hon. Friend the Member for Islington North (Jeremy Corbyn) talked about some of the problems that he sees in the way that the inquiry was set up. As my right hon. Friend the Member for Blackburn (Mr Straw) said, when it reports there will be lessons for all political parties about how we establish such inquiries in future. At the time, the then Prime Minister, my right hon. Friend the Member for Kirkcaldy and Cowdenbeath (Mr Brown), said:

“No British document and no British witness will be beyond the scope of the inquiry.”—[*Official Report*, 15 June 2009; Vol. 494, c. 23.]

Some Members have raised concerns about why it was established with evidence heard in private—a decision that was, again, debated at length at the time. As my right hon. Friend the Member for Blackburn said, that potentially provides lessons to guide us in the way we conduct these inquiries in future.

Iraq was one of the most controversial episodes in recent history. It is right to acknowledge that it was a huge moment in this country’s history. It divided Parliament, as we have heard today. It divided my party. As my hon. Friend the Member for Newport West (Paul Flynn) said, 139 Labour Members of Parliament voted against intervention. I worked for one of them at the time, and I am proud still to call him a friend today. The right hon. Member for Sutton Coldfield (Mr Mitchell) talked about how it divided not just his party but his own family. All hon. Members should remember, whichever side of the debate we are on, that it divided the country too. At the time, it did not appear to be black and white to the people or to parliamentarians.

Many of us still hold as strong views now as we did when the war began over a decade ago. The Chilcot report, when it is published, will not remove that controversy. However, as the hon. Member for Perth and North

Perthshire (Pete Wishart) said, it should at least be able to answer some key questions about the decision to go to war and how it came about. The inquiry was established to provide a reliable account of events and, crucially, to help to guide foreign policy making in future. Understanding the decision-making process is a question of justice, but, as the hon. Member for Penrith and The Border (Rory Stewart) said, it is also vital for the future of this country.

We must learn the lessons from what happened. In order to do so, we must respect the sovereignty and the autonomy of the inquiry. That is why we say that it is not appropriate for any political party to seek to influence the timing of the report. However, we understand the frustration that has been expressed, on behalf of much of the public, by many Members here today. Those who initiated this debate and have taken part in it have helped to ensure that this report and this important issue are not forgotten, and for that we are extremely grateful.

3.28 pm

The Minister for Civil Society (Mr Rob Wilson): I congratulate the right hon. and hon. Members who secured this debate on the Iraq inquiry. I thank all colleagues who have contributed to a very thoughtful and, at times, stirring debate. At times, with passions running high, it felt as though we were back debating the decision to go to war in the first place, all those years ago.

I am sure that I speak for all in the House in saying that when this inquiry was started in July 2009, none of us thought it would still not be completed by January 2015. It is frustrating and very disappointing that we still do not know when it will be published. It is clear that once it is published, the Government will need to look very carefully at what lessons could be learned for future inquiries. I am sure that everyone here will agree that the inquiry is unprecedented in its scope and scale. I agree with my right hon. and learned Friend the Member for Beaconsfield (Mr Grieve) that Sir John Chilcot is trying to leave no stone unturned. Never before has a UK public inquiry examined in such depth and detail a decision to go to war and its consequences over a nine-year period.

At the risk of junking the rest of my speech, I will try to deal with as many of the points that right hon. and hon. Members have raised as possible. May I first pay tribute to my right hon. Friend the Member for Haltemprice and Howden (Mr Davis), who made an excellent speech? He raised important questions about potential conflicts of interests, particularly regarding the Cabinet Secretary. The Cabinet Secretary was identified as a final arbiter in discussions about the declassification of documents because he is the most senior civil servant, is bound by the civil service code on impartiality and, crucially, can see the papers of a previous Administration. I am not aware of any opposition to his appointment to that role at the time.

I understand my right hon. Friend's concerns about the process, but I have seen no evidence to date of Sir John Chilcot being prevented from going wherever his inquiry wished. The inquiry panel has had access to every paper, memo, e-mail or minute of a meeting—classified or otherwise—that it wished to see. As my

hon. Friend the Member for Harwich and North Essex (Mr Jenkin) rightly said, there is a difference between what is declassified and what is published.

The right hon. Member for Dwyfor Meirionnydd (Mr Llwyd) raised the involvement of the secretary to the Iraq inquiry in the foreign and defence policy secretariat. The appointment was agreed by Sir John in the full knowledge of that involvement, and he saw no conflict of interest, but the Foreign Affairs Committee may want to take that up and ask further questions.

The hon. Member for Islington North (Jeremy Corbyn) and others asked about the involvement of the US. The US Government have not at any stage made any attempt to delay the publication of the report. They have not sought to block the disclosure of evidence, including the exchanges between the Prime Minister and the President of the USA, despite the fact that those exchanges are a privileged channel of communication. Because that decision was a very difficult one for the Cabinet Secretary, he consulted a number of parties, including US officials.

The hon. Gentleman asked about the declassification process. As Sir John has confirmed, the process of declassifying the most difficult and sensitive documents has been completed. In respect of other documents, Departments continue to meet every request made.

Jeremy Corbyn: If the British side is not blocking any correspondence or communications records between Blair and Bush, are the US or Bush blocking them? We need to be assured that all of that will come out if the inquiry is to have any credibility.

Mr Wilson: As I have said, there has been no attempt by the US to block any element of the inquiry. There have been discussions about the scope of what in the communications should be released. The gist of some conversations will be published, although they were previously confidential.

My right hon. and learned Friend the Member for Beaconsfield asked why the Maxwellisation process has been held up. In a letter to the Prime Minister on 4 November 2013, Sir John Chilcot explained that the delay in Maxwellisation was due to the fact that the inquiry and the Government had not reached an agreement on the disclosure of the material that the inquiry wished to include in its report. Sir John acknowledged that disclosure of the material raised difficult issues, which had taken time to resolve but had been worked through in good faith by both the Government and the inquiry. The inquiry did not want to issue its provisional criticisms without a clear understanding of what supporting evidence would be agreed for publication. I think that the further delays in progress might be raised in the Foreign Affairs Committee on 4 February.

The hon. Member for Newport West (Paul Flynn), who is no longer in his place, asked why we could not subpoena the evidence. The inquiry has identified the evidence it needs to reach its conclusions. The publication of that evidence without the context provided by the final report would lead to the issues being only partially understood.

My hon. Friend the Member for Wycombe (Steve Baker), who is not in his place, asked about Maxwellisation and Salmon letters. Salmon letters are sent before a

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witness gives evidence, while Maxwellisation happens before an inquiry publishes its report.

The hon. Member for Westmorland and Lonsdale (Tim Farron) asked about additional resources for the inquiry. That offer has always been on the table, not only from the Deputy Prime Minister but from the Government. The inquiry has, on occasion, asked for additional assistance and the Government have always provided it. I am not sure that Maxwellisation, which only recently started, as Sir John Chilcot has confirmed, could be speeded up by additional resources.

As many have recognised, it is a question of fairness that those who are provisionally subject to criticism are given the opportunity to make representations, and that the inquiry considers those representations properly. That process will take some time. It does not mean that the report will be watered down, as I understand the hon. Member for Westmorland and Lonsdale suggested recently. It will be up to Sir John and his colleagues to decide whether they accept the representations that are made.

The hon. Member for Ayr, Carrick and Cumnock (Sandra Osborne) asked why the report should not be published before the general election. The inquiry is completely independent of Government, and the timetable and processes for completing its work are matters for the inquiry. I can imagine the outcry there would be if the Government interfered in an independent process, and rightly so. If she listened to my highly respected colleague my right hon. and learned Friend the Member for Beaconsfield, she would have heard that there is still a real possibility that this will be a very good report indeed.

Sandra Osborne: I am not sure whether the Minister has quite understood me. I was never under any illusion that the report would be published before the general election. My point was that we are now in the run-up to the general election. Does he not think that it is reasonable that Members of this House question the delay and ask for an indication of when we will get the report?

Mr Wilson: I hope that I will have time to come to that point in a moment.

Members asked why it was not a judicial inquiry. The terms of reference for the inquiry were established by the previous Labour Government. As Lord Wallace of Saltaire said yesterday in the other place,

“the Government are committed to learning lessons from the conduct of all public inquiries”.—[*Official Report, House of Lords*, 28 January 2015; Vol. 759, c. 200.]

That might be one such lesson that we need to consider.

Why did the inquiry stop publishing declassified documents? It published documents to accompany the evidence sessions that took place up to February 2011. Since then, Chilcot has said that he does not want to publish further documents, as it would be unwise to have a running commentary on events.

Like my hon. Friend the Member for Broadland (Mr Simpson), I well remember the debate in Westminster Hall. If memory serves me correctly, we were the only two Members present. I congratulate him on getting up a head of steam behind this issue. I note his suggestion

regarding a parliamentary inquiry. That should probably form part of the lessons that we learn. We have had a number of suggestions on that subject. He made an interesting one about publishing correspondence between the secretariat of the inquiry and the Cabinet Secretary. Again, it is for the independent inquiry to decide whether to do so. That, too, might be one of the lessons to be learned after the report is published.

The hon. Member for Perth and North Perthshire (Pete Wishart) asked about compelling the publication of the report before the election. The inquiry is completely independent of Government, and the timetable and processes for completing its work are matters for the inquiry. It would not be appropriate for the Government to dictate to an independent inquiry how it should conduct itself. We know of no mechanism by which members of the inquiry panel could be required to put their signatures to a report that they did not consider to be complete and suitable for publication. I hope that that answers his point.

As I have said, the Government cannot say when the report will be delivered to the Prime Minister. That is a matter for the inquiry because it is fully independent of Government. However, Sir John will appear before the Foreign Affairs Committee on 4 February. Although he has said that he will be constrained in what he can say, it would be very helpful if he was able to provide some indication on the likely completion of the report. However, as he said in his letter to the Prime Minister, until the completion of Maxwellisation, he

“cannot give an accurate estimate for how long it will then take to complete”

the inquiry’s work.

All I can do is to echo the recent words of the Prime Minister. He hopes that the report will be delivered to him as soon as possible. Once the report has been presented to the Prime Minister and published, there will be an opportunity—this was asked about by one hon. Member—to debate its findings in both Houses. In relation to our accepting any recommendations that the report might make, it would be wrong to pre-empt the inquiry’s findings. The important thing now is to get the report published.

The Iraq conflict was a seismic political event, and it evokes strong feelings on all sides of the political debate. The Government recognise that it is of paramount importance that the inquiry is able to complete its work to provide a balanced, evidence-based report that shows why decisions were made and the lessons that must be learned. In October 2006, members of the current Government voted for an inquiry into the Iraq conflict and its aftermath. If the inquiry had been established then, it would have reported long ago.

3.40 pm

Mr David Davis: This has been an excellent debate, with cogent and well informed arguments delivered with both passion and forensic skill. There have been divisions between Members, of course, but virtually everybody in the House agrees that six years is too long and that the report should have been published some time ago. Although some think it is too late to hold people to account for what happened, it is not too late to learn. I believe that everybody agrees we should get this thing published as soon as possible.

Next week, the Foreign Affairs Committee will meet Sir John, I think largely as a result of this debate being called, and will ask him for the reasons for the delays and for a timetable. I hope that he will be able to provide that. Part of the aim is to put pressure on him for a very fast delivery of the report. The reason is simple—the Iraq war was a disaster, and we need to understand why, simply so that we can make sure it never, ever happens again. To that end, I ask the House to support the motion.

Question put and agreed to.

Resolved,

That this House regrets that the Iraq Inquiry has decided to defer publication of its report until after 7 May 2015; and calls on the Inquiry to publish a timetable for publication and an explanation of the causes of the delay by 12 February 2015.

Open-cast Coal Sites (Restoration)

3.41 pm

Mrs Madeleine Moon (Bridgend) (Lab): I beg to move,

That this House has considered financial support for restoration of opencast coal sites.

I thank the Backbench Business Committee for facilitating this debate. I also thank Jan Adamson, Councillors Huw David and Philip White and fellow south Wales MPs and AMs, among others, as well as many right hon. and hon. Members who have altered their travel plans to be here today to fight for their communities.

We have a national problem. There are currently 34 open-cast mines across the UK—17 in Scotland, nine in south Wales and eight in England. There are also an unknown number of unrestored and orphaned sites, where developers have declared bankruptcy and disappeared. The fate of all those sites is of great importance. The Coal Industry Act 1994, passed under the Major Government, privatised the remains of British Coal and gave the then Department of Trade and Industry powers to ensure full continuity from the coal corporation to private companies.

In 1995 the then Minister for Industry and Energy, when pressed by my hon. Friend the Member for Lanark and Hamilton East (Mr Hood) on the issue of Coal Authority responsibility, replied:

“I assure him that those matters are being dealt with. The Coal Industry Act 1994 gives the Department of Trade and Industry powers to ensure full continuity from British Coal to the successor companies, which have the same rights and obligations as British Coal. Planning consent and the enforcement of planning conditions remain matters for the planning authorities. With regard to...concern about the ability to meet obligations for opencast sites, the Department checked carefully the financial status of the successor companies as part of the bid process.”—[*Official Report*, 8 February 1995; Vol. 254, c. 334.]

More recently, in March 2011, my hon. Friend the Member for Aberavon (Dr Francis) asked what assessment had been made of

“the effectiveness of land remediation following the closure of open-cast mining operations”.

He received the following reply from the then planning Minister, the hon. Member for Bromley and Chislehurst (Robert Neill):

“This Department has not carried out an assessment of this type but we would expect mineral planning authorities in England, when granting planning permission for open-cast mining, to set site aftercare and restoration conditions...to secure the high standard of restoration of the land concerned.”—[*Official Report*, 9 March 2011; Vol. 524, c. 1127-28W.]

Those are mixed messages about the responsibility for restoration.

Yesterday, I received an e-mail from Will Watson, chief executive of Celtic Energy. That company took over 13 south Wales sites in 1994. Nine have completed coaling and been restored, two are working, one pit is subject to a planning application and one, Parc Slip Margam, is a highly controversial site located in my constituency and that of my hon. Friend the Member for Ogmore (Huw Irranca-Davies). When Celtic Energy took over Parc Slip, also known as Margam, it did not provide a restoration bond. According to Will Watson, that was due to the Government’s decision in 1994 to take a larger cash receipt for the sale to the company in return for a 10-year bond-free period.

Nia Griffith (Llanelli) (Lab): Does my hon. Friend find it extraordinary that Celtic Energy was given an exemption from any form of restoration bond, whereas all the other private operators in the area had to pay such a bond? It made for a completely uneven playing field.

Mrs Moon: It most certainly did. Money went to the Major Government, and our community has been left with the financial responsibility for restoring the sites. It is shocking.

Huw Irranca-Davies (Ogmore) (Lab): My hon. Friend's constituents in Pyle, my constituents in Cefn Cribwr—whom she used to represent—and others are deeply affected by this. They think it is totally unjust that the company seems able to walk away from its responsibilities for remediation and doing well by that community. Does she agree that it is astonishing that at some point in the distant past a deal was done—which our constituents regard as a dirty deal—to allow the company to renege on its responsibilities and walk away? It is not good, and it does not reflect well on the Government of the time either.

Mrs Moon: My hon. Friend is right. It does not reflect well on the Major Government or on Celtic Energy, which has had a good reputation in Wales. Now its reputation is deeply tarnished, and I am sure it will want to make whatever restitution it can to restore that reputation because I know that it wants to keep operating in Wales.

Will Watson says that

“had escrow funds been put away for Parc Slip at today's level of around £10m per year for the years 1994 to 2004, then that fund would now stand at around £155m (assuming it was invested to simply cover inflation).”

My hon. Friend and I would be very confident if we had £155 million to restore that site.

Mr Watson also said that

“the Government in 1994 had £100 million in their restoration fund, (worth around £178 million today) that could have been made available for restoration.”

In his opinion, it seems reasonable to ask the UK Government to contribute to a solution at Margam and potentially at East Pit. If Mr Watson is correct, the Government took money that would otherwise have gone to restoration. There was a significant benefit to the Treasury in 1994. Where did that money go? How do we get it back?

My local residents argue:

“The Coal Authority, the government's agent which sold the leases and licences was empowered to impose obligations on the private companies to ensure restoration and it failed to do so.”

Can the Minister confirm whether this was the case and why no obligations were imposed? Can he confirm the existence of a British Coal lump sum for this site? Where was it held and when was it imposed? What happened to it and how much was it worth?

The Scottish and Welsh Governments have published papers on failure to restore open-cast sites and talk of a £2 per tonne levy imposed by the Coal Authority. Despite questions to the Treasury and the Department of Energy and Climate Change, I have been unable to

clarify if the levy was imposed at Parc Slip Margam, how much was collected, where it was held and which mines were affected.

Sandra Osborne (Ayr, Carrick and Cumnock) (Lab): My hon. Friend obviously has some knowledge of what happened in the Scottish situation. She will be aware that we have asked for some of the coal levy to be returned for restoration, but the Government have refused to do that. Does she agree that that is unreasonable?

Mrs Moon: I have awful news for my hon. Friend. DECC has informed me—this is such a sad thing to hear—that much financial information was unavailable because it relates to business practices from nearly 20 years ago. I have friends who have their bank accounts from 20 years ago! I find it incredible that the Department does not have records just because this happened 20 years ago under another Government. Unbelievable.

Parc Slip Margam is mostly in the constituencies of my hon. Friends the Members for Aberavon and for Ogmore, but the residents affected are mostly mine. Cynffig Hill is about 300 metres south of the void. The site is over a mile long and half a mile across, and includes a huge void that is filling with water. A pump in an old mining shaft that was supposed to send water into the nearest water course failed to function, and Celtic Energy began pumping on 20 January as the water had filled to 40 metres. When it went above that it posed a risk to the community below.

Mr Watson informed my office that Celtic Energy will be pumping water out of the void for at least three months, and would give three months' notice before stopping. He stressed this was a good-will gesture. He indicated no liability and that his company would not be willing to continue to incur these costs. The water, I am told, goes through filtering ponds into tributaries of the River Kenfig. Water samples have been taken, although the analysis is not yet complete.

I have to admit family connections to these developments. My husband, when county ecologist for Mid Glamorgan, opposed the extension sought by British Coal in 1993. If only he had been successful. I spoke against the extension in 2007. If only I had been successful. Coaling ceased in 2008. At one point, it was hoped that the problem would be resolved by the opening of the drift mine by Tata. My hon. Friend the Member for Ogmore will remember being at the meeting when that was discussed. Coal from a slip mine into Margam mountain would have put the spoil into the Margam Parc Slip void. That failed to happen.

In 2010, Celtic Energy sold the land rights of Margam and three of the sites to Oak Regeneration, a company based in the British Virgin Islands, for £1 each. The Serious Fraud Office investigated the transfer, but legal proceedings failed twice as they were found to be wrong in law. According to *Private Eye*, after the sale, Celtic's owner, finance director, solicitor, assistant solicitor and senior partner—five individuals—received bonuses and loans in excess of £10 million pounds from companies in the British Virgin Isles.

According to Celtic, however, it has no funds available and the restoration has become entirely the legal responsibility of Oak. My local authority, in a report to its development control committee, referred to Oak on 8 January, stating:

“it is...evident that serving an enforcement notice is unlikely to secure restoration of the site, nor do either of the Councils have the financial means behind them to secure the restoration of the site in default.”

Mr Watson yesterday said I was misinformed when I stated on 13 January that in 2010 Celtic Energy had £136 million in a restoration fund, and that the fund had reduced by £63 million by 2011. He said:

“This is simply not correct. The figures you quoted are ‘provisions’ for liabilities on the balance sheet and do not represent assets in any form...The provisions were reduced when the land was sold along with restoration liabilities to Oak Regeneration Incorporated in September 2010. That transaction was the subject of the SFO investigation which has now closed. During the course of the SFO investigation it was not clear whether the transaction had been effective in transferring liabilities and so the accounts were amended to put back the provisions until the matter was resolved. That position will now be re-visited once more.”

Wherever the money is, let us have it back in some form of restoration fund for Parc Slip Margam.

“None of these changes in the provisions in the statutory accounts make any difference to the cash the company is holding, nor to the restoration escrow funds”,

which it claims are £46 million and

“held by local authorities.”

Bridgend county borough council has said that the restoration fund for Parc Slip Margam, which is in an escrow, stands at £5.7 million and that the estimate to secure the full restoration is between £30 million and £40 million. Oak Regeneration has submitted planning proposals, which have been rejected, including for the building of 2,500 new homes, heated and cooled using geothermal energy; a railway station; a new road to the M4; and five years of open-cast coal extraction.

The mining company Hargreaves has proposed tax exemptions, and my hon. Friend the Member for Ayr, Carrick and Cumnock (Sandra Osborne) has argued that these proposals be considered. I do not want to steal her thunder, but I would be interested to hear more about those issues.

Coalpro represents the majority of UK coal producers. It supports any mechanism that helps to restore sites left behind by former operators. Although opposed to the carbon price support mechanism, it is in favour of a short-term exemption if this would ensure that abandoned and orphaned sites are restored for beneficial future use. The industry supports this, which is important, and I look forward to hearing what the Minister has to say.

Huw Irranca-Davies: I commend the forensic way in which my hon. Friend has researched and is explaining this complex situation. It often seems like one of those conjuring tricks with the three cups and trying to find the pea—only in this case, it is money, not a pea. Will she reflect on the fact that although pumping is taking place—temporarily at least—and people should not be worried at the moment, this is not a long-term solution? I hope to hear a way forward from the Minister, because we cannot keep pumping this stuff out when it is so close to the top.

Mrs Moon: My hon. Friend has been sneaking into my office and reading my speech. In fact, when I originally wrote it, I used the words “pass the parcel”, because every Government agency and Department I have spoken to has passed the parcel. It has been shocking.

The scheme will relate only to orphaned restoration liabilities where owners and operators are bankrupt or liability has fallen back on the state, meaning no breach of the “polluter pays” principle, and the exemption would be limited to the amount of restoration coal necessary to make the scheme viable. If it is not the responsibility of companies, it cannot be right for the responsibility for open-cast coal sites to be devolved to the Scottish or Welsh Governments, or even to the mineral planning authorities, without the finance also being devolved. That is just not right. As I have demonstrated, the Treasury and its agencies have benefited before and since privatisation. The funding must go with the responsibility.

The problems affect everybody living close to the mines. Peoples’ lives have been blighted by ideologically driven legislative failures. As a Parliament, we have to give people a plan of action and a sense of hope that we are taking responsibility and tackling this problem, and we need a grown-up Government who will co-operate with devolved Governments. Gwenda Thomas, the Assembly Member for Neath, has issued a statement, which I fully concur with, as I am sure my hon. Friend the Member for Ogmore does, calling on Celtic Energy to take decisive action to demonstrate its commitment to restoration. Celtic used to have a reputation in our area as a model of responsible mining. It needs to stand up and rebuild the respect our communities had before it ripped the profits from the valley, endangered local people and walked away.

Madam Deputy Speaker (Mrs Eleanor Laing): Order. I hesitate to interrupt the hon. Lady, and I do not want to take time doing so, but she has exceeded the normal time for a speech of this kind, and she will be aware that many of her colleagues also wish to speak. I do not suggest she stops immediately, but perhaps she can draw her remarks to a conclusion soon.

Mrs Moon: Madam Deputy Speaker, you too have been looking at my speech. It is not fair. People are sneaking into my office.

The Treasury has profited. Businesses have profited. Somebody has to hold up their hand and take the moral, social, political, financial and ethical responsibility. Nothing will change unless politicians do that. We must accept responsibility. We cannot let the private companies get out of this with a responsibility-free zone. Inadequate legislation failed; inadequate regulation failed; the mining industry has failed. We have passed the parcel of responsibility for too long. Let us stop the music, and make the changes our communities need, expect and deserve.

4 pm

Sir Alan Beith (Berwick-upon-Tweed) (LD): The House owes a debt to the Backbench Business Committee and particularly to the hon. Member for Bridgend (Mrs Moon) for bringing up this subject. The situation she reviews in south Wales is a really dreadful one, and a source of anxiety to any area where open-cast is currently contemplated.

My constituency was the last deep-mining constituency in the north-east, and it also has a large amount of open-cast mining—it has had for many years, it still does and it is committed to having more in the future, as

[Sir Alan Beith]

permissions have already been given. In the early days of open-cast mining, whole villages were removed to make way for it. The villages of Radcliffe and Chevington Drift in my constituency were totally removed in order to enable open-cast mining.

More recent applications have in many cases been even more controversial because some of the earlier ones related to areas with a fair amount of dereliction from deep mining or for other reasons, and there was a net benefit from the restoration process. Open-cast mining now, however, is moving to areas that will suffer for a considerable period and, when restored, they will not be in any way better than the areas they replaced—even if the Banks Mining restoration on one of the sites on the estate of Lord Ridley, which features a large figure of a lady from the former Northumberlandia park, has had 100,000 visitors. I suppose that is one way of making a success of restoration.

Around Widdington and Widdington station in my constituency, people have lived with open-cast for 40 years, and it looks like they will be doing so well into the future. Permission already exists for the Ferneybeds site, another Banks site, with three years of excavation, three quarters of million tonnes of coal and 200,000 tonnes of fire clay expected to be taken out of the surface mine. Banks has a projected application for Highthorn, close to the magnificent Druridge bay and the villages of Cresswell, Ellington and Lynemouth. Local people are worried that this might be granted either by the planning authority or on appeal, and that the planning authority might be frightened of losing it on appeal and so might grant it in perhaps a more limited form. That fear exists even before the application has been formally submitted.

Where surface mining does take place, people are entitled to certainty that restoration will be completed to high quality and on time. The major sites in my constituency have been UK Coal sites—and we all know what has happened to UK Coal. The Butterwell and Steadsburn/Maidens Hall sites are UK Coal sites. The Butterwell site has to cease operation by July this year, while the Steadsburn/Maidens Hall site ceased operation some time ago. The soil has been replaced but no cultivation has yet commenced, and residents have complained about the delays in restoration and aftercare.

Following the demise of UK Coal, Harworth Estates has become the freeholder, and an organisation made up of former UK Coal directors—UK Coal Surface Mines Ltd—has become the operator in these areas. We are dependent on dealing with those organisations for the kind of restoration that the sites need either now or for the future. Coaling ceased at the Stobswood site in 2008, but site buildings and haulage roads still have to be removed, and footpaths reopened. In fact, Harworth Estates has now applied for planning permission to keep the site offices and use them for another purpose. There is therefore anxiety about sites that have already ceased coaling; anxiety about sites for which permission has been granted; and anxiety about potential further sites.

The hon. Member for Bridgend talked quite extensively about restoration bonds. These are clearly vital, but they do not appear to be enough. If he catches your eye, Madam Deputy Speaker, my parliamentary neighbour, the hon. Member for Wansbeck (Ian Lavery) will probably

want to refer to the Potland Burn site in his constituency, which we are all looking across at with some anxiety. At one point there was a £1.67 million restoration bond for that site, but I understand that the actual cost involved is more like £3.6 million. It is one thing to have a restoration bond, but another to have a huge shortfall, and we are very anxious lest the same situation should arise in our own area. Restoration bonds are particularly attractive to my constituency, where there has just been a fire in a waste site. There was no restoration bond, and there is no money to deal with the consequences, because the company is bankrupt. We do not want that to happen on open-cast sites. However, it is not enough to have a bond; the bond itself must be sufficient.

I do not want to take up too much time, because many Members with direct constituency experience wish to speak, but I do want to reassert a principle. Residents are entitled to assurances that all the promises made when open-cast permissions are granted will be fully kept, and that restoration aftercare will be carried out and carried out on time. If there is doubt about the money, if there is doubt about who will be around to see it through if a company goes bankrupt, or if there is doubt about whether the planning authority will be able to enforce the terms, permission should not be given in the first place.

Residents need cast-iron assurances. There is a huge burden of worry for people who have already borne the burden of surface mining near their homes, which presents a great many practical problems. The mining is quite important for the economy and for our energy supplies, and it generates some employment, but it is very difficult to live alongside, and those people have had to live alongside it because permission has been granted. The very least that they deserve is for restoration to be completed, and for the process to be guaranteed.

Several hon. Members *rose*—

Madam Deputy Speaker (Mrs Eleanor Laing): Order. It would be courteous to their colleagues if Members would now speak for less than six minutes, so that everyone has an opportunity to contribute to the debate.

4.6 pm

Natascha Engel (North East Derbyshire) (Lab): I hope to speak for much less than six minutes, because I have only one and a half examples to cite, although I want to ask the Minister some very specific questions about them.

I thank my hon. Friend the Member for Bridgend (Mrs Moon) for initiating the debate, because it is very important. It concerns a legacy in coalfield areas that already contain some of the most deprived communities in the country. To be hit again after all these years makes things even worse for those communities.

I want to talk about a 204-acre site near Clay Cross, which was very toxic. An exciting plan was submitted by a company called Maximus, which proposed not just to restore the site, but to excavate the coal and build 1,000 new homes, as well as sports fields and changing rooms for which there was a large amount of section 106 money. People were very excited because there would be plenty of affordable homes. However, after the coal had been extracted, not 1,000 but 100 very high-end houses were built and sold for a great deal of

money, and then the company went into voluntary administration. About 200 of the 204 acres are still uncapped, and the site is an enormous eyesore. Grey shingle has just been left on the ground, and, because the site is very high up, it is very visible from every angle.

To add insult to injury, the company—under a different name, Provectus—moved a mere few metres down the road to the neighbouring village of Tupton, and submitted another planning application for a very similar development. It will take ages for that application to be put together. The local residents, all of whom live very close to the site, are aware of it. Derbyshire county council is in a terrible bind, because it is having to spend a lot of time and money on offices and lawyers. The company itself is much wealthier than the residents. Meanwhile, house prices have dropped, people cannot move, and they are very worried about an increase in traffic. There is a 2,000-pupil secondary school right on the doorstep. People are very worried about this. Once the planning application goes to the county council, even if it overturns it the applicants will appeal, and it will go to the national Planning Inspectorate and the chances are that it will be overturned.

That would disregard the feelings of local people, and it does not take into account what these people have done only metres down the road. I want to know from the Minister what can be done to stop these people, who can only be called cowboys. They are going to do exactly what they have done in Clay Cross in Tupton. This is a big issue for local residents, and they are really worried about it.

As the right hon. Member for Berwick-upon-Tweed (Sir Alan Beith) just said, we are looking at other sites beyond our borders and seeing what is happening there. It is very alarming to hear what is happening in Wales, and this pattern is being replicated up and down the country. The worst thing about it is that it is the people who are living on the doorstep who are having to suffer all the air pollution, the lorry-loads and everything else. And who ends up paying for capping off those open-cast sites? It is the local taxpayers. I would therefore like to know what the Minister is planning to do about this.

4.11 pm

Ian Lavery (Wansbeck) (Lab): First, I want to say that we need to dispel the myth that coal is a fuel of the past. I am a bit of a geek now and I was looking at the app on my iPhone 6 just before we came in, and, as of only 20 minutes ago, coal is producing 36.2% of the electricity generated in the country. That is 16,767 MW, and that shows the importance of coal.

Coal is not going away either in the UK or globally. Last year we imported about 42 million tonnes of coal, and we burned about 50 million tonnes. We imported about 50% of that 42 million tonnes from Russia—hardly a politically stable country, to say the least—and we also imported coal from Columbia, where they use child labour to mine the coal.

We need to embrace the fact that coal is not going away. As I have discussed with the Minister on numerous occasions, we need to ensure that coal is embraced—indigenous coal, together with carbon capture and storage, which will ensure we can continue burning coal with zero emissions. We must also secure state aid for Kellingley, Thoresby and Hatfield in the deep-mine sector. We have had discussions on that with the Minister as well.

I welcome this timely debate on open-cast sites and restoration, and the lack of it in some areas, some of which have been blighted for quite some time now. That is of great concern. This issue and the needs of the communities concerned were raised by the right hon. Member for Berwick-upon-Tweed (Sir Alan Beith). They need assurances, and why not? When it is said that an area is to be open-casted, the people there deserve the right to be assured that the land will be restored to a state at least as good as that before the open-casting. We must ensure that.

We cannot have private companies raiding the countryside, ripping it back like the proverbial sardine-can and taking the coal out, and then leaving without restoration. We cannot accept that. From now, any company, or any director who is involved in a company, that produces coal and then leaves things in such a state should never be allowed to be part of an application in the future. That should be fundamental—it should be basic—and it would protect the people we represent.

I have a huge problem with Potland Burn in my constituency. It has already been mentioned by the right hon. Member for Berwick-upon-Tweed. It is a perfect example of the chaos that a private company can cause by abdicating its responsibilities. Potland Burn was operated by the then UK Coal. Somebody mentioned cowboys. “Cowboys” and “UK Coal” are often said in the same sentence. UK Coal operated this site, and then it went into liquidation. It then formed a new company called UK Coal Surface Mines, and it is now in charge of the open-cast site in my constituency. The company says that there is a £3.86 million shortfall, which means that it cannot restore the land. It has a £1.67 million fund with the county council, and £60,000 with the Coal Authority. That means that the site might never be restored.

The only option would be for the local authority to step in to help a private company, but that would mean that taxpayers would be paying out of their backside pockets to restore an open-cast site after the company has been in and raided it, exploited the coal and run away with the profits. That would be totally unacceptable. It would not happen in many other industries, but it is happening in the UK coal industry. The companies are blackmailing the local authorities by saying, “Sorry, we can’t restore this one, but if we get planning permission for another one, we will have the money to do it.” That is happening, and it is an absolute disgrace. It should be illegal. We should be putting these people in front of the general public.

This is happening at sites across the country. Scotland and Wales have their own huge problems. I am aware of a letter having been sent to the Secretary of State for Energy and Climate Change about a potential deal on carbon price support, with a request that the tax be withdrawn for certain coals in and around open-cast areas. At least that is an attempt to find a solution, which would help, but it raises many questions as well. We need a UK-wide pot. Coalpro, the trade organisation, has come up with a wonderful idea. It has proposed a £1 levy on every tonne of coal burned in the UK. That would provide £50 million for a communal pot for the UK, which could be used by the Coal Authority to ensure that local authorities had enough money to restore every site, regardless of whether it was in England, Scotland or Wales.

Natascha Engel: I agree that that sounds like a good idea, but would it not allow those people—who I think we both agree are cowboys who have made an awful lot of money from excavating the coal—to get away scot-free?

Ian Lavery: I fully agree with that, but I am looking at this from the perspective of the people who live next to those sites. They have had to endure the conditions created by the open-cast mines for quite some time. If there are legal processes available—as there should be—they often take a long time, but that is not to say that we should not challenge those companies for every single ha’penny we possibly can.

Coal has been a political football for quite some time; it has been kicked from pillar to post for generations. It has much to offer, however. Perhaps the real answer to the question of the cost of obtaining the indigenous coal reserves that we are blessed with would be to abolish the carbon price support in its entirety. I am merely suggesting that. I am not sure whether the Minister would consider it, but I would welcome his views on the matter.

Several hon. Members *rose*—

Madam Deputy Speaker (Dame Dawn Primarolo): Order. May I suggest that each Member speaks for five minutes? That will allow everyone to get in comfortably and give us enough time for the wind-ups before we have to stop. I am not going to put the clock on, so please be vigilant.

4.19 pm

Jonathan Edwards (Carmarthen East and Dinefwr) (PC): I was born and raised in the mining communities of the Amman valley. Those communities were built around the coal industry, with villages developing around underground pits. In my formative years, apart from the Betws drift mine and the Cynheidre drift mine in the neighbouring Gwendraeth valley, those underground operations had all but ceased, apart from a scattering of small private mines. However, open-cast mining affected all the communities I am proud to represent in the industrial half of my constituency. I remember the noise of the huge machines that worked on those sites and the dust that accumulated when the weather was dry.

Today, someone who drives up Mynydd y Betws, past the Scotch Pine, and looks down at the lower Amman valley will see an extraordinary sight: a giant former open-cast site which swallows the communities of Ammanford, Llandybie, Penybanc, Tycroes, Capel Hendre, Blaenau, Caerbryn and Penygroes. The industry was advanced around these communities in staged developments, and life went on much as usual in the villages I just mentioned. The scene resembles a giant US plain or a Russian steppe, with a patchwork of villages within it, linked by roads. It is completely out of character with the rest of the Carmarthenshire countryside developed by the agricultural industry. The view from Mynydd y Betws symbolises the failure of the restoration processes of the open-cast industry to return the environment to its previous state.

In 2009, Plaid Cymru Assembly Member Bethan Jenkins held a debate in the National Assembly for Wales regarding open-cast restoration. She called for a report into the failure to restore open-cast sites in

Wales. During the debate, Plaid Cymru called for the guidelines issued to local authorities, minerals technical advice note 2—MTAN2—to be overhauled. Four years later, the Welsh Government finally commissioned a report, and “Research into the failure to restore open-cast coal sites in south Wales” was published in April 2014.

The report identifies the Coal Industry Act 1994 as a fundamental problem where restoration is concerned. The report’s authors, ERM, suggest that prior to privatisation there were few issues concerning restoration, apart from the quality of the completed sites, and certainly no question as to whether restoration would go ahead or not. The fact that restoration protocols were not watertight in the Act reflects the carelessness and haste in which the Act was composed and passed through Parliament. The Act should have contained many more measures to protect coal communities, and has parallels with the debates on fracking that we have had recently in this place.

The status quo, where the law effectively permits operators to walk away from sites that they have no inclination to restore, can no longer remain an option. The Welsh Government have had to increasingly commit resources to public inquiries because, as the report suggests, the expertise to determine open-cast applications does not necessarily exist within mineral planning authorities. The Welsh Government should consider bringing determination of open-cast planning applications under the direct control of Welsh Ministers. Doing that would reduce the resources committed by local government, would allow particular expertise to be developed in one place and would help end the different interpretations of Welsh Government guidance which operators and their lawyers have been so adept at exploiting.

Let us consider the example of East pit in the upper Amman valley, which borders the villages of Brynamman, Rhosamman, Cefnbrynbrain and Ystradowen in my constituency. The latest planning application proposed the creation of a lake in the current void after use. Neath Port Talbot county borough council, as the responsible mineral planning authority, has had to contend with the Reservoirs Act 1975 and the Mines And Quarries (Tips) Act 1969. As the report suggests, mineral planning authorities cannot realistically be expected to retain such expertise in-house, and that is before we get to the vexed issue of the Commons Act 2006. The question has to be asked: at a time of swingeing cuts to local authorities with already stretched resources, can a mineral planning authority properly discharge its duties if it does not command the expertise to do so?

Bonds and enforcement are also topics covered in the ERM report. It notes that the Dynant Fawr site, which engulfs the communities of Drefach and Cefneithin in my constituency, is not adequately bonded or assured. The Dynant Fawr site poses a problem to the planning authority because it has been abandoned in an unrestored state and insufficient bond is reported to exist to meet the cost of its restoration. Carmarthenshire consultees to the report felt that the transfer of ownership of operating sites may cause problems for planning authorities, in that they have difficulty in making effective contact with the new owners or getting adequate responses from them.

Early disposal of restored sites to multiple owners, sometimes on completion of basic restoration or at the commencement of the aftercare period, has also been a problem. That was the big problem in Gilfach Iago site

in my constituency. There was no bond and the operators sold the land in parcels before the restoration process was completed. Promises to restore roads linking the villages of Saron, Blaenau and Penygroes have not been kept. Promises to replant trees and hedgerows also were not kept, resulting in the plain effect I referred to earlier and devastating the natural habitat of much wildlife. Carmarthenshire county council has taken legal action against the operators, Celtic Energy, at a cost to local taxpayers, yet the operators have been able to escape fulfilling their obligations although the local planning authority won the case. It is an insult to local people to be treated in that way, given what they have had to endure to accommodate the industry.

We need more than fine words. The Welsh Government can and must deliver meaningful action to protect communities. The UK Government should also be ready and willing to assist by sharing expertise, supporting the devolved Governments in tackling the issue and helping fund restoration work not completed largely as a result of the loopholes left by the coal industry privatisation legislation, supported by this House. That fund should be funded by contributions by the UK Government and open-cast operators, and the trustees should include members of communities affected by open-cast operations. If we do not get that, given that these planning issues are devolved, the Welsh Government should set up a national open-cast fund based on historical and new contributions to repair the damage caused by the failures of the past.

I did want to make a far more detailed speech, but time has escaped me.

4.24 pm

Sandra Osborne (Ayr, Carrick and Cumnock) (Lab): I will try my best to cut down my speech to five minutes. To be fair, I did secure a Westminster Hall debate on this subject on 6 January, so the Minister has heard it all before, but he will have to hear it again.

The situation in Scotland is far worse than in the rest of the UK, and the situation in my constituency of East Ayrshire is far worse than anywhere else in Scotland. I do not need to say any more to emphasise just how bad the situation is. We have almost 20 square kilometres of disturbed and unrestored land, which has been abandoned. East Ayrshire council commissioned an independent assessment of the true cost of restoring the land and a cost of £160 million was identified for East Ayrshire. Hargreaves estimated a cost in excess of £300 million for the whole of Scotland. But the bond to carry out the restoration work in East Ayrshire totals just over £28 million, and even that is not settled. Clearly, there is an enormous funding gap.

I have pressed the Government to return funding to Scotland from its contributions to the coal levy, but that has not been forthcoming. I am not aware of any other fund that is available, but if my hon. Friend the Member for Bridgend (Mrs Moon) is right and that money exists, I would certainly support the idea of devolving it to the Scottish Government. The Scottish Government have responsibility for this matter, and they are not coming up with any money either, so we have problems at both UK and Scottish level.

Any money that is available will pay for a greatly reduced quality of restoration. That is why the proposal by Hargreaves for a technical change to extend the coal

slurry carbon price support exemption to include coal derived from schemes supporting restoration projects is well worthy of serious consideration. I cannot over-emphasise the urgency of the situation. I will not go into all the technical details as I had originally planned, but people can read *Hansard* for 6 January if they want more details.

Obviously, there are pros and cons to any proposal, but this is the only game in town of which I am aware. The recent proposals from other members of the Confederation of United Kingdom Coal Producers have come in only at the last minute and they have not been thought through. I know that the Treasury has received a detailed analysis of the net economic impact and potential benefits of the scheme. I am pleased that the Minister responded well to my debate on 6 January and said that he and Treasury officials would meet a group of us, and perhaps some of my colleagues, to discuss the proposals. I look forward to that meeting taking place as soon as possible.

My main emphasis is that this is a disaster for our communities. It cannot be ignored; it must be dealt with as soon as possible.

4.27 pm

Nia Griffith (Llanelli) (Lab): I congratulate my hon. Friend the Member for Bridgend (Mrs Moon) on securing the debate and pay tribute to the Welsh Government for commissioning the review, "Research into the failure to restore opencast coal sites in south Wales."

Restoration of open-cast sites pre-privatisation was relatively assured because British Coal, the then controlling body, managed the contract cash flow by holding a restoration lump sum in reserve, which was tantamount to a restoration bond. Furthermore, in the event of all such precautions failing, British Coal, as a Government body, could, as a means of last resort, restore an abandoned site at public cost.

At privatisation, Celtic Energy acquired the British Coal open-cast operation in south Wales but it was not required to provide any restoration bonds, for reasons that have already been explained. It is staggering to think that for the first 10 years after privatisation, 1995 to 2005, there was no effective mechanism to require the restoration of open-cast sites, but that is precisely what happened.

My hon. Friend the Member for Lanark and Hamilton East (Mr Hood) raised with the then Department of Trade and Industry Minister responsible the issue of the enormous burden that was to fall on local planning authorities as a result of privatisation, and how right he was. It has been an enormous burden. Following privatisation, it is absolutely clear that all large open-cast coal sites should have been the subject of adequate restoration bonds.

The situation in which we find ourselves today is that we have five large sites in Wales, which may have insufficient bond cover at some stages in their operating life. They are Ffos-y-Fran in Merthyr, Tower at Hirwaun, Nant Helen at Coelbren, East pit at Gwaun-Cae-Gurwen and Margam at Kenfig. In my constituency, we have Dynant Fawr in Tumble. That is a smaller site, extending to some 33 hectares. Coal extraction has finished, having removed some 100,000 tonnes of coal in total. However, the operator Carmarthen Mining Ltd has been dissolved

[*Nia Griffith*]

and the site ownership is spread between a number of owners. My local planning authority, Carmarthenshire county council, has released some of the bond to achieve some restoration and currently holds a bond of some £176,000, but that falls short of the full restoration costs, which the local authority believes could exceed £250,000. There are some lessons to be learned from that situation.

I should explain that Dynant Fawr is not a former British Coal site. It was run by a separate private operator. Although the local authority required a bond and the operator was to pay into an escrow account, the bank was slow to alert the authority that payments were not being made. The lesson to learn is that although the local authority tried its best to get the right mechanisms in place, the situation is much more complex than it might at first appear. Making bonds work is not easy when companies disappear and play all sorts of dirty tricks.

The local authority now faces the situation that both the operator and the landowner have conveniently disappeared, so the job of managing the restoration is left to the county. The money that has accrued from the bond is less than the council estimates to be ideal, so it has been looking at different ways of making sure that bonds are more effective. It is not that easy. One has to be certain that the money that is paid in is ahead of the restoration costs. That is quite a hard bargain. Likewise, the council does not accept insurance as cover unless the premiums are paid up front to the county, because if the company does not pay the premiums, the insurance company obviously will not pay out. The council might accept assurances from an insurance company that it would pay up whatever, but that is much more difficult to achieve because insurance companies are also extremely wary.

This is a highly technical area and, as the World Bank has said, a lot of expertise is needed to set up, control and run bonds properly, and to ensure that the restoration is done properly at the end. This is extremely costly and in the current economic climate local authority expertise does not just come from nowhere. Carmarthenshire helps out Powys, which does not have the expertise. Many of the people who are there now may not be there for ever, and they have other pressures on their time. The head of minerals planning in my local authority is working with colleagues from Natural Resources Wales and from Neath Port Talbot, and he is also chair of the group of planning officers across Wales who come together on mineral issues to develop some guidance on making the bond mechanism as effective as possible. That could be incorporated into guidance such as a technical advice note for planners.

The way forward is very much to work together and do whatever we can, but we still need the money to restore the communities that have suffered devastation from people just ripping them off for open-cast.

4.32 pm

Pat Glass (North West Durham) (Lab): I want to speak in this afternoon's debate because this is very much a live issue in my constituency. I am one of those people to whom my hon. Friend the Member for Bridgend

(Mrs Moon) referred who have delayed their travel home, so important do we think this is. Given the weather, I am not going to get home tonight, and probably not this weekend.

I am not against open-cast per se. I know that there is more coal under Durham county now than was ever taken out, and with advances in technology more and more coal reserves become accessible all the time. There are good open-cast companies and poor open-cast companies. Reference has been made already to Banks. I have no interest, vested or otherwise in Banks, but if it makes an application we at least know that it will go to great lengths to disturb residents as little as possible, will invest millions in the north-east and will employ local people, and that its records show that it restores 100% of its sites.

There are companies like Banks and then there is UK Coal. I want to refer to the Pont valley in my constituency by way of illustration. It is a beautiful valley full of ancient woodland, rare flora and fauna and local heritage going back centuries. It is a real amenity for local people, and it is under threat. UK Coal, in its various manifestations, has applied four times to open-cast the valley in 20 years. There have been four public inquiries and so far a further appeal allowed on a technicality. Local people have won in every one of those public inquiries, and we await the outcome of the latest inquiry. I know that I and others in the House would like to see some kind of legislative protection for local people who win public inquiries and simply face the same thing again a couple of years later. Some legislative protection is needed to ensure that companies such as UK Coal cannot just keep coming back, blighting lives and threatening surroundings.

One reason for the objections to open-cast in the Pont valley, but not the only one, is the huge question mark over UK Coal's financial status, which totally undermines any certainty that the company can meet its obligations to restore the site after the coaling phase is complete. At the same time as making further applications to open-cast in my constituency, UK Coal has several existing sites either in development or with planning permission that are up for sale, yet it continues to pursue further planning applications, knowing full well that it does not have the finance to develop or restore its existing sites, but arguing that it needs to open-cast more sites to restore those already complete. The Park Wall North surface mine near Crook in my constituency is available for sale as part of a package consisting of six surface mines, yet the juggernaut of applications from UK Coal for new sites continues, with the threat that if the company cannot get the profit from new sites, it cannot restore the old ones. It is like some sort of bizarre Ponzi scheme. Earlier, a Member said that there has to be a law against this, but I understand that there already are laws against blackmail and Ponzi schemes.

The Minister will be aware of the MacKinnon report on what happened in Scotland—as my hon. Friend the Member for Ayr, Carrick and Cumnock (Sandra Osborne) said, the situation is far worse in Scotland than in England, but we are getting there. It is as strongly worded and critical a report as I have ever read. It paints a terrible picture of what can happen when an applicant is in financial distress and faces a choice as to what to do with its limited resources: does it focus on coaling on newer sites, or commit to proper aftercare?

That is the picture facing people in constituencies such as mine from companies such as UK Coal. I think it is absolutely unacceptable that beautiful parts of my constituency and others, places like the Pont valley, should be attacked by a series of open-cast applications that not only place huge pressure on local people, but put those areas and the people who live in them at ongoing risk of intrusive open-cast extraction and the very real danger that their surroundings will never be restored.

4.37 pm

Mr Iain Wright (Hartlepool) (Lab): This has been a really important debate. I thank the Backbench Business Committee and all who have participated, particularly my hon. Friend the Member for Bridgend (Mrs Moon), for ensuring that the debate took place.

Ensuring that sufficient resources are available to restore open-cast coal sites to a proper state is important. It is universally agreed, I think, that a key principle for the approval and ongoing use of open-cast mines is that operators have an obligation to both local communities and the environment to clean up after themselves, and that financial provision should be made to allow that to happen. The debate has rightly and expertly focused on what happens when the obligation breaks down and what can be done to make sure it is fulfilled.

It is clear from the debate that all parts of the United Kingdom are affected, with speeches from Members representing Northumberland, Durham, Derbyshire, Scotland and Wales, although I was surprised that no Scottish National party Members attended to discuss the subject. Seven mines in Ayrshire, Lanarkshire and Fife closed when Scottish Coal ceased operations in 2013, and my hon. Friend the Member for Ayr, Carrick and Cumnock (Sandra Osborne) has worked diligently to make sure that operators are held to account. Rising water levels, contaminated lagoons and erosion lead to increased health and safety risks, environmental damage and the threat that the taxpayer will have to pick up the bill.

I was pleased to hear the right hon. Member for Berwick-upon-Tweed (Sir Alan Beith) talk about Northumberlandia. I have visited and walked my dog there. It is a fantastic example of what restoration and open art can do. My hon. Friend the Member for North West Durham (Pat Glass) rightly raised concerns about the financial viability of UK Coal and the fire sale of several open-cast sites, calling into question the operator's ability to meet its obligations to restore the sites after the coaling phase is complete. We have also heard from Wales. My hon. Friend the Member for Bridgend (Mrs Moon) has mentioned two sites—East Pit in Neath Port Talbot and Parc Slip in Margam. There is huge concern about how the restoration of those sites will be paid for. I understand that only £2.5 million of the estimated £115 million has been identified and allocated for East Pit, while at Parc Slip about £5.5 million has been set aside against a total estimate of £57 million.

We have heard time and again in the debate that local communities often had to deal with disruption and pollution for some considerable time while the open-cast mines were operating. Now that the mines have ceased operating, I think the whole House agrees that we do not want the communities to suffer a permanent and dangerous scar on their landscape. I have a number of

questions to put to the Minister arising from the debate. They essentially fall into two main categories: how did we get into this position, and what do the Government need to do next to resolve the problem?

My hon. Friend the Member for Bridgend said with regard to the Parc Slip site that nothing illegal had taken place between Celtic Energy and Oak Regeneration. I do not want to say anything that compromises the ability of the judiciary to make independent rulings, but I have a number of questions. My hon. Friend mentioned that in 2010 Celtic Energy held a sum of money for restoration purposes totalling £136 million. Within 12 months, that sum had been reduced by £63 million, with no evidence or assurance that it had been spent on restoring the mine. It is perfectly legitimate to ask where that money went. My hon. Friend said that it was considered a provision within the accounts of Celtic Energy. That brings me to my old accountancy past.

I consider that a liability is a current obligation of the enterprise arising from past events, the settlement of which is expected to result in an outflow from the enterprise of resources embodying economic benefits. There seems to be quite a clear liability rather than a provision that is unknown. I am surprised that that entry in the accounts has been reduced. What conversations took place in 2010-11 between Ministers, officials and the company to determine what was being done with that money? Is the restoration fund for operators routinely monitored or audited by the Minister's Department to ensure that any liabilities can be matched by sufficient resources? What work takes place between his Department and counterparts in the devolved Administrations to ensure that this is adequately dealt with across the United Kingdom? What assessment has he made of the adequacy of other restoration funds at other sites? In the light of question marks over the sufficiency of funds to cover the costs of restoration, does the Minister believe that the existing framework for guaranteeing the maintenance of a restoration fund is adequate? What reforms and recommendations need to be put in place to ensure that it does meet the needs of local communities?

Unrestored sites are unacceptable as they pose a risk to local communities. Equally, I would question whether it is for taxpayers to pick up the bill, especially when the selling of the coal generated cash and profits for the company, a proportion of which should have been apportioned to the costs of restoration. An additional complication is the falling world price for coal, which means that operators may not generate the revenue anticipated, but will quite rightly be expected to bear the costs of restoration.

How do we settle this matter? My hon. Friend asked what assessment the Minister and his Department have made of the original 1994 agreement, and how the Government can ensure that its terms are complied with. Can we see the original agreement? If the purchase of the land from British Coal and the granting of planning permission were conditional on restoring the site on decommissioning, who, in the Government's view, remains liable for ensuring that this is done? What powers will the Government use to ensure that this liability will be met?

I understand that UK Coal has submitted a state aid application. Will the Minister update the House on what progress has been made on that specific matter? I have questioned him several times on state aid approval,

[*Mr Iain Wright*]

and on matters of urgency and priority on steel and energy costs. I hope that he can update hon. Members today on the current status and expected progress of the state aid application with regard to UK Coal.

My hon. Friend the Member for Ogmore (Huw Irranca-Davies) summed this up succinctly when he said that a company can walk away from its responsibilities without any repercussions. The debate today has shown how the House rages against that and wants to make sure that appropriate procedures are in place so that companies cannot walk away from their responsibilities. I think the Minister will agree. What steps will he take and what measures will he put in place to ensure that those liabilities are met and the restoration of open-cast coal sites is undertaken, leaving less of a blight on the local community?

4.44 pm

The Minister for Business and Enterprise (Matthew Hancock): I join others in congratulating the hon. Member for Bridgend (Mrs Moon) on bringing this debate to the Floor of the House and opening it so clearly and strongly. I agree with the Front-Bench spokesman, the hon. Member for Hartlepool (Mr Wright,) that there is broad consensus across the House on the scale of the challenge, which I acknowledge and which was described by the hon. Members for Bridgend and for Ayr, Carrick and Cumnock (Sandra Osborne), and by the hon. Member for Carmarthen East and Dinefwr (Jonathan Edwards) in strong and lyrical terms. I acknowledge the scale of the difficulties and I look forward to working with Members on all sides to try to resolve them.

There is also consensus that the operation of open-cast mining involves a resource that can be brought out from under the ground, and therefore that the burden of restoration should fall not on the taxpayer but rather on those who benefited from the excavation and sale of the resource. In the time available I hope to address as many of the questions that were raised as possible.

Several hon. Members, including the hon. Member for Bridgend, commented on the time taken for a planning application to be approved, the different and complicated mechanisms needed, and the number of authorities involved. I acknowledge that and the further complication that the devolution settlement leaves responsibilities both for the UK Government, which are mostly executed through the Coal Authority, and for devolved Administrations. It is therefore important that the devolved Administrations are part of the solution. The hon. Member for Carmarthen East and Dinefwr described clearly the responsibilities of the Welsh Government. I spoke to Fergus Ewing, the Minister for Energy, Enterprise and Tourism in the Scottish Government, about the matter yesterday in advance of the debate today. Although it is disappointing to see that no SNP Members are in the Chamber, I made the Scottish Government aware of their responsibilities in relation to the difficulties that are most apparent in the south of Scotland.

The Chair of the Backbench Business Committee, the hon. Member for North East Derbyshire (Natascha Engel), asked what we can do to ensure that those who do not fulfil their obligations in a reasonable way can be debarred from future operations. I thought that was a

good suggestion and I will explore the possibility of the Coal Authority having a role in vetting open-cast licence applications to examine past conduct. I cannot give the hon. Lady the full commitment on policy today, not least because this is the first time the possibility has been raised with me directly, but it is a sensible proposition which I will take away, and I will get back to her on that.

In a debate largely driven by consensus, it was good to have the hon. Member for Wansbeck (Ian Lavery), the representative of king coal, in full flow. He demanded that I reach this Dispatch Box and immediately change the tax regime of the United Kingdom to end the carbon price floor. I am sorry to have to disappoint him by saying that that is a matter for the Chancellor in a Budget, so far be it from me to announce it today. The hon. Gentleman will know that from next year we have frozen the carbon price floor and we have taken action to ensure that although we commit to our international obligations on tackling carbon emissions, we also support energy-intensive industries. As he said, carbon capture and storage represents a long-term future for coal consumption in energy production and potentially for UK production of coal.

The hon. Member for Hartlepool asked about the case for state aid for UK Coal. This debate is about open-cast mining, but of course we have a long and strong tradition of deep mining. We have received an application from UK Coal for state aid from Government. We are currently considering that application, and I do not want to prejudice any decision.

Ian Lavery: That is good news. When will the Government be in a position to reply to that request?

Matthew Hancock: I saw it for the first time this week, and it is under active consideration. I would expect to be able to respond in a matter of weeks, certainly before the Dissolution of Parliament.

As the right hon. Member for Berwick-upon-Tweed (Sir Alan Beith) said, restoration bonds are not only about open-cast coal mining; they are also about deep mining, as well as things like the fire in his constituency that raged for months and that he and I have discussed before. It is vital to get restoration liabilities and restoration cash tied together better.

The hon. Member for Hartlepool quite reasonably asked about questions of the past and questions of the future. In getting the future right, it is vital that we have a regime, including depositing money in escrow accounts and restoration bonds, that is watertight. On privatisation in 1994, the calculation of the costs of restoration was part of the decision as to how much companies paid for the opportunities they bought when they bought rights to a site. That was taken into account at the time. It is therefore not reasonable to say that money was put into a fund, with the taxpayer paying for the restoration at the end of the process. The money paid to the taxpayer for the coal that was bought, which was then in the ground and was going to be extracted, had set against it the future costs of restoration. That was encapsulated in the cost at which the companies purchased.

Nia Griffith: What mechanism did the Government put in place to ensure that the money was then used for restoration? That is what seems to be missing.

Matthew Hancock: That is exactly the issue at hand for the mines that are reaching the point at which they need restoration. The liability lies with the company, but, as we have heard from the many testimonies today, getting it to act is too difficult. That is the challenge that we face.

I turn now to the future, because the question that we all want to answer for our constituents is how we can solve this problem.

Mrs Moon: Celtic Energy is saying that it was given a 10-year exclusion from having to carry out any restoration because it paid a higher price for the licence. In 1994, the Government said that it did not have to put money aside. Is the Minister saying that it is wrong, and in fact the price it paid implied that it had to put more money aside rather than put no money aside?

Matthew Hancock: The expected cost of future restoration was taken into account in the amount that the companies paid at the time for the right to mine.

We will work with all parties on this. I look forward to working with Treasury civil servants and, I hope, Ministers, but also with Members in the House today, with the Coal Authority, which has an important role to play, and with devolved Administrations and local government. I confirm the offer of the meeting that we discussed earlier this month. I will ask the Coal Authority to make sure that it makes itself available to Members to discuss, in particular, the detailed issue of having the often highly specialist expertise needed within mineral planning authorities to tackle these problems.

I want to turn to the Hargreaves proposal, which was recently discussed in Westminster Hall. The suggestion is that if available resources at unrestored sites orphaned by failed companies could be mined and sold exempt of carbon price support payments, sufficient revenue could be generated to restore the sites to a good standard. The proposal is unusual because it suggests using a tax exemption to pay for a cash obligation. Employment creation and retention and the offsetting of tax generated are cited as additional benefits, above and beyond the core environmental question.

We are working with the Treasury on whether there can be exemptions from the carbon price floor. The Treasury has the lead on the carbon price floor because it is a tax, but that issue is worth considering. The CPF exists to enable us to meet our climate obligations, and it is an important part of our armament for tackling climate change. We have capped the carbon price floor—we have fixed it, so to speak—but I am happy to look at that and to continue to discuss it with my hon. Friends.

Ian Lavery: The Hargreaves proposal only relates to Scotland. Is the Minister happy to meet CoalPro, which represents open-cast operators in the UK, to discuss a UK-wide solution based on the Hargreaves proposal?

Matthew Hancock: The carbon price floor is a UK tax, so although the proposal was made in response to the problems in Scotland, it could be applied across the UK. I cannot, however, commit to taking that forward. It may well be that a tax solution to what is essentially a spending liability is not the most resource-efficient policy for a Government who do not have much freely available finance, for reasons that we all know and understand.

I want to turn to the payments or restoration funds available. Under British Coal, once coaling ceased and restoration began, the restoration lump sum was released progressively to the contractor to finance the process. We must remember that British Coal primarily operated on a commercial basis, and the revenue it derived from licensing coal for extraction was offset against its operating costs. The fact that that has now moved to a private company does not change the fundamental question of whether enough has been put aside to ensure that, after the event, we can restore sites where coal was brought out of the ground.

I end by saying that when such a process is done well, it can be very positive for the local environment. In my constituency and others across the country—from Berwick-upon-Tweed to south Wales—sites have been restored effectively and, if anything, they are more beautiful and positive than sites elsewhere. That is a difficult task, but I look forward to working with Members from all parties to resolve this very difficult issue.

4.59 pm

Mrs Moon: This has been an excellent debate. We have been told that good and responsible companies are making tremendous efforts on restoration, and some sites are an asset in their local communities. We have been told not only that we need restoration bonds, but that they must be at the right level. We have heard about far too many eyesores that have blighted lives and communities.

The problem is poor legislation, which is exploited by cowboy builders. Now is the time for joint working, and for accepting that the problem exists and that solutions must be found. I am worried that we seem to have moved from pass the parcel to hunt the thimble. Where is the money? Money has clearly been generated, but we need clarification of how we can make it available to the local authorities that have been left with the problem of restoration.

Question put and agreed to.

Resolved,

That this House has considered financial support for restoration of open-cast coal sites.

Wreck of HMS Victory 1744

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

5 pm

Mr Kevan Jones (North Durham) (Lab): On the afternoon of 4 October 1744, HMS Victory was struck by a storm and sank without a trace, along with its crew of 1,100. It was discovered in 1995, but nothing happened until 2008, when Odyssey Marine Exploration, a treasure hunting company based in Tampa, Florida and listed on the NASDAQ index, told the Ministry of Defence that it had located the site of the wrecked vessel.

In early 2009, Odyssey announced at a press conference in London that it had found the ship. Odyssey let it be known that it believed that HMS Victory had been a treasure ship, and it allowed the press to speculate about the value of its cargo. As a Royal Navy warship lost on active duty, HMS Victory was protected under international law by the concept of sovereign immunity. No one, including Odyssey, could interfere with the wreck site unless the Government gave their permission. That did not stop Odyssey claiming to be salvors in possession of the wreck, which was simply not true. One can speculate that that was a ruse designed to give the impression to its investors that it had some legal control over the wreck, when clearly it did not.

In 2010, my right hon. Friend the Member for Barking (Margaret Hodge) and I—she in her capacity as a Minister at the Department for Culture, Media and Sport and I in my capacity as a Defence Minister—launched a consultation on the management of the HMS Victory wreck site, laying out various options and seeking expert opinions on the best way forward. However, when the consultation reported back in July 2011, it recommended that the Government set up an independent charitable trust to manage the site. It recommended the Sir John Balchin Maritime Heritage Foundation, a charity that had only recently been established by Lord Lingfield, formerly Sir Robert Balchin, who had just been ennobled as a Conservative peer by the Prime Minister.

Sir Robert was introduced by Odyssey as a direct descendant of Admiral Balchen of the Victory, and he described the admiral in a TV interview as his forebear. It has since been demonstrated that Sir Robert Balchin, spelled B-A-L-C-H-I-N, is not a direct descendant of Admiral Balchen, spelled B-A-L-C-H-E-N. Odyssey deliberately changed the spelling of Admiral Balchen's name to match that of Sir Robert Balchin for reasons we can only speculate about. When it was pointed out that Odyssey and Sir Robert had changed the spelling of Balchen to Balchin, Sir John's name was quickly dropped from the name of the charity. At about the same time as HMS Victory was found and Odyssey became involved with Sir Robert Balchin, the spelling of the admiral's name on the Balchin Family Society website was changed to match that of Sir Robert.

Balchen's true descendants, the Temple West family, contacted Odyssey's chief executive officer, Greg Stemm, to protest and raise their understandable concerns about the fraudulent nature of Lingfield's claims. Stemm responded by rubbishing their concerns:

"Sir Robert has always been insistent with us that he was not a direct descendant, just that he was part of the same family. While that has possibly been changed to 'descendant' in some instances

by the media, I trust that you are as cynical about the media's ability to get everything right as I am."

It is therefore remarkable that Odyssey commissioned a set of portrait photographs by Emma Duggan of Lord Lingfield standing in front of a portrait of Sir John Balchen to use as evidence that he was connected to the admiral's family.

If Lord Lingfield was actually a direct descendent of Sir John Balchen and wanted the best for HMS Victory, he could have chosen to work with English Heritage and with many highly respected archaeologists in the UK to protect and study the ship, which is one of our most important Royal Navy wrecks. Instead, he chose to work with Odyssey, a secretive American commercial salvage company with a labyrinth of subsidiaries and linked companies and massive accumulated debts. I will discuss Odyssey's scandalous track record in a minute.

After the 2010 general election, with the consultation on HMS Victory already under way, Lingfield began conducting a lobbying operation, using his connections to senior members of the Conservative party, on behalf of Odyssey and its business model. He set up a meeting with the current Secretary of State for Health, then the Secretary of State for Culture, Media and Sport, which took place in early July 2010. The meeting was first explained by the Department of Culture, Media and Sport as a constituency meeting, and was then described in more detail in a written answer by the hon. Member for Weston-super-Mare (John Penrose), then a Minister in DCMS, in July 2012. He stated:

"The Secretary of State for Culture, Olympics, Media and Sport met with Lord Lingfield in July 2010 in his constituency surgery in his capacity as MP for South West Surrey. The HMS Victory 1744 was discussed; no commitments, formal or informal, were made."—[*Official Report*, 3 September 2012; Vol. 549, c. 218W.]

In fact, the current Health Secretary is not Lord Lingfield's local Member of Parliament—that distinction goes to the hon. Member for East Surrey (Mr Gyimah).

The Department has therefore admitted that HMS Victory was discussed at the meeting. If that is the case, it is difficult to see how the topic of the meeting was not Government business directly related to the then Secretary of State for Culture, Olympics, Media and Sport's role. Yet no officials were present, and it seems that no notes were taken of what was said or suggested. There are clearly serious questions for the right hon. Gentleman to answer.

The meeting took place shortly after the consultation on HMS Victory closed. If the then Secretary of State for Culture, Olympics, Media and Sport wanted to avoid any accusation of improper ministerial conduct, holding a meeting with Lord Lingfield about HMS Victory without any civil servants present may not have been the best way to go about it given Lord Lingfield's role with the Maritime Heritage Foundation and Odyssey. I will write today to the Cabinet Secretary to ask him to investigate what I would say is a clear breach of the ministerial code by the current Health Secretary.

The mishandling of the case of HMS Victory does not end there. The important point is to look at Odyssey itself and explain what type of outfit it is. From the moment when Odyssey became involved with the Ministry of Defence over a previous case in the late 1990s, the heritage community has rightly been concerned about that organisation. Ministers from the current Government have ignored advice that they have received from English

Heritage about the Maritime Heritage Foundation and Odyssey Marine Exploration, which are clearly not to be trusted.

Odyssey has a proven track record of playing fast and loose with historic facts and archaeological ethics. This is a company whose chief executive officer, Greg Stemm, told shareholders last September that it did not have enough cash to see it through the winter. There is plenty of evidence to suggest that if Odyssey were forced to raise equity, it would have to file for bankruptcy. Its shares are worth absolutely nothing.

Odyssey also has a proven track record of ignoring the law, manipulating historical data and making exaggerated and unproven claims to would-be investors of the value of its projects. For example, there is no evidence whatever that there was, to quote Greg Stemm, “more than a billion dollars of gold”

on board HMS Victory, yet that was claimed by Odyssey’s share pumpers and never denied by the company. That lack of evidence has been verified by a Wessex Archaeology report, the only proper, independent investigation into the HMS Victory site. However, Odyssey communicated the claim to its investors via a third party, presumably with the sole intention of raising its share price and attracting new investors for its stock.

The company is well versed in that practice, having inflated the value of wreck sites in the past, leading to newspaper articles in *The Daily Telegraph*, *The New York Times* and *The Sunday Times*. Those newspapers have unwittingly been used by Odyssey to add credence to its claims about the values of those sites, which are then used as part of its campaigns to attract new investors for the company.

If deep-sea exploration and treasure hunting were such profitable and economically attractive ventures, surely other deep-sea offshore oil and gas exploration companies worldwide would be actively searching for shipwrecks and exploiting their cargoes? Of the 17 projects Odyssey has pursued, it has excavated and generated material revenue from only two. In fact, on the rare occasions that Odyssey does carry out deep-sea exploration and salvage work, it charters ships from others and hires temporary staff to perform the work.

Odyssey has also repeatedly pumped non-existent “secret” treasure cargoes, including on the SS Gairsoppa, which Odyssey won the contract for from the Department for Transport in 2010. Odyssey changed the terms of that contract with the Government after it was signed to the company’s advantage, meaning that Odyssey withheld \$4.9 million from the Government to cover its salvage costs, which it had no entitlement to retain. I will write to the Permanent Secretary at the Department for Transport to investigate why the company kept what should be taxpayers’ money, and will also ask the National Audit Office to look at that.

In the case of the sovereign Spanish ship, the Mercedes, Odyssey took 17 tonnes of silver coins from the wreck without any permission, only to be subsequently forced by US courts to return the treasure to the Spanish Government. The only compensation Odyssey’s lawyers succeeded in getting was a payment of \$20 per bucket for the 551 containers the coins were returned in.

Odyssey is a scam, which operates by encouraging mainly small investors to invest in its outrageous claims of future returns from the salvage of wrecks. The company

has lost \$185 million since its inception, and is backed by what can only be described as a web of secret offshore companies. They have little or no real value but are highlighted by Odyssey to give the impression that it has major investments in a number of companies, including those that practise underwater mineral extraction. A close look at the companies shows that the valuations are false, and that many of the individuals involved in Odyssey also sit as directors of the other companies. Odyssey strangely seems to pay those companies for “work” at exorbitant rates. Some of the directors are also highly dubious—some of the directors of a Panama-based subsidiary have been investigated for money laundering.

The only people who appear to have made money out of Odyssey and this lucrative scam are Greg Stemm, who is a former PR man for the comedian Bob Hope, John Morris, and the other members of Odyssey’s senior management team. As Odyssey is an American company listed on the NASDAQ, I believe that the Securities and Exchange Commission in the United States should investigate its practices. Later today I will pass on the information that I have collected on the company. It is not the first time that Greg Stemm and John Morris have been investigated by SEC—they were debarred from holding office in a previous company.

One very simple question needs to be answered. Why have the Government entered into a contract to hand over one of the nation’s most historic wrecks to a company such as Odyssey with such a shabby record? It appears that no due diligence has been carried out by the Government into this company. The facts are not difficult to establish, as most of the information that I have found is in the public domain.

In order for Odyssey to gain access to the wrecks, to inflate its share price and sell new stock, it has used Lord Lingfield to create what I would describe as a front organisation—the Maritime Heritage Foundation. MHF is not independent of Odyssey. They share a PR company, Brunswick, and a maritime consultant, Dr Sean Kingsley. MHF entered into a multimillion pound commercial contract with Odyssey, yet it has no money apart from £65,000 in the bank, having spent just £495 on charitable activities in 2013-14. A simple question is: how exactly is it going to fund this multimillion pound contract? It would also be interesting to know where the £65,000 came from. Did it actually come from Odyssey in the first place?

Serious questions can also be raised about the individuals involved in MHF: Sir Robert Balchin, eminent plastic surgeon Professor Alan Roberts, and Mr Nigel Branson, a member of the corporation of the City of London. None of those individuals has any background or expertise whatever in marine archaeology or in managing archaeological projects. I will be writing to the Charity Commission and asking it to investigate this charity.

There are also serious questions about the procedures that led to the Ministry of Defence gifting the wreck of HMS Victory to MHF in January 2012. It was to this almost non-existent charity, with no expertise and non-existent funds, that the Ministry of Defence gifted HMS Victory in 2012. The threshold for gifting currently stands at £300,000, meaning that a departmental minute is laid before Parliament when items valued over this figure are gifted by the Government. This arrangement provides transparency to allow Parliament to raise concerns

[Mr Kevan Jones]

about such gifts. The maritime archaeological community agrees that the guns alone on the wreck are worth several million pounds. Why did the Ministry of Defence not place a departmental minute before the House so that the gift could be properly scrutinised? I have raised this matter with the Chair of the Public Accounts Committee who has herself raised the matter with the National Audit Office. I have also written separately to the permanent secretary at the Ministry of Defence to ask him to investigate why Ministers agreed to this.

Why was Lord Lingfield, a man with no expertise in maritime archaeology, given such a prominent role in the preservation of HMS Victory? We need to be clear about what motivates him. He could just be an innocent Walter Mitty character claiming to have ancestral links to boost his standing in the society in which he moves, or he could have direct or indirect financial links or association with Odyssey, either through direct payments, shares or an involvement in hedge funds trading in Odyssey's shares. If that is the case, it would be very serious. It would clearly be a matter not only for the House authorities, but the police. I am at a loss to know what his motivations are, but we need a clear explanation from him, including how he became to be associated with Greg Stemm and John Morris of Odyssey.

I am also at a loss as to why the Government should hand over this wreck to an individual like Lord Lingfield, who has no experience in this field. They might as well have handed this to the first member of the public who strolled past the MOD main building that day. The only difference is that we know Lord Lingfield is very well connected within the higher echelons of the Conservative party. The Government should immediately cancel this arrangement with Odyssey and the Marine Heritage Foundation.

Our nation rightly honours citizens who die in the active service of our country. I am a commissioner of the Commonwealth War Graves Commission and I am truly privileged to serve on it. Just like the true descendants of Sir Robert Balchen, the British public will be outraged and scandalised by the sleazy way the Government have treated the last resting place of HMS Victory and her crew.

5.19 pm

The Minister for Culture and the Digital Economy (Mr Edward Vaizey): I am grateful for the chance to respond to the debate called by the hon. Member for North Durham (Mr Jones), whom I congratulate on securing it. He is a distinguished former Minister at the Ministry of Defence, and, as he said, he was responsible for beginning the consultation on the future of the wreck of HMS Victory.

I begin by making it clear that the MOD's decision to allow the Maritime Heritage Foundation to recover at-risk surface artefacts from the wreck is currently subject to a judicial review action.

Mr Jones: We had a Defence Minister here earlier, but he has obviously left the Chamber—oh, he is now returning. Why is a Minister from the Department for Culture, Media and Sport replying to the debate, rather than an MOD Minister?

Mr Vaizey: As I think became partly clear in the hon. Gentleman's speech, different Departments are involved in the wreck's future. DCMS, being responsible for the Government's relationship with the UNESCO convention and English Heritage and for the protection of marine archaeology, has an important role in ensuring that the wreck site is treated appropriately. However, I must put on the record my thanks to the Under-Secretary of State for Defence, my hon. Friend the Member for Canterbury (Mr Brazier), for being on the Bench with me this evening. He is here, also, to listen to the hon. Gentleman's points, which, I might add, he put extremely forcefully.

As I said before the hon. Gentleman's intervention, the decision to allow the Maritime Heritage Foundation to recover at-risk surface artefacts from the wreck of HMS Victory is subject to judicial review. With the greatest respect, therefore, it would be unwise for me to go into the subject, given that court action might be imminent.

I would like to put the debate into context. As the hon. Gentleman indicated, it is unusual to find the remains of a British first-rate warship from this period, and the wreck is not just the predecessor of the Royal Navy's most famous ship, the HMS Victory we know so well as Nelson's flagship; Balchen's Victory has historic resonance of its own. In its day, it was the pinnacle of naval technology. For example, it was fitted with a complete arsenal of bronze cannon, which is extremely rare. The wreck is located in the English channel, but outside British territorial waters, meaning it is not subject to the Protection of Wrecks Act 1973. Normally, a wreck within our territorial waters would be designated under the Act and therefore protected.

Neither is the wreck like the Mary Rose. It is not a single large piece remaining to be excavated. Its remains are scattered over a wide area, which is an important point, because it means that the wreck is highly at risk from environmental factors—shifting sands and bottom currents—

Mr Jones rose—

Mr Vaizey: I will lay out why I think it is at risk, and then the hon. Gentleman can tell me why it is not at risk.

First, there are the environmental factors; secondly, the wreck is at risk from trawler fishing—I gather there are scratches on some of the cannon and that some have been dragged up to 300 metres away from the wreck; and thirdly, of course, it is at risk from illegal salvage. Indeed, one cannon, I gather, was removed illegally from the site by a Dutch salvor, but recovered by MOD police.

Mr Jones rose—

Mr Vaizey: I wait to be corrected by the hon. Gentleman.

Mr Jones: The only independent report into the wreck, the Wessex report, found no evidence it would deteriorate. That was the excuse pushed forward by Lord Lingfield and Odyssey for why they had to start work on the wreck.

Mr Vaizey: As I said, as far as I am aware, there has been at least one illegal salvage from the wreck, and it is obviously in a busy part of the world. It is not in a remote location that requires an expensive operation to take artefacts from it. It is in the English channel and therefore potentially subject to illegal salvage by amateurs looking to make a quick buck. It is important, I think, to recognise that. The hon. Gentleman mentioned the Wessex archaeology report. That shows that the Government have been very careful to commission reports and get advice on how the wreck should be treated. In our opinion, it is important to recover some of the artefacts to help our understanding of Britain's great naval heritage before it is lost for ever.

The hon. Gentleman referred to the gifting of HMS Victory. It is true that a deed of gift was signed in January 2012, transferring to the Maritime Heritage Foundation the ownership of the wreck of HMS Victory and all associated with her in the vicinity of where she is lying, except for personal property not belonging to the Crown.

The Maritime Heritage Foundation is a registered charity, and its chairman is indeed Lord Lingfield—and the hon. Gentleman has expressed his opinions on him. MHF was established especially to recover, preserve and display in public museums artefacts from HMS Victory and to promote knowledge and understanding of our maritime heritage, particularly through educational projects. The nature of this work lends itself to being completed by a charity, as charities have access to funding streams that the Government do not, and it is Government policy to give voluntary bodies the chance to use their enthusiasm and expertise to deliver functions that hitherto have been the prerogative of the state.

All artefacts recovered will be declared to the receiver of wreck in accordance with existing legislation to determine ownership. As specified in the Victory project design's key management principles, artefacts transferred under the deed of gift that are recovered and accessioned from the wreck and the associated archive, including site plans, drawings and photographs, will form the "Victory 1744 Collection", which will be managed and curated in line with the Museums Association's code of ethics for museums.

MHF and Her Majesty's Government are committed to making the artefacts accessible to the public through a mixture of exhibitions and virtual tours. MHF will publish more information about this on the website, but discussions have taken place with the National Museum of the Royal Navy, which already has two cannons from

the ship. Since the beginning of last year much progress has been made. There have been constructive discussions between the Government, MHF and the advisory group, which were required for the project to move forward.

Mr Jones: Considering that the organisation has no expertise on its board and has no money, which is the more important thing, how is it going to achieve this? How does this square with information from the United States about Odyssey, saying that it will get its money back by selling artefacts from the ship?

Mr Vaizey: It is important that the hon. Gentleman has referred to the trustees of the charity, but the charity has been set up expressly to recover artefacts from HMS Victory. It is important to stress that we set up a management advisory group, which includes the National Museum of the Royal Navy, English Heritage, the receiver of wrecks, the Marine Management Organisation and officials from my Department and from the Ministry of Defence. I can tell the hon. Gentleman, who knows me well enough, that as the Minister with responsibility for this work, I have at no point allowed MHF to proceed with any actions when this advisory group said that it should not do so.

Mr Jones: I agree, and I commend the Minister for that. Let me ask him, then, to stop the consultants and advisers to MHF and the consultants who work for Odyssey from attending those meetings?

Mr Vaizey: Perhaps it reflects my style of ministerial management, but it is important to me that where my advisers and indeed external experts are raising concerns, those concerns should be heard at first hand by those who might ultimately be responsible for collecting and recovering artefacts from the site so that the concerns can be taken seriously and acted on.

The hon. Gentleman puts his points forcefully and he is going to take a number of actions. The Under-Secretary of State for Defence, my hon. Friend the Member for Canterbury will write to him to explain the role of the Ministry of Defence, and I certainly pledge now in the House that I will take the hon. Gentleman's points very seriously indeed, go back and consult my officials and write to him subsequently.

Question put and agreed to.

5.29 pm

House adjourned.

Westminster Hall

Thursday 29 January 2015

[MR MIKE WEIR *in the Chair*]

Female Genital Mutilation

[*Relevant documents: Second Report from the Home Affairs Committee, Session 2014-15, "Female genital mutilation: the case for a national action plan", HC 201, and the Government response, Cm 8979.*]

Motion made, and Question proposed, That the sitting be now adjourned.—(Mel Stride.)

1.30 pm

Keith Vaz (Leicester East) (Lab): It is an enormous pleasure to serve under your chairmanship, Mr Weir.

It is important to note that female genital mutilation has been on the agenda for many years. Only this week, however, our Select Committee held our first evidence session on the matter since the publication of our report last July. One can never predict when one will get a debate in Westminster Hall, but it is extremely timely that we are able to have this debate so soon after our follow-up evidence session.

I am delighted that the Minister for Crime Prevention will respond to the debate. She is well known for her involvement in efforts to combat FGM over many years. Now that she has returned to the Home Office, after a period as an International Development Minister, she can once again focus on the important issue of FGM.

I am also pleased to see in the Chamber my hon. Friend the Member for Bristol East (Kerry McCarthy), who is another great campaigner on FGM. She has tabled parliamentary questions and motions on the matter because so many people in her constituency are affected by that terrible activity.

The whole Select Committee does not normally turn up for debates on our reports, but I am pleased to see the hon. Member for East Worthing and Shoreham (Tim Loughton) in the Chamber to support us. However, he has other important duties in the House to attend to, so I understand why he will not be staying for the whole debate.

The Home Affairs Committee was united and unanimous in presenting our conclusions to Parliament and the Government last year when we published our report on FGM. At the outset of the debate, it is worth reminding ourselves of the numbers involved. By their very nature, they are estimates, but it is important to read them into the record so that people are aware of them. An estimated 125 million women and girls worldwide have undergone FGM, and an estimated 3 million girls are subjected to FGM each year. It is estimated that 170,000 women and girls in the United Kingdom are living with FGM and that 65,000 girls aged 13 and under are at risk of FGM.

More than 200 FGM-related cases were investigated by the police nationally in the past five years but, unfortunately, it has taken 29 years since the criminalisation of FGM for the first prosecutions to be brought. As we debate the issue today, a prosecution is ongoing in another part of London. We cannot talk about the circumstances

of that case, and nor would it be right for us to do so, so I refer to it only in terms of it being the first such prosecution. Interestingly, it was initiated only two days before the Director of Public Prosecutions came to give evidence to the Select Committee. Having waited 29 years, it was something of a surprise suddenly to get the first prosecutions only days before we looked at the subject, but we welcome them. There have been no prosecutions since, which is an issue for us and for the Government.

I described the figures I cited as "estimated" because the prevalence of FGM in the United Kingdom has been difficult to determine due to the hidden nature of the crime. In two London boroughs, for example, almost one in 10 girls is born to a woman who has undergone FGM, meaning that they are also at risk of being cut themselves. We have little information about the children who are most at risk, or even about the extent to which the cutting is occurring in this country or when the girls are taken abroad.

This crime—the mutilation of women and girls—is taking place in the shadows, so it is important that we shine a light on what is happening. As we speak, somewhere in London a young girl is being cut, and we in Parliament are unable to do anything to stop that happening. That was why the Committee's recommendations were so forceful about the need for substantial changes to how things are done.

Karl Turner (Kingston upon Hull East) (Lab): Will my right hon. Friend say something about whether it is now necessary to create the criminal offence of failing to report suspicion of FGM? Would that help?

Keith Vaz: I congratulate my hon. Friend on his appointment as shadow Solicitor-General. If the British people vote in a Labour Government and he is fortunate enough to become Solicitor-General, his Department—the Attorney-General's Office—will have responsibility for that, so it will be for him and the new Government to say, "We will change the law."

The Committee made specific recommendations on mandatory reporting and the criminalisation of failing to do so. The professions, however, are not so keen on that and would prefer to deal with this on a professional basis. We need to keep the law under constant review, but there is already legislation in place that has not been used. If my hon. Friend becomes Solicitor-General, we will expect whoever is his DPP to be a little more active than their predecessors of the past 29 years in ensuring that things happen.

The World Health Organisation defines FGM as "all procedures that involve partial or total removal of the external female genitalia, or other injury to the female genital organs for non-medical reasons."

That will include, in our view, designer work on genitals that is done with the woman's consent.

FGM is usually carried out on girls between infancy and the age of 15, with the majority of cases occurring between the ages of five and eight. It is commonly performed by a traditional practitioner who has no formal medical training, without any kind of drugs to assist with the pain that the young girls are suffering, and using knives, scissors, scalpels, pieces of glass or even razor blades. We heard harrowing testimony during our inquiry of how girls are often forcibly restrained, in some cases by close members of their families, including

[Keith Vaz]

their mother and aunts. While the performance of FGM might be done by a stranger with the instruments that I described, the act usually involves the connivance and support of members of the family including, in some cases, mothers.

During our inquiry, we heard some excellent evidence from those involved in dealing with FGM and campaigning on the issue. On Tuesday, we took evidence from two campaigners called Leyla Hussein and Alimatu Dimonekene. We also took evidence from Keith Niven, who is head of the rape and child abuse command in the Metropolitan police, Professor Nigel Mathers from the Royal College of General Practitioners and Janet Fyle from the Royal College of Midwives, all three of whom also gave evidence during the original inquiry. In addition, during the original inquiry, Leyla Hussein appeared before us, and we also took evidence from Professor Janice Rymer, Obi Amadi, a community practitioner, Dr Kerry Robinson, Dr Comfort Momoh, Linda Weil-Curiel, a lawyer from Paris, and Dr Emmanuelle Piet, a female gynaecologist who is county medical officer in a district in France.

The Committee's conclusions were quite clear. We lamented the lack of prosecutions, so we were glad when Alison Saunders came before us to announce that prosecutions were taking place. Rather bizarrely, I found out about the first prosecutions on the Friday before that evidence session in a supermarket in Battersea, along with the Under-Secretary of State for Health, the hon. Member for Battersea (Jane Ellison), who is another great campaigner on FGM. We were there to talk about diabetes when the call came through to her that the first individuals had been arrested and would be charged. I pay tribute to all her work in the House on the issue both before and after she became a Minister, and she still has an interest as a Health Minister.

There is no doubt that prosecutions can send out the powerful message that the Government are serious about an issue, so the lack of prosecutions relating to FGM—only two in 29 years—is lamentable. The Committee said that we need many more prosecutions. It is not possible to match up the hundreds of thousands of girls affected worldwide, and the thousands affected or at risk in our country, with the fact that there have been only two prosecutions. We are not saying that we should prosecute for the sake of it; we are asking why there have not been sufficient prosecutions, and that is when we must look to the various agencies and their reactions.

Hon. Members will know that whenever the Select Committee conducts an inquiry, we come away with one standard recommendation: agencies concerned with a policy area have to work together. That is absolutely clear as far as FGM is concerned. There are some individual practitioners—Dr Comfort Momoh, for example, whom we visited at St Thomas's Hospital to look at her clinic and to talk to some of the women who were waiting to see her—who have tried to bring agencies together, but the process has taken far too long, and the agencies involved have become institutionalised.

We were especially critical about the lack of action by the police. We were not very impressed with the evidence given by the Association of Chief Police Officers lead. We did not feel that the answer to FGM was more seminars, discussions and conferences. We believe that

the action required as a result of our report should be on the front line, engaging with community organisations to ensure that action is taken. We were not pleased with what the police had done.

On Tuesday, Chief Superintendent Niven reminded us of evidence that had been given to us previously: the police cannot take any action if there are not sufficient referrals. At that time, the police were saying that it was not their responsibility, as they would act and investigate as soon as somebody came to them, and bemoaned the fact that not enough people were reporting the issue. We therefore must go to the next stage in the chain: social workers and doctors. The Committee believes that when doctors examine a young girl and find that FGM has been committed against her, they are under a duty to report it. We were of a view that there should be mandatory reporting, with a sanction for those who fail to report. Colleagues from the Committee—I am delighted to see my hon. Friend the Member for Walsall North (Mr Winnick) here, as he took part in the inquiry sessions—put this question to all our witnesses: what should the sanction be? A number of them talked about the need for criminal sanctions, depending on the seriousness of the failure to report, which suggested that some individuals deliberately wished not to report, while others did not know what they were looking at.

Frankly, I was surprised to hear from some of our witnesses that doctors might not know what FGM is. Given that it takes seven years to train a doctor and medicine is one of the most difficult subjects to get into at university, I would have thought that most people who came out of that training would know whether FGM has been committed against a patient, rather than requiring further training. Of course we need particular FGM training, but doctors ought to know when something is wrong. I was really surprised that people, including social workers, were saying, "Well, the doctors might not know." When we asked why, they said, "They may not be trained about it." That is a big area that we need to look at, and the Committee believes it is important that we do so.

Mr David Winnick (Walsall North) (Lab): The information given to us by a number of witnesses was that although prosecutions in Britain have been very few—there have been hardly any, although the first are now taking place—in France there have been 40, and sentences have been imposed. Why should there be that difference, bearing in mind that this barbaric custom must be eliminated as far as we are able to do so?

Keith Vaz: My hon. Friend is absolutely right. The French need to be congratulated on the way they have dealt with the issue. He will recall the evidence given to the Committee by the witnesses from France whom I have already mentioned. I went over to Paris to meet doctors and prosecutors, and I was extremely impressed by not just the passion of those on the front line but the willingness of the authorities themselves to get things done. We went to meet the officials of the relevant Minister. They were determined to ensure that that willingness continued. We could not understand why there was a difference between what the French were doing and what we were doing, with so many prosecutions in France and only two in our country.

We asked every one of our witnesses from Britain whether they had gone over to France to look at good practice. Frankly, none had done so, from the ACPO

lead to those who run our royal colleges. It is really important that we compare what is being done abroad to ensure that we are doing the right thing.

We also believe it is important that all schools provide training for teachers on the issue on in-service training days. Although we did not take direct evidence from schools to the extent that we would have wished, simply because we did not have time to see everyone, we felt that that training was important. Teachers and those in the education profession should be aware of and able to deal with the issue. If we look at a place such as London, there is no reason why every teacher in every school ought not to be made aware of the problem. They should be told about it and told exactly what to do about it, so that we can get to the truth of what is happening.

Tim Loughton (East Worthing and Shoreham) (Con): I apologise because, alas, I am unable to stay to the end of the debate. I joined the Committee after the original report was published, but have been at the subsequent sittings. The Chair rightly talks about the need for prosecutions, and we have better examples to follow in France. He also rightly talks about the need for better training and awareness, although, frankly, ignorance is no defence in this case. However, surely the heart of what we need to do is to challenge the culture and mentality of communities and families who allow FGM to go on, whether we do so through schools educating girls that they have a right to say no, or through working with the communities to say that it is an act of barbarism and a terrible form of child abuse. That is where the root of the problem lies, and it is what has to be rooted out.

Keith Vaz: The hon. Gentleman is absolutely right. I will come on to the role of the community and family members, but he is right to raise the matter at this time. I agree with everything he said; this is a matter for communities and families.

We have dealt with the police and the lack of action by the police. The report has dealt with the comparisons with France. The report deals with the prosecutors. We have dealt with the medical profession, but before I finish with the medical profession, I have to say—this is my personal view—that of all the witnesses who came before us, the royal colleges seemed to lack understanding of the seriousness of the subject. They kept talking about the need for guidance and guidelines and for it to be dealt with on a disciplinary basis within their professions. We were talking about criminal sanctions for doctors who failed to report. They were relying on patient confidentiality to ensure that, whoever came before them, the information was kept within the parent-doctor or client-doctor relationship. We did not agree with that. We feel that the medical profession and the royal colleges have not acted swiftly enough to deal with the issue, because they are not sensitised to it; they do not have enough expertise in dealing with it.

There are individual doctors in different parts of the country who do have expertise. I remember doing a radio interview on this. There is a doctor in Reading who has made it her life's work to deal with FGM, so many women go to Reading to see her, but that kind of expertise needs to be taken all over the country. St Thomas' hospital is a classic example. Comfort Momoh is doing wonderful work there, but she has built things up herself; no one asked her. She has developed that work and ensured it will help women and children.

Mr Winnick: In order that there is no misunderstanding by those who may be sensitive, in the medical profession or elsewhere, that this could be a form of racism, should we not make it absolutely clear that what we are discussing has absolutely nothing to do with the Islam religion as such and that the leading campaigners—very courageous people whom we should praise, as I am sure my right hon. Friend has done—are themselves Muslims?

Keith Vaz: Yes. I support that absolutely. I am sure that my hon. Friend was moved, as I was, by the fact that Leyla Hussein broke down in tears before the Select Committee on Tuesday when she was asked whether she had been subjected to death threats and other threats to her and her family. The courage of people such as Leyla Hussein goes against those who believe that some kind of political correctness means that people cannot talk about these subjects—that the community is somehow on its own and no one can comment. As my hon. Friend said, this is barbarism—brutality—and it needs to be dealt with. There is no community, religious or political justification for what is going on, which is why it needs to be stopped.

To finish my point on the medical profession, it needs to do much more. This country does not do mandatory examinations of young children as France does. That is not what we do here, but we believe that if a doctor comes across this, there should be a mandatory duty to report.

Let me deal finally with where we go from here and what the Select Committee hopes will happen to its report. The Home Affairs Committee does not believe in publishing reports with a lot of recommendations and then just walking away from them. That is why this week we revisited the conclusions of this report and took fresh evidence. I can say now, even though we have not written another report, that I was not overly impressed that huge progress has been made since we published this report, but we made a promise to the campaigners that we would look at the issue again, so we will produce a report as a result of our revisiting it. However, it will be for our successor Committee in the new Parliament to look at it again.

The worst possible thing that we could do for those who suffer every day is to produce a report, let it lie on the shelf, wait for the Government response and not pursue it. We wish to pursue this matter until we see real change, and I do not mean just the kind of FGM that we have been discussing today. We raised with all witnesses that which is happening as we speak in places such as Harley street—private clinics that women go into to create what are described as designer vaginas. They consent to that happening; they are not forced to do it by individuals holding them down. They go voluntarily, for whatever reason—peer pressure or another reason—and have these operations themselves. I believe that this should be a criminal offence, and I am very pleased that all the witnesses who gave evidence to us this week—barring Detective Chief Superintendent Niven, who thought there should be a debate about this—also felt very strongly that it should be a criminal offence.

The argument is that we can allow this to happen if there is consent and it is done in the private sector, but not if it is done in people's homes and redone sometimes in the public sector when women go to hospitals and doctors perform the operation again, for whatever reason. We should not have double standards. That is why I believe that what we have proposed should happen.

[Keith Vaz]

I wish that I could say in conclusion that, as a result of something we have done, someone has been prevented from being the subject of FGM. We do not claim that. All we say is that we hope that we have raised the issue in a positive and constructive way. I believe that we are pushing at an open door. Government and Opposition are united on doing something about this. I saw the Prime Minister's personal commitment during the Girl summit. Leaders came from all over the world to support the initiative that he and the Department for International Development had taken.

The Minister should take credit for the Girl summit and her involvement in that. Everyone is for it and everyone is united, but this practice is still going on in London, Leicester, Bristol and Manchester and is not being stopped. We have to stop it, because that is the right thing to do, it is the humane thing to do and it protects the human rights of girls and women.

1.56 pm

Kerry McCarthy (Bristol East) (Lab): It is, as ever, a pleasure to serve under your chairmanship, Mr Weir

I welcomed very much the Home Affairs Committee's decision to hold an inquiry on FGM and the publication of this report. I will reserve my comments on the Government's response until I can, I hope, intervene on the Minister, although I did think that there were some areas in which that could have been stronger and more enthusiastic about the Committee's recommendations, especially with regard to personal, social, health and economic education.

As hon. Members know, the witnesses to the inquiry included Integrate Bristol, and much of the leadership on this issue has come from young women in Bristol, including Fahma Mohammed, who was chosen to spearhead the campaign by *The Guardian* against FGM, as well as the e-petition, which gained more than 234,000 signatures. That petition alone did a huge amount to raise awareness of FGM. When I first became aware of it and starting talking about it, after I became an MP in 2005, awareness was very limited, but FGM is now very much on the radar. People understand what the issue is, even if they do not know all the details. I pay tribute to the work of young women in helping to raise awareness.

Fahma also successfully persuaded the previous Secretary of State for Education to write to every school to highlight his Department's safeguarding guidance. It is very disappointing that, as the report says, many schools—70%, I think—did not appear even to have looked at that, certainly within the first month of its being sent. I will come back to talk about the work that is done in schools.

Bristol is not included in the report's list of places that were found to have a prevalence rate of FGM of more than 2%, although it should be noted that the data used were from between 2001 to 2004, so they are now rather out of date. There have been considerable demographic changes in Bristol, so those data may not reflect the true picture for 2015. Much of the evidence on FGM is, as the report notes, anecdotal, but whatever the true rates are, any instance of FGM being carried out is obviously completely unacceptable and something that we must continue to work to challenge.

The Select Committee describes the failure of the state—be it the Government, the police, or health, education or social services—over recent years to protect girls from FGM as a “a national scandal”. The mutilation of many of those girls—girls to whom the state owes a duty of care—could have been prevented, and the fact that we did not manage to do so, and that we continue to fail to do so, is shameful.

The community in Bristol that is most at risk is the Somali community. I was pleased to note from the report that according to the Tackling FGM initiative, support for the practice among settled members of the Somali community has waned in recent years. Very good work has been done in the community in Bristol. I have particularly highlighted the work of young women in Integrate Bristol, but whenever I meet Somali community groups, I find that men are also very committed to challenging FGM. The Committee's recommendation 19 states that the Government should

“encourage the roll-out of best practice from groups such as Integrate Bristol.”

It has been more than two years—I think it was in November 2012—since the former Director of Public Prosecutions came to Parliament to reveal to a group of MPs his action plan for FGM. At that time, we were impressed by the points that he laid out in the action plan, as well as by the fact that he was taking a personal interest in the issue and coming to speak to us himself. The report outlines why it has proved to be so difficult, even with that action plan, to secure a prosecution, and cites as the main reason the fact that

“there have been very few investigations by the police.”

I tabled parliamentary questions several years ago in an attempt to find out where the blockage was and whether the CPS was reluctant to take cases forward. I was told that there was no lack of will on the part of the CPS, but that very few cases were being brought to its attention. As the report says, about 20 cases had been brought to the attention of the CPS. The fact that some prosecutions are moving ahead is good news but, as we have heard, the numbers are nowhere near the scale that France has managed to achieve. I have spoken to the police about this many times and they always say that they would be happy to investigate if evidence was brought to their attention. As the DPP has said, however,

“if you wait for the archetypal young girl to come through the door to tell you what has happened to her...that is not going to happen”.

The police cannot rely on self-reporting from victims; they need referrals from other sources. I welcome the work that has been done in Bristol in recent years to improve FGM awareness among health professionals and those who work in the voluntary sector.

As the report highlights, there is still a failure to perceive FGM as a safeguarding issue in the same way as other forms of child abuse, which is what it is and how it must be treated. Indeed, the report says that the record of referrals by health care practitioners and others is extremely poor. I note the Committee's recommendation that there is no point simply publishing multi-agency practice guidelines online and that they should be put on a statutory footing. It also states that FGM should be included as

“an essential part of all child protection training”, with which I agree.

The report highlights misplaced concerns about cultural sensitivities, which is one reason why I believe that campaigning by young women from those communities that are most affected—young women who have undergone FGM, who have been at risk, or whose family members have undergone FGM—is so important. I have watched a session at St Brendan's sixth form college in Bristol in which young women from Integrate Bristol were explaining FGM to pupils from their age group, and hon. Members will, I hope, recall an episode of "Casualty" that featured an FGM storyline.

I endorse the report's recommendation on compulsory PSHE, as that subject has been raised with me repeatedly by professionals who work with young people on not only FGM, but issues such as teenage pregnancy, physical or emotional abuse, relationships and drugs. When I go to schools or talk to youth groups, young people always say that they think that PSHE should be made compulsory and extended to cover more areas. That is important, so I do not understand the Government's reluctance to move on that. As I said, the Government's response to that recommendation is disappointing. The recommendation that Ofsted should explicitly examine a school's approach to FGM and violence against women—that is what FGM is—is also worthy of further consideration by the Government. I would be interested to know whether Ofsted has responded and whether it believes that it could take that up. The Government say that Ofsted does not conduct inspections of specific subject areas such as PSHE, but it will take account in its overall assessment of how schools deal with issues such as violence against women. I believe that that should be nailed down, because we know how schools respond to the threat of Ofsted's verdicts, and I hope that Ofsted will give greater priority to the issue.

The section of the report on health care professionals is important. Muna Hassan from Integrate Bristol tells of the experience of her mother, who gave birth in Sweden. The midwife raised the issue of FGM as soon as Muna's mother found out that she was pregnant, and it was followed up as Muna progressed through nursery and beyond. That is something that we can learn from. The report notes:

"Healthcare professionals have a vital role in breaking the generational cycle of FGM."

The Committee recommends that

"the FGM status of the mother and her intentions for the child... be made a compulsory question at the antenatal booking interview"

and that, as a matter of policy, referrals should be made to children's social care or the local multi-agency safeguarding hub if the mother has undergone FGM or there is perceived risk to the child. The Government say in their response that such professionals are already required to inform police if there is any risk of abuse, but I would appreciate it if the Minister would elaborate on that. According to the Committee's recommendation, the simple fact that a mother had undergone FGM would be enough to trigger a referral, but the Government do not seem to believe that that should be the case. The report also says that GPs should ask new women patients about FGM as a matter of routine and states:

"We do not accept that patient confidentiality should prevent practitioners from making a referral where a child is at risk: as with any other form of child abuse, the law allows for disclosure where it is in the best interests of the child."

We should all be focused on the best interests of the child.

I note the Committee's recommendation that there is a strong case for strengthening the law on FGM and the Government's response that they are doing so. The introduction of FGM protection orders is an interesting recommendation, so perhaps we can raise that with the Justice Secretary when he answers questions in the House next Tuesday.

Finally, I note the Committee's finding that there is "too little provision of clinical and mental health support services for the many thousands of women and girls in the UK who have undergone FGM."

That is important, because FGM affects a woman throughout her whole life, physically and psychologically. Although we are focused on preventing FGM, we must not forget those whom it was not possible to protect and who still need our support.

2.6 pm

Seema Malhotra (Feltham and Heston) (Lab/Co-op): It is a pleasure to speak in the debate and to contribute to the ongoing discussion about how we respond, as a Parliament and as a nation, to female genital mutilation and how we can strengthen the effectiveness of our response.

I thank the Home Affairs Committee for its report. I particularly thank the Committee Chair, my right hon. Friend the Member for Leicester East (Keith Vaz), for his persistence in ensuring that the report was not simply placed on a shelf. The report and the Government response not only resulted in immediate legislative changes—the amendments made to the Serious Crime Bill—but raised awareness of the issue of FGM. They gave campaigners, activists and MPs a great deal of information and evidence, and provided the tools to extend the conversation to our communities.

So many activists, campaigners and charities are involved in tackling FGM. We have already paid tribute to Leyla Hussein, and I would like to mention Nimco Ali and others in Daughters of Eve, Hawa Trust and Celestine Celeste in the west midlands, which I have worked with. So many across the country have raised the issue of FGM and championed change in their own areas, as well as contributing to the national conversation. It is vital that we work with communities and give them the tools that they need, as well as building a bridge between them and what happens at a legislative level.

Although the Government have responded to some of the recommendations in the Home Affairs Committee report, I believe that, in some areas, the Government have not gone far enough. We need to go even further in our response to FGM when it occurs and in our national prevention strategy. FGM affects thousands of women and girls in this country, and many more are at risk, particularly where mothers have been victims and survivors of FGM. I pay tribute to the hon. Members who have made the vital point that there is no cultural excuse for FGM and that it is not a matter of religion. Indeed, 300 faith leaders signed a declaration last year to the effect that FGM is not part of their religion. This whole debate, led by the Home Affairs Committee's work, has been important in helping to put that idea to bed and saying that we have a new consensus on taking forward the debate nationally. We are trying to be a leader on the world stage.

[Seema Malhotra]

My hon. Friend the Member for Bristol East (Kerry McCarthy) raised some vital points that I wholeheartedly support, particularly on the importance of early education in schools. It is staggering that the Conservatives, and the Government as a whole, have voted against measures to make sex and relationship education compulsory in schools. Such education is a vital part of ensuring that teachers understand the issue and that young people have the tools to raise issues if they happen in their own lives and to raise awareness of what may be happening to others around them so that intervention can take place.

Where survivors and victims are identified, whether by safeguarding procedures or through health services, the provision of mental health support services is an issue. I have heard in conversation that those who have been cut have ongoing health conditions that they do not necessarily associate with FGM or with what has happened to them, which stops them getting the health support they need. There is a big message about how we need to join up justice, health and education services with a cross-Government strategy, which remains an important part of how we continue to move forward.

It is a scandal that we have not seen a successful prosecution since we passed the law making FGM illegal. A case is going through the courts, and there are ongoing discussions about that case, but the encouragement of FGM is an issue that I will go on to address. Some of the report's recommendations have been included in the Serious Crime Bill and deserve a mention. I thank those Members of the other place who were important in strengthening the Bill there. Among those measures, lifetime anonymity for survivors is important because although many of those who have been cut feel a sense of shame and do not want their community to know, they want justice.

FGM protection orders, which we debated in Committee, are set to play an important part, and I am pleased that, in Committee, the Government committed to our call for legal aid for those protection orders. We cannot have measures in law that people do not have the means to access, particularly when an application for an FGM protection order might come from a girl herself. If the girl, her family, her colleagues or her school cannot help her to secure the necessary resources, that will be a measure in theory and not in practice. It is important, as the Government have recently committed to, that legal aid is made available to provide legal services not just for supporting paperwork, but for advocacy. It is important that the Government adhere to that commitment.

There has been an important move to broaden the scope of the Female Genital Mutilation Act 2003 to cover girls who are habitually resident in the UK, which was a vital gap, because people have different immigration status. We need to ensure that all girls in the UK are protected. In Committee, we debated how that will be taken forward, which is important. The Bill is still passing through the House, and we need to know how we will be working with agencies abroad and how the Home Office will be working with the Foreign and Commonwealth Office to ensure that, if any girl who is habitually resident in this country is at risk either abroad or here, moves can be made to ensure that, as with those at risk from forced marriage, agencies abroad are trained and able to work together to ensure that there is protection for girls who are at risk.

The Bill introduces the new offence of failure to protect a girl at risk from FGM, which is an important measure that sends the right message that parents or guardians who do not safeguard their child will be held to account. It would be helpful to know what further dialogue the Minister has had on how that could be effectively implemented so that parents who have not taken care to safeguard their children may be successfully prosecuted in this country, as has happened abroad.

In Committee, we called for more action to address encouragement of FGM, which is a vital part of ensuring that we address some of the cultural issues in relation to FGM. I pay tribute to Dexter Dias QC, the people he has worked with and the many who have contributed to his research on why the current measures do not go far enough to intervene early to help to prevent FGM occurring in the first place.

There is huge pressure on parents from within affected communities, and campaigners feel the same pressure. We heard about the harrowing experience of campaigners such as Leyla Hussein, particularly when they stand up to the forces of tradition within their own communities. It is important to pay tribute to what those campaigners do, because it is not easy for them to stand up within their own community on issues that affect them, their friends and their family, as opposed to an issue of concern that does not have a direct effect on their own community.

Some important messages came out of the work done by Dexter Dias QC and others on the encouragement of FGM and the need to consider a distinct offence making such encouragement unlawful. That is an important part of strengthening not only our response and legislation in the UK, but our obligations under international law to combat FGM effectively, rather than merely reacting to ongoing practice, vital though that is.

The UK's international law obligations are clear in their requirement that we take active steps to end the practice of FGM. We have been calling for the encouragement of FGM to be made illegal in this country because such a move is necessary for stopping FGM at its root. We propose a strengthened measure that builds on the amendment made by Baroness Meacher in the Lords in July 2014. We propose a tighter offence that, for the first time, would give parents who do not want to participate in this tradition, but who need the strength to challenge what they are being asked to do, the tools in law to challenge the public encouragement of FGM. Preventing encouragement in its strongest sense has been welcomed by survivors. Such a measure would, in our opinion, help to effect an important culture change within FGM-practising communities.

Effective communities often retain a strong hierarchical structure, in which encouragement or admonishment from elders can carry enormous weight. Not only are parents told that their daughter may never get married, but whole families can be ostracised and isolated as unclean. It is incredibly important to have a way to strengthen what families can do within their communities. The Hawa Trust, an organisation that works with local communities in Hackney, told the Select Committee on Home Affairs last year:

“The young uncircumcised girl is still considered today as a second-class citizen, impure... Such a young girl can neither marry nor even be allowed to prepare the family meal until she agrees to be circumcised.”

Sara, a teenager from a community practising FGM, told researchers working with Dexter Dias QC and others what makes parents do it:

“People. People telling them to. You call it encouragement, I call it people telling them you must follow our tradition, or else.”

If we are to end FGM we need a much stronger prevention strategy. What we propose goes further than what is on the statute book. This is not a free-speech issue about a matter of opinion; this is about challenging active encouragement to offend. We have said that a statement would need to be published with the intent to encourage members of the public directly or indirectly to mutilate the genitalia of a girl, or be reckless as to whether members of the public would be directly or indirectly encouraged.

Particularly if that could be followed by the police issuing encouragement warning notices and, where those were breached, applying for an encouragement warning order, followed by a criminal offence, we believe that it would be a proportionate response that strengthened the conversation we are having and sent a message of zero tolerance of such violence against girls. It would send out the message that FGM is child abuse and must be considered as such. Just as we would not tolerate anyone in our communities advocating child abuse, we should not tolerate anyone in our communities across the country advocating FGM or pressuring parents to cut their daughters.

Through the availability of such tools, the police and local services will be able to respond far more effectively and support campaigners for change who need help to intervene in their own communities in the interests of the majority who want change to happen.

To close on some other issues raised in the Government’s response, although the Home Affairs Committee rightly discussed the definition of reinfibulation, we also discussed that when considering the Serious Crime Bill. Again, the Government were reluctant at that stage to change the definition to make it explicit that reinfibulation was FGM and intended to be covered by the legislation. We have continued to hear concerns from royal colleges and others that it has not been clear to everybody in the health and justice sectors whether the original Act was intended to cover reinfibulation. It is important that the Government continue to consider whether to introduce a simple amendment, such as we proposed, to make it clear in the Serious Crime Bill that reinfibulation is part of the original definition of FGM.

Once again, I thank the Home Affairs Committee, particularly my right hon. Friend the Member for Leicester East, for one of the most powerful interventions in my area of preventing violence against women and girls. It has engaged external communities, as well as Members of Parliament, with the issue, galvanised change and challenged Government and Opposition on this vital issue, on which we should continue to take a lead in ending FGM in our country and around the world.

2.25 pm

The Minister for Crime Prevention (Lynne Featherstone):

It is a pleasure to serve under your chairmanship, Mr Weir. I congratulate the Chairman of the Select Committee on Home Affairs, the right hon. Member for Leicester East (Keith Vaz) on securing this debate, and I thank him and other Committee members for their interest in the issue and their detailed report. I am

pleased to see the public health Minister, my hon. Friend the Member for Battersea (Jane Ellison), arrive; she has campaigned long and valiantly on this issue.

The coalition Government formally responded to the report on 9 December, setting out how the majority of the recommendations are in line with work that the Government are already undertaking. I will touch on some of them in due course. Many powerful contributions have been made to this debate, for which I am grateful; it has been a good discussion. This is an issue on which I am pleased to say all sides agree. It is probably the first issue I have campaigned on in politics where I have not found anyone against me, including the media.

After my speech, I intend to pick up on the points made by hon. Members before concluding. As set out in our response, the Government agree fully with the Committee’s assessment that tackling FGM requires a comprehensive approach. We recognise that the issue must be addressed through a range of measures focused across prevention, enforcement, support and protection. At the Girl summit last July, we announced an unprecedented package of measures to tackle FGM domestically, and we are on course to deliver those commitments ahead of the election.

Time, although I have a lot of it, precludes my setting out point by point everything that this Government have done to tackle FGM. Our actions include updated guidance, communications campaigns, training materials and a suite of resources for front-line professionals and communities, but I will provide more detail about how that action has contributed to increasing awareness of and focus on FGM. Demand for awareness material has increased even since the Girl summit. Since July 2014, we have received more than 230,000 orders for the materials, which include copies of guidance, fact packs and posters.

Although I hear that those measures are about process, the demand created by the high-profile nature of the issue is reaching people. The online training tool, while not the end of the line—I agree that colleges need to train their professionals—is making a substantive difference. Calls to the National Society for the Prevention of Cruelty to Children’s dedicated helpline have almost doubled in the six months since the summit, but the coalition Government recognise fully that we must sustain and build on that momentum if we are to protect the thousands of girls at risk from this horrendous practice.

I recognise that it is always helpful to have the Home Affairs Committee hold our feet to the fire. As a campaigner who kicked off the Government campaign—it only really fired up about two and a half years ago with the launch of the £35 million campaign to support the African movement—I think that things have moved on apace, and I agree that holding feet to the fire must be done regularly. The worst thing that could happen would be if all the work that all of us have done, and the passion that we feel across all parties, lost momentum in successive Parliaments down the years.

Keith Vaz: I acknowledge the work done in this area by the public health Minister, the hon. Member for Battersea (Jane Ellison).

May I hold this Minister’s feet a little closer to the fire, as she has offered to have them put there, especially in relation to Government funding of community

[Keith Vaz]

organisations involved with this issue? We were very surprised that the organisation headed by Leyla Hussein, for example, receives no Government funding; it receives funding from Comic Relief, which is not yet part of the Government, but no direct Government funding. I put that question in particular to the Minister.

Also, on the issue of awareness, does the Minister agree that it is important that we fund organisations that can get into the community, rather than just giving out Government leaflets and doing this work through Government agencies?

Lynne Featherstone: I thank the right hon. Gentleman for that intervention, but we are already funding community organisations. Of course, anyone who does not get funding always says, “I haven’t got funding.” We are trying to underpin a number of organisations, including with funding. There is a £270,000 European fund and a £100,000 Home Office fund, and they are both funding community organisations. I went to visit one in Battersea, in fact. I am sure that the public health Minister, my hon. Friend the Member for Battersea, will want to talk about that if she intervenes on me.

Furthermore, community champions are being created—10 feisty females who are taking this message right into the communities. It is not only the Somali community that is affected; so often that community is put forward, and of course it has an extremely high prevalence of FGM. However, a whole range of communities are affected. There are champions from all of them who can take the message right into the heart of their communities, where they are accepted in a way that middle-aged politicians would not be. That is not ageist; it is just—

Seema Malhotra: Will the Minister give way?

Lynne Featherstone: Would the hon. Lady mind if I simply finished? If there are points she wants to raise as I get towards the end of my speech, I will give way then. There are so many issues to get through.

The Committee has rightly focused on the low number of prosecutions for FGM. We all agree that prosecutions are not the sole answer and that the well-being of victims is paramount. However, it is equally important that the people who perpetrate this type of child abuse should have to feel the full force of the law, and I am pleased to say that the first people to be prosecuted for FGM in this country are currently before the courts.

There has been a continual cry that over all these years there has not been a prosecution, but I have to point out that under the coalition Government work has been done and we have created pressure. Indeed, the Director of Public Prosecutions who preceded the current DPP, who is Alison Saunders, chaired the action plan group and had his own action plan. When she came into post, Alison Saunders was enthused and advised to go forward on this issue. Nevertheless, there were no prosecutions prior to this time because there had been no referrals to the police. There is clearly much more to do in this respect, but we must recognise that progress has been made.

Prior to 2010, the Crown Prosecution Service was unaware of any cases being referred by the police for a decision to charge. Obviously, that brings me on to mandatory reporting, which I will discuss in a minute; that will be constructive in upping the rate of referral.

Since 2010, 14 cases have been referred. These referrals resulted in the case currently being heard at Southwark Crown court, and a number of other live cases. Importantly, a review of those cases by the CPS has led to some of the changes to the law before Parliament now, in the Serious Crime Bill. They will help ensure that law enforcement and the courts have the powers to bring the perpetrators of FGM to justice.

There has also been an increase in the number of police investigations into FGM; the figure varies from force to force, obviously, according to the prevalence and experience of FGM, although they are not entirely correlated. For example, between January and November 2014, West Midlands police received 118 reports of suspected FGM—a significant increase from the 25 reports they received in 2013. The Metropolitan police have seen a similar increase and have conducted joint operations at the border with the Border Force. It is important to reflect that while those investigations may not have resulted in prosecutions, the police have stressed that they have contributed to a robust safeguarding response that has helped to protect those at risk; prevention is much better than having to prosecute after the event.

Clearly, not all forces are as advanced in their approach to tackling FGM as the West Midlands police and the Metropolitan police, but the law enforcement response is being improved more broadly in a number of ways. The CPS has appointed a lead FGM prosecutor for each CPS area in England and Wales, and joint police-CPS investigation protocols for FGM have now been agreed with the 42 police force areas. In addition, 390 police and prosecutors have benefited from training on FGM, and the College of Policing is introducing a new authorised professional practice on FGM to raise awareness among investigators and to better equip them to tackle the practice.

Furthermore, in the past year the Home Secretary has commissioned Her Majesty’s inspectorate of constabulary to conduct a review into how police forces tackle honour-based violence, including FGM. It is planned for later this year and we will use the findings to strengthen further our approach to FGM.

Several hon. Members asked about the law. As I have already mentioned, we are strengthening the legal framework. A number of legislative changes concerning FGM are being taken forward in the Serious Crime Bill. First, we are extending the reach of the extraterritorial offences in the Female Genital Mutilation Act 2003 to habitual residents of the UK, as well as to permanent UK residents.

Secondly, we are making changes to grant lifelong anonymity to victims of FGM, to help encourage victims to come forward. The hon. Member for Feltham and Heston (Seema Malhotra) raised the issue of anonymity and it is very important. Although we no longer have any truck with cultural eggshells, FGM is obviously still a very sensitive and personal issue; how one might be reviewed and regarded in one’s community is a big thing for those survivors who want to come forward to speak out. Granting them anonymity will be a protection for them.

Thirdly, the Serious Crime Bill creates a new offence of failing to protect a girl from the risk of FGM. That would make potentially liable someone who had parental responsibility, or who had assumed parental responsibility, for a girl under 16 who had been mutilated, if that

responsible person knew or ought to have known that there was a significant risk of FGM being carried out but did not take reasonable steps to prevent it. I would assume that if a parent has suffered FGM, there is a high likelihood of a risk to their child.

We believe that these new measures will improve our ability to prosecute this appalling crime. Although we are keen to see the criminal law being used, ideally we want to prevent FGM from happening in the first place. Following a consultation launched at the Girl summit, the Serious Crime Bill also introduces a civil order to protect those at risk from FGM and those who are already victims of FGM.

The FGM protection order will operate in a very similar way to the existing forced marriage protection order. It will enable the courts to make an order that could include, for example, a requirement for a passport to be surrendered, to prevent a girl from being taken abroad for FGM. Although we know that FGM is being carried out here—I come from Haringey: it is happening there and in other areas—we also know that many girls are taken back to their mother countries to be cut, particularly in the cutting season, which is in the spring to early summer.

As the Home Affairs Committee report highlighted, those in safeguarding professions are absolutely key to reporting FGM. The Government have now consulted on how best to introduce a new mandatory reporting duty, to ensure that professionals report cases of FGM to the police. As the right hon. Member for Leicester East said, there is some nervousness in some quarters about mandatory reporting, but we also disagree with that. Some professionals have historically had concerns that confronting harmful cultural practices would result in their being labelled as politically insensitive, lead to issues of confidentiality or somehow drive the practice underground. We have to deal with that as we go. FGM is against the law—it is child abuse, and we must move this issue forward. There can be no equivocation about that.

At this point, I pay tribute to Efua Dorkenoo, who is the mother of tackling FGM and who tragically died very recently; we are absolutely bereft without her. She was absolutely clear about FGM. She knew the communities affected by it and she knew every difficulty that there is to know. She was unequivocal about the need for mandatory reporting and for cases to come to prosecution. I say, “Hear, hear, Efua!”

In addition, we want to see an increase in the number of cases being referred to the police. Having mandatory reporting will bring clarity for front-line professionals. At the moment, the situation is very difficult because there are always two halves to a professional. One of those is to protect, to care and to worry about things; that may lead to a fear that if a report leads to police action or a police referral, that will dent, or make more difficult, the caring side of their profession. Having a mandatory duty to report should clarify that position and take that onus and burden away from them.

Alerting the police to actual cases of FGM will allow professionals to investigate the facts of each case and increase the number of perpetrators apprehended and prosecuted. The consultation has finished, and we are considering all 150 responses and some of the issues around the sanctions. The mandatory reporting duty

will help make the changes happen. We will set out our response to the consultation shortly with a view to legislating in this Session.

Legislation alone, however, cannot end FGM. Prosecutions would send out a strong message on the rule of law, but are unlikely to end the terrible crime. Prevention and protection are also of critical importance, and part of that work is continuing to ensure that those communities in the UK practising FGM are aware that it is considered to be child abuse here. There is a great lack of knowledge and penetration into some of those communities, although that is beginning to happen.

I recently went to Mogadishu, Somalia—previously, one could barely raise the issue or even say the words “female genital mutilation”, particularly in Sierra Leone and Somalia—and I talked with Prime Ministers, Presidents, women’s groups and a whole range of people. I spoke with activist girls in Somaliland. There has been an amazing step change from two years ago, which gives one real hope that this is a movement for change. It is not just happening in one country. The African Union has sent a resolution to the United Nations. The UN banned the practice worldwide in December 2012. Some 25 countries in Africa have banned FGM. Our diasporas and their mother countries are connected. We will not end FGM unless we support Africa, the middle east and other places where it is practised to end it.

Through education and protection measures, we will prevent more girls and young women from having this so-called procedure. I agree about the work in the communities, which is incredibly strong.

Seema Malhotra *rose*—

Lynne Featherstone: I will give way, but first let me get through some more of my speech. There will be a few minutes at the end.

The Government have published and updated the multi-agency practice guidelines on FGM. The guidelines highlight the risk factors that teachers, nurses, GPs, police officers and social workers should be looking out for during their work and set out what action they should take. To ensure better compliance with the guidelines, we have consulted on our commitment to making them statutory, as recommended by the Home Affairs Committee.

We are also supporting and funding community engagement work to raise awareness, which I covered earlier. We are ensuring that NHS acute hospitals are routinely recording information on FGM and using that to support social services and the police, as well as sharing it to provide appropriate health care for girls and women. The work that my hon. Friend the Member for Battersea has done in the Department of Health has motored the step change, because previously FGM was not even recorded. In that respect, it did not exist in the health professions.

The first statistics were published on 16 October and showed that for September, 125 of the 160 eligible acute trusts in England—that is 78%—submitted signed-off data. There were 1,279 active cases, and 467 newly identified cases of FGM were reported nationally. The statistics continue month by month, but I will not read all the months out. Those statistics represent a massive step change, because, as we all know, in politics if it cannot be counted, resources cannot be obtained, the

[Lynne Featherstone]

problem does not exist and it does not get addressed. We now have concrete data, which is a huge step forward. I congratulate my hon. Friend on the work she has done to make that happen.

The Government's new FGM unit launched on 5 December 2014 and will work with local areas to strengthen their response. The unit will deliver a comprehensive programme of engagement with affected communities and front-line professionals. That includes a series of training workshops to local safeguarding children's boards in areas with a high prevalence of FGM.

As the right hon. Member for Leicester East and the hon. Member for Bristol East (Kerry McCarthy) said, safeguarding is the name of the game here. Safeguarding boards have been slightly behind the curve in getting to grips with this issue. The local level is the right place to hold the ring—it has the appropriate understanding, confidence and knowledge to address the issue across all the different agencies in any location. The training workshops in high-prevalence areas will work in partnership with the Department of Health on a series of FGM conferences and on bringing together all law enforcement capabilities—the National Crime Agency, Border Force and the police—to co-ordinate action to support prosecutions on FGM.

Ensuring that front-line professionals in high-risk areas have the information and training they need to identify and tackle FGM will also be supported by NHS England's national FGM prevention programme and statutory guidance on multi-agency working, called "Working Together to Safeguard Children", as well as statutory guidance on the role of schools, called "Keeping Children Safe in Education". Better data on FGM will also provide high-prevalence areas with the evidence they require to introduce dedicated FGM training and to commission services to support victims.

Various Members raised the issue of schools and education, and I am already on the record as saying that education on FGM has to be mandatory in schools as part of PSHE. Sex education should be compulsory. We are not at that stage, but I assure Opposition Members that it will be in the Liberal Democrat manifesto, as I am sure it will be in theirs. I hope we can move forward on the issue, because I can think of no better place to start raising awareness. In primary school, that awareness raising can be with the parents. I have met the parents of girls at risk. A primary school in Bristol is the first to have an FGM safeguarding policy. I met the head of that school—I am sure the hon. Member for Bristol East knows her—and she is doing a fantastic job with the parents to say, "This is our law. This is our safeguarding policy in our school." I think that that is a progressive way forward.

The Home Office has launched an e-learning tool so that all practitioners, whether they are social workers, teachers, health care professionals, Border Force or the police, can undertake an introduction to FGM. Well over 8,000 people have accessed that training. There are reforms to social work, education and practice to protect children from FGM and other forms of abuse. Prevention is at the heart of that work to safeguard and protect all girls and women who may be at risk.

The Government are also, as I am sure all Members know, working to tackle FGM internationally. In March 2013, the Department for International Development announced an ambitious £35 million programme to address FGM in Africa and beyond. The programme aims to see a reduction in FGM by 30% in 10 countries in five years, measured by prevalence among nought to 14-year-olds. It is working towards seeing an end to FGM in one generation. It is vital that money is spent overseas to tackle FGM, to persuade communities here who adhere to the practice to stop. The diasporas are even more closely wedded to identity traditions than the mother countries. When Chinese foot binding ended in China, it continued in California for years afterwards. We are intrinsically linked to the mother countries through the diasporas.

We have made huge progress on FGM. We have raised the profile of the issue and made it clear that FGM is child abuse and violence against women. It is a serious crime and we want to maintain our momentum. Next week, to coincide with the international day of zero tolerance for FGM, we are hosting a European conference to ensure we are learning from other jurisdictions. I am sure that the right hon. Member for Leicester East will be particularly pleased to know that representatives from France will be attending that conference.

On the French issue, I have visited France and spoken to the French Ministers. My understanding of the 40 prosecutions is that most of them originated from the prosecution of one very prolific cutter. We have a different system here. We want prosecutions, but I am not sure that the prevalence of FGM in France has been as brilliantly reduced as we might be led to believe by the conversations that we have.

In a sense, we are motoring now. We have to give what we are putting in place a real chance. We want to see more prosecutions, prevent more FGM from taking place, raise awareness of it in our schools and see all our front-line professionals having that training that will make a huge difference. Mandatory reporting will also make a significant difference. On the day of zero tolerance, we will also hold a cross-Government meeting, which I will host with the public health Minister, my hon. Friend the Member for Battersea. Such events offer an opportunity to take stock of what we have done and to continue the drive to prevent FGM and to protect and support victims.

Before I finish, I pay tribute to Efua, the mother of tackling FGM. I am sure other Members in the room will have been present when campaigners and survivors such as Leyla Hussein, Nimko Ali, Fahma and Alimatu have spoken out so bravely. I am sure Members will have heard their stories and will have sat there in wonder and awe that these women have had the courage to do what they have done.

People often ask me why I took up the mission of tackling FGM. In 2010, the Prime Minister appointed me as the international champion for tackling violence against women and girls across the world. These issues all go back to the lack of equality, women's position in the world, patriarchal societies and the social norms that keep us in our place.

After I was appointed, I was looking across the piece when two things coincided. Daughters of Eve came to see me, took me by the collar and threatened me, saying, "You do not understand." Before, we had all been using

the phrase “female genital mutilation”, but we needed to cut through the issues—that was a terrible use of words. Daughters of Eve said to me, “This is child abuse. You are a Minister. You have to do something,” at which point I got reshuffled. However, what they said worked, and I did do something. When I went to DFID, I said, “We are going to tackle this. We are going to tackle it in Africa. If we do it there, we will have to do it here as well.” The timing meant that the passion Daughters of Eve had for what they were doing in Bristol and other places was combined with what was happening in Africa.

Terrible violence is done to women right across the world, including in the UK. That violence takes all forms—domestic violence at one end and rape as a weapon of war at the other. However, it seemed to me, as the ministerial champion for tackling violence against women and girls overseas, that FGM was totemic, in that it encapsulated the whole agenda. Who could be more powerless than a three-year-old girl who has absolutely no choice, no control and no voice in what is happening to her? What issue could be more meaningful? The idea that someone can come and damage the rest of her life—physically, psychologically, healthwise and in terms of power and control—is why I took up this issue. If anyone ever wonders why, that is why.

This has been a passionate and informed debate. In closing, let me make it clear that we can and must eradicate this terrible practice. I assure hon. Members that the Government fully understand that. Although we are not doing everything the Home Affairs Committee advised us to, we are resolutely committed to fighting FGM.

2.53 pm

Keith Vaz: I am most grateful to all those who have participated in the debate, as well as for the commitments made by the Minister. We in this House can ensure that we continue to raise awareness. I pay tribute to newspapers such as *The Guardian* and the *Evening Standard* for the articles they have published on this subject, and to all the campaigners involved. I am glad that the Minister will ensure that the issue is in the Liberal Democrat manifesto, and I hope all the other political parties that have been represented in the debate will ensure that it is in theirs.

Blood Safety (Variant Creutzfeldt-Jakob Disease)

[*Relevant documents: Second Report from the Science and Technology Committee, Session 2014-15, “After the storm? UK blood safety and the risk of variant Creutzfeldt-Jakob Disease”, HC 327, and the Government response, Cm 8940 .]*

2.54 pm

Andrew Miller (Ellesmere Port and Neston) (Lab): On behalf of the Select Committee, let me say that it is a pleasure to introduce our report “After the storm? UK blood safety and the risk of variant Creutzfeldt-Jakob Disease”, which was published last July. We considered the ongoing health risk posed by variant CJD and examined the steps taken by the Government to ensure that any further transmission of this deadly disease through blood transfusion or other medical procedures is brought to a halt.

This will probably be the last time before I leave Parliament that I will address one of our reports in Westminster Hall, so it would be wrong of me not to put on record my thanks to not only my Committee, but its staff. Dr Stephen McGinness and his team have supported the Committee extremely well during this Parliament. There is someone with a listening pair of ears next to you, Mr Weir, and although he never speaks in these debates, he knows that I have told him how important it is that we have scientifically qualified members of staff supporting Committees such as mine so that our considerations take an evidence-based approach.

I should point out that the report’s title includes an inconspicuous piece of punctuation—a question mark. Throughout our inquiry, the Government expressed optimism that the storm to which our title alluded had in fact gone away. Unfortunately, as our report demonstrates, that optimism might prove unfounded. Like the Government, we hope that the storm is over, but the scientific evidence demands the inclusion of that question mark.

It may not be immediately clear what variant CJD has to do with UK blood supply. In the initial wave of cases, which were related to meat infected with bovine spongiform encephalopathy, the media stories were exemplified by that famous picture of the then Agriculture Minister, John Gummer—now the noble Lord Deben—feeding a burger to his daughter. Although that is image that people have, three of the nearly 200 deaths attributed to variant CJD are known to have been caused not by consumption, but by blood transfusion.

Transfusions always carry some risk of infection, although in most cases that can be well mitigated. Donations are tested for a variety of pathogens before anyone is cleared for transfusion, and processes are in place to remove or kill the majority of microbes that might be lurking. Donors who are considered to pose a particularly high risk of infection are prevented from donating altogether. The Committee saw those processes on a visit to a major centre in Bristol.

However, several unusual features of variant CJD make it essentially impervious to those risk-mitigation measures. The infective agent of variant CJD is not a virus or a bacterium, as is the case for most contagious diseases, but a prion, which is a type of abnormally folded protein. Proteins, of course, are endemic throughout

[Andrew Miller]

the body, which makes prions extremely difficult to detect and almost impossible to destroy. If one is to avoid also destroying the useful proteins, one has to be particularly careful. Variant CJD also has an unusually long incubation period—the time between infection and the onset of symptoms—meaning that people could unknowingly carry the disease for many years and give blood many times before appearing to be sick.

It is thought that 67 patients received blood or blood products from donors who went on to develop variant CJD, and three of those patients went on to contract, and then die from, variant CJD themselves. In total, 50% of the exposed patients who were later tested for variant CJD post mortem were found to have been infected. Those are tragic statistics but, thankfully, the numbers are small. As the Government were keen to point out, there have been no recognised cases of transfusion-related transmission of variant CJD since 1999, so the storm, in their eyes, appears to be over. However, the evidence suggests that another may be brewing.

In October 2013, the *British Medical Journal* published the results of a large research study that inspected more than 32,000 samples of archived appendix tissue for signs of variant CJD infection. Prions were detected in 16 of the samples, suggesting that about one in 2,000 people in the UK—about 30,000 people in total—could be silent carriers of variant CJD. Many of those people are likely to be blood donors. The implications of those findings are, frankly, not clear. However, they are undeniably a cause for concern and, in our view, they warrant further investigation. That was why one of the major recommendations of our report was that the Government should lend their support to research intended to reduce uncertainty about the potential level of silent infection across the UK blood donor pool.

I will give some background about the proposed research. As I have explained, prions are notoriously difficult to detect. A test for variant CJD has remained elusive for many years, but in 2011, a team of researchers from the Medical Research Council prion unit at University College London announced that it had developed a prototype blood assay capable of detecting variant CJD at a dilution of one part to 10 billion. When the assay was tested on 21 blood samples from known variant CJD patients, it accurately identified 70% of them as positive. More importantly, the test returned no false positives from a much bigger group of samples known not to be affected by variant CJD.

It is widely agreed that the next stage of the test's development would be to carry out a larger study using UK blood donations, which might provide further information about both the effectiveness of the test and the level of silent infection in the UK donor pool. However, the Government appear reluctant to support that study. In their response to our report, they alluded to unspecified “scientific and technical issues” that would need to be overcome and told us that they would seek the views of the relevant scientific advisory committee before making any promises.

[SIR DAVID AMESS *in the Chair*]

Welcome to the Chair, Sir David. That last point is important because the Government's response failed to mention that the committee in question had already

made it known that it was strongly in favour of such a study. It is tempting to conclude that the Government would rather not know the extent of the problem that they might face. To return to my previous analogy, there are clouds on the horizon and a weather forecast is available, but the Government are choosing not to look at it.

Bad weather, to use the same analogy, looms at some of our hospitals. I shall not rerun some of this week's discussions, which have been adequately handled, but to focus on variant CJD, an unusual feature is that the prions that cause the disease stick avidly to metal surfaces—so avidly, in fact, that surgical-grade stainless steel is used in research laboratories as a tool for transmitting variant CJD. Contaminated surgical instruments therefore offer a very efficient route for person-to-person prion transmission.

Sir Paul Beresford (Mole Valley) (Con): As a slight variation on the hon. Gentleman's theme, it is not metal, because actually the prion sticks to stainless steel—that is the real difficulty. That is also the basis of the test that Professor Collinge is using.

Andrew Miller: The hon. Gentleman follows this matter with great care. He is absolutely right, but I am trying to simplify what is an incredibly complicated subject. The underlying science is very hard to communicate, but I am grateful for his observation.

This issue is known, because there have been several cases of classical CJD being passed on through contaminated surgical instruments. Following two separate incidents in 2011, 59 patients had to be notified that they were at risk of developing the disease because they had been operated on with instruments that were also used on someone who was later found to have been suffering from CJD.

Guidance is in place to help to reduce that risk, but evidence suggests that compliance is poor. Worryingly, it seemed that the Government were not aware of that. They have since promised to work with the Care Quality Commission to ensure that best practice is followed in future, so I look forward to receiving an update from the Minister on that important work.

Ultimately, however, such guidance can be only partly effective, because prions are known to be impervious to standard decontamination processes. The Government told us that that they had spent nearly £10 million since 2001 on trying to solve that problem and they have come very close to doing so. A product initially developed using public funds, and later commercialised by DuPont, has been shown to reduce the risk of surgical transmission more than a million-fold. We were therefore astounded to discover that that product had not been put to use in the NHS, in large part because its use would add an additional step to the decontamination process. That seems to be an example of institutional inertia trumping common sense.

Unsurprisingly, DuPont has ceased development of that potentially valuable product. During our inquiry, we came across other examples of commercial developers withdrawing investment because of the Government's failure to take up much-needed technologies. I hope that the recently announced innovative medicines and medical technologies review will go some way towards resolving that problem. In the meantime, I look forward

to hearing from the Minister how she plans to ensure that those undergoing surgery in UK hospitals are not needlessly exposed to potentially deadly prions. I stress that I am not trying to be alarmist. I have been through medical procedures myself, and I would not want people to be put off in any way from having necessary medical procedures.

Decisions about whether the NHS should adopt particular technologies are currently spread among a number of bodies. The National Institute for Health and Care Excellence is, of course, the largest such body, and is recognised as a world leader in health technology appraisal. However, during our inquiry, we found that similar decisions are being made by a variety of other scientific advisory committees and panels using a range of techniques. We found that a little troubling. If the Government are serious about wanting to ensure value for money for the NHS, all health technology appraisals should be carried out to the same high standard and according to the same basic methodology, wherever they are performed. We therefore recommended that the Department of Health should work with NICE and the Government Office for Science to ensure that best practice is more consistently applied.

The Government have set up a working group to explore differences in appraisal methodology and to set out options for closer alignment. We welcome that move, but we were surprised to find that the group had been set up under the auspices of the Department's chief economist, seemingly with no input from the Government Office for Science, the Department's own chief scientific adviser or from the chief medical officer, Dame Sally Davies. When I pointed that out to the life sciences Minister, the hon. Member for Mid Norfolk (George Freeman), I think that he was equally surprised.

The Government explained their decision by stressing that the review would be about the methodological approach to a valuation, not the science itself, which seems nonsensical to me. Health technology appraisal tests rest on an evaluation of both cost and clinical effectiveness. The chief economist is, I am sure, well placed to comment on the former part of the equation, but Dame Sally is vastly more qualified to comment on the latter part. It is simply not possible to remove science from the process. I hope that the Minister has had time to reconsider the Government's position on the matter. I also want to hear what progress the working group has made.

The Government's claim that science is peripheral to the process of health technology appraisal is somewhat belied by the fact that it is often the Department's scientific advisory committees that carry out the appraisals. Almost 70 such committees are dotted around Government, and they are governed by a common code of practice that sets out minimum requirements regarding communications and transparency. Few of those requirements were being met by the SACs that we came across during our inquiry.

The Rapid Review Panel, a SAC responsible for assessing innovative infection prevention and control products, had an extremely limited website at the time of our inquiry and did not seem to publish either an annual report or a statement of members' interests. Not even the membership of the panel was clearly stated. The Government explained the failures by stating that the panel was not and never had been an SAC, meaning that it did not have to comply with the code of practice.

That presumably came as news to the Government Office for Science, which included the panel in its list of SACs, and to the chief scientific adviser, who told us that he met all SAC chairs regularly.

We came across other issues when assessing the work of another Department of Health SAC, the Advisory Committee on Dangerous Pathogens. This time the Government gave us another excuse, claiming that sub-groups and working groups of SACs were technically not themselves SACs, and therefore were exempt from the code of practice. That might technically be true, but it flies in the face of the Government's reported commitment to openness, which was absolutely reinforced in the document on science and innovation strategy published by the Government just before Christmas.

I began the debate by drawing attention to the question mark in our report's title—"After the Storm?" We all hope that the storm created by variant CJD has now passed, but the reality is that uncertainties remain. In the six months or so since our report was published, we have seen little evidence of action by the Government to reduce our concerns. The Minister has told us that she is optimistic, but optimism is not a good basis for policy. I hope that she can reveal what the Government plan to do to make our question mark obsolete.

I reinforce a point that I made earlier: statistically, we are dealing with tiny numbers of people. However, at the end of the day, the families affected are real human beings and we should not simply brush aside action in the area because we are dealing with such a tiny group. I hope that the House will take the report as seriously as our Committee and the many brilliant scientists who gave evidence to us.

3.14 pm

Sir Paul Beresford (Mole Valley) (Con): I will try to be succinct after such a full introduction. That is probably possible. I can hear some puffing from the right hon. Member for Holborn and St Pancras (Frank Dobson), who was the leading light on this issue in the early days. I am delighted to see the Minister in her place, and I am sure that she is delighted to be here as well—at least she is trying to smile. She is probably aware of my long-term interest in and deep concern about the subject. I congratulate the Committee on the report, although I thought that the Department of Health's response was at best cavalier.

I need to declare a potential interest as a dentist. For example, if the simple cold sterilisation that could be made available was brought in, as I wish it would be, as part of sterilisation of surgical instruments, it would land on me a miniature addition to my own surgical sterilisation costs.

It is probably worth spelling out what variant CJD is, as anyone reading the report of this debate will not understand that unless they have a deep interest in the subject, although perhaps one would not read the debate if one did not. Nevertheless, variant CJD is a fatal neurodegenerative disease originating from exposure to bovine-spongiform-encephalopathic-like prions; as has been mentioned, prions are small particles of protein. Prion infections are associated with long—very long—clinically silent incubations and cause a spongy degeneration of the brain with a horrible and untimely death. By long incubation, I mean decades.

[Sir Paul Beresford]

It is also notable that it is probable, although not certain, that carriers might not produce the disease. Given the long incubation period, some will die of other causes first, but as we are living longer we cannot be certain that in time, after decades, the disease might not strike all carriers. Of course, carriers may unwittingly pass the prion on through blood transfusions and on surgical instruments.

Variant CJD is an appalling disease with no cure. The number of asymptomatic individuals with variant CJD prion infection is unknown, but recent research estimates carrier numbers at one in 2,000 adults, a strikingly small number. The disease poses a risk to others via blood transfusion, blood products, organ or tissue grafts, and contaminated medical and dental instruments. The response of this Government, and of the previous Government—with one notable exception further around the table—has been almost bipolar.

To make an exaggerated simplification, the first position in the bipolar response is the idea that as we have not had many recent cases there is no problem; let us wait and see. The second position is that there might be a problem so we should apply the precautionary principle. We cannot have both: wait and see is not a precautionary principle. I hope that when the Minister takes no action she recognises that the absence of evidence is not evidence of absence. Research says that one person in 2,000 is a carrier, the incubation period may be decades, some individuals are more susceptible and some may not be susceptible, although in time that may be proven wrong. Research also says prions are transmittable by blood products and by contaminated surgical instruments, as the prions resist sterilisation on stainless steel.

Over the years, the precautionary principle has been applied, and still is being applied, but only partially. Much has been done slowly over many years. Leucodepletion was introduced, synthesised clotting factors have been provided for haemophiliacs, the prion research unit was set up in Queen square, single-patient use of stainless steel endodontic reamers was made mandatory and non-UK blood supplies were sourced for those born after 1 January 1996.

The application of the precautionary principle indicates that the previous and current Governments accepted that there was or might be a problem. However, they have been partial in its application. The prion unit, with DuPont, have produced RelyOn soak, which deactivates the prion on stainless steel surgical instruments. The report questions the Government's position on the soak and the Chairman of the Committee has done so today as well. The Government's response on that matter was poor; I thought the last paragraph of that section was a complete dodge.

DuPont is no longer producing the soak as there is no market. There is no market simply because hospitals, clinics and surgeries in this country are not required to use it; if they were, there would be a market. DuPont and others that are developing the product might then have reason to change the soak so that it could be installed in surgery washer disinfectants, rather than being an additional stage of cleaning. In a Department of Health letter, the Government required dentists to adopt the single-patient

use of stainless steel endodontic reamers. The same approach could be applied to the soak through the Care Quality Commission.

Another major failure is in the sourcing of blood products. If one was born after 1 January 1996 and needed blood products such as a transfusion, one would get non-UK-sourced plasma that was virtually certainly prion free. If one was born before 1 January 1996, one would get UK plasma and have to pray earnestly that the donor was not the one in 2,000. Imagine having two children born either side of that date. If for some horrible reason they both needed a blood transfusion, one child would get prion-free plasma and the other would take the risk. If we had a test, we could be fairly sure about excluding the one in 2,000. Professor Collinge and his prion unit team have developed a test, which has been checked by a research programme in the US and proven not to produce false positives. The final stage of that research needs to be checked and tested on a large batch of anonymised UK blood samples, which needs funding. The test is one of our greatest hopes, but Ministers and the Department appear to me, and perhaps to the Chairman of the Select Committee, to have sent the test into the long grass of a series of committee inquiries where, if there is any daylight at the end of the tunnel, it is too far away to be seen. If we had the test, blood donors who were carriers could be winnowed out and special measures taken for surgery patients who proved to be carriers. Hence, three small requests to the Minister.

Will the Minister please ensure that the field is set up to enforce the use of RelyOn or its equivalent? If there is an opening for it, and if businesses know that it will be there, I am convinced that they will produce a non-frothing RelyOn that can go into the dishwashers—that is effectively what they are—that every dentist, hospital and clinic will soon be required to use.

I would like to be sure that the prion unit's last test will be funded, because it does not look like that will happen at the moment.

We must recognise that all patients need to be treated equally from the point of view of blood products. Either everyone has UK plasma or all get non-UK plasma. Because of the evidence, until we have a test, the first alternative is a non-starter. Until we have the test, the same precautionary approach of using non-UK blood plasma for all, regardless of date of birth, is a basic requirement.

I do not want my grandchildren to be the generation that sees the re-emergence of vCJD and to ask me, if I am still around, why my generation did not act. That is not a big ask.

3.23 pm

Frank Dobson (Holborn and St Pancras) (Lab): I start by declaring two peculiar interests. When I was Secretary of State for Health, I introduced the leucodepletion of the blood supply, which led to the establishment of the prion unit that now operates at the University college London institute of neurology in my constituency. I have therefore had a constituency interest, as well as a continuing interest, in the brilliant work of the large team run by Professor John Collinge.

The first time I saw the suggestion that variant CJD might be transmitted through blood or blood products was when I was reading a document produced by the

Department that had been sent to me in a red box to keep me occupied during the Labour party conference in Brighton. The theme of the document was that Pasteur Merieux, the French pharmaceutical company, was being difficult by refusing to accept any blood or blood products from Britain because of the possibility of contamination by variant CJD. The document then stated that, as a result, we could of course no longer guarantee that variant CJD was not transmitted through blood or blood products. At that point, my eyes popped out and I telephoned the office in London to say, "Get the experts into my room. I am coming back from Brighton this instant." The meeting included Sir John Pattison, the then head of the Spongiform Encephalopathy Advisory Committee and of the medical school at University college London, and Professor John Collinge, who was at that time at Imperial college. I was there as the representative of the ignorant layperson—I was adequately equipped for both words—but I was glad I was present.

The experts said that it was not certain that CJD could be transmitted through blood or blood products, but that it was a possibility. Some of the people at the meeting, and some of those involved in advising me afterwards, were strongly of the opinion that that was not possible. As the Committee's excellent report states, however, it was a "prescient" decision to introduce leucodepletion

"at a time when the prevailing scientific view was that blood transfusion would not prove to be a source of prion transmission."

The balance of opinion at the time was therefore against doing anything. Nevertheless, the next thing I wanted to know, even if nothing was certain, was whether and how CJD was being transmitted. The experts said, "If it is being transmitted, it is probably being transmitted in the white corpuscles, but not necessarily." I asked, "What can we do about it?" They said that in some cases we already leucodeplete—take the white corpuscles out of the blood—and that we could do that for the whole of the blood stock. I asked how much that would cost—not at that meeting, admittedly, but a week or two later—to which the answer was, "Probably somewhere approaching £100 million." Having looked at the conflicting evidence, I said, "Right, do it." I then went over to talk to the Prime Minister about several things. At the end of our little get together, I said, "By the way, I have just authorised spending £100 million on a project in the hope that it's a waste of money." I will not report his response to hon. Members because the language was more vulgar than even I use.

I freely admit that I acted as I did because I had observed the BSE crisis, when officialdom had kept punting things to all sorts of special advisory committees and God knows what, with the various Departments involved being what might be described as a decision-free zone. Nothing had been done and disaster had resulted. One of the questions that arose was, "If the disease is being spread in this way, how many people are likely to be affected?" Things that were ludicrously described as computer projections were produced, and figures ranged from about 200 people to some 2.5 million to 3 million, if I remember rightly. Again, officialdom and the expert bodies did not know much more than I did, frankly.

I nevertheless gave the go-ahead, and that has proved to be useful, according to the people who are now giving scientific evidence to the Committee and Ministers.

However, the process has been very costly, and one of my few criticisms of the report is that it gives the impression that protecting the blood supply from vCJD costs between £4 million and £4.5 million a year. Leucodepletion costs about £4 million to £4.5 million a year, but a year or two ago, which was the last time I asked a parliamentary question about this, the total cost incurred in protecting the blood supply from vCJD—I think that this was for 2011-12—was £540 million. That is because, for example, we now import plasma, whereas we used to export it. There is a substantial loss of income from our not being able to export plasma and other blood products because of people's fear of vCJD. These days, fending off vCJD certainly costs more than £600 million, in addition to, as the hon. Member for Mole Valley (Sir Paul Beresford) said, about £200 million a year on synthetic clotting factor for haemophiliacs. The interest in sorting out this matter is therefore not just clinical, not just about public decency, not just ethical and not just patient-centred, because there is a huge financial interest in sorting it out. That money could otherwise be spent on other areas of the national health service, so we need clarification and an end to the uncertainty.

The prion unit at the institute of neurology, led by Professor Collinge, has proved to be invaluable. The people there have done magnificent work. They are the people who came up with the blood test, although that test has been denied the opportunity of full-scale retesting here to try to match and outdo the testing that was arranged in the United States. If we are spending millions of pounds, quite rightly, on that first-class fundamental research at the institute of neurology, why are we indulging in that famous British lunacy of then not getting on with applying that research? That has happened in the case of the blood test.

As the hon. Member for Mole Valley said, there is also the question of the contamination of instruments. Again, it was the people in the institute of neurology—Professor Collinge's team—who came up with the initial ideas to make use of the fact that the prions cleave to metal. That was then taken further by DuPont, but it was not taken further by the national health service. If there is a threat—it is still an "if"—that would be one way of countering it, and it would not be wildly expensive.

The blood test and the instruments were, in a way, sideshows. They were about trying to do something practical and effective to help as people got on with the fundamental work of trying to come up with a treatment for vCJD, which they have now done. I have a great deal of time for the current chief medical officer, as I have had for all her predecessors—they were all people of great distinction—but she sort of said, "Well, you know, they've been given a lot of money, particularly Professor Collinge," as though he stuffed it in his back pocket and went boozing of an evening. The money has been spent. The unit invested that money—more than £90 million—in fundamental research. It has now come up with what it thinks is a treatment, but it needs £2 million, £3 million or £4 million to proceed with the pre-clinical trials. Having invested that £90 million, however, the researchers are being told, "We can't come up with the £2 million, £3 million or £4 million to see whether it works." That seems to be yet another example of British scientific lunacy: doing the fundamental research, but not getting on with applying it.

[Frank Dobson]

We therefore have the situation that the institute of neurology has come up with a blood test, instrument cleaning and treatment, none of which has been properly and effectively pursued. I am not vilifying the Minister or any of her predecessors, but quite frankly—the Committee’s report says this—if I had fallen for people saying, “Oh, we have to get 43 different scientific advisory committees to look into leucodepletion,” leucodepletion would not have been introduced, and we would all now be in a much worse situation.

We need some boldness from Ministers. If the Treasury says that we cannot find the money, I suggest that the people at the Department of Health and those with responsibility for science pick a couple of lunatic things that the Treasury is spending money on—it always has some lunatic projects of its own—and say, “We think we deserve a bit more, so you could stop doing x, y and z.” At the moment, we are in danger of, to use the old phrase, spoiling the ship for a ha’p’orth of tar. I cannot think of any rational organisation that would invest in deploying immense expertise over a long period of time, spending £90 million, but then say, “We can’t find £3 million or £4 million to test out the effectiveness of what has been produced.” I hope that Ministers will accept that they are looking stupid, and the worst thing that anybody can do is look stupid. I am an advocate of non-stupidity, if we can possibly have it.

3.38 pm

Luciana Berger (Liverpool, Wavertree) (Lab/Co-op): It is a pleasure, as always, to serve under your chairmanship, Sir David. I thank the Chair of the Select Committee on Science and Technology, my hon. Friend the Member for Ellesmere Port and Neston (Andrew Miller), and the other Committee members for their extremely thorough and valuable report, and for ensuring that we have the opportunity to debate this important issue.

I think that we all agree that variant Creutzfeldt-Jakob disease is a deadly illness around which many uncertainties remain. The report “After the Storm?”, the Government’s response and this debate are welcome contributions to parliamentary and public understanding of vCJD, transfusion and prion diseases, and the Government’s action in response to those risks.

The history of blood transfusion in this country is impressive and important. The principle of freely given, unremunerated blood donation operating within the NHS, free of commercial considerations, has served this country well. It was Richard Titmuss who famously described that arrangement as “the gift relationship” and blood as

“a bond that links all men and women in the world so closely and intimately that every difference of colour, religious belief and cultural heritage is insignificant beside it.”

We have come a long way since the UK’s first voluntary blood service was founded by the British Red Cross to help the treatment of servicemen in 1921. Today, approximately 2.2 million whole blood product donations are made in the UK each year and screened for a variety of different pathogens. Those donations are tested, processed and distributed by one of the country’s four blood services. The success of the system hinges on an assurance of the very highest level of safety and risk avoidance. Sometimes, an element of honesty is important

on the part of the potential donor, but even more important are procedures to protect recipients of blood and blood products from risk. We should be proud that our UK blood supply has been proven to be extremely safe. In the vast majority of cases, the benefits of receiving a transfusion far outweigh the risk of acquiring a transfusion-transmitted infection.

Sadly, however, we have reached that point only after significant tragedy. Last week, the House debated a report by the all-party group on haemophilia and contaminated blood that looked at support for the thousands of haemophiliacs who were treated with blood that carried the hepatitis C virus in the 1970s and ’80s. In the ’80s and early ’90s, contamination of the UK blood supply with HIV led to a further 1,200 infections. Since those tragedies, all UK blood donations have been tested for HIV and hepatitis C. Those experiences are relevant to this debate, because the safety measures were implemented only after those mass infection events.

The report “After the storm?” makes a helpful distinction between the known risks that can be well mitigated and the known risks that cannot. Our existing blood safety measures are largely focused on the known risks that we can easily mitigate through measures such as testing and screening. Unfortunately, as we have heard, prions, which are responsible for variant CJD, are invulnerable to those methods, so we need to develop new ways to mitigate those risks. The key question that we have debated today is how far the Government should prioritise such research and development.

It is extremely difficult to draw conclusions, because so many uncertainties remain. However, there are several things that we know. Although it is extremely rare, variant CJD is invariably fatal, and most people die within a year of first experiencing symptoms. Recent studies indicate that tens of thousands of people in the UK could be silent carriers of the prions responsible for the disease, and they may transmit those prions to others. Cases of transfusion-transmitted variant CJD are known to have occurred although, as has been pointed out, that happened 15 years ago. The Government have acknowledged that risk.

Currently we do not use a test to detect the presence of prions, but there are emerging technologies that could mitigate the risk, such as prion filtration and the prototype variant CJD blood test. It is natural to hope that the Government will adopt a precautionary approach and support the development and introduction of technologies that have the potential to mitigate those risks. The report “After the storm?” makes concerning reading in that regard. I take on board the Government’s response that they have not reduced any of the significant steps taken since the late 1990s to reduce the potential for secondary transmission. It is also welcome that the Department continues to allocate its only ring-fenced research budget to research related to prion disease, but the question is whether that is sufficient. In her covering letter to the Government’s response to the report, the Minister wrote:

“There are competing research priorities for our limited funding”. That must be true, but surely there can be no greater priority than assuring the safety of patients receiving blood transfusions.

The Science and Technology Committee examined several possible technologies that might be developed to militate against the transfusion of variant CJD, and I

will discuss some of them briefly. The Chair of the Science and Technology Committee, like the hon. Member for Mole Valley (Sir Paul Beresford) and my right hon. Friend the Member for Holborn and St Pancras (Frank Dobson), spoke about those technologies, but I have further questions about them for the Minister. The development of a test for the presence of the prion is of enormous importance, given that data suggest that the prevalence of sub-clinical disease and infection may be as high as one in 2,000 people. Although this is disappointing, I appreciate that the Government may not be in a position to commit to a prevalence test yet. It is welcome that they have committed to seeking the views of the transmissible spongiform encephalopathy sub-group of the Advisory Committee on Dangerous Pathogens on the scientific and technical issues involved in developing such a test and on the potential value of a blood prevalence study. I would welcome an update from the Minister on how that work is progressing and when the Government will be in a position to make a decision about the value of a prevalence study.

The report examined ways to mitigate the risk of transmission of prions by surgical instruments and the Committee expressed concern about the implementation of guidance on the decontamination of surgical instruments. It is indeed alarming that such concerns exist. As we have heard from the Committee Chair and the hon. Member for Mole Valley, it should be part of local clinical governance arrangements that such a fundamental patient issue should be dealt with, reviewed routinely and reported to the board of the trust.

The Government stated in their response to the very reasonable recommendation of the Science and Technology Committee:

“Accordingly, the Department will discuss with the CQC the need for the implementation of decontamination guidance to be addressed in its regulatory activity”.

I find that use of the word “discuss” a matter for concern. Decontamination should be mandated, inspected and assured. Patients might find it worrying that all the Department of Health is prepared to do is to “discuss” with the CQC the need for action on the matter. I would be grateful for the Minister’s assurance that the proper sterilisation of medical instruments will be dealt with as a matter of urgency.

Sir Paul Beresford: To be fair, I think that the hon. Lady should recognise that the RelyOn is not in a state in which it can be simply used. It is a wash, but if the opportunity was there, it might well be developed for the market so that it could be put into washer-disinfectors. I think that that is perhaps what the discussion is about.

Luciana Berger: I thank the hon. Gentleman and hope that the Minister will deal with that point. She could perhaps directly task the newly appointed regional public health directors of Public Health England to review instrument sterilisation in all trusts and report directly to her on the matter.

Prion filtration is another possible method of mitigating the risk of transmission of variant CJD. That is the process through which prions are physically removed from blood through the use of highly specific resin ligands. After recommending the use of the technique in 2009, the Advisory Committee on the Safety of Blood, Tissues and Organs decided in 2012 to rescind its initial

recommendation, so prion filtration has not been adopted in the UK. The scientific decision making of the committee must of course be respected, so I do not seek to challenge its decision, but the Select Committee’s report raises important questions about the process that is followed through such reviews, and makes some important recommendations.

The report recommends, for example, that the health technology appraisals conducted by the advisory committee should use the same methodology and meet the same high standards as those undertaken by NICE, the UK’s centre of excellence for that activity. The Government have said that work to explore the differences in appraisal methodology between NICE and other health-related bodies, including the Advisory Committee on the Safety of Blood, Tissues and Organs, is being carried out through an appraisal alignment working group. I reiterate the question asked by my hon. Friend the Member for Ellesmere Port and Neston: will the Minister please give us an update on how the work is progressing and when the group will report?

The “After the storm?” report raised concerns that the scientific advisory committees are not currently independent of the bodies to which they provide advice. In response, the Government also said that they would review the terms of reference of the Advisory Committee on the Safety of Blood, Tissues and Organs and ensure that they are clarified appropriately. They said that the advisory committee is planning to amend its code of practice so that future working groups and sub-groups will not be chaired by someone who holds a senior policy-making position in an organisation if the topic under consideration relates directly to that organisation’s interests or activities. Has that work now been completed?

We should all agree that protecting the public from potential harm by transmission of the prion that causes variant CJD—or, indeed, from the transmission of any serious threat to health via our blood service—should be given the highest priority. The Science and Technology Committee has raised valid concerns that some recent Government decisions signal a change from the precautionary approach to variant CJD risk reduction of the late 1990s to a more relaxed approach today. As we have heard, significant questions remain, so I look forward to the Minister’s response.

3.49 pm

The Parliamentary Under-Secretary of State for Health (Jane Ellison): It is a pleasure to serve under your chairmanship, Sir David. Sadly, I have been left with less time than any of the other hon. Members who have spoken in the debate to respond to the questions put to me, but I will do my best.

Sir David Amess (in the Chair): Order. The debate goes on until 4.30 pm.

Jane Ellison: Marvellous. My mistake. In that case, I have plenty of time.

In case there is anything I cannot cover in my remarks, I should point out that we have already committed to write to the Committee with a further update before the end of the Session. There are issues where we will have more to report, and I will focus on a couple of specifics today.

[Jane Ellison]

Let me start by thanking the Committee for the opportunity to look at the issue again. May I also apologise for the fact that I am holding my notes so far away from me? I have left my glasses at home.

Frank Dobson: Would you like to try mine?

Jane Ellison: Let's see how I get on, although I thank the right hon. Gentleman for that kind offer.

First, let me reiterate—I said this in the evidence sessions, but perhaps we did not stress it enough in responding to the Committee—that there is no hint of complacency over the issue on the part of the Government, the Department of Health, me, the chief medical officer or anyone else, although I understand why that question mark is in the title. I would hate for my optimism about our perhaps being in a better place than we were to be characterised in any sense as complacency or as not wanting to keep this area under careful review.

In that respect, I want, like other contributors to the debate, to mention the number of cases. We have had one UK case of vCJD since 2010. The UK's annual mortality rate per million for all forms of CJD from 1993 to 2012 was 1.1, which, I am pleased to say, is lower than that in France, Spain, Germany and Italy. On secondary transmissions, there is no evidence of any person-to-person transmissions via blood since 1999, as was said in the debate. There is also no evidence of any person-to-person transmissions via surgery or dentistry. However, I accept that the fact that there is no evidence does not mean there is no challenge.

On Government funding, the shadow Minister, the hon. Member for Liverpool, Wavertree (Luciana Berger), referred to the ring-fenced budget. The Department of Health has provided more than £95 million for CJD studies since 2001. It is funding 18 CJD-related research projects with total investment of about £45.5 million. In 2011, it was estimated that about £500 million had been spent on prion-related research.

Professor Collinge has been mentioned. His advocates are here in the form of hon. and right hon. Members who are familiar with the work done by him and his unit. The Department of Health has provided more than £16 million of research funding to the National Prion Clinic, led by Professor Collinge, since 1996. The Medical Research Council continues to provide £6 million annually to fund the MRC prion unit, which is led, again, by Professor Collinge. Members have said that that has been said before, but it is important to stress that it is the context in which the Committee's report was written.

There was perhaps a slight lack of generosity in the way some contributions to the debate characterised the attitude of the Department and the Government, and I want, therefore, to make two general points about science. I rather disagree with the point made by the right hon. Member for Holborn and St Pancras (Frank Dobson) that if we have spent an awful lot on theoretical research, it follows that we must always seek to apply it. It would be slightly dangerous always to adopt that principle, because that would make the funders of research far more risk-averse. If there was an obligation to put into practice every piece of research one had backed, there would be an inclination to back away from the more

risky pieces of research and to back only the winners. That is just a comment on the principle; it does not necessarily relate to this issue.

The second point I hope colleagues would concede is that there is surely a difference between having one set of scientists look at something and then another set of scientists look at it and reach different conclusions and recommendations, and being in any sense complacent. A lot of different people with great scientific knowledge have advised Ministers over the years and have sometimes come to different conclusions or made different recommendations. It is important to stress that in all the ways in which we have responded to the report we have been guided by some very senior scientists. I want to put that on the record.

Frank Dobson: Will the Minister confirm that none of the scientific advisers has advised her or any other Minister that the John Collinge treatment proposals would not work or ought not to be tested?

Jane Ellison: I will say a few words about some aspects of the Collinge work later, but I want to focus on giving an update on some of the work on the assays.

Sir Paul Beresford: In the early days of research, a number of different tests were brought forward. To my knowledge, all have fallen by the wayside bar one. Have any of the 18 research projects come up with tests that look fruitful?

Jane Ellison: I will come on to talk about the assay in some detail.

Andrew Miller: I find the Minister's remarks somewhat surprising. As I said in my opening remarks, the Government response alluded to unspecified "technical issues" that they would refer to the relevant advisory committee, but that committee had already recommended that the study should go ahead.

Jane Ellison: I will update the Select Committee further. We have already committed to submit an additional piece of work before the end of the Session.

I will say a few words about the work undertaken so far. The chief medical officer and I gave evidence to the Committee last April. The report was published in the summer and the Government response in October. In that response, the Government committed to responding with a further update report to the Committee. I subsequently received a letter from the Committee with more than 20 further questions, to which I responded in November. The Select Committee then held a legacy hearing on 3 December at which Professor David Walker, the deputy chief medical officer, and I gave further evidence.

I am extremely grateful to all members of the Committee who have put the issue on Parliament's agenda and maintained a close interest in it, something that has been clear to me in the relatively short time I have been in post. I will write to members of the Committee, as we have undertaken to do, before the end of March with further updates on some work. That will include an update on the CQC issues that have been raised, which I will not give an update on today.

Let me focus on the potential use of the vCJD blood test. In the response, we made a commitment on that, so I can focus largely on it today. There is the potential to use a prototype variant CJD blood assay, developed by Professor Collinge and his team. He leads the relevant unit, and as hon. Members might know, the MRC is concluding its latest quinquennial review of that unit.

I am pleased to report that—along with two of my Public Health England officials, Professor Noel Gill and Dr Katy Sinka—Professor Marc Turner and Dr Lorna Williamson, the medical directors of, respectively, the Scottish and the English national blood services, met Professor Collinge and his team in October 2014 to discuss the potential use of the prototype assay. At the meeting on 13 November 2014 of the transmissible spongiform encephalopathy sub-group of the Advisory Committee on Dangerous Pathogens, Professors Turner and Gill presented a paper on the possibility of using the assay to carry out an anonymised blood prevalence survey for asymptomatic vCJD, as recommended by the Select Committee.

Members might recall that the ACDP is the independent scientific advisory committee that provides the Government with authoritative advice on all forms of TSE, including all forms of CJD. During the presentation to the sub-group, the professors asked three specific questions. I will update Members on those questions and the ACDP's responses.

First, with a view to the ability of the assay to detect sub-clinical vCJD infection in otherwise healthy individuals, the ACDP was asked if it had confidence in three qualities of the assay. The first was sensitivity, which is the ability of the assay to give true positive results; in this case, that is the true number of asymptomatic cases that the test could identify in any population. The second was specificity, which is the ability of the assay to give true negative results; in this case, that is the true number of unaffected individuals that the test would identify in any population. The third was reproducibility, which is the ability of the assay to be reliably and repeatedly reproduced outside the centre in which it was developed.

Basically, that process would be to find out whether the assay could be used to identify people with asymptomatic infection, and those who showed no clinical signs of vCJD but who would be presumed at some stage to be potentially infective and/or go on to develop clinical symptoms. My hon. Friend the Member for Mole Valley (Sir Paul Beresford) said that symptoms could develop over a very long period.

The ACDP's sub-group discussed the issue and agreed that the answer to the first question had to be no, because it has seen no published data on the assay when used in any human or animal samples from individuals without clinically diagnosed disease. Members might recall the February 2011 paper in *The Lancet* that first gave detailed information on this assay. That paper provided evidence that the assay can give, in seven out of 10 cases, a positive result in blood samples taken from patients with known and clinically diagnosed vCJD. Unfortunately, however, that is not what we need if we are looking for evidence of vCJD in those with no clinical signs. There is no published evidence that provides assurance that the assay, if used in the general population, would give true positive results in those who might be carrying the infection but are asymptomatic.

If a test for this very rare disease—it has been noted that we have had only 14 new cases in the UK since 2005, and only one was after 2010—is used in presumed healthy individuals, it is essential that it is accurate. We have no evidence that the MRC assay can identify vCJD infection in an asymptomatic individual. Those in Westminster Hall with a keen interest in science will understand that undertaking a test of large numbers of individuals when we do not know what a test result means—either for those individuals or, as in this case, for the development of effective public health measures—is not the best use of limited resources.

The second question that the ACDP was asked—

Sir Paul Beresford: Of course, the results would be anonymised, so the effect on individuals would not be apparent.

Jane Ellison: Let me move through the second question; I will be very happy to pick up on any further things in my additional response to the Committee.

The second question that the ACDP was asked was whether it would replace its current UK prevalence estimate of 1:2,000, which is based on data generated by a blood study using the MRC Prion Unit assay. In response to that second question, the ACDP also agreed that the answer to the question—whether to replace the current prevalence estimate—was no. It gave that answer because it is uncertain as to what the blood assay would measure in a general population. Even in the event that a prevalence result lower than the current 1:2,000 figure was found, the precautionary principle, which the Select Committee rightly emphasised in its report, would still apply and the 1:2,000 figure would continue to be used.

Thirdly, given its negative answers to the first two questions, the ACDP was asked what further data it would need to develop confidence in the outcome of any study using the assay. In summary, it suggested that in the first instance the assay developers work with the National Institute for Biological Standards and Control, and with others, to show that the assay can be used to identify asymptomatic infection, and with the blood services to develop the throughput of the assay. If that work progresses successfully, the ACDP will, of course, look again at the issue and we will take its advice on any potential use of the assay.

I turn briefly to the RelyOn issue, as it has been raised. RelyOn is the protein removal soak developed by DuPont, which Members have discussed. Members will recall that this technology has been fully considered by the Rapid Review Panel, which assesses new products that may be of value to the NHS in improving infection control, on two occasions.

Although the RRP raised specific points on the application of the product in practice—my hon. Friend the Member for Mole Valley well described the challenges around it being a soak—it considered that it would be a “useful addition to available decontamination products”

if it could be correctly formulated. Obviously, it is for the developers to make a commercial decision to market the product, although I have noted what has been said about where DuPont is with that. It is not within the remit of the RRP to influence procurement and the uptake of products in the NHS, but we would always be willing to discuss with manufacturers the potential for adoption of all effective technologies.

[Jane Ellison]

The Minister for life sciences, my hon. Friend the Member for Mid Norfolk (George Freeman), takes seriously the ensuring of rapid access to innovative therapies. It is a large part of his portfolio, and that is why he launched the major review of the pathways for the development, assessment and adoption of innovative medicines and medical technology. That very much goes to the point made on whether the process can be speeded up to make it more easily usable.

The review will consider how to speed up access for NHS patients to cost-effective new diagnostics, medicines and devices. It will set out short and long-term options for action by the Government and relevant bodies, including the National Institute for Health and Care Excellence, the Medicines and Healthcare products Regulatory Agency and NHS England. That will make a major contribution to the policy debate and may well answer some of the points made on this piece of technology.

Sir Paul Beresford: I thank the Minister and apologise for being persistent. DuPont undertook the work because it thought there was a market. When the Department backed away from the market and it became apparent that, if developed, the product was not going to be put through as a requirement, perhaps through the Care Quality Commission, DuPont stopped. There was no market and no interest, so it stopped the project.

Jane Ellison: I understand the point. We have debated it before, and it was explored in the meeting with him and Professor Collinge. As I said, the Department was happy to discuss the potential for adoption with manufacturers, but the hurdle was the Rapid Review Panel's rating. That work is ongoing and has moved on in the past year or so. The new Minister for life sciences acknowledged that there are sometimes challenges around the adoption and the speed with which large organisations can adopt these things, and I am happy to keep Members updated on that work.

There is a well established process whereby the Rapid Review Panel assesses potentially useful products. Those achieving a level 1 rating are suggested as suitable for NHS use. It was acknowledged by the DuPont representative on 5 March that RelyOn had reached only the level 2 rating and more work was needed. It would be unfair on the manufacturers of other level 2-rated products to change unilaterally the RRP processes for one product. As it stands, it is not formulated in a way that could be used in standard NHS decontamination processes.

In my remarks, I have offered a potential route forward and an assurance that the area is being carefully looked at by my colleague the Minister for life sciences. He is looking not only at soaks, but devices, other diagnostics and other medicines. I am happy to draw to his attention the view of the Committee and other Members that this product might be an example of where adoption has been delayed or held up.

We have undertaken to give the Committee a detailed update before the end of March on the other points that have been raised. I thank the Committee again for bringing this subject for debate. I am glad I have had

another chance to put before Members some of the recent and ongoing developments and to commit to continuing to use our extensive research strategies. I stress, particularly to the Chair of the Committee, how seriously this Government and successive Governments have taken the subject. It was interesting to hear some of the history from the right hon. Member for Holborn and St Pancras. We will update Members shortly.

Thank you, Sir David, for giving me the opportunity and reminding me that I had time available to respond in a little more detail than I thought I could. I thank you, the Committee and Members who have attended the debate.

4.10 pm

Andrew Miller: I thank right hon. and hon. Members for participating in the debate, which has been about a hugely important subject.

I respect the integrity of the Minister on this matter. She needs to be probing some very serious questions. I hope that she insists that her officials get those responses to the Committee and to Members participating in the debate as quickly as possible; it would be unfortunate to leave such an important issue simply hanging because we had the small matter of a general election campaign coming up.

Any chemical assay evolves. I developed some techniques in the world of geology years ago. When I was in Imperial college earlier on, in the school of mines—admittedly speaking to the Labour club—I was reminded of some of the work that I did when I did a proper job a long time ago. Some of the analytical techniques that we were developing then, from a theoretical basis and given the knowledge available to us at the time, have been refined to a very high degree since then because of the development of techniques and technology. Brushing aside issues around the assay on the three questions that the Minister posed is not a satisfactory way forward.

I have heard the story told by my right hon. Friend the Member for Holborn and St Pancras (Frank Dobson) before—of how he told Prime Minister Blair as he left the room about spending £100 million, and the language expressed at that point. However, it takes courage in a Minister and necessary leadership to get things to happen. The hon. Member for Mole Valley (Sir Paul Beresford), too, has been absolutely consistent and persistent in his views and I congratulate him on that.

Given the short time available, it might be sensible if I used the Minister's good offices to set up a meeting between me, and perhaps other Members participating in the debate, and the life sciences Minister, because some of the issues are worth pursuing.

I remind the Chamber of the conclusions and recommendations of the report. We start:

“Blood transfusions save lives and we should be proud, as a nation, of our long tradition of altruistic donation”—

a point made by my hon. Friend the Member for Liverpool, Wavertree (Luciana Berger), the shadow Minister.

The report is intended not as a scare story, but to increase enthusiasm in participating in this altruism, so that the next generation of people requiring blood products can be confident that they are safe. There is no politics in that. It is a question of driving the science

forward, which should not be done simply on the basis of a cost-benefit analysis in the Department of Health. We ought to look at the costs at a societal level.

We have met people in tragic circumstances who have suffered diseases—not only vCJD, but others—as a result of contaminated blood products. The tragedies that they represent, although small in number, carry an enormous cumulative cost to society. We have a moral

responsibility to those people to address such very challenging issues. I thank the Minister for her contribution, but ask her to go much further in this hugely important debate.

Question put and agreed to.

4.15 pm

Sitting adjourned.

Written Statements

Thursday 29 January 2015

BUSINESS, INNOVATION AND SKILLS

Higher Education

The Minister for Universities, Science and Cities (Greg Clark): The Government are taking a number of steps to secure improved standards among alternative providers of higher education.

Britain's system of higher education is renowned worldwide for its high quality, a reputation that continues to strengthen as demonstrated by the results of the recent research excellence framework. It is essential that this reputation for quality continues to strengthen in all parts of the sector.

Among alternative providers of higher education some institutions contribute strongly to this reputation through exceptionally high levels of student satisfaction and the employability of graduates.

As the National Audit Office (NAO) has shown, some, however, have raised questions over the consistency of the delivery of quality provision to appropriately qualified candidates by some alternative providers.

The Government have already taken a number of steps to tighten standards among such providers, such as requiring, in 2014, all alternative providers to re-apply to be designated using a more robust designation process.

We will now take the following further steps to provider greater assurance of quality specifically:

Alternative providers will need to be re-designated every year, rather than remaining designated indefinitely. This will not apply to the seven providers with degree-awarding powers that have courses designated for student support.

As a condition of designation providers will undergo a strengthened quality assurance process, higher education review, which will apply to all higher education providers and be the common review framework of the Quality Assurance Agency for Higher Education in England.

From now on alternative providers will be required to have registered any student with the relevant qualification awarding body before a claim for tuition fee support for that student can be made.

A "fit and proper person" test will apply to all directors of alternative providers as a specific requirement of the annual designation process, in line with practice in the publicly funded sector. Changes of directors, or their circumstances, will need to be notified during the year, as well as at the annual designation point.

Alternative providers will be required to submit information on students' previous qualifications, demographic characteristics and achievements. This information will be published through the Higher Education Statistics Agency.

Subject to consultation we intend to introduce a minimum English language requirement to ensure that students studying for qualifications at alternative providers have sufficient language skills to succeed at their course.

We will require alternative providers, subject to consultation, to provide students with good quality information on: student satisfaction ratings, graduate salaries and employment, tuition fees, financial support and the cost of accommodation—through the key information set, which already applies to HEFCE-funded providers.

We will remove the student number cap from the seven providers with degree-awarding powers that have courses designated for student support, and allow providers offering validated degrees the flexibility to increase the number of

students they recruit by up to 20% in 2015-16. We will retain the cap on all other alternative providers. From 2016-17 we will allow providers with a strong performance to expand, while reducing student numbers for other providers.

A rapid response investigatory team has been established, headed by the Government Internal Audit Agency and including the Student Loans Company, HEFCE, the Quality Assurance Agency and BIS. The team will be able quickly to investigate allegations of abuse of the system.

Pearson, whose qualifications are delivered by some of the alternative providers about whom the NAO have expressed concerns, have strengthened their internal quality assurance process, introducing annual approval and student re-registration and increasing the level of proficiency in English required of student entering higher national courses.

Taken together these measures will improve the assurance that only quality alternative providers can be designated, that they recruit only students who are suited to their courses, and that student numbers in alternative providers are at appropriate levels in each provider.

The Government are determined to ensure that the strong reputation for quality in UK higher education continues and strengthens.

[HCWS239]

COMMUNITIES AND LOCAL GOVERNMENT

Local Government Update

The Parliamentary Under-Secretary of State for Communities and Local Government (Kris Hopkins): I would like to update hon. Members on a series of announcements relating to local government.

Promoting joint working with NHS and councils this winter

The Coalition Government are committed to greater joint working between our local public services, to help save money and improve frontline services.

From April 2015, through the £5.3 billion Better Care Fund, we are starting to transform the way we deliver health and social care services, so that they provide a properly joined-up service for patients. It will prevent up to 160,000 A and E admissions and save over £500 million in the year ahead. We have approved 97% of the local Better Care Fund plans, and the final few plans are being reviewed now.

Ahead of its April introduction, and in light of the expected cold winter, to help further promote joint working, we are announcing a total of £37 million of additional funding to local authorities, so that they can step up their efforts to get people home as soon as they are ready to leave hospital, and avoid the need for people to go into hospital in the first place.

A total of £25 million of this will help over 9,500 people with additional support packages to move from hospital either back to their home or into residential care; the further £12 million will mean up to 3,500 more people a week will get home from hospital more quickly this winter, with the local authority putting in place carers and equipment to meet their needs, freeing up much-needed hospital beds within the NHS.

Social services have to be part of the solution to the high demand on hospitals at the moment. We know that they can help by getting people home more quickly when it is safe to do so once they have been discharged. We also know that the best social care can prevent

people from having to go to A and E in the first place by supporting the elderly to live with dignity and independence at home.

Extending local business rate retention

The Coalition Government have introduced new financial incentives to councils to support locally-led enterprise and economic growth, as part of our programme of decentralisation and as part of our long-term economic plan.

Since 2013, local government has kept half of all business rate revenues and business rate growth. But we want to go further over time to increase these incentives.

Last year, we announced proposals to allow 100% local retention of business rates on shale oil and gas sites. In October, we published a technical consultation on draft regulations to implement this measure. We received 25 responses. A majority of those supported retention of 100% of business rates on shale oil and gas by local government. Having considered the responses we have decided to continue with our proposals as set out in the technical consultation. This policy will ensure that local councils that host shale oil or gas sites can benefit from millions of pounds in business rates paid. The measure could be worth up to £1.7 million for a typical site and will be funded by central Government.

Shale will help to improve energy security, create jobs and meet carbon targets benefiting the UK through improved energy security and economic prospects. Local councils and communities have an important part to play in securing those improvements and we believe they should also share in the economic opportunities and benefits of shale. Tough environmental protections are in place, and are being further enhanced as announced to the House during the Infrastructure Bill on Monday.

The associated secondary legislation has been laid before Parliament, and the responses to the consultation published. Subject to Parliamentary approval, the provisions will come into force in April 2015.

Promoting recycling and protecting the local environment

The Coalition Government are committed to making it easier for families to recycle, whilst avoiding unfair stealth taxes on hard-working people.

The Government are aware that some local authorities have introduced, or plan to introduce, a charge to local taxpayers wanting to use civic amenity sites to dispose of household waste and/or household recycling. This is in clear breach of the previous legislative provisions passed by Parliament to ensure that such services are provided free of charge to householders.

Such short-term stealth taxes will not only inconvenience local residents and reduce recycling, but will actively harm the environment, by encouraging fly-tipping and backyard burning. In the Republic of Ireland which has a series of taxes on household waste collection, the domestic burning of household rubbish is the biggest single source of the emission of toxic dioxins into the air. Such pollution crosses local authority boundaries, creating a wider externality and harm to the public good.

We have therefore published proposals to close down the legislative loophole and reinstate the original principle that Parliament established, that such public goods should be free to local taxpayers. A short, statutory consultation paper has been published, and subject to

due consideration of the responses, we are minded to introduce the necessary secondary legislation in this Parliament.

Curtailing powers of entry

The Coalition Government have sought to stand up for civil liberties, including curtailing unnecessary state powers of entry, stopping the abuse of surveillance powers and curbs on the use of CCTV as “cash cameras”.

Using powers under the Protection of Freedoms Act 2012, we propose changing the law that officials from the Valuation Office Agency, an arm of HM Revenue and Customs, should no longer have automatic right of entry into homes and businesses in order to value them for council tax and business rates. A tribunal will now scrutinise and need to approve any use of the VOA's power of entry. It is proposed to change the law through secondary legislation in this Parliament, subject to approval by Parliament. A statutory consultation has been published.

This complements the steps we have taken to stop a council tax revaluation in England and terminate the tax revaluation database to protect hard-working people from unwanted tax rises.

Increasing local accountability in decision making

The Coalition Government have introduced a series of measures to increase local accountability and transparency in local government. Decentralisation should be accompanied by greater local scrutiny.

We are now publishing a short technical consultation on proposals to reform, update and consolidate the “functions and responsibilities” rules in local government law. These provide a framework and guidance on which part of a local authority should be ultimately responsible for taking decisions, across committee, cabinet and mayoral systems, across the accumulated body of local government law from the 19th century onwards.

The consultation includes proposals to make clear the important role of Full Council in relation to budget setting in non-mayoral cabinets, as well as greater scrutiny by Full Council on the controversial issues of parking and waste collection. This framework provides a democratic check and balance to prevent the abuse of executive power, and ensure elected local councillors are able to represent the views of their local residents.

Protecting an independent local press

The Coalition Government are committed to protecting an independent free local press. Localism and a healthy local democracy requires not just scrutiny by councillors, but also by the press and public.

The Government have sought to take action on the practice by a small number of local authorities to publish local authority newspapers, which push out and undermine an independent press, and which constitute an inappropriate use of taxpayers' money.

Further to the Written Statement of 13 October 2014, *Official Report, Column 2WS*, we have warned a small number of councils about their breaches of the local government publicity code. Today, I can announce the conclusions to date of the review into the actions of the Royal Borough of Greenwich Council.

On 25 September 2014, the council was served written notice of a proposed direction requiring it to comply with the provisions in the March 2011 Code of Recommended Practice on Local Authority Publicity relating to frequency of publication of council newsletters, newssheets or similar publications.

Having had regard to representations received from the council about its publicity - specifically the newspaper produced by the council, to information available to him about the Royal Borough of Greenwich council's publicity, and to an Equality Statement about enforcing the 2011 Code of Recommended Practice on Local Authority Publicity, the Secretary of State today gave the Royal Borough of Greenwich council notice of a direction that he proposes to give to the authority under section 4A of the Local Government Act 1986, directing it to comply as soon as practicable and in any event by 31 March 2015 with the provision in the March 2011 Code of Recommended Practice on Local Authority Publicity that: "Where local authorities do commission or publish newsletters, news sheets or similar communications, they should not issue them more frequently than quarterly".

The council has 14 days to make written representation to the Secretary of State about the proposed direction. Following this, the Secretary of State will take his final decision about whether or not to issue the direction. Subject to due process and consideration, we are prepared to use our formal legal powers to intervene wherever it is in taxpayers' interests and those of a free and fair local democracy. If the local councillors wish to issue their own weekly material at their expense or those of their political party nothing prevents this, other than prevailing electoral law.

We have been carefully considering the representations from those other local authorities that received written notices on 25 September 2014 before deciding what action to take, and will make further, separate announcements to the House shortly on the individual cases. Each decision will be taken on its own merits.

I will be placing copies of the documents associated with these announcements in the Library of the House.

[HCWS240]

DEFENCE

Gurkha Welfare

The Minister of State, Ministry of Defence (Anna Soubry): The Government would like to thank the hon. Member for Thurrock (Jackie Doyle-Price) and the All Party Parliamentary Group (APPG) on Gurkha Welfare for leading an inquiry into grievances held by members of the Gurkha veterans' community. This inquiry has provided the Gurkha veterans' community an independent forum within which their grievances have been listened to, considered and ultimately debated in Parliament. The Government would like to pay tribute to the manner in which the Gurkha community have participated in this unique inquiry and taken the opportunity to present evidence about the grievances which some hold.

In response to the inquiry's findings the Government will implement a number of measures which will mean greater financial and social support for Gurkha veterans from both the Government and the charitable sector. These measures include the provision of £5 million of additional funding from LIBOR fines announced in the

autumn statement. This money will be made available over the next five years to the Gurkha Welfare Trust, a charity which supports Gurkha veterans. This funding will be able to support the provision of additional care and support for Gurkha veterans in Nepal or the UK.

The Government will also set up a fund to compensate retired Gurkhas who left the brigade after marriage to a non-Nepalese. The Government recognise that the approach to mixed marriage was a matter of cultural importance to those within the Brigade of Gurkhas at the time. However they do not believe this policy reflects the values which the Armed Forces and the United Kingdom holds in the 21st century. They have therefore decided to set up a scheme to offer a payment to those directly affected by this policy. Details of the scheme and how Gurkhas can claim will be published in due course.

In addition to these measures in response to the APPG report, the Government have also awarded £960,000 to Gurkha Homes Limited. This money is from the £40 million Veterans Accommodation Fund launched in 2014 using money from LIBOR fines. This will see 32 new homes built in four locations across the UK for Gurkha veterans. This will enable up to 64 Gurkha veterans and their spouses or partners to live in high quality affordable accommodation while integrating into local communities.

These commitments are a clear demonstration that the Government are willing to address previous injustices and concerns held within the Gurkha community where it is appropriate to do so. It is also a statement of the enduring gratitude felt by the nation to the Gurkha community for their service. These measures will help to ensure that Gurkha veterans have the opportunity to live in retirement with the further support and gratitude of the British Government.

The Government's full response has been placed in the Library of the House.

[HCWS234]

FOREIGN AND COMMONWEALTH OFFICE

Afghanistan

The Secretary of State for Foreign and Commonwealth Affairs (Mr Philip Hammond): I wish to inform the House that the Foreign and Commonwealth Office, together with the Ministry of Defence and the Department for International Development, is today publishing the forty-third progress report on developments in Afghanistan since November 2010. With the conclusion of the NATO led ISAF Mission on 31 December 2014, this will be the final progress report.

On 4 December the UK Government and the Afghan Government co-hosted the London conference on Afghanistan. At the conference, President Ghani set out his reform agenda for Afghanistan and the International Community, led by the Prime Minister, signalled its strong support for the new Afghan Government.

The Bilateral Security Agreement (BSA) and NATO Status of Forces Agreement (SOFA) were ratified by the Afghan Parliament between 23-27 November. NATO

Foreign Ministers provided formal agreement to the launch of the new NATO Resolute Support Mission on 2 December.

During November and December President Ghani and CEO Abdullah failed to agree on nominations for Cabinet Ministers. A Cabinet was finally announced on 12 January.

On 27 November, a British Embassy vehicle was attacked in Kabul, resulting in the death of a UK national security contractor and an Afghan member of British Embassy staff. An Afghan civilian was also killed in the attack. A further UK civilian was wounded as well as 33 Afghan civilians.

The last UK personnel left Southern Afghanistan on 23 November.

I am placing the report in the Library of the House. It will also be published with attachments online at: <http://www.gov.uk/government/publications/afghanistan-progress-reports>.

[HCWS238]

Foreign Affairs Council

The Minister for Europe (Mr David Lidington): My right hon. Friend the Secretary of State for Foreign and Commonwealth Affairs attended the Foreign Affairs Council on 19 January in Brussels. The Foreign Affairs Council was chaired by the High Representative of the European Union for Foreign Affairs and Security Policy, Federica Mogherini.

Johannes Hahn, Commissioner for European Neighbourhood Policy and Enlargement Negotiations, Dimitris Avromopoulos, Commissioner for Migration, Home Affairs and Citizenship, and Miguel Arias Canete, Commissioner for Climate Action and Energy were in attendance for some of the discussions at the FAC.

A provisional report of the meeting and conclusions adopted can be found at:

<http://www.consilium.europa.eu/en/meetings/fac/2015/01/19/>

Russia

Ministers discussed relations with Russia in restricted format. The High Representative, Federica Mogherini, highlighted the need for the EU to remain united in its support for Ukraine, financially and politically. Full implementation of the Minsk agreement was essential to de-escalate the situation in Ukraine. Sanctions remained an important element of the EU's approach. Ministers discussed the EEAS Russia issues paper, which set out options on what other EU instruments could be used to increase leverage. Commissioner Hahn outlined the need to engage with Russia on the EU's own terms.

The Foreign Secretary stressed that there should be no softening of the EU position, given there had been no constructive steps by Russia on the Minsk commitments. The EU should be ready to respond when Russia met its obligations. The Foreign Secretary also highlighted that Russia could no longer be considered a strategic partner to the EU.

Counter-terrorism

The High Representative outlined her proposal to mainstream counter-terrorism in EU foreign policy by publishing the strategy on foreign fighters in Iraq/Syria; embedding security experts in EU delegations in the

MENA region; maximising use of EU agencies; and improving communication with partners in the region and at home. She urged speedy adoption of the EU directive on passenger name records (PNR).

Discussion centred on the source and spread of radicalisation in the region. Many Ministers agreed on the need for better EU communications and the need for enhanced co-operation, including with Turkey, Egypt, Saudi Arabia and Algeria. A recommendation was made for a broader approach encompassing Boko Haram and other groups in the Sahel to be discussed at the February FAC. Ministers also agreed on the need to counter both anti-Semitism and Islamophobia.

Lunch with Arab League Secretary General Elaraby

Ministers discussed the middle east peace process, Libya and counter-terrorism, with Secretary-General Elaraby. The Foreign Secretary agreed that countering terrorism in the region was a priority for both the EU and the Arab League, and urged the Arab League and the Arab states to improve the human rights situation in order to unlock greater EU assistance. Elaraby reassured EU Ministers that Arab Ministers shared their condemnation of terrorism.

The High Representative undertook to strengthen further formal and informal links between the EU and Arab League, both at working level and at political level. In the margins of the Council, Ms Mogherini signed a memorandum of understanding with Elaraby furthering co-operation between the EEAS and the Arab League.

Libya

Due to the extended discussion on Russia, the substantive point on Libya was postponed until February.

Climate change

Ministers endorsed the EEAS's action plan for climate diplomacy ahead of COP21 in Paris, and agreed on the need for the EU to have a clear climate change policy. Commissioner Canete identified securing ambitious commitments and credible climate finance as the two main challenges. Ministers called on the EU to support countries through technical assistance, expertise and funding.

AOB

The High Representative updated Ministers on her thinking on the future of EU special representatives (EUSRs) and her intention to appoint EUSRs for the middle east and central Asia. Ministers also noted recent events in Cuba and Colombia.

Ministers agreed without discussion a number of other measures:

The Council adopted conclusions on Democratic Republic of Congo/Democratic Forces for the Liberation of Rwanda (FDLR);

The Council adopted conclusions on Tunisia;

The Council appointed Mr Lars-Gunnar Wigemark as new EU special representative in Bosnia and Herzegovina from 1 March 2015 to 30 June 2015;

The Council approved the EU position for the 15th meeting of the EU-Armenia Co-operation Council on 20 January in Brussels;

The Council endorsed the six-monthly progress report on the implementation of the EU strategy against proliferation of weapons of mass destruction, covering activities in the second semester of 2014;

The Council agreed to launch the EU common security and defence policy mission in Mali (EUCAP Sahel Mali) on 15 January 2015. It also allocated a budget of €11.4 million for the mission in the period until 14 January 2016;

The Council decided to appeal against the judgment of the General Court in the case *Council v. Hamas* of 17 December (T-400/10). The Court had annulled, on procedural grounds, the Council's decision to maintain Hamas on the EU list of terrorist organisations. During the appeal, Hamas will stay on the terrorist list;

The Council established the EU military advisory mission in the Central African Republic (CAR). This mission sets out to support security sector reform in the CAR. It also authorised the HRVP to open negotiations with the CAR authorities for an agreement on the status of this mission.

[HCWS237]

HEALTH

Law Commission: Government Response

The Parliamentary Under-Secretary of State for Health (Dr Daniel Poulter): The Government are today publishing, on behalf of all four countries, “Regulation of Health Care Professionals: Regulation of Social Care Professionals in England—the Government’s response to Law Commission report 345, Scottish Law Commission report 237 and Northern Ireland Law Commission report 18 (2014) Cm 8839.” The response has been laid before Parliament and is available in the Library of the House.

In accordance with the protocol between the Lord Chancellor and the Law Commission I am providing a full response to the Commissions.

I would like to thank the Law Commission, the Scottish Law Commission and the Northern Ireland Law Commission for their report, published in April 2014, and for their hugely helpful work reviewing complex professional regulation legislation.

The Government are grateful for this thorough and considered review of complex legislative framework governing regulation of health care professionals and in England, social care professionals. We have accepted the large majority of the Law Commissions’ recommendations in full, and others in part.

There are a small number of areas where we disagree with the Law Commissions’ recommendations—where we wish to take a different approach, or where further work needs to be done. However, we overwhelmingly support the Commissions’ ambition for improvements and where appropriate, greater consistency across the regulation of health professionals including robust governance structures for regulatory bodies, enabling innovation in education and leaner processes to enable the regulatory bodies to take swifter action to ensure public protection.

We are now taking the opportunity to consider the Law Commissions’ report and draft Bill, and to work closely with the regulatory bodies to build on the good work the Law Commissions have done. The Government remain committed to legislative change and we are seeking to make changes to enhance public protection through secondary legislation to address a number of priority areas that we have identified in discussion with the regulatory bodies.

In addition, the Health and Social Care (Safety and Quality) Bill, presented by my hon. Friend, the Member for Stafford (Jeremy Lefroy) is also seeking, with

Government support, to introduce consistent objectives for the PSA and for some of the regulatory bodies, and a requirement for those regulators’ panels and committees to have regard to the objectives when determining whether a practitioner is fit to practise and when determining what sanctions might be appropriate. This builds on the Law Commissions’ recommendations 13 and 85.

We consider the Law Commissions’ report and draft Bill are a significant advance towards making sure that our professional regulation system is fit for the future, and the Government are committed to legislate further on this matter in due course. As the Government move forward on professional regulation legislation, we will make sure it is right, not only for the regulatory bodies, but also for the public, patients, and registrants. The Government’s response can be viewed online at: <http://www.parliament.uk/writtenstatements>

[HCWS235]

Language Controls: Health Professionals

The Parliamentary Under-Secretary of State for Health (Dr Daniel Poulter): We greatly value the contributions that health care professionals from all over the world have made, and continue to make to our NHS, but it is essential that they have sufficient knowledge of the English language to provide safe patient care. In 2014, changes were introduced to strengthen the law in this area for doctors, by introducing language controls for European economic area (EEA) doctors wishing to practise in the UK.

The Department of Health has since been working with the Nursing and Midwifery Council (NMC), the General Dental Council (GDC), the General Pharmaceutical Council (GPhC) the Pharmaceutical Society of Northern Ireland (PSNI), and with other stakeholders, to look at ways to ensure more rigorous language competency tests can be applied for nurses, pharmacists and dentists from within the EEA. This would bring language controls for EEA health care professionals in line with the language tests and controls applied to non-European applicants who wish to treat patients in the UK.

For this reason, on 3 November 2014 the Department went out to consult on proposals to allow these regulatory bodies to apply language controls to healthcare professionals seeking entry to their registers, to ensure they have a sufficient knowledge of the English language to enable them to practise safely in the UK.

The Department has today published a consultation report, “Language controls for nurses, midwives, dentists, dental care professionals, pharmacists and pharmacy technicians—proposed changes to the Dentists Act 1984, the Nursing and Midwifery Order 2001, the Pharmacy Order 2010 and the Pharmacy (Northern Ireland) Order 197—A four country consultation report” which sets out our findings has been placed in the Library of the House. It is also available online at:

<http://www.parliament.uk/writtenstatements>

The proposed legislative changes to strengthen language testing of health care professionals will be an effective way of ensuring the language competence of all overseas nurses, midwives, dentists, dental care professionals,

pharmacists and pharmacy technicians. This change in the law will mark an important milestone in improving patient safety and care.

The Health Care and Associated Professions (Knowledge of English) Order 2015 will be laid in Parliament shortly. [HCWS233]

Winterbourne View

The Minister of State, Department of Health (Norman Lamb): The Government's review Transforming Care: A national response to "Winterbourne View Hospital: Department of Health Final Report (2012)" looked at why Winterbourne View happened and set out a programme of work to take every step we can, to ensure this does not happen again. The Government committed in Transforming Care to produce a report two years on to account for progress. This report is a collective account from partners across the health and care system to reflect the cross-system effort that has continued over the past year to tackle the root causes of the abuse and treatment of people at Winterbourne View.

The report sets out what has been done, providing an update in the annex of all the original actions in Transforming Care and what has been completed or is continuing. A significant number of the recommendations have been achieved. We now know how many people are in in-patient settings, where they are and who is responsible for them. NHS England has introduced care and treatment reviews for everyone in in-patient settings, with a multi-disciplinary team from health and social care, alongside experts by experience. One hundred and eighty one people are benefiting from £7 million DH capital funding to support people inappropriately placed in in-patient settings to move to more suitable housing. We have strengthened the accountability and corporate responsibility arrangements to assure the quality and safety of care services. A duty of candour which requires providers to inform service users where there are failings in care came into force for NHS providers last November, and will be extended to all other providers registered with the Care Quality Commission in this April. A fit and proper person's test which requires providers to ensure that directors are fit to carry out their role came into force last November for NHS providers in NHS trusts, foundation trusts and special health authorities. All other providers will be required to comply by this April. The introduction of the forthcoming statutory offences of ill-treatment or wilful neglect will also send a clear message throughout the health and care system that intentionally poor care will never be tolerated. We have new guidance on minimising restrictive interventions and work is underway to improve data about the use of restraint. A more rigorous registration, assessment and inspection approach is in place for learning disability services. The Care Act 2014 enshrines new principles for adult social care including the principle of individual well-being which encompasses people having control of their day to day life, suitable accommodation and being able to contribute to society. The Act requires local authorities to consider people's views, wishes and beliefs and focuses on the outcomes people themselves want to achieve. The Act also underpins and reinforces the importance of good quality, independent advocacy and will support people, their families and carers to raise concerns.

The report is also clear, however, that we have not made nearly enough progress to transform services. This cannot be tolerated. We recognise that there is still much more to do to reduce the need for in-patient care. There are many people with very complex needs, in many different types of in-patient settings and we need to ensure the right decisions are made about their care, listening to individuals, their families and carers. All partners involved in Transforming Care have agreed the need for a single programme to collectively drive forward the changes needed. A strengthened programme will be put in place, which takes into consideration the recommendations of Winterbourne View—A Time to for Change (2014) by Sir Stephen Bubb, and will drive a better co-ordinated approach to achieve faster and sustainable progress. The details of this approach can be accessed at: <http://www.england.nhs.uk/ourwork/gual-clin-lead/ld/transform-care/>.

Partnership working is essential. We are clear that this cannot all be done from Whitehall. There has to be a change in culture and behaviour in local areas. We understand that this is not easy which is why, building on learning from work over the past two years, we are determined to make a difference for people and their families in the decisions about admission and discharge from hospitals. We are looking to consult on a range of potential future measures to strengthen people's rights in the health and care system. This is likely to include options for ensuring people's individual well-being is at the heart of decisions in both health and social care, and issues around how the Mental Health Act is applied.

Copies of the Winterbourne View Two Years On report have been placed in the House Library. It can also be accessed at:

<http://www.gov.uk/government/publications/Winterbourne-View-2-years-on>.

[HCWS231]

HOME DEPARTMENT

Security Industry Authority

The Minister for Crime Prevention (Lynne Featherstone): My hon. Friend the Parliamentary Under-Secretary of State, Home Office (Lord Bates) has today made the following written ministerial statement:

The 2012-13 and 2013-14 annual report and accounts for the Security Industry Authority are being laid before the House today and published on: <http://www.gov.uk>. Copies will be available in the Vote Office.

[HCWS236]

JUSTICE

Service Personnel: Deaths

The Minister of State, Ministry of Justice (Simon Hughes): Together with my hon. Friend the Minister for the Armed Forces, with responsibility for defence personnel, welfare and veterans, I present the latest of our joint statements in which we report progress with coroner

investigations into the deaths of UK service personnel resulting from active service overseas. Once again we take the opportunity to honour our armed forces and to thank every one of them for all that they willingly give on behalf of us all. Most of all we remember those who have sacrificed their lives, and the families who have to try to live without them.

Our statement gives the position at 23 January 2015 on open investigations conducted by the senior coroners for Oxfordshire, Wiltshire and Swindon and other coroner areas in England and Wales.

Once again we have placed tables of supplementary information in the Libraries of both Houses. These show the status of all cases, including whether there has been or will be a service inquiry—known during the earlier years covered as a board of inquiry.

The Ministry of Defence's Defence inquests unit continues to assist coroners—including a cadre of coroners who have had special training in handling service personnel inquests—to make sure that everything possible is done to progress and complete investigations quickly and thoroughly. If on any future occasion it would be appropriate for an investigation into the death of a UK service person resulting from active service overseas to be held in Scotland rather than England or Wales, section 12 of the Coroners and Justice Act 2009 makes provision for this.

Coroners and their staff have to combine compassion and rigour, carry out a determined search for the truth with sensitivity and understanding. We thank them for all their work on service personnel deaths. Again we must thank the Chief Coroner for his work with coroners to improve processes, and once more we express our sincere gratitude to everyone who supports and informs bereaved families throughout the investigation.

Since 2007 the Ministry of Defence and the Ministry of Justice have jointly made additional funding available to assist the senior coroners for Oxfordshire and for

Wiltshire and Swindon. Repatriations of service personnel who have died overseas have mainly taken place within those coroner areas, at RAF Brize Norton and RAF Lyneham respectively. The additional funding enables the senior coroners to conduct service personnel inquests in balance with the local case load.

CURRENT STATUS OF INQUESTS

Since our last statement on 30 October 2014, *Official Report*, column 30WS, there have been four inquests into the deaths of service personnel on operations. They bring the total of inquests into the deaths of service personnel who have died on active service or who have died in the UK of injuries sustained on active service to 618. No formal inquest has been held into three deaths of injured service personnel in Scotland. Two of these deaths were taken into consideration at inquests into deaths which happened in the same incidents. In the third case a serviceman had made a partial recovery but died from his injuries, and it was decided not to hold a fatal accident inquiry.

CORONERS' INVESTIGATIONS WHICH HAVE BEEN OPENED

Deaths in Afghanistan

As at 23 January, 13 coroner investigations are open into the deaths of service personnel on operations.

The senior coroner for Wiltshire and Swindon has retained six of the open investigations, while the senior coroner for Oxfordshire has retained five. Senior Coroners for areas closer to the next of kin are handling the other two open coroner investigations. Six hearing dates have been listed.

We will continue to inform the House of progress.

Tables detailing inquests into service deaths can be viewed as attachments online at:

<http://www.parliament.uk/writtenstatements>

[HCWS232]

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