

Tuesday
14 October 2014

Volume 586
No. 41



**HOUSE OF COMMONS
OFFICIAL REPORT**

**PARLIAMENTARY
DEBATES**

(HANSARD)

Tuesday 14 October 2014

House of Commons

Tuesday 14 October 2014

The House met at half-past Eleven o'clock

PRAYERS

[MR SPEAKER *in the Chair*]

BUSINESS BEFORE QUESTIONS

NEW WRIT

Ordered,

That the Speaker do issue his Warrant to the Clerk of the Crown to make out a new Writ for the electing of a Member to serve in this present Parliament for the County Constituency of Rochester and Strood in the room of Mark John Reckless, who since his election to the said County Constituency has been appointed to the Office of Steward and Bailiff of Her Majesty's Three Chiltern Hundreds of Stoke, Desborough and Burnham, in the county of Buckingham.—(*Michael Gove.*)

COMMITTEE OF SELECTION

Ordered,

That Mark Hunter be discharged from the Committee and Jenny Willott be added.—(*Greg Hands.*)

Oral Answers to Questions

DEPUTY PRIME MINISTER

The Deputy Prime Minister was asked—

D2N2 Local Enterprise Partnership

1. **Nigel Mills** (Amber Valley) (Con): What discussions he has with the D2N2 local enterprise partnership on devolving powers and responsibilities from Whitehall. [905398]

The Minister of State, Cabinet Office (Greg Clark): During negotiations on the growth deals, I met all local enterprise partnerships, including D2N2. The growth deal in my hon. Friend's area will mean that £174 million previously held by central Government will be devolved to his area, creating jobs, investing in the skills needed by local employers, improving roads and supporting small businesses. I am determined to build on that deal and will visit the area shortly to discuss what further powers and resources can be devolved.

Nigel Mills: D2N2 has made Nottingham road in Ripley in my seat one of its key sites for growth. The area suffers terribly from traffic congestion. Is funding available to complete a bypass for Ripley and Codnor so that we can relieve that congestion?

Greg Clark: I am familiar with that proposal. It was not put forward as a priority by the local enterprise partnership but, as I have said, I am keen to have a

further look at what other schemes will make a big impact locally. My hon. Friend has made a powerful piece of advocacy for it today, and perhaps when I am in the area I will look at it.

Mr Barry Sheerman (Huddersfield) (Lab/Co-op): Would D2N2 be more powerful and effective if it was directly elected? In the Minister's view, should LEPs be directly elected?

Greg Clark: LEPs are elected in the sense that every one of them contains the democratically elected leaders of their local councils, but they also contain the business leaders of the area, which is important. For example, in the deal we did with Derbyshire and Nottinghamshire, the technology director of Rolls-Royce, which the hon. Gentleman will concede is a very important employer in Derbyshire, said that the focus in the LEP strategy on growth and investing in infrastructure is exactly what is needed, and that it aligns with the company's objectives. Bringing business and the democratically elected council leaders together is the right way to go.

Social Mobility

2. **Lucy Powell** (Manchester Central) (Lab/Co-op): What steps he is taking to improve social mobility. [905399]

The Deputy Prime Minister (Mr Nick Clegg): No one should be prevented from fulfilling their potential by the circumstances of their birth. What ought to count is how hard people work and the skills and talents they possess. Of course, the UK is still a long way from achieving that ideal. Income and social class background have a significant and lasting impact on a child's future life chances. That is why our 2011 strategy, "Opening Doors, Breaking Barriers", established improving social mobility as the principal goal of the Government's social mobility policy. We have committed to reporting regularly on a set of key indicators and have created a new social mobility and child poverty commission. I chair a group of key Ministers to oversee delivery of the strategy.

Lucy Powell: The Deputy Prime Minister will know that a child's life chances are determined in the first few months and years of their life. We have previously discussed getting the right kind of quality into child care, but does he agree that supporting families to encourage children with their language, their bonding and their security is also critical? What, therefore, does he make of the Government's record? There are 628 fewer Sure Start centres, despite the huge increase in the birth rate over the same period.

The Deputy Prime Minister: I am not sure whether the hon. Lady is aware that the number of families using children's centres has actually gone up very significantly. Support to families is, of course, provided in lots of different ways. That is why we have the pupil premium—in particular, the early years pupil premium—channelling money precisely to the early years in a child's education in the way she describes. That is something that this Government have done; it did not happen under her Government. It is why, for the first time, all young children in the first three years of primary school

are getting a free, healthy hot meal at lunch time. It is why we have expanded the amount of free child care and pre-school support available to all three and four-year olds, and to two-year-olds from the 40% of most disadvantaged families. These are very big steps, all of which are devoted precisely to the objective she describes, which is helping children when they are young.

Sir Edward Leigh (Gainsborough) (Con): Does my right hon. Friend agree that social mobility is often impeded in unhappy relationships? This is typified when one of the partners starts tearing a strip off his partner in public, often motivated by declining self-worth and familial support. Is not divorce the better option?

The Deputy Prime Minister: I think the problem is when one party feels bitter from the first day they are caught in a relationship they feel they should not have entered into in the first place. I know the hon. Gentleman wants to call time on this political relationship and instead enter into a sort of lock-in with Nigel Farage, but I am not sure that that relationship will make him any happier.

Kate Green (Stretford and Urmston) (Lab): Does the Deputy Prime Minister agree that the threatened closure of every youth centre in Trafford as a result of public spending cuts can only put social mobility in the borough at risk?

The Deputy Prime Minister: I do not know why the council took those decisions. Other councils have not had to take such dramatic decisions and have managed their finances more effectively. As I said in my previous answer, this Government have been responsible for a significant reallocation of money to help children in the crucial early years. Through the Youth Contract and other initiatives we now see youth unemployment lower today than it was when this Government first came into office.

Graham Jones (Hyndburn) (Lab): What are the Government doing to increase the number of pre-school children who are reading books and engaging in reading? We know that that has a big impact on social mobility, particularly for those in D and E and poor areas where they do not have access to books. Reading is vital and I do not think we are doing enough.

The Deputy Prime Minister: I strongly agree with the hon. Gentleman: the huge and positive effect of getting children to enjoy and relish reading is well demonstrated. In fact, a new campaign has recently been launched, with the support of *The Sun* and a number of campaign groups, to get children reading more. I was at a primary school just yesterday to play my bit in advertising the campaign. The more that hon. Members from both sides of the House can get involved the better, because it will mean more children reading at an earlier age.

Mr David Winnick (Walsall North) (Lab): Does the Deputy Prime Minister consider that his own deprived background and upbringing is a good example of social mobility?

The Deputy Prime Minister: That is a characteristically sour question. I have never sought to hold myself up as some paragon of social mobility. What I care about,

and what I suspect everybody in this House cares about, wherever they come from, is that we live in a country where people can live out their dreams regardless of the circumstances of their birth.

Individual Electoral Registration

3. **Paul Maynard** (Blackpool North and Cleveleys) (Con): What assessment he has made of the effectiveness of the roll-out of online individual electoral registration; and if he will make a statement. [905400]

4. **Stephen Mosley** (City of Chester) (Con): What assessment he has made of the effectiveness of the roll-out of online individual electoral registration; and if he will make a statement. [905401]

The Parliamentary Under-Secretary of State for Education (Mr Sam Gyimah): Voter registration is now easier and more convenient than ever before with the launch of online registration. Applying to register now takes as little as two to three minutes. It has been a big success so far. More than 90% of users who have provided feedback on the “Register to Vote” website have said they are satisfied or very satisfied with the service. To date, more than 2.5 million applications have been made under individual electoral registration, with the majority made online.

Paul Maynard: I welcome the growth in online registration, but is the Minister satisfied that the procedures for those with a learning disability are sufficiently robust to allow them to participate fully in the online process? Does he have any record of the numbers currently utilising that assistance?

Mr Gyimah: I am grateful to my hon. Friend for that question. The Government are taking action to target all those missing from the electoral register, such as students, those in residential care homes or those with learning disabilities. We have learnt lessons from places such as Northern Ireland. We are currently funding not just electoral returning officers but a number of organisations, including Mencap, to ensure that people end up on the register.

Stephen Mosley: One problem with the electoral register in my constituency is that in areas with lots of students and rented properties those on the register will often have moved, so one can imagine more and more people being registered at the same property. What steps are being taken to remove people from the register when they no longer live at a property?

Mr Gyimah: First, let me clarify that no one who registered to vote at the last household canvass will be removed from the electoral register before the general election. Secondly, those who did but were not automatically confirmed—a small minority of those registered to vote—have at least until the end of 2015 to register. It is the job of the electoral returning officer to contact people and ensure that the register is as complete and accurate as possible.

Dame Anne Begg (Aberdeen South) (Lab): I have concerns about people missing from the register, but I am also concerned about extra people on it. What obligations will there be on EROs to ensure that those on the register are real people? Concomitantly, does that mean that people will have to prove their identity when they vote?

Mr Gyimah: I thank the hon. Lady for a very good question. The purpose of IER is to match people on the register through the Department for Work and Pensions matching service and local matching. Currently, 80% of people on the register have been matched, but the job of EROs is to ensure it is as complete and accurate as possible, and that involves writing to people and, where there is not a match, getting further proof of identity.

Stephen Twigg (Liverpool, West Derby) (Lab/Co-op): I congratulate the Minister on his appointment.

In the other place, the Liberal Democrat peer Lord Roberts has moved an amendment to the Wales Bill placing a duty on EROs to organise voter engagement sessions in schools and colleges. The amendment is supported by all four main political parties in Wales. We will support it: will the Government?

Mr Gyimah: The Government are conscious that as part of the move to IER we must make efforts to maximise the register. To do that, we have allocated £4.2 million to 363 local authorities and partnered with five national organisations. We will obviously take a look at what is happening in Wales, but we are already taking steps to maximise the register.

10. [905408] **Chloe Smith** (Norwich North) (Con): Having stood in his shoes, I support my hon. Friend's work on registration. Does he agree that the time has come to consider updating our voting methods to include online and mobile options, in line with the way in which an entire generation lives its life in other spheres?

Mr Gyimah: That is a good point. It is worth noting that the move to online registration, which the Government introduced, represents the biggest modernisation of our electoral registration system in more than 100 years. However, registering to vote is very different from actually casting a vote online. Currently, if there is an error, we can check it, but if someone voted online and there was an error there would be no mechanism for checking it. So that is a step we will not be taking at this moment.

Heidi Alexander (Lewisham East) (Lab): When IER was introduced in Northern Ireland, the number of people registered to vote plummeted. If a similar proportion of the register disappeared in London, nearly 1 million people would lose the ability to vote. How on earth does that increase democratic engagement and participation?

Mr Gyimah: IER was first introduced by the Labour party; the coalition Government have taken it forward. It is an incredibly good modernisation process, ensuring for the first time that the head of household does not determine who gets on the electoral register, which I am sure Opposition Members welcome. As I said in a previous answer, we already have an 80% match under IER, and the Government are taking steps to maximise

the register further. No one who was on the canvass before the introduction of IER will not be on the electoral roll come the general election in 2015.

Cornwall and the Isles of Scilly Local Enterprise Partnership

5. **Andrew George** (St Ives) (LD): What discussions he has had with the Cornwall and the Isles of Scilly local enterprise partnership on devolving powers and responsibilities from Whitehall.

The Minister for Universities, Science and Cities (Greg Clark): I was in Cornwall last week to meet the members of the local enterprise partnership and to sign the growth deal with Cornwall and the Isles of Scilly. The deal is worth £200 million to the economy of Cornwall and Scilly, and will fund a range of infrastructure projects. It will include upgrading the Night Riviera sleeper service—which provides one of the most delightful railway journeys it is possible to take in the country—and relocating the maintenance centre of that service from London to Penzance; improving road junctions throughout the county; and dealing with some of the congestion around the A38 at Saltash.

Andrew George: I am very pleased that the Minister was able to bathe not only in the sunlight of my constituency but in the achievements of the Liberal Democrat and Independent-led local authority, as well as the campaigns on which I have been working, and the signing of the growth deal. To make certain that the deal succeeds, will he ensure that the Deputy Prime Minister's excellent policies for delivering devolution are implemented not just in urban areas, as the Government propose, but in rural areas such as Cornwall, so that growth deals and European programmes can also be delivered?

Greg Clark: I must tell my hon. Friend that not just one part of the coalition was responsible for those achievements. I negotiated rigorously with the leaders of all the parties in Cornwall, and we secured a very good deal, which will enable more decisions and resources to be devolved to Cornwall for the benefit of the people who know and love the area best. That is a big achievement, which was widely welcomed in Cornwall.

Guy Opperman (Hexham) (Con) *rose*—

Mr Speaker: Order. The hon. Member for Hexham (Guy Opperman) is a legendarily cheeky chappie. Hexham, in Northumberland, is a very considerable distance from Cornwall and the Isles of Scilly, on which this question is exclusively focused. I say that by way of explanation.

Constitutional and Political Reform

6. **Mr William Bain** (Glasgow North East) (Lab): What his priorities are for constitutional and political reform for the remainder of the Parliament. [905404]

8. **Debbie Abrahams** (Oldham East and Saddleworth) (Lab): What his priorities are for constitutional and political reform for the remainder of the Parliament. [905406]

The Deputy Prime Minister (Mr Nick Clegg): The referendum in Scotland has led to demands for political and constitutional reform across the United Kingdom, and marks a new chapter of constitutional renewal. It will start with the devolution of significant new powers to Scotland, which will establish, in effect, home rule there. The Prime Minister has asked the Leader of the House of Commons to lead a Cabinet Committee that will examine the constitutional implications of devolution across the United Kingdom, including the so-called West Lothian question. Particular attention will be paid to the decentralising of more powers away from Whitehall to communities in England. As we move towards a more federal system, we shall need to codify the devolution of labour between Westminster and the constituent parts of the United Kingdom, and set out a clear statement of the values that we all share. I believe that that can best be done through the establishment of a wide-ranging constitutional convention during the next Parliament.

Mr Bain: Last month tens of thousands of 16 and 17-year-olds took part in a democratic election in these islands for the first time. Does the Deputy Prime Minister agree with Opposition Members that there is no reason whatsoever for any 16 and 17-year-old in any part of the United Kingdom to continue to be denied the right to vote by any democratic institution, and what work is he doing in the Government to ensure that that right is conferred as quickly as possible?

The Deputy Prime Minister: As the hon. Gentleman knows, my party and I have long been in favour of extending the franchise to 16 and 17-year-olds. I agree with him: I think that the sight of so many 16 and 17-year-olds rejoicing in exercising their votes in the referendum merely confirms and strengthens the case. However, as the hon. Gentleman also knows, that extension has not been agreed across the Government, and the debate will therefore continue.

Debbie Abrahams: The Scottish referendum showed the importance of actively engaging with people in determining their future. Why do the Government think it acceptable for the English to have their constitutional change and their future determined by a Cabinet Sub-Committee?

The Deputy Prime Minister: As I said earlier, any Government Committee can only put forward proposals for wider debate here and with the public. I strongly agree with the hon. Lady's implication that we should be involving the public as actively as possible. That is why—as I also said earlier—my own view is that a constitutional convention needs to be established as all the different moving pieces evolve within the United Kingdom. My strong preference is for the first step in that convention to be a public one, and for what would effectively be a citizens jury to be created, as has happened in other countries. That could get the ball rolling.

Mr Christopher Chope (Christchurch) (Con): It is estimated that more than 5 million British citizens living abroad would be entitled, *prima facie*, to vote in next year's general election. Why is it not one of the

Government's priorities to ensure that we increase the proportion of those who are registered? Their number is currently fewer than 16,000. Is that not shameful?

The Deputy Prime Minister: The hon. Gentleman has made a good point. Of course we should be making efforts to encourage all who are entitled to vote to do so, whether they live here or elsewhere in the world.

John Pugh (Southport) (LD): Does my right hon. Friend accept that city deals cover only one part of the north, that most people do not live in cities and that we need a better and broader alternative for northern devolution?

The Deputy Prime Minister: It is important for my hon. Friend to be aware that although city deals were the first deals to be struck in the longer journey of devolving and decentralising powers from Whitehall to other parts of the country, they were succeeded by growth deals, which were just as significant in scale and covered all parts of the country, rural as well as urban.

Sadiq Khan (Tooting) (Lab): I welcome the Deputy Prime Minister's words about the need for a constitutional convention and about 16 and 17-year-olds rejoicing at the chance to vote in the Scottish referendum. He has always been an advocate for 16 and 17-year-olds having the vote. Bearing in mind the fact that, if we are honest, MPs have nothing to do between now and May—*[Interruption.]*—in Parliament, why does he not work with us to try to give 16 and 17-year-olds the vote by the time of the next general election? It can be done this time. There is a willingness on his part, and on our side, too.

The Deputy Prime Minister: The right hon. Gentleman can speak for himself if he thinks he has nothing to do. It may be why he is pursuing other ambitions. There is quite a significant legislative agenda still to be examined and debated in this Parliament. It is an open secret that there are differences between the two parties on extending the franchise to 16 and 17-year-olds. My view—I suspect it is the same as his—is that that change will happen, but a bit more slowly than I would like.

Topical Questions

T1. [905344] **Mr Clive Betts (Sheffield South East) (Lab):** If he will make a statement on his departmental responsibilities.

The Deputy Prime Minister (Mr Nick Clegg): As Deputy Prime Minister, I support the Prime Minister on a full range of Government policy and initiatives. Within Government, I take special responsibility for this Government's programme of political and constitutional reform.

Mr Betts: I do not know whether the Deputy Prime Minister has had a chance to look at the Select Committee on Communities and Local Government report "Devolution in England: the case for local government". It argues that devolution should happen in England, that it should be based on local government and that initially it should happen in the major cities and the city regions, including Sheffield. Crucially, it argues that

devolution has to involve tax-raising powers as well as spending powers. Does he personally agree with that way forward?

The Deputy Prime Minister: I agree with two important assertions that the hon. Gentleman makes. First, we should not reinvent the wheel in terms of the institutional architecture that we have. I alluded earlier to the fact that we have started, through the city deals and growth deals, to build new powers, handed downwards, on travel-to-work areas around our great cities. Secondly, decentralisation without money is hollow and meaningless. That is why we have introduced tax increment financing and new borrowing powers for local areas, and localised business rates.

Mr Betts: Let's go further.

The Deputy Prime Minister: Absolutely; let's go further, but those are some of the most significant steps to decentralise our over-centralised tax system in a very long time.

T2. [905345] **Paul Uppal** (Wolverhampton South West) (Con): Like many in the Chamber, I welcome the fact that we will devolve more powers to cities and to the west midlands in particular, but will my right hon. Friend be mindful of the fact that the character of the constituency that I represent and the city of Wolverhampton do not wish to be consumed by or subsumed in a Greater Birmingham authority?

The Deputy Prime Minister: I understand the hon. Gentleman's pride in the identity of his constituency and of the constituents he represents. Equally, working collaboratively across the west midlands is the best way to draw on the strengths of the region. That can be done effectively, while retaining local identity, through the partnership between Greater Birmingham, Solihull, the black country and other places in the west midlands. It is that combination of collaboration and retaining local identity that is the secret to the success in his area.

Ms Harriet Harman (Camberwell and Peckham) (Lab): The NHS is one of people's biggest concerns now. People have to struggle to get to see their GP; many are having to wait longer in accident and emergency; operations are being cancelled; and NHS staff are demoralised while billions of pounds are squandered on an NHS reorganisation that no one wants. In the light of that, will the Deputy Prime Minister admit that it was wrong for his party to vote for the top-down NHS reorganisation? Does he now regret that?

The Deputy Prime Minister: I am always struck by how brave the right hon. and learned Lady is in being as pious about the NHS as she appears. Her Government were the Government of Mid Staffs and Morecambe Bay. It was her Government who introduced six times as many managers as nurses and entered into sweetheart deals with the private sector, which wasted a quarter of a billion pounds of taxpayers' money on operations that never helped a single NHS patient. We do not need to take any lectures from her or her party on protecting the NHS.

Ms Harman: The Deputy Prime Minister has sunk to a new low in responding to a question on the NHS by eliding and comparing the whole of the NHS with the abomination of what went on at Mid Staffs. That is absolutely reprehensible, and it is typical of this Deputy Prime Minister to defend the indefensible. He might not have any regrets, but yesterday *The Times* reported that a senior Cabinet Minister—evidently not him—called the NHS reorganisation their biggest regret. What does the Deputy Prime Minister think is the biggest regret for voters: the NHS reorganisation or voting Liberal Democrat?

The Deputy Prime Minister: I am not going to retract for one minute the point I made that it was the right hon. and learned Lady's party that wasted a quarter of a billion pounds on sweetheart deals with the private sector—sweetheart deals that we made illegal in the Act she now criticises—and I do not regret that the numbers of people waiting longer than 18, 26 and 52 weeks to start treatment are lower than at any time under her Government. I do not regret for one minute that we have spent £12.7 billion extra on the NHS—money that she has not supported—or that the cancer drugs fund has already helped over 55,000 people, or, as I announced last week, that we are finally giving parity of esteem to patients with mental health conditions, which her Government denied for so very long.

T3. [905346] **Mr David Amess** (Southend West) (Con): Recalling the failed Liberal-inspired AV referendum, and recalling the failure of the Liberal party to support proposals to reduce the number of MPs by 50, will the Deputy Prime Minister, after his delightful party conference speech, please now address the West Lothian question, and not block proposals that only Members of Parliament representing English constituencies will in future vote on English matters?

The Deputy Prime Minister: I note first that the hon. Gentleman's party blocked House of Lords reform when it was a manifesto commitment and party funding reform, but on the point he raises, far from blocking it, my party has put forward a proposal, unlike any other party, on how to deal with this issue. We are saying that we should create, in this House, a Grand Committee composed of MPs reflecting the votes cast in England, such that if there is a Bill that affects only England and Wales, they can say whether or not they want to exercise a veto on that Bill. That is our proposal; so far, I have heard a deafening silence from all other parties on this important debate.

T5. [905348] **Julie Hilling** (Bolton West) (Lab): As individual voter registration will reduce further the number of young people registered to vote, will the Deputy Prime Minister support Labour's policy of following Northern Ireland's successful schools initiative, whereby local authorities automatically register young people to vote, which has dramatically increased the number of young people on the electoral register?

The Deputy Prime Minister: Perhaps I just need to repeat what the Under-Secretary of State for Education, my hon. Friend the Member for East Surrey (Mr Gyimah),

said earlier. We have learned the lessons of what happened in Northern Ireland and have automatically transferred a huge number of people from existing databases—

Julie Hilling: That is not the question.

The Deputy Prime Minister: It is actually an answer to the question. The hon. Lady says from a sedentary position that it is not the question, but the question is how do we make sure that there is the maximum number of people on the register as we move to individual voter registration? We have done much more than she suggests, and much more than her Government ever did, to ensure that people are automatically transferred to the individual voter register, and I think that will prove to be very successful.

T4. [905347] **Sir Bob Russell** (Colchester) (LD): Will the Deputy Prime Minister comment further on his announcement last week of the introduction of the first ever NHS waiting time standard for people suffering with mental health conditions?

The Deputy Prime Minister: I strongly agree with my hon. Friend's implication that there has in effect been institutionalised discrimination against patients with mental health conditions compared with those with physical health conditions. While I pay tribute to the previous Government for introducing waiting times for patients with physical conditions, it is only now—we have had to wait several years—that we have started to introduce the same entitlements for mental health care patients. For instance, if a child has a first episode of psychosis, from next year there will be the guarantee that the vast majority of them will be seen in a couple of weeks, just as if someone was diagnosed and referred with cancer, and someone suffering from depression will be referred to talking therapies and will receive those talking therapies within six weeks, and 18 weeks at the maximum. That is a big step in the right direction.

T7. [905350] **Roberta Blackman-Woods** (City of Durham) (Lab): I can see why the Deputy Prime Minister might not be chasing the student vote in 2015 in quite the way he did in the last election, so will he tell the House what he is doing to encourage students to register and vote?

The Deputy Prime Minister: It is worth remembering what is happening right now. Despite all the controversy of the recent changes, more young students are applying to go to university than ever before, there is a higher rate of students from disadvantaged backgrounds going to university than ever before, and a higher proportion of youngsters from black and minority ethnic backgrounds are going to university than ever before, confounding all the predictions that the hon. Lady's party made at the time of the change. I suspect that the effects of individual voter registration will confound all its predictions as well.

T6. [905349] **Oliver Colville** (Plymouth, Sutton and Devonport) (Con): Is my right hon. Friend considering further devolution of economic development powers to city regions such as Plymouth?

The Deputy Prime Minister: My understanding is that my hon. Friend came to the signing of the growth deal last week. He will be aware that, since the launch of city deals in December 2011, we have made it clear that

we want to see more and more city deals and growth deals being entered into. So far, 28 city deals and 39 growth deals have been negotiated, and the cities and local growth unit—working to the Minister for Universities, Science and Cities, my right hon. Friend the Member for Tunbridge Wells (Greg Clark)—continues to work with local areas on that agenda so that we can announce further deals in the future.

T9. [905352] **Paul Blomfield** (Sheffield Central) (Lab): As part of a community consultation in the city that the right hon. Gentleman and I both represent, I have spoken to hundreds of people over the past few weeks. One of the main concerns that they raised was the consequences of the cuts to local authority spending, particularly on adult social care. Will he explain why, on the Government's own measure, Sheffield council will have had a 22% reduction in spending power over this Parliament, while areas of lesser need such as Wokingham have had an increase? Does he think that that is fair?

The Deputy Prime Minister: The hon. Gentleman and I have debated this before. As he knows, those reductions have been spread across the country as fairly as possible to ensure that areas with the greatest needs have those needs reflected. He will be equally aware of my dismay at the actions of the local Labour council in Sheffield in cutting and closing swaths of public libraries, depriving local communities of their libraries when so many councils in a similar position in other parts of the country have not done so.

T8. [905351] **David Rutley** (Macclesfield) (Con): What steps are being taken to support the science corridor in north Cheshire and south Manchester to further strengthen the economic contribution of life sciences in the north-west?

The Deputy Prime Minister: I pay tribute to my hon. Friend for his personal contribution to the Alderley Park taskforce, and to the constructive approach taken by AstraZeneca, which has created a strong platform for a sustainable future at the site, with a strong life sciences core. I congratulate everyone involved in the Alderley Park taskforce on securing a £15 million investment fund to support the growth of small to medium-sized businesses on the site. My hon. Friend will also be aware that, in the July growth deal announcement, Cheshire and Greater Manchester secured a provisional allocation from the Government of £20 million towards their £40 million local enterprise partnership life science investment fund. These are all important steps in the right direction.

T10. [905353] **Mr Stephen Hepburn** (Jarrow) (Lab): I am sorry, but the Deputy Prime Minister needs to get into the real world. Of course cuts are being made in the national health service, and they are being caused by the reorganisation because the billions that it has cost need to be recouped. In Jarrow, that vandal Dr Walmsley, who is doing the Government's dirty work, is cutting a walk-in centre that is used by more than 27,000 patients a year. And the Deputy Prime Minister says there are no cuts!

The Deputy Prime Minister: Let me give the hon. Gentleman a few facts. There are more doctors and nurses than at any point under the last Government. There are 12,5000 more clinical staff, 6,100 more doctors, 3,300 more nurses and 1,700 more midwives. There are more nurses than at any point during the last Government, and over 20,000 fewer administrative staff. I just do not think that some of his assertions are sustained by the facts.

T12. [905355] **Nick de Bois** (Enfield North) (Con): During the Deputy Prime Minister's recent appearance on his weekly radio slot on the excellent LBC, he said that he wanted a speedy and timely resolution to the question of English votes for English laws. Will he therefore confirm that he will support the proposal for changes to Standing Orders that could bring about that resolution in a speedy and timely manner, as he indicated?

The Deputy Prime Minister: As I said in answer to an earlier question, my party has put forward a sensible proposal to deal with this issue. I do not agree with those who say that this is a clever wheeze that would in effect give an unfair advantage to one party in the House of Commons to the exclusion of all others. Nor do I agree with those Labour Members who want to stick their head in the sand and not address the issue at all. We have proposed a solution, and I look forward to the other parties coming forward with equally well considered proposals.

T11. [905354] **Debbie Abrahams** (Oldham East and Saddleworth) (Lab): This follows on from the question from my right hon. and learned Friend the Member for Camberwell and Peckham (Ms Harman). Will the Deputy Prime Minister confirm that following the disastrous Health and Social Care Act 2012, seven out of 10 NHS services put out to tender have been awarded to private health care companies? These contracts are worth more than £16 billion—20% of the NHS budget—and this would not have been possible if the Lib Dems had not propped up that legislation every step of the way.

The Deputy Prime Minister: This collective act of amnesia is extraordinary. It was the hon. Lady's party that paid the private sector 11% more in these rigged tariffs with private sector providers than it paid the NHS. It was those rigged contracts between the Department of Health and private sector providers that we, not the Labour party, outlawed in law.

T13. [905356] **Jason McCartney** (Colne Valley) (Con): Yesterday I was at the launch of Kirklees business week at Kirklees college, where we discussed the devolving of powers and responsibilities from Whitehall to the Leeds City Region local enterprise partnership. What role does my right hon. Friend see that playing in helping to deliver much needed transport infrastructure improvements in West Yorkshire?

The Deputy Prime Minister: I congratulate my hon. Friend because he has been a huge advocate for the groundbreaking growth deal we announced for the Leeds City Region LEP on 7 July, which provides up to £600 million of local growth funding over 20 years for

the West Yorkshire Plus Transport Fund. The fund puts decisions on local transport spending into the hands of those who know the area best, and it will be a trailblazer for similar funds and initiatives in other parts of the country.

Ms Margaret Ritchie (South Down) (SDLP): What negotiations have taken place in the transatlantic trade and investment partnership—TTIP—negotiations to ensure the protection of the national health service for the people?

The Deputy Prime Minister: I would not support, as I am sure the hon. Lady would not—I doubt anyone on either side of the House would—the TTIP negotiations if there was any risk that in doing so we might undermine our right to run our NHS in the way we want, as voted on in this Parliament. I am absolutely confident that we are able to do that, but if we need to make that even more clear and put it beyond any reasonable doubt, clearly we should set out to do so. It is important that we debunk some of the myths that somehow suggest that TTIP is undermining our sovereign right to run the NHS in the way we want.

T14. [905357] **Mr Philip Hollobone** (Kettering) (Con): Does the Deputy Prime Minister support televised election debates for the three main political parties? Does he feel that he should be invited?

The Deputy Prime Minister: I am looking forward to the debates, as they were a really good innovation and people want them next time. I can understand the concerns of parties with only MP in this House, but as a leader of a party with 55 MPs I do not want any of the larger parties to use the angst among the very small parties with only one MP to serve as an alibi for foot-dragging. Let us get on with it and have these debates.

Wayne David (Caerphilly) (Lab): Does the Deputy Prime Minister think it is right that the Electoral Commission is trying to curb the tweets of charities?

The Deputy Prime Minister: The hon. Gentleman might need to write to me on the issue and I will then look into it for him.

Mr Speaker: Patience is rewarded. I call Mr Guy Opperman.

Guy Opperman (Hexham) (Con): The North East LEP has done great work, but does the Deputy Prime Minister agree that in rural Northumberland we need the LEP to support rural connectivity and economic regeneration projects such as The Sill and the Gilsland station rebuild?

The Deputy Prime Minister: If those issues are not covered by the growth deal that has already been entered into, they are precisely the kind of items that my hon. Friend and others locally may wish to push for in the successor rounds, because devolving control over transport investment decisions is emerging as one of the common themes in all the different growth deals across the whole country.

Dr William McCrea (South Antrim) (DUP): Will the Deputy Prime Minister confirm that any devolution package for the devolved Administrations will not be uniform but will recognise the wishes and the capacities of each Administration? Given Sinn Féin's fiscal irresponsibility in Northern Ireland, does he agree that the devolution of additional fiscal powers to the Northern Ireland Assembly needs to be considered carefully?

The Deputy Prime Minister: I certainly agree that there is no straitjacket solution to devolution across the United Kingdom or even in areas in England. One thing we must avoid is the trap of excessive neatness. Each part of our diverse nation is different. I share the hon. Gentleman's disappointment that there is this stand-off, which, in the long run, will mean that if budgetary gridlock ensues it will be the poorest and most vulnerable in Northern Ireland who will suffer most.

Mark Hunter (Cheadle) (LD): As a Greater Manchester MP and, until yesterday, a member of the local growth sub-committee, I am, as the Deputy Prime Minister knows, very supportive of the Manchester bid, which could have a considerable positive impact across our city region. Will he confirm whether we are any closer to getting this bid signed off?

The Deputy Prime Minister: First, I pay tribute to my hon. Friend for all he did in the Government Whips Office and indeed in the regional growth sub-committee, working with my right hon. Friend the Member for Tunbridge Wells (Greg Clark). His work is hugely appreciated. My understanding is that the initiative to which he alludes is being worked on and, subject to a few t's being crossed and i's being dotted, announcements will be made very shortly.

ATTORNEY-GENERAL

The Attorney-General was asked—

Witness Support

1. **Peter Aldous** (Waveney) (Con): What steps the Crown Prosecution Service is taking to ensure that adequate provision is made to support vulnerable witnesses in cases of sexual abuse or domestic violence. [905413]

3. **Mr Stewart Jackson** (Peterborough) (Con): What steps the Crown Prosecution Service is taking to ensure that adequate provision is made to support vulnerable witnesses in cases of sexual abuse or domestic violence. [905416]

The Attorney-General (Jeremy Wright): The Crown Prosecution Service works closely with the police and voluntary sector to ensure that vulnerable victims and witnesses in cases of sexual abuse and domestic violence are well supported. Special measures such as intermediaries, screens and live video links are used to help them give their best evidence in court. Additional support is also available for victims from independent sexual violence advisers and domestic violence advisers who guide them through the criminal justice process.

Peter Aldous: I am grateful to the Attorney-General for that answer. Two cases of domestic violence in my constituency have come to my attention. Both victims were put through more anguish and turmoil as a result of the support offered by the police, the courts, the voluntary sector and the CPS not being properly joined up—the left hand not knowing what the right hand was doing. Will he confirm that the CPS will work with all other parties to provide seamless and co-ordinated support?

The Attorney-General: My hon. Friend makes a good point. It is important that those services are co-ordinated, and that victims of such offences are taken seriously from the outset, that they are listened to and that they are supported throughout the process, so I take what he says seriously. If he can supply me with details of the cases, I will certainly investigate and see what may have gone wrong.

Mr Stewart Jackson: I commend the work of the Peterborough rape crisis care group based at Rivergate in Peterborough. Will my right hon. and learned Friend join me in welcoming the opening of 15 new rape support centres since 2010? What more can be done to focus efforts on local providers who give help to those who need it most?

The Attorney-General: I certainly join my hon. Friend in congratulating those who are involved in the work in his constituency. He is right that the voluntary sector has a huge part to play. He will know that the key concern of many who work in this sector is not just the existence of funding but the continuity of funding, which is why we have been keen to give some security to this sector with £40 million of funding for domestic violence more generally over the course of this Government.

Keith Vaz (Leicester East) (Lab): Since the publication of the Jay report, a further 29 cases of child abuse have emerged in Rotherham. Given what Professor Jay said about the Crown Prosecution Service and other agencies, how can the Attorney-General reassure the House that everything possible is being done to support those victims and to bring the perpetrators to justice?

The Attorney-General: I am grateful to the right hon. Gentleman for his question. He will understand that, because some of these investigations are ongoing, there is a limit to what I can say about them, but he is right that it is important in cases such as what may have gone on in Rotherham that we take seriously victims of abuse and that we support them throughout the process. He can be assured that we keep a very close eye on these particular prosecutions as they develop and will do everything we can to ensure that they are conducted properly.

Andrew Gwynne (Denton and Reddish) (Lab): Back in November 2013, Keir Starmer, the then Director of Public Prosecutions, launched a protocol under which the police, the social service and prosecutors would work together to share information on child sex abuse cases. What proportion of local authorities in England and Wales have adopted that protocol, and what consideration has the Attorney-General given to making it compulsory?

The Attorney-General: As the hon. Gentleman may anticipate, I will have to write to him with the figure but I can tell him that we consider the protocol to be very useful. I shall add one of the things that he did not mention to the list of those measures that are important in these cases: to ensure that prosecutors are properly trained and experienced to conduct these kinds of cases. That is precisely why, as he knows, we now have a pool of specialist prosecutors for rape cases and for child sexual abuse cases to ensure that that happens.

Valerie Vaz (Walsall South) (Lab): Given that the budgets for rape victims have been devolved to police and crime commissioners, what steps can be taken to ring-fence those budgets so that they are there for survivors and victims?

The Attorney-General: As I suspect the hon. Lady knows, not all of the victims' budgets are devolved to PCCs, but for that part that is, we need to trust those who are locally elected to understand clearly that the needs of victims must be pre-eminent within the criminal justice. I think that police and crime commissioners, from whatever party, generally speaking do understand that. I am sure that she will have productive conversations with her own PCC to make sure that that is the case.

Fraud/Serious Financial Crime

2. **Mr William Bain (Glasgow North East) (Lab):** What progress he has made on the more effective prosecution of fraud and other serious financial crimes. [905415]

The Attorney-General (Jeremy Wright): I discuss with the Director of Public Prosecutions and the director of the Serious Fraud Office the effective prosecution of fraud and financial crime. Both the Crown Prosecution Service specialist fraud division and the SFO have conviction rates of around 85% for 2013-14. This month the first plea of guilty has been entered in the LIBOR case. In the first six months of this year the SFO obtained financial orders worth over £23 million in total and it has successfully recovered around £9 million in confiscation orders from serious criminals.

Mr Bain: Last month the Attorney-General indicated that he would consider adopting Labour's policy of making it a criminal offence for a company to fail to prevent fraud by its employees. When will the Government legislate on that?

The Attorney-General: It is certainly worth considering whether we can do better in overcoming the gap in the law as it relates to finding those within the corporate world who are responsible for what are very serious crimes. The appropriate approach to politics is to take ideas from wherever they come and consider them carefully, which is exactly what the Government will do. When we are in a position to bring forward proposals, we will do so.

Sir Edward Garnier (Harborough) (Con): One of the new weapons that prosecutors have at their disposal is the deferred prosecution agreement, which I hope will be made use of in the near future. Will my right hon. and learned Friend confirm that he and our hon. and learned Friend the Solicitor-General are determined to maintain the Serious Fraud Office as an independent

investigating prosecutor and that it is under no danger of being subsumed into any other piece of the Government machine?

The Attorney-General: My hon. and learned Friend is a distinguished former Law Officer and played a significant part in bringing forward deferred prosecution agreements. He should be proud of what he did in that regard. So far as the future of the SFO is concerned, I take the view that the Roskill model on which it is based, which combines lawyers, investigators and experts of other kinds into specific teams to deal with what are very complex and difficult investigations and prosecutions, is the right model. As I have said, it is achieving some creditable results. Although I do not set my face against any change in the future, I do think it is worth preserving that model. I know that the Solicitor-General and I will wish to make that argument very strongly.

Andy Sawford (Corby) (Lab/Co-op): Has the Attorney-General received from the Serious Fraud Office a request for an emergency injection of funds? Is he aware that it is struggling and estimates that it needs an additional £19 million to continue its work?

The Attorney-General: The hon. Gentleman may know that the funding model for the Serious Fraud Office is very unusual. It receives core funding, but it is recognised, not least by the Treasury, that there are a number of cases that, because of their nature and scale, require additional funding. That is standard practice for the SFO in terms of its funding. It received a large extra amount of money to deal with those so-called blockbuster cases last year and that will no doubt be the case this year. When we are in a position to set out figures for this year, we will do so, but it is in no way unusual that that should happen and it is a sensible model for what is effectively a demand-led organisation.

Stephen McPartland (Stevenage) (Con): Will the Attorney-General share with us what measures are being taken to increase prosecution rates for all corruption cases?

The Attorney-General: My hon. Friend will appreciate that corruption cases might be prosecuted by the Serious Fraud Office or, on a lower scale, by other bodies. We seek to present the evidence to the Crown Prosecution Service, if that is the appropriate body, and for it to consider in accordance with the usual test whether the evidence is there and the public interest is met for pursuing a prosecution. He will understand and know clearly that the Government's commitment to dealing with corruption at every level is very strong, and that commitment will continue.

Sammy Wilson (East Antrim) (DUP): Is the Attorney-General aware of the difficulties in obtaining successful prosecutions and the seizure of assets against criminal gangs operating from Northern Ireland involved in money laundering as a result of the non-operation of the National Crime Agency in that part of the United Kingdom?

The Attorney-General: Yes, of course. As the hon. Gentleman knows, the National Crime Agency's writ does not run to Northern Ireland, but he is right that we need to work closely with the agencies that do work in Northern Ireland to ensure that we do the best we can

to recover these assets. We will continue to work closely with the Northern Ireland Executive to ensure that that continues to happen.

Greg Mulholland (Leeds North West) (LD): The simple reality is that when county police forces deal with fraud without their area as well as within it, it simply does not work. I have been very frustrated going from pillar to post between those agencies and the Serious Fraud Office. What role does the National Crime Agency now play and should it not be bringing such cross-border cases together?

The Attorney-General: The Serious Fraud Office certainly works very closely with the National Crime Agency on its caseload, but it is also important that we recognise that what has happened within the CPS with the creation of a specialist fraud directorate, which tries to bring together some of the prosecutors, not least those from other Departments, such as the Department for Environment, Food and Rural Affairs and the Department for Work and Pensions, to ensure that we have the necessary expertise to pursue fraud wherever it is found. We will continue to do that, because it is important that we recover these assets and that we prosecute those responsible for fraud, which in many cases is effectively fraud on the taxpayer.

Emily Thornberry (Islington South and Finsbury) (Lab): I wish the Attorney-General the best of luck in his new role, particularly in explaining to this legal illiterate Government their obligations under international and national law to uphold the rule of law. I also wish him the best of luck with Home Office empire building, and that is the purpose of this question. Will he confirm reports in *The Times* and the *Financial Times* that Ministers are discussing the abolition of the Serious Fraud Office and will he give this House a clear assurance that he will fight such attempts to dismember the SFO so that we continue to have an independent combined investigator and prosecutor of serious economic fraud?

The Attorney-General: I am grateful—I think—for the hon. Lady's welcome. May I reassure her that this Government fully understand their legal obligations, both national and international, and that they will continue to do so for as long as I am Attorney-General? As for the Serious Fraud Office, let me repeat what I said to my hon. and learned Friend the Member for Harborough (Sir Edward Garnier). It is crucial that we maintain, as she says, the unique model of combining investigators, lawyers and other experts in specific teams to address very complex and difficult cases. That is a model well worth defending. It would be foolish for any Minister within any Government to set their face entirely against any change that might produce a better outcome and, conceivably, a better deal for the taxpayer, but I think it is important to defend that model and she has my absolute assurance that I will continue to do so.

Mr Speaker: I call Gordon Henderson. Not here.

Proceeds of Crime

5. **Jenny Chapman** (Darlington) (Lab): What steps he plans to take to assist prosecutors in depriving criminals of the profits of their crimes. [905419]

The Solicitor-General (Mr Robert Buckland): The Government are committed to improving our ability to recover criminal assets by amending the Proceeds of Crime Act 2002 through the Serious Crime Bill, currently in the other place, including by increasing sentences for failure to pay confiscation and the enhancement of investigatory powers after a confiscation order is made. The Home Office is leading a wider programme to improve asset recovery, with which prosecutors are fully involved.

Jenny Chapman: I am grateful to the Solicitor-General for his response. It is good to hear him acknowledge that more needs to be done, but may I make an extra suggestion? The National Audit Office has found that the number of asset-freezing orders has fallen by a third and my understanding is that that might be because the CPS is timid and concerned about being stung for the costs when lawyers appeal the asset-freezing order. Perhaps he will consider capping the costs that could be recouped by lawyers in such circumstances, as that might make the CPS bolder.

The Solicitor-General: I am always receptive to ideas about the ways in which costs can be capped, but it is right that I remind the hon. Lady that the CPS still performs the lion's share of confiscation orders, and that in 2013-14 £97.69 million was recovered. The new CPS proceeds of crime unit, which was set up in the summer, will bring together in a more effective way the regional asset recovery teams in order to achieve the results that both she and I want to see.

Stephen Mosley (City of Chester) (Con): My hon. and learned Friend will be aware that last month's incredibly successful Invictus games were supported by £1 million from the LIBOR fund. What other projects have benefited from money confiscated as a result of fraud and criminal activities?

The Solicitor-General: My hon. Friend is right to emphasise the huge publicity that the Invictus games brought to the victim surcharge. It is now being used to help a range of victims—victims of rape and domestic violence and families bereaved by murder and by road traffic crimes involving a fatality.

Kevin Brennan (Cardiff West) (Lab): Further to the question from my hon. Friend the Member for Darlington (Jenny Chapman), I know that the hon. and learned Gentleman cared strongly about legal aid and the restrictions on advice given to our constituents. Would it not make sense to restrict to such levels the legal costs that can be claimed by those appealing against confiscation of funds obtained through criminal activities?

The Solicitor-General: I repeat that I am always receptive to new ideas. Quite clearly, more needs to be done to rein in some of the excesses of the cases that both the hon. Gentleman and I know about, but it is important that we focus efforts on getting the orders right in the first place and making sure that they are realistic and can be enforced. Enforcement is probably the most important priority.

Contempt of Court

6. **Sir George Young** (North West Hampshire) (Con): If he will take steps to raise awareness among jurors of the law relating to contempt of court. [905420]

7. **Oliver Colvile** (Plymouth, Sutton and Devonport) (Con): If he will take steps to raise awareness among jurors of the law relating to contempt of court. [905421]

The Attorney-General (Jeremy Wright): The Criminal Justice and Courts Bill, which is currently being considered in another place, will make it a criminal offence for jurors to engage in conduct which is currently a contempt of court. By making juror misconduct a criminal offence, it will reinforce the message that such behaviour is unacceptable and threatens trial by jury.

Sir George Young: Will my right hon. and learned Friend explain what measures are taken to enforce the existing law, and whether additional measures will be taken to enforce the law as it is about to be amended?

The Attorney-General: At present it is for the Attorney-General to prosecute cases of contempt of court in these instances, and there have been five prosecutions of jurors since 2010. It is not that we anticipate a large number of additional prosecutions as a result of this change, but rather that we want the message to be very clear to jurors that there are consequences should they decide not to abide by their oath, and that there is wider damage that may accrue to the concept of trial by jury if jurors do not abide by their oath. That is what we seek to achieve.

Oliver Colvile: What proposals does my right hon. and learned Friend have to ensure that jurors do not find themselves in contempt of court for use of social media and the internet?

The Attorney-General: I think my hon. Friend is referring to an emerging difficulty that we face: not only do we wish jurors to abide by their oath—the oath is very clear, and they should be fully cognisant of what it requires of them—but we need to address the fact that in the age of social media, people can get themselves into trouble without realising it. That is why, beyond even jurors, we have tried to set out clearly in the social media arena what contempt of court might involve so that people can avoid it. We have sent out on social media clear messages, I hope, as to what should be avoided, and we will continue to look for ways to do that.

Mr Barry Sheerman (Huddersfield) (Lab/Co-op): The Attorney-General has admitted that there have been only five such prosecutions, but will he look more

thoroughly at the wonderful people who come and do jury service and are treated abominably, both in my constituency and throughout the country—kept waiting, never knowing what is going on, sent home and brought back? Why do we not improve their situation?

The Attorney-General: I agree entirely that we should pay tribute to all those who engage in jury service. The hon. Gentleman is right that it is a tiny minority of those jurors who cause any difficulty at all, and it is also right, as he says, that we should treat those jurors as well as we can. Having practised in the criminal courts, I know that there has long been an issue with jurors being kept hanging around and not given clear information as to what is going to happen next. Some of that, as he will appreciate, is a simple function of the uncertainties that criminal trials bring about, but I will certainly speak to my right hon. Friend the Justice Secretary about how we can do better for jurors. The hon. Gentleman is right—they deserve the best treatment we can give them.

Mr Speaker: The hon. Member for Shipley (Philip Davies) has been kept waiting, but his moment has arrived.

Vasiliki Pryce: Prosecution Costs

8. **Philip Davies** (Shipley) (Con): What costs were incurred by his Department in prosecuting the case of Vasiliki Pryce in both of her trials at Southwark Crown court. [905422]

The Solicitor-General (Mr Robert Buckland): The costs of prosecuting counsel directly attributable to the two trials of Ms Pryce were £46,012. The costs ordered against her in the sum of £49,200 have been paid. The difference includes an element of pre-trial costs.

Philip Davies: In the cases of Chris Huhne and Vicky Pryce, the prosecution costs application to the court was £108,541 for Mr Huhne and £48,695 for Ms Pryce, despite the fact that Mr Huhne had no trials and Ms Pryce had two. Given that the court costs to the Ministry of Justice for Ms Pryce's two trials were an estimated £30,000 on top of that, can the Solicitor-General explain the rationale for the discrepancy in those costs applications?

The Solicitor-General: We have to bear in mind that an appeal is in process in relation to the costs of the defendant Huhne, which is due to be heard at the end of this month. It would therefore be inappropriate for me to comment on the merits of that application. However, I will say that a large number of disclosure applications and other preliminary applications were made in the case of the defendant Huhne, which might have some bearing on the issue my hon. Friend raises.

Mr Speaker: Interesting reading for the long winter nights ahead.

BILL PRESENTED

TAXATION OF PENSIONS BILL

Presentation and First Reading (Standing Order No. 57)

Mr Chancellor of the Exchequer, supported by the Prime Minister, the Deputy Prime Minister, Mr Secretary Duncan Smith, Danny Alexander, Mr David Gauke, Steve Webb, Priti Patel and Andrea Leadsom, presented a Bill to make provision in connection with the taxation of pensions.

Bill read the First time; to be read a Second time tomorrow, and to be printed (Bill 97) with explanatory notes (Bill 97-EN).

Carers Bedroom Entitlement (Social Housing Sector)

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

12.36 pm

Barbara Keeley (Worsley and Eccles South) (Lab): I beg to move,

That leave be given to bring in a Bill to provide that people in receipt of Universal Credit and Housing Benefit and accommodated in the social housing sector be entitled to an additional bedroom related to caring responsibilities or overnight care; and for connected purposes.

The Bill would exempt households with one additional room from the bedroom tax if a member of the household is entitled to carers allowance. It would also widen that exemption to households in which a person needs overnight care. Those simple measures would have a significant impact on a group of people who deserve support, rather than being unfairly hit financially, as they have been by this Government. I fully support my party's plans to abolish the bedroom tax if elected in 2015, but it is also right that we should focus on the impact of the bedroom tax on the financial situation of unpaid family carers right now.

More than 6.5 million people across the UK are unpaid family carers, and they face a host of financial, emotional and practical challenges due to their caring. Ignoring that, Conservative and Liberal Democrat Members of this House voted for the bedroom tax to hit at least 60,000 of those carers. Since then, confusion has been caused by Government Members suggesting that unpaid carers are somehow exempt from the bedroom tax; they are not. A disabled person who needs overnight care from a paid care worker or non-resident relative is exempt from the bedroom tax, but where that care is provided unpaid by a partner or another carer living in the same house, they are hit by the tax. That is inconsistent and unfair.

I commend the work that other hon. Members have undertaken to try to address the problems caused by the bedroom tax. We have had many powerful debates on its unfairness and the impact it is having on our constituents. My hon. Friend the Member for Wansbeck (Ian Lavery) brought in a Bill to abolish the bedroom tax, and the House voted overwhelmingly to support it. The hon. Member for St Ives (Andrew George) has also sought to secure wider exemptions from the bedroom tax for disabled households. Unlike other Members of his party, he has fought against the bedroom tax. The House also voted strongly to support his Bill, and I wish him success with it, but at the moment I doubt whether Conservative Ministers will work with him to allow it through.

My Bill differs in the fact that it relates specifically to carers. It proposes simple measures that would improve the financial situation of carers and their families. If it progresses, it would address one of the most unfair outcomes of the bedroom tax: the impact it has had on unpaid carers.

Subjecting carers to the bedroom tax was always illogical as well as unfair. One aim of the bedroom tax was to improve work incentives for working-age claimants.

The Government's assumption was that if households were not able to downsize they would be able to seek work or increase the number of hours they worked to pay the bedroom tax, but for many unpaid carers that is not an option. Entitlement to carers allowance means that a person is caring for someone for over 35 hours a week—in effect, full-time caring. These are the carers with the heaviest work load. It is not possible for them to move into employment or to seek extra hours, as both would reduce their ability to care. Carers UK tells us that 2.3 million people have given up work to care. For me, it is an insult to carers who have had to make the difficult decision to give up work so that they can care for a family member to be penalised even further for that decision.

The Government have suggested that people subject to the bedroom tax could take in a lodger, but this is also impractical for many carers. It is inappropriate, in my view, to expect a person caring for a family member with a severe disability or with many health needs to have to take in a lodger. In any case, the need that many carers have is for a separate room so that they can get some sleep. Taking in a lodger would mean that the additional room would not be available for them to do that.

I would like to thank Carers UK for helping with the drafting of this Bill. Carers UK and Salford Carers Centre have given me examples of the impact of the bedroom tax on carers. I will talk briefly about one case from Salford, but Carers UK has examples from other parts of the country. If hon. Members talk to carers centres or carer support groups in their own constituencies, they will be able to find many similar stories.

Mr C is a full-time carer for his wife, who has multiple physical health problems. He has a demanding caring role that includes personal care for his wife, as well as cooking, laundry, shopping, emotional support, and attending medical appointments with her. They were rehoused into a two-bedroom social housing sector bungalow that is adapted to meet Mrs C's needs. Due to Mrs C's health problems, she finds it difficult to sleep at night and is very restless. Mr C uses the second bedroom to get a good night's sleep so that he can cope with his caring role.

When the couple were rehoused, they were eligible for full housing benefit, but when the bedroom tax came in they were classed as having a spare bedroom. Mr and Mrs C are unable to move to smaller accommodation because the bungalow is ideal for them in all other ways. They have applied for, and been awarded, several discretionary housing payments that have partially made up the shortfall in housing benefit. However, like carers across the country, they know that there is no guarantee that any future applications for discretionary housing payment will be successful. Carers UK tells me that having to apply for discretionary housing payments causes stress to carers and increases their worries about household finances. I believe that the case from Salford is typical of the situation for many carers.

Government policy reflects a complete misunderstanding of the circumstances most carers find themselves in, and it fails to treat carers with the dignity and the respect that they deserve. To address this, my Bill calls for all households with one additional room where someone is entitled to carers allowance to be exempt from the bedroom tax. That would recognise the

contribution that carers make to our economy through their caring and their consequent inability to change their financial circumstances.

The second part of the Bill addresses the issue of overnight care. Current exemptions to the bedroom tax fail to recognise all those who need an additional bedroom for care needs, because they apply solely to the overnight care needs of the tenant or their partner, and only when a non-resident provides that care. Those people are denied an additional room if the partner or other person living in the home provides the care unpaid. If a disabled child, older parent or another disabled relative lives with them and needs overnight care, those needs for an additional room are not taken into account either. The exemption for disabled children relates only to those who cannot share a room with a sibling, not to those who need overnight care. My Bill would address that imbalance and widen the exemption to any person in the house who needs overnight care, not just the tenant or partner. I know that that anomaly has had a negative impact on many carers and their families.

I have described a case where an additional bedroom is needed by the unpaid family carer to get the sleep needed to be able to continue to care. My Bill would make simple changes to exempt many carers from the financial burdens imposed by the bedroom tax, and help to free them from the uncertainty of relying on temporary discretionary housing payments. These are small changes which would have a big impact on unpaid family carers, who are already coping with all the challenges of caring. We owe it to those carers to recognise the contribution that they make through caring. We owe it to them to remove the one financial burden which should never have been imposed on them. I urge Members on both sides of the House to support this Bill.

12.45 pm

Mr David Nuttall (Bury North) (Con): I rise to oppose the motion. Let me say at the outset that the hon. Member for Worsley and Eccles South (Barbara Keeley), in moving the motion, has demonstrated once again her long-standing concern for carers, and I am sure that that concern is shared by Members on both sides of the House. There is no doubt that in every constituency there are thousands of people who sacrifice their own interests to look after the welfare of others who need special care. Very often, but by no means always, it is for a member of their own family, and, of course, it is true that were it not for the support that carers provide, the burden of providing that care and support would very often fall on the state.

The issue under discussion, however, is not whether carers provide valuable support, but whether it is right that taxpayers should be asked to pay for the provision of rooms in social housing which for the vast majority of the time stand empty and unused. [*Interruption.*]

Mr Speaker: Order.

Mr Nuttall: We must never forget why the Government changed the rules for housing benefit to remove the public subsidy for spare rooms. There were two principal reasons. First, the change was necessary because the previous Labour Government were borrowing £1 for every £4 they spent. It was vital that public expenditure was brought under control and that the country started to live within its means. With the present coalition

[Mr Nuttall]

Government committed to increasing spending on our national health service, it was necessary to look for savings in other areas and that included reducing expenditure on welfare. Those changes to housing benefit essentially brought the rules that apply to people renting in the public sector into line with the rules for people renting in the private sector, which were introduced by the previous Labour Government.

The need to control public expenditure and ensure that the country lives within its means is not the only reason it is right for the state to stop subsidising spare rooms. With about 300,000 people living in overcrowded accommodation, it clearly makes sense to encourage the most efficient use of our public housing stock. Some 820,000 spare rooms were being provided by housing benefit before the reform was introduced.

The changes to housing benefit already take into account the specific needs of carers. Housing benefit is based on the occupation needs of the household, and the resident carer is allocated, and entitled to, their own bedroom. The regulations do not allow a claimant an extra bedroom for a non-resident overnight carer, but local authorities already have the discretion to determine whether an extra bedroom should be provided even when a qualifying benefit is not being paid to a claimant, if there is sufficient evidence that they require care during the night from a non-resident carer.

As was made clear on Second Reading of the Affordable Homes Bill, promoted by the hon. Member for St Ives (Andrew George) on 5 September, it is extremely difficult to define in advance all the possible reasons why there may be good exceptions to the housing benefit changes. It is for that reason that discretionary housing payments exist. These payments allow local authorities to consider each case on its merits and ensure that where vulnerable claimants need special support, such support is available. Last year, more than 392,000 awards were made by local authorities. Over the past two years, £345 million has been made available for these payments. Although some may have thought that insufficient, the fact is that only a quarter of local authorities applied to access the £20 million reserve fund retained by central Government in the last financial year.

Given the very narrow scope of the Bill that the motion seeks leave to introduce, it seems to me that a more effective way for the hon. Member for Worsley and Eccles South to bring about the legislative change she wants would be to persuade the House to amend the Affordable Homes Bill. Bearing in mind that Her Majesty's loyal Opposition have pledged to reverse the housing benefit changes if they win the general election next May, many inside and outside the House will be as surprised as I am at her apparent lack of faith in her party's chances of winning the election and consequently being able to restore the subsidy for spare rooms as they have pledged to do. Given that, even if the motion is agreed to, the resulting Bill will join a long list of private Members' Bills—they already number more than 70—and that even with a fair wind it is unlikely to receive Royal Assent until just before the end of this Parliament, the Bill's effect would at best be minimal if an incoming Labour Government reversed all the housing benefit changes.

The motion is a good reminder to the public that the election of another Labour Government would signal a return to the something-for-nothing culture that this Government have put an end to. I do not propose to divide the House, but I have placed on the record some of the points that will no doubt be expanded on if and when the Bill receives a Second Reading.

Question put (Standing Order No. 23).

The House divided: Ayes 204, Noes 8.

Division No. 55]

[12.52 pm

AYES

- | | |
|--------------------------|---------------------------|
| Abbott, Ms Diane | Ellman, Mrs Louise |
| Abrahams, Debbie | Engel, Natascha |
| Alexander, rh Mr Douglas | Esterson, Bill |
| Allen, Mr Graham | Evans, Chris |
| Anderson, Mr David | Farron, Tim |
| Ashworth, Jonathan | Fiello, Robert |
| Austin, Ian | Flint, rh Caroline |
| Bailey, Mr Adrian | Flynn, Paul |
| Bain, Mr William | Fovargue, Yvonne |
| Banks, Gordon | Gapes, Mike |
| Barron, rh Kevin | George, Andrew |
| Begg, Dame Anne | Gilmore, Sheila |
| Beith, rh Sir Alan | Glendon, Mrs Mary |
| Benn, rh Hilary | Goodman, Helen |
| Berger, Luciana | Greatrex, Tom |
| Betts, Mr Clive | Green, Kate |
| Blackman-Woods, Roberta | Greenwood, Lilian |
| Blenkinsop, Tom | Griffith, Nia |
| Blomfield, Paul | Gwynne, Andrew |
| Bradshaw, rh Mr Ben | Hamilton, Mr David |
| Brennan, Kevin | Hanson, rh Mr David |
| Brooke, rh Annette | Harman, rh Ms Harriet |
| Brown, rh Mr Gordon | Harris, Mr Tom |
| Brown, Mr Russell | Healey, rh John |
| Buck, Ms Karen | Heath, Mr David |
| Burden, Richard | Hemming, John |
| Burnham, rh Andy | Hepburn, Mr Stephen |
| Byrne, rh Mr Liam | Hermon, Lady |
| Chapman, Jenny | Hillier, Meg |
| Clark, Katy | Hilling, Julie |
| Clarke, rh Mr Tom | Hodgson, Mrs Sharon |
| Connarty, Michael | Hood, Mr Jim |
| Cooper, Rosie | Hopkins, Kelvin |
| Cooper, rh Yvette | Hosie, Stewart |
| Corbyn, Jeremy | Howarth, rh Mr George |
| Crausby, Mr David | Hunt, Tristram |
| Cryer, John | Hunter, Mark |
| Cunningham, Alex | Irranca-Davies, Huw |
| Cunningham, Mr Jim | Jamieson, Cathy |
| Cunningham, Sir Tony | Jarvis, Dan |
| Curran, Margaret | Johnson, Diana |
| Dakin, Nic | Jones, Graham |
| Danczuk, Simon | Jones, Helen |
| David, Wayne | Jones, Susan Elan |
| Davidson, Mr Ian | Kane, Mike |
| Davies, Geraint | Kaufman, rh Sir Gerald |
| De Piero, Gloria | Keeley, Barbara |
| Denham, rh Mr John | Kendall, Liz |
| Docherty, Thomas | Khan, rh Sadiq |
| Dodds, rh Mr Nigel | Lavery, Ian |
| Doughty, Stephen | Lazarowicz, Mark |
| Dromey, Jack | Leech, Mr John |
| Dugher, Michael | Leslie, Chris |
| Durkan, Mark | Lewell-Buck, Mrs Emma |
| Eagle, Ms Angela | Llwyd, rh Mr Elyfn |
| Eagle, Maria | Love, Mr Andrew |
| Edwards, Jonathan | Lucas, Caroline |
| Efford, Clive | Lucas, Ian |
| Elliott, Julie | MacNeil, Mr Angus Brendan |

Mactaggart, Fiona
 Mahmood, Mr Khalid
 Mahmood, Shabana
 Main, Mrs Anne
 Marsden, Mr Gordon
 McCabe, Steve
 McCann, Mr Michael
 McCartney, Jason
 McClymont, Gregg
 McCrea, Dr William
 McDonagh, Siobhain
 McDonald, Andy
 McDonnell, John
 McFadden, Mr Pat
 McGovern, Alison
 McGovern, Jim
 McKechin, Ann
 McKenzie, Mr Iain
 McKinnell, Catherine
 Meale, Sir Alan
 Mearns, Ian
 Miller, Andrew
 Moon, Mrs Madeleine
 Morden, Jessica
 Morrice, Graeme (*Livingston*)
 Morris, Grahame M.
 (*Easington*)
 Mudie, Mr George
 Mulholland, Greg
 Murphy, Mr Jim
 Murphy, Mr Paul
 Murray, Ian
 Nash, Pamela
 O'Donnell, Fiona
 Offord, Dr Matthew
 Onwurah, Chi
 Osborne, Sandra
 Owen, Albert
 Pearce, Teresa
 Percy, Andrew
 Perkins, Toby
 Pound, Stephen
 Powell, Lucy
 Reed, Mr Jamie
 Reed, Mr Steve
 Reeves, Rachel
 Reid, Mr Alan
 Reynolds, Emma
 Reynolds, Jonathan
 Riordan, Mrs Linda
 Ritchie, Ms Margaret

Robertson, Angus
 Robinson, Mr Geoffrey
 Rotheram, Steve
 Roy, Mr Frank
 Roy, Lindsay
 Russell, Sir Bob
 Sanders, Mr Adrian
 Sarwar, Anas
 Sawford, Andy
 Seabeck, Alison
 Shannon, Jim
 Sharma, Mr Virendra
 Sheerman, Mr Barry
 Sheridan, Jim
 Shuker, Gavin
 Skinner, Mr Dennis
 Slaughter, Mr Andy
 Smith, Henry
 Smith, Owen
 Stevenson, John
 Straw, Mr Jack
 Stringer, Graham
 Stuart, Ms Gisela
 Stunell, Mr Sir Andrew
 Swales, Ian
 Tami, Mark
 Thornberry, Emily
 Timms, Mr Stephen
 Twigg, Derek
 Twigg, Stephen
 Vaz, Mr Keith
 Vaz, Valerie
 Vickers, Martin
 Walley, Joan
 Weir, Mr Mike
 Whiteford, Dr Eilidh
 Whitehead, Dr Alan
 Williams, Hywel
 Williamson, Chris
 Wilson, Phil
 Wilson, Sammy
 Winnick, Mr David
 Winterton, Mr Ms Rosie
 Wishart, Pete
 Wright, David
 Wright, Mr Iain

Tellers for the Ayes:
Bridget Phillipson and
Karl Turner

NOES

Blackman, Bob
 Bone, Mr Peter
 Hollobone, Mr Philip
 McCartney, Karl
 Offord, Dr Matthew
 Pritchard, Mark

Rees-Mogg, Jacob
 Stevenson, John

Tellers for the Noes:
Mr Alan Campbell and
Heidi Alexander

Question accordingly agreed to.
Ordered,

That Barbara Keeley, Alex Cunningham, Dr Hywel Francis, Mrs Sharon Hodgson, Diana Johnson, Mr Virendra Sharma, Jim Shannon, Andrew George, Hywel Williams, Caroline Lucas, Laura Sandys and Andrew Gwynne present the Bill.

Barbara Keeley accordingly presented the Bill.

Bill read the First time; to be read a Second time on Friday 21 November, and to be printed (Bill 95).

Devolution (Scotland Referendum)

[Relevant Documents: The parties' published proposals on further devolution for Scotland, Cm 8946; First Report from the Communities and Local Government Committee, on Devolution in England: the case for local government, HC 503; Third Report from the Political and Constitutional Reform Committee, Session 2012-13, on Prospects for codifying the relationship between central and local government, HC 656, and the Government response, Cm 8623; Fourth Report from the Political and Constitutional Reform Committee, Session 2012-13, on Do we need a constitutional convention for the UK?, HC 656; Oral evidence reported by the Welsh Affairs Committee on 29 April 2014, on Silk Commission Part II: devolving legislative powers to Wales, HC 1239.]

Mr Speaker: Before I call the Leader of the House to move the motion, I should inform the House that, on account of the very large number of Members seeking to catch my eye, I have imposed a six-minute limit on Back-Bench contributions, which will start with the fifth speaker in the debate.

1.7 pm

The First Secretary of State and Leader of the House of Commons (Mr William Hague): I beg to move,

That this House has considered devolution following the Scotland referendum.

I am delighted to open this debate on devolution, following the clear decision of the Scottish people to remain part of this great United Kingdom. The referendum campaign electrified politics in Scotland, and we saw one of the most remarkable demonstrations of democracy in British history, which I believe showed an unmistakable strength and vitality in our politics.

With similar energy, we have to build a better and fairer constitutional settlement for all in the United Kingdom, working together as a family of nations, bound by a rich history and the strength of our democracy—and we have to do so with that sense of renewal across the country. Make no mistake, Mr Speaker, the need and demand for renewal is palpable and serious. Across the United Kingdom, we must find that better and fairer settlement. I believe that dither or delay is not an option on these issues.

Angus Robertson (Moray) (SNP): Today sees the funeral of Angus Macleod, and I am sure that the Leader of the House and Members of all parties will pay tribute to the doyen of Scottish print journalism. I would like to pay tribute to everyone who took part in the referendum and respect its result, especially the 1.6 million people who voted for independence. A great many people voted no because of “the vow” that promised “extensive” new powers. Why is there no mention of extensive new powers in the Government’s Command Paper, and where is the Prime Minister?

Mr Hague: I will come to the political and partisan points of the hon. Gentleman’s intervention, but first I join him in paying tribute to Angus Macleod, a journalist respected by all Members and known to all, particularly for a very distinctive Scottish voice on the radio. We

[*Mr Hague*]

all remember his family and friends at the time of his funeral today. As I say, I will come to the other points the hon. Gentleman raised—

Mr Charles Walker (Broxbourne) (Con): Will my right hon. Friend give way very briefly?

Mr Hague: Well, I was hoping to come on to the other points, but I will give way again at this early stage.

Mr Walker: Before my right hon. Friend gets to the political and partisan points, may I ask him to involve the Procedure Committee in discussions going forward, as there will be huge procedural implications to what is being talked about today?

Mr Hague: My hon. Friend is right to make that point as Chair of the Procedure Committee. I certainly give him that guarantee.

As my right hon. Friend the Secretary of State for Scotland set out yesterday, it is vital that we unite Scotland within a United Kingdom. The cross-party process being undertaken by Lord Smith of Kelvin is the first step in finding the common ground that will create something that is better and fairer for Scotland and that cements its place in our family of nations.

I want to say at the beginning that we must not only meet the vows that were made to Scotland, but deliver a balanced settlement that is better and fairer for England, Wales and Northern Ireland. That is why, in addition to the cross-party process being undertaken by Lord Smith of Kelvin, the Prime Minister has asked me to chair a Cabinet Committee to look at the devolution—

Mr Angus Brendan MacNeil (Na h-Eileanan an Iar) (SNP): Will the right hon. Gentleman give way?

Mr Hague: I have not even had a chance to respond to the hon. Member for Moray (Angus Robertson) yet, so I will do that before giving way.

Mrs Cheryl Gillan (Chesham and Amersham) (Con): Will my right hon. Friend give way?

Mr Hague: I will make just one more point.

The Prime Minister has asked me to chair a Cabinet Committee to look at the devolution of powers across the United Kingdom. There will be every opportunity for decisions on the future rights of England and devolution to Wales and Northern Ireland to be made on a cross-party basis, unless, that is, any party chooses not to participate in the discussions. That is a point to which I will return.

The hon. Member for Moray made the point about 1.6 million people. We should pay tribute to all those who voted in the referendum. He might not want to remember so easily that more than 2 million people voted for Scotland to remain part of the United Kingdom. They voted for a stronger Scottish Parliament, backed by the strength and security that comes from being part of the United Kingdom. Before the referendum, the three pro-Union parties of the United Kingdom made clear commitments to devolve further powers to Scotland on a clear timetable that was put forward by the right

hon. Member for Kirkcaldy and Cowdenbeath (Mr Brown), who is in his place. That was supported by the three party leaders.

Yesterday, the Government published the Command Paper on Scotland ahead of schedule. It sets out the published proposals of the three UK political parties on further devolution in Scotland. Lord Smith will oversee a process that takes forward those commitments. He has already begun his work and has written to the groups that were formed during the referendum campaign, inviting them to give their views on further devolution. I welcome the fact that, for the first time, all the major parties are involved in shaping devolution for Scotland, with the Scottish National party and the Green party tabling their proposals too. Lord Smith will talk simultaneously to the political parties, civic institutions and the public, with a view to reaching the heads of agreement by 30 November. As the House heard again yesterday, draft clauses will be published by the end of January, so that the legislation is ready to be implemented after the next general election.

Mr Graham Allen (Nottingham North) (Lab): The Leader of the House will know that the Political and Constitutional Reform Committee, which I have the honour of chairing, has produced extensive work on a written constitution, devolution to English local government and the need for a constitutional convention. Will he ensure that Parliament is represented on and has input into his Cabinet Sub-Committee, which will discuss those much bigger and much more important issues than the one on which, I suspect, many Members will focus, which is English votes for English laws?

Mr Hague: Absolutely, I will. The Political and Constitutional Reform Committee and the Procedure Committee need to be fully involved in the process. It is certainly our intention that they will be. I will make arrangements for that to happen.

Kevin Brennan (Cardiff West) (Lab): It is true that on devolved matters, English MPs do not have a vote, but neither do Welsh MPs, Scottish MPs or MPs from Northern Ireland. However, SNP MPs have traditionally resiled from voting on some such matters because they believe that that will help to lead to the break-up of the United Kingdom. Would not any such proposal be part of a slippery slope towards the break-up of the United Kingdom?

Mr Hague: Let me come to that matter. I propose to work briefly and logically through the nations of the United Kingdom in my remarks and I will come to the question that has become known as English votes on English laws. However, I reject from the outset the idea that fairness for England is disruptive or dangerous for the United Kingdom. It is part of the effort to keep the United Kingdom together, just as fairness for Scotland, Wales and Northern Ireland has always been.

Sir Oliver Heald (North East Hertfordshire) (Con): Does my right hon. Friend agree that many of us in England, including many of my constituents, were willing the Scots to remain part of this great United Kingdom? However, we do want fairness for England. We still have a procedure in this place, Standing Order No. 97, that

allows Scots MPs to deal with Scots legislation. Why on earth can we not do that for England? That is a simple solution to a simple problem. It is a matter of fairness.

Mr Hague: That is, indeed, one solution that could be adopted. I will come to the alternative solutions in a moment.

Let me finish what I was saying on Scotland. As my right hon. Friend the Secretary of State for Scotland said in his statement, the three main pro-UK parties made a vow that will be delivered whatever the outcome of the election next year and whatever deliberations we have about England. I know that it suits the Scottish National party to pretend that it has already been betrayed somehow, but the proposals for Scotland are not tied to our deliberations on other parts of the United Kingdom in the sense that they are conditional on them. It is right to consider those things together, but there was a vow. The British Government—this Administration and past Administrations—have delivered on devolution commitments in the past and will do so again.

Mr MacNeil *rose*—

Mr Hague: I will give way in one moment.

This Government delivered the Scotland Act 2012 and introduced the Wales Bill that is being debated in the House of Lords. We believe passionately in the United Kingdom. We recognise the benefits that it brings to all its citizens. We will deliver on the commitments that were made to the people of Scotland. I hope that the hon. Gentleman will confirm that the SNP will stop pretending that we are not seeking to deliver on those commitments.

Mr MacNeil: I am grateful to the right hon. Gentleman for giving way eventually. If the vow swayed 6% of the Scottish people, it served its narrow political purpose at the time. It was an unconditional vow that became conditional as the hangover set in. Why was the Prime Minister not straight with the Scottish people about the vow before the referendum? Where is the Prime Minister this afternoon?

Mr Hague: I assure the hon. Gentleman that the vow is unconditional. I think that I can also speak for the official Opposition on that. It was an unconditional vow from the Leader of the Opposition, the Deputy Prime Minister and the Prime Minister. The Scottish nationalists should stop pretending that people are reneging on the commitment when they are not.

Sir Robert Smith (West Aberdeenshire and Kincardine) (LD): I thank the Leader of the House for making it clear that the vow is unconditional and that the process for Scotland will go ahead as promised. Are not the interventions from the Scottish National party Members very telling in that they do not recognise the result of the referendum? If anything, the result of the referendum showed a clear desire to stay part of the United Kingdom. The merits of whatever happens in the process should be judged against that.

Mr Hague: My hon. Friend is absolutely correct. The referendum was described by people on all sides as the decision of a generation or a lifetime. That is how it should turn out.

Mary Macleod (Brentford and Isleworth) (Con): As someone with a strong Scottish highland heritage, I want a fair settlement for everyone in the United Kingdom. Has my right hon. Friend received the commitment from all political parties that they will participate fully in the process?

Mr Hague: The Scottish process will be presided over by Lord Smith of Kelvin, not by me. The Cabinet Committee that I chair will ensure that the British Government feed in information as necessary and when it is requested by Lord Smith. I believe that all parties are committed to taking part in that process—the three main UK pro-Union parties, as well as the Scottish National party and the Greens. I welcome that.

Crispin Blunt (Reigate) (Con): May I say gently to my right hon. Friend that the right hon. Member for Kirkcaldy and Cowdenbeath (Mr Brown) did not speak for me or my constituents when he gave that undertaking? Although I fully understand that the leader of our party is entitled to make that commitment, because he is responsible for policy, it was not the mandate on which I was elected. I and my constituents expect the issues of differential expenditure and English votes for English laws to be addressed at the same time and before devo-max is delivered.

Mr Hague: All the party leaders supported that, but it is the great joy of our democracy and the House that all 650 of us can give our views on those matters. Provided I do not take too long, many of us will do so today.

Mr Bernard Jenkin (Harwich and North Essex) (Con): Will my right hon. Friend give way?

Mr Hague: I will make a bit of progress. Otherwise we will stop on that point.

As in Scotland, the Government have been making good on our promise to deliver further devolution to Wales, with the referendum on law-making powers, setting up the Silk commission and introducing the Wales Bill. The Bill takes forward almost all the recommendations of the Silk commission's part I report and devolves a significant combination of tax and borrowing powers to the Assembly and to Welsh Ministers. It is important that Wales, too, is at the heart of the debate on how to make the United Kingdom work for all nations.

Mr David Hanson (Delyn) (Lab) *rose*—

Mr Hague: As the right hon. Gentleman is from Wales, I will give way to him.

Mr Hanson: One third of my constituents are currently served by hospitals in England. The railway service goes from England to Wales. In their thousands, people in my constituency work in businesses in England, which are governed by English Departments. Are the Leader of the House's proposals to stop me voting and speaking on those issues right and proper?

Mr Hague: As I have said, I will come to the position of England, although the right hon. Gentleman might want to reflect that one reason why Welsh people use

[Mr Hague]

English hospitals is the record of the Labour party on the NHS in Wales. Of course, there are important connections. There are and always will be a mass of transport and public service connections between all UK nations, particularly between England and Wales, and between England and Scotland, but that has never stopped people from advocating devolution in Wales and the Welsh Assembly having greater powers. It has never stopped advocacy of greater powers for the Scottish Parliament. Therefore, we reach a point at which it is necessary to provide fairness for England, bearing in mind his point.

Several hon. Members *rose*—

Mr Hague: I will give way once more to a Government Member.

Mr Dominic Grieve (Beaconsfield) (Con): When one looks at Welsh devolution, is not one problem that the legislation has been so badly drafted that it is unclear what has been devolved and what has been reserved? Does that highlight the fact that, if we are to carry out a proper revision of our constitutional arrangements, we must look at the totality of them, while at the same time honouring the commitment we have made in Scotland?

Mr Hague: There is a good case for that. The structure of the devolution settlement in Wales is an important matter for our consideration, particularly as the Silk commission recommended a move to a reserved powers model in its part II report, partly for the reasons that my right hon. and learned Friend gives. It will fall to the next Parliament to introduce legislation to make that change, but my right hon. Friend the Wales Secretary has made it clear that he wants to hear views from across the political spectrum in Wales. He has invited the leaders of the Welsh parties to discuss the way forward, and I believe he held a productive meeting yesterday. As he has announced, the first step in giving further devolution to Wales is to amend the Wales Bill by scrapping the lockstep and allowing the Welsh Assembly the power to vary income tax rates. The new income tax powers are a tool to help the Welsh economy potentially to become more dynamic and to make the Government in Wales more accountable. If used correctly, we hope they can boost economic growth, meaning more people in Wales in jobs and enjoying a better standard of living.

Ian Lucas (Wrexham) (Lab) *rose*—

Mr Hague: I will take one more intervention on Wales.

Ian Lucas: I want to pick up on the right hon. Gentleman's point about the health service in north Wales. As a former Secretary of State for Wales, he knows that, for good demographic reasons, specialist services are supplied to the people of north Wales, including Wrexham, by excellent hospitals such as the Robert Jones and Agnes Hunt orthopaedic hospital in Shropshire, Christie's, and the Walton specialist centre in Liverpool. The right hon. Gentleman should not therefore suggest—I am surprised he took such a cheap shot—that such provision is a matter of choice. It is how the health service works for the people of Wales and for the United Kingdom.

Mr Hague: As I was saying a moment ago, it is of course true that there are a mass of connections in public service and transport, although it is also true that the NHS in Wales has not been performing as well as the NHS in England. Both points are true. There are a mass of connections, but I reiterate that that has never stopped the hon. Gentleman and others from making the case for devolution in Wales and for greater control in Wales over, for instance, health and education services. It is therefore not surprising that English Members want greater control of health and education services in England, acknowledging that services on both sides of such a border must continue to serve those on both sides.

Sir Alan Beith (Berwick-upon-Tweed) (LD): May I point out to my right hon. Friend that we are having increasing difficulty accessing services across the border between England and Scotland, and that increasingly, barriers are being erected? I express the hope that the settlement that Scotland is staying in the United Kingdom will mean that people can continue to cross borders for the best health provision.

Mr Hague: Yes, that is important for all of us in the UK.

As is well understood in the House, the devolution settlement for Northern Ireland is different from the ones for Scotland and for Wales. It has emerged out of cross-party talks over a very long period. At its heart is power sharing between Northern Ireland's two main traditions. The provision of additional powers to the Northern Ireland Executive and Assembly would involve changes to the Belfast agreement. It is therefore essential that any changes to the settlement have the support of parties in the Assembly. One area on which we have had discussions is the devolution of corporation tax to Northern Ireland. As the Prime Minister has made clear, we will make an announcement on that no later than the autumn statement.

It is more important that the three devolution settlements I have discussed work in the best interests of the people of Wales, Northern Ireland and Scotland than that they are identical, but the nature of the development of devolution in the past two decades has left the UK with an asymmetrical Union.

Pete Wishart (Perth and North Perthshire) (SNP): Will the Leader of the House give way?

Mr Hague: No, I think I will make progress.

Hon. Members completely respect the legitimate need for greater autonomy and devolution in Scotland, Wales and Northern Ireland, but let us be clear that there is no widespread demand for regional government in England. Indeed, voters in the north-east emphatically rejected that in 2004. The public do not want an extra tier of burdensome politics that increases the cost of government overall.

Several hon. Members *rose*—

Mr Hague: That has flushed out quite a few hon. Members, but let me begin by giving way to my hon. Friend the Member for Beverley and Holderness (Mr Stuart).

Mr Graham Stuart (Beverley and Holderness) (Con): My right hon. Friend is right that there was no appetite in Yorkshire for that proposal, but there is a sense of neglect and frustration that the votes of people in Yorkshire are being diluted by those who represent areas where decisions have no effect. That cannot be allowed to continue and it must be tackled now. Further delay is not acceptable to my constituents.

Mr Hague: I agree with my hon. Friend. Hon. Members on both sides of the House need to listen to that point.

Several hon. Members *rose*—

Mr Hague: I will give way on that subject to an Opposition Member.

Graham Stringer (Blackley and Broughton) (Lab): The Leader of the House is right to remind us that regional assemblies were rejected wherever they were considered, not just by the ballot in the north-east. However, there are 2.5 million people in Greater Manchester. It is almost exactly the same size by population as Wales, and half the size of Scotland. There is a real desire for both resources and powers to be devolved to Greater Manchester. Is he considering that?

Mr Hague: I acknowledge the hon. Gentleman's point. Much of what we must do is make what we have already work better what we have already rather than invent new tiers of government anywhere in the UK.

Henry Smith (Crawley) (Con): Will my right hon. Friend give way?

Mr Hague: I will first answer the point made by the hon. Member for Blackley and Broughton (Graham Stringer).

There is a legitimate demand for greater autonomy at a local level. We have an excellent record in recent years of devolving powers to the cities and regions, including to Manchester. I, like other members of the Government, hope that more can be done on decentralising power from Whitehall. In this Parliament, we have introduced city deals. Eight core deals were signed in the first wave, and we are close to finalising the conclusions on the second wave—18 of the 20 contracts have been signed. We have delivered local growth deals, and £2 billion will be devolved per year to local enterprise partnerships from next year. Many hon. Members would like more such progress, building on the excellent work of the Department of Communities and Local Government. That is part of what we need to do in the United Kingdom, including in England, but it does not resolve the basic issue of fairness that my hon. Friends have raised regarding decisions on legislation affecting England.

Several hon. Members *rose*—

Mr Hague: I will give way a couple more times, first to the hon. Member for Bishop Auckland (Helen Goodman) and then to my hon. Friend the Member for Crawley (Henry Smith).

Helen Goodman (Bishop Auckland) (Lab): We share a constituency boundary and the Leader of the House knows, as I do, that our constituents feel that too many decisions are London-centred. They want more power closer to them. Is not the problem with English votes

for English laws that it changes the job description of Members in this House, but does not actually take power nearer to people?

Mr Hague: These issues are not mutually exclusive. It is entirely possible to believe that there should be greater autonomy at the local level, including for the hon. Lady's constituents and mine. However, if she is talking, as she did at the beginning of her intervention, about what people feel, I think she will have to acknowledge that they also feel, whether it be in Yorkshire or County Durham, that Scottish Members should no longer be voting on matters that have been devolved to Scotland. That is the local opinion.

Henry Smith: The Leader of the House is absolutely right that we should have English votes for English Members of Parliament on English affairs. With regard to further devolution to the localities within England, I would ask that we do not just talk about cities but the historical counties of England, which deliver a lot of responsibilities already.

Mr Hague: Yes, absolutely. Some of the city deals already signed include, for instance, parts of Lancashire outside the cities, so this is a very important point. Localism and decentralisation are crucial to revitalising our cities.

Several hon. Members *rose*—

Mr Hague: Let me introduce the next part of my speech, because a lot of Members wish to speak.

It does not and cannot answer what we have known as the West Lothian question for the past 30 years. For a long time we have seen prevarication, postponement and delay. With further devolution to the nations of Scotland, Wales and Northern Ireland it is not unreasonable—indeed, it is a basic matter of fairness—to say that the voice of England should also be heard.

Several hon. Members *rose*—

Mr Hague: I need to emphasise this point. It is no longer fair or just for Scotland to be able to decide its own laws in devolved areas, only for Scottish MPs to cast decisive votes on similar matters that affect only England, or only England and Wales.

Michael Connarty (Linlithgow and East Falkirk) (Lab): Will the right hon. Gentleman give way?

Mr Hague: I will give way again in a moment; I am trying to give way a lot.

We must establish the principle that when this House makes decisions affecting only the people of England, or only the people of England and Wales, those decisions should be made only by, or with the consent of, the MPs elected to represent them. There will be considerable debate on how to do this. Many reports have been published and solutions proposed, but this issue must be confronted now.

Michael Connarty: Before the right hon. Gentleman moved on to that structural point, he mentioned the question of legislation. Some Members in the Chamber

[Michael Connarty]

will leave at 2 o'clock to go back to the Modern Slavery Public Bill Committee, including myself and a Member from Northern Ireland. The right hon. Gentleman will know that I have been involved in that campaign long before this Government came in. Would it be right for Members from Scotland and Northern Ireland to be denied the right to sit on what is a piece of English legislation that will have worldwide repercussions if it is passed in its correct form?

Mr Hague: I believe that where a matter only affects England, then key decisions should be made, one way or another, by those MPs elected for English constituencies. The hon. Gentleman believes that for Scotland decisions on such matters should be made by Scottish representatives. We are not asking for anything greater than that. This is not a question that can be ignored or prevaricated over for the next decade. It is right we should address it now without establishing additional layers of government and without increasing the cost of politics.

Several hon. Members *rose*—

Mr Hague: I will give way a couple more times.

Mr Clive Betts (Sheffield South East) (Lab): I thank the Leader of the House for giving way. He said that devolution within the United Kingdom would not be symmetrical, but asymmetrical. Is it not true that it is likely that devolution within England will be asymmetrical as well? It might well be that powers are given to the Mayor of London or the combined authority in Greater Manchester that will not be provided to all local authorities up and down England. Therefore, should MPs in London and Greater Manchester be prevented from voting in this House on matters that are devolved to their local authorities?

Mr Hague: I think across the House we want to be practical and pragmatic about the devolution of powers. [Interruption.] Well, I think we do, except in one respect in relation to the Labour party, which I will come on to in a moment. I hope Labour Members will not consider themselves too pragmatic until I come to the relevant part of my speech. Of course, the powers will vary from one local authority to another, but that can also be true within Scotland and within Wales. That still does not address the basic issue of fairness in the United Kingdom as a whole.

Several hon. Members *rose*—

Mr Hague: I will give way to the right hon. Member for Southampton, Itchen (Mr Denham) and then to my hon. Friend the Member for Skipton and Ripon (Julian Smith).

Mr John Denham (Southampton, Itchen) (Lab): I am grateful to the Leader of the House. A few moments ago he said that the way in which English votes on English laws is delivered would be the subject of a great deal of debate. Why is he not proposing to involve the people of England in a discussion about how England should be governed? Why is he saying that he has all the wisdom to force this through in a Cabinet discussion without any wider debate whatever? What is he scared of and why will he not listen to the people of England?

Mr Hague: First, I am not claiming to have a monopoly on wisdom. The people of England are already having that discussion and they may well have to have that discussion in the general election, but we are not claiming any monopoly on wisdom. Indeed, I have invited those on the right hon. Gentleman's Front Bench to come to the Cabinet Committee to put forward their ideas. I have not had an official reply, but it has been dribbled out in the media this morning that they are proposing not to accept that invitation to the Cabinet Committee. Perhaps the right hon. Gentleman would like to come in place of those on his Front Bench, because he has many more ideas than they have developed so far.

Julian Smith (Skipton and Ripon) (Con): Labour has 31 MPs in Yorkshire. Has he had any representations thus far from them on their views about the importance of English votes on English laws for Yorkshire people?

Mr Hague: I have not had any representations from any of the Labour MPs in Yorkshire; that is true. I was hoping that the Labour party would attend the Cabinet Committee on devolution and that it would put forward its ideas, but evidently it has decided not to do so. It could have come with superior ideas and innovative solutions that it might be happy with. It could have come to say that the constitutional convention would be its policy. All these things are still open to it. It could have come and pretended to have some ideas to demonstrate the unity that the Leader of the Opposition is desperately calling for at the moment. It could have come and done all these things, but instead it has evidently decided—the right hon. Member for Tooting (Sadiq Khan) may wish to confirm this in his speech—not to join in the work of the Committee. I therefore hope that nobody on the Opposition Benches will lecture us about not listening to other ideas when they are not prepared to come and give their ideas at the Cabinet Committee that has been established.

Rory Stewart (Penrith and The Border) (Con): Does my right hon. Friend agree that if we are looking for a consensual approach with Opposition Members that is highly researched, intelligent and focused on the issue of English votes for English laws without giving up the principle of the Union Parliament, we should gather together around the McKay commission proposals?

Mr Hague: The McKay commission proposals are a very good starting point. They are very well thought out, after a great deal of research. Many of the proposals are about how to insert an English stage into the legislative process, and I know that my hon. Friend has expressed his support for that.

Angus Robertson: On a point of order, Mr Speaker.

Mr Speaker: I hope it is a point of order, rather than of frustration.

Angus Robertson: Is it not the case that today's debate is on devolution following the Scottish referendum, rather than a general debate on English votes for English laws, which many of us have great sympathy with? Why are we not debating the future of devolution in Scotland, instead of being sidetracked by Tory Back Benchers?

Mr Speaker: Far be it from me to chide a figure of such exalted status in the House as the hon. Gentleman, but I think he is being a tad precious if I may say so. This is a general debate on devolution following the Scottish referendum. There will be a very ample opportunity for his views to be heard. I feel sure that we await that with eager anticipation.

Mr Hague: This debate is about the whole of the United Kingdom after the referendum in Scotland. Within 10 minutes or so I shall conclude my remarks so that others have the—

Mr Angus Brendan MacNeil (Na h-Eileanan an Iar) (SNP): On a point of order, Mr Speaker.

Mr Speaker: I hope it is a point of order.

Mr MacNeil: The annunciator reads, “Devolution (Scotland Referendum)”, but at the moment we are debating English votes for English laws. Why are we not having a debate about the subject set out on the annunciator?

Mr Speaker: I can observe the annunciator just as well as the hon. Gentleman. I simply advise him that the title of the debate is, “Devolution following the Scotland referendum”. The debate is about devolution. Nothing disorderly has happened. The Leader of the House is entirely in order—[*Interruption.*] No amount of hand gesturing, waving and excessive excitability on the part of the hon. Gentleman will change the fact that the debate is perfectly in order.

Mr Hague: Thank you, Mr Speaker. It might be good if the Scottish National party, taking heed of the referendum result, avoided new divisions in the UK and this House. We are entitled to discuss matters concerning the whole UK, including Scotland, and that is what we will do. I will try to conclude my remarks in the next five or 10 minutes so that all Members can talk about what they wish to address.

It has been proposed that there be a constitutional convention to discuss these issues—the Labour party could come to the Cabinet committee and put that forward, but seems unwilling to do so—and indeed the Government will consider proposals for the establishment of such a body. However, it must be on the right terms and at the right time. In my view, there is merit in the idea, given that the British constitution is a living entity and no one is pretending that it will have reached a perfect form in the coming months, whatever we decide, on Scotland, Wales, Northern Ireland or England. However, no one is suggesting a delay in the commitments we have made to Scotland while we wait for a constitutional convention or a delay in the amendments we make to the Wales Bill and other commitments to Wales; and it is equally right that we address the needs of England without delay in the coming months, which is why we propose to do so.

Some Members argue that to address that question is to put the UK itself at risk. I say to them that the UK is in greater danger if the legitimate arguments and expectations of English decision making on matters

that affect only England are not responded to. Insensitivity and indifference to all nations, including England, are the danger to the Union.

Jim Sheridan (Paisley and Renfrewshire North) (Lab): The Leader of the House might wish to know that the separatist party has consistently argued that voters cannot trust the Westminster parties, yet the day before the referendum it denied that there would be a significant cut to the health service in Scotland, but the day after it admitted there would be, so we know that under an independent Scotland there would be an immediate £400 million cut to the health service in Scotland.

Mr Hague: That was one of the arguments put powerfully in the referendum, and clearly the voters took heed. Now, we have to unite people to ensure they have the best health service possible.

Mr Christopher Chope (Christchurch) (Con): I wish to explore with my right hon. Friend the idea of going in tandem and at the same pace. As the owner of a tandem myself, may I challenge him to join me on my tandem and show how we can go forward without being dependent on each other?

Mr Hague: Without getting into the finer points of cycling, I can say that it is the Prime Minister’s view, as it is mine, that the proposals should proceed in tandem, meaning that just as Lord Smith will aim to produce cross-party agreement on Scotland by the end of November, so I will test to the full whether there is any cross-party agreement on these other issues by the same time.

Emily Thornberry (Islington South and Finsbury) (Lab): There isn’t.

Mr Hague: The hon. Lady does not represent the only other party in the House of Commons. There might be cross-party agreement between others—I am looking forward to such a lot of agreement with the SNP, for instance.

Legislation on Scotland will follow the general election, and if there is no agreement, I have no doubt that the party to which my hon. Friend the Member for Christchurch (Mr Chope) and I belong will put forward its own plans at the election. That is what we mean by “in tandem”.

Angus Robertson: Will the right hon. Gentleman give way?

Mr Hague: I do not think I will give way again, because more than 40 hon. Members wish to speak.

Some have argued that to address the issue of English votes for English laws would create two classes of MPs, but that does not reflect the fact that we already have two classes of MPs with different rights, because under the current system of devolution, Scottish MPs are voting on matters in England that are already devolved to Scotland.

Those issues, affecting all the nations of the UK, now have to be addressed, and it is important that it be done on the parameters I have set out—a better and fairer settlement for the whole of the UK. We are absolutely committed to the timetable set out for further devolution

[Mr Hague]

to Scotland; we are committed to providing further powers to Wales; and we are committed to meeting the special needs of Northern Ireland; but let no one think they can ignore the need to confront the needs and rights of England. There will be a place and a time for a constitutional convention, but not one that is simply a device to prevent those issues from being addressed now. It is time for the way decisions are made to be fair to all the constituent parts of the UK. The next few weeks will make it clear who is prepared to build a constitutional settlement that is better and fairer to all.

1.45 pm

Sadiq Khan (Tooting) (Lab): We are faced with an anti-politics mood in the country that should alarm each and every one of us, and it is particularly directed at us in Westminster. People have a growing unhappiness with the Westminster elites. The Leader of the House made a characteristically excellent and witty parliamentary speech, but he failed to grasp the feeling in the country.

Several hon. Members *rose*—

Sadiq Khan: I will give way in a moment. Let me get past my third line.

Today's debate is an opportunity for Members to respond properly to this growing cynicism. I say at the outset, however, that the problem will not be solved by Westminster imposing a solution on the British people.

Andrew Bridgen (North West Leicestershire) (Con): Does the right hon. Gentleman not appreciate, however, that the matter of English votes for English laws is a boil that has festered for far too long, and does he appreciate the frustration of my constituents, who see Scottish MPs voting on matters that affect North West Leicestershire, when, quite rightly, the corresponding legislation has been devolved to Scotland, and I have no say over it?

Sadiq Khan: I will do my best, as did the Leader of the House, to make a rational speech and address that very point later in my speech.

The Scottish referendum was a shining beacon of democracy at its best. Faced with a crucial choice about their future, registration and turnout among the people of Scotland was unprecedented. No one can have failed to be impressed by the millions of people coming out to vote and being so passionate about the future direction of their country. By a clear majority, the Scottish people voted to pool and share resources across the UK, and I would like to pay tribute to the enormous hard work of some involved in the Better Together campaign from across the political spectrum. In the Scottish Parliament, I pay tribute to Johann Lamont for Labour, Ruth Davidson for the Conservatives and Willie Rennie for the Liberal Democrats.

I also pay tribute to the right hon. Member for Ross, Skye and Lochaber (Mr Kennedy), to the Secretary of State for Scotland, the right hon. Member for Orkney and Shetland (Mr Carmichael), and to the Chief Secretary to the Treasury, the right hon. Member for Inverness, Nairn, Badenoch and Strathspey (Danny Alexander), who all played a big role, and to my right hon. Friends

the Members for Kirkcaldy and Cowdenbeath (Mr Brown) and for Edinburgh South West (Mr Darling), my hon. Friend the Member for Glasgow East (Margaret Curran), my right hon. Friends the Members for East Renfrewshire (Mr Murphy) and for Paisley and Renfrewshire South (Mr Alexander) and my hon. Friend the Member for Glasgow Central (Anas Sarwar). I also pay tribute to campaigners on the Yes campaign for their passion and hard work and to all those who voted.

The referendum sent a clear message, from both yes and no voters, that the status quo is unacceptable—that we cannot keep running the country the way we do—and this groundswell is not restricted to Scotland but has been repeated the length and breadth of the country. The country wants to break the stranglehold of Westminster, and it wants power shifted away from this place on a grand scale. People want to feel they genuinely have a say. They are fed up with feeling powerless and they are frustrated that powerful vested interests are not faced down. They want decisions and power close to where they live, in towns and cities up and down the country. That is why we need to grasp this opportunity and reshape the country in the way the people want, not the way we in Westminster want. Westminster does not always know best—

Mr Graham Stuart *rose*—

Sadiq Khan:—and that is a good point at which to give way to the hon. Gentleman.

Mr Stuart: Has the right hon. Gentleman spoken to many of his own constituents? Are they telling him that they do not believe in English votes on English laws? I do not believe that that is true. The right hon. Gentleman's party is going to set itself on the wrong side of the people, at a time when, as he has rightly said, there is a real sense of neglect and frustration as a result of the failure to listen. He is taking a great risk here. He should listen to this: English votes for English laws is right. Everyone else—Labour, Conservative, Liberal Democrat and Scottish nationalists—knows that, and so should he.

Sadiq Khan: All that I will say to the hon. Gentleman is that that did not work very well in Clacton.

The United Kingdom has undergone nearly two decades of constitutional change. The Leader of the House mentioned the most recent changes: the Scotland Act 2012 and the Wales Bill, which is currently before the other place. Vernon Bogdanor, the Prime Minister's former tutor, described Labour's recent 13 years in government as

“an era of constitutional reform comparable to that of the years of the Great Reform Act of 1832”

or the Parliament Act 1911. That era included the establishment of a Scottish Parliament, a Welsh Assembly, a Northern Ireland Assembly and a London Mayor and assembly, and of proportional representation in elections to all those bodies and in European elections. It included House of Lords reform and the ejection of all but 92 of the hereditary peers, the introduction of people's peers and an elected Speaker, and the introduction of the country's first-ever legislation requiring political parties to publish lists of their donors. We established an independent electoral commission. We introduced the

Human Rights Act 1998 and the Freedom of Information Act 2000, which gave the public a legal right to gain access to Government information, and we established the separation of powers through the creation of the Supreme Court.

Sir Oliver Heald (North East Hertfordshire) (Con): The right hon. Gentleman is, of course, right to acknowledge that some important changes were made during those years, but the answer to the English question that Labour chose was to describe England as “the regions”, and to work on the basis of regional devolution. That has been rejected by the people, because the people say that England is a nation, and the demand from them is that England should have its say. There should be fairness for England, too. What is Labour going to do about that?

Sadiq Khan: I am trying my best—as did the Leader of the House—to follow the rational plan and structure of the speech, but I shall return to the hon. and learned Gentleman’s question in a few moments.

I am proud of Labour’s record on constitutional reform. We can justifiably claim to be the party of constitutional reform, although it was not plain sailing. We learned from our experiences. We know a thing or two about what works and what does not work. We know about the importance of cross-party consensus to the success of constitutional change. The Leader of the House, as leader of the Conservative party, opposed the removal of any of the hereditary peers. We worked with him, and there are still 92 left, although we hope that they too will be gone soon. We learned from things that did not work, such as the failed referendum on a regional assembly in the north-east of England. We also know that there is unfinished business, most notably in regard to House of Lords reform.

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

Sadiq Khan: Let me make some progress first. I will give way to the right hon. and learned Gentleman shortly, because he has been very patient.

We have long known that devolution to Scotland, Wales and Northern Ireland would have an impact on England, and would require a response to help to address the imbalances in our constitution. We can call it the West Lothian question or the English question—we can call it whatever we want—but there is undoubtedly an issue, and it will need to be addressed. It is not a new issue; it was around in the 1880s during the Gladstone home rule debates, in the 1960s when home rule in Northern Ireland was debated, and in the 1970s. However, we need to address the present-day declining trust in Westminster, and the widespread feeling of disempowerment.

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

Sadiq Khan: Of course I will give way to the former Attorney-General.

Mr Grieve: I participated in the debates on devolution in the late 1990s, and the West Lothian question was discussed then. As the right hon. Gentleman will remember, Lord Irvine said that the best solution to the West

Lothian question was not to ask it. In fact, one of the reasons the devolution settlement has not worked overall—and this applies throughout the United Kingdom—is that the right hon. Gentleman’s party, when in government, consistently refused to look at the total picture. The question now is whether, in opposition, his party will be willing to face up to the consequences, and try to create something that will command support throughout our country. We on this side of the House are prepared to do the work, but it seems to me that the right hon. Gentleman is avoiding that question.

Sadiq Khan: I have a huge amount of respect for the former Attorney-General, but I am afraid that it is inconsistent to accuse us on the one hand of failing to look at the total picture and on the other hand to suggest a Westminster stitch-up.

Clearly, part of the solution is greater devolution within England, and that has been at the centre of Labour’s policy review: reversing a century of centralisation with radical plans to devolve power and responsibility downwards.

Mr Jenkin: Will the hon. Gentleman give way?

Sadiq Khan: I will give way to the Select Committee Chair in a moment. I want to make some progress first.

My Front-Bench colleagues have already announced ambitious plans that will be implemented should Labour form the next Government. My right hon. Friend the Member for Leeds Central (Hilary Benn) has unveiled a new English deal in which the equivalent of £30 billion of spending would be transferred from Whitehall to city and county regions. My noble Friend Lord Adonis has outlined the way in which a future Labour Government will give local areas and city regions more powers over economic growth, transport and skills. There are other examples. In the context of my own brief, justice, I have announced plans to give local authorities more control over youth justice. They are closer to the issues, and the structure of incentives to cut crime and reoffending works much better on that scale.

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

Sadiq Khan: I have been hearing heckling and chattering behind my left shoulder for the last five minutes. The Scottish nationalists are claiming that every sentence I utter is relevant to the points that they wish to make. Let us now see whether that is really the case. I give way to the hon. Member for Na h-Eileanan an Iar (Mr MacNeil).

Mr MacNeil *rose*—

Mr Speaker: Order. Before the hon. Gentleman intervenes, let me remind him that he embarked on an apprenticeship to become a statesman. That apprenticeship still has a considerable distance to travel. I simply appeal to his more public-spirited instincts, and advise him now to assume the posture of a statesman.

Mr MacNeil: Thank you, Mr Speaker. Your words of guidance are for ever precious.

[Mr MacNeil]

The right hon. Gentleman has referred to the Westminster elites. Well, we did see them in Scotland before the “vow”, but we need to ask where they are today. The Conservatives would not tell us where the Prime Minister was; can the right hon. Gentleman tell us where the Leader of the Opposition is this afternoon?

Sadiq Khan: All that I can say is “Was that really worth it?” The hon. Gentleman has been a royal pain for the last 10 minutes.

In London we have a Mayor and an assembly, but we are ambitious to do more. The city still has too little control over its own destiny. Only 7% of all taxes raised from Londoners and London businesses are spent by the different levels of London government, whereas the figure is nearly 50% in New York. Labour has committed itself to devolving significant public service funding and responsibility to London’s government, as well as more fiscal autonomy. All that has added importance given the agreement among the leaders of the three main parties on a further package of devolution for Scotland.

Yesterday, the Secretary of State for Scotland published a Command Paper three weeks early. The Leader of the Opposition, the Prime Minister and the Deputy Prime Minister have made a commitment to strengthening and empowering the Scottish Parliament. The Labour party will take part in the process under the leadership of Lord Smith of Kelvin, in a spirit of partnership and co-operation with the other parties. Every commitment that we have made must be honoured.

We accept that the devolution settlement has also thrown up anomalies in Westminster, and the question of how to ensure that there is an “English voice” in our legislative process is definitely one of them. That is why it is right for us to examine greater powers for English Members of Parliament to scrutinise legislation. However, on many levels and on many occasions, Parliament faces a situation that is similar to the West Lothian question. We have asymmetric devolution, both within the nations and between them. Let us take the London situation. As a London Member of Parliament, I can vote on transport issues in Yorkshire and in other parts of England, yet English MPs, even Yorkshiremen, cannot vote on transport issues in London as they are the responsibility of the Mayor. In a non-federal system such as ours, that is going to happen.

Several hon. Members rose—

Sadiq Khan: I give way to the Chair of the Select Committee on Public Administration.

Mr Bernard Jenkin: We have to understand that dealing with the English votes on English laws question is more difficult for the Labour party because it has a vested interest in the power of its Scottish MPs over English matters, but it is wrong to pretend that the delegation of powers and functions to local authorities, which are Crown bodies, is equivalent to legislative devolution to Scotland. That is what makes the English votes on English laws question altogether different from what the right hon. Gentleman has just been talking about.

Sadiq Khan: With the greatest respect, the best way for the hon. Gentleman’s party to resolve the West Lothian question is to win more seats in Scotland. That is the issue. Win more seats in Wales! He has failed to grasp the crisis in this country.

On some levels, we have to accept that the situation I described earlier is part and parcel of how Parliament has evolved and works, but on other levels we need to look at what can be done to accommodate the new, changing make-up of the country and I shall shortly come on to how we address this. Although we may acknowledge that there is an issue to resolve, that does not for one minute mean that we agree with the process that the Government have proposed for finding a resolution. Nor do we necessarily agree with some of the proposed solutions being floated. There can be no rushed, cobbled-together solutions and certainly no self-serving and partisan fixes.

When the Government were not scared of UKIP, they agreed with us. The coalition agreement published in May 2010 stated that they would

“establish a commission to consider the ‘West Lothian question’”.

The McKay commission report was published in March last year, when everyone knew there would be a referendum in Scotland in September 2014 and all the mainstream Westminster parties were developing their own plans to give greater devolution to Scotland. Did the Government respond to the McKay commission by setting up a Cabinet committee led by the Leader of the House? Did they then make a veiled threat to have a vote in the House of Commons by a certain deadline? No. The response from the Government last year was:

“Given the significance of the recommendations for both England and the UK as a whole, it is right to take the time required for a thorough and rigorous assessment.”

We could not agree more. What we need to guard against is a situation that could lead to two tiers of MPs.

We also need to be honest about how few Bills that are debated in this House are truly for England only, or for England and Wales only. Some estimates suggest that in 2012-13 there was only one England-only Bill. The House of Commons Library is rightly reluctant to put an exact figure on it, given how complex a job that is. It is not as simple a categorisation as some might think because even when the clauses in a Bill are just relevant to England and Wales, there can sometimes still be financial ramifications for the rest of the UK. Votes on individual clauses in Bills decided by whether MPs were English, Welsh, Scottish or Northern Irish would lead to an almighty mess in the way this place works—something akin to a legislative hokey-cokey.

Wayne David (Caerphilly) (Lab): My right hon. Friend is right. There are enormous conceptual problems with the idea of English votes for English laws, but there is another huge problem: we cannot talk about the issue as though it is confined to this place; we have to talk about the other place, too.

Sadiq Khan: I thank my hon. Friend for his intervention. What is remarkable is the speed with which the Leader of the House has been willing to form a sub-committee and chair it to look at the issue of “English votes, English laws”, yet one of our Parliaments is unelected and fully appointed, and 85% of those in the other

place are from London and the south-east. There is no sense of urgency in relation to that issue from the Leader of the House of Commons.

We do not want inadvertently to create a system that might contribute to the arguments of those who favour breaking up the UK. There is a good reason why the Scottish Nats are in favour of English votes for English laws. They want two classes of MPs because they want to break up the UK.

I give way to the hon. Member for Skipton and Ripon (Julian Smith), who has been very patient.

Julian Smith: Will the right hon. Gentleman now confirm that there is not a cat in hell's chance of Labour coming to a conclusion on the issue of English votes for English laws by the next election—yes or no?

Sadiq Khan: The way the question is premised demonstrates that the hon. Gentleman does not understand that he is part of the problem. It is not a Westminster elite solution. He fails to grasp the crisis that there is in this country.

England makes up over 80% of the UK. There is no easy federal answer to the problem, and it does a huge disservice to disillusioned voters to pretend that there is. The Leader of the House may be one of the finest historians in the palace but he has learned the wrong lessons from history. We need to be clear about the stitch-up that is taking place.

The unhappiness with the way the country is run is an opportunity to make some truly radical changes. The British people want to reshape the country and the way it is run, but they will not put up with a top-down, imposed settlement because that would be a stitch-up and that is precisely the kind of response from Westminster that the anti-politics mood is railing against.

I give way to the former Leader of the House.

Mr Andrew Lansley (South Cambridgeshire) (Con): If the shadow Secretary of State is talking about the detail, he must surely come to it first by enunciating what principle he is applying. My right hon. Friend the Leader of the House said what principle he applied to the question of English votes for English laws. The shadow Secretary of State has had plenty of time to look at the McKay commission report. It said:

“Decisions at the United Kingdom level having a separate and distinct effect for a component part of the United Kingdom should normally be taken only with the consent of a majority of the elected representatives for that part of the United Kingdom.”

Will he or will he not accept that principle? If he has another principle to apply, what is it?

Sadiq Khan: If this had been the position of Her Majesty's Government before UKIP was a threat, one would have expected that response when the McKay report was published last year. That was not the Government's response last year. Their response was, “Let's properly consider this and assess the consequences.” The right hon. Gentleman is trying in a piecemeal manner to pick off the various challenges that we face as a country. That is one of the reasons we are so hated by the public.

Andrew Percy (Brigg and Goole) (Con): The right hon. Gentleman keeps using the phrase “Westminster stitch-up”. Sometimes people try to use language to

accuse others of what they themselves are doing. The biggest Westminster stitch-up would give the English a few scraps off the plate, a few extra powers and a few quid for local government, while at the same time denying them what they clearly want, according to every opinion poll conducted in this country: they simply expect to be governed by the people they elect, which means English votes for English laws. Does he think it is acceptable for a Scottish MP to vote on a matter that only affects my constituents, while I do not have that option in return?

Sadiq Khan: I am astonished that the hon. Gentleman is referring to the £30 billion being devolved from Whitehall to the cities and regions as “scraps”. If he can give examples of just five English-only Bills in the past couple of years that his constituents are not happy about, I will be happy to respond directly to his points.

It was disappointing that, within minutes of the final votes being counted in the Scottish referendum, the Prime Minister was on the steps of Downing street setting out a top-down response to the biggest vote of no confidence in the Westminster elite for a generation. At the moment when we needed a Prime Minister to show some statesmanship, the day after our country voted to stay together, what we got instead was a short-term, partisan fix that had more to do with fighting UKIP than what was in the best interests of the UK.

The Tories used to be a one nation party—it is after all the Conservative and Unionist party—but now it is a party of narrow, sectional interest, desperately chasing UKIP votes. There was no prior consultation with the Deputy Prime Minister, no discussions with the Leader of the Opposition, and no views of the British people were taken. Let me be clear—a Cabinet sub-committee, meeting behind closed doors in Westminster, made up of MPs and led by the Leader of the House is not the way to go about this. The country deserves better than Westminster closing ranks. It certainly deserves better than the Executive dictating to the country what the solution should be. The Government have spectacularly failed to address the concerns of millions of people, who are turned off by such a blatant tactical manoeuvre.

Iain Stewart (Milton Keynes South) (Con): The right hon. Gentleman keeps referring to a Westminster stitch-up or a knee-jerk—[*Interruption*]

Madam Deputy Speaker (Dame Dawn Primarolo): Order. Will the hon. Member for Stourbridge (Margot James) sit back? The hon. Member for Milton Keynes South (Iain Stewart) has the Floor on an intervention, and one conversation is enough from the Floor officially.

Iain Stewart: Thank you, Madam Deputy Speaker. The right hon. Gentleman keeps referring to a Westminster stitch-up or a knee-jerk reaction. Will he not accept that the McKay report draws on substantial evidence that the people of England are not satisfied with all MPs voting on English-only legislation and they wish to have some form of English votes on English laws? It is not a knee-jerk reaction; there is a substantial body of evidence to show that that is what the people of England want.

Sadiq Khan: I have accepted that there is an issue. I have not said there is not an issue.

Pete Wishart: Will the right hon. Gentleman give way?

Sadiq Khan: I have said that we need to address the issue of how English MPs scrutinise legislation.

I called this a Westminster stitch-up; actually, a No. 10 stitch-up is what it was.

Pete Wishart: Will the right hon. Gentleman give way?

Sadiq Khan: There is some noise from my left which I will try to ignore in order to make some progress.

Instead, we need a wholly radical solution to the country's challenges that is part of a much wider and deeper reform of the way power is distributed in our country. We need a different way of working that involves, and is led by, the people and civil society—not top-down solutions imposed by Westminster, but bottom-up solutions driven by the people, by communities and by civil society.

Pete Wishart: Will the right hon. Gentleman give way?

Sadiq Khan: There are examples of this being done well. Ireland's post-2008 constitutional convention is a model worth exploring. Scotland's pre-1997 convention laid the strong foundations for long-lasting constitutional change.

Pete Wishart *rose*—

Caroline Dinéage (Gosport) (Con) *rose*—

Sadiq Khan: I give way to the hon. Lady.

Caroline Dinéage: I thank the right hon. Gentleman for giving way. I represent a constituency in the south of England; he might be aware of it—it is a place without very many Labour MPs. He keeps talking about this being a Westminster stitch-up—something coming down from Westminster—and saying that there is no requirement for it and there is nothing that is being driven bottom-up from the people in the constituencies, but I get letters about this every day of every week: English people want English votes.

Sadiq Khan: I did not say there was not an issue; I have said there is an issue, but I am also saying there are other issues as well, and rather than us imposing a solution, we should be speaking to the people who are raising those concerns. There are other issues as well. How can it be that we have a Parliament that is fully appointed—completely unelected—with 85% from the hon. Lady's part of the country and London? That is unacceptable.

Pete Wishart *rose*—

Sadiq Khan: I give way to the hon. Gentleman, who has been very persistent.

Pete Wishart: I am very grateful to the right hon. Gentleman for giving way and thank him most graciously. At least the Leader of the House devoted 14 minutes of his 45-minute speech to Scotland, but the right hon. Gentleman has barely mentioned Scotland. The Scottish

people who are watching this debate—and very many of them are—will be horrified by the way it has become about nothing other than English votes for English folks. Will the right hon. Gentleman now talk about Scotland—about the vow and what has been promised to the Scottish people?

Sadiq Khan: I dearly hope the people of Scotland are watching the behaviour of the Scottish National party Members of Parliament during the course of this debate.

As I said, there are examples of this being done well. Ireland's post-2008 constitutional convention is a model worth exploring, as is Scotland's pre-1997 convention. In fact, the Lib Dem manifesto in 2010 called for a constitutional convention to address this very issue. There are blueprints of success out there, and we would be foolish to ignore them. That is precisely why the Leader of the Opposition has committed Labour to launching a constitutional convention, and it was good to see the Deputy Prime Minister at today's DPM questions agree that this is the best way forward. I urge all parties to put aside partisanship and work with us to deliver a convention that has true cross-party support and the support of civic society and our citizens. This would be a national conversation in which the politicians would be in a minority and in which the public would have the loudest voice. We would harness the energy of civil society and of the great British public.

This has the potential to bring about deeper change, rooted in the nations, regions, cities, towns and villages of this country, and not just within half a mile of this place. It has the potential to get to grips with a raft of interrelated issues such as how we create a second Chamber that is representative of the regions and nations, how we devolve even more power in England, and the merits of codifying the constitution—a topic I know my hon. Friend the Member for Nottingham North (Mr Allen) and the Political and Constitutional Reform Committee have done a considerable amount of work on.

In short, we are at a fork in the road. In one direction, we can follow the usual Westminster route of the establishment closing ranks, deciding what is best for the British people; or we can choose a new direction—one in which we put the people in charge of deciding their future. I believe this will deliver a new and refreshing constitutional settlement fit for a modern, 21st century UK.

2.15 pm

Michael Moore (Berwickshire, Roxburgh and Selkirk) (LD): We in Scotland have just enjoyed the most amazing democratic moment. It is estimated that 97% of the population registered to take part in the referendum; there was a record turnout of 85%; and for the first time in a major election in the United Kingdom 16 and 17-year-olds participated and—dare I say it—excelled themselves in doing so in the build-up and in the referendum itself. At the conclusion, we have a clear outcome: Scotland has voted to stay in the United Kingdom, which I very much welcome.

However, we would be foolish not to recognise that Scotland and the whole of the United Kingdom have changed in recent times. More than 100 years of debate about “home rule” and independence swirled around the decision we in Scotland took a month ago, but wider issues were in the mix as well. A generation of

aggressive globalisation and the whirlwind of the financial crisis have raised questions, too, about how we are governed. In Hawick or Dundee, Alkrington or, indeed, Clacton, people are asking whether the political structures and system of governance are right for them, their family or their community, and for rather a lot of people the answer is a resounding no.

It is clear to me that people in Scotland support devolution and want more of it. There is a lot of talk about the “settled will” of the people of Scotland, but determining what that is depends on one’s perspective.

Mr MacNeil *rose*—

Michael Moore: Paragraph 30 of the Edinburgh agreement—in which I had the privilege to be involved—was clear about respecting the outcome, and I welcome the fact that the Scottish Government have done that and said the right things about the process going forward.

Mr MacNeil *rose*—

Michael Moore: I respect the fact that the hon. Gentleman who is trying to intervene and his colleagues will continue to argue for independence—that is their right and I am sure they will do that with their traditional energy, which they brought to the referendum campaign and have already brought to this afternoon’s debate. Some, of course, seem to wish to challenge the result, and occasionally we might think we had lost the referendum in Scotland and we had voted for independence, but we should not denigrate the spirit of what has gone on and the importance of what we have been involved in for these past few years, and we must make sure we now respond to the democratic will of the Scottish people.

Mr MacNeil: I thank the right hon. Gentleman for giving way, and it is good to hear him praise the referendum, in such great contrast to the criticisms of the referendum we often heard at the Dispatch Box two or three years ago. It has turned out to be a very energising event in Scotland. On the vow, the right hon. Gentleman’s party leader signed that vow, but where is his party leader this afternoon? Why are he, the Prime Minister and the Leader of the Opposition not in this Chamber? Why are they not here? They went to Scotland to sign a vow, but they are not here today.

Michael Moore: I know that SNP Members are the source of many conspiracy theories, but this is a pretty lame one. I hope the hon. Gentleman will relax a bit and perhaps wait for the chance to advance his own argument. May I take issue with a point he made in his preamble, too? This Parliament respected the victory of the SNP in the Scottish Parliament in 2011. The constitution is very firmly reserved to the Houses of Parliament, yet, recognising the will of the Scottish people in the Scottish elections, we took measures to devolve the power to hold the referendum to Edinburgh—something that was done peacefully and straightforwardly—and, rather than object, obstruct or get in the way of the referendum, we were active and positive participants in it. I shall come to the question of the vow in a moment.

The aspirations of the people of Scotland have been expressed in many different ways over many years. We have seen a cycle of devolution in which people have

argued their case and set out their ideas for new powers, followed by a moment in which people came together and found common ground. Those proposals were then put to the people, to determine and implement more powers.

The vow was important. It underlined what had been happening in Scotland for some time. It was not new; people did not suddenly come up with stuff that had not previously been put forward. The commission that my right hon. and learned Friend the Member for North East Fife (Sir Menzies Campbell) led on behalf of the Liberal Democrats in Scotland had looked at this issue and reported in 2012. The findings were updated in 2013. The Strathclyde commission, on behalf of the Conservatives, reported last year. The Labour commission reported earlier this year. The party leaders in Scotland came together to pledge more powers earlier this summer. There has been a clear programme, and a commitment from all the UK parties throughout the referendum campaign to give more powers to the Scottish Parliament.

Mr Mike Weir (Angus) (SNP): That may be so—I am listening carefully to what the right hon. Gentleman is saying—but the vow made it clear that there would be substantial new powers for the Scottish Parliament. It is becoming increasingly clear, however, that prior to this, the parties have never agreed on what those powers should be. That is still not clear; all we see in the Command Paper is three different schemes.

Michael Moore: I respect the hon. Gentleman and I appreciate his contribution to the debate. The Smith commission has been set up to bring those different contributions together and to invite others into the process to ensure that people across Scotland can be part of creating the new settlement. The Smith commission fits exactly into the whole devolution cycle. We have set out the ideas, and Lord Smith has the slightly unenviable task of bringing us all together and sorting out a solution. I am delighted that the Scottish National party has chosen—for the first time ever in circumstances such as these—to be part of the process, and I look forward to working with John Swinney, Linda Fabiani and the others who have been appointed to work with Lord Smith to find the common ground that will be essential if we are to settle this issue in Scotland.

Sir Robert Smith: I thank my right hon. Friend for the measured way in which he has described the history of how the further powers were set out for people during the campaign, correcting some of the impressions that were given in the later coverage of the campaign. It is important to recognise that the powers are all predicated on the fact that the people of Scotland have chosen to remain part of the United Kingdom.

Michael Moore: My hon. Friend is absolutely right. Those in the Scottish National party must remember that that was indeed the result.

Some concerns have been expressed about the timetable for the Smith commission, but we cannot win on that one. It will be seen either as far too short and too urgent, or as being kicked into the long grass and not being treated urgently enough. Lord Smith has a huge challenge on his plate, but I and my colleagues, including the hon. Member for Cumbernauld, Kilsyth and

[Michael Moore]

Kirkintilloch East (Gregg McClymont), are committed to ensuring that his job is made as easy as possible, so that we can get this new settlement.

Sir Menzies Campbell (North East Fife) (LD): Does my right hon. Friend recall that the constitutional convention embraced the Labour party, the Liberal Democrats, civic society and trade unions but that, for reasons of its own, the Scottish National party declined to join it? It is worth remembering that we now have a Scottish Parliament as a direct result of the efforts of John Smith, Donald Dewar and now Lord Steel of Aikwood, as well as the efforts of the many others who, after the failed referendum of 1979, kept the faith.

Michael Moore: My right hon. and learned Friend rightly points to the history of engagement by the Labour party, the Liberal Democrats and, later on, the Conservatives. Now, we must hope that the SNP will engage in the process in the right spirit. The interventions from SNP Members this afternoon seem to be going against the spirit of welcoming the Smith commission; they seem to have prejudged it and decided that it will not work. I believe that John Swinney and Linda Fabiani will enter into the work of the commission in the right spirit to ensure that we can reach common ground; I hope that that is the correct judgment to make. It is the responsibility of all participants to create a package that will meet the ambitious aspirations of the people of Scotland, that will maximise the common ground between the political parties and those not of any party, and that will prove stable for Scotland and the UK more widely.

Mr Jenkin: Have we not seen SNP Members demonstrating in the House this afternoon that they are interested not in reaching solutions or long-standing agreements but in wrecking, in spoiling and in taking slight and injury in order to destabilise whatever settlement is agreed on here among the main parties?

Michael Moore: I certainly think that any attempt to create grievance about the process goes against the grain of what we understand to be the SNP's willingness to be a full participant in the process. I believe, however, that John Swinney and Linda Fabiani will enter into their work with the commission in the right spirit and that they will be determined to work with others and respect the outcome of the referendum, which made it clear that Scotland should stay in the United Kingdom.

The different parties debated and set out their proposals for what they seek from the commission, according to the different principles that Lord Smith asked for, by the end of last week. It is important that we should adopt those principles, so that we can have a Parliament with the maximum range of powers to fulfil our ambitions for it. Those ambitions include an ability for the Scottish Parliament to raise more than half the money that it spends, while retaining at UK level sufficient fiscal capability and responsibility to allow the UK Parliament, and all the MPs who are part of it, to perform the functions that are best secured across the whole UK, including defence, the provision of a unified international presence, fiscal transfers and solidarity, social protection and equity, and the macro-economic foundations of our economy.

It is important that we entrench the Scottish Parliament to make it clear that there is no danger of its ever being taken away, which would be a political disaster. Now is a good moment to entrench it in the United Kingdom constitution. We must ensure that we maintain what is valuable about the United Kingdom, what people have argued and fought passionately for over the past three years, including the single market for businesses and a single welfare system whose core elements are available across the whole UK.

There is another dimension to this, which has formed part of the debate in England and in Scotland. Although it is not part of his official remit, I hope that Lord Smith will look hard at the issue of local devolution in Scotland, because the cries for decentralisation within Scotland are every bit as strong there as they are here.

Mr John Redwood (Wokingham) (Con): Does the right hon. Gentleman agree that, as we wish Scotland to have substantial tax-raising powers in its own right, it would be quite wrong for Scottish MPs to vote on taxes for England or the rest of the United Kingdom?

Michael Moore: I shall come back to the issue of English votes for English laws in a moment.

I believe that there is a lot of support across Scotland for a modern Scotland within a reformed United Kingdom, and it is important that we should be serious about that reformed United Kingdom as well. Let us look at the inner workings of the United Kingdom, and particularly at the civil service. I am proud to have worked with some immensely talented people in the Scotland Office, the Cabinet Office, the Treasury and elsewhere. I saw for myself what could be achieved when people put their minds to working together in common cause. I saw the limitations as well, however. I saw the hollowing out of the United Kingdom Government's presence and capacity in Scotland and, at times, a lack of understanding and sclerotic responses.

I plead for forgiveness for previously arguing for the abolition of the Scotland Office. I confess that I did that when I believed that the rest of the United Kingdom Government had a strong presence north of the border. Three and a half years in the Scotland Office disabused me of that notion. However, the resources, the policy-making capability and the stakeholder engagement in Scotland improved substantially in response to the referendum campaign. We must seize the moment and ensure that there is a step-change in Scotland on the back of that. We must not go back to the old days.

We must also look afresh at how we resolve disputes within the United Kingdom. We need greater openness and engagement in the joint ministerial Committees, and quicker resolution of disputes before they are elevated to constitutional crisis level. All of that is about more openness and a greater understanding of what is done in people's names across the length and breadth of the United Kingdom.

Mr Allen: May I take the right hon. Gentleman back to his remark about greater independence for local government in Scotland? One thing I hear is that in Scotland there has been great over-centralisation at the Scottish Executive level. Will he underline that in any written settlement that comes forward for Scotland—and, hopefully, in time in the UK—it will be very clear that

there is double devolution? By that I mean devolution that goes not only to the Scottish Parliament, but down to a lower level. That is equally applicable in the United Kingdom. One falsehood of English votes for English MPs, because there is a lower level—

Madam Deputy Speaker (Dame Dawn Primarolo): Order. Interventions are supposed to be brief. The hon. Gentleman is waiting to speak and I am sure he will be able to expand on his point. May I say to the right hon. Member for Berwickshire, Roxburgh and Selkirk (Michael Moore) that he does not have a time limit, as the Speaker ruled, but he has been speaking for 15 minutes and a time limit will apply after the fourth speaker opening the debate. Although he has been generous in taking interventions, may I therefore ask him rapidly to draw his conclusions in his remarks so that we can move on to the next speaker?

Michael Moore: Madam Deputy Speaker, you make a very fair point and I will endeavour to conclude shortly. Let me pick up on the point raised by the right hon. Member for Wokingham (Mr Redwood) about English votes for English laws. As the shadow spokesman said, it was a mistake for the Prime Minister to link the issues of Scottish devolution and more powers for England on the same day, in Downing street, just after the referendum result. I recognise that giving further powers to Scotland requires making changes elsewhere, including here. If the West Lothian question were simple to answer, it would have been answered many years ago. We should avoid turning this place from a United Kingdom Parliament into an English Parliament simply by changing Standing Orders, rather than by giving it thorough consideration. We must also avoid any suggestion that English votes for English laws is really about Conservative seats for English laws and seeking to rule out other parties in the process. If the right hon. Gentleman and others are talking about fair votes, that is a fine idea and I look forward to hearing his proposals.

North and south of the border there has been a strong cry for democratic renewal. It has to be real change for Scotland, as well as for elsewhere in the country. We are not going to get away with turning our backs on the questions raised by people the length and breadth of the UK. The voters have spoken and we must respond urgently.

2.32 pm

Mr Gordon Brown (Kirkcaldy and Cowdenbeath) (Lab): In thanking the Leader of the House, the shadow Justice Secretary and the right hon. Member for Berwickshire, Roxburgh and Selkirk (Michael Moore) for introducing this debate, may I join all three of them in congratulating all those Conservatives, Liberals, Labour supporters, all those in England, Wales and Northern Ireland, as well as those in Scotland, who were part—

Pete Wishart: On a point of order, Madam Deputy Speaker.

Madam Deputy Speaker (Dame Dawn Primarolo): Mr Wishart, it had better be a point of order.

Pete Wishart: I am seeking your guidance on a particular issue, Madam Deputy Speaker. We can understand why the Government and Opposition Front-Bench spokespeople

have no time limit on their speeches, but what is the precedent for Back Benchers being given no time limit in a debate such as this? How were they selected?

Madam Deputy Speaker: It is quite simple, Mr Wishart. I thought you knew the rules of the House, because you have been here for some time. The Speaker has discretion in these debates. He made it clear what he intended to do for the first four speeches, and I am now taking that through. I hope, therefore, that you will remain in your seat so that the debate can proceed, and you will be called in due course.

Mr Brown: Madam Deputy Speaker, I wanted to congratulate all those who had contributed to the historic and clear decision of the Scottish people to stay part of the United Kingdom. As someone who has had time to reflect—four years, courtesy of the decision of the British people—may I say that I believe there is also common ground on not just the timetable for the delivery of further devolution to Scotland, but the powers themselves? I believe that when the Conservative, Liberal and Labour parties get together to look at the possibility of delivering a stronger Scottish Parliament, they will find that, in addition to moves on powers over housing benefit, attendance allowance and other matters that they have talked about already, it is possible for the Conservatives to accept some of the Liberal proposals and some of the Labour proposals that would strengthen the Scottish Parliament as part of the United Kingdom, without breaking the United Kingdom but while being in line with the wishes of the Scottish people, and without giving an unfair advantage to the Scottish people.

Iain Stewart *rose*—

Mr Brown: I will pursue my argument and then I will give way. It is a bit much for the hon. Gentleman to want to intervene on me before he has heard what I have had to say.

I have to tell the House that the fundamental question is not the one the Leader of the House was trying to raise; the fundamental question affecting the British constitution is not the West Lothian question. That is a symptom of a more fundamental problem. The fundamental question in the British constitution arises because England is 84% of the Union, Scotland is 8%, Wales is 5% and Northern Ireland is 3%, and the reality is that at any point the votes of England could outvote Scotland, Wales and Northern Ireland, individually or collectively. So the real issue is about getting a fair distribution of power that respects not only majority rule—I am sensitive to the needs of England and English votes—but the rights of the minorities, so that we have stability and harmony in the British constitution.

Iain Stewart: On that point—

Mr Brown: I will give way in a minute, but I want first to develop this argument. Every generation has had to come to terms with how we get that balance right between majority rule and protecting the needs of the minorities that are part of the United Kingdom. Although on 19 September there was contentment and satisfaction, including, I am told, right up to the centre of Buckingham palace and Balmoral—we have that on the highest

[Mr Gordon Brown]

authority, or perhaps I should say the second highest—the problem then arose with the Prime Minister’s announcement at 7 am on the Friday after the vote. Without telling people beforehand, on a matter that was absolutely material to the vote that people were casting in the Scottish referendum, a new plan was imposed on Scotland. A vow written on the Tuesday was being rewritten on the Friday morning, because although he said the proposed change was in the English constitution, the practical effect of it was in Scottish constitutional affairs: to restrict the voting rights of Scottish Members of Parliament in this House of Commons on an issue, as he said on that morning, as fundamental as taxation.

Sir Gerald Howarth (Aldershot) (Con) *rose*—

Mr Brown: I will give way in a minute. Clearly that was a change in Scotland’s status in the United Kingdom. Clearly it was highly material to the vote people had just had. Should not the people of Scotland have been told prior to the referendum, which was on Scotland’s status in the United Kingdom, that the downgrading of Scottish representation in Westminster was one of the proposals that he now wishes to make to the people of the country?

Several hon. Members *rose*—

Mr Brown: I will give way in a minute. What makes for a lethal cocktail—the Leader of the House did not even appear to recognise this—is that the Conservative party, as confirmed by the right hon. Member for Wokingham (Mr Redwood), wants to devolve 100% of income tax to the Scottish Parliament. This is not the nationalist policy or the Labour policy; it is the Conservative policy to devolve all of income tax to the Scottish Parliament and then immediately end the right of Scottish Members of Parliament to vote on income tax, on a matter as substantial as the Budget, in this Parliament of the United Kingdom. Until now, any income tax rise has been based on the principle that all contribute and all benefit. Now, under the Conservative proposal, all, including Scotland, would benefit from such a tax rise, if it were ever to happen, but only some, excluding Scotland, would contribute. [*Interruption.*] This is the Conservative party proposal. It is a radical proposal to devolve all income tax in Scotland and then preclude Members of Parliament in this House from voting on the Budget. [*Interruption.*] Before I give way, I want to say that no state in the world, federal or otherwise, devolves all income tax from the national Exchequer to regional, local or national assemblies, and no Parliament in the world would impose a national income tax on only some of the country but not on all of it. There are very good reasons why that is. We have to understand that this is the Conservative party proposal that has been put forward subsequent to the referendum.

Mr Redwood *rose*—

Mr Brown: I will give way to the man who is the author of English votes for English laws.

Mr Redwood: I am very grateful to the right hon. Gentleman for endowing me with that honour, but he should remember that the idea of English votes for English issues was in the Conservative manifesto in

2010 and that I expressly raised it before the referendum in Prime Minister’s questions, when my right hon. Friend the Member for Richmond (Yorks) (Mr Hague) was standing in for the Prime Minister who was in Scotland. Everybody knew that this was the will of the Conservative party. More importantly, it is the settled will of about three-quarters of the English people.

Mr Brown: Why then, when the McKay committee reported, did the Government say that it needed only a thorough and rigorous investigation and did not support that view? The Prime Minister did not tell the Scottish people before the referendum that that proposal would come on the morning after the referendum.

Several hon. Members *rose*—

Mr Brown: I will give way in a minute. It is the combination of the two proposals to devolve 100% of income tax and then to remove the right of Scottish MPs to vote on the matter in Westminster that is absolutely lethal to the constitution. Let us be clear about the impact of this plan. The Leader of the House is free to intervene and to confirm whether this is indeed his plan. Scottish representatives would be able to vote on some of the business of Westminster, but not all of it. They would not be able to vote on some Budget decisions on income tax and thus would undoubtedly become second-class citizens at Westminster.

Mr Graham Stuart (Beverley and Holderness) (Con): On a point of order, Madam Deputy Speaker. Is there now a convention that those Members of Parliament who attend this place the least often are not subject to the Back-Bench time restrictions that apply to all other Back Benchers?

Mr Brown *rose*—

Madam Deputy Speaker (Dame Dawn Primarolo): Just a minute, Mr Brown. That is not a point of order. The hon. Gentleman has been here long enough to know about the convention of this House. If he does not, I will be happy to tell him if he would like to approach the Chair, rather than waste the time of the House.

Mr Brown: It is whether one talks sense in this House that matters.

I believe—I am happy for the Leader of the House to confirm this—that there is a basic truth that this restriction on one group of MPs from voting on central issues such as Budget tax decisions ignores, and that is that we cannot have one United Kingdom if we have two separate classes of Members of Parliament. We cannot have representatives elected by the people who are half-in and half-out of the law-making process. The gospel according to Mark in the New Testament, which was quoted by Abraham Lincoln, says:

“A house divided against itself cannot stand...and a kingdom divided against itself is brought to desolation”

That is the truth of what the Conservative party is now doing.

This diminished status for Scotland would also have to apply to Wales, which also wants income tax powers. It would possibly apply to Northern Ireland and then—the

Leader of the House did not rule this out when asked about it—it would have to apply to London. It would then have to be applied to the House of Lords to create two classes of representation. A Government who one day owed their authority to all Members of the House would the next day owe their authority to just some Members of the House. They cannot be servant to two masters, owing their authority and legitimacy to one set of votes one day by one group of people and another set of votes another day by another group of people.

Mr MacNeil: Is the right hon. Gentleman telling this House that he signed up to a vow without knowing the details of it?

Mr Brown: I signed up to a vow that I will keep. It was the Prime Minister, on the day after the referendum, who qualified the promise. We would be better off in this House if we had some humility from Members of the Scottish National party, who in their own constituencies found that 55% to 60% voted no and not yes.

Iain Stewart: I am very grateful to the right hon. Gentleman. May I thank him for the impassioned defence of the Union that he made in the last few days of the campaign? In that spirit, may I say to him, as someone who was christened by his father and who grew up in the central belt of Scotland during the devolution arguments of the 1980s, that there is a similar growth of demand in England for a say in her own affairs. If that is not addressed quickly, we may endanger the very Union that he and I both want to preserve.

Mr Brown: I do not disagree with the hon. Gentleman. I am coming to that and to the proposals that might solve that problem without creating two classes of representation in this House of Commons. The answer has to be that when one part of the Union is 84% and the others are 8%, 5% and 3% respectively, we cannot secure the status of each nation through a blanket uniformity of provision. Indeed the rules needed to protect the minority—I would hope that the Leader of the House who used to be Secretary of State for Wales understands this—are bound to be different from the rules to protect a majority who can always outvote the minority in this House. If that is not recognised by this Government today in this House, it is recognised in America where the rules of the Senate mean that Wyoming—a minority part of the country—with half a million people has two Members of the Senate, as does California with 38 million people. It is also recognised in Australia where Tasmania with 700,000 people and New South Wales with 7 million people have 12 members each in the Senate. It is recognised in the constitutions of Spain, Switzerland, South Africa, Brazil, Nigeria and Mexico.

When we start from a profound imbalance in the numbers of people in a population and from a huge inequality of size, fairness of treatment is not secured by a crude blanket uniformity that requires exactly the same provision for the minorities as the majority. We need to accord some respect to minorities, because the majority can invariably, and always if they want, outvote at any opportunity. The answer is not to say, “no representation without taxation.” The answer is certainly not to say no to Scots paying income tax at a UK level and then no to Scottish representation in this House.

The answer must be to say yes to Scottish representation on equal terms here and not to devolve all forms of income tax to the Scottish Parliament. Scots should continue to pay income tax to the UK and to be represented in the UK. We will achieve the same level of accountability and local responsibility for decisions by devolving some but not all of income tax—perhaps 75% of it—and then assigning half of VAT, with the Scottish Parliament then raising the majority of its spending by its taxing decisions.

Sir Oliver Heald *rose*—

Mr Brown: I am going to answer the point that I am sure the hon. and learned Gentleman is about to raise.

I do not underestimate, and I have reason not to underestimate, the concerns of the English people. I also understand the sensitivities that have been mentioned. There are ways in which they can be dealt with in the Union, without disrupting the status of Members of Parliament in this House and by, at the same time, meeting the sensitivities of the English. The McKay committee offers one way forward, but I agree with the Government that there should be a rigorous examination of what it is proposing as a new element has been introduced, which is the decision on income tax. There are other ways that we can meet the needs of English Members of Parliament in this House without creating two classes of representation, because if we do that, the Union is all but over.

The Leader of the House has put forward a crude argument that needs to be answered. I say to him again that English votes for English laws will not solve the problem that he has raised. It will not bring stability and harmony to the United Kingdom or create the sense of fairness that he wants to see. That will be true even for the English representatives whom he wishes to support. As the McKay committee found, it is difficult to isolate a part of the constitution and say that it is exclusively, uniquely and forever English. There can be few laws passed in this place that do not have implications for Wales, Northern Ireland and Scotland. It will also not deal with the fundamental problem of fairness. Let us say that the UK Parliament votes a tax rise to pay for improved pensions and a better national health service or even to cover the national debt, does this House think that English, Welsh and Northern Irish voters will accept for long—even if the Scots have no voting rights—that they, the English, Welsh and Northern Irish, will contribute their income rises to UK-wide services, including funding the Barnett formula, if Scotland is exempt while continuing to benefit from the money raised? That is the Conservative policy. If the Leader of the House will not speak, let someone from the Back Benches defend the Conservative party policy, which will split the United Kingdom apart. Who will speak up?

Sir Oliver Heald: My constituents in Letchworth want to know why it is that the right hon. Gentleman should be able to vote in this place about education in Letchworth when I have absolutely no say on those matters in Kirkcaldy in his constituency. It is not right—*[Interruption.]* I have not finished my intervention. When he was Prime Minister, he consistently ignored this issue. He ignored the voice of England and it must be addressed. It is time he came forward with a positive proposal.

Madam Deputy Speaker (Dame Dawn Primarolo): Order. I remind you, Mr Brown—I said the same to Mr Moore—that the time limit will apply after you conclude your speech, but I would be grateful if you would now draw your remarks to a conclusion, please.

Mr Brown: The hon. and learned Member for North East Hertfordshire (Sir Oliver Heald) has not been listening to what I have said. I have been talking about the need to balance recognition of majority rule with sensitivity towards the minorities. What he is saying would apply to the United States of America, Australia and all the countries I have mentioned, where he would deprive the minorities of the power to influence decisions in their Parliaments.

A minute's consideration of the Conservative party's proposition, on which the Leader of the House has refused to answer, will show that the only sensible way forward is to devolve some but not all income tax and not to exclude Scots, or any representatives of minority nations in the United Kingdom, from voting at Westminster on issues such as taxation.

Pete Wishart: Will the right hon. Gentleman give way?

Mr Brown: I gave way once to a Scottish National party Member, and that was quite enough.

It has long been said that the British constitution does not work in theory but works in practice. Make the change proposed by the Conservative party—to devolve income tax to the Scottish Parliament in full and then deprive Scottish MPs of the right to vote on the Budget—and the constitution will not work in practice either. Nations can collapse by accident, even when a majority wants them to survive, and unions can disintegrate because of mistakes that are made.

I am more encouraged than Government Members and Ministers are by the reaction of people in England and the rest of the United Kingdom to the Scottish referendum. While the myth is perpetuated that Scotland and England are on completely different planets, that one is communitarian and egalitarian and the other is individualistic and libertarian, I find that no four nations in the world have managed what we in the United Kingdom have managed to do: to pool and share our resources together. That is the essence of the modern Union: to guarantee everyone in these islands, irrespective of nationality, the same equal rights to help when they are sick, disabled, elderly, vulnerable or unemployed.

A United Kingdom that was united in name only could not survive for long. What I see is reinforced by what we have seen and what we have studied in our history books: the United Kingdom in two world wars, coming together in a shared sacrifice, suffering together; that we Scottish, English, Welsh and Northern Irish are prepared to help each other and come to each others' aid, to recognise the differences in each other and to be tolerant of what at times might seem like excesses or eccentricities in others. If we can avoid making the kind of mistakes that the Leader of the House is now making, if we can rise above narrow partisan interests and put country before party, and if we can remain statesmanlike in seeking unity, as the

siren voices from the SNP try to wreak discord, then Britain can still be the Great Britain that we want it to be.

Several hon. Members rose—

Madam Deputy Speaker (Dame Dawn Primarolo): Order. There is now a six-minute time limit on Back-Bench speeches, although it might be necessary to review that during the course of the debate.

2.53 pm

Sir George Young (North West Hampshire) (Con): It is always a pleasure to follow the former Prime Minister and, in a moment, I will deal head on with the argument he has just made about two classes of MPs. I am delighted that this issue has been taken off the back burner and put on the legislative hot plate by my right hon. Friend the Leader of the House, who as party leader some 15 years ago set out a very clear statement of our party's policies on this.

Let me deal with the argument we have just heard about two classes of MPs. First, it asks the wrong question. We are here to represent our constituents, so the question is not whether there should be two classes of MPs, but whether there should be two classes of constituents, one of which would be for those who have a significantly more powerful democratic leverage than the other. Post-devolution, the Scottish voter has more democratic leverage than the English voter. Through his or her MSP, he or she has total control over the matters that have been devolved to Holyrood. That is fair enough. They have leverage over those matters that have not been devolved, such as defence. That is fair enough. But they also have leverage over matters that exclusively apply to England, and in some cases that influence is decisive. My voters have none of that. They have no leverage over devolved matters in Scotland, and they can be outvoted on matters that are exclusively English. That is indefensible and unsustainable, as some of us have been saying since 1999.

Let me deal with the question about all MPs being equal. MPs are not equal. Post-devolution, we have different case loads. Four Members of Parliament never vote. MPs who are Ministers cannot initiate debates on behalf of their constituents or ask parliamentary questions. Some MPs can speak for more than six minutes, and others cannot. Some are paid more because of their responsibilities in the House. It is not the case that all MPs are equal.

The McKay commission summed up the situation very well in paragraph 59 of its report:

“These survey findings suggest a potent combination of dissatisfactions in England. There is a clear and enduring sense that England is materially disadvantaged relative to the other parts of the UK, especially Scotland.”

What a disappointing response we heard from Opposition Front Benchers to that clear statement. They refused to answer the question from my right hon. Friend the Leader of the House on what the principle that the Labour party seeks to defend might be.

Margaret Curran (Glasgow East) (Lab) rose—

Sir George Young: Perhaps the hon. Lady will now tell us.

Margaret Curran: I am quite taken by the fact that the right hon. Gentleman is so focused on the role of Scottish Members of Parliament. In his principles and plans, does he intend to apply that focus to Members of the House of Lords as well, or is he only worried about the House of Commons?

Sir George Young: The proposition in my party's manifesto was absolutely clear: it applies to Members of this House.

Several hon. Members rose—

Sir George Young: I want to make some progress and so will not give way.

In 1999, it looked as though we might make some progress on rebalancing the constitution post-devolution. The fourth report of the Procedure Committee in the 1998-99 Session looked at the consequences of devolution for this House. The report was unanimous and the Committee included a majority of Labour MPs. This is what they said, in paragraph 25:

"The main point of principle to be considered is whether it is appropriate to retain special procedures for bills relating exclusively to one of the constituent countries of the United Kingdom, as currently apply to bills relating exclusively to Scotland or Wales. On balance we believe it is."

That was the proposition put forward unanimously by a Select Committee of the House, and it provided the building blocks for resolving the West Lothian question.

However, for the rest of that Parliament, and for the subsequent two Parliaments, we had nothing but obfuscation by the Labour party. First we were promised regional assemblies, and when they imploded we were offered a Standing Committee on Regional Affairs. That, in the polite words of the Library, "met infrequently". It met infrequently because the previous Government never actually set it up. After it was abolished, we then had the fiasco of the regional Committees at the end of the last Parliament, which often could not meet because they were inquorate.

Throughout the previous three Parliaments, some of my right hon. and hon. Friends harried the Government time and again to do something about the West Lothian question. The flimsiest of arguments were produced in response. On one occasion, the then Deputy Leader of the House said:

"The arguments are new and opportunistic, and they were not heard when the Conservatives were in government."—[*Official Report*, 6 January 2004; Vol. 416, c. 60WH.]

Of course they were, because Scotland did not have its own Parliament when we were in government. In response to the Procedure Committee's clear recommendation, which I have just referred to, the Government said:

"If...it were possible to identify some Bills as relating exclusively to England, it is not clear what benefit that would have for the House."

That was an absolutely astonishing statement. They put the telescope to the blind eye.

To bring us up to date, my party made a clear commitment in our manifesto to put that right:

"Labour have refused to address the so-called 'West Lothian Question': the unfair situation of Scottish MPs voting on matters which are devolved. A Conservative government will introduce new rules so that legislation referring specifically to England, or to England and Wales, cannot be enacted without the consent of MPs representing constituencies of those countries."

That did not make it into the coalition agreement, as a result of caution on the part of our Liberal Democrat colleagues—having listened to the Deputy Prime Minister during Question Time, however, I think that they might be reviewing that position.

What should we do now? There have been a number of imaginative suggestions from right hon. and hon. Friends, including my right hon. and learned Friend the Member for Kensington (Sir Malcolm Rifkind) and my hon. Friend the Member for Stone (Sir William Cash). One possible solution was in the Scotland Act 1978, which would have introduced devolution had it been carried in a referendum. It stipulated that if it turned out that a measure that impacted only on England was carried by Scottish votes, there should be an interim period for reconsideration. That recommendation was never implemented because the referendum produced a negative vote.

I would suggest that a Bill should get a Second Reading with all Members of the House voting, then go to a Public Bill Committee composed solely of English MPs, and then come back on Report during which everybody can vote. However, if it turned out that a specific amendment had been carried only with the votes of Scottish MPs, the relevant section of the Bill should be recommitted back to the Public Bill Committee. We would then have a process that we are familiar with through, for example, negotiating with the House of Lords. If we can negotiate to get a Bill through with the Lords, we can negotiate with elected English MPs to get it through the Commons.

3 pm

Mr Ian Davidson (Glasgow South West) (Lab/Co-op): What we recently saw in Scotland was a historic vote. We now have to recognise that Scotland's commitment to the Union is obviously far greater than that of England and Wales, which have never yet had a vote on whether to remain in the Union. I was reminded earlier that Northern Ireland has in fact made such a commitment. Perhaps that lack of commitment to the Union is behind the Conservatives' proposal on EVEL—English votes for English laws.

The referendum was an exciting vote. I congratulate everybody from the Conservatives, from the Liberals and from my own party who participated in our campaign. I also congratulate those from the SNP, the Greens and others who participated in their campaign. As an interested observer, but I hope an impartial one in this regard, I thought that the yes campaign had a better campaign than we did. They had better propaganda, better presentation, and even better music; all we had were better arguments. The fact that we had better arguments was demonstrated by the fact that we prevailed. The fact that oil has now dropped to about \$80 a barrel, that we have just started cutting steel for ships in my constituency, and that the level of intake of income tax has fallen across the UK as a whole demonstrates the correctness of the decision that the people of Scotland took.

This is a time to try, if we can, to put behind us the divisions that we had during the referendum. It is appropriate to remind ourselves that the referendum campaign was an exceedingly bruising experience for many of us. I will not forget, though I hope to forgive, being described on a number of occasions as a traitor

[Mr Ian Davidson]

or a Judas. The suggestion that there was a Team Scotland that I was not part of because I did not support separation was deeply offensive to all of us who were proud Scots but did not support separation. In the spirit of peace and reconciliation, we ought to move forward and try to put those things behind us. I think—I did not at the time, but I do now—that the experience of the referendum has been a positive thing. It has moved forward the debate and discussion on the constitution of the United Kingdom such that I am now more firmly than ever before in favour of a referendum on the European Union in order that we can similarly move forward those issues—but I digress.

The vote was not simply a vote to remain part of the United Kingdom—it was very much a vote for change, in two areas: first, on the question of devolution and more powers. I am committed to the concept of more powers for the Scottish Parliament, even though, with the powers that it currently has, it takes some decisions that I do not like. Recently it got the power on rail and continued to have it in the private sector when it could have looked at having it in the public sector. It transferred ScotRail's contract to a company that previously used to be known as NedRail, which is perhaps appropriate in some parts of Scotland but not necessarily all. Through its powers on the budget and capital spending, the parliament has made substantial cuts in capital for new schools. Again, I regret that, but I respect its right to do it and think that the decision to transfer those powers to it was correct.

People in Scotland were not simply voting about more powers; they were also voting for a better society. That places a burden on my party and the other parties that support the Union to be more specific not only about which powers we want to transfer but what use we want to be made of them. Those who want to see the transfer of all income tax, some income tax or some other tax powers also have an obligation to tell us what they would do with those powers should they be actually transferred. That would result in a much more constructive debate about political aims and objectives rather than the sterility we sometimes have whereby it is just about whether, like a stamp collection, people want to collect powers for their own sake.

Ann McKechnin (Glasgow North) (Lab): I very much agree with my hon. Friend that this should be start of a new debate about the changes that everyone in Scotland is looking for, regardless of whether they voted yes or no. Does he agree that part of that debate must be not just about devolving power between Westminster and Holyrood but devolving power to local communities and local authorities, which have seen increasing centralisation in Scotland over the past decade? We need to move the balance strongly towards local communities instead.

Mr Davidson: I very much support that, as do, I think, the vast majority of people in the Labour party and many of the other parties that participated in the referendum.

We had a tightly fought and strongly argued debate on the referendum, and we are now all entitled to accept that there was a clear and decisive result. It now appears

that no form of devolution will satisfy those who are in favour of separation. We are starting to see not only unhappiness about the result but a rejection of the result. The myth of betrayal is being put forward. We are starting to see the “grievance a day” mentality. That will potentially poison Scottish politics unless those of us who are in favour of settlement move forward in a positive and constructive fashion.

I recognise that, as a result of what has happened in Scotland, there are issues for England, Wales and Northern Ireland. We ought to adhere to two principles: first, all MPs are elected equal; and secondly, we must respect the integrity of the Union. We cannot have a situation where Scots are sent out of the room for some debates. As has been said elsewhere, we cannot have Scots MPs being sent out for some things, Welsh MPs being sent out for others, Northern Ireland MPs being sent out for different subjects, and London MPs being sent out for others still. I recognise that England is a nation, although I have to say that it is unfortunate, perhaps, that it must be about the only nation in the world that does not have its own national anthem.

Andrew Bridgen: I wonder whether the hon. Gentleman agrees with this:

“If it's wrong and something needs to be corrected then even if in the short term it looks that it might be a disadvantage to our party, long term if you do the right thing it's good for the party. What's right for the country is right for our party.”

If the hon. Member for Vauxhall (Kate Hoey) accepts that the West Lothian question needs to be addressed, why cannot he?

Mr Davidson: I do think that the West Lothian question should be addressed, but not by sending Scots out of the room.

I very much take the view that the disparity in scale between the different parts of the Union must also be accepted. I want to see a solution to what we can perhaps describe as the English problem, whether that involves an English parliament, regional structures, or city regions. I do not mind any of that if we have had a reasoned debate and discussion. However, it is inappropriate for people to suggest that EVEL should be introduced as a knee-jerk reaction without full consideration, debate and discussion within England itself. We have to remember that the process of Scottish devolution has been very lengthy, thorough, involving and all-embracing: it was not produced on the spur of the moment very much for party advantage. I understand to some extent why some Conservatives are doing this, but I appeal to them not to seek to pursue party advantage on this question at the risk of damaging the future of the Union.

3.9 pm

Sir Roger Gale (North Thanet) (Con): I think I know what my constituents do and do not want to see. They want to see a holistic solution that is fair to the whole of the United Kingdom. They do not want to see a piecemeal spatchcock solution that is pointed towards Scotland immediately, while not just England, but the rest of the United Kingdom are kicked into the long grass.

It is more than 20 years since I first suggested the abolition of the House of Commons and the House of Lords. I suggested at that time that we should have four

national Parliaments for Scots, English, Welsh and Northern Ireland Members, each with a First Minister, and that we should then, to take the point made by the right hon. Member for Kirkcaldy and Cowdenbeath (Mr Brown), have a United Kingdom senate. Therefore, although we would break up the nations, we would retain the United Kingdom, with the Queen as the Head of State, a Prime Minister for the United Kingdom and a senate that would deal exclusively with macro-taxation, foreign policy and defence.

That suggestion was greeted with derision at the time and I have no doubt that the response will be the same today. However, prior to The Great Reform Act 1832 it was the duty of Parliament to raise the money to fight the wars and enforce the foreign policy, and everything else was dealt with parochially. The issues were not quite the same then, but I envisage that health, education and social services should be dealt with on a national basis, while the unity of the United Kingdom would be retained through the senate.

I do not expect Government Front Benchers to leap up and say, "Gosh, Roger, yes, you're right. Nobody's ever thought of that before." Nevertheless, I want to end by saying—I can do this very quickly indeed—that if we attempt to deliver the issues contained in some vow in which I, my constituents and this House of Commons did not have a say, and do so without at the same time addressing the matters that relate to Northern Ireland, Wales and specifically to England, I do not doubt that at some point the matter will go through this House, and to that I say, quite simply, "Not in my name."

3.12 pm

Mr Graham Allen (Nottingham North) (Lab): Thank you, Madam Deputy Speaker, for allowing me to address the federal Parliament today. Like many colleagues, I want to start by congratulating the Scottish people as a whole—whether they voted yes or no—for the way in which they gave many of us an exciting and euphoric democratic experience. I suspect that those who were out there on the day will not share that view, but as someone who was external to the process for most of the time, I think it was a great tribute to the concept of democracy.

It would be a great shame if we let that go and did not surf the wave of democratic feeling unleashed by the referendum but lapsed back into good old Westminster intrigue and internal politics. That is why the referendum had the legs that it had—people had thought that all we were concerned about were things such as who sat next to whom on these Benches and whether they were able to vote or not. We have been given the most fantastic opportunity, with the Scottish people leading the way, to improve our democracy.

As an English Member of Parliament, I congratulate Scotland on the way in which it managed, perhaps hairily, to get what will be an incredibly strong devolution package. All I would say to this House is that what is good enough for Scotland is good enough for England, Wales and Northern Ireland. We should treat this as a launch pad for devolution for the whole of the United Kingdom. That is the key lesson for us. I am afraid that none of our party leaders covered themselves in glory the day after the referendum result was announced.

They did not take that lesson to the extreme and address the journey we could all begin to take so that everybody else can do as well as Scotland has done.

All I am asking is that Britain be allowed to join the family of western democracies, with a devolved settlement and a constitution that guarantees, as has been said, what happens with local government. It is good to give local government some authority and a package of proposals, but the experience of Scotland has shown how a Government can suck powers from the localities if they are not entrenched and guaranteed in writing—not just in law, but in a constitution.

Graham Stringer: My hon. Friend is making some profound points. In 2010, public expenditure in Greater Manchester was £23 billion, and in 2014 the figure was exactly the same. There have been huge cuts in public services, local government and elsewhere over that period. Does that not show that the centralised model does not work, and that if people in Greater Manchester had been in control of that money, we would have had a better outcome?

Mr Allen: I strongly support my hon. Friend's record of achievement in pressing the case for Manchester and many other places that need that liberation. Our country's localities, regions and nations can do far better than simply rely on the man in Whitehall telling us what to do. My only caveat to my hon. Friend's comments is that we all have to get this. It is not just a matter of having a great campaigning council or a strong council with the right connections; everybody, including, as has been said, the counties, non-core cities, parishes and rural areas, has to benefit from that liberation, and I think that is what a written settlement will be able to do.

David Rutley (Macclesfield) (Con): I thank the hon. Gentleman for the powerful speech he is giving. Does he agree that it is also vital that we focus not just on the delegation of powers but on collaboration among the cities and the counties, to bring about economic benefit for all involved?

Mr Allen: The independence of local government to do things appropriate to its level will actually encourage interdependence, interrelationships, treaty-making, sharing and co-operation in a way in which we are all currently constrained from doing, because all we can do at the moment is implement the stuff that comes down the pipe from Whitehall. That will be liberating with regard to relationship-building, and it will give local government the sensitivity to engage with local people and spend money more accurately locally.

I have been worried that the vision needed to get on this road has been lacking. I think that has happened in Scotland to a degree over the years. I think Donald Dewar led at such rocket speed that perhaps it has been difficult to keep up the pace of that engagement with people. That has certainly been the case at the UK level: our respective Front Benchers seem shy of engaging with the British people on the subject of democratic change. Above all, not engaging with people in England on how they can run their own affairs more effectively has led to the ghost of UKIP appearing at the feast to fill the vacuum. All of us, regardless of party, have a

[Mr Allen]

role to play in bringing such things back to the English people, as well as to the Scottish people and the rest of the people of the Union.

We have had high levels of complacency and short-termism, and we are now being paid back for that. We must not forget that that led us to the brink of failure: however excited the people in the no campaign are now, we came within an ace of destroying the Union. Going back to business as usual is not the way forward. We must ensure that the whole range of democratic measures are considered in any settlement, rather than just English votes for English laws. In saying that, I am criticising those on both Front Benches.

It is close to arrogance to assume that devolution in England means just talking to English MPs. That is where we previously went wrong. It is why people do not like us and think that we are corrupt, to a degree, in wanting to move the deckchairs around on the Westminster Titanic, rather than reaching out to them with double devolution—not just in relation to us as English MPs, but as people who run local authorities, which should be vested with much more authority than they currently are. We need to be very careful to avoid such arrogance.

There is lots of stuff that people can use to make this work. The Leader of the Opposition said that he did not want to do anything on the back of a fag packet, so I have brought a few fag packets along from my Select Committee—they are on the Table—showing how we can build a written constitution, have a constitutional convention, and have independent local government in England as the vehicle for devolution. A lot of smoking went on in my Select Committee to produce them.

Lots of parliamentary colleagues have made individual contributions, as have several think-tanks on the left and the right, and many local authority leaders of all parties, from Boris Johnson to Sir Richard Leese, and including George Ferguson. Loads of people have engaged with this subject—for example, Jim O'Neill's recent Royal Society for the Encouragement of Arts, Manufactures and Commerce project on cities—and a lot of thinking has been done. The idea that we cannot now decide on a package to put to the people of this country ahead of a general election therefore beggars belief. History will not forgive any of us if we do not take this chance on the back of what the Scottish people have led us towards.

If we look at what all the parties are proposing on the package before us, I must say, as a former trade union negotiator, that with such a package from three different parties, we could make it work and reach agreement. There is more room for agreement than for disagreement. We or, rather, Lord Smith can make a great package to offer Scotland on income tax assignment—putting on every wage slip the amount of money that goes to Scotland or, in our case, to English local authorities—and on the entrenchment of local government powers, which has also been agreed, as well as having a written constitution so that things are in writing and cannot be repealed by somebody else at a later point and so that we all know the rules of the game. That is the package and the common ground—

Madam Deputy Speaker (Dame Dawn Primarolo): Order.

3.21 pm

Sir William Cash (Stone) (Con): In answer to the right hon. Member for Kirkcaldy and Cowdenbeath (Mr Brown), I simply say that although he stressed fairness, he did not talk about proportionality. It is very important in this context to remember that the 1.6 million voters in Scotland who voted yes—we have heard a lot about them today—represent, on a turnout of 84%, only 2.5% of the population of the United Kingdom as a whole. I hope that SNP Members will bear that in mind.

Furthermore, in regard to the total population of the United Kingdom of 64 million, England represents 84%, Wales 4.8%, Northern Ireland 2.8% and Scotland 8.2%. In fairness to the United Kingdom as a whole, there has to be a point at which we respond to the degree of proportionality and the extent of unfairness for the English constituent parts of the United Kingdom made manifest by those figures alone.

When the question of total tax revenues is taken into account, the proportions are England 85%, Wales 3.5%, Northern Ireland 2.6% and Scotland 9%. On redistribution, and taking into account the Barnett formula as well, we have ended up with something wholly disproportionate that must be remedied within the framework of the United Kingdom as a whole. That equally applies, of course, not only to the distribution of money and functions, but to the manner in which they are redistributed through services provided to constituents throughout the whole of the United Kingdom.

In order to deal with the West Lothian question, I considered this matter back in 1997 when—on 3 June, I recollect—I proposed an amendment and had a debate with Tam Dalyell and Margaret Ewing. That debate was civilised and our debate can continue to be civilised, although we should bear it in mind that a much greater degree of devolution is now being considered than was then the case.

The need to resolve the question has now become imminent and absolutely essential. I therefore profoundly believe that the question should be dealt with by changing our Standing Orders within the framework of the United Kingdom itself. After all, it was the United Kingdom that decided, with the consent of the voters of each of its constituent parts—including Scotland, Wales and Northern Ireland—to devolve some functions. That was done as a matter of democratic consent and with everybody's agreement. Hopefully, as we move forward, the other parts would be accorded the same consent. It absolutely follows, however, that this has to be done within the United Kingdom as a whole, and the best and most appropriate context for that to happen is, I believe, within the framework of a change to Standing Order No. 39.

Let me briefly read out what the Standing Order would say:

“Where a Bill...or part of a Bill, or a Motion, is expressly stated to apply only to England, and the Speaker or, in Committee, the Chair, before the commencement of business, rules that this Standing Order applies, he shall declare which category of Member may vote in any division and that a Member representing a constituency in a part of the United Kingdom to which legislative power has been devolved, may speak”—

so the Member would be involved—

“but not vote in proceedings relating to that devolved matter.”

The devolved matter would obviously be one

“in respect of which legislation has been enacted devolving the exercise of functions to a Parliament or an Assembly within the United Kingdom.”

I have sent a copy to the Leader of the House and the Prime Minister. I hope it will be given fair wind. However, there has been another proposal—the right hon. and learned Member for North East Fife (Sir Menzies Campbell) signified yesterday that the matter should be dealt with by primary legislation. I was deeply concerned to note the response of the Secretary of State at this point, and I hope he will look again at the reply he gave. The idea that the capacity of Members of Parliament should be dealt with by legislation prescribed in statute would be a recipe for endless litigation. We need only look at what happened in the Jackson case or at the issue of the Parliament Act to realise that this would be a disastrous route.

Sir Oliver Heald: Does my hon. Friend accept that when we recently looked in detail at the issue of privilege, although it had been thought at the outset that this was an area on which to legislate, in fact the Committees of both Houses that looked at it came to the conclusion that that would be a grave mistake, for the very reason he suggests—that it would all become justiciable?

Sir William Cash: My hon. Friend the Member for Harwich and North Essex (Mr Jenkin), I and others were on the Committee, and those were indeed the conclusions we came to.

As for the charter of fundamental rights—now reckoned to be within the framework of our own constitutional arrangements, although I do not have time to go into it now—the bottom line is that that would mean these matters being adjudicated by the European Court of Justice, which really would be a very dangerous situation.

Mr Chope: Does my hon. Friend recall that when Enoch Powell was a member of the Procedure Committee, he used to say that in the absence of a written constitution, the procedures of the House and our Standing Orders are our constitution, so to call for changes to the Standing Orders is not to call for them in any subordinate form of legislation, but in a very important form?

Sir William Cash: Absolutely. To his great credit, Tam Dalyell admitted that it was Enoch Powell who first raised the West Lothian question—that is a fact. It is an especially important point, because it is this House’s inherent power to regulate its own internal business on behalf of the United Kingdom. As my right hon. Friend the Member for North West Hampshire (Sir George Young) clearly stated, there are many differentiations already. I would like to say that it is not just a question of classes of Member; it is about the differentiation of legitimacy and democratic functions. That is the way I prefer to put it, because we perform different functions in different circumstances. It is not about creating two completely different classes.

I add that opinion polls indicate that 61% now strongly support the idea of English laws exclusively for English issues. I do not think there is any doubt about it. With respect, I was appalled at the speech of the shadow Justice Secretary, the right hon. Member for Tooting (Sadiq Khan), who said almost nothing. When he did

say something, it sounded as if it was based entirely on trying to avoid the issue at all costs.

When the Bill is introduced, it must specify its territorial extent if it is not to apply to the whole of the UK. If the Bill is silent on that, it will be presumed to apply to the UK as a whole. My amendment would effectively provide the power to declare the category of Member who would be voting, so that Members of the Welsh or Northern Ireland Assembly or the Scottish Parliament would know whether or not they were able to vote. It is also a convention that the Westminster Parliament does not legislate on devolved matters.

Finally, another idea that is floating around, which comes from the McKay proposals, is that a Standing Committee should consist of only English or only English and Welsh Members. Something similar has been happening under Standing Order No. 97 since 1948. My objection is that Second Reading, Report and Third Reading would still be considered by the whole House and that all MPs would vote. That would take us back to square one. I strongly urge the House not to go down that route.

3.30 pm

Pete Wishart (Perth and North Perthshire) (SNP): What an extraordinary and remarkable event the referendum was. It was absolutely fantastic. None of us, whether on the no side or the yes side, will ever forget what we have been through over the past few months. It became almost a festival of politics towards the end. There were impromptu flash mobs, gatherings and get-togethers. It energised and engaged the Scottish people in a way that we never foresaw or imagined. It was absolutely incredible. I just wish that we could do it again.

We probably now have the most engaged and educated population on political issues anywhere in Europe. People want to remain engaged. They are joining political parties. We have bucked the trend on that. There are now more than 80,000 people in the Scottish National party. We have trebled our membership since the referendum, as have the Greens. All the other parties that took part have seen massive increases. I cannot speak for the no parties—they will be able to say what has happened to their memberships—but what has happened in the yes movement is incredible.

Many people in Scotland, because they are interested and want to be engaged, will be watching this debate. A lot of them will be watching in horror and will be appalled. The Scottish people thought that in the week that we came back after the independence referendum, we would have the Floor of the House to discuss these issues. We thought that the referendum would have the exclusive attention of the House. Surely the solemn vow, the promise, the guarantee of extensive new powers for Scotland deserves a full day’s debate, without the consideration of any other issue.

I sympathise totally with English Members. Of course they should have English votes for English laws. We do not vote on England-only issues. There are several reasons for that. First, we respect English Members. They have every right to demand exclusive rights to vote on England-only legislation. Secondly, it would be a waste of my time. What would be the point of me, as the Member for Perth and North Perthshire, voting on

[Pete Wishart]

policing arrangements in Peckham or Plymouth, when that issue is handled by another Parliament? Of course English Members should have that.

Pamela Nash (Airdrie and Shotts) (Lab): Will the hon. Gentleman give way?

Pete Wishart: No, I will not give way.

Hon. Members: Give way!

Pamela Nash: I am very grateful to the hon. Gentleman. People in Scotland will know that the SNP and the yes campaign spoke about the fact that any vote on NHS policy in England in this place has an impact on the block grant to Scotland. Will he therefore say why SNP Members did not vote on those policies in the past? Can he name any Bill that has passed through this Parliament in the past year that has not impacted on his constituents and mine?

Pete Wishart: The hon. Lady raises an important point. When we talk about England-only legislation, we are talking about legislation that does not impact on Scotland. Our group of MPs discusses that issue every week. I could explain to her our Whip on legislation that significantly impacts on Scotland. For example, we voted on tuition fees—[*Interruption.*] I am answering the hon. Lady's question. We voted on tuition fees because that vote had a massive impact on Scottish higher education. It was right that we did that. However, there are other issues that should not concern us one ounce.

This House made one of the most important and solemn vows that has ever been made by a Member of Parliament in modern political history. It was signed by the Prime Minister, the Deputy Prime Minister and the Leader of the Opposition.

Sir Gerald Howarth: I am grateful to the hon. Gentleman, who is in danger of saying something that is not entirely in concert with the facts. He suggested that the vow was made by Parliament. It was not made by Parliament.

Pete Wishart: This is what it is all about. I am grateful for the hon. Gentleman's intervention. The Scottish people thought that they had secured a solemn vow, a promise, a guarantee of more extensive powers. That is what they thought they had secured. To hear my Conservative friends, some of whom I respect dearly, confirm that they were not consulted and would have difficulty getting the proposal through the House, tells me everything. The Scottish people were influenced by the vow. There is some very good evidence that the vow might just have swung it. It was the key thing. It was presented on the eve of the referendum—the solemn vow, promise, guarantee of more powers—and already we are hearing the backtrack. It is in full view.

The Prime Minister should have been here for this debate, and I will tell the House why: he was the key signatory to that vow. He should have been here to speak to the Scottish people, to look them in the eye and say, "The vow—the promise and guarantee—will be delivered in full, without condition, with absolutely

no caveat and without consideration of any other external issue." But he is not here. It is a massive dereliction of duty.

Before I move on from English votes for English laws, let me introduce the House to its little brother, SCVL—Scottish votes for Scottish laws. It has come to my attention that the Under-Secretary of State for Scotland, the only Conservative Member of Parliament with a Scottish constituency, votes on England-only legislation. I do not know whether the House knew that, but he does. Perhaps the Whip should have a quiet word so that there is no possibility that a charge of hypocrisy can be extended to the Conservative party. Tomorrow, five English Members are down to ask a question to the Secretary of State for Scotland. Others will be looking to catch the Speaker's eye. Come on, Tory friends! If it is good enough for English Members of Parliament for Scottish Members to absent themselves from English-only business, let us ensure that Scottish Members of Parliament have exclusive rights to their legislation. There will also be a package for more devolution. Will our Tory friends be voting on that? What is good for EVEL—English votes for English laws—is equally good for SCVL. I hope Conservative Members of Parliament remember that.

I thank you, Madam Deputy Speaker, and the Leader of the House for replying so positively to my request for a full day's debate. It is unfortunate that it has not become a debate about the referendum and other things. It was an absolute and utter disgrace that we were left with one half-hour Adjournment debate on a Thursday afternoon in the hands of the right hon. Member for Kirkcaldy and Cowdenbeath (Mr Brown). We saw in his behaviour today his lack of generosity in debate, so I am glad that we are having this debate.

The right hon. Gentleman almost casts a surreal shadow and presence on the debate. Such is the ridiculousness of the situation that he feels the need to secure a petition signed by 100,000 people to guarantee more powers to be given by a Government on whose behalf he was speaking. How absurd is that? He came close today to saying that he had been duped—I was hoping to push him into saying that he felt duped by the Conservative Government, but we could have told him that that would happen.

Just because we lost the referendum narrowly does not mean that I have stopped believing in independence. Just because we did not secure the referendum does not mean that I have stopped believing that the people best placed to run our fantastic country are the people who live and work there. We are now engaged in the fight for more powers; it is to that we will apply ourselves. We will make sure that we get the maximum devolution that the Scottish people now want.

3.40 pm

Mr David Jones (Clwyd West) (Con): It is clear that the sound and fury generated by the referendum campaign has still not entirely dissipated. What appears to be coming out of this debate is a general agreement that, although Scotland should not become independent, there should be greater devolution not only for the people of Scotland but for the people of the other parts of the United Kingdom. Yesterday's Command Paper was a further step along that route. I am sure we all wish Lord Smith well in his endeavours.

Entirely understandably, the outcome of the referendum has generated calls for English votes for English laws. I will come on to that in a moment, but since we have been overlooked thus far in this debate, I would like to mention Wales. The Wales Bill has completed its passage through this House and is now passing through the other place. However, it cannot be said that the Wales Bill is the end of discussions on devolution in Wales. It was always intended to be a modest measure implementing most of the recommendations of part I of the Silk Commission report, as well as making minor changes to such matters as the title of the Welsh Assembly Government.

Last summer, however, the decision of the Supreme Court in the Agricultural Wages Board case made it absolutely clear that the Welsh devolution settlement was, in reality, always unfit for purpose. Unlike the Scottish reserved powers model, the Welsh settlement was a conferred powers model. It was always assumed under that model that unless powers were specifically conferred they were not included in the competence of the Assembly. That, the Supreme Court made absolutely clear, was not in reality the case. My right hon. Friend the Secretary of State for Wales therefore indicated that Wales should move towards a reserved powers model. From the point of view of improving clarity, a change in the model is not necessarily the end of the process. What was defective about the two Government of Wales Acts was not so much the model of devolution, but that there was so much uncertainty about it: the edges were fuzzy. Moving to a reserved powers model will solve the problem identified by the Supreme Court only if there is crystal clarity about what is to be reserved. That is an exercise that has to be carried out with a high degree of precision. Indeed, one of the criticisms made by one of the Silk commissioners in evidence to the Welsh Affairs Committee was that the Government of Wales Act had been a “rushed job”.

Mr Redwood: Will my right hon. Friend clarify whether Wales will want to have devolved power to set its own income tax rate when Scotland gets that power?

Mr Jones: That matter is already covered by the Wales Bill. It will be a matter for the people of Wales, in a referendum, to decide whether they want such powers. My own view, frankly, is that it is debatable.

More than four years in Gwydyr House taught me that the most problematic aspect of devolution is the cross-border effect. This matter was referred to a little earlier by the right hon. Member for Delyn (Mr Hanson). Take, for example, specialist hospital care. At present, there are disparate health systems in place in England and Wales, which mean that, effectively, Welsh patients are treated less favourably in many respects in the English hospitals where they need treatment. Waiting lists are longer and it is a source of concern to Welsh patients that although they pay their taxes at precisely the same rate as English patients, they wait much longer for treatment. That cannot be right. This is one of the matters that a new Government of Wales Act has to address.

Wayne David: A moment ago, the right hon. Gentleman referred to the reserved powers model. Can he explain why the Conservative Government have changed their position very recently on this issue?

Mr Jones: I thought I made that clear a moment ago: it was as a consequence of the judgment in the Agricultural Wages Board case. The right hon. Gentleman may laugh, but he thought as well that, under the conferred powers model, if the powers were not specifically referred to they were actually excluded. That, of course, is not the case, and that is why we need to change the model. More importantly, we need to proceed towards greater clarity, because that is what the present model lacks.

On other aspects of the devolution settlement, we now have an opportunity to address, under a new Government of Wales Act, the issue of transport. Although highways are devolved in Wales—they are the only type of major transport that is devolved—the fact is that the two major Euro routes, the A55 and the M4, are, for European purposes, the responsibility of the member state. However, given that the upkeep of the roads is in the hands of the Welsh Assembly Government, this Parliament has no direct control over the matter, so that needs to be addressed. Furthermore, there is the problem of providers of undeveloped services being required, through Welsh legislation under the current settlement, to comply with orders made by the Welsh Assembly Government. That cannot be right either. We must take the opportunity afforded by this discussion, on the devolution settlement in all the constituent parts of the country, and seize the issues that have become all too apparent after 15 years of devolution in Wales.

I wish to touch briefly on English votes for English laws—given the complexity of the devolution settlements in this country, that usually means English and Welsh votes for English and Welsh laws. I absolutely agree that such arrangements should be put in place. It is wholly wrong that Members of this House representing parts of the country to which the relevant legislative competence has been devolved can exert their influence in areas where it has not been devolved and on issues that affect England or England and Wales only—that goes as much for Welsh MPs as for Scottish Members—subject to the major proviso that the subject of the vote relates wholly to England and Wales.

The difference between Wales and Scotland is that Wales has a highly populated, porous border—some 50% of the population of Wales lives within 25 miles of the border. If someone needs hospital treatment and happens to live in Flint, they will go to the Countess of Chester hospital. If, in my constituency, someone needs cancer care, they will go to Clatterbridge. If they need neurosurgery, they will go to the Walton centre in Liverpool. These are fuzzy edges and they highlight that the problems of cross-border care were never properly addressed in the original devolution settlement. We now have an opportunity, under the arrangements to be put in place, to put that right and to ensure that the people of Wales get the care they need. It is important, however, that it not be a crude system that precludes Welsh MPs from voting on issues that are properly their concern.

The Scottish referendum has triggered a huge debate across the country. For my own part and from a Welsh point of view, I want to ensure that the people of Wales are properly served, as indeed are the people of the rest of this United Kingdom.

3.47 pm

Mr Tom Clarke (Coatbridge, Chryston and Bellshill) (Lab): Tempting though it is, I shall not rehearse the arguments we heard again and again during the referendum campaign. Instead, I shall address the issues arising out of the vote on 18 September, bearing in mind that a clear majority of the people of Scotland voted to remain in the United Kingdom, but not ignoring the 45% who took a different view, some of them, I have to concede, in my own constituency. Given the passion of the campaign—that is putting it politely; some of the events I observed in my constituency are perhaps best forgotten—I appeal to SNP Members to accept that the Scottish people have taken a clear decision to remain part of the UK. It is right that the House respects their decision.

It was accepted in the Edinburgh agreement, however, that there would be changes. I do not object to it; John Smith himself regarded devolution as an evolutionary process. It is right, therefore, as the right hon. and learned Member for North East Fife (Sir Menzies Campbell) observed, and given the approach to devolution, the setting up of the convention and so on—

Mr Brian H. Donohoe (Central Ayrshire) (Lab): Devolution was not supposed to end at the front door of the Scottish Parliament; it was supposed to be passed down to local authorities. Does my right hon. Friend agree that one of the worst decisions made by the Scottish Executive was the decision to freeze council tax, which meant that, for instance, disabled children did not receive the services that they should have received, and need?

Mr Clarke: I absolutely agree. Let me say, as a former president of the Convention of Scottish Local Authorities, that I would never have agreed to the freezing of council tax. It meant that council services were cut, and, during the referendum campaign, it was used against those who were in favour of supporting this United Kingdom and was cited as a reason for voting “yes”. I should have liked to deal in some detail with the issue of disability, which my hon. Friend rightly mentioned, but I think that the House has heard from me on that issue before. I do not think that it was dealt with very well by the Scottish Government.

A vow was given to the Scottish people. That vow was clearly endorsed by the leaders of the various parties, and I am convinced that it will be kept. I am not sceptical. However—I say this with all candour, and with great respect to Government Members—if there is any suggestion that the vow will not be kept, they will put the future of the United Kingdom at risk. I know that that would delight the Scottish National party. That is why, for example, they have today made it clear that they welcome what are described as English votes for English laws.

I speak as one who fought for the United Kingdom, and fought for the right of this Parliament to remain, dealing with the powers that it has. Incidentally, every single one of the powers for the people of Scotland that were mentioned by the right hon. Member for North West Hampshire (Sir George Young)—who has now left the Chamber—was decided by this House. I ask my friends in the Scottish National party to understand that when we recognise, quite correctly, that there are implications for the rest of the United Kingdom, it

should be remembered that we did what we did because we believe in this United Kingdom Parliament. In the days of the constitutional convention, discussions took place in Scotland—not for weeks, not for months, not for years, but for a very long time—during the preparations for the legislation that led to the Scottish Parliament.

For that reason—again, with great respect—I ask two things of Government Members. First, I ask them not to rush into conclusions on the basis of the results of recent elections. My own view of UKIP is that it will come and go. Some of the issues that influenced people in England to vote for UKIP were, I concede, also issues in my constituency. People there decided to vote “yes” because they were worried about Westminster. The perception of this Parliament is, to say the least, not good. That does not mean that it is our fault. A very small number of Members brought this place into disrepute, but, my heavens, was that not exploited in the referendum! It is no surprise that the White Paper referred again and again to the “Scottish Government” and “Westminster”.

Secondly, let me say this in particular to Government Members. I understand their right, their absolute right, to feel that they should bridge the gap between Westminster—this Parliament—and the people whom they represent, not least because I believe that the concerns that they express on behalf of their constituents are largely shared by mine.

Let me end by saying that last night I listened to a very interesting Adjournment debate. I pay tribute to the hon. Member for Isle of Wight (Mr Turner): he made an excellent case against increased ferry charges. However, he also chose to attack Scotland by saying that CalMac services were receiving grants that could not really be justified. Time does not allow me to go into detail, but the truth is that there is a big contrast between the Isle of Wight and here, and the many islands served by CalMac. There are many arguments for doing what we are doing. I believe that one of the biggest influences in the vote in Scotland, accepting the majority view, is that people were worried about Westminster, people were worried about poverty, and they expect us to respond to their concerns.

3.55 pm

Sir Menzies Campbell (North East Fife) (LD): I have the advantage of having heard the most perceptive and well-reasoned speech by my right hon. Friend the Member for Berwickshire, Roxburgh and Selkirk (Michael Moore), the former Secretary of State. Much of what he said I would have sought to say at this stage of the debate, but there is no need.

The hon. Member for Stone (Sir William Cash) said that the rights of Members to vote could be resolved by recourse to the Standing Orders. I was elected to this Parliament on the basis of the privileges and rights that my constituents believed I would continue to enjoy as long as I was a Member. If those rights or privileges are taken away by Standing Orders, not just I, but the constituents who voted for me on a particular basis will be affected.

Mr Graham Stuart: Will the right hon. and learned Gentleman give way?

Sir Menzies Campbell: No, I am going to make some progress.

I had the advantage, if that is the right way to put it, of hearing the First Minister this morning on the radio. To say that he was concerned about the timetable being properly met would be something of an understatement, but his response to questioning, and some of the contributions by the SNP in the Chamber today, have left me, perhaps erroneously and perhaps unfortunately, with the perception that, if the timetable were not met, they would regard that as a considerable political advantage.

I have believed for a considerable time that the present constitutional settlement in the UK is unsustainable. That is why I was asked by my right hon. Friend the Member for Berwickshire, Roxburgh and Selkirk and the leader of the Liberal Democrats in Scotland to chair what came perhaps a little unfairly to be called the Campbell commission. I chaired it. I did not write its report; other people did. However, I have had some false regard as a consequence.

Throughout that exercise, it was clear to me, and it is set out in the document that we produced—unhappily, it is not available in all good bookshops, although it can be found on the Scottish Liberal Democrats website—that federalism was the answer to quite a lot of the issues that were on our minds then. Nothing has caused me to alter my view that that is still the case.

There is one point I want to make as strongly as I can. We cannot all get what we want as a result of Lord Smith's commission or the Cabinet Committee that will be chaired by the Leader of the House. There will have to be compromises that as far as possible take account of the competing interests. There is the question of the role of Scottish MPs when issues such as health and education are discussed here. I have felt slightly uncomfortable about that since the creation of the Scottish Parliament, but the fact is that, as I have already described, we came here on a particular basis. If that is to be changed, it will be a profound constitutional change; it is not one to be embraced simply by changing the Standing Orders. Therefore, that should be thought about, rather than there being a knee-jerk reaction to the result on 18 September.

The vow has been made. If the First Minister thinks that he will be holding the feet of the three leaders to the fire, he ain't seen nothing yet. I will be holding their feet to the fire, as it would be—let me put it as mildly as I can—politically unhelpful next May were that promise not to have been implemented to the extent that has been set out.

Mr Graham Stuart: My constituents see the Labour party as having acted in self-interest by refusing to put right the West Lothian question, and since 2010 perhaps the right hon. and learned Gentleman's party's self-interest has been in play in the coalition. There is genuine anger at this inequality, and hitting it into the long grass will no longer do. People will not trust that we are going to act if we do not act soon.

Sir Menzies Campbell: I am not suggesting we hit it into the long grass. All I am suggesting is that, before we make a change of such a profound nature, we give careful consideration. We should remember the theory of unintended consequences: there is hardly ever an Act of the kind we are talking about that does not produce a consequence that was never intended. Although in the past I have rehearsed, perhaps rather glibly, the view

that as devolved powers were given to Northern Ireland and Wales and Scotland, it would be increasingly difficult for Scottish Members of Parliament to vote on, say, health and education—and I do not detract in any way from that—the argument put by my constituency neighbour in Fife, the right hon. Member for Kirkcaldy and Cowdenbeath (Mr Brown), was a substantial one and one that will have to be considered by the Cabinet Committee that my right hon. Friend the Leader of the House is to deal with.

Along with the right hon. Member for Coatbridge, Chryston and Bellshill (Mr Clarke), I am one of the few survivors of all three referendums—those of 1979, 1998 and now 2014. Perhaps I am over-sensitive, but I feel a great sense of resentment and reject the notion that I am less of a Scot and less of a patriot because in the course of the last referendum I argued as strongly and persuasively as I could for Scotland remaining part of the United Kingdom. If anyone thinks that has gone away they should read the letters columns of Scottish newspapers, in which people like me are accused of being either frightened, old or not patriotic. I may be one of those, but I am certainly not all three, and I regard it as deeply offensive. If the Scottish National party wants to make a proper contribution to what we now have on our agenda, one of the most powerful ways it could do so would be by condemning utterly the efforts to talk down those of us who felt that the Union was so important that only a no vote would do.

4.2 pm

Anas Sarwar (Glasgow Central) (Lab): I rise to speak after the right hon. and learned Member for North East Fife (Sir Menzies Campbell) to say that I feel as equally passionate and patriotic and proud to be a Scot today as I felt on 17 September. The big lesson from the referendum is that business as usual cannot continue in this place. Yesterday, we saw an example of the best of what we can do in this Parliament, but I fear that at moments today we have, perhaps, seen the worst of what this Parliament can do. Sadly, at times what we have heard from Scottish National party Members is a pre-referendum response to a post-referendum debate. There are people in Scotland watching this debate who expect much better from all their parliamentarians of all political parties, and that is why I want to focus my contribution squarely on those people watching in Scotland, whether they be yes voters or no voters.

First, I want to repeat what I said yesterday: no single political party won or lost the referendum. Scotland spoke and Scotland decided, and it is now the accepted sovereign will of the people of Scotland to work in partnership with the rest of the United Kingdom: to remain part of the UK and to work to make devolution work in the best interests of the people of Scotland.

I made it very clear before the referendum that if Scotland voted yes even by one vote, I would have accepted the result and worked with anyone to make that work in the best interests of Scotland, and I repeat my call that all those who voted yes should work with us now to make devolution work in the best interests of the people of Scotland, because our country is not broken, but our political system, economic model and social model are broken. We as parliamentarians have a responsibility to fix that, in the interests of the people we seek to represent.

[Anas Sarwar]

Secondly, our country might not be divided but, sadly, many communities and families have been divided by the referendum campaign. That is why the tone that we adopt, in all political parties on both sides of the House, will have an impact on how we bring our country back together so that we can together take on the challenges that we face in creating a better Scotland and a better United Kingdom.

I want to send out a strong message from the Scottish Labour party to everyone, whether they are part of the 45% who voted yes or the 55% who voted no. I know that many of them asked the right questions about how we should build a fairer society, how we should fight poverty and how we should create opportunity. Many people asked the same questions but gave different answers. There are many people who share our Labour values. My request to all of them, whether they voted yes or no, is that if they share those values of social justice, solidarity, community, fairness and equality, let us work together following the referendum to create the changes that can improve the life chances of the people who live in my constituency in Glasgow and much further afield.

My fear is that, if we allow this debate to focus purely on what politician has what power and in what building, we will have failed to learn the lesson that the electorate gave us on 18 September. They are sick and tired of politicians talking about what powers they want. They want politicians who are brave enough to use the powers they already have to make a real difference to people's lives. I probably come at this question from a slightly different perspective from that of other Members. I am a member of what I call the devolution generation; I have never known anything other than the existence of a Scottish Parliament alongside a UK Parliament. I am proud of the fact that we have a strong voice in Scotland but still have the back-up and security that comes from having a stronger voice through being part of the UK. I want to see the Scottish Parliament strengthened in the interests of the people of Scotland.

As the right hon. and learned Member for North East Fife said, the vow and the timetable are not the Conservative party's vow and timetable. They are not the UK Government's vow and timetable. They are certainly not the Scottish National party's or the Scottish Government's vow and timetable. They are the Scottish people's vow and timetable, and we on this side of the House will hold the feet of whoever is responsible to the fire to ensure that we get what we have demanded—namely, real change for the people of Scotland. Throughout the process, our own devolution commission has reported extensively over the past two years. We will go into the Smith commission with our own proposals, but we will be open to the idea of building consensus and holding a constructive dialogue. In that way, we can bring together all the political parties and demonstrate to the public that we can put aside our petty party politics in the interests of Scotland and build that consensus and unity.

Let us not devolve power for power's sake. Let us devolve these powers for a purpose. That purpose should be to create a stronger United Kingdom, a stronger Scotland and, from the point of view of my own constituency, a stronger Glasgow. That is what I will

fight to do, because this is not some kind of game that needs to be won. Politics is about the opportunity to make a difference.

4.8 pm

Mr Christopher Chope (Christchurch) (Con): I speak as a Conservative and as a Unionist, and as a graduate of the finest university in Scotland. Indeed, I was an undergraduate there at the time of the Perth declaration in 1968 and I recall the birth of Scottish nationalist campaigning at that time. I was on the other side of that argument, as I am today. However, the recent referendum has been brilliant for democracy. It has been liberating, and I hope that in due course the parties on the Opposition Benches will join us in saying, "Let's have a referendum on the European Union."

I am delighted that the people of Scotland have reaffirmed their support for our Union. The Command Paper published yesterday states, on page 16:

"Proposals to strengthen the Scottish Parliament provide an opportunity to reach a strong and lasting constitutional settlement across the UK."

One means by which that could be achieved permanently would be to require that no part of the United Kingdom could become independent from the rest of the United Kingdom without a two-thirds majority voting in favour. Many of us were nervous about the prospect of changing our United Kingdom constitution on a bare majority, given that even the rules at the local golf club cannot be changed without a two-thirds majority.

The leader of the Conservative party has made two pledges on devolution. The first was made on 10 September, and that vow was made without the authority or agreement of Parliament. I highlighted that in Parliament, and it was also highlighted by Nicola Sturgeon in the yes campaign. She argued that the vow was dependent on parliamentary approval, which could not be guaranteed—in one of her speeches she even referred to me as being a reason for that—and therefore nobody should be relying on it. Yet now we find the SNP saying that the vow was solemn and influenced the result. Surely the yes campaign is prevented from now relying on what it described at the time as "salesman's puff", which it denounced and persuaded its supporters to regard as not being of any importance whatsoever.

Fiona O'Donnell (East Lothian) (Lab): On having a two-thirds majority for constitutional change, is the hon. Gentleman saying that he would require such a majority on a vote to leave the EU?

Mr Chope: No, I am not saying that. I would put the question round the other way and require a two-thirds majority for us to stay in the EU. What the hon. Lady seems not to understand is that the United Kingdom is a sovereign country with a sovereign Parliament and that the European Union is an alien structure that has been imposed upon us as a result of the referendum carried out some time ago. Many people who are now electors have not had the chance to vote on the issue.

If what the Conservative leader said then was a vow, it certainly cannot be relied upon by the Scottish nationalists because they opposed it and ridiculed it at the time. The second pledge he made was made in his capacity as

Prime Minister on the steps of 10 Downing street at 7 am on 19 September. It is worth putting on the record exactly what he said:

“We have heard the voice of Scotland—and now the millions of voices of England must not go ignored...So, just as Scotland will vote separately in the Scottish Parliament on their issues of tax, spending and welfare, so too England, as well as Wales and Northern Ireland, should be able to vote on these issues and all this must take place in tandem with, and at the same pace as, the settlement for Scotland.”

Those words of the Prime Minister were more warmly received by my constituents and party supporters than any others he has offered us during the rest of this Parliament. That shows the extent to which he struck a chord with my constituents and, I believe, with the people of England. So there cannot be any going back on that commitment. I put my tandem challenge to the Leader of the House, and I hope that he will take it up, because how can the Prime Minister’s pledge on 19 September be delivered without constitutional change in Scotland being dependent on change being delivered in the rest of the United Kingdom? Indeed, that is exactly what the Chief Whip said in his article in *The Times* on 20 September.

Lady Hermon (North Down) (Ind): The hon. Gentleman, having quoted what the Prime Minister said on the steps of 10 Downing street, has spoken in favour of increased devolution in Wales, in Scotland and in Northern Ireland, and he has also hinted at English votes for English laws—I believe he strongly supports that. I have no doubt that he is a committed Unionist, so how exactly does he think we keep the United Kingdom united?

Mr Chope: We keep the UK united by ensuring that we have a strong United Kingdom Parliament, in which we have a fair division of powers and responsibilities. All I can say to the hon. Lady is that my constituents are very concerned that in Scotland there is free long-term health care for the elderly, free prescriptions, no university tuition fees and £1,600 for each person, paid for by taxpayers from the rest of the United Kingdom. They do not think that that is fair, which is why those issues must be addressed at the same time as looking at a wider United Kingdom constitutional settlement.

Mr Graham Stuart: Will my hon. Friend give way?

Mr Chope: I will not, I am afraid.

That is what my right hon. Friend the Prime Minister had in mind when he made his commitment on the steps of Downing street.

Wayne David *rose*—

Mr Chope: I will not give way again because many Members wish to contribute to the debate.

If, as is argued, people voted against independence but in favour of change, they voted for less power for Scotland’s MPs in the United Kingdom Parliament over Scottish affairs. If Scotland’s MPs are to have less power over legislation affecting Scotland, why should they keep their existing power over legislation affecting the rest of the United Kingdom? There are two options. One is to relieve Scottish MPs of any power to legislate on matters in the rest of the United Kingdom for which

they have no power to legislate in Scotland. The second is to reduce the number of Scottish MPs to reflect their reduced responsibilities as a result of that devolution settlement in their own constituencies.

On the basis of what the right hon. Member for Kirkcaldy and Cowdenbeath (Mr Brown) was saying, if Scotland is 8% of the United Kingdom there should be only 52 Scottish MPs in this House. If each of them has less responsibility because they do not have responsibility for all those matters that have been devolved to the Scottish Parliament, there should be fewer of them because they have less work to do.

Several hon. Members *rose*—

Madam Deputy Speaker (Mrs Eleanor Laing): Order. Before I call the next speaker, it will be obvious to the House that a time limit of six minutes with all the interventions added would mean that not everyone who wishes to speak would have the opportunity to do so. I will therefore now reduce the time limit to five minutes after the next speaker.

4.17 pm

Paul Murphy (Torfaen) (Lab): I am grateful, Madam Deputy Speaker, for the minute.

The previous speech exemplified what I thought large numbers of the Conservative party actually felt about the referendum in Scotland, which was that they were not too troubled about whether the Union was broken up. On 17 and 18 September, all of us who were concerned about the Union and its integrity were deeply worried that it could be lost. We were on the brink of our country breaking up. Happily it did not.

Jake Berry (Rossendale and Darwen) (Con) *rose*—

Paul Murphy: That was a bit quick, but I give way.

Jake Berry: Does the right hon. Gentleman not accept that the biggest danger faced by our United Kingdom is failure to deal with the English question? Failure to take any action will put the United Kingdom at risk, as English nationalism will seek to break it up.

Paul Murphy: I do not accept that for one second. The biggest threat to the integrity of the United Kingdom would have been for the yes campaign to win the Scottish referendum. I am saying not that the yes campaign was insincere but that I did not agree with it. On the following Friday morning, the Prime Minister effectively said, “Thank you very much, Scotland. You are now still part of the United Kingdom.” He then went on for the rest of that speech to talk about the West Lothian question, which struck me as extremely unusual. My right hon. Friend the Member for Kirkcaldy and Cowdenbeath (Mr Brown) quite rightly referred to the fact that the Union itself is threatened by this constant sniping about the so-called great advantage enjoyed by Welsh, Northern Ireland or Scottish Members of Parliament. English Members make up 85% of this House of Commons. They can swamp all the Scottish, Welsh and Northern Ireland Members put together.

I know of no country that has a system in which there can be either first or second-class Members of the federal or central legislature. Spain, for example, has an

[Paul Murphy]

asymmetric system of devolution, but Members representing the Basque country or Catalonia, which have highly developed systems of devolution, have the same rights as those representing other parts of Spain. The reality is that we cannot separate Members of Parliament from the mandate on which they were elected.

Mark Tami (Alyn and Deeside) (Lab): I represent a border constituency. Although health is devolved in Wales, our children's hospital and our heart hospital are in the north-west of England. Neurosurgery for my constituents is done in the north-west of England. I have a view on behalf of the people I represent about what happens in the English health service.

Paul Murphy: Of course, and my hon. Friend should therefore be able to vote on matters affecting the hospitals in the English health service that most of his constituents go to.

I am fortunate enough to have seven general elections under my belt. I lost the first—quite rightly, too—which was for a seat in the west of England. Nevertheless, I would have been elected on the same mandate for the constituency of Wells in Somerset as I then was for my Welsh constituency in six successive general elections. I am a British Member of Parliament who happens to represent a Welsh constituency. I am therefore a Member of this United Kingdom Parliament in exactly the same way as any other Member representing one of the 650 seats.

I hope that the Leader of the House, when his Cabinet committee meets to discuss these matters, will consider the constitutional mess there could be after a general election. When the leader of a party who has the potential to become Prime Minister goes to the palace, the Queen will ask, "Have you a majority and a mandate in the United Kingdom?", and they will say, "Yes, Ma'am." Then she will have to ask, "Have you a majority in England?", because we would have a separate system in the House of Commons in order to deal with matters for which we have all been elected. I was elected on a mandate that included dealing with the English health service and education system, so long as it is a British Parliament that represents people in Wales, Scotland and Northern Ireland. I think that there is an enormous danger.

The Leader of the House said that the issue of English laws being dealt with by English MPs is simple, but it is not. We have been dealing with that for 30 or 40 years, even before devolution in 1998. The Leader of the House will remember, as an historian, that in the 1960s a former Conservative Chancellor of the Exchequer, Peter Thorneycroft—he represented the Welsh seat of Monmouth—said clearly that there cannot be two classes of Members of Parliament. Some years later, in the '70s, the Kilbrandon commission said that regardless of what legislative assemblies are set up, British Members of Parliament must all have the same duties, responsibilities and rights.

Mr Graham Stuart: My hon. Friend the Member for Christchurch (Mr Chope) was absolutely right when he pointed out that the Scottish people voted so that their Scottish Members of Parliament would have less say over affairs that do affect their constituents, but no

reduction whatsoever in their say over what goes on in the primary schools, nurseries, hospitals and surgeries in my constituency in East Yorkshire.

Paul Murphy: I rather fancy that not one MP or MSP has had that argument raised with them when they go knocking on doors.

The issue of English laws for English Members of Parliament is also impractical. When I was Secretary of State for Northern Ireland and Secretary of State for Wales, we always had to deal with the issue of whether a Bill was actually an English Bill. Of 400 Bills introduced over the past few years, only eight were purely English. There are clauses that affect Wales, for example, and Bills that overall affect Wales, so we cannot easily disentangle them. If it is only eight out of 400, it is hardly worth it.

Also, as my hon. Friend the Member for Alyn and Deeside (Mark Tami) noted, the cross-border issues are hugely important, particularly in north-east Wales and north-west England, where there is huge fluidity on both sides of the border. We have not mentioned the Barnett formula, but Lord Barnett—we should mention him, as he is 91 today—would say that the formula is consequential on what happens to British spending.

Very few Members have mentioned the other place. A Welsh peer, a Scottish peer or a Northern Ireland peer would be prevented from voting on issues affecting England if the Government had their way, but over there, up the corridor, the peers can do precisely what they want to. People might say, "Ah, they're unelected", but what would have happened if there had been a yes vote in the referendum? We would have had to work out who was or was not a Scottish, Welsh or Northern Irish peer. All these issues are very difficult and complex, and I do not believe for one second that we can resolve them easily. I think there is an issue with the McKay commission. There are ways of dealing with our Standing Orders, perhaps at the Committee stages of Bills, that can perhaps address some of these points.

Ultimately, the only way to resolve the issue of devolution and English laws for English Members of Parliament is for there to be devolution for the English regions. It might not be the same in all areas—London would be different from Manchester, and Manchester different from the north-east of England—but there is undoubtedly a growing feeling that there should be devolution for our great English cities. The time to start looking at these issues will be when that happens, not when we need to emphasise, above, all, the integrity of the United Kingdom.

4.26 pm

Sir Oliver Heald (North East Hertfordshire) (Con): I am surprised that the right hon. Member for Torfaen (Paul Murphy) said that the Conservatives, good Unionists that we are, had not supported the Better Together campaign. You will remember, Madam Deputy Speaker, that you and I attended the first meeting of Better Together in London, strongly supporting—[*Interruption.*] No, we did attend that meeting. Conservatives took part in the campaign. I think that Ruth Davidson has been widely praised in that regard. Certainly in my constituency we were rooting for the Scots to stay in the Union, and it is insulting to say otherwise.

Even in Hertfordshire, in the middle of England—it is perhaps worth considering this if one is from a different part of the UK—my constituents were writing to me to say how important it was to them that the UK should stay together. One wrote that having come from a forces background, he had served with people from all parts of the United Kingdom, including Scotland, and it was very important to him that we should stay together. Many others wrote with their memories of working and fighting together for the United Kingdom. There was real enthusiasm and pleasure in Hertfordshire that the Scots chose to stay.

Paul Murphy: Let me tell the hon. and learned Gentleman that I was in no way suggesting that the Conservative party, as a party, was in favour of Scotland leaving the United Kingdom—far from it. He is quite right: the Conservative party in Scotland did a very good job. I was hinting—perhaps more than hinting—that a number of his party's Back Benchers were not as in favour of the outcome as he is.

Sir Oliver Heald: I would not accept that.

The political parties have now promised even more powers to Scotland on a tight timetable. It is very encouraging that the document that was promised by the end of the month has come out three weeks early and that we seem to be making the sort of progress that we all would have hoped for with the so-called vow.

Mr MacNeil: Will the hon. and learned Gentleman give way?

Sir Oliver Heald: No, not at the moment.

Devolution for England is not an arcane topic—it is a demand of the people. The same constituents who wrote to me very strongly in favour of the Union and Better Together are also writing to me saying, for example:

“We are very encouraged by David Cameron's determination to put right the inequalities of the...UK.”

Another constituent says:

“English votes on English affairs has the advantage that it is the simplest and cheapest solution”.

Another says:

“The unfair treatment of England must be rectified.”

Yet another says:

“I am not a...Conservative voter, so this is not a Party political view, but it is about time the English were given some self respect...The Labour Party will not like this but the present situation regarding Scottish MPs voting for English issues cannot continue. What's sauce for the goose has got to be sauce for the gander.”

Mr Betts: I have listened very carefully to the words that the hon. and learned Gentleman has used. He talked about “devolution” in England. Frankly, for my constituents in Sheffield it is not devolution if all that changes down here is that English MPs in this Chamber vote on English matters instead of UK Members voting on English matters. That is not devolution as far as Sheffield is concerned.

Sir Oliver Heald: I bet that the people of Sheffield want English votes for English laws, and now is the time for that.

One way of resolving this would be completely symmetrical devolution for England and Scotland, with an English Parliament and an English Executive, perhaps located in Birmingham. Some people argue for that, but my view is that it would be costly and that it is unnecessary, given that we have a perfectly good Parliament here.

Since the second world war, Standing Order No. 97 has allowed procedure for Scottish MPs in this place to pass laws for Scotland. It would be easy to adapt that for England. I spent time as a Conservative constitutional affairs spokesman and helped develop a form of English votes for English laws based on that approach. The various commissions that have looked at the issue—from the Conservative democracy taskforce to the recent McKay commission—are all on the same page. It is all about English votes for English laws.

The British public will listen to the arguments deployed by the right hon. Member for Torfaen and some of his colleagues who say, “Oh, it's all impossibly difficult, technical stuff,” but the fact is that the public are not very interested in academic constitutional arguments; they want a practical solution. English votes for English laws, and English and Welsh votes for English and Welsh laws, is not complicated. It is a simple solution to a simple problem.

As I put it to the former Prime Minister, there is no reason why a Scots MP from Kirkcaldy should vote on education in Letchworth when I do not get a vote on what happens in his constituency. At the moment there are two categories of Members of Parliament: there are those such as the former Prime Minister, who is not allowed to vote on domestic matters in his own constituency, and there are those like as me who are able to vote on such domestic matters. In fact, he is in a category all on his own, because there are things he can vote on in my constituency that he cannot vote on in his own. [*Interruption.*] He is not here, but if he was he would be able to do that.

We all understand that the Labour party has a lot of Members of Parliament in Scotland and it is obviously concerned about its ability to win a majority in an election. However, English votes for English laws is a demand of the people. If it is not done in the context of this Parliament with our Standing Orders, we will end up with a demand for an English Parliament and an English Executive, which would undercut and sideline this Parliament and be bad for the United Kingdom. Labour should think on that.

4.33 pm

Mrs Linda Riordan (Halifax) (Lab/Co-op): For the past four years I have been involved in the Hannah Mitchell Foundation, which has led the debate to get new powers in the north for the north. The group has worked tirelessly to get the message out there and has attracted considerable support across the northern regions—across towns and cities and, yes, across parties—for a regional government settlement that will enable regions with much to offer economically and socially to have greater control over spending, decision making and their own affairs.

This is not a new campaign—it is not just jumping on the devolution bandwagon post-Scotland. It has been going on for many years and is now gathering more and more support. Indeed, all the meetings at which I have

[Mrs Linda Riordan]

spoken over the past few years have been packed out. Something has to give on this issue. Personally, I do not want to see city regions or a greater concentration of power in, for instance, Manchester, Liverpool or Leeds. That is not what the debate should be about.

The debate has to go wider than that. An English Parliament is not the solution, and anyone who thinks so is misreading the situation. All that would do is concentrate further power in the south, in London, and it would leave northern regions and other parts of England, such as Cornwall, increasingly isolated as England became more centralised, not less.

This is the time to grasp the nettle. Let us not pretend that the referendum vote in the north-east 10 years ago did not put the issue on the back foot—it did, and we made mistakes in that campaign—but this is 2014, not 2004. We should now go back on the attack and take up the case for regional government, rather than talk defensively about what happened a decade ago. If a week is a long time in politics, a decade is an eternity.

Over those 10 years, the democratic deficit has grown ever stronger, but a vacuum in decision making already existed, with increased powers for Scotland and a southern-dominated Westminster Parliament. People ask, “Who speaks for England?” We should also ask who speaks for northern regions. Why do other regions benefit from extra resources and powers, but not the residents of Halifax, Hull or Huddersfield?

Anyone who does not believe that regional government’s time is coming should bear this in mind: in 1979, devolution was rejected by the people of Wales by 4:1; yet in 2011, a referendum on greater powers for the Welsh Assembly was endorsed by 63% of them.

Mr Robert Syms (Poole) (Con): There was one very big difference: in the 1970s, the legislation and the debate happened in Parliament and then there was the referendum, but under the Blair Government, the referendum was held first and then there was the legislation, so some of the issues were not explored. [Interruption.]

Mrs Riordan: Exactly. Times change and things change. The policy on devolution should not be based on one referendum, because what is happening goes wider than that. People want decisions to be taken for their areas in their areas.

Andrew Percy: As a fellow Yorkshire MP, may I tell the hon. Lady that there is absolutely zero appetite in Yorkshire for regional government? I polled my constituents on a range of choices and had 1,000 responses: 86% of them said that they wanted English votes for English laws, and only 8% wanted regional government. There is simply no appetite for regional government in Yorkshire; we want the English voice in Parliament to be enhanced by stripping away the votes of Scots MPs on matters that only affect us.

Mrs Riordan: It depends what area is surveyed, because there are different opinions in different areas, but this subject is being talked about and is gaining momentum.

The Westminster model of doing things has failed. That is not a party point, but a political one. The north has a population of more than 15 million—three times

that of Scotland—yet since 1979 powers have been taken away, not transferred. It is little wonder that people feel disfranchised by the system. To take the example of rail policy, at the moment Rail North, a body formed to oversee the Northern Rail franchise, is monitored by 30 local authorities, which is a crazy, sprawling system. There are many other examples, but I will refrain from expanding on them as there is a time limit.

I appreciate that we need a further debate about structures, boundaries and money—life is never simple—but I want to put on the record the superb work that many dedicated and committed people have done through the Hannah Mitchell Foundation. They have put regional government back on the political agenda where it belongs. Ten years on from the north-east debate, who would have thought that the wheel would turn full circle? The debate should be about regionalism, not just narrow English voting, which seems to be more about party interest than a transfer of powers.

Let us be clear: a new regional settlement would be an empowering move to bring decisions closer to people’s lives and people’s lives closer to decisions. In this place, we should not be frightened of going a bit further than just retaining an iron grip on controlling decisions from London. Regional government will happen soon, and with a bit of bold thinking it could come more quickly than people think. The issue is now firmly at the centre of this whole debate. The regions are letting their voices be heard. It is time that we in this place started to listen.

4.39 pm

Iain Stewart (Milton Keynes South) (Con): I welcome the opportunity to participate in this important debate. I speak as someone born and raised in Scotland who has spent the majority of his adult life in England and who now represents an English seat and defines himself as British and a Unionist. I am therefore well placed to understand the passion and sentiment on both sides of the border. I wish to put forward some ideas about how to move forward and cement the Union for a new generation.

My first issue, much debated this afternoon, is English votes for English laws. The view that the best answer to the West Lothian question is to stop asking it will no longer do. I genuinely fear for the long-term health of the Union if the English dimension is not addressed—and quickly. We have had endless commissions’ reports on the possible solution; now is the time to take action. Even before the Scottish referendum debate, there was evidence of considerable demand in England for that to take place. The research for the McKay commission found that just 21% of people in England support the current system, and there was majority support for some form of English votes on English laws.

Mr MacNeil: Does the hon. Gentleman think that English votes for English laws is enough for England? As we heard from the previous speaker from the north of England, it is important to give meaningful decentralisation to what is a very centralised state to enable a better and more productive economy. Sadly, we could not help the north of England given that Scotland did not gain independence, but if Westminster was prepared to transfer the iron grip, we might see some much needed economic changes in the north of England. Would the hon. Gentleman support steps towards that?

Iain Stewart: The hon. Gentleman has tee'd up neatly another section of my speech, so if he bides his time, I will come to that very point.

There are three intellectually coherent answers to the West Lothian question. Two of those—ending the devolution arrangement and voting for Scottish independence—are not on the table. The third option is a federal United Kingdom. Although that is intellectually coherent, I do not believe that it is workable. First, there is no public appetite to elect another tier of politicians, be that a separately elected English Parliament or English regional assemblies. Secondly, England does not divide neatly into regions. Where does my Milton Keynes South constituency lie, for example? Technically, we are part of the south-east, but from our demographic and economic ties, we have more in common with the east of England or the east midlands. Neither would a federation be viable if one of its constituent parts—England, which represents 84% of the population and economy—overwhelmingly dominated the other three parts of the federation.

To address the point raised by the hon. Member for Na h-Eileanan an Iar (Mr MacNeil)—I hope he notes my good pronunciation—there is a debate about further decentralisation within England and within Scotland, but that is a separate point from what happens here in this House. [*Interruption.*] It is a separate debate. There is, however, the issue of growing English demand for a say in its own affairs.

Mr MacNeil: The hon. Gentleman is kind to give way a second time, and I appreciate it. Much of today's debate has been about this place and the four walls here, but it should not be. It is about the lives and aspirations of people in Easterhouse—[*Interruption.*]—and, indeed, in East Anglia, as well as in places all over Scotland, which had great hopes at the front of the referendum, yet those hopes were damned. Managing things around this Chamber is a big mistake. I urge the hon. Gentleman to think about the good of the people in England outwith this Chamber, not the good of the people of England within it.

Iain Stewart: The hon. Gentleman misses my point. I am not saying that that is not an issue, but what happens here is also an issue of fairness for English voters. The two are not mutually exclusive and both have to be addressed. I want to see fairness for English voters—for my constituents, in this place—as well as have a sensible debate about further devolution in England. The local authority in my constituency has already had substantial extra powers. I am all for having a sensible discussion about how that can continue, but that should not distract us from what happens in this place.

We will never have a complete practical answer on English votes on English laws, but we must find the most workable and least disruptive option. I would like to put one proposal on the table. It might be termed the double majority arrangement. Many hon. Members from all parts of the House have asked what happens if we start excluding individual Members from voting on specific matters. Under the double majority arrangement, no Member would be excluded from debating or voting on any issue. However, if the matter applies only to England or only to England and Wales, for the measure to pass it must secure a majority of English Members or

English and Welsh Members, as well as a majority of the whole House. That is a practical, sensible arrangement that would not disrupt any of our current arrangements, but that would provide an English shield or protection to ensure that measures in England are not voted for by people for whom England did not vote. I fear that doing nothing would be the most corrosive thing for the Union. That is something that I do not wish to see.

In the short time that I have left, I will turn to the financial element of devolution. I support an extension of the tax powers in Holyrood. I think that Holyrood should be responsible for raising a large share of what it spends. That is good for democracy. I am happy to debate the precise mechanism. However, I make one plea. I support the timetable for agreeing the matters in principle, but devolving tax is a complex and administrative matter. Companies will have to shoulder a lot of the burden. I do not want to see our wealth and job creators saddled with an onerous extra regulatory burden that they are not properly involved in designing. My plea is for them to play an important part in the various commissions that will consider this matter, so that the powers are devolved in a workable way that does not impact on business.

My last point—I cannot do it justice in 40 seconds—is about the Barnett formula. I plead with Members on all sides of the debate to ensure that they understand the Barnett formula properly. It is a much maligned and misunderstood formula. The bigger issue is the totality of the fiscal relationship between Scotland and England, and, indeed, within England and Scotland. We have never had a comprehensive, uncontroversial analysis of public spending and tax receipts in this country. Please can we have that before the debate on Barnett and related matters continues?

4.47 pm

Mr Nigel Dodds (Belfast North) (DUP): I am very grateful for the opportunity to participate in this debate, which is about devolution across the United Kingdom as a result of the Scottish referendum and the proposals that have been put forward for greater powers for Scotland. It is therefore right that we hear from English Members, as well as Scots Members and representatives from Wales and Northern Ireland.

I pay tribute to all the people of Scotland, however they voted, for the tremendous example of participation in the democratic process that they gave the rest of us. The referendum debate and campaign captivated and almost became a source of wonderment to people everywhere who have been trying desperately to get people engaged in politics and civic society. It was a tremendous exercise. [*Interruption.*] The hon. Member for Na h-Eileanan an Iar (Mr MacNeil) might agree with me on that point, but I do not think that he will agree with my next point.

I welcome the result of the referendum and the fact that this debate is about devolution and not separation, which would undoubtedly have dominated our considerations for many years. I am glad that a discussion on the separation of Northern Ireland from the rest of the United Kingdom is not even on the horizon. The hon. Member for Glasgow South West (Mr Davidson) mentioned that Northern Ireland had a referendum many years ago, in which people voted overwhelmingly

[Mr Nigel Dodds]

in favour of Northern Ireland's place in the United Kingdom. Now, there is not even enough support in Northern Ireland for the holding of a referendum. There is no doubt about what the outcome of such a referendum would be. The clear decision of the people of Scotland in the referendum was widely welcomed in Northern Ireland because of our strong ties to that country.

Mr Redwood: Will the right hon. Gentleman tell the House whether Northern Ireland likes her current settlement or whether Northern Ireland would like more devolved powers, in line with Scotland?

Mr Dodds: The talks on the future of devolution in Northern Ireland are about to begin in Belfast in the coming days. One issue on the table will be greater fiscal powers, including the possible greater devolution of taxation, such as corporation tax, which the Leader of the House mentioned. Given the unique set-up in Northern Ireland—we have a mandatory coalition, and people with diametrically opposed positions are entitled to be in government—we have encountered great difficulties in making things work satisfactorily because of vetoes and so on. Northern Ireland is unique in that sense. We need to have those discussions in Belfast. I am glad that the Leader of the House indicated that he is prepared to table proposals for change if there is agreement in those talks.

Lady Hermon: I am grateful to the right hon. Gentleman for taking a second intervention so soon after he took the first. Is it his understanding and that of his colleagues that the corporation tax decision hinted at by the Leader of the House—it will be announced in the autumn statement—is a stand-alone one, or will it be dependent on agreement on the devolution of other matters, and the agreement of the parties on such controversial issues as parading, flags and dealing with the past?

Mr Dodds: I will come to corporation tax later, but my understanding is that the decision is not dependent on the outcome of the talks. It has been the subject of much discussion in the House over many years, so the hon. Lady need not worry on that account.

If devolution is to be discussed in the context of greater devolution to the nation states and regions of the UK, it is important that no region or constituent part of the UK is left out. The parties in Northern Ireland cannot be excluded from devolution discussions. Giving powers to Scotland and Wales, and potentially to English regions, will affect Northern Ireland and how we govern within the UK.

The debate on the consequences of devolution for the House is by no means new. It has already been mentioned that in 1886, during the debate on Home Rule, it was first suggested that Irish MPs be accorded a different and lesser status within the House. Eventually, a so-called in-and-out solution for Irish MPs was rejected, although by means of a compromise, the number of Northern Ireland MPs was eventually reduced. The arguments made in the 19th century are as valid today as they were then. The UK is a country with a shared history and culture. The four constituent parts—the nation states that make up the UK—have become intertwined and

interdependent. This complex problem will not be solved merely by designating Bills as English or merely by restricting the voting rights of some Members over and above those of others.

We have a number of asymmetries in our constitution. If we were starting with a blank piece of paper, we would not end up with what we have. However, as has already been said today, the British constitution may not work in theory, but it works in practice. We have heard a number of possible solutions. As Unionists, Democratic Unionist Members will judge any proposal by a single test: does it erode the shared cohesion of the constituent parts that make up the Union?

We believe strongly that we cannot rush into change and that we need to consider the matter carefully. I have a lot of sympathy for the arguments put by the right hon. and learned Member for North East Fife (Sir Menzies Campbell) on the need to consider the matter carefully by way of a constitutional convention. We should not get into a situation in which the law of unintended consequences kicks in. Whatever the solution, as Unionists, we believe that it must not erode or damage the Union or what it has stood for over the years. The Scottish people rejected an assault on the Union. The House needs to heed the people of Scotland, proceed with care and ensure that we do not undermine the Union of the United Kingdom.

On fiscal and taxation matters, which were mentioned by the hon. Member for North Down (Lady Hermon), we have raised the issue of an over-reliance on the public sector in Northern Ireland. In the Northern Ireland Executive, we have put a lot of emphasis on the need to grow the private sector, not because the public sector is too big per se, but it is too big proportionately compared with the private sector. We have had 30 to 40 years of violence in Northern Ireland. That is one of the reasons why our private sector has suffered and we have to address that. That is why powers to devolve corporation tax are so important to us: they would give us a tool to grow the private sector. I look forward to the Chancellor's autumn statement on 3 December. I hope he will deliver to Northern Ireland a means by which we can grow the economy and improve the living conditions for all our people.

Several hon. Members *rose*—

Madam Deputy Speaker (Mrs Eleanor Laing): I will have to reduce the time limit to four minutes after the next speaker. There is no point in hon. Members looking upset. If everybody is to have the chance to speak in an equal and fair manner we have to reduce the time limit to four minutes, after we have heard Mr Andrew Lansley.

4.56 pm

Mr Andrew Lansley (South Cambridgeshire) (Con): Thank you, Madam Deputy Speaker. I will try to be as brief as I can.

I am very pleased to follow the right hon. Member for Belfast North (Mr Dodds). I think many of us on both sides of the House can agree that it was very important to all of us that the people of Scotland voted as they did to support the Union. That did not mean that there should be symmetry across the country and it certainly did not mean that they were voting in any

sense to undermine the Union by stages. On the contrary, we can strengthen the Union, be true to the positive vote secured in the Scottish referendum and, at the same time, give people what I know they are looking for in Scotland and elsewhere across the United Kingdom: a sense of greater control and accountability for the decisions made in their name and by their elected representatives.

I want to put on the record that it is absolutely vital that, recognising and welcoming the vote of the people of Scotland, we should deliver on the commitments that were made to them. We will deliver on those commitments, for example, those in the vow. That is not conditional and should be done within the agreed timetable. We should bring those measures forward and ensure that we live up to that.

Part of the vow was the commitment to the ability of the people of Scotland to make their own decisions on the resources and the organisation of the national health service in Scotland. During the course of the referendum debate, I was astonished to hear Nicola Sturgeon, who was my counterpart in Scotland as Scottish Health Minister, talking about how, in the future, there was a risk to the independence of the NHS in Scotland. There never was when she had any conversations with me. Whenever we worked together we did so voluntarily, for example on standardised packaging for tobacco products. I would never hear her countenance the thought that anything that I said should happen in the NHS in England should necessarily happen as a consequence in Scotland. She retreated to the issue of finance. Frankly, with what we are committed to and will bring forward in terms of further devolution of the power to raise and spend one's own resources, Scotland will have the absolute right to determine the resources and the organisation of the NHS in Scotland.

As a consequence of all that, in this country we have to recognise—I will not go on about it; I do not have time—further fiscal devolution to the local authorities in this country. I do not think for a minute that we are interested, as the hon. Member for Halifax (Mrs Riordan) suggested, in regional government. I agree with her that we are not interested in an English Parliament. I think that the people of England look to the Westminster Parliament to make their laws, but I think they recognise that raising and spending money locally is a good thing. With accountable elected representatives, we can and should make that happen.

Mr MacNeil: Does the right hon. Gentleman support full fiscal autonomy for Scotland? That is the logical solution to his argument, not the partial devolution of taxation which, when we take into the account the Barnett formula arrangements, is merely rearranging the deckchairs.

Mr Lansley: We are committed to retaining the Barnett formula. There will be an extension of the ability to raise and spend one's own resources, not full fiscal autonomy. That has to be an outcome determined by the Smith commission—to see to what extent this can happen—but it seems to me that it is right. As the right hon. Member for Belfast North made perfectly clear, the outcome in each of the countries of the UK will look different because our devolution settlement is asymmetrical.

If there is not an English Parliament or fiscal devolution, a further question arises. Can we have English votes for English taxes? I might not agree with all my colleagues on this point, but I thought that the right hon. Member for Kirkcaldy and Cowdenbeath (Mr Brown) raised an Aunt Sally and attacked it. There is not a Conservative proposal for English votes on income taxes. I do not think the analogy holds between devolution on income tax in the other countries of the UK and England. For example, Scotland has a Scottish Government with a Scottish Budget accountable to a Scottish Parliament, and it can determine Scottish income tax in that structure of decision making and accountability. We do not have an English Government, an English Parliament or an English Budget; we have a UK Budget, and to support a UK budget we must have UK taxation. We cannot contemplate the separation of English income tax, although we can devolve some taxes inside England, especially to local authorities and city regions.

Mr Redwood: Is my right hon. Friend seriously suggesting that Scotland could set its own income tax at a lower rate and that Scottish MPs could come to Westminster to make English people pay more?

Mr Lansley: Yes, I am, because it is untenable to have a separate vote by English MPs on English income tax, if the consequence, should the vote go a certain way, were to undermine the UK Budget.

English votes for English laws is, however, entirely tenable, and we now need to act. I agree fundamentally with the McKay commission where it states:

“Decisions at the United Kingdom level having a separate and distinct effect for a component part of the United Kingdom should normally be taken only with the consent of a majority of the elected representatives for that part of the United Kingdom.”

However, that ought not to exclude the views of other Members, whether they be my right hon. Friend the Member for North West Hampshire (Sir George Young), my hon. Friend the Member for Milton Keynes South (Iain Stewart) or anyone else. We can do it in Parliament by making provision, through a Grand Committee or a legislative consent motion, for English MPs, or English and Welsh MPs together, to give explicit consent to legislation that applies separately and distinctly to England, or England and Wales.

That should not exclude the central proposition, however, that all laws made by the UK Parliament should be made by all Members of the House of Commons. Anything else would undermine the character of the Union Parliament, which is the basis on which our Union is constructed—the Crown in the Union Parliament as a whole. We can make it happen. It would be a proportionate response to the undeniable demand of my constituents, and constituents across England, that their elected representatives determine what laws are made in England, without the perverse and unacceptable anomaly—as they see it—of Scottish MPs voting on laws in England that do not apply to their own country. We can make this happen, but we need to make it happen now.

5.3 pm

Gregg McClymont (Cumbernauld, Kilsyth and Kirkintilloch East) (Lab): It is several hours since the right hon. Member for Berwickshire, Roxburgh and

[Gregg McClymont]

Selkirk (Michael Moore) made his contribution, as an appointee to the Smith commission. As the other Member sitting on the Smith commission, I shall try, in much less time, to make some observations about this process.

As we have heard, some are already attempting to rewrite the history of the referendum. The First Minister said the referendum would decide the issue for a generation, but we now see more clearly by the day that in his mind, and the mind of his colleagues, a generation is not a long time.

Mr MacNeil: Will the hon. Gentleman give way?

Gregg McClymont: I want to develop my argument.

On 18 September, the Scottish people said yes; they said yes to the continuation of the economic, social and political sharing that constitutes the UK; yes to the continued, undiluted, equal and fair voice that Scotland currently enjoys inside the UK; and yes to further devolution inside the UK, building on the 1999 settlement and the Scotland Act 2012. The task before us in the House, and before the Smith commission, is to take that sovereign and settled will of the Scottish people forward: to sustain that political, economic and social partnership, at the same time as devolving power where it makes sense to do so. It is a clear task, but not a simple one. Clarity, of course, does not necessarily mean simplicity.

It has been very evident today that there is a strong feeling among Government Members that England's voice must be heard. I hear their sincerity of their view, and I have no doubt that it represents letters, e-mails and phone calls that Government Members are receiving, but I ask them to consider this. I think that the United Kingdom has been a great success over the past 300 years, making all four of its countries prosperous, stable and secure, and often serving as a beacon to the rest of the world. That success, or at least a central part of it, has been based on England's tolerance of the desires—I will put it more strongly than that: the needs—of the much smaller Celtic nations of this Union. That tolerance has been acknowledged—

Stewart Hosie (Dundee East) (SNP): Celtic needs!

Gregg McClymont: Does the hon. Gentleman wish to intervene?

Stewart Hosie: I should be delighted.

The hon. Gentleman is making a number of very interesting points while trying to rewrite the outcome of the referendum. May I ask him to confirm that the first page of the Scottish Government's submission to the Smith commission makes plain our understanding that the commission will simply be about devolution and will not lead to independence, and that we absolutely understand and respect the outcome of the referendum? Will he now work with us to maximise the powers—
[*Interruption.*]

Mr Deputy Speaker (Mr Lindsay Hoyle): Order. We have a lot to get into the debate, and Members rightly wish to contribute. We cannot allow speeches to be made in the form of interventions.

Gregg McClymont: Thank you, Mr Deputy Speaker. It is very comforting at one level to hear the words of the hon. Member for Dundee East (Stewart Hosie), but by their deeds shall ye know them, and the deeds of the Scottish National party since the referendum have made their view very clear.

I was suggesting to Government Members that the tolerance of England, which is by far the largest constituent part of the United Kingdom, has been central to the United Kingdom's success. A number of references have been made to the unfairness of Scottish Members of Parliament and others from other parts of the United Kingdom voting on English-only matters. First, there is the question of what constitutes an English-only issue. Research has suggested that very few pieces of legislation are English-only. More widely, however, the unfairness to which Members refer reflects the asymmetry of the United Kingdom, and the different sizes of its constituent nations.

Members—Scots, and, I am sure, our Welsh and Northern Irish colleagues too—often grumble about unfairness, usually when they have been at the receiving end of another defeat at football or rugby by England. They grumble about the unfairness of England's being so much larger as a nation. However, if we are to have the continuation of the United Kingdom, a recognition of the reality of asymmetry must be enshrined in any decisions that we make about the constitution.

5.9 pm

Sir Alan Beith (Berwick-upon-Tweed) (LD): I am very glad of the opportunity to say a brief word about how the north-east of England is affected in these circumstances. The first thing to be said about the north-east of England is that there was a real and palpable sense of relief when the result of the vote came through. That was particularly true in Berwick, where I live. I can walk to the border in a short time. That sense of relief then gave way to some further questions. The three points that arise, in roughly the order of the frequency with which they are raised with me, are the Barnett formula, the devolving of power and the West Lothian question.

The Barnett formula worries us not because we do not want the Scots to have adequate public spending, but because there is no similar protection of the amount of public spending that the north-east of England receives. As people are aware, in Scotland, public spending is 20% higher per head. In London as well, expenditure on transport is many times what it is in the north-east. Public expenditure on the arts is much higher. Therefore, there is a feeling in the north-east that we deserve some protection to ensure that the levels of public expenditure meet the needs.

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

Sir Alan Beith: I want to make some progress. The right hon. Gentleman may want to intervene later.

The second issue that concerns people in the north-east is about the further devolving of power. That region rejected the setting up of a north-east assembly and it will be some years before we go back to that possibility,

but that has not dimmed the feeling that too many decisions are taken in London and that more things should be decided locally.

Mr Redwood: I intervene because I do not think that the right hon. Gentleman understands the Barnett formula. It starts with a percentage increase for England and bases the Scottish one on the English increase. Of course England is protected because it starts with England.

Sir Alan Beith: The north-east of England is not protected within that England formula. That is the point that I was making. I do indeed understand the Barnett formula, having been aware of it for many years and since Joel Barnett introduced it.

Let me return to devolving power. The likely vehicle for devolving power is the combined authority, the local enterprise partnership or some combination of the two. Every time we have devolved significant power within the UK, we have done so to a body we have designed in such a way that minority opinion is represented, including other political parties and rural areas. We have always used the proportional system in Scotland, Wales, Northern Ireland and London—in every case the Assembly is elected by a proportional system. However, there is a danger that, if we do not do something about the structure of combined authorities, we will have one-party states. In the north-east, neither Conservative nor Liberal Democrat opinion is represented in the leadership of the combined authority and rural opinion is under-represented, as it is in the local authority in Northumberland, where decisions are made for the benefit of the urban area, which do not work for rural areas—for example, decisions on transport for people to get to school or college. Therefore, further devolution of power within England is important to people in the north-east.

The third issue, which cannot be dismissed lightly, is the West Lothian question. English Members are not voting on matters of health and education in Scotland not because there is a sign over the door of the Lobby saying they cannot go in. It is because those powers are not dealt with here; they have been devolved elsewhere. The ideal solution to the West Lothian question is to devolve at least some of those powers within England, so that we are no longer trying to govern every detail of English life from the UK Parliament. Indeed we diminish its ability to serve as the UK Parliament if it spends a lot of time on that kind of detail.

There are exceptions to that. I do not believe there is an appetite to have different criminal law or property law in different parts of England, although there is a difference between England and Scotland in that regard. Therefore, there will never be a neat and perfect solution. Some devolution of legislative power may take place within the structure that exists in this place; some of the solutions that the McKay commission has put forward use that as a model. I suspect that there will be a combination—further devolution of power within England and a change in how we manage things in this House, so that, when it is behaving as a UK Parliament, it can focus its energies on that, and more English detail can be dealt with by English Members. However, in the minds of many people in the north-east, although that is important, it is perhaps not quite as important as ensuring that, in our region, we get some of the help

that Scotland has had financially to deal with the problems we have both faced, and as ensuring that devolution for Scotland enables the north-east to engage fully in a partnership with our neighbours across the border.

5.14 pm

Julie Elliott (Sunderland Central) (Lab): It is a pleasure to follow the right hon. Member for Berwick-upon-Tweed (Sir Alan Beith)—somebody from my region, so this is obviously the north-east part of the debate.

I welcome the opportunity to talk about this subject. I spent quite a lot of time in the weeks leading up to the referendum in Scotland, as many members of my family live in Scotland, as is very common among people in the north-east, so the Union was very important to me, and it was very important to my family.

My experience in those weeks had some positives. People were more engaged in the political process than I ever remember before, and explaining to people how to vote almost every time I knocked on a door was a pleasure. That is something we must grasp and work out how to translate across the country. However, being called a posh southerner, when I do not think I am either, was an interesting experience.

Nothing is ever quite the same again after a referendum. The right hon. Member for Berwick-upon-Tweed mentioned the north-east assembly referendum, as have many other Members. I was the agent for the yes campaign in that referendum. It was not one of my most successful campaigns. Only 20% of the people of my region voted for it. However, on the day after the election the problems were still there—the problems of inequalities and of not having enough money to deal with our economic issues. We would go to meetings and people would say, “What do we do about this?” We did not get the assembly, which meant we had no mechanism to deal with it. Those issues are still there, although I think time has moved on and at the moment there is no appetite for a vote on a regional assembly.

Mr Jim Cunningham (Coventry South) (Lab): Does my hon. Friend agree that one of the contributory factors to the situation we find ourselves in is that over the last 30 years the powers of local government have been eroded? We have had the abolition of metropolitan councils and there is now talk about city regions, but that is a gloss; we do not actually do anything, and unless we do something, Parliament will fully disconnect.

Julie Elliott: I could not agree more, and I am going to talk about some of the practicalities that we face.

The hon. Member for Gosport (Caroline Dinéage) said she gets letters every day of every week about the question of English votes for English laws. If I have had five in my entire time as a Member of Parliament, that is all I have had, so I think there is a north-south issue here. This is not an issue for the north of England. It never comes up on the doorstep in my constituency and in those around it that I campaign in.

We must look at what has come out of the Scottish referendum in terms of the impact it will have on England and the regions—and it undoubtedly does have an impact. The current situation is unfair and that needs to be addressed, but we need practical solutions to the problems we face. This is not about tearing up the

[Julie Elliott]

constitution. Only a tiny number of parliamentary votes would be affected by having English votes for English laws, and working out which ones should be and which ones should not would be very complex, but that simply is not the issue; the issue is getting the right redistribution of money to the regions of our country that really need it. We do not need extra bureaucracy, which in my view would break up the Union, or be a step towards that. If we were to go down that path, it would be disastrous for our communities.

We need a system that works and that has the support of our communities and of the people of the United Kingdom, not a quick fix, which is what the Prime Minister came out with in his announcement at 7 o'clock on the morning after the referendum. I was one of those people who spent the whole night watching the results, having travelled back from Scotland the night before, and I was astonished because what he said came from nowhere. It had not been on any agenda I had seen. It had not been discussed anywhere. To be honest, I do not think he grasped the real issue.

Mr MacNeil: Will the hon. Lady give way?

Julie Elliott: No, I will not give way.

This debate is a result of the Scottish referendum. Whereas I totally support the implementation of what was promised to the Scottish people, we need to look for practical political solutions that deal with the real issues for England and the other parts of the United Kingdom and address the real inequalities. They need addressing and they need addressing now.

5.19 pm

Mr Bernard Jenkin (Harwich and North Essex) (Con): I fully concur with the hon. Member for Sunderland Central (Julie Elliott) that since the referendum in the north-east of England, the issues facing that region have not been pursued with the urgency that she demands. She was the agent for the yes campaign in that referendum and I was the Conservative shadow Minister who set up North East Says No. I am sure she accepts that there really was no appetite for that extra layer of government. However, both our parties pay lip service to decentralising the necessary powers and functions to the existing tiers of local government, but both have failed to do so. Such decentralisation would somewhat reduce the sense of isolation from the Westminster system that many parts of England—and Scotland—feel. If we do not learn that lesson from the Scottish referendum, we are really missing the point. I hope that we will build on the consensus.

John Stevenson (Carlisle) (Con): I agree wholeheartedly with what my hon. Friend is saying about devolution within England. Does he agree that this is relevant to places like Cumbria and the north-east, which border Scotland, given that Scotland will be given greater powers? Those areas would like to have greater powers granted to them as well.

Mr Jenkin: I totally agree with that. I will come back to the question of English votes for English laws later.

I was overcome with relief at the outcome of the Scottish referendum. Both my parents were born in Edinburgh and half my family lives there—I say directly to the Scottish people: you are my kith and kin—and it would have broken my heart if we had found ourselves in separate sovereign states. I am heartily glad that Scotland voted no. However, it was a much closer vote than the Prime Minister intended when he first suggested that the referendum should take place, and we need to learn lessons from that. Given the nature of this debate, I wonder whether we are learning any lessons.

This scrappy, partisan debate is exactly the kind of thing that reflects badly on Westminster politics throughout the United Kingdom, and that was cleverly exploited by the yes campaign in Scotland. We should concede that to the Scottish National party representatives here today. We should also concede to them that the vow, however well intentioned it might have been, is in fact a bit of a muddle. It is indecipherable, and I do not think it made any difference to the result. It was ham-fisted. However, I congratulate the right hon. Member for Kirkcaldy and Cowdenbeath (Mr Brown) and my right hon. Friend the Prime Minister on the passion that they brought to the debate.

Pete Wishart: This is a matter that we are trying to determine today. Does the hon. Gentleman think that the right hon. Member for Kirkcaldy and Cowdenbeath (Mr Brown) was duped about the vow?

Mr Jenkin: No, I think it was a panic reaction to a late poll. It was something that they were desperate to do. I believe that the very fact that it was a close poll was enough to turn people away from voting yes, because they suddenly realised that their vote might make a difference. Most pollsters would agree that that was the effect of the very close poll.

The vow stated:

“We agree that the UK exists to ensure opportunity and security for all by sharing our resources equitably across all four nations”.

That is fine; I think we would all agree with that. Then, however, it goes on to reaffirm the Barnett formula. There are two things about the Barnett formula, the first of which is that if Scotland is to raise more of its own resources, the formula will become a much less significant component of the allocation of resources. Secondly, the formula actually represents the opposite of

“sharing our resources equitably across all four nations”.

It cements in place an artificial bias in favour of funding in Scotland, which is no doubt why Scottish politicians campaign so vociferously in favour of it.

David Mowat (Warrington South) (Con): Will my hon. Friend give way?

Mr Jenkin: I have given way twice already; I do apologise.

The House of Lords produced a very good report in 2009 which concluded

“that the Barnett formula should no longer be used to determine annual increases in the block grant for the United Kingdom's devolved administrations.”

It stated:

“A new system which allocates resources to the devolved administrations based on an explicit assessment of their relative needs should be introduced.”

The question is: how are we going to get from A to B? Lord Strathclyde has recommended a convocation in which the four component parts of the Union should be represented on equal terms in a single body. The question of the fair allocation of resources among the four parts of the United Kingdom deserves to be discussed in such an impartial forum. This cannot be imposed by the Treasury. It cannot be imposed by a system that we have inherited from a period when there was no devolution and no devolved tax-raising powers at all, so we need a new system. If we are going to learn from this referendum, it would be much more honest if we all agreed that, over time, we will need to move on from the Barnett formula.

Let us deal with the question of what the promises mean. If we ever want evidence of the chaos in the no campaign, we need only see that, even after the referendum, we still have three separate proposals in this Command Paper for what is to be devolved, and an unseemly scrap between the Westminster parties over what should be devolved. I have no doubt that agreement will be reached, and I commend the SNP for being determined to bring its good will to the party in order to get an agreement, because that has to be our objective. However, as part of that agreement, there is now huge awareness across the United Kingdom of English votes on English laws.

5.25 pm

Graeme Morrice (Livingston) (Lab): September 18 was a memorable day for Scotland. It was a day when millions of Scots made their way to polling stations up and down the country, and had their say on whether to continue 300 years of partnership or to go it alone. It was especially gratifying that young people, in particular, rose to the challenge and participated in droves, which demonstrated that it was right to enfranchise 16-year-olds and 17-year-olds. I am sure that all Members will agree that the extraordinary levels of engagement witnessed during the referendum campaign are a cause for celebration.

The people have now spoken, with just over 55% of the electorate opting to keep Scotland in the Union. Let me say how pleased I am that the majority of Scots voted to remain part of the United Kingdom. However, as with any vote, there is disappointment—disappointment among those people who did not get the outcome they wanted. In this case, we are talking about the 44.7% of Scots who voted yes. I recognise that disappointment, but I believe it is now vital that Scotland move forward as a united country. Leaving yes or no allegiances aside, it is now time for both sides to come together for the future of Scotland: for a Scotland that is successful, secure and prosperous; for a Scotland that its people can be proud of; and for a Scotland that together with its partners in England, Wales and Northern Ireland, as part of the UK, achieves more than it would do alone.

As I and others have made clear, moving forward does not and must not mean a continuation of the status quo. The appetite for change must be met. The promises for further powers, which were set out to the Scottish people, have to be delivered, and I have no doubt that they will be. Positive first steps have been made with the establishment of the Smith commission, which will report its findings by the end of next month.

I also welcome the publication yesterday by the Secretary of State for Scotland of the Command Paper, which sets out all plans.

Although devolving further powers to Holyrood is undeniably important and necessary, I also believe that there needs to be decentralisation within Scotland to local authorities and communities. Local authorities must be allowed to serve their local communities better and be more accountable. The need for decentralisation within Scotland becomes even more pressing given that the Scottish Government are one of the most centralising Governments I have ever witnessed. It is therefore vital that further powers are given not only to Holyrood but to local communities.

Moreover, it is obviously evident that the referendum has triggered a wider debate about further devolution across the UK. Just as Scotland has expressed its appetite for change, the people of England, Wales and Northern Ireland have understandable similar aspirations. There must be much wider, considered constitutional reform of politics across the UK, which is why I support the more recent calls for decentralisation in England. It is only by proposing and carefully considering such changes that our whole political system can become more accountable and relevant to the public.

The Scottish people have had their say, with a no vote being not the end point but a continuation of change, not only in Scotland but across the United Kingdom. I very much look forward to the discussions that will take place in the coming months. However, change in Scotland must not be hindered by any timetable for reform across the UK, and the Government must take heed of that warning.

5.29 pm

Mr Robert Syms (Poole) (Con): As a Conservative Unionist, I was a veteran of the debates of the late 1990s, and I have to say that I always opposed devolution. The reason was that I thought it would be a stepping stone towards independence. After all the years that have gone by, I cannot say that I feel confident that the United Kingdom is still not under threat as we move ahead. The Labour Government of the time constructed all the paraphernalia of the state in Edinburgh, but did not give it the financial independence to go with it so they got the blame for things. For the past 15 years, Edinburgh has been blaming London—the Labour, Conservative and coalition Governments—for all its ills.

What we have now is creative tension between two Parliaments. One Parliament wants more power and another Parliament holds the purse strings. Logically, that leads to frustration in Scotland, which is why we ended up with a referendum. Although I am opposed to devolution, I think that if Scotland is to stay in the United Kingdom, we must consider more fiscal independence and more tax-raising powers, because then its people will be taking more responsibility, and indeed more blame, for what goes on in Edinburgh. That is the only way to avoid a long running sore of a debate between London and Edinburgh. The same thing is happening in our debate with the European Union. I am a Eurosceptic, and there are many who believe that if only we came out of Europe, all our problems would be solved.

[Mr Robert Syms]

The debate between Scotland and England has been bedevilled by the fact that it is easy to blame the United Kingdom and the Westminster Government for things, and to say that everything would be all right if we just sorted out the problem. If we need to sort out the problem, we must consider giving more fiscal powers and responsibility to Edinburgh. With that, it will get both credit and blame for some of the decisions it takes.

Stephen Hammond (Wimbledon) (Con): The logical conclusion of my hon. Friend's remarks is that we must find an equitable and just solution for all the countries of this Union. My constituents—and, I believe, those of my hon. Friend—believe that English votes for English laws is the first stepping stone of that equitable and just solution.

Mr Syms: Yes, I certainly think that that is the case, but we must consider the situation north of the border. There is no appetite for regional government in the United Kingdom, but there is an appetite for showing local government more respect, giving it more responsibility and passing it more money. From my experience in local government and in Westminster, I can say that local government is much better at controlling money and decisions than we are here. The country would probably be better governed if we had more confidence in some of our local authorities.

Mr MacNeil: I am quite impressed that the hon. Gentleman has allowed logic to overcome his earlier beliefs against independence. He should be genuinely congratulated on that. He has looked at the situation and taken his views further. Is not the next logical step, and the first stepping stone to reducing the tension he has mentioned, full fiscal autonomy for Scotland?

Mr Syms: There are of course issues relating to the fact that we are interdependent within the economy. There are firms operating in both places. My hon. Friend the Member for Milton Keynes South (Iain Stewart) made a strong point about burdens on business, but I think that substantial fiscal powers and tax-raising powers should be moved to the Scottish Parliament. Ultimately, that would reduce tensions and effectively make MPs more responsive to their electorate as they would see what they were doing well and what they were doing badly. At the moment, the debate is very much between Edinburgh and Westminster, and that would be the case whoever were in Government. However, the tensions would be higher when there was a right of centre Government at Westminster and a left of centre Government in Holyrood.

On the matter of English votes, I have been very surprised over the past 15 years that the English have not been in revolt and have not been too upset over what is manifestly an unsatisfactory settlement. However, as we see further powers going to the Scottish Parliament and the manifest unfairnesses in this Chamber, people will start to ask very serious questions. It is better that we answer those questions now than let things build up and start creating greater tension. I am not sure whether English votes is the right solution or not, as it is messy,

but I certainly think that we need to start the process of looking at how we govern ourselves and how we are fair to England.

It is a fact that if England has 84% of the population, it is going to dominate. That is what happened before Scotland joined the Union. Effectively, England was the elephant next door. The benefit of the United Kingdom was that the other countries had a disproportionate say within the United Kingdom Parliament, which worked very well. That changed in the 1990s, and once it changed the dynamics of the Union changed. We have to be fair to the 84% of people who are in England and I hope that we can reach a solution in which we can live as a happy family, and perhaps a more diverse family. The reality is that the logic of devolution is to give people more fiscal power and let them take that responsibility. The logic of the devolution settlement in the 1990s in Wales and later in Northern Ireland and Scotland is that there is an issue to be addressed and if we do not reverse the situation we will all get very raggy and angry because people will manifestly think that they are being unfairly treated.

5.35 pm

Cathy Jamieson (Kilmarnock and Loudoun) (Lab/Co-op): I am a proud Scot and a firm believer in the principles of devolution. I campaigned tirelessly for the establishment of a Scottish Parliament and I was proud to serve there for some 12 years. During that time, I saw progressive change made using the devolved powers, whether that was abolishing feudal tenure, taking clause 28 off the statute book, or leading the way in the UK towards implementing the smoking ban. Those are all things of which the Scottish Parliament can be proud. We also had some of the most forward-looking and progressive legislation to tackle homelessness, which provided a lesson for many other places.

As a Scottish Minister, I also spent a lot of time having fairly robust discussions, sometimes with people in my own party, about the boundaries of devolution and what was devolved to the Scottish Parliament as opposed to what had an impact across the UK. Of course, we sometimes had to negotiate around that in relation to the Sewel convention and legislative consent motions. Where the legislative boundaries lay was never quite as clear cut as people have suggested at various points today.

Of course, Labour has guaranteed more powers for Scotland. We have been saying that throughout the referendum debate and we have a timetable for delivery. Scottish Labour's devolution commission produced an in-depth report that considered a range of options for further devolution. The hon. Member for Harwich and North Essex (Mr Jenkin) expressed some surprise that different options seem to be laid out in the Command Paper, but the Command Paper was supposed to gather together the views of the different political parties and the different interests and put them on the table as a starting point for further debate and discussion. The task now is for all of us to try to find common ground and to unite where we can. That will require give and take on all sides.

Jim Shannon (Strangford) (DUP): The only region of the United Kingdom to have devolved powers for matters covered by the Department for Work and Pensions is

Northern Ireland, and that became an obstacle to welfare reform in the Northern Ireland Assembly. Does the hon. Lady agree that sometimes we need to be very careful what we wish for?

Cathy Jamieson: I think I used the phrase, “You had better be careful what you wish for” a number of times during the referendum debate, but the hon. Gentleman makes an important point. When we take forward our discussions and debate we need to think about what we want to do with those powers we intend to devolve. The devolution commission report in Scotland was called “Powers for a purpose” for exactly that reason.

I recognise that, as shown in the referendum debate, many of my constituents felt somehow disconnected from politics not just at the UK level but at a local authority level and in the Scottish Parliament.

Mr Frank Roy (Motherwell and Wishaw) (Lab): Does my hon. Friend agree that devolution, by its very sense, needs to happen in Ayrshire, Lanarkshire and other places outwith Edinburgh?

Cathy Jamieson: I agree with my hon. Friend. Some of the criticisms have been that the Scottish Parliament has soaked up various powers at the centre and we need to look further at that.

The recommendations in the Scottish devolution commission’s report were fundamentally based on the need to retain the redistributive principle that sees the pooling and sharing of resources across the UK. We have heard some debate about that this afternoon and it must be examined more closely by the commission. It must be considered on the basis of need and not simply nationality. That principle must remain fundamental to the decisions taken for the future.

During the referendum we heard the voices of the people loud and clear, and they gave us a decisive result, voting for Scotland to remain part of the United Kingdom. But it was also clear that they wanted to see a fairer Scotland. That is why I think that, in considering the options for devolution, we must also look at those powers, consider what they would mean and do some further analysis. Yesterday I received assurances from the Secretary of State that the Smith commission would have the support of the Treasury where that is needed to determine the implications of the various options on the table. Will he confirm again today that that will be commissioned and that information will be published?

It is important that we engage with as many people as possible in Scotland as we take this forward, but we must also engage with people in other parts of the UK—we have heard the reasons why. Far be it for me to come up with the solution for what is now being described as the problem of English devolution. It is an issue for the people of the various parts of England, because in no way is it a homogenous country, just as there are different views in different parts of Scotland. However, I find it difficult to understand the resistance to the idea of a constitutional convention. People have talked about the importance of debate and how engaging with people worked during the referendum process in Scotland, so why not allow people in other parts of the United Kingdom an opportunity to shape their future and engage in those debates, not as a way of kicking it into the long grass, but to ensure that that change is delivered?

They will look at all possible models. That would also give us an opportunity—this is important to my constituents—to consider how we can introduce reforms to take care of regional representation, for example by having a regionally representative senate to replace the other place in this Parliament.

5.42 pm

Mr Alan Reid (Argyll and Bute) (LD): I am very pleased that on a huge turnout the Scottish people voted by a decisive majority in favour of remaining within the United Kingdom. When we set out on this process, the aim had been to have a referendum that was fair, legal and decisive, and that objective was clearly delivered. Liberal Democrats have long argued for home rule for Scotland and for a very powerful Scottish Parliament within the United Kingdom, and we are now well on the way to achieving that. My vision for Scotland is a country with its own Parliament that raises the majority of its own revenues and can borrow, tax and spend to meet Scotland’s priorities, with the freedom to innovate and reform but which keeps the strength and security of the United Kingdom.

Sammy Wilson (East Antrim) (DUP): Does the hon. Gentleman accept that the more devolution there is of tax, borrowing, revenue and spending powers to any devolved Administration, the greater the instability that arises within its Parliament or Assembly?

Mr Reid: The hon. Gentleman makes an important point, but that is why I believe that Scotland should remain part of the United Kingdom. That gives us security not only in defence terms, but in financial terms. Although the Scottish Parliament should have more tax powers, we still need to be part of the United Kingdom for that security. Later in my speech I will outline which taxes I think are suitable for devolving and which I think should remain at the United Kingdom level.

The referendum saw levels of engagement and enthusiasm for politics never seen before. Now that the will of the Scottish people is known, everybody should accept the outcome and harness all that energy and enthusiasm to work together to build a strong, democratic Scotland within the United Kingdom. We want to harness that enthusiasm so that we can see much more participation in our democracy and much more consultation with people, working with them and devolving powers to a local level.

Mr MacNeil: The hon. Gentleman talks of a strong, democratic Scotland. Does he not feel that full fiscal autonomy would deliver that strong Scotland?

Mr Reid: I do not think the hon. Gentleman was listening to my reply to the hon. Member for East Antrim (Sammy Wilson) when I said that devolving all tax-raising powers was not the right solution. I will deal with that later when I talk about the taxes that are suitable for devolving and those that are best left at United Kingdom level.

Following the decisive vote in the referendum to stay within the United Kingdom, the Government moved quickly to set up the Smith commission, to convene cross-party talks and an engagement process across

[Mr Reid]

Scotland. It is vital that that process delivers significant new powers to the Scottish Parliament within the promised time scale, and I am confident that it will. I am sure that in the coming years we will see further progress on constitutional change for the other nations and regions of the United Kingdom, but further powers for the Scottish Parliament must not be held up while those debates take place in those other nations and regions.

The Scottish Parliament already has a significant range of powers to spend money on delivering public services, but powers are lacking on the other side of the equation—raising money through taxation. That has created a democratic deficit. The Scottish Government heap praise on themselves for the things they choose to spend money on and then blame the United Kingdom for the things they choose not to spend money on. Significant tax-varying powers are necessary so that in future we can have a proper democratic debate on how much to raise through taxes and how much to spend on public services. The Scottish Parliament must be given tax levers enabling it to raise the greater part of its own spending. Taxes on income, wealth and property can suitably be devolved. As well as raising money to spend on public services, these are powerful tools to address inequality in Scotland.

Representing a coastal and island constituency, I believe that devolving the Crown estate, with its control over the foreshore and seabed, is of vital importance. That is one of many areas where devolution must not stop at Holyrood; it must be devolved to a local level within Scotland. I am sure that my right hon. Friend the Secretary of State agrees with that.

On welfare and pensions, there should be a single Britain-wide system of entitlements, supporting free movement and residency across Britain with a common set of living standards and entitlements. However, on top of that common set of entitlements, there should be a power for the Scottish Parliament to top up such benefits. Earlier this afternoon, I served on a Delegated Legislation Committee that devolved power over discretionary housing payments. That is a step in the right direction. The power to top up minimum entitlements should be devolved to the Scottish Parliament for all benefits.

While devolving these powers, it is important to help business by keeping the United Kingdom's single market and unified system of business regulation. It would not make sense to devolve taxes on spending such as VAT, alcohol and tobacco duties, and business taxation. Corporation tax, for example, is best dealt with at United Kingdom level. If it were devolved, one part of the United Kingdom would cut it, and that would lead to a race to the bottom, with business not paying its fair share of taxes and public spending having to be cut. Issues such as foreign affairs, the currency and defence are also obviously best managed at UK level.

These are exciting times. I have no doubt that significant new powers will be passed to the Scottish Parliament within the promised timetable. The long-held Liberal belief in home rule for Scotland within the United Kingdom is close to being realised.

Several hon. Members *rose*—

Mr Deputy Speaker (Mr Lindsay Hoyle): Let me just say that after the next speech I will have to reduce the time limit to three minutes.

5.48 pm

Mr John Denham (Southampton, Itchen) (Lab): It is at times like this that we are reminded of Disraeli's observation that the English are governed by Parliament, not by logic. There is a lot to be sorted out in this regard.

I start from the simple point that England must get what England wants. The change that is now taking place must lead to change in England. The question is what that change is and then how it will be decided by the English people. Let us be clear that the decision must be taken in England's interests, like the decisions for Scotland, Wales and so on. Yes, the Union is important, but England cannot be the only nation of the Union that has to forgo its rights for the sake of the Union. With due respect to some of my colleagues, we cannot be told that Scotland can have something that suits Scotland but, on principle, the same thing must be denied to England because of the Union. No amount of Barnett theology, technical discussion about definitions or talk about two-tier or second-class MPs can solve the simple fact that it cannot be right that MPs from Wales, Scotland and Northern Ireland can vote on what happens in schools in my constituency, on the structure of the NHS in England and on the level of university fees when I cannot vote on the same issues in those nations and regions.

I say with respect to my friends and colleagues that England is changing. The days have gone when the English were happy to be happily confused as to whether we were British or English because we thought they both meant the same thing, and we have to reflect that. The new settlement needs to take into account English interests, but I have a profound disagreement with what the Conservative part of the Government is proposing, its timetable for forcing it through to a vote in a few weeks' time and its attempt at making it a decisive—or divisive, rather—general election issue. It is worrying that the Conservative commentator Tim Montgomerie has tweeted today that this is a “classic Crosby issue.” Why is a discredited Australian tobacco lobbyist who has been hired by the Tories taking the role of trying to determine the English constitution?

What England needs is not the divisive choice of one particular solution to the problem, driven through by a Cabinet committee to the exclusion of all the alternatives that the people of England would like to discuss, including an English Parliament, much greater devolution to England and the revision of the second Chamber. Why is just one proposition going to be pushed through without any broad discussion? Is it because the people of England look at this House and say, “All the expertise we need is there! These people absolutely speak for us. They represent the voices of every village, community, business interest, union and environmental group”? They do not look at us like that. They think we are out of touch and that we do not represent them, and they want the future of England to be decided after a debate that involves all of the people of England.

England needs to reach a consensus, not the confrontation that Lynton Crosby and the Prime Minister

are trying to engineer. England needs a coming together, not a division in the way the Conservative party is trying to pursue the issue.

Mr Redwood: When I launched my “speak for England” campaign, I did not consult Mr Crosby; I did it because 70% of the English people want English votes for English issues and they want them now.

Mr Denham: The right hon. Gentleman proposed an English Parliament, but he will have noticed that the Prime Minister has excluded that option from the debate. Would he not rather have the process of a constitutional convention through which he could pursue his argument for an English Parliament, if that is what he thinks is right, and the rest of us could pursue what we think is right?

Back in 2007, I argued in this Chamber that a reformed House of Lords, democratically elected from the nations and regions, is the obvious solution: it would allow scrutiny of English legislation in the English part of a second Chamber. Our fundamental problem is that the Commons cannot play both roles: it cannot be both an English legislature and a Commons for the United Kingdom. At the moment, its priority is to be a Commons for the United Kingdom, to the disadvantage of democracy in England. Tilted the other way, it becomes a legislature for England, to the disadvantage of the Commons of the United Kingdom.

We need a different solution, but it is not for me or, with respect, the Prime Minister and the Leader of the House to say what that solution should be. It is for the English people, after a proper constitutional convention—a proper debate—to settle on what they think is the best way for our nation to be governed.

5.53 pm

Andrew Percy (Brigg and Goole) (Con): I apologise, Mr Deputy Speaker, for being away from the Chamber for a period this afternoon due to Committee commitments, but I have followed the debate with interest. Like so many who have spoken, I was delighted with the result in Scotland and I support everything that has been said about ensuring that the vow is made good. The promise must be kept.

It is interesting to follow the right hon. Member for Southampton, Itchen (Mr Denham). I agree with him in many ways, but his argument for a constitutional convention falls down when we realise that he is a member of a party that now supports—as we all do, in fact—mass devolution of powers to Scotland without any consultation with the rest of the United Kingdom or a constitutional convention. We are told that the powers must be delivered swiftly to ensure that the vow is kept, so I am afraid that that is where the right hon. Gentleman’s argument falls down. If we are going to look at this and to have a constitutional convention, it should cover the whole way in which the United Kingdom is governed.

As an English MP who is proud to be an Englishman and as a Yorkshireman to boot, the only conclusion I can come to is that the Labour party’s attempt to complicate and muddy the waters is in order to maintain a political and electoral advantage over England. I can think of no other reason for it. We have heard how

terribly complicated it is to devolve powers to England: “This situation is terribly difficult, but we must get on and deliver mass devolution to Scotland very quickly.” It was not quite so complicated or difficult when we agreed devolution to Scotland, Wales or Northern Ireland, but when it comes to England it seems so terribly complicated. My fear and that of many of my constituents is that this is a deliberate attempt to kick into the long grass a decision about the government of England on a question that I and my constituents know will never be answered.

Mr MacNeil: I just want to make it clear that all we are talking about devolving to Scotland are Scotland’s powers, which are those powers pertaining to Scotland that are currently dealt with at Westminster. The current talk about devolution is merely about returning those powers to Scotland. It is nothing more complicated than that.

Andrew Percy: It is a devolution of powers that will massively change the relationship between England and Scotland, and between this House and Scotland, so it is a major devolution. I want to share the views of my constituents.

Mr Redwood: Does my hon. Friend agree that it is completely bogus to say that it is difficult to define an English issue? An English issue is a Scottish issue in England, and we should settle such issues here because those in Scotland can settle them there.

Andrew Percy: I quite agree. I am not the brightest person on planet Earth—most of my constituents are a lot brighter—but I understand the very basic concept that if a law applies only to England, it is English legislation and should therefore be voted on only by English MPs, or only by English and Welsh MPs in the case of English and Welsh legislation. I can work that out despite not being the brightest.

My constituents have also figured that out. Precisely because there has not been a constitutional convention ahead of this process or any consultation of the good voters of Brigg, Goole and the isle of Axholme, two weeks before the referendum debate I consulted my constituents on what they wanted. That was long before the issue of English votes for English laws had gained traction in the media. We sent out 3,000 surveys, and had 600 replies overnight; in the end, we had more than 1,000 responses. The overwhelming majority said that they wanted Scotland to remain in the Union. Given a simple choice, 86% told me that they wanted Scots, Welsh and Northern Ireland MPs to be stripped of their power to vote on English-only matters. I misquoted the figures when I intervened on the hon. Member for Halifax (Mrs Riordan), but asked to pick just one from a range of solutions, 58% of them said that they wanted English votes for English laws, 16% wanted an English Parliament and only 8% wanted regional government in England.

The right hon. Member for Southampton, Itchen was quite right to say that something has changed in England. I asked my constituents whether they defined themselves as English or British, and nearly a majority of them now declare themselves to be English. There has been a significant change, which is why the demand made by

[Andrew Percy]

England cannot be dealt with simply by saying, “Let’s devolve £30 billion of spending”, as was said by the Opposition Front Bencher. That sounds like an awful lot of money, but it is not even a third of the NHS budget. I was interested in his concept of English votes for English laws as a big Westminster stitch-up and in his saying that we are all out of touch, whereas devolving powers to local councillors is apparently what people want. I have looked at the turnout figures for local council elections compared with those for parliamentary elections, and I strongly suspect that if we take such figures as a basis for people’s faith in the political elite, people have more faith in this place than in their local council.

A longer-term debate must be had on the constitutional settlement of England and of the whole United Kingdom, and that perhaps merits a constitutional convention. In the intervening period, however, we can—in tandem with the devolution and the new settlement for Scotland—very simply define English votes for English laws, and if Labour does not get on to this very quickly, they will pay the price electorally.

5.59 pm

Jonathan Edwards (Carmarthen East and Dinefwr) (PC): Westminster is a broken system. Essentially, we have three parties that have morphed into one as a result of decades of political triangulation. As *The Independent* reported over the weekend, tracing paper cannot be put between them.

In England, the response has been increasing support for an insurgent political party, which ironically offers more Westminster, more privatisation, more austerity and more neo-liberalism. In Wales and Scotland, people are increasingly aware that the way to secure a different political direction is not to change the colour of the Government down here in London, but to empower their own national democratic political institutions.

Despite my scepticism, I believe that some progress will be made over new powers for Scotland, although it is quite apparent from today’s debate that there is no joint vision by the Unionist parties, despite the manner in which “the vow” was presented to the people of Scotland on the eve of the referendum.

Mr MacNeil: Does my hon. Friend agree that the difference in the strength of the current Welsh Assembly and Scottish Parliament—and indeed the powers promised to Wales and those promised to Scotland—correlates exactly with the strength of the SNP and, unfortunately, with the strength of Plaid Cymru, although it is increasing in Wales at present?

Jonathan Edwards: I am grateful for that intervention, and it is a point that I am sure we will make quite clear when it comes to the general election.

I think we can be sure that the new powers for Scotland will fall far shorter than the promised devolution max. That will be a huge disappointment to the 1.6 million people who voted yes, and especially to the hundreds of thousands—if the polls are to be believed—who changed their minds at the last minute. In Wales, the growth in the political confidence of the Welsh people

continues at breakneck speed. An ICM poll within days of the result in Scotland indicated that the people of my country want far greater political control over their lives. In spring, during the proceedings of the Wales Bill, I warned the UK Government that it would be superseded by events in Scotland—and that is indeed the case.

In the immediate aftermath of the Scottish result, the First Minister of Wales called for home rule all round, although I strongly suspect that his version of home rule is far less ambitious than mine. When asked what powers he wanted, he could come up only with a reserved powers model for our National Assembly. That, although important, is hardly the sort of stuff to get excited about and it is a million miles away from what most people would see as genuine home rule.

In contrast, Plaid Cymru published last month a detailed position paper entitled “Bring our Government Home: Proposals for empowering Wales”. The paper called for the current Wales Bill to include all the recommendations of the Silk commission, rather than the cherry-picking we saw from the UK Government, and, crucially, for a second Wales Bill to mirror the powers that will be made available to Scotland. We have labelled this second Bill a balancing bill, to end the practice of Wales playing catch-up with Scotland.

We are also calling for a radical overhaul of the discredited Barnett formula, which has ill-served my country. This needs to be coupled with increased fiscal powers for the National Assembly—beyond the current Wales Bill. If Scotland is to get 100% income tax powers as recommended by the Tory Strathclyde commission, Wales should have the same powers. Plaid Cymru’s ambition is to improve the Welsh economy so that we can stand on our own two feet as a country. This will not be achieved for as long as we are dependent upon fiscal transfers from London, whereby Welsh taxes are collected by the Treasury and a share is sent back to fund Welsh public services.

Pete Wishart: I am wondering whether my hon. Friend is aware of any representations made by the First Minister of Wales to whatever Committee has been set up so that Wales can get these powers.

Jonathan Edwards: My hon. Friend raises an interesting point. The First Minister made a big play about his call for a constitutional convention, but in response to a question we tabled to the Deputy Prime Minister last year, it appears that the First Minister has made no representations to the UK Government at all.

The Welsh Government need to be incentivised to grow the Welsh economy, and that can be achieved only by fiscal responsibility.

Before I conclude, I would like to comment briefly on the proposals for English votes for English laws in this House. As a point of principle, I do not have a problem with what the UK Government are advancing, pending two resolutions. First, the Welsh budget is determined by spending decisions on public services in England that are devolved. I cannot see how English votes for English laws can be introduced until the Barnett formula is replaced; otherwise, Welsh MPs will be barred from voting on measures that might impact on the Welsh budget.

Secondly, we will have to move to a symmetrical devolution settlement within the UK; otherwise, there will be several tiers of MPs, creating potential chaos during votes in this place. If the Union is to survive, it is crying out for someone with a bit of vision to bring forward proposals for a lasting settlement. Far be it for me to offer advice, but it seems to me that an obvious solution would be fully to empower the National Assembly for Wales, the Scottish Parliament and the Northern Ireland Assembly. This place should be turned into an English Parliament, with the Lords performing the role of a confederal Parliament or Senate.

The political ground is moving under the feet of Westminster. If the current British state is to survive to celebrate its centenary—considering the creation of the Irish Free State in 1921—the Westminster establishment has to acknowledge that the aspirations of the people of Wales and Scotland for far more powers over our national democratic institutions must be met.

6.4 pm

Sarah Newton (Truro and Falmouth) (Con): As a Conservative, I am proud of our record of creating and supporting the evolution of the Union over a long period. It was John Major who paved the way for the £500 million of EU and British Government growth funding that is controlled by Cornwall council and local businesses. It was the Conservatives in this Government who announced the intention to recognise Cornish people as a national minority under EU rules, based on Cornwall's distinct culture and traditions.

At the general election in 2010, I was proud to stand on a manifesto that committed us to a radical decentralisation of power from this place to my constituents and to people and communities across the UK. Much progress has been made. I know that people in Cornwall will be pushing on an open door if they want more decision-making powers to be devolved. It is not only our great cities that are the engine houses of innovation and sustainable growth, but ambitious and forward-looking places such as Cornwall and the Isles of Scilly.

I ask the Minister today to reassure me and my constituents that as the promises that were made to the Scottish people are debated and the mechanisms developed to ensure that they are delivered, the commitments that have been made to the rest of the UK will also be delivered. There was a promise of a wider constitutional and financial settlement. It is essential that the allocation of resources around the UK is based on need. That must be central to the plan.

For me, the debate about devolution is not about a costly and distracting reorganisation of local or regional government in Cornwall, with the introduction of more professional politicians and an assembly, but about a carefully thought through plan for the further devolution of powers to people and communities, including Cornwall council. I am concerned that the Lib Dems have jumped on the Cornish nationalist bandwagon by demanding a Cornish assembly, without consulting people in Cornwall. At the last general election, the political party that advocated a Cornish assembly, the Cornish Nationalist party or Mebyon Kernow, polled about 5% of people in Cornwall. That is hardly a mandate for a Cornish assembly.

Cornwall faces many challenges and has considerable opportunities. I will remain focused on the important issues for people in Cornwall: improving their prosperity and well-being, and tackling the historically unfair funding of our public services. I look forward to working with this Government to deliver for them.

6.7 pm

Mr William Bain (Glasgow North East) (Lab): For the past two and a half years, the people of Scotland have been engaged in record numbers in the most existential of debates on where power should lie within a state and in whose interests that power is wielded. In the wake of the referendum outcome, it is right that people in the rest of the United Kingdom should join that discussion. Let me add to the thanks to the record numbers of people in Scotland who voted, debated, campaigned and contributed to a life-changing democratic process for all of us.

I said in this House several months ago that once the heat of the referendum campaign had cooled, the hand of friendship would be extended to those who love Scotland equally, but who believe in a different constitutional path for our country. I echo that call today. We go forward as one people, not as two tribes harbouring grievances and ill will against each other. Now that the sovereign will of the Scottish people has been expressed and we have chosen to build a future together with the peoples of the other three nations in the United Kingdom, we are all bound to make good on the consequences of the vote and to deliver quickly on the agreed timetable for the fiscal and social security powers that will deliver real change in Scotland and reform the governance of these islands for good.

Although I welcome the decisive nature of the referendum result across Scotland, there are clearly fences to be mended in Glasgow, West Dunbartonshire, North Lanarkshire and Dundee for those of us who have supported devolution all of our lives. We all have to work harder to listen to, understand and act upon the strong cry for change that Glasgow's voters expressed—a contempt for establishment power, a desire to abolish poverty and the urge for a more responsive politics. That is why I strongly support the establishment of a constitutional convention for peoples across the United Kingdom to examine how we can extend devolution to the cities, towns and villages of England, and how devolution can be extended down from the Scottish Parliament and the Welsh Assembly into the local authority areas of Scotland and Wales.

We also need to look at how we establish arrangements for a written constitution for the United Kingdom. During the referendum process, I have become increasingly convinced that 16th or 17th-century constitutional arrangements are no longer satisfactory for our 21st-century country. I hope we have a written constitution that reflects that modern approach.

Mr MacNeil: Does the hon. Gentleman agree that the powers of the Crown Estate should be transferred from the UK Parliament to the relevant island authorities?

Mr Bain: If that proposal is in the submission to the Smith commission, other colleagues and I will look at it. I am pleased that the hon. Gentleman is finally

[Mr Bain]

endorsing Scottish Affairs Committee recommendations. We truly are making progress in the debate.

I hope that the written constitution will enshrine the principle that sovereignty comes from the people, not one single political institution, that power is shared between institutions, and that the devolved institutions are a permanent, irreversible part of our constitutional landscape. Power coming from the people and power given back to the people, and Government no longer hoarding power but giving it to cities, towns and communities, should be the guiding principles of a new constitutional settlement. From the crisis of trust in politics can come the birth of new hope. Let us seize this moment and, with the great peoples across this island, revitalise our democracy for good.

6.11 pm

Neil Carmichael (Stroud) (Con): First, I want to make it abundantly clear how pleased I am that Scotland will remain part of the United Kingdom. Generally speaking, the House has accepted that. My second point is that the debate has reminded hon. Members where real political power lies: Parliament. That needs to be discussed more often. We spend a lot of time discussing things other than where power lies.

I welcome the First Secretary of State's comments on inclusion and reaching out to the Labour party. He is right that we must have a consensus. However, English power and votes on English law are already becoming a reality through various decisions that the First Secretary of State made as leader of the Conservative party. We have seen that in the McKay commission and in what Conservative Members have said today.

On the other hand, the Labour party is out of touch. Throughout the debate, Labour has talked about now and before, not now and tomorrow. The big change is that Scotland will have more power. It will receive more power through devolution and the vow. That means we must re-establish political and constitutional equilibrium across the United Kingdom. It means that we must address the need for English votes for English laws. It is essentially a question of equilibrium. The arrangements will be out of balance if we do not accept that it is impossible for an increasing number of England-only laws to be discussed by Scottish Members of Parliament. That is the central point of the vow: more powers will go to Edinburgh, and therefore more legislation will be exclusively English. It is an obvious fact.

Katy Clark (North Ayrshire and Arran) (Lab): Does the hon. Gentleman accept that the vast majority of legislation considered by the House has implications, particularly financial consequences, for Scotland, and that that is likely to remain the case irrespective of what comes out of the Smith commission? How does the hon. Gentleman propose to deal with that?

Neil Carmichael: The answer to the hon. Lady's question largely revolves around what powers are finally transferred to Scotland. There is a debate on that—Lord Smith's function is effectively to receive views, the McKay commission could be restarted and so on. We need to answer that question, but if, for example, significant tax-raising powers are to go to Scotland, it is inconceivable

that English MPs will be happy to have their tax discussed by Scottish MPs without English MPs having an influence on Scotland. That is what equilibrium is all about and why it would be threatened by increased transfers of power. What we think about tomorrow matters. We must therefore put on the table now the question of English law, English votes and English power.

I want to talk a little about the Barnett formula, which has been touched on a few times. It was really introduced as a sop to Scottish nationalists back in 1978 while the discussion on devolution was going on. [Interruption.] That is the actual timing of it—oh yes. We therefore need to revise it as spending tax-raising powers for Scotland are being changed. We need to think about our own formula funding in England within the context of broader reform. One last strike is this: let us have more power for our cities in England, because they need proper regional recognition.

6.15 pm

Simon Danczuk (Rochdale) (Lab): It is a pleasure to follow the hon. Member for Stroud (Neil Carmichael).

Let me start briefly and quickly by addressing a question that you posed to me earlier, Mr Deputy Speaker. The purple tie I am wearing is a present from my wife. I have an obligation to wear it. It does not suggest any political allegiance. It does not suggest that I am doing a Clacton or anything else. I thought I should clear that up.

Devolution is a topic that can often seem dusty and academic to many people, but fundamentally I believe this debate is about power: where it lies and in whose interest it is being used. It is not a boring topic at all; it is the essence of our politics. Our system of government was once the envy of the world, but it is now increasingly hard to defend some of the ways that power is exercised in this country. In the wake of the Scottish referendum, the West Lothian question has to be raised again—it needs to be answered. I could not defend to people in Rochdale the fact that Scottish MPs are able to vote on issues that affect their lives, but not the lives of people in Scotland.

The West Lothian is far from the only example of illegitimate power in this country. I also find it hard to defend the fact that we are the only country in the world apart from Iran that has unelected religious leaders sitting in Parliament. I find it hard to defend the fact that we have 92 hereditary peers voting on issues that affect people in Rochdale. Most of all, I find it hard to defend to my constituents the entire system where the vast majority of decisions about their lives are made in remote rooms here in London. Whether it is Whitehall or Westminster, people are rightly fed up of the entire country being run from SW1.

Some people now argue that the solution is an English Parliament or English votes for English laws. I see the appeal of those ideas, but to view the issue in isolation would be a big mistake. The enthusiasm for this idea from the Conservative Members looks like self-interest. It looks as though it is a party political stitch-up. What we need is a much bigger solution, one that involves the people of this country having a conversation and a discussion about it. That is why Labour's call for a constitutional convention has many merits.

Let me move on to my final point, not least because I only have a few seconds. The voices of people in our towns and cities across England have been marginalised for far too long. What we now need is a full and proper conversation about this issue.

6.18 pm

Julian Smith (Skipton and Ripon) (Con): The Yorkshire economy is twice the size of that of Wales. Yorkshire's population, at 5.3 million, is similar to that of Scotland, and Yorkshire, like Scotland, has a brand and a name that is recognised the world over. We saw that in the summer with the Tour de France, which stunned television viewers across the world. The Grand Depart has been recognised as one of the best in cycling history.

The current debate and commitment to devolving more powers is a huge opportunity for Yorkshire to build on the Tour de France, and we must seize it with both hands. English votes for English laws will ensure that more of these powers flow to Yorkshire, and I call on the region's 31 Labour MPs to back these reforms and put Yorkshire's interests first. It is Yorkshire's time to take more control of its affairs. In that respect, I pay tribute to my right hon. Friend the Member for Wokingham (Mr Redwood) for all his work on English votes for English laws.

Yorkshire councils need to get ready. While the Tour de France showed them working together closely, they have a long way to go before they can put in place the governance structures and formal collaboration to make the most of the devolution to come. We do not want more layers of government, but when I look across the Pennines at how effective Manchester is at building its brand and co-ordinating its MPs and other representatives to promote the name of Manchester, I realise that Yorkshire has more to do.

We are getting there. We have two of the country's five combined authorities and are winning the trust of Government for city and growth deals, but we have to go further. Some in rural constituencies such as mine are concerned that rural areas might miss out in the devolution process to come, so I call on Ministers to ensure that in the settlement that emerges, rural and county areas are given equal consideration. Some 80% of global growth comes from, and 75% of the world's population live in, cities. In this the age of the city, this place must protect our rural hinterland, without which we could not survive.

As we have heard, the Scotland debate showed how disconnected this place has become from the rest of the country. This is felt particularly strongly in the north. We have a practical opportunity to address this problem when a final decision is made on the renovation work for this place. It seems highly likely that the House of Commons Commission will recommend a temporary relocation while works take place. Let us forget the Queen Elizabeth conference centre; let us rule out anywhere in London or the south-east; and let us have a temporary UK House of Commons in the north. Cities across the north could then start to come up with innovative, low-cost bids to re-energise this place and connect it finally to the people.

6.21 pm

Mr Jamie Reed (Copeland) (Lab): Speaking as the MP for the most remote English constituency from Westminster, I am glad that we are having this long overdue debate on English devolution.

The recent Scottish referendum is the perfect starting point for discussing the necessary new constitutional arrangements for England. During the Scottish referendum, the nationalists sought deliberately to conflate notions of England and Englishness with Toryism. The insinuation behind the lie was that the English were content with London's dominance of the national economy and with how Westminster functioned. Nothing could be further from the truth. In cities such as Liverpool, Manchester, Newcastle and Leeds, dissatisfaction with how London runs the show and how Westminster functions is about to erupt. They are dissatisfied in Bristol, too; and Exeter; and Norfolk; and right across the midlands. In Cumbria, we have had enough. I dare say the same is true in Warrington.

The job of the Government, particularly in the wake of the Scottish referendum, must be to facilitate the ambitions of the English regions. A new constitutional settlement for Scotland compels a new constitutional settlement for the other nations of the United Kingdom. It will be difficult, but it is also inescapable and, more than anything else, long overdue. Regional devolution is a necessity, but only the beginning England requires. Beyond our great cities, the nation building England needs will be much more difficult, and it is in the peripheral areas outside our major conurbations where we must concentrate our efforts, which is why an English Parliament is such an irrelevant notion.

England is beset by a toxic disconnection between the governed and the governors, and nowhere is this disconnection more keenly felt than in that forgotten England largely ignored by the political mainstream and the national media—those places people have heard of, but have never been to. In our rugby league towns, in our lower-league football cities, a crisis is taking grip. In many places, accelerated by austerity, the community fabric is being destroyed and the pillars of local society and community are disappearing.

Such communities are used to dealing with the consequences of factory closures and economic difficulties, but a new challenge is on the horizon. What happens to these communities when government pulls out? It is a vital question and one that both the left and the right seem reluctant to answer. At the centre of attempts to drive regional economic growth are the essential questions: what is the role of the state? What size should it be? Should it command more or fewer resources? Should these resources be spread more thinly performing more functions, or should they be concentrated by performing fewer?

The key to transforming communities in England is to devolve power. This will result in faster, more effective delivery of better health care, better educational outcomes, better communities and stronger local economies. The devolution of power to England's peripheral economies is the essential foundation stone of any meaningful effort fundamentally to address the causes of poverty in these areas as well. English devolution must never fall victim to the same pitfalls of Scottish nationalism—in particular, to the same self-delusional refusal to ask and

[Mr Jamie Reed]

answer the tough questions. In England, the rush to resolve imperfectly the issue of English devolution risks becoming a shallow electoral gimmick, and the principal lesson from the Scottish referendum is that ultimately in politics gimmicks fail.

6.24 pm

Mr John Redwood (Wokingham) (Con): The three leaders of the main parties made generous offers to Scotland. I am sure that they wish to honour those offers, and I urge them to do so as quickly as possible. It would be easier if they could try to find some agreement among themselves, because, unfortunately, their offers were a bit different. I also urge them to be generous. I think we want to have the right spirit for this negotiation, and I disagree with the former Prime Minister: I think that Scotland should have full powers over income tax, and I think that the more fiscal devolution there is, the better. I think it makes a lot of sense for whoever is responsible for spending the money to be responsible for raising it as well.

However, I have also raised the question of England. I have spoken for England, and since I launched my “Speak for England” campaign, I have been overwhelmed with support from around the country. More than 70% of the English people believe that we need English votes on English issues, and they believe that we need them now. That would be a first important step on the road to justice for England.

Pete Wishart: The right hon. Gentleman is absolutely right: he has been totally consistent. I actually used him as an example as I went around the meeting places of Scotland saying, “This is the real mood of the Tory Back Benches.” I was told that he was a siren voice—that he was in the wilderness—but he is actually the voice of the Tory Back Benches.

Mr Redwood: My voice is central to this debate because that is what the English people wish. I am merely trying to interpret their wishes, and I am proud to be able to do so.

We are told by some that this is too difficult to do. It is not too difficult to do. It is very easy to define an English issue: it is an issue that has been devolved elsewhere. What it makes sense for Scotland to decide in Scotland, England should decide in England. We are told that there are complications involving different types of MP, but we have different types of MP today. We all have different rights, duties and responsibilities, depending on how much has been devolved. Some of us can deal with all the issues in our constituencies, but we have the advice and the votes of others from other parts of the country who cannot deal with all the issues in their constituencies because those issues have been devolved.

What I am concerned about is equality for the voters. We are now talking about offering income tax powers to Scotland, which I think will happen, because all the parties agree with a version of it. It would be grossly unfair if the voters of Scotland, by their majority, could instruct their Scottish Parliament on what income tax rate they wanted, while the voters of England, instructing their MPs, might not get their wishes by a majority, because Members from other parts of the country

might come and vote for a higher rate in England than English MPs or their constituencies wanted. It would be unfair votes, and that is what we need to address.

Sir Robert Smith *rose*—

Mr Redwood: Does the hon. Gentleman wish to intervene?

Mr Deputy Speaker (Mr Lindsay Hoyle): Order. The hon. Member for West Aberdeenshire and Kincardine (Sir Robert Smith) has only just walked into the Chamber, and I do not want to embarrass him.

Mr Redwood: I say that we need justice for England, and that we need to embark on this course now. We could begin today if Scottish Members of Parliament such as those in the SNP would simply say that they would no longer vote on English-only matters. We could do it quite simply by amending the Standing Orders of the House, which I strongly recommend.

I hope that other parties will come with us. I am offering something that is extraordinarily popular in England. All the parties are struggling a bit to be popular enough to win the general election, and one would have thought that they would want to associate themselves with something as popular as this. I cannot remember when I last supported something this popular, and I do not go out of my way to support unpopular causes. Yet I find MPs from other parties queuing up to disagree with the English people, to deny the English people justice, to say that an English person’s vote should not count as much as a Scottish person’s vote, and to say that, yes, they want to see an income tax rate set for England by people who will not be paying the tax, and who do not represent those who do pay it.

I say, “Justice for England! Justice now! English votes for English issues!”

6.29 pm

Katy Clark (North Ayrshire and Arran) (Lab): Devolution has been a major political issue in Scotland for decades, indeed generations. There has always been a minority in favour of independence—the cultural nationalists—and, in the Labour party, the demand for home rule has always been a mainstream issue. Until the second world war it was a major plank of Labour’s position in Scotland, but after the war Scotland, which had always been a poorer nation, did very well out of the Attlee Government and successive Governments thereafter, and the demand was not as popular. However, in recent years, we have clearly seen a situation developing where the political desires of the people in Scotland are very different from those south of the border. Because we have a border, we are able to express ourselves in this way. Our political desires are very similar to those of people in the north, Merseyside and other people in these lands, who do not share in the prosperity of London and the south-east and whose political desires are very different from those of the people who tend to get elected as the majority in this Parliament.

I say to Conservative Members that for many decades Scotland has made different political choices from those south of the border. Conservative Governments, and indeed the Conservative-led Government we have at present, have been elected not by Scotland but by the

rest of the country and have had only minority support in Scotland. There must be respect for the political views of Scotland's democratic representatives. I say that as someone who is in favour of maintaining our relationships across these islands. Devolution is about recognising that there are very different wishes in different parts of the country. Part of the way forward must be about recognising that that is what devolution is about.

The strong message that came out of the referendum was that people wanted change; the status quo was not good enough. There was huge anger about the inequalities, and frustration that, irrespective of how people voted at elections, it did not seem possible to achieve change. Therefore, I want to say clearly that this is not just about powers. It is also about policy.

Several hon. Members *rose*—

Mr Speaker: Order. Five colleagues remain on the list. There is a three-minute limit, but if colleagues can stick to two minutes each, all five will get in. No pressure there. I am in the hands of the House.

6.32 pm

Mr Graham Stuart (Beverley and Holderness) (Con): Thank you, Mr Speaker—well, I think it's thank you, anyway.

This debate takes place just five days after the by-elections in Clacton and Heywood and Middleton. We should not underestimate the significance of the results there. Many Members on both sides of the House have talked about the disaffection, disenchantment and disassociation with our political system felt by many millions of people. That risks getting worse if Scottish MPs continue to vote on exclusively English matters. We have had sophistry after sophistry from Labour Members. They have tried in a sophisticated way to justify the unjustifiable. The British people do not think it is right. Scottish Nationalist supporters cannot see why Scottish MPs should vote on English matters; nor can people in Wales or people in England, regardless of how they vote.

Labour's desperate attempt to do what is in its interest, rather than what is right, what is in the national interest and what people believe to be true, regardless of party allegiance, is shameful. The Conservative party can stand proud, because we campaigned hard to maintain the Union, even though politically it would appear not to be in our interest to do so. We believe in this country and we believe in keeping it together.

There has been talk, not least from a former Prime Minister, of two-tier MPs. It seems that a former Prime Minister can never attend yet speak for as long as he likes. Putting that aside, we heard talk from a former Prime Minister about two-tier MPs. That is not acceptable. He is not here now; let us hope he turns up for a bit at the end—one never knows.

Following the latest round of concessions made during the Scottish referendum campaign, the English feel a profound sense of neglect. That neglect must not be perpetuated any longer. Fair votes for all is a principle that should find support across this House. To resist that pressure is like ignoring a long dormant but potentially disastrous and simmering volcano capable of exploding with the same passion we saw north of the border. I

know some Opposition Members recognise this, however much they may be leant on to tone down their words. From various speakers we heard recognition of the injustice of the current situation and their discomfort at the fact that Scottish MPs are voting on exclusively English matters. It must be put right. Rather than destabilising our United Kingdom as the former Prime Minister suggested, giving justice to English voters, instead of embracing an asymmetry—giving justice to English voters when matters pertain solely to their interests—is something that people will demand, and the Labour party needs to change its tune.

6.35 pm

Mark Lazarowicz (Edinburgh North and Leith) (Lab/Co-op): Given that the result of the referendum showed clearly that Scotland was divided down the middle as to its future relationship with the rest of the UK, one of the main objectives of those involved in the Smith commission and the political process more generally must be to try to bring forward proposals that reflect as great as possible a consensus so that they have a reasonable chance of being acceptable to a substantial majority of opinion in the long run, so that they can endure. I have no illusions about that being a difficult objective, and I am sure it will not be possible to get everyone to agree, but I believe it should be possible to bring forward proposals that can obtain substantial support from the public, even if not from all the political parties, and that should be the objective of the Smith commission.

Clearly the starting point for such proposals should be the pledge to devolve more spending, tax and welfare powers to the Scottish Parliament, as set out in the vow agreed by the three UK party leaders before the referendum. There should be substantial devolution of tax matters, but at the same time we must maintain the principle of sharing and pooling resources throughout the UK, as that was a central point in the campaign—many of us made it a central case in our argument for maintaining the Union—and tax arrangements should recognise that. We should also be talking about a wide range of additional powers, and they have already been set out in some of the proposals put before the Smith commission.

I want to say something about what further devolution for Scotland means for the rest of the UK. I recognise that this is an issue in England, and I think it is possible to have proposals that do not undermine the unitary nature of this Chamber while at the same time giving greater scrutiny to MPs from England, although I agree with the right hon. and learned Member for North East Fife (Sir Menzies Campbell) that this should not be rushed through in a vote in a few weeks' time without proper consideration of the potential implications and any unforeseen consequences.

Such measures in this House are not likely to be the only solution needed, and I suspect they might not meet the concerns of those who are calling for that change outside this House. What we need is a proper constitutional convention looking at devolution all around the UK, but also looking at issues like the constitution and reform of the House of Lords, and some of the wider political issues that are behind the alienation from the political process which was one of the main features of the referendum debate in Scotland and is clearly not restricted to Scotland alone.

6.38 pm

David Mowat (Warrington South) (Con): I will try to limit my remarks to two minutes.

Three years ago I was on the Scottish Affairs Committee and we had some discussions about the nature of the question that should be asked in this referendum. One of the options was to have devo-max as the third option. It is perhaps instructive to think about why at that time we did not think that was right. There were two reasons. First, it was felt that without resolving the West Lothian question, it would not be right. Secondly, it was felt that it would not be easy to define what devo-max was, and if the last five hours have taught us anything, it is that those reservations were clearly correct.

However, we are where we are. The vow has been made, we must meet that commitment and I fully endorse that. We have talked a lot about the West Lothian question, but for my constituents the more important part of the vow is that pertaining to the Barnett formula. The Secretary of State for Scotland answered a question from me yesterday and said the Barnett formula will stay for ever. I am not sure what that means, but at the moment the differential between Scotland and England is £1,623 per head this year. That is about £6,000 for a family of four. The consequence of that is that prescriptions and tuition are free in Scotland. Indeed, even yesterday the NHS in Scotland was able not to go on strike because it was able to fund things that much better. At some point, this issue is going to need to be addressed. By the way, this is not a subsidy to Scotland. I readily acknowledge that, historically, the Barnett formula has been paid for by the proceeds from Scottish oil, although that might not be the case in future. However, this is not a question of subsidy; it is a question of fairness. A number of hon. Members have talked about fairness today, and I put it to the House that the issue needs to be resolved.

6.40 pm

Margaret Curran (Glasgow East) (Lab): This has been a wide-ranging and—dare I say—exciting debate. It has been inspired by recent events in Scotland, but it has understandably covered many other questions relating to the constitutional future of the United Kingdom. I shall begin where the hon. Member for Warrington South (David Mowat) left off, because I want to pay tribute to some of the most outstanding contributions to the debate. The most notable was that of my right hon. Friend the Member for Kirkcaldy and Cowdenbeath (Mr Brown), who electrified not only the referendum campaign but our debate this afternoon. Lest anyone accuse me of being partisan, however, let me also pay tribute to another outstanding contribution—that of the right hon. Member for Berwickshire, Roxburgh and Selkirk (Michael Moore). He made a measured and thoughtful speech.

The striking contributions from my right hon. Friends the Members for Tooting (Sadiq Khan) and for Coatbridge, Chryston and Bellshill (Mr Clarke)—this is so good for my geography—reminded us at the outset that we must remember why we are having this debate. My hon. Friend the Member for Glasgow Central (Anas Sarwar) said that our experience of the referendum was now being felt beyond it because people were “sick and tired” of the way in which our politics work. They are fed up with Westminster, as the hon. Member for Harwich

and North Essex (Mr Jenkin) said, and the sense of isolation that the Scots feel is also being felt in England and more broadly across the United Kingdom. More often than not, we have to be humble because we know that people are fed up with politicians. They see us as being out of touch and they think that we just do not get it. Dealing with the underlying causes of that problem, showing people that politics can once again respond to the problems in their lives and helping them to face the challenges and change their lives are the key challenges in politics today. We absolutely cannot ignore that call, and we on these Benches will not do so.

In Scotland, we have just emerged from more than two years of exciting discussion. It is not often that people get the opportunity to make such a profound choice about the future of their country, and let us be clear: the question has been decided. The sovereign will of the Scottish people was clear: they voted to remain part of the United Kingdom, and everybody must respect that result. There is a whiff of some Members searching for a reason to undermine it. Let me abandon politeness: “Alex Salmond, get real! The people of Scotland have decided; now just get on with it and make this devolution settlement work.”

The discussions that we have had in our schools, our homes, our workplaces, our streets and in some cases our pubs have reached every part of Scottish society, and that is what we want to keep. The discussion should not be confined to our Parliaments; it should take place in every part of our lives. In Scotland, our challenge is to maintain that engagement with politics. The rest of us have to grasp that point and to see what we can learn from the experience and whether we can inspire similar changes again.

That is why the attitude of right hon. and hon. Members on the Government Benches at this moment in our history is so disappointing. We have heard a call for change from across the United Kingdom, and from unprecedented numbers of people in Scotland, but the Government’s response has been to say, “I know what we’ll do. We’ll set up a Cabinet sub-committee. That’s the answer!” That approach has been led by the Prime Minister. Yes, he played his role in the referendum and there was cross-party engagement, but he disappointed us all by what he said on that Friday morning. He had a chance to bind our country back together and he failed. Everybody knows that he resorted to narrow party interest.

Let us consider the following:

“Constitutional reform is far too important today to be regarded as the exclusive preserve of the so-called chattering classes. It goes right to the heart of what is wrong with the Government of Britain today—a Government that is arrogant, centralised, and unresponsive to people.”

Those are not my words; they are the words, in 1993, of John Smith. Labour’s lost leader and a great champion of constitutional reform. Those words are as true today as they were then.

Let me address the issue that so many people have talked about, the devolution of power, as many hon. Members have asked about the principles guiding our response. The binding principle that has guided all my work in Scotland and that guides the approach of the Labour party is the devolution of power and making sure that we put power into the hands of our people wherever we can. We have done that in Scotland and we are now seeing how we can do it in England. That is why

we have made a raft of proposals about how we want to change England, how we want to change Scotland and how we want to change the rest of Britain. That is why a constitutional convention is the right way. We have learned from our experience in Scotland; we have been involved for so many years, and the binding conclusion from the people of Scotland is “Don’t leave it just to the politicians. Always engage with the people.”

Let me turn directly to the issue of English votes, as it has been called. It has been raised by so many Members in this debate. Our system of government may be a bit messy at times, but it is a product of centuries of agreement and compromise. Although it is not perfect, it has served us well. Perhaps, as has been said, it is better in practice than in theory. However, as my right hon. Friend the Member for Tooting said at the outset, we need to consider the consequences of devolution across the board. None of the quick fixes the Government has suggested is appropriate. Some have suggested that identifying an English law on which only English MPs can vote is a straightforward exercise, but perhaps they should have a word with the House of Commons Library, because it has determined that only five of the 434 Bills passed by this House between 2000 and 2013 can be determined to be English-only. This is perhaps not as straightforward as people think.

Even the Government’s own commission accepts that English votes for English issues is fraught with difficulty, so we need to think carefully about how devolution has an impact on the governance of the rest of the UK. I was struck by the fact that so many Tory MPs here today and so many nationalist MPs talked only about the impact on Scotland. It seems to be only devolution in Scotland that bothers them, which is deeply concerning—perhaps it explains why there are so few Tory MPs in Scotland. We now have not only a West Lothian question, but a West Belfast question, because devolution applies in Northern Ireland; a West Cardiff question, because it applies in Wales; and even a West Hampstead question, because it applies in London, too. So let me make it absolutely clear: we will guard against any proposals that create two tiers of MPs in the House of Commons, because we are deeply concerned about the voting rights of Scottish people and of English people, too. It is not acceptable to English people for us to say that a quick fix addresses their isolation from politics. Interestingly, the Tories and the SNP have entered into an alliance in the House of Commons to get across this—

Andrew Percy: I can clearly define an English vote on an English law, but we cannot clearly define the vow that was signed for the people of Scotland. Why should the vow be delivered on in a short period of time but English votes for English law be kicked into the future, possibly for years?

Margaret Curran: These are important points. The hon. Gentleman suggests that the constitutional convention we are proposing represents kicking things into the long grass, but that never happened in Scotland; we have great experience of this. It is not easy to determine English laws for English votes, which is why only five such laws can be identified from the past period.

The United Kingdom has gone through the most momentous and historic period in recent years, most particularly in recent months. We should stand proud

and tell people that we understand the challenges that they are demanding. In recent by-elections, people have been expressing a deep frustration with the way in which politics is conducted. The answer is not a quick fix from a Cabinet sub-committee. It is profound social and economic change and a Government who listen to people and respond to them. That is by far the better way.

6.50 pm

The Secretary of State for Scotland (Mr Alistair Carmichael): It is an enormous pleasure to conclude what has been one of the best debates on a range of constitutional issues that I have known in my time as a Member of Parliament. We have heard some quite remarkable contributions from all parts of our still United Kingdom. It is almost invidious to single out any, but let me do just that anyway at the risk of causing some offence.

As the hon. Member for Glasgow East (Margaret Curran) has just said, the contributions of my right hon. Friend the Member for Berwickshire, Roxburgh and Selkirk (Michael Moore) and the right hon. Member for Kirkcaldy and Cowdenbeath (Mr Brown) were quite outstanding for their thoughtfulness and their content.

In addition, I thought that the contributions from my right hon. and learned Friend the Member for North East Fife (Sir Menzies Campbell), my right hon. Friend the Member for North West Hampshire (Sir George Young), the hon. Member for Nottingham North (Mr Allen), the right hon. Members for Torfaen (Paul Murphy), for Belfast North (Mr Dodds), and for Southampton, Itchen (Mr Denham) and the hon. Member for Kilmarnock and Loudoun (Cathy Jamieson) all brought a great deal to the debate. Inevitably, this is a debate to which the House will be returning on a number of occasions in the weeks, months and possibly years to come.

The issues addressed in this debate, and the wider debate in the country, fall into three broad categories. I shall do my best to address all three in the time that is available. First, we must consider how to fulfil the joint commitment by all three party leaders to deliver more powers to the Scottish Parliament in the light of the referendum no vote.

Secondly, we must consider how to ensure that power is properly devolved and decentralised to the nations, communities and individuals who comprise our United Kingdom. Thirdly, separately but rightly, we must consider how we might answer the West Lothian question, which has come about as a consequence of devolving power to specific parts of the United Kingdom.

The spark for this wider debate was the referendum on Scottish independence, which was held last month. The referendum was underpinned by the Edinburgh agreement between the Scottish and UK Governments that empowered the Scottish Parliament to legislate for a referendum. That agreement delivered its explicit intent: a referendum that was legal and fair in its conduct and decisive in its outcome.

The First Minister and his Deputy made it clear during the campaign that, in their view, the referendum was a once-in-a-generation event, and perhaps, as the First Minister said, a once-in-a-lifetime event. I am sure, therefore, that I am not the only Scot to be dismayed to see them now turn their back on the

[Mr Alistair Carmichael]

commitments made during the referendum. They have raised the prospect of another referendum in the near future, or perhaps even a unilateral declaration of independence if they again win a majority. That is foolish and dangerous talk from the point of view of Scotland's business, Scotland's economy and jobs for the people of Scotland. Unfortunately, that view was reflected again in the contribution of the hon. Member for Perth and North Perthshire (Pete Wishart). He described the referendum as a tremendous experience. He spoke with some passion about all the things that he loved about it. The only thing that he did not like was the outcome.

The nationalists need to confirm that they respect the result—the views of the people of Scotland—and that they will not be revisiting this issue again. [Interruption.] Does the hon. Member for Moray (Angus Robertson) wish to intervene? I will take his intervention.

Angus Robertson: I was wondering why the right hon. Gentleman did not hear what I said in my first intervention on the Leader of the House. I said that of course the Scottish National party respects the outcome of the election. Why is the Secretary of State pretending that he did not hear that?

Mr Carmichael: The hon. Gentleman answered only half of my challenge. He was challenged to say that we will not have the Scottish nationalists wanting a second referendum. If he will meet that challenge, he can stand up and do it now.

Angus Robertson For the record—[HON. MEMBERS: "Ah!"] For the record, is the Secretary of State for Scotland now acknowledging that the Scottish National party respects the outcome of the referendum and that that was said earlier in this Chamber? He said that it was not said. Will he correct what he just said a moment ago? Secondly, on the question of a referendum, there will only ever be a referendum in Scotland on Scottish independence if the electorate want it.

Mr Carmichael: Weasel words, Mr Speaker. I do not think we need to waste any more time listening to the contributions from that corner of the Chamber.

The vow made by the Prime Minister, the Deputy Prime Minister and the Leader of the Opposition during the referendum campaign is already being put into practice. The Smith commission was up and running on 19 September and yesterday I was pleased to publish the Command Paper more than two weeks ahead of the schedule outlined in the previously published timetable—evidence that the Government are delivering on the vow.

The process is not just about the parties. The referendum opened up civic engagement in Scotland across sectors, communities and organisations, and Lord Smith has made it clear that he wants to hear from all those groups to ensure that the recommendations he produces are informed by views from right across Scotland. This will be the first time in the development of Scotland's constitutional future that all of its main parties are participating in a process to consider further devolution. That is a truly historic moment and one that I very much welcome.

Of course, as many Members have pointed out, it is England that has experienced the least devolution of power in recent years and that is something that needs to be addressed. A key problem in doing so is that there is no consensus in England on what further devolution might look like. If nothing else, that much must be clear from today's debate. I say to our English colleagues that the people in Scotland debated this issue at length over a period of decades, and they now need to do the same. What would English devolution look like? We have heard suggestions that it should involve structures within the existing constitutional architecture and of regional assemblies. We have even heard suggestions of an English Parliament. Those ideas have all been promoted in the debate today, but it is clear that the position in England is not yet settled.

Mr Redwood: Is the Secretary of State aware that the Conservative party has been going on about this since the last century and that it has been our settled policy since the 2001 election? We have thought it through, we have written the papers, we have argued in the pamphlets and we now want justice for England.

Mr Carmichael: I enjoyed the right hon. Gentleman's contribution and understand the passion he brings to the debate, but I would gently say to him that simply having a settled position in the Conservative party is not the same thing as building consensus across the wider community.

We have, of course, heard some discussion of the West Lothian question or, as it has recently been styled, English votes for English laws. The first of the terms, in my view, is slightly outdated, and the second is rather simplistic. The welcome transfer of powers to Scotland, Wales, Northern Ireland and the London Assembly, and the prospect of further devolution still, has created not just an anomaly but a complex one. The challenge to those who pursue the quest for English votes for English laws is that they seek to devolve power within Parliament but not within the Executive. That brings a range of new problems and unsustainability of its own.

Sir William Cash: Will the Secretary of State give way?

Mr Carmichael: I am sorry, but I am really up against it for time now.

The Liberal Democrats have been clear that in working with others to find consensus on such a solution we must not adopt a fix that creates more problems, anomalies or unfair advantages. As my right hon. Friend the Member for Yeovil (Mr Laws) has recently pointed out, devolution to every other part of the United Kingdom has been to Parliaments and Assemblies that were elected using proportional systems, in recognition that within the constituent parts of the United Kingdom we often find domination by one party or another. Accordingly, proportionality without the balance across the whole of the United Kingdom becomes more important.

It is a matter of profound regret that we learned today that the Labour party has indicated that it will not join the Government in seeking a fair solution to an outstanding problem and we urge it to reconsider genuinely and soon.

That brings me finally to the question of a constitutional convention, something on which I believe there is a way forward. If all parties take part in good faith, there should be no question of its being an exercise in putting material into the long grass.

It is worth remembering that four short weeks ago the future of our United Kingdom was at stake. The referendum was won decisively, and it is a positive outcome. Moving forward, we need a sustainable constitutional settlement that meets the wishes of the people of our nations and the clear commitments we have given them—

7 pm

Motion lapsed (Standing Order No. 9(3)).

Business without Debate

DELEGATED LEGISLATION

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

TERMS AND CONDITIONS OF EMPLOYMENT

That the draft National Minimum Wage (Amendment) (No. 3) Regulations 2014, which were laid before this House on 2 July, be approved.—(*John Penrose.*)

Question agreed to.

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

TRIBUNALS AND INQUIRIES

That the draft Judicial Appointments (Amendment) Order 2014, which was laid before this House on 7 July, be approved.—(*John Penrose.*)

Question agreed to.

HOUSE OF COMMONS MEMBERS' FUND

Ordered,

That the Motion in the name of Mr William Hague relating to the House of Commons Members' Fund shall be treated as if it related to an instrument subject to the provisions of Standing Order No. 118 (Delegated Legislation Committees) in respect of which notice has been given that the instrument be approved.—(*John Penrose.*)

Mr Speaker: Before we come to the petition, for which the hon. Member for Wellingborough (Mr Bone) is patiently waiting, I have to report to the House the need for a correction of the result of a Division. Following the Division on the ten-minute rule motion earlier today, the Chair has received a report that the number of Members voting in the Aye Lobby was incorrectly reported by the Tellers. Having investigated the matter, I have directed the Clerk to correct the numbers voting in the Division accordingly. I am sure that Members will recall very precisely that the number of Members reported to have voted Aye was 204. In fact, the Ayes were 214 and the Noes were, as previously notified, eight.

PETITION

Planning application for Rushden Recycling Centre (Wellingborough)

7.1 pm

Mr Peter Bone (Wellingborough) (Con): I have the great pleasure of presenting this petition, which has been organised by my constituent Mohan and signed by hundreds of people. It relates to a controversial planning application. Although the decision is entirely for East Northamptonshire district council, my constituents want their voices to be heard.

The petition states:

The Humble Petition of Residents of Rushden, Northamptonshire and the surrounding areas,

Sheweth,

That the Petitioners believe that the proposed planning application for a new Lidl store in Rushden, to be built on the old recycling centre—planning application reference: 14/01014/FUL—is unacceptable, because there are already too many supermarkets and convenience stores in the area and the Petitioners believe that it will have a detrimental effect on the town.

Wherefore your Petitioners pray that your Honourable House urges the Department for Communities and Local Government to encourage Northamptonshire County Council and East Northamptonshire District Council to work together to ensure that the current proposal is rejected and that a more suitable facility be built on the old recycling centre.

And your Petitioners, as in duty bound, will ever pray.

[P001389]

Schools (Brighton and Hove)

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

7.3 pm

Caroline Lucas (Brighton, Pavilion) (Green): This evening I want to pay tribute to the incredible work being done in schools in Brighton and Hove. Last year the city's young people got their best ever GCSE results. This year the key stage 2 results were in the top quarter in the country and 54% of A-level students got A* to B grades, an improvement in results for the third year running. Brighton and Hove was also named top local authority in the country for tackling homophobia in schools. That really is a track record to be proud of, so I want to applaud the many teachers and other staff who make such achievements possible.

However, those achievements have been reached in spite of Government policy, not because of it. Research from the National Union of Teachers reveals the extent to which Ministers have been taking teachers for granted. The NUT found that 87% of teachers said that they know one or more teachers who have left the profession because of work load; that 90% of teachers have themselves considered leaving the profession because of work load; and that 96% said their work load has had negative consequences for their family or personal life.

Tonight I want to do two things: first, to share some of what I have been told by local teachers about the daily reality behind those statistics, and to ask the Department of Education and the Secretary of State to start listening to teachers and to review their current policies; and secondly, to make the case for statutory PSHE—personal, social, health and economic education—teaching in all state-funded schools. I have a private Member's Bill before the House designed to achieve exactly that. I very much welcome the Minister's views on that proposal.

On the experience of local teachers, I would like to quote extensively from what they have told me, because it is important that the Minister hears their words directly and that those words are put on the parliamentary record. One teacher told me:

"I am a 29 year old teacher who has taught for three years. I have a first class degree in English and enjoy being in the classroom. However, I am likely going to leave the profession at the end of this year as I find the workload overwhelming."

One retired teacher said this:

"Right up to my last day I was in school at 7.00-7.15 am and did not leave till I was thrown out by the caretaker at 6.00 pm—dragging bags of planning or marking etc with me to complete at home. When I worked full time I also worked every Sunday afternoon and evening. Some of this was on tasks I felt were important for my teaching but latterly most of the work was on required tasks that I just could not fit into my 5 X 10-11 hour days!!!"

She goes on to say that one of the many downsides is that valuable clubs and after-school activities are at risk of being abandoned because teachers simply cannot fit them in, as much as they would like to.

Teaching is hard work. As one teacher put it to me:

"If we get education wrong, it impacts on all other areas of society and we cannot allow this to happen for the sake of our children and country's future."

The teachers I meet are not afraid of this hard work—indeed, they relish it—but they are frustrated by what they see as the unnecessary burdens imposed on them which conspire to make a tough job far tougher. A particular bugbear, which is at the heart of the issues about work load, is that, in their view, there is far too much testing and far too many targets. Here is what one teacher has to say:

"We are in real danger of turning schools into exam factories. In my five years of teaching, I have noted a marked increase in the amount of assessment required in the class to the detriment of lesson content, practicals and innovative lessons. A number of times already this academic year, I have had to cancel planned lessons in order to generate meaningless data to populate spreadsheets for senior members of staff. While assessment and feedback are a mandatory element of learning, I believe that the learning experience should be inspirational and innovative while promoting creativity and yet constant streams of testing go against this."

The issue of constant changes and the lack of an evidence-based approach is another recurring theme. One teacher who has been in the profession for five years told me:

"My problem is that it feels like constant meddling with a system that has not had chance to properly test an idea. It feels like being a football manager who has to get yearly results each lesson otherwise he will be sacked."

There is also deep concern about what lies behind the constant new policy initiatives, with many teachers arguing that the Department for Education has lost sight of its primary purpose. One told me:

"Despite being an 'outstanding' advanced skills maths teacher incredibly passionate about making learning maths engaging and relevant I have left the classroom, which saddens me daily. I love teaching and hope to one day return to the system when learning and children, rather than profit-making and Government agenda, is at the heart of our education system."

The spectre of competition is always there, and performance-related pay, in particular, is adding insult to injury. One teacher writes:

"Most of us don't want payment for results. We want a fair pay for a good job and poor teachers should be managed to get better or leave. Some teachers who are benefitting from performance related pay may see things differently, my niece in her second year of teaching was given a 25% rise or £5000 to keep her but even she says she cannot keep up the pace of work/amount of hours put in for long."

Another local teacher says:

"What makes for the best outcomes with the children is teamwork—teachers working together for the good of the children. It is certainly not achieved through teachers being locked away in their classrooms desperately trying to push children up through the levels to ensure the security of their own future."

An OECD report from May 2012 called "Does performance-based pay improve teaching?" concluded:

"A look at the overall picture"—

of OECD nations—

"reveals no relationship between average student performance in a country and the use of performance-based pay schemes."

That underscores what teachers are telling me, based on their experience of being in classrooms and of how best to help students fulfil their potential.

What strikes me most about the messages from teachers is that, despite all the difficulties they face, the vast majority remain convinced of the power of education to transform every young life. Indeed, it is the opportunity to help children and young people to engage, question and discover that keeps them going. Above all, the

teachers I meet recognise that teaching should be about giving children a chance to succeed. As one teacher put it:

“We need to see an end to this misguided notion that children are all the same and will progress in exactly the same way. Teaching them this early on in life that they are failures because they have not made what the government deems satisfactory progress is criminal and fosters feelings of inadequacy. We already know that how children feel about learning has a huge bearing on how much progress they make in the future.”

He concluded:

“I’m not suggesting we don’t push and support children to be all that they can be, but the current system does not promote positive self esteem and positive attitudes to learning and it’s getting worse. I want to sew the seeds for lifelong learning in my classroom and not turn people off it because, as kids put it, they’re ‘no good’. Learners are not closed systems, but individuals affected by a wide range of factors; social, emotional and developmental.”

That teacher’s last point brings me on to the second issue I want to raise. PSHE may sound like a dry acronym, but behind the title lies a subject that is vital for all children. PSHE encompasses many issues—everything from teaching life-saving CPR, tackling homophobic language in schools, understanding how to be responsible with money, tackling a controversial news story that is trending on social media and sweeping around the playground, to discussing the difference between an abusive and a respectful relationship.

PSHE involves learning about relationships, respect and responsibilities. It has always been important, but children today are bombarded with information in ever evolving ways and what happens in the classroom simply is not keeping up. For example, the latest guidance on sex and relationships education—just one aspect of PSHE—was produced 14 years ago by the Department for Education, before the mass use of mobile phones, the internet and the rise of social media.

The National Society for the Prevention of Cruelty to Children has shown that girls and boys are gleaning distorted and inaccurate information about sex and relationships via online porn. Children face issues such as sexting and the pressure to document their lives and relationships online and in chatrooms. Childline has found that 60% of 13 to 18-year-olds had been asked to share a sexual image or video of themselves. One in three girls say they experience groping or unwanted touching at school. Yet not all our children are getting a chance to learn how to negotiate this complex landscape of communication and information.

The horrors of children being raped and abused in Rotherham and elsewhere, yet ignored by those with the power to help them, have sickened all of us, as have the revelations about historical child abuse—an issue I have worked on with colleagues across the House, lobbying the Home Secretary for a robust inquiry into the cases. Good PSHE has a role to play in helping children learn how to stay safe, and that is why it has been flagged up by a number of studies on how to protect children.

Schools in Brighton and Hove, strongly backed by Brighton and Hove city council, have been working to deliver outstanding PSHE, and their work is truly inspiring. For example, Patcham high school in my constituency has adopted a whole-school approach to PSHE, backed by the full commitment of the head and staff. It is a core part of the school’s ethos. The young people at Patcham learn to debate and discuss sensitive and difficult subjects,

with each other and their teachers, in an extremely thoughtful and intelligent way. Difficult issues such as mental ill-health, emotional bullying and relationship abuse are discussed, using creative and engaging teaching tools. The school facilitates pupils’ consideration of complicated issues and, crucially, helps them to think for themselves. There is no brushing of important and controversial matters under the carpet and hoping for the best. The positive impact of this approach on the students shines through.

Yet this quality of PSHE is not available to all children. Ofsted’s most recent PSHE report, “Not yet good enough”, found that PSHE teaching required improvement in no fewer than 40% of schools. A PSHE Association survey of 40 local authority leads suggests that 52% of teachers—more than half of them—are not adequately trained in PSHE, and that they are not getting the help they need to make improvements. Statutory status is therefore key. As long as PSHE remains a non-statutory and non-examined subject, with a low priority in the Ofsted framework, there will be virtually no coverage of PSHE in teacher training. In school, PSHE teachers are not given the curriculum time or training that they need.

Those are the reasons why I have presented a private Member’s Bill, which is before the House, to make teaching PSHE a statutory requirement in all state-funded schools. Since presenting the Bill, I have found widespread support for this principle. Teachers want PSHE. There is strong backing from the teaching unions, including the NAHT, which represents head teachers. Statutory PSHE is not seen as a burden, but as something that helps. Teachers need and want access to good training and support to deliver quality PSHE across a range of topics, and statutory PSHE would provide that.

Parents, too, want PSHE. To take the example of sex and relationship education again, 88% of the parents of school-aged pupils want age-appropriate SRE to be taught in schools. YouGov and the PSHE Association have found that 90% of parents believe schools should teach children about mental health and emotional well-being. Young people want PSHE. Members of the UK Youth Parliament are among those who have repeatedly made that clear.

This subject is not as controversial as it perhaps once was. The tide is changing. Members may remember that *The Telegraph* has run the excellent Wonder Women campaign for better sex education. One of the reasons that there is such strong backing for statutory PSHE from both heads and teachers is that it has the potential to aid academic success and employability. All children deserve a curriculum that promotes resilience, physical and mental health and life skills, and one that teaches about equality. My Bill is about an entitlement for all children and about ensuring that teachers have access to the training, resources and support they need to teach this vital subject according to their students’ particular needs. It is about listening to teachers and benefiting from their insight into what works in our schools.

I very much appreciate the fact that the Minister has listened to me, and I look forward to his response on everything I have said about how teachers are now under such enormous pressures in our schools and on whether he can indicate any support for my Bill.

Before I finish, I want to do one last and perhaps rather unorthodox thing, Mr Speaker, which is to share a few verses from a poem by a local poet, Ros Barber,

[Caroline Lucas]

who is also very involved with the teaching profession. What she writes in the three stanzas I will read sums up what is at stake in education today. Teachers up and down the country, and certainly in my constituency in Brighton and Hove, have a real concern, which I hope I have conveyed, that creativity is being squeezed out of our schools by endless testing and assessment. That is something that we need to review and act on. The poem says:

“I believe that a British state education is the best in the world.
How else can a love of reading be learned than by
never immersing a child in a whole book but rather chopping
powerful and moving stories into meaningless chunks
of text contained within the safe bounds of Literacy Hour.
I believe that a British state education is the best in the world.
That children should be taught to the test and only
what they need to make the school look good, for better
that a school is seen to perform well in the league tables
than that a child retain any natural curiosity or love of learning.
I believe that a British state education is the best in the world.
What better way to teach your citizens that life is a trial
than abandon creativity, load ten year olds with homework,
stretch the school day? Existence is too short to waste childhood
in climbing trees, in games, in unstructured play.”

I very much hope that that is not the future for our schools, but I very much fear that that will be a vision of schools in this country unless the Government change direction, start listening to teachers and, crucially, allow teachers to teach.

7.19 pm

The Minister of State, Department for Education (Mr Nick Gibb): I congratulate the hon. Member for Brighton, Pavilion (Caroline Lucas) on securing this important debate. She has covered a wide range of topics, and I will attempt to address the issues she raised.

The Government’s plan for education has been to raise academic standards, to improve behaviour in our schools and to close the attainment gap between those from richer and poorer backgrounds. We want all young people to leave school ready for life in modern Britain, whether it be through going to university, via an apprenticeship or in the world of work.

Under this Government’s reforms, we have seen the number of students in Brighton and Hove achieving five or more GCSEs or equivalent at A* to C, including English and mathematics, rise from 49.1% in 2010 to 62.6% in 2013. The hon. Lady is absolutely right to congratulate the pupils and schools in her constituency on that achievement because it is, in fact, 3.4 percentage points higher than the average for all schools in England. This excellent result for Brighton and Hove is exemplified by schools such as the Cardinal Newman Catholic school, the Blatchington Mill school and sixth-form college and the Dorothy Stringer school, which were all rated “good” by Ofsted, with 73% of the pupils in those schools achieving five or more GCSEs or equivalent at A* to C, including English and mathematics.

Similarly, the proportion of pupils achieving level 4 or above in reading, writing and maths in primary schools has risen from 74% in 2012 to 79% in 2013,

while at key stage 1, there have been some excellent results in Brighton and Hove, including those of the Balfour primary school, which helped every single one of its pupils to achieve level 2 or higher in reading, writing and maths, and the Downs infant school, where 99% of its pupils achieved level 2 or higher in reading, writing and maths.

The hon. Lady raised the issue of teacher morale, and I can tell her that this Government place enormous value and trust in the professionalism and skills of the teaching profession. We now have our best-ever teachers working in our schools, the vast majority of whom put in a considerable amount of additional time and effort with the sole motivation of improving the life chances of children and young people. We are determined to ensure that we continue to have a high-quality, effective and motivated teaching profession.

Having said that, I share the hon. Lady’s concerns about the work load. The OECD TALIS—Teaching and Learning International Survey—showed that, on average, teachers in this country work 46 hours a week, compared with the OECD average of 38 hours, while the teacher diary surveys show even more hours worked. This is something that I and this Government are keen to do something about. We need to tackle what I would regard as this excessive work load on our teaching profession in our state-funded schools. I share, too, the concern of the hon. Lady, and of the teacher she quoted in her speech, about assessment and the over-obsession with data collection. I agree that something needs to be done about that.

On over-examination, the hon. Lady again made a valid point, and this Government have tried to address it. That is why we ended the modular nature of GCSEs and A-levels, because it was leading to students taking bite-sized pieces over and over again to push up the grade they could achieve. We were seeing multiple entries, retakes and early entries in those exams. I hope that, over time, our reforms will see fewer exams being taken at the most important age group for education, ranging between 15 and 18.

The hon. Lady raised the issue of teacher pay, too. We know that high-performing teachers drive up pupil attainment, and we need a system that recognises that. A recent report by the Reform think-tank argued that performance-related pay does work and that its introduction in schools will drive up standards, strengthening the link between performance and pay, which is fundamental. We want highly performing teachers to be properly rewarded for their impact on pupil achievements, but I do not think how we assess performance-related pay should be a mechanical link directed only to one or two measures. There should be a wide range of measures for head teachers to assess in respect of the teachers working in their schools.

Governors are generally supportive of performance-related pay. The National Governors Association supports the increased flexibility that governing bodies have been given to link an element of teachers’ pay to their performance, because most governors would like to be able to pay good teachers more. In a recent survey, 60% of governors who expressed a view agreed with the statement:

“Tying teachers’ pay more closely with their performance is likely to improve pupils’ attainment”.

Caroline Lucas: I am grateful for the thoughtful response that the Minister is giving. Does he share my concern that performance-related pay can greatly undermine teamwork if teachers are judged simply on what they contribute individually? In fact, what someone contributes in English has a knock-on effect in many other subjects. The best teaching is therefore about teamwork.

Mr Gibb: Again, I agree with the hon. Lady. When judging a professional within a firm of accountants or lawyers, one looks not just at one or two metrics, but at the contribution that they make to the whole operation. A good performance-related pay system would look at the contribution that a member of staff makes to the school as a whole. That could include mentoring and training teachers, extra-curricular activities and so on. It would look at their whole contribution to the school and there would not be a simplistic direct link to test results. That is down to the professionalism of the head teacher. I am confident that we will have well-run performance-related pay systems, rather than the type of system that the hon. Lady fears.

We need to ensure that we raise academic standards in this country and close the attainment gap. That is why the introduction of phonics, which she hinted at a criticism of, was important. It has raised the standards of reading. In 2012, 58% of pupils achieved the expected standard in reading. That has risen to 74% this year. That amounts to 102,000 six-year-olds who are reading more effectively today than they would have done, had we not introduced that important part of our education plan to raise academic standards.

The hon. Lady is a tireless promoter of the importance of good PSHE. I listened carefully to the example of good PSHE teaching that she cited from a school in her constituency. I know that she will talk to the Secretary of State later this week about her Bill. We agree that PSHE is important. We believe that all schools should teach PSHE, drawing on good practice like the example that she cited. We outlined that expectation in the introduction to the framework to the new national curriculum.

The hon. Lady is correct that good-quality relationships education is an important part of preparing young people for life in modern Britain. That is why we are committed to working with schools and other experts to ensure that young people receive age-appropriate information that allows them to make informed choices and to stay safe. Preventing violence against women is a topic that schools may include in PSHE. Maintained secondary schools are legally required to teach sex and relationships education, and we also expect academies to do so. To help support teachers, we have set up a new

expert subject group on PSHE, which comprises lead professionals in PSHE practice. It will clarify the key areas on which teachers most need further support and produce new resources where necessary.

The hon. Lady said that the guidance on sex and relationships education is becoming outdated. I welcome the supplementary advice for schools, “Sex and relationships education (SRE) for the 21st century”, which was published recently by the PSHE Association, the Sex Education Forum and Brook. The advice helpfully addresses the changes in technology and legislation since 2000, and equips teachers to help protect children and young people from inappropriate online content and online bullying, harassment and exploitation.

The hon. Lady also spoke about sexual content on the internet. As she will know, children’s online safety is paramount. The Child Exploitation and Online Protection Centre has an important role. As a UK law enforcement body, it can apply the full range of policing powers in tackling the sexual abuse of children. CEOP has also developed a specific educational resource designed for use by teachers to tackle sexting.

Caroline Lucas: I have two very quick questions. First, I am grateful that the Minister recognises the problem of excessive work load in schools, but will he give concrete proposals on addressing it? Secondly, I am grateful that he has said that PSHE should be taught in all state schools but, if so, will the Government consider the opportunity to make it a statutory requirement?

Mr Gibb: We keep all curriculum issues and statutory requirements under review. On managing the work load, we are conducting deep-dive surveys into what affects teacher work load. We have asked the teacher and head teacher unions to help us to identify areas of teachers’ regular work load to see where we can make changes to ease it. We are determined to do so. The hon. Lady is right that we cannot have the teaching profession weighed down by unnecessary, bureaucratic work. By the way, we have swept away 21,000 pages of guidance and regulation that was imposed on teachers, but we need to do more to ensure that that release of bureaucratic burdens filters through to the chalk face, or the interactive white board face, of our schools.

On that note, if I have not answered any of the issues raised by the hon. Lady, I am sure we can correspond after the debate.

Question put and agreed to.

7.31 pm

House adjourned.

Westminster Hall

Tuesday 14 October 2014

[SIR EDWARD LEIGH *in the Chair*]

Surrogacy

Motion made, and Question proposed, That the sitting be now adjourned.—(Dr Thérèse Coffey.)

9.30 am

Jessica Lee (Erewash) (Con): It is a great pleasure to speak in front of you during this important debate, Sir Edward. I am grateful for the opportunity to raise the matter in Westminster Hall today.

Of the many functions of Parliament, one of the most important is to respond to changes in society and, when appropriate, to legislate accordingly. The law on surrogacy is outdated, limited and in places illogical. It is difficult to see how the current law, such as it is, can be said to help people who are starting families without the process involving significant stress and risk. Although there is no small or completely straightforward change to alleviate such problems, the time has come for Parliament to take a fresh look at the rules around surrogacy and to commit to helping people to start a family. I have some experience and interest in the matter from my time as a family law barrister.

Surrogacy is on the increase. Despite a lack of official figures, save for what is recorded on the parental order register, it is estimated that between 1,000 and 2,000 children are born through surrogacy each year, which is up from between 50 and 100 in 2008. The numbers are rising sharply, which is why the time is right for Parliament to explore the solutions to help the families and surrogates involved in the process. To start with, it is worth considering why families or individuals turn to surrogacy. There are of course several reasons, including unexplained infertility, cancer, couples being of the same sex or, occasionally, individuals wanting a child. Whatever the reason, however, the current system has uncertainties throughout. Some commentators have described surrogacy as a legal and political minefield, which may be right, but Parliament's role is to face up to such problems and to try to find solutions.

Not only are there problems with the law in this country, but an international framework for surrogacy, unlike adoption, is lacking. The rules in the UK are so ambiguous that potential parents are increasingly turning to other countries to find surrogates, which has its own problems. The lack of an international structure leads to delays and complications when they return to the UK with their children. The problems were highlighted over the summer with the case of baby Gammy, one of a set of twins born to a surrogate in Thailand for Australian parents. Gammy happens to have Down's syndrome, and there is a dispute between the surrogate and the intended parents as to the reasons why he is now separated from his twin, who has gone to Australia. It cannot be right for such children to be left without a clear set of international rules to resolve the dispute.

The Minister may not be surprised to hear that I am not short of possible solutions to the issues around surrogacy and ask her to reply directly to my proposals. I am sure that she will agree that the current system has

problems and those problems must be the starting point. With that in mind, I am sure that she will be grateful for the opportunity to work with me and others and across Government Departments to help families by seeking solutions that can reform the system.

In summary, I am calling for the following changes. First, I want new legislation to be brought forward to update the law or to amend the current legislation to help prospective parents and surrogates. Secondly, there should be written agreements for those going into surrogacy to ensure that all potential future issues around the pregnancy have been discussed and agreed. Thirdly, I want an international framework for surrogacy. Fourthly, there should be a code of practice for prospective parents and surrogates. Fifthly, we should have pre-birth orders, because it is right that there should be an immediate transfer of parenthood upon birth. Sixthly, payments to surrogates need to be regulated and transparent and should be for the surrogate's "inconvenience" rather than for the acquisition of a child. Finally, we should end the non-extendable deadline of six months for applying for a parental order. I will discuss a related development that came in a recent judgment later, but it cannot be right to have no flexibility in a family law application of this nature.

The Surrogacy Arrangements Act 1985 and the Human Fertilisation and Embryology Act 1990 provide for the current legislative arrangements. The 1985 Act made it a criminal offence to advertise for a surrogate mother, to advertise oneself as a prospective surrogate or for third parties to broker a surrogacy arrangement on a commercial basis. The Act made the UK surrogacy arrangement unenforceable and the legislation was perhaps aimed to discourage surrogacy. The reality, however, was that surrogacy cases were beginning to rise in the UK and the legislation left the whole structure without professional support, which was reflected on by High Court judges at the time. In 2007, Mr Justice McFarlane commented:

"Given the importance of the issues involved when the life of a child is created in this manner, it is questionable whether the role of facilitating surrogacy arrangements should be left to groups of well-meaning amateurs."

He makes a good point.

The 1990 Act created for the first time a bespoke legal process enabling married intended parents to reassign legal parenthood to themselves and obtain a parental order. It was updated in 2008 and extended those eligible to apply for a parental order to include unmarried and same-sex couples. That, however, is it. That is our entire legal framework. The various pitfalls in the current legislation are many and I will now speak of how Parliament can best legislate to help all involved.

Enforceable written agreements and a code of practice would deal once and for all with the uncertainty surrounding surrogacy. There are an infinite number of questions to ask before going into a surrogacy arrangement. A written agreement and a code of practice would provide clarity for intended parents and for surrogates. All those involved need proper advice and proper safeguards against all eventualities. What if the pregnancy results in more than one baby? What about communication between all involved during the pregnancy? What if the child has a disability? What about the arrangements for the actual birth? Those are just a few of the obvious, practical problems that need to be addressed and could be addressed by written agreements.

[*Jessica Lee*]

I have been discussing the matter with other MPs and some of my constituents. Following a conversation with a couple in my constituency, I will put it like this: I would not expect my constituents—the good people of Erewash—to have to purchase a house or lease a car without a contract, so why when trying to form a family, which is the most important that they will ever do, with a surrogacy would they do so with an inadequate framework? It cannot be right, but it is within Parliament's power to change the rules.

The next change I would like relates to pre-birth orders. It is important to establish legally who the parents are from the moment of birth. At the moment, the surrogate, and their spouse if they have one, are the legal parents of the child. It has been said to me over the past few days that there is always the risk that surrogates will change their mind and that it must happen all the time. It is a common misconception. To my knowledge, only two cases of surrogates seeking to keep their baby have been reported in the past 30 years compared with some 1,000 successful arrangements. Typically, surrogates are mothers who have found pregnancy easy and then want to help other families. They have a commitment to help the intended parents and want to see them have their own family and see the child grow up in that unit. We need to support those women and to make the law work for them.

Furthermore, many children are being born abroad, if the surrogate is based there. That creates more problems, because the child can be born stateless, making arrangements to come home to the UK complex. If the parental order could be obtained during the pregnancy, arrangements to come home with the child would obviously be far more straightforward. A number of MPs have dealt with scenarios in which a child is born abroad and there are difficulties in returning to the UK.

The international context of surrogacy can add to the difficulties of applying existing UK legislation to the reality of modern surrogacy. Surrogacy law can be complex for foreign surrogacy arrangements. There is no international harmonisation of English and international law, and we do not automatically recognise a foreign birth certificate naming the donor parents as the legitimate parents of a surrogate-born child. In stark contrast with adoption, which requires the thorough vetting of parents, anyone can enter into a surrogacy arrangement abroad.

Automatic recognition of the surrogate as the legal mother, however, can cause its own problems in the context of international surrogacy agreements. In 2008 a British couple who had paid £23,000 to a surrogate mother who bore twins for them in Ukraine were at first unable to bring the children back to the UK, since the couple were not recognised as the legal parents. That situation took a year to resolve, during which time the children were left “marooned, stateless and parentless”, leading the judge dealing with the case to issue a stark warning about how dangerous such a scenario is.

There are many practical problems to getting home safely to the UK with the surrogate-born child after the birth, because of issues to do with the right travel papers, entry clearance and citizenship. Parents then have to look at the legal status of the child as soon as they return and any necessary interim legal measures. For instance, are the eligibility criteria for a parental

order all in place? What about the legal position of the surrogate, and her partner if that is relevant, under English law? The complications are many.

Rules on surrogacy vary from country to country, so not only do we need to look at our domestic law, but all countries ultimately need to look at the international framework. In some countries surrogacy is banned completely, such as in Germany, Italy, France and Sweden. In some countries the law is complex, such as in the UK and Australia. Elsewhere, 19 states in America have laws clearly recognising surrogacy and another 10 states allow unpaid surrogacy. Also, anecdotally, I know of same-sex couples who have moved to the States with work, in part because they know that in due course it will be more straightforward there for them to have a child through surrogacy. Thus, all children born via surrogacy in the USA are eligible for a US passport, regardless of the citizenship of the parents, but that is inconsistent with other countries.

In July this year, the Government of Thailand announced changes to their regime for commercial surrogacy, stating that all surrogates will have to be blood relatives. As I made reference to earlier, a case in Thailand hit the headlines over the summer, and one can only feel sympathy for everyone involved in it. The case of baby Gammy, however, absolutely highlights the pitfalls and difficulties for all concerned. The outcome of such international situations—involving Thailand in this case, but it could be anywhere—might be that surrogate arrangements become more covert, and no one wants that. What we want is clear and transparent arrangements in this country and abroad.

Stuart Andrew (Pudsey) (Con): I congratulate my hon. Friend on securing this important debate. Among a number of concerns, many people fear exploitation. Is not preventing that another reason for the importance of reaching international agreements?

Jessica Lee: My hon. Friend makes a good point. The way to avoid such exploitation is clearly to have a clear and transparent structure. That is what is missing in domestic law, where there are arrangements, although they are not working properly, and internationally. Far fewer UK couples would consider going abroad if the domestic arrangements for them in England and Wales were completely straightforward, preventing them from feeling the need to travel around the world to find a suitable surrogate.

Parental orders, as I said near the beginning of my speech, have a strict six-month deadline in which to be registered once a surrogate has had the child. The law provided for no flexibility on that until very recently—a judgment was published in the past few days. In that case, the president of the family division of the High Court made the following comment:

“Can Parliament really have intended that the gate should be barred forever if the application for a parental order is lodged even one day late...It is the very antithesis of sensible; it is almost nonsensical.”

The judge then went on to make the parental order and the wardship was set aside. There had been significant delays in returning the child to the UK.

It can be said, therefore, that case law has moved matters forward, but the rules remain the same and that is a matter for Parliament to resolve and to do so early.

We are dealing with people's families and with emotive issues. That is the most important thing. If there cannot be flexibility in obtaining a parental order, that is a most unsatisfactory position. That must be one of the first matters in which there has to be flexibility in an application under family law.

I want to address the issue of same-sex couples. Since the Marriage (Same Sex Couples) Act 2013 passed through Parliament, we probably have had an increase in the number of same-sex couples looking to have a baby through surrogacy. That has been on the rise for some time, but the Act supports it as well. On Second Reading, the Minister gave one of the most thoughtful and measured speeches on the legislation, which I recall clearly, so I am delighted that she is responding to the debate today. She has always taken a thoughtful approach to the issues surrounding same-sex couples.

In the UK, anecdotally, same-sex couples conceive with the help of a friend, relative, or a surrogate introduced to them by a UK-based non-profit surrogacy organisation. As we know, such surrogacy arrangements commissioned in the UK are unenforceable by UK courts, so the problem remains. Increasing numbers of same-sex couples are travelling abroad for surrogacy. As I mentioned earlier, a popular destination is the USA, because some states can guarantee that both fathers will be named on a child's birth certificate from the outset. But, again, we come back to the problems that I have raised before. Parliament did well by passing the same-sex marriage Act and progressing matters in that way, but for issues that follow on from that, Parliament needs to do the same. We must have an even-handed approach in addressing every aspect of people's social and family lives, and that is why we need to update the law.

I have set out for the Minister my key requests. I accept that they are not small ones, and some will take time to grant, in particular those concerning an international framework. However, I genuinely feel that there is a real change in emphasis. There is a momentum to address the issue. Judges, as I have quoted, are saying that statute law is not right, and we need to move matters forward. We have an opportunity here today to take the initiative. We very much need to start the process, which would be welcomed across the parties. I have been helped by the right hon. Member for Birkenhead (Mr Field), who apologises for the fact that he cannot be here today. There is strong cross-party support for moving things forward. I urge the Minister to take this one-off opportunity and take a stand today and offer some solutions to these complex and extremely important questions, which could transform people's ability to have their families in this country.

9.49 am

Richard Harrington (Watford) (Con): It is a great pleasure to speak in this debate under your chairmanship, Sir Edward. I congratulate my hon. Friend the Member for Erewash (Jessica Lee) on securing the debate which, I know, is an extremely difficult thing to do.

I am here today because I had a surrogacy case concerning a constituent, and nobody could help me to help my constituent other than my hon. Friend, who gave so much of her time and showed a level of expertise way beyond the remit of this House. I am not sure whether that expertise was professional or political, but it was a huge help and I am very grateful to her.

That case gave me an interest in the subject, and in surrogacy from an international perspective. Some constituents of mine, the Patels, who are both UK citizens and who have lived in Watford for many years, decided to enter into a perfectly legal surrogacy agreement in India—I understand that surrogacy is legal there, both nationally and in each state. The surrogacy took place in a place in India that they knew well. There was no question as to their British citizenship or indeed that of the baby.

Notwithstanding that, I was shocked to find that despite my constituents having a legal contract and a certificate from the Home Office signed on behalf of the Home Secretary, and despite having done everything they possibly could—that was extremely expensive for them, but they are a decent, law-abiding professional couple and did everything properly—their son spent the first eight months of his life without meeting his father. It might seem ridiculous, but the father had to send the Home Office not just his birth certificate, but his passport, so that proceedings could take place. He therefore could not go to visit his son in India. Despite every effort by his solicitors and others—I even spoke to the high commissioner in India—the case was treated as an administrative matter about passports, and everyone was told to look at the website, with its 16-week service standard. No one was interested in the surrogacy aspect of the case.

I must commend the efforts of the Immigration Minister, whose office regularly contacted the Passport Office. However, I began to realise something that my hon. Friend the Member for Erewash had warned me about—surrogacy is not understood at all because there is no international agreement or protocol. I know nothing about this sort of thing myself—I have picked up this information from one particular case. It seems absolutely ridiculous that people who are trying to do everything properly, who have done what their lawyers have advised them and who have dotted the i's and crossed the t's, still had to wait weeks and months, as if the case was a passport application for an immigrant and there was a suggestion of fraud or some kind of trickery.

When my hon. Friend told me of her intention to campaign for an international agreement on surrogacy because of the need to bring things up to date, that fell exactly in line with what my constituents wanted. To this day, the baby is in India, despite the fact that, as a result of the Immigration Minister's good intentions, the father got his passport back. He has been able to go and spend time with his baby, although temporarily he has had to give up his professional practice. That situation is outrageous.

I commend my hon. Friend for what she is doing. She is one of the leading experts in the field, both in this House and in the legal sphere. I wish her all the best and am pleased to be able to support her in this debate.

9.54 am

Stephen McPartland (Stevenage) (Con): It is a pleasure to serve under your chairmanship, Sir Edward, and to follow my hon. Friend the Member for Watford (Richard Harrington) who, as always, has given an impassioned defence of his constituents' interests. I congratulate my hon. Friend the Member for Erewash (Jessica Lee) on calling this important debate.

[Stephen McPartland]

Surrogacy is a complex minefield, as we are all aware. Many Members of Parliament are concerned about the issue but, as we can see from the Chamber today, they are not keen on speaking about it publicly, because it is complicated, with many facets and problems. There are some religious undertones to the subject. I am pro-life and support all life. As a Catholic, I know that some Churches do not support surrogacy, but my view is that, whether or not it is supported, there is a system in place that we need to try to fix, as the exploitation of people using surrogates must stop.

Some of my constituents have fertility problems. They have looked into surrogacy as an option, but they have found it to be such a minefield that they do not wish to pursue it, despite the fact that having a child is their lifelong dream. At the moment, there is a real problem that is affecting our constituents.

As technology moves on, the way in which surrogacy is done has evolved over the years, but essentially we are still talking about a woman carrying and giving birth to a child for somebody else. There are a huge range of problems. For example, in the United Kingdom, we do not know how many children are conceived through surrogacy. We are a 21st-century modern democracy, but we do not have the full figures. There are no official records apart from the parental order register. To put that register into context, an estimated 1,000 children are born through Indian surrogacy each year, but in 2012, the family court granted only 213 parental orders. That suggests that there maybe thousands of children in the UK living with adults who are not their legal parents.

That may not be an issue for many people, but let us consider what my hon. Friend the Member for Watford said about families wanting to do what is legally correct and best for those children. As my hon. Friend the Member for Erewash stated, many of the children are born stateless. If they try to get into university, for example, which type of fees will they pay—the fees for foreign students or those for domestic students? How will they access and enter higher education in the United Kingdom? What if they have a problem accessing benefits in future because of some of the changes that we have made to access to benefits—if someone is considered stateless, how will they access benefits? Surrogacy impacts on a huge range of issues for families. As we change laws in the UK, the impact on those families will get bigger and worse. We need to look at that and work out a way of moving forward and creating some kind of international agreement.

My particular passion is to ensure that those families are safeguarded against exploitation. However, I would not wish to push too hard on that matter: as my hon. Friend the Member for Erewash clearly stated, there have been only two recorded cases of surrogates changing their mind in the past 30 years, but thousands of surrogates who, because they have enjoyed carrying a child for somebody else, have happily given the child over and helped the family to have another child. That is important, and I would not wish to scaremonger. However, it is incredibly important to me—as it is to my hon. Friends the Members for Erewash and for Watford—that surrogates are safeguarded and that the families who use surrogates are not exploited.

My hon. Friend the Member for Erewash raised the issue currently in the news of families who are being broken up, and she mentioned the case of the two children. Whoever is right or wrong, the reality is that the case has been a huge problem for the families and countries involved because there is no way of dealing with the situation or of identifying whether any law—rather than a moral and ethical code—has been broken. The issue needs to be looked at, and I support my hon. Friend's wonderful campaign for some kind of international agreement on surrogacy.

I also want to make a plea to the Minister on parentage. At the moment, the surrogate and her husband are considered to be the child's parents. That leads to the problem of statelessness that we have mentioned and the problem that my hon. Friend the Member for Watford raised concerning his constituents, where one parent was kept separate from the family for many months—in some cases, no doubt, it is for years. We need to tackle that, as it has a detrimental effect on our constituents and our society. I congratulate my hon. Friend the Member for Erewash on her wonderful campaign, and I thank her for raising the matter in the House.

Julie Hilling (Bolton West) (Lab) *rose*—

Sir Edward Leigh (in the Chair): Order. I will call the hon. Lady, but she did miss most of the opening speech. I am sure she will want to apologise, although I am also sure that there is a good reason why she was late.

9.59 am

Julie Hilling (Bolton West) (Lab): I am grateful for being called in the debate. Of course I give my full apologies for missing a great deal of the speech by the hon. Member for Erewash (Jessica Lee). I congratulate her on securing a debate on this important issue.

I want briefly to tell the story of a wonderful surrogate family in my constituency. Members might remember that I have talked quite a lot about Kiran and Bina Salvi because, sadly, they got caught up in the passport debacle. They had also been trying for a baby for 12 years. They went through all the normal tests and goodness knows how many rounds of in vitro fertilisation until, in the end, the doctors said they had to stop because it was damaging Bina's health. They had had years of IVF and years of terrible disappointment every time the pregnancy did not work out.

The couple considered adoption, but the problem they then had was one that many couples have: by the time people have gone through all those years of trying, they are often considered too old to adopt a baby, so they are really in a cleft stick. The Salvis did much research and eventually took the brave decision to use a world-renowned specialist surrogacy clinic in India. They had five attempts at surrogacy, and their wonderful surrogate mum eventually became pregnant with their baby. On 3 March, they had a beautiful boy and girl—and they are beautiful; I went to visit them, and it was a proud moment to see them.

The babies were extremely underweight when they were born—they were little more than 2 lb. They were then stuck for four months in a hotel room in India with no passports, and they got more and more distressed. Spending the first four months of your life in a hotel

room is no joy for anybody. The couple were also frightened about malaria and the rainy season. In addition, of course, it was not a four-star hotel, but the kind of hotel the couple could afford to stay in for that long.

The Salvis were with many other couples from the UK who were caught up in the same situation. They saw, however, that couples from other countries went through a much quicker process. Within a couple of weeks, couples from America and Canada were back at home with their babies. I therefore absolutely support the call for an international agreement on this issue.

Getting citizenship was extremely quick and easy for the Salvis, and the children were British citizens within two weeks. However, there was a difficulty. Rightly, the Indian Government require an exit visa for any children leaving the country, but because the couple's children could not get passports, they could not get an exit visa. The couple had to go to New Delhi to sign more documents—something that they were not aware of in the first instance.

That shows the problems we have. The situation was probably compounded because we had closed the passport office in Hong Kong, which would normally have dealt with the issue. The office in the UK did not know how to deal with such cases, and that compounded the problem for the Salvis. We need to make sure we have experts in our passport offices in the UK who can deal rapidly with these cases and understand their intricacies. Eventually, however, the family got the passports and returned home.

The other point I want to raise is about the benefits to the surrogate parents. In this case, they gave the precious gift of life. The Indian mum was so pleased to have been able to help the Salvis, and the two couples are still in close contact. However, the surrogacy also gave the Indian couple a real lift in their lives, and they managed to start two businesses on the basis of surrogacy. Giving the gift of life, and the financial benefit from it, therefore fundamentally changed their life and that of their family.

There are strict rules in India about the number of cycles of surrogacy people can have, but the rules are not necessarily the same in other countries. Any international agreement therefore needs to make it clear how many rounds of surrogacy there can be, and to guarantee the health of the surrogate mother and the babies born to her.

I absolutely agree that we need international agreements so that parents who seek surrogacy understand the rules that are in place and are not held up in the country where the children are born, and so that surrogates are not exploited in their home countries. We also need to examine surrogacy in this country to see whether we should have different rules to allow payments to be made for surrogacy, rather than the deals we have at the moment.

Many thousands of would-be parents are suffering badly because they cannot have children. They see their friends around them having children, and becoming parents themselves becomes their life goal. I think we can all share their pain, and anything we can do to assist them will be really important. Again, I congratulate the hon. Member for Erewash on raising this important issue.

10.5 am

Andrew Gwynne (Denton and Reddish) (Lab): It is a pleasure to serve under your chairmanship, Sir Edward. I congratulate the hon. Member for Erewash (Jessica Lee) on choosing this interesting and important subject for a Westminster Hall debate. She put the case eloquently, sensitively and sensibly.

It is some decades since the main rules controlling surrogacy were put in place, and it is no exaggeration to say that they are a product of their time. Although there has been welcome progress on some aspects of surrogacy—for example, provision for adoption leave and pay for intended surrogate parents was included in the Children and Families Act 2014—a more fundamental examination of our position on surrogacy is needed, so the debate is extremely timely.

Of course, it is important to say at the outset that the health and well-being of any children born as a result of surrogacy arrangements must be at the heart of our concerns. As the hon. Member for Stevenage (Stephen McPartland) rightly said, that must sit firmly alongside the need to prevent exploitation of any of those involved in surrogacy, but the welfare of children must be paramount.

Aspects of the current situation can certainly be described as troubling. The growth of the internet continues to accelerate, and it takes only a few keystrokes to bring up a search engine web page with paid advertising for commercial surrogacy services abroad. The revelation that Britain may account for as many as 1,000 surrogate births in India every year is shocking enough, but when it is contrasted with the low numbers known to be taking place in Britain, it is clear that the situation requires serious review. There is a clear need for further research to establish the size of the international trade in surrogacy and to enable the development of a deeper understanding of how it functions.

It is not just the hon. Member for Watford (Richard Harrington) and my hon. Friend the Member for Bolton West (Julie Hilling) who have experienced tricky constituency casework on this issue. Earlier this year, she and I had almost identical cases, which we discussed. The legal issues got very tricky, and that was compounded by the passport fiasco. Thankfully, my case, like hers, has been satisfactorily resolved for the parents and the child. However, the cases were tricky, which highlights just how difficult some of these surrogacy arrangements can be. While that can be compounded by factors outside the control of those involved, the arrangements in India were incredibly tricky and caused the parents a lot of heartache and trauma, as well as a lot of unex—I am trying to think of the word. I have lost my train of thought.

Sir Edward Leigh (in the Chair): Unexpected.

Andrew Gwynne: Thank you, Sir Edward—unexpected expense. That placed the family in severe difficulties while they were in India.

Although our legislative framework might restrict exploitation in connection with surrogacy in the UK, it might simply be shipping exploitation abroad, where there are undoubted commercial opportunities to make large amounts from the exploitation of poor women. In the past few days the case has been reported of an Australian couple who are said to have abandoned one

[Andrew Gwynne]

of two surrogate twin babies born in India, taking only one of them back with them. That amply demonstrates the need for international action. I hope that today's debate will highlight the need for consideration of an international convention on surrogacy, so that we can put an end to such unethical and immoral practices.

The international dimension is important, but inevitably the question arises of how we might alter the situation in the UK to enable aspiring parents to explore the option of surrogacy in a way that protects all parties and puts children's interests first. I suggest that we consider three things. The first is an assessment of the scale of the need for surrogacy and whether we can reduce that need through action to reduce the incidence of infertility in women. The second is an assessment of the extent of the international trade in surrogacy; on international health questions, we are much more effective if we operate in concert with other countries. The World Health Organisation appears to take little interest at present in surrogate motherhood issues, and perhaps the United Kingdom, as a member of its executive board, should take a lead in raising the issue and ensuring that it is included in the WHO programme of work. I should be interested to hear how the Minister can take that matter forward. The third thing to consider is a review of UK legislation on surrogate motherhood. Difficult issues will inevitably need to be considered, particularly the potential involvement of commercial interests in arranging surrogacy. The hon. Member for Erewash set out a possible framework, and that should be considered carefully. I am interested to hear the Minister's response to the important points she made.

The current position is clearly unsatisfactory and in need of attention. If the population is to continue to make use of surrogate motherhood to deal with the problem of infertility, it would surely be better for the processes to take place within an ordered, regulated system here, than in a system that is not ordered, halfway round the world. It would be better for the parents, the surrogate mother and the child. The comments and suggestions made by the hon. Member for Erewash were compelling. She is right to raise the question of how to strengthen our domestic law to protect all concerned. This is a sensitive area that needs to be considered carefully, but there is a need for change at home as well as internationally, and I look to the Minister to give direction, answer questions, and consider the possible solutions that Members have suggested. Thank you, Sir Edward, for filling the gaps that were left in my speech when, sadly, my train of thought left my brain.

10.13 am

The Parliamentary Under-Secretary of State for Health (Jane Ellison): It is a pleasure to serve under your chairmanship, Mr Leigh. We have had a thoughtful debate, which is no surprise given the expertise of my hon. Friend the Member for Erewash (Jessica Lee). I thank her for raising this important subject, and other hon. Members and the shadow Minister for their speeches. This occasion makes me even sadder that my hon. Friend is leaving Parliament at the general election; it is an ample illustration of the fact that Parliament's loss will be the family Bar's gain. My hon. Friend has shown that she is good and knowledgeable lawyer, and I am

conscious that I am not a lawyer of any description, let alone a good one. I hope that she will therefore understand that I may want to respond on some of the more complex legal issues after the debate. There is a significant cross-Government interest in the area, with some issues falling within the Home Office's area of responsibility, and others in that of the Ministry of Justice.

Surrogacy is, obviously, an emotive issue, and it is good that we have had such a calm debate. It is recognised by all that it is not an easy area in which to make progress, but a case has been made that the time has come to examine it, not least because of the complexity of the international situation. My comments are partly about where we may begin to direct our attention, and to caution against the idea that it will be easy to make significant progress, particularly internationally. A cursory look at the different regimes in the world, and at different countries' approaches, would give rise to caution.

Surrogacy is a way forward for couples who, for any of a range of reasons, cannot have their own children. Hon. Members have made the point that these days new families can be formed that we would not even have thought about a few decades ago. Happily, new and different shapes of family are emerging all the time, and the issue will become more relevant, more rapidly, to more people than we perhaps anticipated 20 years ago. We always recommend that ideally surrogacy should take place in the UK, with sound legal advice and the use of licensed premises, for all the reasons that have been shown in the debate. However, we recognise that that will not always happen, and that for some individuals and couples, achieving a much-wanted family will involve going abroad and taking one of a range of approaches.

The law is aimed at striking a balance in protecting the rights of the surrogate mother and her family, the child, and the commissioning couple. The overall aim is the safeguarding of the child's welfare, which should be kept as a paramount consideration. There is consensus about that, I think. The two ways in which that happens in the UK legal framework are by criminalising commercial surrogacy and by facilitating the transfer of legal parenthood to the natural commissioning parents. My hon. Friend the Member for Erewash is right to say that that sometimes proves difficult.

The Surrogacy Arrangements Act 1985 makes commercial surrogacy, including negotiating and advertising for surrogacy, a criminal offence, although individuals and not-for-profit organisations can make those arrangements without offending under the Act. However, as my hon. Friend pointed out, a surrogacy arrangement is not legally enforceable, and any prosecution requires the relevant consent of the Director of Public Prosecutions. For those parents who use their own sperm and/or eggs in a surrogacy arrangement, sections 54 to 55 of the Human Fertilisation and Embryology Act 2008 enable legal parenthood to be transferred to the commissioning parents by way of a parental order and the rights of the surrogate and any husband or partner of hers to be extinguished for ever. Section 54 sets out the criteria that must be fulfilled for a couple to apply for a parental order. Recent cases that have been mentioned show how the courts have interpreted the legislation to ensure that the long-term welfare needs of the children are met. The Government, like my hon. Friend, are still reflecting on the interesting order made in a recent judgment. I understand that the judge returned to the parliamentary

debates on the legislation before issuing the judgment that Parliament did not intend that going one day over the limit should prove such a barrier.

International surrogacy is an even more difficult matter, as the debate has showed. We are well aware that some UK couples choose to travel abroad for surrogacy, and the reasons why that trend is likely to accelerate—and probably already has done in recent years—have been explained. However, fundamental issues arise for the family and child when they return to the UK. The law does not provide for the automatic recognition of an overseas surrogacy arrangement, and as we have heard there is no international agreement on surrogacy arrangements, or harmonisation of the law and practices on surrogacy overseas. We would take the welfare of the child to be paramount. The Government have an obligation to protect children from abduction or trafficking, and not to seem to sanction any situation or arrangements that might too easily tip into that. We must proceed cautiously.

The UK legislative framework for surrogacy has some international application, in the sense that a surrogate for the purposes of obtaining a parental order is defined as a woman anywhere in the UK or “elsewhere”. Applicants for a parental order need only be “domiciled” in the UK—not “habitually resident” here. However, as my hon. Friend the Member for Erewash pointed out, there is no harmonisation of that.

At the 2014 general affairs council meeting of The Hague conference on private international law, member states considered issues to do with legal parentage, the legal status of children, and international surrogacy. In view of the sensitivity of these matters, the conference agreed at its meeting in March 2015 to make a decision on the feasibility of undertaking further work in these areas. The Hague conference is probably the best placed international body to consider what is achievable, but it should be noted that there is considerable divergence in the attitude and approach of different countries. I suspect that this is not something on which the World Health Organisation would take the lead, as the shadow Minister suggested it should, but we will look at the matter to see whether that is the case. Our feeling is that The Hague conference is more likely to make progress in this area, not least because I understand that it made progress on adoption.

We do not have precise figures on exactly how many people who are domiciled in the UK or are British citizens use surrogacy services at home or abroad, nor how many go on to apply for a parental order. There is no obligation to obtain a parental order, but people in the UK are clearly advised and encouraged to do so to achieve a recognisable transfer of parenthood. That order provides legal certainty for the commissioning parents and the child, and there are clearly psychological benefits in linking the child’s identity with that of his or her parents. There are also practical reasons—some were illustrated by hon. Member today—for ensuring that those caring for the child are able to do so legally without recourse to surrogate parents.

When an application for a parental order has been made, the Children and Family Court Advisory and Support Service is asked to report to and advise the court on the desirability of granting the order. I am advised by Ministry of Justice that 675 parental order applications were made to the court in England and

Wales in 2013-14 and that 302 applications were made in the first two quarters of 2014. However, as many hon. Members have said, including my hon. Friend the Member for Erewash, anecdotal evidence, which we accept, suggests that many more surrogate arrangements take place. That illustrates that we can do more work to emphasise to all commissioning parents the benefits of a parental order.

As my hon. Friend described, surrogacy is evolving. I accept that she feels strongly—she made the case eloquently—that it should evolve much more quickly and that the time has come for proper momentum in looking at some of the provisions. We are considering the implications of recent judgments and the various issues that cross Departments. We are evaluating these matters while reflecting on our approach to surrogacy more generally. The Department of Health is working with other Departments that are involved with international surrogacy issues and is looking at ways to improve the information and guidance available to potential commissioning parents so that they are fully aware of the processes involved, the potential pitfalls during their journey and the benefits of good legal advice, and not just from my hon. Friend. I note her generosity in providing support to another hon. Member in that regard.

As we have heard, there are pitfalls in the difficult journey to much-wanted parenthood and there are benefits to parental orders. That has been amply illustrated, which has been helpful for me because I have not previously responded to a debate on this subject during this Parliament. It is good that we have had this chance to hear about individual cases, which hon. Members know often illustrate a wider legal point more movingly and resonantly than just looking at the principle of the law.

The Government have no plans to make the commercialisation of surrogacy lawful in the UK; I do not believe that would have the support of the majority of people in this country. I do not believe there is agreement within the surrogacy stakeholder community about the approach to take in that regard.

My hon. Friend raised the issue of pre-birth contracts and immediate birth certificates for commissioning parents. That would amount to pre-birth provisions and would go further than any UK Government—and, probably, the majority of other countries’ Governments—have felt comfortable with going. I recognise that in the past people have been cautious and a little concerned about creating a commercial framework for surrogate babies while reducing the scope to consider the child’s welfare. My hon. Friend made the case thoroughly, and we will reflect on that and the fact that she and other hon. Members believe that it is possible to exaggerate the concerns and to get the balance between the some of the benefits wrong.

My hon. Friend suggested that the Government should introduce some form of regulation into the sector. That would, of course, involve significant changes in the law and would give rise to many questions to consider. Today’s debate has given us plenty to reflect on, not least the point that we all want to safeguard the rights and future welfare of children born under these arrangements.

Surrogacy is highly complex, and I suspect that in a wider debate outside this calm debating Chamber it would be slightly more contentious. It is an evolving

[Jane Ellison]

area that society requires to evolve quickly, both legally and ethically. The current legislation seeks to strike the difficult balance between what is right for parents and children, but hon. Members have made the case today that they do not believe that that balance is being achieved, and I hear that. We recognise that there is scope for improving information, and we could perhaps do that more quickly than changing the law. There is scope for improving information to those considering surrogacy to clarify the position and to ensure that the child's welfare is safeguarded.

Bringing this important matter to the attention of the House and my hon. Friend's expertise show that there is a case for looking more widely at it and for opening a wider dialogue. I shall be interested to hear the responses she receives after this debate. People with a particular interest in a matter often cannot attend our debates, but may express a view afterwards. I shall be interested to hear about the interest in the debate throughout the House. It is obvious from the shadow Minister's response that there is a cross-party appetite for looking at the matter, and a feeling that we must ensure that our laws reflect the modern world. That is on the record and noted.

I mentioned the cross-Government working group on surrogacy. Perhaps the next step following this debate is to invite my hon. Friend the Member for Erewash to address that group and to make her points to it. I would be happy to facilitate that and afterwards to see where the debate and evolving discussion might go. She has made her case eloquently, and I thank her for that.

10.27 am

Sitting suspended.

Sepsis (Preventable Deaths)

11 am

Sarah Newton (Truro and Falmouth) (Con): It is a great pleasure to serve under your chairmanship, Sir Edward, and it is a great honour to raise such an important issue with one of the Ministers with some responsibility for sepsis.

Before I outline the detail of my argument, I will share the scale of the challenge caused by sepsis. It is no exaggeration to say that sepsis is a hidden killer that claims more than 37,000 lives across the UK annually. Sepsis accounts for a third of the UK's critical care expenditure, and it is the leading cause of death from infection here in the UK and across the world, but it can be stopped. An average constituency in the UK will have 140 cases of severe sepsis each year, resulting in more than 50 deaths. Simple interventions could cut those deaths by more than 50%. Timely interventions across the NHS could save 12,500 lives and £170 million each year with minimal budgetary requirements. Scotland and Wales have adopted the "sepsis six" and have better outcomes for patients than England.

So what is sepsis? Sepsis is a time-critical condition that can lead to organ damage, multi-organ failure, septic shock and, eventually, death. Sepsis is caused by the body's immune response to a bacterial or fungal infection. It commonly originates in the lungs, bowels, skin, soft tissues or urinary tract. Rarer sources include the lining of the brain, liver or indwelling devices such as catheters. In a patient with sepsis, changes in circulation reduce the blood supply to major organs such as the kidneys, liver, lungs and brain, causing them to begin failing. Although most dangerous in those with impaired immune systems, sepsis can cause death in young and otherwise healthy people.

In my role as co-chair of the all-party group on sepsis, I have had the great pleasure of working with the UK Sepsis Trust, which is a registered charity comprising ex-patients and people bereaved by sepsis. In addition to raising awareness and providing support to members of the public affected by sepsis, the trust supports the actions and campaigns of its associated voluntary professional body, the UK Sepsis Group. Health professionals led by Dr Ron Daniels of the UK Sepsis Trust have identified simple, timely interventions and procedures, labelled the "sepsis six," as a standard of care for sepsis patients when delivered within one hour. Early sepsis treatment is cost-effective, reducing hospital and expensive critical-care bed days for patients, and will save thousands of lives.

Mr Jim Cunningham (Coventry South) (Lab): I am finding this information illuminating. I did not realise that 12,500 people a year are dying of sepsis. Will the hon. Lady indicate whether that figure is increasing or decreasing?

Sarah Newton: I thank the hon. Gentleman for his helpful intervention. The figures are, of course, estimates, but they are well founded estimates from clinical leads. As I will say later, the problem is that sepsis is poorly recorded, especially within acute trusts. We do not currently have a full picture of the number of people who are dying of sepsis. Often, the cause of death is

registered as a result of sepsis, rather than from sepsis itself. Without the collection, mapping and use of accurate data, it is difficult to target interventions where they are most needed. The information I have been given is based on good, up-to-date evidence from clinical experts.

The hon. Gentleman is right to say that the scale of the challenge that we face is shocking. That is why I decided to work with the UK Sepsis Trust to set up the all-party group on sepsis in November 2013 following a successful reception for world sepsis day, and many parliamentarians on both sides of the House have been involved. At the same time, the Parliamentary and Health Service Ombudsman published her first report on the treatment of a particular condition. The ombudsman felt so strongly that we were not addressing sepsis in hospitals that she undertook research and published a report. That report, "Time to act. Severe sepsis: rapid diagnosis and treatment saves lives", was truly groundbreaking, and it highlighted the number of preventable sepsis deaths and advocated swifter sepsis diagnosis and treatment across the NHS to reduce the numbers.

In June 2014, the all-party group launched a report, "The state of sepsis in the NHS", which addressed the reliable collection of data on sepsis deaths in England and the wide variation in the adoption of the ombudsman's recommendations across the country. The report, however, noted progress, which we further discussed one month ago at our reception on world sepsis day. We noted that the National Institute for Health and Care Excellence will produce a bespoke clinical guideline on sepsis by 2016. NHS England is engaged and has launched a level 2 alert for sepsis, and it is discussing the possibility of a national commissioning lever. The Public Administration Committee recently held a one-off inquiry on sepsis, and it pushed the Government to act more holistically and make more rapid progress on implementing the ombudsman's recommendations. Like me, the Committee was frustrated with the amount of time it has taken NICE to develop its guideline.

Some parts of the NHS have taken a pioneering approach to sepsis. I am proud to speak up for nurse Susan Bracefield, who has done excellent work in establishing an integrated sepsis pathway for children in the south-west, which I am sure will save lives through early detection and rapid treatment.

Mr Cunningham: It was remiss of me not to congratulate the hon. Lady on securing this debate. Is there any specific reason for the variation across the country? Can she identify what those reasons are?

Sarah Newton: I thank the hon. Gentleman for his kind words. I encourage him to visit the all-party group's website, where he will find our report, which addresses each region of the NHS. I made a freedom of information request to every trust across the UK asking a series of questions about the identification, recording and treatment of sepsis in their area. The report shows stark regional variations in England. As in all matters, it is a question of leadership. Good leaders who identify and recognise that sepsis is a problem galvanise their colleagues into taking action. I have seen that in the south-west, particularly in the work led by Susan Bracefield on a paediatric pathway. Sadly, otherwise fit and healthy young children can quickly succumb to sepsis, with tragic consequences that none of us wants to see.

The all-party group's report highlights the variations across the UK. Clearly more needs to be done, and this debate is about what more we can do about sepsis. It is important that we have education programmes for everyone involved in the health care environment. Sepsis is not only the responsibility of the acute trusts. We need early diagnosis by general practitioners, carers and ambulance staff. Everyone who comes into contact with people in the caring environment must be able rapidly to diagnose the early symptoms of sepsis and ensure that people get the appropriate treatment. That first hour is absolutely critical.

We need some sort of national commissioning lever to get things going. The Commissioning for Quality and Innovation payment framework could be a good approach, and I am interested to hear what the Minister will say about that point. Public Health England also needs to develop a robust public awareness campaign. Terrific success has been achieved on stroke, through the work done to help people identify the early symptoms of stroke so they get to hospital or to their doctor quickly; health outcomes for stroke victims have improved in the UK. We should take a similar approach to sepsis, informing and educating the public about its symptoms so that they seek medical help urgently.

Health Education England has a key role to play in disseminating education to health care professionals. Ron Daniels and the UK Sepsis Trust have done a huge amount of work with the Royal Colleges to consider training modules for people throughout the health service, and they need support to disseminate them widely. We also need a national registry of sepsis deaths and survivors to understand the longer-term impact. That will require resources, and exemplar sites will need to be developed and accredited to highlight best practice across the UK. Some parts of the country, such as Nottingham, are doing excellent work, and other parts of the NHS can learn from what their colleagues are implementing elsewhere in the country.

The Government could take a more joined-up approach to the issue. Three or four Ministers have some responsibility for sepsis in their portfolio. We need an approach that brings things together and a lead Minister to co-ordinate the work of their colleagues, and we need to sign up to the world sepsis declaration to reduce sepsis deaths by 2020. We need to make it a UK effort, but it is also a global effort; sepsis is a huge hidden killer around the world. Finally, we must consider how we can use commissioning within the NHS to drive forward the improvements that we all want.

Sepsis deaths can be reduced further. There are proven things that can be done, including implementing the sepsis six, that would have a huge effect on reducing avoidable deaths in the UK and would save the NHS considerable money. Sepsis is not only heart-breaking for families who have to watch otherwise healthy and fit young people, or people of any age, succumb rapidly to undiagnosed cases; it is traumatic for NHS staff who, due to a lack of education, sometimes feel powerless to give their patients the care they need or prevent those avoidable deaths.

We have made progress in the past 12 months. As one of the co-chairs of the all-party parliamentary group, I have been heartened by the extent to which the NHS has engaged with us on the issue. We must not lose that momentum. We must ensure that the issue continues to get the urgent attention that it needs.

[Sarah Newton]

Often, in debates on sepsis, we link in the issue of antibiotic resistance. Some very mixed messages can be sent out, particularly to people in general practice: they must prescribe fewer antibiotics to prevent antibiotic resistance, but they must prescribe antibiotics to prevent sepsis. However, I do not think that the issue is contradictory at all. As we deal with antibiotic resistance, we must understand that it and sepsis are intricately related. The two messages are actually aligned, as both campaigns encourage better and more appropriate antibiotic use.

I hope that in responding to this debate, the Minister will be able to address the specific challenges that I have set out and reassure me and all the parliamentarians with whom I am working that the issue remains of great importance to the Government and that the work of the ombudsman, the UK Sepsis Trust and parliamentarians through the all-party parliamentary group will be built on with great urgency in the months ahead.

11.14 am

The Parliamentary Under-Secretary of State for Business, Innovation and Skills (George Freeman): It is a great pleasure to serve under your chairmanship, Sir Edward. I congratulate my hon. Friend the Member for Truro and Falmouth (Sarah Newton) on securing this debate, and I thank her for bringing this issue to the House. I also thank the hon. Member for Coventry South (Mr Cunningham) for his helpful and supportive interventions. This is a chance to discuss an important issue. I know that the lack of colleagues here today is not a sign of disinterest; it is merely because the House is on a one-line Whip. I pay tribute to my hon. Friend for her campaigning work on the issue and her co-chairmanship of the all-party parliamentary group on sepsis, which is doing important work to raise the profile of this urgent condition.

Let me say at the outset that the information and case studies in the reports by the all-party parliamentary group and the parliamentary ombudsman make for sobering reading. I extend my regret and sympathy to the families affected by these preventable deaths, particularly the family of Sam Morrish. Every preventable death is a tragedy from which we must learn. I pay tribute to the important campaigning work of his family and others to improve sepsis care and treatment across the NHS.

We entirely accept that more can and should be done to address sepsis, paying particular attention to the points raised in the reports by the ombudsman and the all-party group. I am grateful to my hon. Friend for sharing the key points of her speech in advance. I will do my best to deal with all of them in the time available, but I hope that she will indulge me. If the clock beats me, I will write to her and deal with them all clearly in writing.

Colleagues should be in no doubt that the Department takes its responsibilities on sepsis very seriously indeed. In fact, sepsis is one of the few issues on which three departmental ministerial colleagues each have a specific responsibility for overseeing action. I take my hon. Friend's point about the need for co-ordination, and I will pass it on. The Under-Secretary of State for Health, my hon. Friend the Member for Central Suffolk and North Ipswich (Dr Poulter), covers sepsis management

in hospitals, and the Under-Secretary of State for Health, my hon. Friend the Member for Battersea (Jane Ellison), has responsibility for sepsis management in the community. In the House of Lords, Lord Howe covers sepsis management in hospitals.

Although I am standing in for my hon. Friend the Member for Central Suffolk and North Ipswich, who is indisposed this morning, coincidentally, only last week, when we went to the US to visit pioneering clinical innovators in the life sciences, one issue that we discussed was the early detection of sepsis through greater use of digital technology in community health care. Early diagnosis in that first hour is crucial. It is one of many areas in which investing in new technology, particularly data technology, provides a much higher chance of early intervention and thus of preventing complex and costly downstream complications. Point-of-care diagnostics are a crucial part of that, and I am mindful of that in my work on innovation.

Hon. Members will appreciate that although the Department is accountable to Parliament for health care, the delivery of that care is the responsibility of NHS England, the executive non-departmental public body responsible for overseeing the running of the NHS; Ministers no longer run the NHS. NHS England works with NHS staff, patients, stakeholders and the public to improve health outcomes for people in England. We hold NHS England to account through the mandate, which sets out its priorities. I am glad to say that sepsis is incorporated in the patient safety and premature mortality provisions of the mandate.

We all agree that we will have the greatest impact by focusing our efforts on improving the clinical management of sepsis by health care providers and ensuring a consistently high standard in sepsis care across the whole system. We are doing so through a range of initiatives, including better education and training in recognising the warning signs of sepsis; ensuring that trends in sepsis are monitored—that is where data becomes important—raising the profile of sepsis in the community; and ensuring collaborative working across the whole system.

In the period between the publication of the ombudsman's report in September last year and of the all-party parliamentary group's report in June this year, we made significant progress. For example, we have mandated that Health Education England must include sepsis in its work to improve the training and education of health care professionals. We have also ensured that sepsis is included as a key patient safety priority in the NHS business plan for 2015-16.

The NHS outcomes framework sets out the indicators that are used to hold the NHS to account for the outcomes that it delivers through commissioning health services. Sepsis is captured in the overarching indicator measuring potential years of life lost from causes considered "amenable to health care"—a clumsy phrase, but it is a statement of the importance attached to the condition. Reducing the number of deaths from sepsis is specifically included in that indicator.

NHS England is considering the range of commissioning levers that it will put in place for 2015-16. The commissioning for quality and innovation payments framework is one option. I cannot comment further at this point as internal discussions are ongoing, but we are conscious of the interest in a specific lever on sepsis.

NHS England has also initiated work to develop a consistent methodology for a robust, retrospective case-note review of deaths in hospital. That is part of further work to develop the NHS outcomes framework, which will offer a way of establishing much more accurately how many deaths are attributed to sepsis, identifying any shortcomings in sepsis care management, and feeding any improvements into local practice. That work is expected to be completed by 2016 and rolled out thereafter.

Regarding paediatric care, a children's sepsis summit is planned for tomorrow—15 October—as I am sure my hon. Friend is aware. It will bring together a range of national experts and key personnel from the south-west, particularly those involved in the review of the tragic case of Sam Morrish, to share learning and to set the direction for further work on the timely recognition and treatment of children with sepsis.

Furthermore, NHS England has developed a webinar series to promote greater awareness among clinicians of the actions to be taken to treat patients who are critically ill. Sepsis clearly features in this “deteriorating patient as a medical emergency” campaign; the first webinar in the series covered sepsis and was held on 17 September.

Regarding the timely recognition of sepsis, we fully endorse the work carried out by NHS England's surgical services patient safety expert group, its children and young people patient safety expert group, and the safety board of the Royal College of Physicians to roll out the “sepsis six” guidelines, to which my hon. Friend referred and which were produced in collaboration with Dr Ron Daniels. That has led to the development of a series of clinical toolkits for health professionals, which were launched by the UK Sepsis Trust.

To support the implementation of existing resources and guidance on sepsis, such as the sepsis six and the paediatric sepsis six, NHS England issued a stage 2 patient safety alert. I am advised that that alert has been cascaded to all trusts, social care providers, community providers and, via area teams, to GPs and public health directors in all local authorities.

Wider work to further the sepsis agenda includes initiatives to combat antimicrobial resistance more generally. While some might argue that there is a tension between limiting the inappropriate use of antibiotics to reduce the incidence of antimicrobial resistance and the provision of early antibiotics in cases of suspected sepsis, we would argue that those activities are complementary and do not cut across each other. The key issue is the appropriate use of antibiotics, which is common to both agendas, as each requires the appropriate use of antibiotics for the right patients at the right time.

It is also important to note that we have strengthened and updated a key resource on the appropriate use of antibiotics. This guidance, called “Start smart—then focus”, was originally published in 2011. We are currently consulting on an update, which is due to be published shortly. The resource has been updated to refer explicitly to sepsis, and to draw particular attention to the need to act promptly

“between the onset of sepsis-related hypotension and the administration of appropriate antibiotics”.

Equally importantly, it focuses on the need to initiate effective antibiotic treatment

“within one hour of diagnosis in patients with life-threatening infections”.

It also sets out clear guidelines on the need to review the clinical diagnosis within 48 to 72 hours, and to make a clear plan of action when additional information becomes available, such as new microbiological, radiographic or clinical data.

Let me turn to another point raised by my hon. Friend in the all-party group's report, which is the need to establish robust pathways to deal with sepsis. That is an absolutely key objective, which NHS England has been developing in conjunction with the UK Sepsis Trust. The action includes the development and publication of toolkits for acute medical units and emergency departments. The toolkits, which were published in September, identified organisational standards for the acute management of sepsis in both locations.

I understand that the UK Sepsis Trust is working with NHS England to establish sepsis exemplar sites, and to recognise publicly those providers that excel at the processes and behaviours that improve the early detection, diagnosis and delivery of interventions to patients. The “sepsis exemplar standard” initiative is to be welcomed, as it encourages joined-up thinking between health care units, which will help to strengthen further the provision of seamless care for critically ill patients.

The programme is expected to include three phases. The first phase is the accreditation of excellent emergency departments, which will identify departments with traditionally strong links with primary care, pre-hospital systems, acute admission units and critical care, and which have demonstrated willingness and drive to improve sepsis care and an engagement with sepsis-related audits, changing improvement strategies and improving data collection.

The second phase is the accreditation of further health care units. Following the pilot testing for emergency department standards, and building on lessons learned in creating those standards, it will involve the development of accreditation plans for other health care units, such as ambulance trusts, in-hospital critical care outreach or sepsis teams, and acute medical units prior to expansion in other areas. The final phase is the assigning of exemplar unit status as part of our commitment to demonstrate best practice.

I turn to the National Institute for Health and Care Excellence, which my hon. Friend mentioned and for which I have ministerial responsibility. Of course, we recognise that we need to support NHS colleagues in addressing sepsis with the provision of comprehensive and up-to-date guidelines, so in April we asked NICE to develop such guidelines to aid the recognition, diagnosis and management of severe sepsis. These guidelines are under development and will be comprehensive and thorough. They are scheduled to be published no later than July 2016, but I hope they will be published much earlier than that.

Sarah Newton: At the Public Administration Committee hearing, frustrations were demonstrated by Committee members, which I certainly share, about the fact that a “90% good” NICE guideline would begin to save lives and that the time that NICE is taking to get this guideline 100% right is allowing preventable deaths to continue. I urge my hon. Friend the Minister to go back to NICE and say that, while it is important that whatever it does is excellent and should be based on the best available evidence, in the meantime the delays in developing guidance are costing lives.

George Freeman: My hon. Friend makes an excellent point, which I will pick up. NICE rightly prides itself on making thorough health assessments, but it is equally important that we get the right guidance out quickly. I will raise her point with NICE.

I will touch on data collection, because we will also fund work by Public Health England to improve the data collection mechanisms in emergency departments. Awareness-raising is also important, and there are two key initiatives in that regard. First, the “Sign Up to Safety” campaign was launched by my right hon. Friend the Secretary of State in June. It has a three-year objective to halve avoidable harm in the health care system, and to save 6,000 lives. It is for everyone in the NHS, and will include information on sepsis.

The second initiative to publicise sepsis will be part of Public Health England’s work on this year’s European antibiotic awareness day on 18 November. Social media messages will highlight the importance of the appropriate use of antibiotics, to ensure that they are effective for the treatment of infections such as sepsis, and there will be a number of other measures as part of that campaign.

We have also commissioned work to revise the code of practice in the Health and Social Care Act 2008 on infection prevention and control to strengthen provisions on the diagnosis, treatment and management of multi-drug resistant infections and severe sepsis. That code will be used by regulators such as the Care Quality Commission and Monitor as part of their inspection regime.

Finally, I will touch on the world sepsis declaration, which sets a number of targets. We are not in a position to sign up to the declaration, but we support the intention behind it and we are considering supporting it in future.

In conclusion, I thank my hon. Friend for bringing this matter to the attention of the House this morning and for giving us a chance to raise awareness of this important issue. I hope that the measures that I have scuttled through at speed give some indication of the concerted effort given to treating this important condition, not only by the Government but by NHS England, Public Health England, NICE and other agencies, to try to get on top of it. Above all, we owe the families of those patients who have lost their life as a result of sepsis nothing less than a robust and comprehensive response to the threat that sepsis poses. For their sake, and for all patients who entrust their care to our health care services, we are determined to ensure that lapses in the recognition and treatment of sepsis are minimised, and the provision of safe patient care remains paramount.

11.29 am

Sitting suspended.

Foetal Alcohol Syndrome

[MR ANDREW TURNER *in the Chair*]

2.30 pm

Bill Esterson (Sefton Central) (Lab): It is a pleasure to serve under your chairmanship, Mr Turner. I hope that, like me, having done lots of research on this subject, you will have discovered how important it is and why it is so important that we are debating it this afternoon. I hope that there will be commitments from the Government on concrete action.

Last Thursday, Sir Al Aynsley-Green published on Opendemocracy.net a fantastic letter describing what goes on elsewhere to address problems caused by drinking during pregnancy. The title of his article is “If you could prevent brain damage in a child, would you?” Everybody is going to answer yes to that, but are we preventing brain damage in children? At the moment, there is a large question about whether we in this country are doing enough to prevent such brain damage.

I am going to give the Minister a bit of warning about what I am looking for from her in this debate. I should like her to reiterate the Government’s advice for pregnant women. Is that advice not to drink at all during pregnancy? Will she say what actions the Government are taking to ensure that women and their partners are fully aware of the risks and that society as a whole is aware of the risks? What is her view of and attitude to the potential for mandatory labelling of alcohol products, as in France?

I understand that, at the moment, the Government say that women should not drink at all during pregnancy, but that, at the same time, they say that women who do not want to stop drinking altogether should have only one or two units a week. Some would say that this is contradictory advice. We will return to what the advice should be and discuss whether there should be different advice and whether there is indeed a safe limit.

Kelvin Hopkins (Luton North) (Lab): I congratulate my hon. Friend on securing this debate. Does he accept the recent evidence that suggests that even moderate drinking has an effect on IQ in babies and that the wise advice is that there should be no drinking at all during pregnancy?

Bill Esterson: My hon. Friend makes a point about whether there is a safe limit, and I will discuss that. From the evidence I have looked at, my conclusion is that we cannot possibly say that there is a safe limit and that the advice should be no alcohol during pregnancy.

The National Organisation for Foetal Alcohol Syndrome UK tells us that there is no way to know for sure what impact drinking alcohol might have on an unborn baby. The same point is made by the British Pregnancy Advisory Service. According to the NOFAS, alcohol could have different effects at different times during pregnancy, and it might affect one baby but not another. We know that heavy drinking and binge drinking during pregnancy could increase the risk of foetal alcohol spectrum disorder, but, as I say, we do not know what the safe limit is. My hon. Friend makes the point that the best advice is to

abstain completely. According to the NOFAS, at any stage of pregnancy a woman can benefit her baby by avoiding alcohol.

Foetal alcohol spectrum disorder is an umbrella term that covers foetal alcohol syndrome, alcohol-related neurodevelopmental disorders, alcohol-related birth defects, foetal alcohol effects and partial foetal alcohol syndrome. When a pregnant woman drinks, the alcohol in her blood passes freely through the placenta into the developing baby's blood. Because the foetus does not have a fully developed liver, it cannot filter out the toxins from the alcohol as an adult can. Instead, the alcohol circulates in the baby's bloodstream. It can destroy brain cells and damage the nervous system of the foetus at any point during the nine months of pregnancy. Those findings have been backed up by research done around the world.

The effects on a child can be mild or severe, ranging from reduced intellectual ability and attention deficit disorder to heart problems and even death. Many children experience serious behavioural and social difficulties that last a lifetime. Although alcohol can affect the development of cells and organs, the brain and nervous systems are particularly vulnerable. We cannot see the neurological brain damage that is caused, but there are a number of invisible characteristics in babies born with FASD, which include attention deficits; memory deficits; hyperactivity; difficulty with abstract concepts, including maths, time and money; poor problem-solving skills; difficulty learning from consequences; and confused social skills. There are also a number of possible physical effects, including smaller head circumference, linked to smaller brain size and brain damage; heart problems; limb damage; kidney damage; damage to the structure of the brain; eye problems; hearing problems; and specific facial characteristics.

Some studies suggest that 1% of live births in Europe are affected by FASD. Many children born with FASD are not diagnosed or do not receive a correct diagnosis, which makes calculating the prevalence of the condition extremely difficult. Because there is no proven safe level for alcohol consumption during pregnancy, the only risk-free approach is to avoid alcohol completely during pregnancy, when trying to conceive and when breastfeeding. In considering whether a child has FAS, it is also true that they can be very loving, friendly, gregarious, outgoing and trusting—all good traits—but without a sense of balance these traits can often leave them open to being taken advantage of and abused by others. It appears that there is no cure but there are actions that can help, including early diagnosis; support for families; health monitoring; therapy and medication; support and safety at home; strong boundaries and routines, allied to flexibility from carers; simple instructions; and training and support in social skills. Above all, prevention is key. There should be better awareness so that fewer women drink in pregnancy, and that means providing more advice and support for vulnerable groups of young women. Drinking among young women has increased, so there needs to be better understanding among young women generally.

Yvonne Fovargue (Makerfield) (Lab): Is my hon. Friend aware of the work done by Gloria and Peter Armistead, from my constituency, who founded FAS Aware? They have a two-pronged approach, educating young women

in schools about problem drinking and providing a wonderful booklet for teachers and pupils on diagnosing and working with children with foetal alcohol syndrome. Gloria was awarded an MBE for her work in this area.

Bill Esterson: I thank my hon. Friend for mentioning the excellent work done by her constituents. I, too, praise them and many others who have done such good work to raise awareness of the condition, the risks and the need for action.

On the issue of greater awareness, the Education Committee is about to start an inquiry into personal, social and health education. What better subject for children at school to learn about than the dangers of drinking in pregnancy? I hope that my comment is taken on board by my fellow Committee members when we consider what to look at during that inquiry.

Al Aynsley-Green describes sitting in a class of seven-year-olds in Canada:

“What do you never drink when you have a baby in your tummy?” asks the facilitator. “We never drink alcohol, Miss,” chorus the children.”

That level of awareness at that age is in stark contrast to anything that happens here. He then mentions a conference in Toronto on prenatal alcohol exposure, attended by several hundred scientists, clinicians, lawyers, parliamentarians and lay people. Emily is 16 years old and has severe learning difficulties. She stood alongside her twin sister, courageously describing what it is like to be affected by the alcohol drunk by their Russian birth mother before they were adopted by their Canadian family. Emily described social isolation, bullying, fidgeting, impulsivity, distractibility, loud noise intolerance and poor concentration, which makes learning difficult.

Canadians take the impact of alcohol before birth seriously. Federal and provincial governments are convinced that prenatal alcohol causing foetal alcohol spectrum disorder is the most important preventable cause of severe brain damage in childhood. It affects affluent families and aboriginal people. Less badly affected children exhibit poor behaviour in their schools and communities and populate the prisons. Canadians express incredulity that the economic cost, let alone the human cost of the syndrome, has not been grasped by politicians in England.

Mr Barry Sheerman (Huddersfield) (Lab/Co-op): In that Canadian classroom, the children might well, if my Canadian experience is anything to go by, have also been shouting, “And no drugs and no smoking too.” That is important. I know that the debate is not about that, but it is linked, is it not?

Bill Esterson: Indeed it is. Awareness of the dangers, particularly of smoking during pregnancy, is much higher. Why, when we know what we know about smoking and the damage it causes to the unborn child, would we not ensure that the same level of awareness is in place for alcohol?

We have known about the dangers of alcohol to the foetus for a long time. Judges 13:7 says:

“Behold, thou shalt conceive, and bear a son; and now drink no wine or strong drink”.

Aristotle wrote about the effects of women drinking during pregnancy. Sir Francis Bacon advised women not to drink during pregnancy. The gin epidemic saw a

[Bill Esterson]

rise in birth defects in Britain in the 1700s. The infant death rate was 20% higher for alcoholic women in prison in 1899 as compared with the rest of the population. Distinct facial characteristics were noted by French researcher Dr Paul Lemoine—I apologise for the pronunciation—who studied families where mothers drank a lot in pregnancy. The term “foetal alcohol syndrome” was first used by English researchers Jones and Smith in 1973.

There has been extensive preventive and clinical work in Canada, the United States and Australia. In 2007, Lord Mitchell’s private Members’ Bill called for it to be mandatory for alcohol sellers to display warning labels. That was seven years ago, and it has not happened yet. We saw recent success when legislation on smoking in cars with children present was passed. The Minister was heavily involved, and I commend her for her work on that. Perhaps we can persuade her to do the same on the labelling of alcohol.

At the severe end of the spectrum, there are some 7,000 live births of children with foetal alcohol syndrome each year in the UK, with three or four times as many babies born with the wider foetal alcohol spectrum disorder. There is, however, a suggestion of under-diagnosis, as symptoms are similar to those resulting from such conditions as attention deficit hyperactivity disorder or autistic spectrum disorder. The neglect of children who end up in care or being adopted can also produce behaviours that are similar to those seen with foetal alcohol spectrum disorder. The combined effects of neglect and FASD can make life difficult for children in care and those around them.

Diagnosis among some groups can be difficult. As the parent of two adopted children, I have no idea whether their birth mother drank during pregnancy. As a result, behaviours consistent with foetal alcohol spectrum disorder, which my children exhibit, could be due to neglect or alcohol consumption during pregnancy or both or neither. There is no way of knowing. The point is that we have to raise awareness, because we have to reduce risk. The education and development needs of this group of children are specialised. I refer the Minister to the research and ask her to look further at what is needed and just how demanding it is to enable children with foetal alcohol spectrum disorders to achieve their potential, given their difficulties in learning and in relating to others.

In 2009, the National Organisation for Foetal Alcohol Syndrome said:

“Teachers and teaching support staff will undoubtedly meet children with FASD in their classrooms. They need to know how to respond to their learning needs effectively, enable them to maximise their potential, improve their life chances and take their places alongside their mainstream peers as citizens...FASD now accounts for the largest, non-genetic group of children presenting with learning difficulties/disabilities. The difficulties that children face in the classroom epitomise that much-used phrase ‘complex needs’... Their unusual style of learning and their extreme challenging behaviour is out of the experience of many teachers”—
and support staff—

“and, as there is significant shortfall in guidance for teachers on how to educate children with FASD in the UK, teachers find themselves ‘pedagogically bereft’.”

We have to look at how we can reduce the number of children with FASD. Advice that says that someone may want to stop could and should be harder hitting.

As my hon. Friend said, drinking while pregnant will harm the baby, just as smoking does. The private Member’s Bill introduced by Lord Mitchell in 2007 called for mandatory labelling. In 2005, the French Government made it a legal requirement for alcohol to display a warning for pregnant women on the container. The French research quoted the same dangers, research and risks as I have. Crucially, alcohol, according to the French research, can affect the brain at any stage of pregnancy. There is no safe level. The advice in France is that the safest option is no alcohol during pregnancy. That comes from the alcohol project manager at the National Institute for Prevention and Health Education. It faced a lawsuit in 2004, and later that year moved to change the law. In 2005, the law was changed. In France, it now says on bottles of alcohol that the consumption of alcoholic drinks during pregnancy, even in small amounts, may have serious consequences for the child’s health. There is also the symbol of a pregnant woman drinking in a red circle with a red line through the centre. Why do we not have that here?

The Under-Secretary of State for Health, the hon. Member for Central Suffolk and North Ipswich (Dr Poulter) was on the Health Committee in 2012. At that time, he was quoted as saying that there should be better warnings on the dangers of alcohol. He and others in the medical profession have warned of those dangers for some time, including those posed by drinking during pregnancy. He called for greater publicising of the dangers to raise awareness. As a Minister—along with his colleagues, whom he can advise—he is in a better position to act than he was in 2012.

Last week, the British Pregnancy Advisory Service raised concerns about the impact on pregnant women of the recent publicity on this issue, of which there has been a significant amount in recent months. The BPAS said that women are considering abortions because they fear they may have harmed their unborn child before they realised they were pregnant. It stated that occasional binge drinking was unlikely to cause harm to the baby. From the research I have looked at and the evidence available to us, it is true that binge drinking may not harm a baby, if it happens on occasion, but the trouble with that advice is that there is no way of knowing which babies will be harmed. The concern raised by the BPAS should not be taken lightly. It says that media coverage has caused panic among some pregnant women. That is the last thing that anyone who takes an interest in this issue wants, but, equally, there is a danger that playing down the risks of damage from foetal alcohol spectrum disorders could lead to some women continuing to drink, thinking it is safe when it is not. The BPAS points out that half of pregnancies are unplanned, so many women do not know that they are pregnant, meaning that many women will be drinking alcohol while pregnant. I agree that women should not be alarmed as there is nothing that can be done about what has already happened. However, if greater awareness of the risks can reduce the number of women drinking while pregnant in future, which is the experience in other countries, that must be a step forward.

Kelvin Hopkins: My hon. Friend is making a thoughtful speech. He spoke of unplanned pregnancies. The high level of teenage pregnancies in this country is a serious problem. The number is reducing, but it is still high.

Young women who may have been drinking and then become pregnant following unprotected sex and are unaware of that may carry on drinking on a regular basis and cause terrible damage to their babies.

Bill Esterson: That is an incredibly important point and is why what Sir Al Aynsley-Green and others have said about Canada is so important. We need to increase awareness among much younger children about the possible damage, so that at the very least young women have the facts available to them. Many other measures are needed to make young women, and young men, aware of concerns around teenage pregnancy.

In 2008, Lord Mitchell proposed that labels on alcoholic drinks should say, "Avoid alcohol if pregnant or trying to conceive." Some will say that that will not necessarily help the women referred to by the BPAS who are not planning to become pregnant, but it will help those who are planning a pregnancy. I wonder how many other women will consider whether they should drink alcohol if they see the advice and how many men may reiterate the advice and increase awareness, which is what has happened in France. This is not just about women. Men have an important role to play in supporting women, and education of the dangers should target men as well as women. Lord Mitchell also gave the example of tobacco labelling as a good reason for making labelling a legal requirement and not a voluntary code. The damage done to children by alcohol and the damage done by smoking are both important and deserving of maximum attention. I mentioned before the Minister's support for banning smoking in vehicles with children, so I hope that she will agree when it comes to the labelling of alcohol.

"Foetal alcohol spectrum disorder and foetal alcohol syndrome are completely preventable intellectual and developmental deficits in individuals, resulting from maternal consumption during pregnancy."

Those are the words of the National Organisation for Foetal Alcohol Syndrome. The time has come to listen to those words and for greater action to reduce the number of children who suffer from foetal alcohol syndrome and the wider spectrum of foetal alcohol disorders to ensure that women in particular have greater awareness of the risks and to ensure that children, families, school staff and all those trying to cope with the results of FASD get more of the support that they need. Some women become pregnant and do not drink alcohol and are giving the best protection against FASD. However, some women drink while pregnant unaware of the risks, and some drink while pregnant unaware that they are pregnant. A further group chooses to drink while pregnant and aware of the risks. Different strategies are required for each group, but it is clear that reducing the number of women who drink alcohol while pregnant is the right way forward and that should be where policy is directed. I have suggested labelling, greater awareness and education at school, and I look forward to hearing the Minister's suggestions.

As I said earlier, the Canadian federal and provincial governments are convinced that FASD is the most important preventable cause of severe childhood brain damage. The time has come for our Government to decide whether they agree with that statement and whether they will take the necessary action.

2.54 pm

Tracey Crouch (Chatham and Aylesford) (Con): It is a pleasure to serve under your chairmanship, Mr Turner. I congratulate the hon. Member for Sefton Central (Bill Esterson) on bringing forward an incredibly important debate at a pivotal time, when political parties are considering alcohol-related issues and how they might form part of our election manifestos. The problems are important to many people out there.

I cannot yet speak from my own experience, but I imagine that there can be no more exciting time for a family than when they are bringing a child into the world. There is all the expectation and preparation throughout pregnancy; there are the classes that future mums and dads go to, with varying degrees of enthusiasm; there is the need to make the home baby-proof for the arrival of the newest member of the family; and there is an endless amount of information read and digested in preparation for becoming parents. That is all part of the nervy but exciting process that millions of parents go through each year. They take every precaution that they can to ensure that they give their child the best and healthiest possible start in life. Why, then, is there an ongoing problem with children being born with foetal alcohol syndrome disorder?

FASD refers to several diagnoses of permanent brain damage and can vary in severity from case to case. It could affect up to one in every 100 babies in England. One thing that does not vary from case to case is the fundamental cause: pre-natal exposure to alcohol, or the alcohol intake of women during pregnancy. We need to be careful, as the hon. Gentleman said, that we do not demonise or frighten women who may have drunk before they realised that they were pregnant, but that is not a reason for us not to discuss the issue.

The prevalence of FASD is particularly concerning because the link between pre-natal exposure to alcohol and FASD is quite clear. Expectant mothers can prevent it by taking precautions when it comes to drinking alcohol, as of course many do. No expectant mother in possession of all the facts would wilfully jeopardise the health of their unborn child by not taking precautions, so why is FASD still a problem? I would respectfully say that one thing missing from the hon. Gentleman's speech was the point that there is a generational issue here. Many people with children of child-bearing age will say to their young daughters, "I smoked and drank throughout my pregnancy and you turned out fine," but there is a difference in consumption. My parents did indeed drink and smoke while pregnant with me, and I turned out fine, or so I would argue; my parents might disagree. Their level of alcohol consumption was different from the level that women are consuming these days.

FASD is at root poorly understood, and little has been done by way of meaningful study into it. Our understanding of the true scale of the problem is limited, and it is feared, with some justification, that those diagnosed with FASD are just the tip of the iceberg. Nobody knows just how bad the situation is, and how bad the rate of misdiagnosis is among children who display similar symptoms, such as those associated with autism. The misdiagnosis of a child's symptoms can have a severe impact on their development, and that really needs to be addressed. Even with this relatively limited understanding, knowledge of what to do about FASD and awareness of the dangers of drinking alcohol

[Tracey Crouch]

during pregnancy are patchy. There is so much conflicting information out there for expectant mothers, and so much uncertainty about what might be safe to drink and when. Some sources say not to drink at all. Some say that one glass of wine a week is fine. Some say that one glass of wine a day is fine. The messages are inconsistent, which is a major problem. That is not good enough, and while there is uncertainty in our understanding and in the messaging around FASD, nothing will change.

The all-party parliamentary group on alcohol misuse, which I chair, often discusses the lack of co-ordination in tackling alcohol-related harms. Whatever the topic, one of the key solutions to which we always return is raising awareness and education, which can succeed only if we know the facts. When it comes to policy, we talk of nothing being a silver bullet; in this instance, except in extreme cases, investing in a full-scale, holistic campaign to raise awareness of FASD, based on a full and proper study, is as close as we will get.

As often appears to be the case with alcohol and health policy, the Government could and perhaps should look to Canada for ideas and guidance on how to tackle FASD. In Canada, there is already much greater understanding of and emphasis on the risks associated with drinking while pregnant. As the hon. Gentleman said, warning statements are visible in pubs and clubs, and containers carry an explicit message about the dangers of drinking alcohol when pregnant.

The all-party group published a manifesto in August that set out key commitments that we would like all three political parties to adopt in their 2015 manifestos. One such measure was to support further health warnings on all alcohol labels. That commitment was considered rather controversial; as chair of the group, I got quite a lot of criticism for suggesting that alcohol bottles should carry better health warnings, as if that somehow infringed people's civil liberties. In fact, having better information on alcohol labels enhances people's liberties, because it gives them the right information.

Kelvin Hopkins: The hon. Lady makes an important point. Does she not suspect, as I do, some influence from the drinks industry, which is trying to calm fears that alcohol causes problems for babies?

Tracey Crouch: I will not criticise the drinks industry fully, because it is trying to improve its labelling. It is strongly committed to having better labels on its products. The problem is the inconsistency in labelling, not least depending on whether the product was imported or produced here in the United Kingdom. Before the APG manifesto announcement, I looked at the wine bottles in my house; there were, for example, differences between French bottles of wine, which had a warning label and an image of a pregnant lady, and Chilean bottles of wine, which had nothing on them.

As the hon. Member for Sefton Central mentioned, other countries have labels that include the Surgeon General's advice. We do not have anything as specific as a consistent message on all our alcohol products. While one might appear on some bottles of wine, there is no such warning on bottles of beer, given the assumption—untrue, as we know—that women do not

drink beer or lager products. We need to learn a lesson from Canada, which has much better labelling, which is focused on pregnant women in particular and better targeted.

The APG manifesto also stated that we would like commitments to introducing mandatory training on FASD for all social workers, midwives and health care professionals. Interestingly, 23% of midwives are not aware of the guidelines on alcohol, and only 59% were comfortable asking about alcohol consumption. People are nervous about asking pregnant women what their alcohol consumption is, in case that somehow offends them or perhaps concerns them unnecessarily, but we have to get to grips with asking the difficult questions, so that the right advice can be given to pregnant women.

If we are to understand FASD better and to reduce its prevalence, those who come into contact with pregnant women who might be drinking alcohol play a crucial role in making brief but important interventions to give good, accurate and consistent information. Ensuring that those people are trained sufficiently and are confident enough to make those interventions would be another welcome and logical step in preventing FASD, or at least in enabling us to spot the signs and give an accurate diagnosis.

I am conscious that the debate is on FASD, but I wish to touch on the wider problem of alcohol misuse. Without doubt, more needs to be done to tackle binge drinking and alcohol-related harm in the UK. It is not difficult to assume that, in a country where alcohol is consumed in large quantities, that might have some influence on the prevalence of FASD. If we can get our approach right to tackling alcohol misuse more generally from the start, especially with young women who binge drink, we could see a drop in the number of FASD cases.

I was surprised to learn that 18% of women still binge drink while pregnant. Binge drinking is defined as drinking six units or more in one session, which is two large glasses of wine. Until we have a thorough understanding of how little alcohol it takes to put unborn children at risk, we will not make adequate progress. Although some people will disagree with some of the policy measures proposed in the alcohol misuse group's manifesto, the entire package of measures sought to address alcohol misuse as a whole. That is relevant to the debate, and I hope that the Government will consider that.

In conclusion, FASD is preventable and its prevalence should be reduced. As I mentioned earlier, save in some extreme cases, I do not believe that any women would jeopardise the health of their unborn child if they knew all the facts. It is therefore essential that we establish the facts and invest in resources now to raise awareness throughout our society. I am interested to hear what the Minister has to say on where we are on developing a coherent strategy to tackle FASD, because it being poorly understood is not a reason to delay action. Let us put in the resources, get the issue understood and deliver meaningful measures, such as those outlined thus far today.

Several hon. Members rose—

Mr Andrew Turner (in the Chair): There are four speakers, with 35 minutes available; you can do your own arithmetic.

3.6 pm

Mr Barry Sheerman (Huddersfield) (Lab/Co-op): It is a pleasure to serve under your chairmanship, Mr Turner, as you used to serve under my chairmanship.

I have been interested in this subject for a long time. I am a trustee of the National Children's Centre, which is based in my constituency, and part of the initiative to form a new children's commission. Also, for quite a long time I was Chair of the Select Committee on Children, Schools and Families.

I have to say one slightly party political thing: I still deplore the smaller emphasis placed by the coalition Government on children's issues. We have a junior Minister, but we should have a Secretary of State and a whole Department. I thought that the Department for Children, Schools and Families was a breakthrough Ministry, and I am sorry that it is much diminished, although I have a lot of respect for some of the ministerial team, as colleagues know. Today, however, there is relative neglect of children's issues.

I have some practical experience of children: three daughters, one son and nine grandchildren under the age of 10. We are quite a tribe when we are all together. When my wife and I had children, we were aware that we should not drink too much—she said that she should not drink too much—but my generation thought that a little bit of alcohol was all right. That was wrong, but luckily we survived and had healthy children. My daughters, however, never drank during pregnancy.

My hon. Friend the Member for Sefton Central (Bill Esterson) made a brilliant speech, but the speech by the hon. Member for Chatham and Aylesford (Tracey Crouch) was also thoughtful. She mentioned the growing consumption of alcohol by women. Only the other day, I chaired a session—one of those irritating breakfast meetings—by the Parliamentary Advisory Council for Transport Safety, or PACTS, on women and alcohol, and it was explained to us that the likelihood of a man being caught for drink-driving has plateaued for some years, but the figures for women are going up fast.

A senior policewoman from one of the home counties, or perhaps Hampshire, stood up at that breakfast meeting to say, "We have done a study of all the pubs by going in and asking for a small glass of wine, and they all said, 'No, we only do medium and large.'" Three large glasses of wine in a pub is a bottle of wine. Many of the women pulled over by the police, according to that policewoman, would say, "I have only had two glasses", but that means that they have had two thirds of a bottle of wine. With the drinks industry trying to increase sales, many more women are drinking high levels of alcohol. Is that binge drinking? Most of the people whom we describe as binge drinkers would not think that they were binge drinkers. Yes, they have a couple of large glasses of wine, but they have learned to feel that that is relatively normal.

There is one point I will take issue with. Why not scare people? When we campaigned for seat belts, against drink-driving and on the dangers of smoking, there had to be a bit of fear. We have to change the culture. If someone went into a pub now and said, "I'm only going to have a couple of pints, and then I'm driving home—I'm a better driver when I've had a couple," they would be excluded from the pub and their local community, because that is not acceptable. We have to have a little element of fear to get over the message that people who

drink while pregnant are damaging their unborn child. The message has to be very strong; it has to be from the Department of Health and all the other Departments, and it has to be loud and clear.

Let us not pussyfoot about on this—you and I do not pussyfoot about, Mr Turner. Let us be honest: people from more disadvantaged backgrounds—poorer people—drink more than other people during pregnancy. That is the truth, and we have to accept it; otherwise we cannot get the message across. Of course, a lot of middle-class women drink, but more middle-class women tend to give up drinking when they are pregnant. However, a lot of people who have copied middle-class role models over the years and who are drinking are not seeing the danger signs during pregnancy.

Bill Esterson: The point about women from disadvantaged backgrounds is right, but is my hon. Friend aware of some of the research from the United States? In some studies, mentoring of women in at-risk groups has led to something like a 50% reduction in drinking during pregnancy in cities across America. Does he agree that that is the kind of bold action we need here?

Mr Sheerman: My hon. Friend is absolutely right. I love that sort of idea, because it is holistic. We have to go right across the piece—mentors, health visitors and GPs. GPs should wake up. For goodness' sake, what are they doing if they are not telling pregnant women, "Do not drink when you are pregnant"? I despair when I see the level and quality of advice from some GPs, who should be telling women in very firm terms about the damage they could do to a little child.

Mr Robin Walker (Worcester) (Con): I apologise for missing the opening comments in this important debate. The hon. Gentleman mentioned GPs. Does he agree that it is important that there should be clinical leads on FASD in each part of the country? I met the clinical lead on FASD in Worcester, along with Richard Procter of the FASD Trust, to talk about the issue. We should build up clinical leads so that they can make sure that best practice is shared among GPs and other health groups. That is one way we can make sure that there is a better approach to this issue.

Mr Sheerman: The hon. Gentleman is right, but he tempts me to make the political point that getting a message to local health people now is very complex. I used to be able to pick up the phone to one person—the trust's chief executive—and have a conversation about health in Huddersfield. Now, I have to make about seven phone calls to get any sense of a holistic approach to anything. I admit that that is a bit of a snide reply, but we must make things as holistic as possible.

We must get the drinks industry involved. Why do we not have the sign my hon. Friend the Member for Sefton Central mentioned—the red slash across the pregnant woman with the glass of wine? Why can we not, as we did with the tobacco industry, get industry, the pubs and the restaurants on our side? Why can we not get the schools on our side? Where are the schools in all this? We must tackle this issue across the piece, and we must have one consistent message: do not consume alcohol, drugs or tobacco when you are pregnant.

3.13 pm

Jim Shannon (Strangford) (DUP): I congratulate the hon. Member for Sefton Central (Bill Esterson) on bringing this issue forward for consideration. The debate is long overdue. Now is a good time to air this matter, and Members have done that. I am pleased to also be able to make a contribution.

Foetal alcohol exposure is the most important preventable cause of severe brain damage in babies and children. For that reason, we should debate the issue and highlight it. Drinking while pregnant can cause miscarriage, stillbirth, premature birth and low birth weight. Furthermore, children with FAS have distinct facial features as a result of their mother drinking alcohol.

FAS can result in hearing problems, mouth and teeth problems, a weak immune system, epilepsy, liver damage, kidney and heart defects, cerebral palsy and other muscular conditions, height and weight issues, and hormonal disorders. Those clear health issues are preventable, which is why the debate is important for a number of reasons. First, as all the Members who have spoken have said, we should educate people. However, there is also the saving to the NHS from promoting prevention, and I will return to that.

The effects do not stop with those I listed. The invisible effects include attention deficit, memory deficit, hyperactivity and difficulty with abstract concepts such as maths, time, and money, to name just a few. People can also experience difficulty solving problems, as well as poor judgment, immature behaviour and confused social skills. We have to question why any mother would want to drink during pregnancy if she was made aware of all those horrendous effects.

Normally, there is no way of preventing a genetic condition from passing from parents to children. This is the only disorder that can be completely prevented by the mother's actions. We therefore have to educate mothers and ensure they are aware of the issue. Some mothers may not be fully aware of the impact of what they are doing, which is why we have to look at this much more generally.

Most women are aware that they are not advised to drink alcohol when pregnant. For example, a 2007 report by the British Medical Association—a much respected organisation—concluded that women who are pregnant or who are considering pregnancy should be advised not to consume any alcohol. However, I fear that women are not always aware why they are advised not to drink or just how serious the dangers are for the unborn baby.

The hon. Member for Huddersfield (Mr Sheerman) referred to the need for the drinks industry to take specific issues on board. He also mentioned the need for GPs to—this is not a pun—harp on more about this issue and to be more aware of it. It is important that the serious dangers for the unborn baby are underlined.

When a pregnant woman drinks, the alcohol travels directly across the placenta to the foetus via the bloodstream, and the physical impact is clear. The foetus's liver is not fully formed and cannot metabolise the toxins out of its system quickly enough. That leaves the foetus with a high alcohol concentration in its body, which causes a lack of oxygen and of the nutrients needed for the brain and other organs to grow properly. Those are the medical

facts about what happens. If those were known to all pregnant mothers, I believe they would take steps to ensure they did not drink.

It is clear that alcohol should not be consumed even when couples are trying to conceive—the hon. Members for Sefton Central, for Chatham and Aylesford (Tracey Crouch) and for Huddersfield all referred to this—because a woman may not be aware that she has become pregnant in the initial weeks of the pregnancy. It is in the first three months of pregnancy that drinking damages babies' organs, and it is during the first six to nine weeks that babies' facial features are formed, so mothers who drink in that three-week window are more likely to have babies with deformities. Again, no mother wants that to happen. The question is how we ensure these things do not happen, and I am sure the reply from the Minister, by whom I am always impressed, will help us feel a bit more reassured.

The problems I have just set out are another reason why it is vital that women do not consume any alcohol at all at any point in their pregnancy, and that includes when they are trying to get pregnant. Perhaps the saddest thing about FAS is that it is the biggest cause of non-genetic mental handicap in the western world, but it is the only one that is 100% preventable.

In response to a question in October 2013, the Minister referred to the Government's strategy. When she replies, perhaps she can give us some indication of what point the strategy has reached. There must be a way of measuring its success. Is it measured on the figures the Minister has? I would be keen to hear her thoughts on that.

The number of diagnosed cases of FAS has tripled since records about the condition were first kept 16 years ago. In 1997-98 there were 89 cases, in comparison with 2012-13 when there were 252, so clearly there is a problem. Figures for the UK are unknown at present, but international prevalence studies in the US, Canada, Finland, Japan, Australia and Italy show that at least one in 100 children is affected. That would mean between 6,000 and 7,000 babies a year born with FASD in the UK.

It is little wonder that figures show 98% of midwives agreeing that FASD and the dangers of drinking during pregnancy are a subject that should be mandatory for all practising midwives. I agree. Some midwives feel that the subject is taboo, and that they should not mention it. According to the figures, only 59% of midwives are comfortable asking pregnant women about alcohol. They should not be uncomfortable about something they do to prevent disability in a baby. The subject should be on the table for discussion early in pregnancy, to make sure that the mother knows.

The issue is a serious one, as the figures show, where there can be serious consequences. As has been noted, FASD is the only non-genetic handicap that is completely preventable. There is no doubt in my mind that we need to raise awareness of foetal alcohol syndrome. Some UK statistics are worrying, indeed. For example, recent analysis carried out at Brighton and Sussex university hospitals showed that between 80% and 90% of women of childbearing age drink regularly; 25% of people aged 18 to 25 and 21% of those aged 26 to 44 drink more than 14 units of alcohol per week; and 15% to 20% of those continue drinking during pregnancy, even though they know it is dangerous. Those are truly shocking

figures about a serious problem, but I believe they would drop if more campaigns about FAS were started. I appreciate that the economic climate is difficult, and it is not always easy to fund new campaigns, but it is estimated that it costs us £2.5 million, based on 813,000 births each year, to help those who are living with FASD. Surely any short-term costs that would help to raise awareness and drive down the number of sufferers would be a long-term benefit, both financially and socially.

Canada leads the way in treating and campaigning about the dangers of foetal alcohol syndrome. For example, it is discussed in parenting programmes for four to 11-year-olds, ensuring that the message about not drinking during pregnancy is ingrained in the minds of the new generation. Not only that, but posters about foetal alcohol syndrome are displayed in various public places, including train stations, airports, surgeries and shops. We could do that, equally. Although large sums of money are set aside by various provincial governments each year, proponents argue that preventing FASD in just 10 babies a year saves enough money to fund the services. Undoubtedly that is the way forward for us in the United Kingdom of Great Britain and Northern Ireland.

As hon. Members know, health is a devolved matter in Northern Ireland, and I want to ask the Minister whether consideration has been given to a campaign that would encompass the whole United Kingdom. We must address the issue in England, Northern Ireland, Scotland and Wales.

3.23 pm

Kelvin Hopkins (Luton North) (Lab): It is a pleasure to serve under your chairmanship, Mr Turner. I am pleased to take part in this important debate. I congratulate my hon. Friend the Member for Sefton Central (Bill Esterson) on obtaining it, and all the hon. Members who have spoken. They said intelligent things and we are all on the same side. My objective is to put as much pressure as I can on the Minister, to persuade her to take effective action.

Research at the Medical Research Council laboratory in Cambridge provided evidence that alcohol consumed during pregnancy causes irreversible DNA damage to offspring. I think that there is some evidence to suggest that the damage carries down to further generations; it is very serious. That was supported in the science magazine *Nature* in July 2011 and I immediately tabled an early-day motion drawing attention to the research and calling for the Government

“to bring forward serious and effective measures”

to counter alcohol consumption by women in pregnancy. I said that

“mild exhortations to pregnant women to drink sensibly”

were misguided and “wholly inadequate”.

Birth defects and learning difficulties affect thousands of babies every year, and the inaction of Government has been nothing less than criminal. I have raised the issue in the Commons many times in the past decade, and the response of successive Ministers has been pathetic. Thousands of damaged babies have been born as a direct result of Government inaction, and the Ministers concerned should have that on their conscience and hang their head in shame. I do not include the present

Minister in that, but certainly previous Ministers. They cannot say that they did not know. For its 2009 report on alcohol, the Select Committee on Health was informed by the Royal College of Midwives that 6,000 babies were born each year suffering from foetal alcohol syndrome. Later research by the Medical Research Council produced a conclusion that 7,000 babies were born each year with permanent genetic damage caused by alcohol. They were the most obvious and serious forms of damage, associated with facial disfigurement and mental retardation, but more recent research has recorded that even moderate consumption of alcohol in pregnancy causes reductions in IQ. It is entirely possible that the persistence of poor academic performance in many children, and the significant level of behavioural problems in schools, and later adult crime, are due largely to foetal alcohol damage. I strongly suspect that that is the case.

There have been persistent reports from Government of minuscule figures for foetal alcohol syndrome cases, in the low hundreds rather than the thousands. I suggest that the malevolent influence of the alcohol industry is at work, and that the hidden hand is pulling strings somewhere, somehow, just as has happened with the tobacco and, more recently, the gambling industries. For a true picture, the Government should look, as many other hon. Members have said, to Canada, where for years there has been a massive and effective campaign against alcohol consumption in pregnancy. Even seven-year-olds there are warned, as we have heard, and are fully aware. There are big poster campaigns and every medical practitioner warns mothers about the danger to their babies from drinking. I urge the British Government simply to imitate what has been done in Canada, and to avoid the situation of denial that has gone on for so long.

Exposure to alcohol before birth is the cause of brain damage in children that could affect, as has been said, one in 100 babies in England; that is 7,500 a year. Actually, however, we think that that is the tip of the iceberg—the obvious cases. As to marginal reductions in IQ, who knows? There may be people whose mothers drank in pregnancy and who go to university, but perhaps they could have been Nobel prize winners rather than school teachers. Reductions in IQ at every level are possible. The effects may not be evident when those in question are still reasonably intelligent; but perhaps they would have done better without the damage. For many people, of course, things are far worse.

Seven years ago, Lord Mitchell, in another place, introduced a private Member's Bill to require specific warning labels on all drinks containers, as happens in the USA and Canada. I have such a bottle of wine at home, whose label states:

“According to the Surgeon General, women should not drink alcoholic beverages during pregnancy because of the risk of birth defects.”

That wording—“risk of birth defects”—is important. It is not just a matter of saying “Your baby might be affected.” Let us be blunt: birth defects are what we are talking about. My noble Friend's Bill did not proceed, since when another 50,000 damaged babies have been born—at least. It could be many more. My most recent letter to a Minister on precisely that point was deflected with reference to a voluntary code. I get bottle after bottle of wine, which I drink in not-too-extreme quantities but in reasonable amounts, and none have health warnings on them, whereas in America every container has one.

[Kelvin Hopkins]

What the Government have been doing is feeble, irresponsible and cruel. All those responsible for such craven neglect should be burdened by guilt for the suffering that they have caused. I do not mince my words.

I shall not rest until we have a Minister—I hope it will be the present one, for whom I have the greatest admiration in many respects—with the courage and principles to do the right thing and propose compulsory health warnings on all alcoholic drink containers. We do not need to wait for more research before acting. The evidence is already to hand. A graphic report by Mencap shows that the nervous system particularly, among many other parts of the body, is affected from the third week of pregnancy—that is major damage. The central nervous system is the first part of the human anatomy to be damaged. Later, when the baby is more fully formed, the damage is more minor. The time to worry about is early pregnancy and the time of conception. The task is to persuade women not to drink at all when either they are at risk of becoming pregnant, or they choose to become pregnant; because it is in early pregnancy that the problems occur.

In Canada, when the campaign first started there was a serious increase in the number of abortions, with women tragically but understandably seeking to abort babies they thought might be damaged, so that they could start again without drinking to guarantee that their babies, when born, would not be damaged by alcohol. Recently, with the increase in awareness of FASD we have seen abortions happening here for the same reason. For those with moral objections to abortion it is perhaps even more important to make sure that all women do not drink at the time of conception or during pregnancy.

I have to say it is very unfair on women, because by and large men can get away with drinking without having to worry, certainly once they are middle aged and past child rearing, as I am—my children have all grown up and I have grandchildren. If I drink too much it will affect only me; when someone drinks and has a baby inside them, it affects someone else who has no choice. That is a distinct difference. It is unfair on women who enjoy alcohol, but let us persuade all women that, yes, they can drink a glass of champagne when their baby is born but not at the time of conception or during pregnancy.

Much more needs to be done beyond labelling. There should be an advertising campaign, a statutory requirement for notices in all medical and drinking establishments, messages in schools to young girls and more. We must make sure that this scourge, which has affected hundreds of thousands of people—possibly, over time, millions—is avoided in future.

3.31 pm

Mrs Mary Glindon (North Tyneside) (Lab): It is a pleasure to serve under your chairmanship, Mr Turner. I congratulate my hon. Friend the Member for Sefton Central (Bill Esterson) not just on securing this debate but on his excellent speech.

Before the debate, I was informed by Balance, the alcohol campaign in the north-east, that every day in my region at least one child is born with some form of foetal alcohol spectrum disorder. Bearing in mind that

that number goes into the thousands across the country over the year, I felt it was important to take part in the debate. I will give a slightly different take on the subject and address an injustice in current law that relates directly to the debate, which is whether children with FAS should be entitled to compensation.

Hon. Members may be aware that there have been many cases where children with FAS have sought to secure criminal injuries compensation. Before 2012, it may have been possible to secure such a claim. However, I draw hon. Members' attention to the 2012 criminal injuries compensation scheme, which says:

“A crime of violence will not be considered to have been committed for the purposes of this Scheme if, in particular, an injury...was sustained in utero as a result of harmful substances willingly ingested by the mother during pregnancy, with intent to cause, or being reckless as to, injury to the foetus.”

In plain English, that means no sufferer of foetal alcohol syndrome or any other disability developed in the womb as a result of the mother's actions will be compensated, even when the harm caused was reckless or fully intended. That is surely an utter scandal and warrants our serious attention.

Some people may have been put off from campaigning on this issue by highly misleading news reports claiming that awarding compensation to FAS sufferers would criminalise drinking during pregnancy. That is not the case. Although we want women to stop drinking during pregnancy, criminal injury claims are dealt with in civil proceedings and as such do not affect the interpretation of criminal law; moreover, a conviction is not needed for compensation to be awarded. Perhaps the motivation hiding behind the rhetoric is that paying out to FAS sufferers would be expensive, but saving public money is not a good enough reason to prevent children with FAS from receiving compensation. Neil Sugarman, a solicitor acting for many children affected by FAS, put it well:

“Why should these children be in any different position to those damaged during their birth or babies brain damaged by being shaken when only a few days old? The life changing consequences are the same. Is it right that a foetus exposed to a process tantamount to poisoning should be treated differently in comparison with these other classes of brain damaged children? They receive compensation that helps them access much needed treatment and therapies not readily available on the NHS and helps to improve their quality of life in many ways.”

I believe that anyone suffering from FAS deserves compensation in the same way as any other child who sustains damage at birth. I hope that those who share my concern over the increasing incidence of this terrible condition will join the campaign for that section of the 2012 criminal injuries compensation scheme to be deleted. I hope that the Minister supports that call.

3.35 pm

Luciana Berger (Liverpool, Wavertree) (Lab/Co-op): It is a pleasure to serve under your chairmanship, Mr Turner. I congratulate my hon. Friend the Member for Sefton Central (Bill Esterson) on securing this debate and on his powerful speech. I am delighted that hon. Members have had the opportunity to debate an issue that is often overlooked.

I pay tribute to those organisations that continue to campaign tirelessly on this issue. We have heard a number mentioned today, but they are worth reiterating: the FASD Trust, NOFAS UK, Alcohol Concern and Drink Wise North West, which has engaged with me in my role as a constituency MP. We have also heard a lot about the former Children's Commissioner, Sir Al Aynsley-Green, who is the incoming president of the BMA, and Lord Parry Mitchell, who have both done significant work on raising awareness of the issue.

I recently had the privilege of joining a conference organised by Drink Wise North West on the issue, where I heard not only about the vital work done by those organisations but about what needs to happen to improve diagnosis of both FAS and FASD and to improve support for children and adults who experience that and for the families who care for them. Most importantly of all—the issue that is the crux of this debate—I heard about what we can do to prevent it in the first place. I will deal with each of those subjects in turn.

On improving diagnosis, we have heard from a number of Members about the wide range of symptoms that people with FAS or FASD can experience. The difficulty in diagnosis means that we have no official understanding of the scale of the problem, with many cases misdiagnosed as ADHD, bad behaviour or autism. It is estimated that around one in 100 children are born every year in the UK with some form of the condition. Figures I uncovered through a parliamentary question reveal that the number of finished admission episodes where there was either a primary or secondary diagnosis of foetal alcohol syndrome are up 37% in England since 2009-2010, with 252 episodes in 2012-13. As many hon. Members alluded to, those figures are only the tip of the iceberg.

Kelvin Hopkins: I remember a report from the Home Office in the 1970s that showed that the rate of alcohol consumption in Britain was among the lowest in Europe; the only country where it was lower was Ireland. It would be simple to compare the number of birth defects in that period of time with the number now, to see the effects of alcohol consumption among women.

Luciana Berger: My hon. Friend's remarks lead me to the challenge that the Government themselves admit in their alcohol strategy. They say:

“We do not have good information about the incidence of FASD, so it is likely that significant numbers of children are not diagnosed.”

In the response to my parliamentary question there was no information about what action the Government intend to take to address that information deficit, so will the Minister confirm whether she has any plans to commission a much-needed prevalence study of FASD and foetal alcohol syndrome in England? Will she share with us her plans to improve diagnosis across the country?

Bill Esterson: Will my hon. Friend give way?

Luciana Berger: Forgive me, but I will not: we must allow the Minister to respond, and we have just 10 minutes.

I move on now to improving support both for people who have a diagnosis and for their families. Many sufferers have special needs that require lifelong help,

yet slip under the radar either because they are not diagnosed or because there are no services in place to support them. Lack of diagnosis for those who do not exhibit physical signs means that those children often receive no additional help from support services or at school. I recently met a head teacher, who said she did not have a single student in her school who had been formally diagnosed, but she was sure that some students were affected.

There is no systematic record of the needs of children with FASD and no official guidance on best educational strategies, as my hon. Friend the Member for Sefton Central said. There is just one specialist FASD clinic in the whole of England, which is run by Surrey and Borders Partnership NHS Foundation Trust. It is one of the few places that can confidently diagnose the disorder. It is a national clinic, supposedly serving the entire country, yet it is not commissioned by NHS England. Out-of-area patients must be paid for, and with a cost of £2,500 per patient, many local clinical commissioning groups refuse to refer. Worst of all, I understand that the clinic is not due to be commissioned beyond April 2015. What does the Minister intend to do to ensure that NHS England commissions services and that plans are in place to improve provision and to increase both the number and the spread of specialist FASD clinics? Without specific support, people who are affected are at higher risk of developing mental health problems, getting into trouble with the law, dropping out of school and becoming unemployed. That may come at massive personal cost and in turn produce a tremendous cost for society. The crux of this debate is how to prevent that.

I have highlighted how we need to improve diagnosis and support services. Let me reiterate a point that has been made several times today. FASD is entirely preventable. It is caused by drinking during pregnancy, but the information about the risks of drinking during pregnancy is wholly inadequate. The guidance is inconsistent and confusing, and women receive mixed messages. The Department of Health recommends that pregnant women should avoid alcohol altogether, but that if they opt to have a drink they should stick to one or two units of alcohol once or twice a week to minimise the risk to the baby. The National Institute for Health and Care Excellence advises women to abstain from alcohol completely during the first three months of pregnancy because of the risk of miscarriage. It then refers to the number of units that they should or should not drink subsequently.

People struggle to use units as a way of monitoring their alcohol consumption. Research from the Joseph Rowntree Foundation found that very few people use units as a way of measuring their drinking or of monitoring their health. Is it any wonder that women are confused? What is the Government's official advice and what plans does the Minister have to improve much needed awareness throughout the country?

It is not just expectant mums who are not being given the information they need. The hon. Member for Chatham and Aylesford (Tracey Crouch) referred to health professionals and my hon. Friend the Member for Huddersfield (Mr Sheerman) referred to GP training. Earlier this year, I asked a parliamentary question about midwives, but the reply did not fill me with confidence. The issue involves not just women who have mental health or substance misuse support requirements,

[Luciana Berger]

as the reply suggested. It involves all women, but the Government's 32-page alcohol strategy makes just one reference to FASD, and that is not good enough.

Voluntary organisations do fantastic work and some local authorities—just some—are raising awareness locally. Some include FAS in their joint strategic needs assessment, but that is far from commonplace. What will be the Government's concerted and co-ordinated response and where is their national drive? I struggled to find any information on the website of the Department of Health and I found nothing on the website for Public Health England. I would be delighted if the Government pointed me in the right direction.

We have heard a lot this afternoon about alcohol labelling. There is no legal requirement in the UK to display proper warnings about the harm of drinking alcohol during pregnancy. We have heard many references to Lord Mitchell's Alcohol Labelling Bill, which sadly did not progress beyond the Lords. Today, it is still left to businesses to decide whether to display warnings.

As part of the Department's responsibility deal, alcohol retailers and producers have made a voluntary commitment to put an agreed warning or a pregnancy warning logo on 80% of labels on bottles and cans. In June, the Minister responded to me saying that an independent market survey is under way to measure compliance. I am keen for an update on how that survey is going.

Many hon. Members on both sides of the Chamber have said that the logos are very small, if they are there at all. They are difficult to see because they are just a few millimetres high. They go unnoticed by many people and fail to convey the seriousness of drinking during pregnancy. Many countries prescribe warning labels about pregnancy on all alcoholic beverages and we have heard about them this afternoon. They include Colombia, South Korea, France and South Africa. I would like to hear from the Minister when the UK will follow suit.

We have heard about other countries that are leading the way. Canada was held up as an exemplar for what it is doing on diagnosis, treatment and specifically prevention. It is spending millions of dollars, because it believes that that will not only prevent something that is very difficult for many people, but comes at great cost to society. It believes that preventing FAS in just 10 babies saves enough to fund all the comprehensive services that it provides.

Very few disabilities are preventable, but FASD is. The message about the risks must be loud, clear and consistent. No woman wants to harm her child, but we know that lack of knowledge about the dangers of drinking during pregnancy can have a devastating impact. The Government's response to the problem must be thorough, coherent and carried through into effective action. I look forward to hearing the Minister's response and what more the Government will do to address this serious issue.

3.45 pm

The Parliamentary Under-Secretary of State for Health (Jane Ellison): I thank all hon. Members who have spoken during this thoughtful and sometimes passionate debate. Many hon. Members have pursued the issue over many years. The time available is not too bad, but

I will not be able to respond to every point, and if I fail to respond to a specific point, I will do my best to do so to hon. Members after the debate.

I congratulate the hon. Member for Sefton Central (Bill Esterson) on securing this debate. It comes at an auspicious moment, because I understand that the National Organisation for Foetal Alcohol Syndrome UK is holding its conference today. The hon. Member for Luton North (Kelvin Hopkins) is passionate about the subject, but I take issue with his description of direct responsibility. Absenting personal responsibility for one's body, and the life of one's unborn child, is wrong. I am not saying that the Government do not have a huge responsibility to society at large to provide education, but to talk about direct responsibility is to miss the point that we want all adults to take responsibility for their health and that of their unborn children.

Kelvin Hopkins: The fact is that other countries have taken that responsibility and acted, and they are ahead of us. We have more babies being damaged than they do. There is a responsibility on the Government—not necessarily on individual Ministers, but on the Government in general. That applies to both Labour and Conservative Governments.

Jane Ellison: I am absolutely comfortable with the fact that Governments have responsibility, and I will try to address some of the points that have been made. My point to the hon. Gentleman is simply that encouraging personal responsibility in any individual for their own health and particularly that of their unborn child is vital throughout life, not just during pregnancy. I put it on the record that we must encourage people to take responsibility for themselves. Let me mention an example given in the debate. Everyone knows about smoking. No one would knowingly damage their own child, and the damage that smoking can do is well known, but the most recent figures I have seen show that smoking in pregnancy varies throughout the country from 0.5% in one borough to more than 26% or 27% in other places. Even when people know about the damage being done, they do not always change their behaviour. We must always put personal responsibility in the frame.

The majority of people who drink alcohol do so responsibly, but it has been amply illustrated during this debate that too many women are unaware of the health risks. More generally, too many people are unaware of the health risks associated with drinking too much. It is important to remember that throughout the debate. Understanding what is a healthy level of alcohol to consume is vital because, as has been said, not everyone knows when they are pregnant. We understand that around 50% of people do not plan their pregnancy, so encouraging a healthy intake of alcohol and understanding the harm that it may do if taken in the wrong quantity is important. There are encouraging signs among the younger generation of a dramatic drop in smoking and drinking during the past 10 years, which is encouraging.

The focus today is on foetal alcohol syndrome and foetal alcohol spectrum disorders. Some hon. Members described facial abnormalities and a range of other conditions associated with alcohol exposure by the mother. Although there is wide international agreement on the diagnostic criteria for foetal alcohol syndrome, the criteria for diagnosis of foetal alcohol spectrum disorders are less clear, although other hon. Members

have cited various pieces of academic research. For both disorders, the diagnostic features may not be clear until later in childhood, so yes, we do struggle with diagnosis and with accurate prevalence data. Prevalence figures for FAS are not routinely collected or recorded by the British Paediatric Surveillance Unit, although hon. Members might be interested to know that the World Health Organisation is leading a review on agreeing common diagnostic criteria to measure prevalence better internationally in future. That would be very welcome, and we are lending expertise to that review. There are limits on some of the data, even though we hope that they can be improved.

On advice and prevention, let me talk about what Public Health England does. Its Start4Life campaign provides advice to pregnant women on establishing healthy habits to give their children the best start in life and to reduce the risk of poor health in future. One of the key behaviours covered in the campaign is focused on the consumption of alcohol and why it is best avoided in pregnancy. It promotes alternatives to alcoholic drinks during pregnancy and emphasises the negative impact that alcohol consumption can have.

In May 2012, we launched the NHS Start4Life information service for parents. That is a digital service that enables parents-to-be and new parents to sign up to receive regular free e-mails, videos and SMS messages offering high-quality NHS advice and information based on the stage of pregnancy and the age of the child. The service also signposts parents to other information about parenting, relationship support and benefits advice. Parents-to-be are encouraged to sign up to the information service for parents during their early contacts with health professionals. The take-up target was exceeded two years early, with 385,000 parents signed up to the service as of the end of last week.

Advice on alcohol consumption and other health issues during pregnancy is also routinely provided by health visitors, midwives and GPs. I think it is a fair challenge—

Kelvin Hopkins: Will the Minister give way?

Jane Ellison: Let me respond to this point. I think it is a fair challenge to say that not everyone is administering that advice and that we can do more. A piece of work is going on to educate thousands more doctors about that, and a good question hon. Members can ask health leaders, when they meet them in their area, is “Are people routinely challenged, and is there a sense of concern in terms of talking about these issues?”, as has been voiced during the debate.

I turn to the National Institute for Health and Care Excellence, which publishes clinical guidance that includes recommendations for doctors and midwives on the advice that they should give. As we know, the NICE antenatal guidance, which was published in 2008, gives further advice. I accept the point that there may seem to be some confusion. In my understanding, the honest truth—I have done a number of debates and questions on this, and queried it quite heavily—is that the reason for the mix of guidance is that there is a mixed clinical view. There is not a settled clinical view in all these areas, but work is under way.

In 2007, the chief medical officer for England published revised guidance on alcohol consumption during pregnancy. The advice is that women who are pregnant or trying to

conceive should avoid alcohol altogether—in other words, adopt the precautionary principle. The CMO is overseeing a UK-wide review of all alcohol guidelines, so that people can make better informed choices. That review is under way and I can assure hon. Members that it will take into account any relevant new evidence since the guidelines were last published. I am aware that in some cases, experts have, over recent years, started to change their view, moving from a view about a lower-alcohol intake to one about a no-alcohol intake. All that emerging evidence will be put into the review.

Kelvin Hopkins: Will the Minister give way?

Jane Ellison: I am very conscious of time, so I give way very briefly.

Kelvin Hopkins: I am interested in what the Minister is saying, but what is wrong with requiring all drink containers to have a health warning, as they do in America, Canada and elsewhere? What is the problem with requiring notices in every doctor’s surgery and every antenatal clinic that say: “Do not drink alcohol for fear of causing birth defects to your baby”?

Jane Ellison: One of those challenges was touched on by the hon. Member for Sefton Central: there is some concern that a message that did not have clinical consensus behind it might cause undue alarm to somebody, bearing in mind the statistic, which has been quoted in the debate and which we believe to be true, that 50% of people do not plan their pregnancy. There is some concern about that. I accept the point that the hon. Member for Luton North makes—I think one hon. Member said that scare tactics should be used—but nevertheless that is a significant factor in considering this issue.

Let me finish off the point on the CMO’s review, because it is important and I am inevitably not going to get through all the points that I would like to make. That will be an evidence-led approach, considering whether current advice needs to be revised, and it is for people at all stages of their life, not just in pregnancy.

The reason why we need the consensus view and to get agreed guidelines—I see hon. Members shaking their heads, but I have to tell them that in so many areas of my life as Minister with responsibility for public health, somebody will say one thing in the newspapers in the morning, and by afternoon, experts will be all over every news channel disagreeing with it. We need to try to get, wherever possible, a consistent message, and that is exactly what the CMO-led review is undertaking to do.

Bill Esterson: Will the Minister give way?

Jane Ellison: I will not, I am afraid, because I have given way twice and I have four minutes left. *[Interruption.]* All right, then.

Bill Esterson: May I just urge the Minister to look at what I and other Members have said about Canada, the United States, and France, where there is labelling? Canada especially cannot believe that we are not taking this action. I urge her to speed up her look at the evidence and the research. Other countries are doing this, so why can we not?

Jane Ellison: The review is not my review. The review is being led by the chief medical officer together with—

Bill Esterson: But you are the Minister.

Jane Ellison: Indeed, and I will pass on the message that Members would like to see the review speeded up. It has a whole range of the right experts on it, and I will undertake to supply to the review, in evidence, the *Hansard* of this debate, so that those hon. Members who have cited other research and made very forceful points can feel that those are being taken into account. The CMO's guidance about avoiding alcohol while pregnant or trying to conceive is the message that we advise to be carried by our producers. If I can, I will come briefly to that point. However, I will undertake to ensure that the message is passed on to that expert review.

I have touched on some of the health professionals who are being trained. By 2018, around 60,000 doctors will have been trained to recognise, assess and understand the management of alcohol use and its associated health and social problems—that picks up some of the points about pregnancy.

The hon. Member for Huddersfield (Mr Sheerman) and others—including the hon. Member for Sefton Central—mentioned the US model for early intervention; I think he was talking about the family nurse partnership, which we have adopted here. The family nurse partnership provides dedicated one-to-one support for young, at-risk, first-time mothers, and that will be expanded to 16,000 places by 2015. It is really important to make the point that although sometimes it is not possible to educate people for a first pregnancy, we can pick up second pregnancies. Although teenage pregnancy is at a 40-year low, the family nurse partnership is a very important programme based on an American model that has a very strong evidence base.

I will touch briefly on labelling in the bit of time I have left. We feel that the industry has a big part to play, and we are pushing it hard. We got an agreement from

92 companies, which committed to displaying warnings on drinking in pregnancy on 80% of bottles and cans by the end of last year. Subject to publication of the final independent market survey, we believe that just under 80% of bottles and cans had that information, and the warning is the CMO's advice. Companies can either have a picture struck through of a pregnant woman or carry the CMO's advice, which is that women who are pregnant or trying to conceive should avoid alcohol altogether. There was some concern that that was not the message we were using, but that is the one that people who have signed up to the responsibility deal are using. We believe that is now getting more widespread market coverage. However, there is more that industry can do, and we are pushing them hard.

One thing that we could do is around duty. Personally, I would love to see the ability to vary the duty by alcohol content in wine, but it is difficult in an EU context. I do not quite know—I have never really had the answer to this—how the French managed to pass their law without suffering EU infraction, but I continue to ask the question and look into that. It is something that we are pushing to be able to do, because we want to see those warnings on as much alcohol as possible. My current understanding is that doing this through the EU would be a very lengthy process, because of the need to get that consensus.

In the 30 seconds I have left, I apologise to those Members whose points I could not respond to, but so many points have been raised. I will reflect further on what has been said in the debate and speak to the chief medical officer about it. I welcome the opportunity we have had in this debate to reinforce some of those points. There is an opportunity, when the revised guidelines are issued next year, really to put some information behind them. I am seeing the head of social marketing campaigns for Public Health England imminently—within the next week—and I undertake to have a preliminary conversation about what might be done, when the new guidelines are issued, to reinforce this very important message.

Steel Industry

4 pm

Tom Blenkinsop (Middlesbrough South and East Cleveland) (Lab): Thank you, Mr Turner, for the opportunity to begin this important debate on the UK steel industry. I notice that the Minister present is not necessarily the Minister in regard to the Department in question, but I am certain that that holds some great portent for the UK steel industry at the moment.

As is the case for many hon. Members here, my constituency has a great and proud history rooted in the production of steel and associated products, and I hope that that will play a strong role in the future of my area. Before I begin the main thrust of my speech, I want to take this opportunity to mention the fact that in Guisborough in my constituency, the ESCO foundry has recently decided to close, with 65 potential job losses. That concerns a thoroughly committed and local work force in Guisborough, in the centre of my constituency. There are hopes that the foundry can be sold as a going concern. However, my constituency office and the trade union movement have been working quite closely with the business to try to help those individuals to find work at other suitable craft sites, such as Sahaviriya Steel Industries and, potentially, Tees Components in my constituency. Would the Minister urge his colleagues in the appropriate Ministry to meet me to discuss that issue, because to my constituents it is a huge concern?

Apart from the local issue that I have raised, I would like to touch on a number of topics in my speech. First, I would like to refer to an open letter that was sent by 60 CEOs in the European steel industry and published in the *Financial Times*. The aim of the letter was to persuade Heads of State and Governments at the EU summit on 23 and 24 October

“to give clear guidance that the EU’s new climate and energy framework will—at the level of best performers—not impose regulatory direct and indirect CO₂ costs on globally competing European industries.”

Many hon. Members may be aware that 1 January 2021 marks the start of a new phase of the EU emissions trading scheme and a new set of emission reduction and energy targets to see the EU through to 2030. Although those dates may seem some time away, the decisions are very likely to be taken in a matter of days at the EU summit to which I referred. There are a number of reasons why that meeting is of such importance to the UK steel industry. As in other energy-intensive industries, the CEOs who signed the letter are calling on EU leaders to ensure that the most carbon-efficient plants in globally competing industries are fully protected from the direct and indirect cost of cutting emissions. By and large, the steel industry is committed to cutting its emissions. Exposing some of its members to the full cost of EU climate and energy policies could prove devastating.

The current ETS is flawed in many respects and, if simply rolled over into the next phase, will leave sectors such as steel seriously short of allowances. The principal flaws of the current schemes are as follows. First, allowance allocations are calculated by reference to performance benchmarks for different types of plant. Those benchmarks are supposed to be equal to the performance of the best 10% in each plant category, but there is not one single

integrated steel plant in the UK, or in Europe for that matter, that can meet the Commission’s benchmarks. Although the most carbon-efficient EU plants are getting close to the theoretical limits of what can be achieved through current production methods, a step change may not be possible until the early 2030s, and even then that will require massive investment in plants that are usually upgraded only once in a generation. There should be a real incentive to improve efficiencies, but only as far as is technologically achievable. Pushing production and investment out of Europe will not meet goals to reindustrialise our economy. That also puts local supply chains at risk and is counter-productive from an environmental perspective, as imports are likely to have a larger carbon footprint.

Stephen Doughty (Cardiff South and Penarth) (Lab/Co-op): I thank my hon. Friend for securing this important debate—I am sorry I will not be able to stay for the full length. Does he agree that it is deeply ironic that companies such as Celsa in my constituency, which has one of the most up-to-date and carbon-efficient steel-making processes in Europe, face huge challenges from countries that are not as carbon efficient, whether that involves China or Turkey dumping imports in this country or a number of other concerning factors? It would be deeply ironic if those companies were to face challenges despite having that incredibly efficient process.

Tom Blenkinsop: I thank my hon. Friend for that comment, because we met people from Celsa at a recent meeting of the all-party group for the steel and metal related industry, which I chair. They came to the meeting and were really instructive and helpful in giving us the calculations and statistics that affect their industry. I believe that their plant was built in 2006. It is practically a brand-new steelworks, with an electric arc furnace. They were telling us about the difficulties that they have been put in as a result not just of European policy, which I have set out, but of the Government’s own carbon tax policy. The carbon price floor has penalised UK industry above and beyond our EU competition. There is a twofold element. This is not just about the massive increases in foreign imports; we have penalised our own industry and undermined the march of the makers on our own doorstep. I am sure that Ministers who would have been here would have been able to listen to that fact. I shall say again that there is some great portent in why they cannot attend this debate today.

A further flaw in the system is its unresponsiveness to changes in the economy and individual company activities. We have the absurd situation in which EU allowances trade at under €6 a tonne because the recession has resulted in an over-supply of allowances, while companies such as SSI are short of allowances because they are expanding output. The system needs to be more flexible if it is to work for all.

In the Budget debate earlier this year, I welcomed the news that the Government intended to introduce relief against the rapidly rising costs of carbon levies, and the mitigation of the renewables obligation is a particularly good step forward. However, I do have concerns that have still not been addressed. It looks as if there will be a massive underspend in the support packages. In 2013-14, £35 million was provided for companies, and so far this

[Tom Blenkinsop]

year only 53 companies have received compensation: £41 million of EU ETS compensation and £6 million of carbon price support compensation.

The UK steel industry will continue to face considerable challenges in the interim, given that the national and international demand for steel is still at mid-financial crisis levels. Again, I can only urge the Minister to urge the Treasury to bring the compensation forward, so that the steel sector and other foundation industries do not have to wait.

Another issue that I would like to discuss is the threat to the UK steel industry from international imports and the over-saturation of markets with certain products. I am referring to non-EU imports of rebar. In 2010, non-EU sales of reinforcing bar equalled approximately 4% of the UK market share. Since then, non-EU rebar, mainly Chinese in origin, has surged to take a 37% market share. When combined with Turkish imports, non-EU imports moved to take 49% of the market in quarter 2 of 2014. People should bear in mind the fact that in May 2010 it is 4%, and in quarter 2 of 2014 it goes to 49%. That is a massive surge—a massive increase—in imported rebar steel. At the same time, the UK producers' market share plummeted from a traditional level of about 60% to just 33% in quarter 2 of 2014.

That is a profound problem for the UK steel industry, to say the least. The cause is the slow-down in Chinese construction activity, which has prompted certain Chinese producers to seek new markets in which they can dump excess production, but it is also due to trading houses facilitating that explosion in imports to the UK market. They have come to the UK because they are already accredited under the British accreditation scheme to sell in far eastern markets, such as Hong Kong and Singapore, which use the same accreditation scheme.

A loss of sales of that magnitude is unsustainable in the longer term for the one remaining British producer of rebar, based in Cardiff in the constituency of my hon. Friend the Member for Cardiff South and Penarth (Stephen Doughty). There have been reports in the construction press that some of the Chinese bars already in the market fail to comply with the British standard. UK Steel has even taken the step of advising all UK fabricators and contractors to test Chinese bars before using them. Pressure must be placed on the European Commission to act against these dumped imports, and the Government must ensure that all substandard material is removed from the market.

I would like to discuss the steel market in more general terms. Unfortunately, although UK steel demand has risen this year, overseas producers are the main beneficiaries. As I said, imports in quarter 2 of 2014 took 63% of the market—the highest share ever. For most steel products, the bulk of imports come from other EU countries. It is clear that the UK steel industry is suffering from the twin problems of the rising value of sterling against the euro and continuing uncompetitive energy prices. Although there is little that the Government can do about the former, it demonstrates that the UK steel industry remains fragile, and underlines the importance of the Government acting urgently on energy prices, which are within their control.

Energy prices are critical not only to the UK steel industry but to any future expansion. The Government's analysis revealed that last year's average industrial electricity

prices for UK industrial consumers were the fifth highest in the EU15, including taxes, and 6.2% above the estimated median for that group. Those prices prompted a warning from UK manufacturers' body EEF that UK electricity costs and taxes were pricing manufacturers out of the UK. Steel companies are among those hit hardest by the rising costs. Competitive energy prices and secure energy supplies are vital for the future of the steel sector in the UK.

Nic Dakin (Scunthorpe) (Lab): I congratulate my hon. Friend on securing this timely debate. He is making his point very well. Does he agree that if we are all committed, as we seem to be across all parties, to having a strong manufacturing base, foundation industries such as steel must be properly supported, particularly on energy prices, skills and procurement?

Tom Blenkinsop: My hon. Friend has been banging that drum since he was elected in May 2010. My fear is that we are reaching a critical point where not only the steel industry but all energy-intensive industries are begging for help. They are trying to compete in the world as best they can, with the best forms of technology, and they are driving costs down as much as they possibly can. However, when Government policies make it harder and harder for them to exist on UK soil, it is no surprise that there have been reconfigurations in the steel industry across the European market.

Jessica Morden (Newport East) (Lab): I agree with all the points that my hon. Friend has made. In constituencies such as mine, where Tata Steel and its employees have worked incredibly hard over the past few years to become more efficient and weather the storms, we would like the Government to appreciate that the economic environment is still very challenging in the UK and internationally. We do not want the Government to think that things are getting better; there must be more focus and no complacency so that we can continue to look at issues such as energy.

Tom Blenkinsop: The Government need to understand not only that the industry has had to adapt, but that the work force has had to adapt for long periods of time. Before I entered the House, I was a trade union officer for Community, formerly known as the Iron and Steel Trades Confederation, which represents workers in the production side of the steel industry. I am still a member of that union, and that is a declarable interest. Since 2008, those men and women have been on short-time working, have accepted changes to their terms and conditions and, in some cases, have accepted pension changes. They have done so in the hope of maintaining an industry in their community, whether in south Wales, the central belt of Scotland, south Yorkshire, Sheffield, Corby, the east midlands, the north-east of England or Scunthorpe. The workers have all taken such penalties to help to maintain an industry so that their sons and daughters have jobs in the future. Until Government policy recognises and matches the daily sacrifices made by individuals on the ground, those hurdles will not be overcome. I stood by that opinion as a trade union officer, and I stand by it now as an elected Labour MP.

To be slightly more parochial, the north-east is, per capita, the most energy-intensive region in the UK. All the while, UK generation capacity is decreasing rapidly,

and the margin of spare capacity has not been this low for decades. However, the north-east enjoys an embarrassment of riches in the energy sector, from offshore wind to coal, electric vehicles, energy from waves, carbon capture and storage, coal gasification, biomass and biofuels. The list goes on and on. Competitive energy prices and secure energy supplies are vital to the future of the steel sector in the UK. Inaction and uncertainty only put off investors and limit job creation.

It is not all doom and gloom. The UK steel industry continues to be a proud and important part of the industrial backbone on which our economy was built and on which it will almost certainly rely as it adapts for the future. Steel is a vital foundation for many of the UK's strategic supply chains. The UK leads the world in sectors such as automotive, energy, construction and aerospace, and UK steel is integral to all those sectors. Will the Minister comment on any contingencies that the state has put in place in case our supply chain is undermined or put in jeopardy? Security of supply and UK expertise are vital for infrastructure delivery, especially—I cannot emphasise this enough—for projects that require large and unique product types. Outsourcing is unsustainable if we are to have the ability reliably to deliver major programmes, and in terms of the logistical impact on the UK.

The steel industry has an important role to play in clean production technologies. Wind energy is a good example, because every part of a wind turbine depends on steel. The indirect benefits of the sector are significant with, for example, two to three jobs in the broader economy dependent on each job in the metal sector. Realistically, it is the truest form of a balanced economy, because its impact is spread across the UK, and is significant outside London and the south-east. To ignore not only the role steel has played in the development of our nation but its potential to secure our nation's future, would be shameful.

As I mentioned at the beginning of my speech, steel has a proud history. I believe that it has a strong future, but that will not be the case unless the Government do everything they can to back the industry. The Minister's own father was a great advocate of the steel industry and wrote an excellent text on the matter. My predecessor, the late Dr Ashok Kumar, remarked that it was probably the best book ever written on the steel industry. I hope that the Minister's response will be as good as his father's text.

4.16 pm

The Minister for Culture and the Digital Economy (Mr Edward Vaizey): It is a great honour to speak under your chairmanship, Mr Turner. I apologise for the fact that I am the Minister responding to this debate. The Secretary of State is in India, and the Minister for Business and Enterprise, my right hon. Friend the Member for West Suffolk (Matthew Hancock), who has responsibility for energy, is in a Bill Committee. However, I am a Minister in the Department for Business, Innovation and Skills, and I was recently promoted to serve in that Department as well as in the Department for Culture, Media and Sport. That is despite the fact that *The Guardian* described me as a Liberal Democrat who had not been promoted and who sat in Cabinet, all three of which are wrong.

I am grateful to the hon. Member for Middlesbrough South and East Cleveland (Tom Blenkinsop) for mentioning my late father's book, "The History of British Steel", of which I just happen to have brought a copy. I hope that the hon. Gentleman will indulge me for a moment, because it is the 40th anniversary of the publication of that great book. The hon. Gentleman's illustrious predecessor, the late Ashok Kumar, and I became good friends because he stopped me in the corridor one day and said that he suspected that even though I was in the House, he was the only Member of Parliament who had read "The History of British Steel" by John Vaizey. That was true at the time, but I have since rectified that. That remarkable text highlights the ups and downs of the British steel industry, which has gone through many crises in its 170-odd year history. Many of those difficulties were caused by political interference, but quite a few were caused by stiff competition, particularly in the early 20th century from America.

The hon. Gentleman ended his remarks on a positive note, not only by kindly mentioning my late father's book but by talking about the resilience of the British steel industry. It is important to focus on an industry that still employs 300,000 people. The north-east has a proud history of steel making and manufacturing, and I am particularly delighted that the former Tata Steel plant at Redcar is once again producing steel for customers around the world under its new owner, SSI Thailand.

The UK continues to make manufactured goods. A successful manufacturing sector remains the key to driving the innovation and exports that are crucial to productivity growth in the UK economy, and the steel industry has an important role to play in generating future economic growth. The hon. Gentleman talked about the supply chain. Our steel industry underpins a number of key advanced manufacturing sectors and sustains the livelihoods of many local communities, particularly those in his constituency.

Steel is found in skyscrapers, washing machines and almost any essential goods that one might care to mention. The modern steel industry has made huge technical advances. I am told that 75% of the types of steel used today have been developed in the past 20 years. If the Eiffel tower were rebuilt today, we would need to use only a third as much steel as was used when it was built. Modern cars use new steel that is stronger but 35% lighter.

As the hon. Gentleman and I have already said, steel is a critical part of the supply chain for high-technology industries such as aerospace, automotive and construction, all of which require high-value, continually improving steel products. We remain committed to a healthy and growing steel industry in the UK. There will always be a need for steel, but we must consider our steel industry in the context of the global economy, as the hon. Gentleman did. He highlighted the impact of energy regulation and imports, which I hope to address in my remarks.

As I said at the outset, the steel industry is notoriously cyclical. It has booms, but major slumps in prices and output have occurred regularly throughout its history. The sector is emerging from a downturn that is considered by many industry insiders to be more extreme than any other in living memory. Half of steel output is used in construction, an industry that suffered more than most during the recession. Despite renewed economic growth, demand for steel is still well down compared with before

[Mr Edward Vaizey]

the crisis hit and is not expected to grow substantially this year. High energy costs, which I have already mentioned, and chronic overcapacity in the wider European steel industry have also affected prices, squeezed profits and hit investment. UK steel companies, like their competitors, have been forced to make uncomfortable decisions, and it is regrettable that Tata Steel has reduced its work force by 25% and its UK operating and production company by more than 20%.

Nic Dakin: I congratulate the Minister on his speech so far. Despite all the challenges that steel has faced, and following the great work by workers in my constituency and across the country to get the steel industry to where it is today, will he make it clear that the Government are committed to working with steel workers and steel companies to ensure that there is a steel industry for the future, whatever bumps and troughs there may be in the road as we move forward, so that it can be a foundation to move this country forward, as it has been in the past?

Mr Vaizey: I am happy to make that clear. The Government are unequivocal in their commitment to the UK steel industry and will do all they reasonably can to support the industry as it faces the hurdles and obstacles in achieving fair competition. No one denies the climate in which the UK steel industry operates, and we were saddened to hear the announcement last month that the ESCO Corporation foundry in the constituency of the hon. Member for Middlesbrough South and East Cleveland will be closing with the loss of 65 jobs. This will be a very difficult time for all those affected, but I am encouraged that the company will continue trading until the end of the year, particularly as that will hopefully allow employees time to secure alternative employment. A talent retention solution that helps skilled employees affected by redundancy to find jobs in other engineering companies should be able to assist in that regard. He also raised concerns about the current financial position of the SSI integrated steel plant at Redcar, and there are clearly challenges ahead, but the situation is not as serious as recent press reports suggest.

Tom Blenkinsop: I did not mention the financial element of SSI because I agree with the Minister. When financial reports are released, they usually provide a 12-month outlook, but the company and its work force have done a lot to overcome many of the barriers. We must send a positive message about SSI because it is coming out of a difficult period.

Mr Vaizey: Exactly. I should have said that the hon. Gentleman made it clear that the reports about the current financial crisis at SSI are inaccurate because, of course, there has been investment in new product. In June 2014, the operation turned a profit for the first time since the plant was restarted in April 2012. The plant is currently running at 85% to 90% capacity, and its product is being bought by customers in Canada, the USA, Mexico, Germany, Italy, Turkey, Australia and Thailand. Despite the difficult trading climate, the UK remains a significant player in the global market, although there is no room for complacency. In August, the UK replaced France as Europe's second-largest crude steel producing country, which was the first time that we

have had a higher output than France since January 1997. We have also overtaken Italy for the first time in 17 years. The UK's steel output has increased largely on the back of new investment and improving efficiency, which is also driving production to record levels not only at the integrated steelworks at Redcar but at Port Talbot. The latest figures show that crude steel production between January and August 2014 increased by almost 7%.

As I said to the hon. Member for Scunthorpe (Nic Dakin), the Government want to assist in any way they can. We work through all channels, at both ministerial and working levels, to ensure a free-flowing, constructive dialogue with UK steel companies. We work closely with the steel industry on a range of issues, including minimising regulatory burdens and regulations, but of course EU state aid rules limit the direct help that can be offered to steel companies. We cannot offer operational aid, but we can offer aid on research and development, environmental protection and some training. Working within EU rules, we are implementing a £7 billion package of measures to address energy costs, including £3 billion to compensate energy-intensive businesses for the impact of policy costs on their electricity bills. We are also directly supporting the long-term future of Tata Steel activity in the UK. We approved £8.2 million of Government funding to support a new R and D centre at Warwick, which is on top of the £20 million offered to Tata over the past three years to enable further investment in R and D. Through the advanced manufacturing supply chain initiative, we have also offered just over £12.7 million towards the £22 million proving factory specialising in the industrialisation and low-volume production of advanced propulsion systems to automotive standards. Tata is a key partner in that project.

We are also working to help the steel industry to win orders. The national infrastructure plan includes 500 projects worth a total of £250 billion for 2015 and beyond. That figure includes more than £1 billion in railway infrastructure. It has also been announced that 95% of the steel for the UK's rail network will come from Tata Steel for the next five, and possibly 10, years. Who knows? That may continue as we move forward with HS2. Those products should make a difference by stimulating demand for steel, thereby creating significant supply chain opportunities.

The hon. Member for Middlesbrough South and East Cleveland talked about the impact of climate change regulations. I have mentioned the £3 billion support package that we have introduced to offset the indirect costs of the emissions trading system. He said that some of the regulations are simply beyond the technical capacity of any company working in the steel industry, but my understanding is that there will be an opportunity in the next few months to work with the European Commission on the new package that will be in force from 2020 to 2030 so that the regulations can be made more realistic. I will ask my colleague, the Minister for Business and Enterprise, to write to the hon. Gentleman to address his concerns that not enough compensation has so far been paid out to electricity-intensive industries. He is correct that 53 businesses have received just over £41.3 million, but I will check with my colleague whether there is a hold-up on paying out for other issues.

The hon. Gentleman also mentioned Chinese rebar imports. BIS officials have raised concerns with the European Commission, and we understand that the

Commission is still considering the possibility of opening an anti-dumping investigation. We will consider the evidence providing by the Commission, but at this stage we would support any Commission decision to open an anti-dumping investigation.

This debate on the UK steel industry has been important. As one would expect, the hon. Gentleman and his colleagues have highlighted critical issues for industries that are incredibly important not only to their constituents but to the economy of the UK as a whole. I will take his remarks in the spirit in which they are intended, and I will take them back to the Department. I will highlight his perfectly understandable concerns about the impact of climate change regulation on energy-intensive industries and the possibility of reform. He has expressed concern about imports from outside the EU that may have a large carbon impact. His focus has been on ensuring that there is provision to secure the supply chain. I hope that he and his colleagues have heard the message that I have tried to convey as a relatively new Minister in this field, which is that the Government take the steel industry seriously and will do all within their power to help.

Leominster Enterprise Park

4.30 pm

Bill Wiggin (North Herefordshire) (Con): In July 2006, I was full of optimism as I stood on site at Leominster enterprise park when construction began. The park presented the opportunity to boost the local economy in Leominster, attract business and offer employment, three crucial targets needed by the town. At the time, I said:

“We have the greatest people, as well as the infrastructure in place, so we are all looking forward with hope and excitement to seeing a vibrant and successful business environment too.”

Eight years later, I have felt the need to call for this important debate because Leominster enterprise park has not delivered on its targets, yet I believe it still has that potential.

There are a number of reasons for that failure, including the direction taken by the owners of the park—first Advantage West Midlands, and now PxP and the Homes and Communities Agency—lack of investment in the park to attract new firms and a poor internet connection, compounded by the fact that the owners will not invest in fibre-optic broadband.

Fastershire, the project in Herefordshire to roll out fibre-optic broadband, aims by 2018 to deliver broadband speeds of 24 megabits per second and above for all who need it. However, I was shocked to learn that Fastershire is not coming to Leominster enterprise park. According to Fastershire, the park does not meet the necessary requirements. BT's next-generation access team said:

“The cabinet has too few premises connected to it, rendering it too small to provide a return on the investment based on the costs of construction and ongoing running costs of providing a new fibre to the cabinet service”.

The best that BT can offer businesses on the park is the option to upgrade to fibre optic at a cost of £30,000. PxP and the Homes and Communities Agency have not offered any help. BT's offer has been reduced to £23,500, but PxP still refuses to get involved.

As I am sure the Minister will know, businesses, particularly in rural locations, need fast and efficient internet access in order to compete in current markets. I heard this week of a company on the park whose internet connection is so poor that it is virtually impossible to run online sales demonstrations. The company is now considering taking matters into its own hands to improve its connection speeds, as others have done, but it can only try options that it can afford.

One firm has dualled two lines to receive double the connection speed, but that option comes with all the costs of a second line, additional hardware and the dualling itself. A second firm pays extra for EFM, or Ethernet in the first mile. EFM uses existing copper wires instead of fibre to connect to a local exchange and offers access speeds ranging from 2 to 35 Mbps. It has been confirmed to me that the park's connection is mostly 4 to 5 Mbps, and it is claimed that businesses on the industrial estate situated opposite the enterprise park have double that speed.

PxP and the Homes and Communities Agency, as owners of the park, should be doing far more to attract business. Businesses will not be attracted to the site if it has a poorer internet connection than the rest of the town where it is sited. We could end up in the ludicrous

[Bill Wiggin]

situation of a commercial enterprise park having a 4 to 5 Mbps connection while fibre-connected areas of Leominster could theoretically have speeds up to 76 Mbps, or more than 300 Mbps where properties choose to pay for a direct connection to the cabinet, as some businesses will. That is totally inappropriate for an enterprise park.

PxP is a public-private property and development joint venture company between Langtree Group and the Homes and Communities Agency. Langtree invested £15 million of equity in the business, and the Government invested £15 million of equity and committed a £45 million secured loan. The Homes and Communities Agency claims that as PxP is not a public agency but a private business, all business decisions taken by the board must be founded on good commercial practices and cannot subsidise the private sector. HCA goes on to say that

“due to the recession and running costs of the business, the equity in the business has been substantially eroded and therefore the partners have suffered a substantial loss. PxP are now endeavouring to operate commercially to try and recover both the Government’s and Langtree’s investment.”

How? By doing nothing, keeping its fingers crossed and hoping for a miracle?

As I am sure the Minister will agree, enterprise parks are designed to assist development. Business plays an extremely important part in local rural economies in terms of investment and jobs. However, in the case of Leominster enterprise park, it is absolutely clear that it is serving only PxP’s own interests as the company tries to recover its losses. How can the Government stand aside and watch the millions that they invested being put on hold so PxP can make a financial return? Surely we should be seeking an economic or community return on the public interest in that asset. Public interest, in the case of PxP, seems subsidiary to its commercial interests.

Leominster enterprise park comprises 22 acres. I am aware that the park has suffered from a number of deals falling through due to finance. I have been contacted by a company called Powerline Services, a business desperate to grow and expand. In the last two weeks, Powerline has taken on an additional four staff. In March 2013, the company expressed an interest in a plot on the park. On 9 April, it requested further information, and then on 16 April it made an offer. On 9 May, Powerline was told that a board meeting was being held to discuss the offer, but that it might be unsuccessful due to a pending offer previously made for another plot incorporating the plot in which Powerline was interested.

Four days later, on 13 May, it was confirmed that Powerline’s offer for the plot had been rejected, so the company inquired into a second plot and made an offer of the full asking price of £75,000. On 17 May it received a proposed schedule of terms. On 20 May, the company confirmed that it agreed to the terms and was willing to pay legal fees should the sale not proceed. Between 28 May and 6 June, the offer was chased up. Contact was made again on 7 June, when solicitor details and full plans including site layout, elevations and materials were passed across. Powerline did not hear from PxP again until the end of August.

On 29 August, at a board meeting, PxP decided to review its strategy for selling off land and rejected the offer of the full asking price of £75,000. The Homes and Communities Agency confirmed that PxP was changing

its strategy and was now solely considering sell, design and build opportunities instead of allowing individual companies to buy plots outright and do the design and build themselves.

A further letter that I received from the Homes and Communities Agency claimed that

“against a book value of £76,000 and sales fees equating to 15% of the purchase price, the board were unable to accept the offer, as in effect this would have resulted in a loss to PxP of £12,000.”

Powerline offered £75,000, the full asking price, for the site. How, in good faith, could Powerline have known that it would need to offer £12,000 over the asking price in order for PxP not to lose out? My constituents are not clairvoyant. If PxP was unwilling to accept the asking price listed for the plot, why did it list it in the first place?

Furthermore, Powerline was also not offered the opportunity to buy the plot for the almost £90,000 that would ensure that PxP would not make a loss. The company claims that it was blocked from attempting to buy the land at all. It was only when Powerline checked the website of the selling agent that it discovered that the plot was available as a design and build opportunity for £600,000.

The Homes and Communities Agency is aware that PxP is pricing companies out of the park. In a letter to Leominster town council in February 2013, which was sent months before Powerline’s problems, Margaret Allen, chief executive of the HCA, said:

“I’m aware that PxP has progressed a number of land sales on various plots on the estate, some of which have been successful and others for various reasons have not. I think this is a combination of reasons, some on the part of potential purchasers, but also unfortunately the requirement for PxP to generate sufficient receipts on sales of land to meet the loan repayment originally made by Advantage West Midlands, which becomes payable on disposal of land. I am worried the Park is becoming less and less desirable to any investor.”

However, HCA is not even getting the basics right. Early on, businesses on the park were promised that, subject to plots being sold, the park’s owners would arrange for adoption of the access road by Herefordshire council, but that has not happened. It means that PxP is currently responsible for street lighting bulb replacement, ironwork replacement, site maintenance of empty plots and road repairs. A few years ago, a number of businesses had to apply group pressure after all the drain covers were stolen and not replaced for months.

There have been further problems with ensuring that grass cutting and road repairs take place, with no provision in winter for the roads to be gritted, except for those around the police station, which has its own arrangements. There were also difficulties in getting PxP to act when unauthorised visitors moved on to the park. I am even told that businesses had to register their own buildings through the Ordnance Survey, and had to register individually with the Post Office, for postcodes, and with Google maps.

Compounding all the problems with PxP, the lack of broadband and the blocking of sales on Leominster enterprise park has been the role of officials in Government. The situation gets worse. On 6 March, I wrote to the Secretary of State at the Department for Communities and Local Government about the park. That letter was transferred to the Department for Culture, Media and Sport, whose April response must have been lost in the

post. In his response of 1 April, the Minister for Culture and the Digital Economy, my hon. Friend the Member for Wantage (Mr Vaizey), said:

“I am afraid I am not able to comment on the substantive point you have raised in your letter regarding the performance of the owners of the enterprise park as this is a matter for DCLG to address.”

However, I subsequently discovered that a further letter I had sent to the Secretary of State at DCLG on 20 March had been mistakenly marked as an enterprise zone matter, which DCLG deals with.

Having waited several months for a reply, in May I sent a chasing letter to DCLG to try to elicit a response. Following further reminders that I sent in July, I finally received an apology from the head of ministerial correspondence at DCLG. He stated that DCLG should have transferred the letter to DCMS in March, because DCLG does not have policy responsibility regarding private companies' conduct at enterprise parks. He copied in the private office of the responsible Minister at the Department for Business, Innovation and Skills—the Minister for Business and Enterprise, my right hon. Friend the Member for West Suffolk (Matthew Hancock)—but expressed concern that BIS might not accept the transfer of the letters due to the period of time that had elapsed.

Following further e-mails to BIS in July, I received a response in August from the Minister. On 5 September, I replied to that letter, only to be told later in September that the letter had been passed back to DCLG. We should remember that DCLG had already claimed that this matter was not its responsibility. However, I am now told that DCLG has compiled a draft response for ministerial consideration and approval. Unfortunately, throughout the period of correspondence there appeared to be confusion among the relevant Departments; officials did not seem to know who had policy responsibility for Leominster enterprise park.

When I wrote to DCLG, it failed to take action for months and then concluded that it was not its responsibility and passed the matter to DCMS, which replied to tell me that DCLG should have replied. When I received a response from BIS and wrote back, BIS passed the matter on to DCLG. I am informed that DCLG will be sending a reply, but to date I have not received it. I am reluctant to cause the Minister who is here today further embarrassment, but it would appear that there is a lack of agreement about who has responsibility for this matter. Unfortunately, this confusion and delay merely conveys to the people of Leominster that their problems are not important to the Government. As the Minister will understand, such treatment is unacceptable.

It is because of the problems I have detailed that I called for this debate today. After seven years, I am bitterly disappointed that more progress has not been made. PxP has completely failed to ensure that a telecoms service provider was available to service businesses that wanted to relocate to the park. Although I have used Powerline as a typical example, I have received reports of other businesses that have struggled to buy plots on the site. Therefore, I am reluctantly forced to conclude that PxP may be banking the extra land. It is absolutely futile to give this land and public money to a private company that is blocking development, and the Government's handling of the matter has been extremely embarrassing. The Minister who is here today has been

let down by civil servants, and this matter is also an embarrassment for the people of Leominster. I want the Government to make a full review of PxP's role as owner of Leominster enterprise park. If PxP is not prepared to help businesses on the site or develop the site further, it is about time that the Government took back control of this land.

4.45 pm

Jesse Norman (Hereford and South Herefordshire) (Con): I will be brief, because I am keenly aware of the passage of time in the short period that we have been allocated for this debate.

I congratulate my hon. Friend the Member for North Herefordshire (Bill Wiggin) on his masterly speech; he shone a pitiless light on the official incompetence of various Departments of State. I wish that the problems he described were limited to North Herefordshire, but I am afraid that that is not the case; the incompetence of PxP has made its way into South Herefordshire as well, and I will briefly explain how that is so.

In 2007, my constituent, Mr Jim Hardy of Aconbury Sprouts, leased a unit from PxP in the village of Ewyas Harold and borrowed significantly to do so, in order to expand the production of sprouted seeds in reaction to growing consumer demand. Through no fault of his own, that demand then evaporated, due to action by the supermarket multiples. Although he struggled on, unfortunately he found himself having to place the company in liquidation, after trading successfully for 26 years. The rest of his business was unable to support the borrowing he had incurred to meet the orders that he had lost.

Fortunately, from Mr Hardy's point of view, there was another well-established and well-resourced business that was keen to take over his business as a going concern, but that process required rapid action, because, of course, taking over a business that is already functioning requires speed, in order to maintain continuity. Despite the best efforts of the liquidator and the prospective buyer, PxP failed to respond in a timely and flexible way, and the opportunity was lost. All Mr Hardy's staff were made redundant and Mr Hardy's equipment was sold off for a tiny fraction of what it would have been worth in situ.

In order to secure the lease, Mr Hardy had been forced to sign a personal guarantee and unfortunately that guarantee remains in place. Mr Hardy has subsequently made other attempts to sell the business. PxP has put no value on all the improvements and adaptations he has made to the unit; indeed, it has demanded that he remove them. A company in an adjacent unit has approached Mr Hardy to acquire his unit, which would remove any of the issues that PxP had raised with the original purchaser, but PxP has refused to discuss any possible sale with that company. In fact, the unit has been shown on PxP's website as being unavailable to let, despite that being pointed out to PxP on several occasions. Now PxP is pursuing my constituent, Mr Hardy, for sums of money that will inevitably lead to his bankruptcy and the loss of his home, which is also his only source of income.

As Mr Hardy says, that is not appropriate behaviour. It is certainly not appropriate behaviour for an institution that is focused on regeneration but has given up large

[Jesse Norman]

amounts of revenue because it has not allowed a number of transactions to take place, and that—after all—is 50% owned by a public body. However, I would go further and say that it is not appropriate behaviour for a private company either, and I am at a loss to understand how PxP can be allowed to penalise and pursue my constituent in this way over a period of time.

It seems to me that this example I have given provides a further data point about PxP West Midlands, and that if we join the data points the result is not flattering for the company.

4.48 pm

The Parliamentary Under-Secretary of State for Communities and Local Government (Penny Mordaunt): I congratulate my hon. Friend the Member for North Herefordshire (Bill Wiggin) on securing this important debate on the management of Leominster enterprise park, and the role of PxP and the Homes and Communities Agency in running it. I know that he has been in contact with the Department—in fact, with several Departments, as he has outlined—and with the HCA regarding the park, and raised issues that concern several of his constituents. I am pleased to have the opportunity today to debate the issues surrounding the enterprise park.

I apologise on behalf of officials if there has been any departmental ping-pong. I congratulate my hon. Friend on using an Adjournment debate to find the Minister who is responsible. I have listened to his concerns and I am happy to take them on board and work with him. I will outline why we are limited in terms of the intervention that my hon. Friend is seeking and hope also to give him some comfort, saying how we might be able to be of some practical assistance.

The Government recognise the importance of enterprise parks in supporting business, boosting employment and encouraging local growth. Leominster enterprise park has brought jobs and industry to northern Herefordshire and is providing the infrastructure to support further growth in the local area. The Government are committed to helping drive economic growth through creating conditions that allow businesses to thrive, and projects such as enterprise parks are, as my hon. Friend said, key to this.

My hon. Friend raised a number of concerns about the manner in which PxP has been operating at the enterprise park, one of which is that it has been obstructing development through land banking. PxP has stated that it remains committed to selling land as long as it can generate an acceptable return and its activity at the enterprise park supports its position. Since being established in 2007, PxP has supported the sale and development of 22 of the 26 plots at the enterprise park, with more than 20 companies bringing in new business to the area, including Orphans Press, Pinstone Communications and Polythene Solutions Ltd. Most recently, local steelworker, Frank H Dale, has reached agreement with PxP to build a manufacturing unit of 100,000 square feet. The development of that new factory will, in turn, allow the business to expand while remaining in the local area, and it will keep 68 existing jobs in the town and will bring in 50 new highly skilled jobs. That company supplies steel for a range of uses, supporting investment

and growth in commercial, retail and residential sectors. The decision by that company to relocate to the enterprise park is a clear sign that businesses are willing and able to purchase land on the site from PxP. Construction started in August and should be completed by May 2015.

Bill Wiggin: I fully understand why the Minister has gone down this route. I deliberately kept the Dale story out. Dale's is a wonderful Leominster company that started building barns for agricultural use. I think that, if she digs a little deeper, she will find that the whole thing hinges on a supermarket development on its original site. Therefore it is a little bit of a red herring in this instance.

Penny Mordaunt: I thank my hon. Friend for that. I am going to get to issues that my hon. Friend is concerned about. I am simply stating that there have been considerable successes in getting businesses into that site. In fact, 85% of plots at the enterprise park will be occupied, showing that PxP is open to doing business where it makes commercial sense. I recognise that my hon. Friend has brought to my attention certain issues that appear not to make commercial sense, but clearly if 85% of the plots are being taken something is working.

Land banking is in nobody's interests, and as long as PxP receive a suitable figure for a site it appears to be happy to provide space for a growing business. I understand that my hon. Friend wants more to be done. I understood that PxP was assisting in resolving the broadband issue and was making representations to BT in that regard.

The Homes and Communities Agency is committed to developing business in the local area and has met a number of local businesses to offer support and address their concerns. Individual discussions have been held with both Powerline Services and Thomas Panels and Profiles to try to make progress on their issues. I understand that in one instance they were signposted to additional funders and that, in another case, an offer was made. I recognise that there was a discrepancy in the funding required to pursue that offer.

Additionally, the HCA has been liaising with the local authority to discuss the management of the enterprise park. The head of the HCA's midlands west team met PxP and the town council to discuss promoting the site further and to consider additional ideas to ensure successful delivery. Details of considerable activity and negotiations on the site were given by the managing director of PxP, and the HCA is providing the town council with regular updates on developments at the enterprise park.

I understand and am pleased that area representatives from the HCA are also planning to meet my hon. Friend in the near future, to discuss how further progress can be made at the enterprise park. An important part of the HCA's role is to drive sustainable, balanced growth in all parts of the country. Enterprise parks are a key tool in driving this growth, bringing new business, skills and activity to local areas, and providing the infrastructure for businesses to succeed. The agency understands how important they are to local communities and wishes to see them bring the greatest possible benefits to their local areas.

To summarise, Leominster enterprise park will shortly be operating at 85% capacity and can be considered successful in providing exciting opportunities for new

business in the area. Although I agree with my hon. Friend that it is unfortunate that the park has not yet reached full capacity, with the recent progress I anticipate that, hopefully, we will see the remaining plots sold before too long. With conditions continuing to improve, I am optimistic that the people and businesses of Leominster will benefit from that progress. I hope that my hon. Friend will continue to work with my Department and it, in turn, will ensure that the HCA does what it can to promote the site and work with local businesses to assist in progressing further sales.

Fundamentally, we are limited in what we can do to intervene. The influence of the HCA is limited and it has a duty of care to PxP when discharging its duties as directors. However, both my hon. Friend the Member for North Herefordshire and my hon. Friend the Member for Hereford and South Herefordshire (Jesse Norman) have highlighted a number of practical steps that would, if they could be brought to fruition, certainly help promote the site.

I am glad that my hon. Friend the Member for North Herefordshire has a meeting planned with the HCA. I will be pleased to keep in touch with him on that matter and to look and see if we can progress the issues he mentioned about broadband and the facilities on the site, to ensure that this enterprise park's reputation remains high.

I congratulate both my hon. Friends on this debate. Not only have they identified the Minister responsible, but I hope now that we will have an action plan to chase down any remaining issues. I am optimistic that we will get a site that will be at 100% occupancy.

Question put and agreed to.

4.58 pm

Sitting adjourned.

Written Statements

Tuesday 14 October 2014

CABINET OFFICE

Veterans' Transition Review

The Minister for Government Policy and Chancellor of the Duchy of Lancaster (Mr Oliver Letwin): I have today placed in the Libraries of both Houses a response to Lord Ashcroft's Veterans' Transition Review which outlines our proposals to address the 42 distinct recommendations made in the report on how to improve the transition process.

I am grateful for the work of Lord Ashcroft and his team in delivering a thorough review of the transition provision for service personnel, not least as it confirmed that the majority of service leavers make a successful transition to civilian life, begin new careers, and enjoy good health. The report also highlighted that the media and public perception that the majority of veterans tend to have some kind of physical, emotional or mental health problem as a result of their service is not true and potentially damaging.

We have taken time to analyse the recommendations in detail; almost all have been accepted positively and, where possible and practical, are being implemented. The Government will continue to work with the service charities, local communities and industry to improve the experience of transition and to promote the skills and experience of service leavers in the civilian workplace.

TREASURY

ECOFIN

The Financial Secretary to the Treasury (Mr David Gauke): A meeting of the Economic and Financial Affairs Council will be held in Luxembourg on 14 October 2014. Ministers will discuss the following items:

Measures in support of investment

Ministers will discuss measures in support of investment, including the Commission-EIB proposal for a new taskforce to identify significant European investments which are not being realised for economic, regulatory or other business reason.

Research and innovation as sources of renewed growth

Council will discuss a Commission communication on research and innovation, inviting views from member states on how to prioritise growth-enhancing expenditure, particularly in this area.

Follow-up to the G20 Finance Ministers and governors' meeting and annual meetings of the IMF and World Bank Group in Washington

There will be an update from the Commission following the G20 Finance Ministers and governors' meeting on 9-10 October 2014 and annual meetings of the IMF and World Bank Group on 10-12 October 2014 in Washington.

Banking union: single resolution fund contributions

The Commission will update the Council on progress towards laying the delegated act on contributions to the resolution financing arrangements under the bank recovery and resolution directive (BRRD) and the single resolution mechanism (SRM).

Business taxation

Following agreement at June ECOFIN, Ministers will be informed of progress on a joint statement between member states and Switzerland on business taxation.

Payment appropriations

The Commission will update Ministers on the state of play on payment appropriations, specifically the draft amending budget 3.

Mandatory automatic exchange of information in the field of taxation

The presidency will seek political agreement to the revised directive for administrative co-operation (DAC2), which will implement the OECD's global standard for automatic exchange of taxpayer information (AEOI) in the EU.

Energy taxation

The presidency will present the energy tax directive, which sets minimum rates of tax for energy products used as heating fuel, motor fuel and electricity, to Council for an exchange of views.

Ministerial dialogue with EFTA countries

Ministers will meet with EEA EFTA states at this ECOFIN.

Tax Policy Consultation and Draft Legislation

The Financial Secretary to the Treasury (Mr David Gauke): The Government's approach to developing tax policy emphasises the benefits of policy consultation and legislative scrutiny.

Following Budget 2014, the Government have engaged with interested parties, seeking their views on more than 30 areas of tax policy. The next stage of consultation aims to ensure that the legislation works as intended.

Draft clauses to be included in the Finance Bill will be published on 10 December 2014, together with responses to policy consultation, explanatory notes, tax information and impact notes and other accompanying documents. The consultation on the draft legislation will be open until 4 February 2015.

HOME DEPARTMENT

Undercover Policing

The Secretary of State for the Home Department (Mrs Theresa May): The use of undercover police officers is an area of significant public and parliamentary interest in the light of the issues identified in the reports of Mark Ellison QC and of Operation Herne. While the issues identified in those reports are historic, the public must have confidence that the behaviour described in those reports is not happening now and can not happen in the future.

That is why, in June 2013, I commissioned from Her Majesty's Inspectorate of Constabulary (HMIC) a comprehensive thematic inspection of the undercover work of all police forces in England and Wales and the Serious Organised Crime Agency (as it then was).

HMIC has today published the report of their inspection, which also covers the other law enforcement agencies with an undercover capability; the National Crime Agency (as the successor to the Serious Organised Crime Agency), HM Revenue and Customs, the Royal Military Police and the Immigration Enforcement Directorate of the Home Office. I am placing a copy of the report in the Library of the House and it is available online at www.justiceinspectorates.gov.uk.

The report finds that, in general, undercover officers carry out their roles professionally and undercover policing as a tactic is essential, but there are still important improvements to be made. In short, we must do more. The report makes a total of 49 recommendations, addressed to all chief constables and the heads of the other law enforcement agencies, as well as to National Policing Leads and the College of Policing. The recommendations focus on ways to improve the authorisation, guidance, training and oversight of undercover officers. In addition, some recommendations are made directly to undercover officers themselves, their cover officers and managers and to those in the National Crime Agency who manage the National Undercover Database.

While this Government have already taken a number of steps to increase oversight and transparency in undercover work, including raising the authorisation level for undercover officers and strengthening the role of the independent Office of Surveillance Commissioners, it is important that HMIC's recommendations are implemented thoroughly and quickly in order to give the public the necessary confidence in this work. I have therefore written to the Chief Executive of the College of Policing and to the responsible National Policing Leads, Sir Jon Murphy and Mr. Mick Creedon, asking them to set out an action plan and timetable for the police to respond to the recommendations of this report. I will place their responses in the Library of the House when I receive them.

NORTHERN IRELAND

Security Situation

The Secretary of State for Northern Ireland (Mrs Theresa Villiers): This is the sixth statement on the security situation in Northern Ireland.

Twenty years have now passed since the 1994 ceasefires in Northern Ireland. There can be no doubt that the security situation has been transformed over the last two decades; the vast majority of people are able to lead their lives unaffected by the current security threat. Throughout the year, Northern Ireland has shown once again that it is moving ahead, successfully hosting high-profile events including the Giro d'Italia and the Queen's baton relay, all of which passed off successfully and without security incident. The announcement earlier this year that the Open golf championship is returning to Royal Portrush in 2019 for the first time since 1951 is further testament to this.

While so much has been achieved, Northern Ireland continues to face a terrorist threat from a small minority of groups who hold democracy in contempt. They are violent and reckless and offer nothing positive to their communities. Not surprisingly, they have almost no popular support. They do, however, retain both lethal intent and capability.

Nature and extent of the threat

The threat level in Northern Ireland and Great Britain from Northern Ireland-related terrorism remains unchanged since my last statement to Parliament on 29 January 2014, *Official Report*, column 33WS. The threat to Northern Ireland is currently "Severe" (an attack is highly likely) while the threat to Great Britain is "Moderate" (an attack is possible but not likely). There have been 18 national security attacks in 2014.

Police and prison officers remain the principal targets for violent dissident republicans; attacks upon them continue to vary considerably in terms of sophistication. Since my last statement, the sterling work of the PSNI and MI5, who co-operate closely with An Garda Síochána and others, has undoubtedly saved lives and helped to tackle the threat. I wish to pay tribute to all that they do to make Northern Ireland a safer place and to acknowledge the ongoing and significant personal risk they bear both on and off duty. As a direct result of their efforts there have been major disruptions, arrests and convictions in recent months as well as seizures of arms and IED components, both north and south of the border, that have impeded violent dissident republican activity.

Since my last statement, law enforcement activity on both sides of the border has impeded the activities of the so-called new IRA. Following the arrest and charge of alleged members of the leadership at the end of 2013, the group's activities were hampered. For some months it resorted to sending letter bombs to Army recruiting offices in Great Britain and to prison officers in Northern Ireland. These crude devices have swollen the number of national security incidents but were designed to do nothing more than garner media attention and intimidate the recipients. However, in March the group demonstrated its continued lethal intent when it used an explosive projectile against a police patrol in a residential area of west Belfast. This reckless attack was designed to kill police officers, but it came perilously close to injuring or killing an innocent family passing at the time.

The PSNI subsequently seized 2.5 kg of Semtex from this group which was undoubtedly intended for use in further lethal explosive devices. In the Republic of Ireland, An Garda Síochána (AGS) arrested and charged a suspected new IRA bomb maker. Despite these successes, the group continues to mount attacks and in late May it conducted a firebomb attack on a hotel; a month later armed men fired upon an unoccupied vehicle used by G4S staff in Belfast. However, since then the PSNI have had further successes, including the arrest and charge of another individual alleged to hold a leadership role in the group.

Security partners have also had significant success in curtailing the activities of Oglai na hEireann (ONH). In March, the PSNI arrested an individual in Belfast in possession of an explosive device which was ready to be deployed. In May, the AGS arrested a number of individuals in possession of an even larger device, almost certainly destined to be deployed in Northern Ireland.

These arrests and disruptions demonstrate the productive working relationship between security forces north and south of the border and have ensured that ONH has been unable to carry out any significant terrorist attacks since Christmas 2013. Unfortunately, despite this pressure, members of ONH in Belfast persist in resorting to savage vigilante attacks against members of their own community in an attempt to exercise control.

Localised Continuity IRA (CIRA) members continue to plan attacks against police officers. These occasionally materialise but CIRA remains factional and riven by in-fighting. In March, PSNI recovered a crude under vehicle explosive device from a roadside in Belfast. It was either abandoned by CIRA members or had fallen off a vehicle. In either case, it had not functioned as intended and was instead left to be found by members of the public. This kind of dangerous, wholly misguided activity is typical of this disparate group which, along with many dissident republicans, continues to use republicanism as a cover for criminality and self-gain. Not only do dissident republicans exploit and intimidate their local communities, they are also engaged in drug dealing, robbery, extortion and punishment attacks.

These people must be held to account. In May the Court of Appeal in Belfast upheld the judgment against two CIRA members, John Paul Wootton and Brendan McConville, responsible for the murder of PSNI Constable Stephen Carroll in 2009. The road to justice has been a long one for Constable Carroll's family and I pay tribute to their fortitude. More recently, in September, four dissident republicans were convicted of a range of terrorism offences including the use of a terrorist training camp, an excellent result which highlights the sustained pressure that is being brought to bear against violent dissident republicans.

Loyalist paramilitary organisations

The two principal loyalist paramilitary organisations, the Ulster Defence Association (UDA) and the Ulster Volunteer Force (UVF) continue to exist. Tensions and in-fighting within both the UDA and UVF also persist and remain a cause for concern.

Overall, we continue to assess that the collective leaderships of the UDA and UVF remain committed to the peace process and, in some cases, have played a positive role in preventing public disorder, particularly around parading. However, I remain concerned that there are areas where militant and criminally focused individuals are seeking to use their paramilitary connections to exploit the discontent which exists in parts of the loyalist community.

This exploitation is mainly for personal gain and can take many different forms including attacks on property belonging to elected representatives, drug dealing, extortion, intimidation and brutal punishment attacks within their own communities. This must be, and is, being tackled robustly. I fully support the action being taken by the PSNI to apprehend those responsible. This is not an easy task and it takes time to build an evidential case but the full force of the law needs to be brought to bear upon these thugs.

While the parading season in Northern Ireland passed off largely peacefully this year thanks to the strong, co-operative approach of all of those involved, efforts must continue to ensure that public disorder of the type witnessed in previous years does not recur in the future.

The Government's strategic approach

This Government are clear that terrorism will never prevail in Northern Ireland. The 2010 national security strategy made tackling Northern Ireland-related terrorism a tier one priority—the highest priority for Government. As Secretary of State I provide regular updates to the Prime Minister and colleagues on the progress being made on tackling the terrorist threat.

This Government have provided additional security funding to PSNI totalling £231 million between 2011 and 2015 to support them in tackling the threat. This is significant extra funding at a time when overall budgets are falling and when we also face a very significant threat from international terrorism. It is a matter of great concern that this additional funding will now have less of an impact because of the decision to severely reduce the overall funding provided by the Executive to the PSNI, caused partly by failure to implement welfare reform. There is no doubt that this will have a negative effect on the PSNI's operational capability in some areas, notwithstanding the additional support provided by the Government.

Our strategic approach also involves working closely with our partners in the Republic of Ireland on a range of issues. Co-operation has never been better, both politically and in security terms, and we want to build on this, removing practical barriers to co-operation and maximising our ability to act against the threat on both sides of the border.

It is worth noting that the inability of the National Crime Agency (NCA) to operate to its full extent in Northern Ireland means there will be proceeds of crime that are not seized and criminals who are not apprehended. The choice on whether to allow the NCA to operate in relation to devolved matters rightly rests with the Northern Ireland Executive. But that choice has consequences. Early resolution of this issue is essential to avoid serious law enforcement gaps emerging in Northern Ireland in response to issues of deep public concern, such as drug enforcement, human trafficking and other forms of serious criminality.

While the limit on the NCA's powers in Northern Ireland does not have a significant direct impact on the terrorist threat, it does make it harder to seize assets from individuals involved in criminality with connections to paramilitary groupings. Depriving Northern Ireland of the full support and operational capacity of the NCA also places further pressure on the PSNI's already limited budgets and resources.

Conclusion

We continue to suppress the threat from terrorism and remain fully committed to tackling it in the future, keeping the people of Northern Ireland safe and secure. This takes considerable effort and we must remain vigilant—there can be no let-up in our efforts. We are totally focused on supporting the vital work that continues on a daily basis in Northern Ireland to combat terrorism.

TRANSPORT

General Aviation Challenge Panel

The Parliamentary Under-Secretary of State for Transport (Mr Robert Goodwill): Together with the Minister without Portfolio, my right hon. Friend the Member for Welwyn Hatfield (Grant Shapps), I wish to inform the House of the publication of the Government's response to the recommendations made by the general aviation (GA) challenge panel in its final report to Ministers which was published in May.

We recognise the singular role that the GA sector plays as a driver within the UK's aviation industry. Many of our pilots and engineers are trained within the GA community, and the vast majority of the aircraft in

this country operate within it. Its value has been estimated at some £1.4 billion to our economy, and it possesses the potential to support even more skilled jobs than at present and make an even greater contribution to economic growth.

The Government welcome the rigour with which the challenge panel has worked to produce its report and recommendations. The Government have considered the recommendations, have responded to these and made a number of announcements about the work being taken forward within their response.

These include;

Establishing a new cross-Department star chamber chaired by the Minister without Portfolio and including senior representation from all Government Departments with influence on GA matters;

Commissioning economic research to inform views of where Government policy could go further to support a vibrant GA sector, including a commitment to look again at planning issues relating to airfields in light of the planned economic research;

Committing to challenge and support the delivery of the European Aviation Safety Agency's (EASA) general aviation road map, including consideration of amendments to the EASA basic regulation where appropriate;

Considering how to make the legislative requirements for GA users crossing the border easier to understand, and undertaking a consultation on pre-notification periods for GA flights to reduce the time scale for advance notification at designated customs ports;

Undertaking a joint review of the air navigation order with the Civil Aviation Authority (CAA) to assess where this has disproportionate impacts on the GA sector.

Much of this work will contribute to a Government strategy for GA which we plan to publish in the spring of 2015.

General aviation can and should contribute to the UK's economic success, while providing a safe environment for participants and the public. The Government's aim is therefore to make the UK the best country in the world for general aviation.

I will place copies of the documents in the Libraries of both Houses.

Rail Passengers' Rights and Obligations Regulation

The Parliamentary Under-Secretary of State for Transport (Claire Perry): I am today announcing a consultation to consider the future of exemptions from the EC Regulation 1371/2007 on Rail Passengers' Rights and Obligations Regulations.

The regulation sets out a number of obligations which the rail sector must comply with in full by 2024, including on transferability of tickets, assistance for disabled people, complaints processes, industry IT systems and information for all passengers. The aim of this consultation is to gather evidence to enable us to gain a better understanding of where the rail industry is already meeting, or exceeding, the EU standards, and to help us identify where we may be able to bring certain provisions into force earlier than the 2024 deadline required by the EU regulation.

The Government are committed to raise standards for rail passengers across the country. The Government seek to do this in a way that secures the maximum benefit to fare payers and taxpayers. Currently the Government are seeking to use the franchising programme to drive up standards for rail passengers, while at the same time securing cost efficiency savings that can then be passed onto fare payers and taxpayers.

When deciding on which exemptions to remove, we therefore want to ensure the right balance is struck between the benefits this would give passengers, the cost impact on taxpayers and the rail industry, the industry's ability to meet the requirements, and Government's wider commitments to the principles of better regulation for an industry.

No final decisions have been taken on the issues covered in the consultation and the important evidence we gather during this process will help us take robust decisions on the removal of exemptions. At this stage, the indications are positive and we are proposing the removal of close to two thirds of the exemptions.

Nevertheless, it is important that we take the time to consider the benefits of removing exemptions, as well as any regulatory or cost burdens. The current exemptions in place expire shortly, and in order to allow further consideration of these important issues, we are first taking the step of renewing all exemptions in December, to provide a holding position to allow the additional time for that detailed consideration.

The consultation will run for 10 weeks from today and all relevant documents are available here: <https://www.gov.uk/dft#consultations>. The consultation document and associated consultation stage impact assessment will be placed in the Libraries of both Houses, as in due course will copies of the statutory instrument, explanatory memorandum, and impact assessment related to the renewal of the exemptions.

Petition

Tuesday 14 October 2014

OBSERVATIONS

HEALTH

Proposed Closure of Glamis Hall (Wellingborough)

The Humble Petition of the residents of Wellingborough, Northamptonshire and the surrounding areas,

Sheweth,

That the Petitioners believe that the proposed closure of Glamis Hall in Wellingborough is unacceptable because there are no other day care facilities for the elderly in Wellingborough; further that the Petitioners believe that for many of the 180 elderly people who attend the day centre it is their only opportunity to socialise, and provides an excellent service, including transport to/from the centre, bathing, podiatry and hair dressing services; and further that the Petitioners believe that it provides a social atmosphere for some of our most vulnerable people, as well as providing recreation bookings and sports changing rooms in the evenings and weekends.

Wherefore your Petitioners pray that your Honourable House urges the Department for Communities and Local Government to encourage Northamptonshire County Council and the Borough Council of Wellingborough to work together to ensure Glamis Hall is kept open until the end of November 2015, while working with the community in the interim period to find a permanent solution which is satisfactory to all.

And your Petitioners, as duty bound, will ever pray, &c.—[Presented by Mr Peter Bone, Official Report, 10 September 2014; Vol. 585, c. 1049.]

[P001385]

Observations from the Secretary of State for Department of Health:

The Department of Health is responsible for legislation governing the quality and safety of social care services in England. Local authorities are responsible for commissioning social care services. They are autonomous public bodies and it is for the local authority concerned to decide how best to meet the need for social services in its area. It would not be appropriate for Government Ministers to intervene in such matters, provided of course that local authorities are acting lawfully.

Ministers do appreciate how important it is for older people, especially those who may be at risk of becoming isolated, to be able to socialise and use and enjoy the services and facilities provided at services such as the one referred to. The Government expect local authorities to promote the well-being of all residents in their areas.

Ministerial Correction

Tuesday 14 October 2014

HEALTH

Nurses: Recruitment

Gloria De Piero: To ask the Secretary of State for Health how many training posts for nurses were commissioned in England in each of the last five years. [197593]

[Official Report, 7 May 2014, Vol. 580, c. 241-43 W.]

Letter of correction from Dr Poulter:

An error has been identified in the written answer given to the hon. Member for Ashfield (Gloria De Piero) on 7 May 2014.

The full answer given was as follows:

Dr Poulter: The following table shows the number of new pre-registration nursing places that were filled in the last five years. The table includes the students enrolled on the degree and diploma courses.

<i>Nursing total</i>	
	<i>Number</i>
2009-10	20,829
2010-11	20,092
2011-12	17,741
2012-13	17,219
2013-14	18,009

Source:

Multi professional education and training budget monitoring returns.

The correct answer should have been:

Dr Poulter: The following table shows the number of new pre-registration nursing places that were filled in the last five years. The table includes the students enrolled on the degree and diploma courses.

<i>Nursing total</i>	
	<i>Number</i>
2009-10	20,829
2010-11	20,092
2011-12	17,741
2012-13	17,219
2013-14	17,568

Source:

Multi professional education and training budget monitoring returns.

ORAL ANSWERS

Tuesday 14 October 2014

	<i>Col. No.</i>		<i>Col. No.</i>
ATTORNEY-GENERAL	153	DEPUTY PRIME MINISTER—continued	
Contempt of Court	159	Cornwall and the Isles of Scilly Local Enterprise Partnership	144
Fraud/Serious Financial Crime	155	D2N2 Local Enterprise Partnership	139
Proceeds of Crime	157	Individual Electoral Registration	142
Vasiliki Pryce: Prosecution Costs	160	Social Mobility	140
Witness Support	153	Topical Questions	146
DEPUTY PRIME MINISTER	139		
Constitutional and Political Reform	144		

WRITTEN STATEMENTS

Tuesday 14 October 2014

	<i>Col. No.</i>		<i>Col. No.</i>
CABINET OFFICE	19WS	TRANSPORT	24WS
Veterans' Transition Review	19WS	General Aviation Challenge Panel	24WS
HOME DEPARTMENT	20WS	Rail Passengers' Rights and Obligations Regulation	25WS
Undercover Policing	20WS	TREASURY	19WS
NORTHERN IRELAND	21WS	ECOFIN	19WS
Security Situation	21WS	Tax Policy Consultation and Draft Legislation	20WS

PETITION

Tuesday 14 October 2014

	<i>Col. No.</i>	<i>Col. No.</i>
HEALTH	1P	
Proposed Closure of Glamis Hall (Wellingborough)	1P	

MINISTERIAL CORRECTION

Tuesday 14 October 2014

	<i>Col. No.</i>
HEALTH	1MC
Nurses: Recruitment	1MC

Members who wish to have the Daily Report of the Debates forwarded to them should give notice at the Vote Office.

No proofs of the Daily Reports can be supplied. Corrections which Members suggest for the Bound Volume should be clearly marked in the Daily Report, but not telephoned, and *the copy containing the Corrections must be received at the Editor's Room, House of Commons,*

**not later than
Tuesday 21 October 2014**

STRICT ADHERENCE TO THIS ARRANGEMENT GREATLY FACILITATES THE
PROMPT PUBLICATION OF THE VOLUMES

Members may obtain excerpts of their Speeches from the Official Report (within one month from the date of publication), on application to the Stationery Office, c/o the Editor of the Official Report, House of Commons, from whom the terms and conditions of reprinting may be ascertained. Application forms are available at the Vote Office.

PRICES AND SUBSCRIPTION RATES

DAILY PARTS

Single copies:

Commons, £5; Lords, £4.

Annual subscriptions:

Commons, £865; Lords, £600.

LORDS VOLUME INDEX obtainable on standing order only. Details available on request.

BOUND VOLUMES OF DEBATES are issued periodically during the session.

Single copies:

Commons, £105; Lords, £60 (£100 for a two-volume edition).

Standing orders will be accepted.

THE INDEX to each Bound Volume of House of Commons Debates is published separately at £9.00 and can be supplied to standing order.

All prices are inclusive of postage

CONTENTS

Tuesday 14 October 2014

Oral Answers to Questions [Col. 139] [see index inside back page]

Deputy Prime Minister
Attorney-General

Taxation of Pensions [Col. 161]

Bill presented, and read the First time

Carers Bedroom Entitlement (Social Housing Sector [Col. 162])

Motion for leave to bring in Bill—(Barbara Keeley)—on a Division, agreed to
Bill presented, and read the First time

Devolution (Scotland Referendum) [Col. 168]

Motion—(Mr Hague)—lapsed

Petitions [Col. 272]

Schools (Brighton and Hove) [Col. 273]

Debate on motion for Adjournment

Westminster Hall

Surrogacy [Col. 1WH]

Sepsis (Preventable Deaths) [Col. 16WH]

Foetal Alcohol Syndrome [Col. 24WH]

Steel Industry [Col. 49WH]

Leominster Enterprise Park [Col. 58WH]

Debates on motion for Adjournment

Written Statements [Col. 19WS]

Petition [Col. 11P]

Observations

Ministerial Correction [Col. 1MC]

Written Answers to Questions [The written answers can now be found at <http://www.parliament.uk/writtenanswers>]
