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House of Commons

Tuesday 4 November 2014

The House met at half-past Eleven o'clock

PRAYERS

[Mr Speaker *in the Chair*]

Oral Answers to Questions

TREASURY

The Chancellor of the Exchequer was asked—

Northern Powerhouse

1. **Mr David Jones** (Clwyd West) (Con): What progress he has made on his policy to create a northern powerhouse for the UK economy. [905838]

6. **Graham Evans** (Weaver Vale) (Con): What progress he has made on his policy to create a northern powerhouse for the UK economy. [905843]

9. **Paul Maynard** (Blackpool North and Cleveleys) (Con): What progress he has made on his policy to create a northern powerhouse for the UK economy. [905846]

10. **Andrew Stephenson** (Pendle) (Con): What progress he has made on his policy to create a northern powerhouse for the UK economy. [905848]

13. **John Stevenson** (Carlisle) (Con): What progress he has made on his policy to create a northern powerhouse for the UK economy. [905851]

The Chancellor of the Exchequer (Mr George Osborne): In July I set out my plan to build a northern powerhouse to connect the great cities of the north with the counties that surround them—and, of course, north Wales—by investing in transport science, and by devolving powers from Westminster to elected city mayors. We now have plans for High Speed 3 and for major new science investment. Yesterday I signed an historic agreement with the civic leaders of Greater Manchester to create the first directly elected metro-wide mayor outside London, with powers over transport, economic development and policing. I hope that Manchester will be the first of many cities to take advantage of the greater devolution of powers. Today I have opened my door to discussions with any metropolitan authority that wants to adopt a new model of governance. All that is part of our ambition to reduce the decades-old gap between north and south, which is central to our long-term economic plan.

Mr David Jones: Does my right hon. Friend agree that key to the northern powerhouse vision is the improvement of transport connectivity throughout the region, and does he agree that north Wales is well placed to benefit from such improvement?

Mr Osborne: As a Cheshire Member of Parliament, I know that the north Wales economy is closely connected with the economy of the north-west of England. We have already committed ourselves to reopening the Halton curve, re-establishing a regular direct rail link between north Wales and Liverpool for the first time since the 1970s. That is something that my right hon. Friend asked me to do, and campaigned for. Moreover, High Speed 2 gives us the potential of a station at Crewe, which will greatly increase capacity for journeys to north Wales and reduce journey times. We are ready to listen to further ideas for ensuring that prosperity is experienced in north Wales as well.

Graham Evans: For 13 years Labour neglected jobs and growth in the north, including Weaver Vale, thus creating an economy that was dangerously unbalanced. Does my right hon. Friend agree that it is only the Conservative party, with its long-term economic plan, that will deliver job security for the whole United Kingdom, not just the south?

Mr Osborne: My hon. Friend is absolutely right. A record number of people are now employed in the north of England, but the gap between north and south grew under those 13 years of Labour government. If the House wants one example of a project that was waiting to be completed but was entirely neglected by the Labour Government, it is the Mersey Gateway bridge, which this Government are now building and to which they are committed—and, thanks to my hon. Friend's campaigning, there will be no tolls for local residents.

Paul Maynard: I welcome the Chancellor's obvious commitment to the northern economy. Does he agree that a commitment to exports will be at the heart of its regeneration, and will he join me in praising Victrex, a company in my constituency, which exports 97% of what it produces? Is that not what will drive a northern renaissance?

Mr Osborne: My hon. Friend, who is a powerful champion of the businesses in his constituency which employ local people, has told me about Victrex and its exporting success. That success is being replicated by other manufacturers in the north of England which are increasing their exports. The energy revolution in the Fylde area and on the Blackpool coast is creating the potential for a national college to develop the engineering and other skills that will be required. My hon. Friend has made a strong bid for that college to be in his constituency, and I am listening very carefully to the case that he is making.

Andrew Stephenson: I welcomed what my right hon. Friend said when he was in Manchester yesterday. However, a northern powerhouse must not just be about our biggest cities. In Pendle we have landmark regeneration projects such as the £30 million redevelopment of Brierfield Mill, which is in need of my right hon. Friend's support. Will he tell me what benefits the northern powerhouse will bring to my constituents, and how his investments in transport and regeneration will help them?

Mr Osborne: Crucial to the vision of the northern powerhouse is not just supporting the great cities of the north, but ensuring that they are connected with the

towns and counties surrounding those cities. We are investing hugely to improve transport links in Lancashire. My hon. Friend, who is such a champion of his constituency, has raised with me the Brierfield Mill site, which now called Northlight. We are taking a close look at what we can do to redevelop the area and bring more jobs to his constituency, and that is due to his campaigning efforts.

John Stevenson: The idea of a northern powerhouse is welcome, as is the introduction of an elected mayor, which I am sure will provide real leadership. However, it is vital for smaller places such as Carlisle to benefit as well, which will mean ensuring that the next generation has the right skills to enable local businesses to succeed and prosper. How will the Chancellor ensure that that happens?

Mr Osborne: Thanks in part to the efforts of my hon. Friend and the support he has given to investment in Carlisle, we have seen a 34% fall in the unemployment claimant count in Carlisle in the last year alone. We are also devolving more responsibility for setting the skills agenda to local businesses, so we can have skills that are specific to the Carlisle area. I am always happy to talk to my hon. Friend and to meet people he would bring to see me, to see what more we can do to make sure that Carlisle is part of the strong economic revival of the north of England.

Ms Gisela Stuart (Birmingham, Edgbaston) (Lab): The Chancellor opened the door for other metropolitan areas to go down the route of the northern powerhouse. Has he given any consideration to what he regards to be an optimum size for those units? In the west midlands, would that be a Greater Birmingham and black country metropolitan area or an entire west midlands metropolitan area?

Mr Osborne: I do not think any one area is the same as any other area. There is a specific model for Greater Manchester, and of course the Greater Manchester councils had worked well together as a combined authority. Clearly Birmingham city council is much larger than Manchester city council alone, so I would like to have a conversation with the hon. Lady, and with Albert Bore and other civic leaders in Birmingham, about whether we can move to a mayoral model, perhaps just in the city. That is a discussion to be had with local people, however.

Mr Barry Sheerman (Huddersfield) (Lab/Co-op): I must congratulate the Chancellor of the Exchequer on his organisational brilliance by peppering us with all these planted questions on this subject, but I tell him, as the co-chair of the Yorkshire group of MPs, that we are a bit canny in Yorkshire; we are a bit worried about this northern powerhouse. We agree with it and support it, but it is a bit close to the general election. Where has he been for four and a half years, and where is the money coming from? We have not seen any resources for it.

Mr Osborne: We have already made investments over the last four years in things such as the northern hub and the electrification of the trans-Pennine railway, which of course will have helped the hon. Gentleman's constituency. I welcome his support for the northern powerhouse. This agreement with Greater Manchester was struck with Labour leaders of Manchester councils as well as the Conservative leader of Trafford and the Liberal Democrat leader of Stockport. I want to work across party divides with local Labour civic leaders and local Labour MPs to see what we can do for Huddersfield and other towns in the north of England so that they are connected to the northern powerhouse.

Chris Ruane (Vale of Clwyd) (Lab): Can we see the colour of the Chancellor of the Exchequer's money? How much is being allocated for so-called HS3, and has he ring-fenced the amount of funding for north Wales?

Mr Osborne: We will have developed and costed plans for HS3 from—*[Interruption.]* There was no proposal for HS3 from the Labour party for 13 years in government and then for four years in opposition. Labour Members are now complaining that I came up with a proposal four months ago. We already have detailed support for that proposal from David Higgins and we are going to have a costed plan for it. There was absolutely no attempt to connect the north of England from east to west under the last Labour Government. It is happening under this Conservative-led Government.

Mr Angus Brendan MacNeil (Na h-Eileanan an Iar) (SNP): Is not the best way to have a northern economic powerhouse to have full fiscal autonomy for Scotland? After all, the Prime Minister did say that all options for devolution are there and all are possible. Does the Chancellor agree, or is he afraid of the competition from a more socially just Scottish treasury making better policies for the people of Scotland?

Mr Osborne: We will honour the commitments made during the referendum campaign by all the Unionist parties to devolve further fiscal powers to Scotland. We will honour the commitment we made, and I would ask the Scottish National party to honour the promise it made that this was a referendum which would settle the issue of Scottish independence at least for

"a generation…perhaps for a lifetime"—

I am quoting Alex Salmond. Perhaps the SNP should stop trying to reopen the question that was resolved, and work with us to make sure that Scotland has a great economic future.

Catherine McKinnell (Newcastle upon Tyne North) (Lab): The Chancellor talks about creating a northern powerhouse, but really is he not just struggling to play catch-up, because while he has been shifting funds from northern cities to wealthier parts of the country, the unemployment rate in the north-east is the highest in the country, wages for working people in the north have fallen by even more than the national average and across the north the number of people unemployed for a year or more is up 62% since the last election? Why will he not match Labour's plan to devolve real power and £30 billion of funding not just to the north, but to all city and county regions?

Mr Osborne: Labour ran one of the most centralised Governments in history. It did not devolve any powers to anyone—

Chris Leslie (Nottingham East) (Lab/Co-op): We did in Scotland.

Mr Osborne: Not in England. In regard to playing catch-up, I would say to the hon. Lady that we have heard from Labour's civic leaders in Greater Manchester that they want a directly elected mayor. We have heard from the Conservative Chancellor of the Exchequer. What is the view of those on the Labour Front Bench on this proposal? Last week, the Labour leader was in Manchester saying that the Labour party would never sign up to such a deal, but four days later all his civic leaders did so. What is the policy of the Labour party?

Income Tax Allowances/Thresholds

2. **Jackie Doyle-Price** (Thurrock) (Con): What plans he has to bring forward legislative proposals to change income tax allowances and thresholds. [905839]

The Chancellor of the Exchequer (Mr George Osborne): By next year, the personal allowance threshold will have reached £10,500. This will mean an £805 cut in income tax for the typical basic-rate taxpayer, and 3 million people being taken out of income tax altogether. Under a Conservative Government in the next Parliament, we would go further.

Jackie Doyle-Price: Enabling people to keep more of what they earn is the best thing any Government can do for ordinary hard-working taxpayers. Can the Chancellor tell me how many of my constituents in Thurrock will be likely to benefit from these proposals?

Mr Osborne: My hon. Friend is a champion for the hard-working people in her constituency. Not only have our personal tax cuts helped many thousands of those people, but if we go ahead with our plans to raise the personal allowance to £12,500, more than 5,500 people in Thurrock would be lifted out of income tax altogether and 58,000 of the people she represents would benefit.

Kate Green (Stretford and Urmston) (Lab): Raising tax thresholds disproportionately benefits men, because many women earn so little that they do not even reach the lowest threshold. On the other hand, consumption taxes have a disproportionate effect on women who are responsible for managing the family budget. Will the Chancellor rule out any increase in VAT, in order to ensure that our tax system can be fair to both genders?

Mr Osborne: We do not need to raise VAT, because our plans are paid for by the Government living within their means. Does the hon. Lady speak for the Labour party, because she seems to be opposing the increase in the personal income tax threshold? That is a policy that has lifted many low-paid women out of income tax altogether, and I find it surprising that once again the Labour party is against the interests of hard-working people.

Mr Andrew Tyrie (Chichester) (Con): By raising the personal allowance, the Chancellor has pulled 3.2 million people out of tax altogether. At the same time, however, he has dragged 1.6 million people into paying the higher rate of 40p. It is the marginal rates that matter, and that is a massive disincentive to wealth creation in this country. Does he acknowledge that, as soon as the fiscal room to do so is available, it will be essential to act to take as many people as possible out of higher-rate taxation altogether?

Mr Osborne: As my hon. Friend knows, people earning up to £100,000 who are paying the higher rate have seen the benefit of the increase in the personal allowance. They have seen their income tax bills fall. He is right to say that more people have been pulled into the 40p rate, however, and that is why we are proposing to increase the threshold to £50,000. That will be in our election manifesto, and it is something that we can deliver in the next Parliament so that people on middle incomes, as well as those on lower incomes, can benefit from a tax-cutting Conservative Government.

Chris Leslie (Nottingham East) (Lab/Co-op): The Chancellor did not give us the small print relating to the promises that he has just repeated: terms and conditions apply. Will he acknowledge that there is a price tag attached to those promises, and will he tell us specifically what the cost of those commitments would be?

Mr Osborne: What I would say to the shadow Chief Secretary to the Treasury is—

Ed Balls (Morley and Outwood) (Lab/Co-op): What is the answer?

Mr Osborne: It is around £7 billion when we add it all up. That would be paid for by lower public expenditure. These are tax cuts that are paid for. I note that that is not the approach taken by the Labour party, which would increase tax, increase borrowing and increase spending, sending the economy back into the mess that it left it in.

Chris Leslie: So we have established that this would mean £7 billion of lower public expenditure. What elements of public expenditure would be involved? Would the Chancellor cut the police again? Would he take the money from schools and hospitals? Or are we to judge him on his usual track record, which would mean that after the election he would simply add it on to VAT?

Mr Osborne: What we have seen under this Government is a party that is able to bring our public finances under control; to reduce the welfare bill; and to make sure the egregious waste in Westminster and Whitehall that took place under the previous Government no longer takes place. We will fund that by lower public expenditure, because once we get the public finances under control we are going to keep them under control.

Tax Receipts (Deficit)

3. **Ian Murray** (Edinburgh South) (Lab): What assessment he has made of the effect of tax receipts on the deficit in the last 12 months. [905840]

The Chief Secretary to the Treasury (Danny Alexander): Progress has been made on reducing the deficit; it is down by more than a third from its peak and borrowing in 2013-14 was under £100 billion for the first time in six years. The latest public finance release shows that the impact of the great recession is still being felt in our

economy and the public finances. The Office for Budget Responsibility expects real earnings to rise faster than inflation, and receipts are expected to perform more strongly in the second half of the year. It is therefore important to stick to the plan, which is building a more resilient UK economy.

Ian Murray: The Chief Secretary to the Treasury will be aware that although unemployment has been falling, income tax receipts to the Treasury have stayed flat, despite the Government predicting a significant increase. Does that not show that this Government are presiding over an explosion of underemployment, zero-hours contracts and low pay, and until they deal with that, they will never bring the deficit down?

Danny Alexander: First, I would think that the hon. Gentleman would welcome the substantial increase in employment we have seen in the past two or three years—after all, it was his Front-Bench team who predicted that that would not happen under this Government. In fact, 80% of the jobs created in the past 12 months have been in full-time employment, not the part-time employment he is talking about, which is greater than the level in the economy as a whole.

Steve Baker (Wycombe) (Con): Tax receipts and deficit closure are contingent on a strong economy, so does the Minister welcome the fact that the Legatum Institute's prosperity index shows that the UK is now the most prosperous economy in all the major EU countries?

Danny Alexander: I agree with my hon. Friend that strong tax receipts require a strong economy, and the focus of this Government's economic policy since the coalition was formed has been to rebuild the UK economy and clear up the mess left to us by the Labour party. We now have the strongest growth in the major world economies, and Government Members should be very proud of that.

Mr John Spellar (Warley) (Lab): Revenue officials have always been slow to catch up with the latest tax-avoidance scams in the construction industry, the latest of which is the umbrella company. Such companies are costing the Revenue huge sums and are exploiting workers. This is spreading rapidly to other sectors, including supply teaching. What is the Minister going to do about the scandal of umbrella companies?

Danny Alexander: We introduced measures precisely to deal with intermediary companies, which are often vehicles for tax avoidance or for minimising tax. We take that very seriously. If the right hon. Gentleman has evidence that he wishes to bring to my attention of specific issues that have come to his attention, I would gladly look at it.

Mark Pawsey (Rugby) (Con): Does the Chief Secretary agree that the best way to increase tax receipts is to create the conditions for business confidence and growth? That is happening in my constituency, with the recruitment firm eResponse choosing to set up in Rugby because it has assessed that between 1,500 and 2,000 new jobs will become available.

Danny Alexander: I welcome that sort of investment, and I very much agree with what my hon. Friend says. Businesses like that one, in every constituency up and down the country, are creating jobs because they have confidence in the economic policies of this Government.

Uncollected Tax

4. **Heidi Alexander** (Lewisham East) (Lab): What estimate Her Majesty's Revenue and Customs has made of the amount of uncollected tax in the last year for which figures are available. [905841]

The Financial Secretary to the Treasury (Mr David Gauke): HMRC published its latest tax gap estimates on 16 October, and in 2012-13 the gap was estimated at £34 billion—6.8% of total tax due.

Heidi Alexander: Thirty-four billion pounds is a very significant amount of money, and under this Government the amount of uncollected tax has risen by £3 billion. Why has the Minister allowed that to happen?

Mr Gauke: Let us be clear: a rate of 6.8% is lower than was achieved in any year under the last Labour Government. In addition, HMRC's yield—the money that has come in as a consequence of its efforts—was £7 billion higher in 2013-14 than it was in 2010-11. The fact is that this Government have an excellent record on dealing with tax avoidance, tax evasion and the tax gap.

Henry Smith (Crawley) (Con): Can the Chancellor of the Exchequer say how the Government are encouraging greater payment of tax through international agreements that we have achieved, for example, with Switzerland?

Mr Gauke: I am sure that the Chancellor can explain that, but as I am already at the Dispatch Box, I will answer the question. The UK has very much led the way in the OECD base erosion and profit shifting process, ensuring that the international tax system is fit for purpose. We have made good progress on that, but there is still work to do.

18. [905859] **Nick Smith** (Blaenau Gwent) (Lab): Does the Minister think that there is any link between the deep cuts to HMRC staff, particularly in Cardiff, and the uncollected tax that is rising under this Government?

Mr Gauke: As I say, what has happened under this Government is that the yield brought in by HMRC has increased year after year. The tax gap is lower for 2012-13 than it was in any year under the previous Labour Government. In truth, the record of HMRC is one of getting more from less, but we have invested in the areas that bring in money on tax avoidance and tax evasion.

Mr Philip Hollobone (Kettering) (Con): Will the Minister ensure that the unacceptable and unwelcome £1.7 billion bill from the European Union remains an uncollected tax demand, and that there will be no payment of interest on any late payment?

Mr Gauke: First, I congratulate my hon. Friend on the ingenuity of his question. Secondly, let me repeat what the Prime Minister said: we will not be paying £1.7 billion on 1 December.

Mr Speaker: It was indeed an extremely ingenious question, as HMRC would not be the tax collector, but, understandably, that did not trouble the hon. Member for Kettering (Mr Hollobone) in any way.

20. [905862] **Mr Iain McKenzie** (Inverclyde) (Lab): One in four children across the UK lives in poverty while this Government allow £34 billion in unpaid tax to go astray. Does the Minister not see an urgency in collecting that tax so that he can eliminate that disgraceful statistic?

Mr Gauke: Let us be clear: the tax gap is lower than it was under the previous Government and yield is higher. By international standards, the UK has one of the lowest tax gaps in the world. We have a good record, but we always seek to do more, which is why at the Budget and autumn statement, we have always been able to bring forward measures to deal with tax avoidance and tax evasion, and that is a record with which we will continue.

Shabana Mahmood (Birmingham, Ladywood) (Lab): The Minister has failed to acknowledge that families struggling to make ends meet expect the Government to ensure that everyone pays their fair share, and yet the amount of uncollected tax has risen by £3 billion since he came to office. Is it not the truth that that is both deeply unfair to hard-working families and further evidence that this Government have totally failed to tackle tax avoidance?

Mr Gauke: No; we have brought forward 40 measures to reduce tax avoidance, reduced the tax gap as a proportion of tax receipts, and increased by £7 billion the yield brought in by HMRC. The truth is that it is this Government who have acted in this area, and the record of the previous Government does not bear comparison.

Fiscal Consolidation

5. **Stephen Hammond** (Wimbledon) (Con): What progress he has made on his fiscal consolidation plans. [905842]

The Chief Secretary to the Treasury (Danny Alexander): The Government inherited the largest deficit since the second world war. Since then, we have made substantial progress in reducing the deficit. By the end of last year, borrowing had fallen by more than a third. The Government's consolidation plans have been central to the reduction in the deficit. Indeed, by the end of last year, we had implemented 70% of the £126 billion of fiscal consolidation planned for the end of 2015-16.

Stephen Hammond: Does the Chief Secretary to the Treasury agree that if we have a credible plan to reduce the deficit, we can credibly plan to protect spending on the NHS and cut taxes? As the Labour party's announced fiscal rules would allow for an extra £166 billion-worth of borrowing over the next Parliament, there can be no credibility in its deficit plan and in its plan for this country's economy.

Danny Alexander: I agree with my hon. Friend that Labour's plans would put at serious risk the jobs and stability that this coalition Government have secured. There is a lesson in what he says for all parties in this House, because economic credibility is hard to win and easy to throw away. Any party that does not put forward a plan to sort out the economy or offers unfunded tax cuts to the British people will put its credibility at serious risk.

Alison McGovern (Wirral South) (Lab): On the deficit, the Chancellor and the Chief Secretary to the Treasury have failed the test they set themselves, which is to close the deficit by the end of this Parliament. Worse than that, they have failed the test that my constituents set for them, which is to put money back in their pockets. That was said to me this week by a grandmother who is desperately worried about her grandson, as he is on a five-hour contract and unable to afford to take a day off work. What will the Chief Secretary do about that?

Danny Alexander: The first thing that we are doing is delivering on what we promised to do when we created this Government in the first place, which is to repair the deep damage that the hon. Lady has to admit was done to the economy under her party's stewardship. We have now got the United Kingdom into a position in which we are creating more jobs than in the whole of the rest of the European Union combined, and we have the strongest growth rates in the developed world. She should welcome that as something that creates opportunities for young people.

Crispin Blunt (Reigate) (Con): This fiscal consolidation plan will be heavily influenced by the dramatic liberalisation of pensions announced in the Budget, which will be significantly influenced by the success or otherwise of the guidance guarantee which is now being legislated for. Does the Chief Secretary agree with Ros Altmann that the Financial Conduct Authority should ensure that people who do not receive or take the guidance in this new environment are at least asked proper questions about their circumstances, such as about their partner and their health?

Mr Speaker: Order. A question can be wide, at a stretch, but it should not also be over-long.

Danny Alexander: I agree with my hon. Friend that the pensions reforms are a great liberalisation of the pensions system. We will give people, rightly, the opportunity to make use of the money that they have saved for their retirement as and when they choose. The guidance guarantee is enormously important. We have been working closely with organisations such as Citizens Advice to make sure that people have access to the guidance in the way that my hon. Friend has set out, and we need to deliver on that.

Ms Margaret Ritchie (South Down) (SDLP): Has the Chief Secretary to the Treasury factored into his fiscal consolidation arithmetic the extra £1.7 billion contribution demanded by the EU? Does he accept that that payment

is properly due under the formula agreed by the UK Government? When will it be paid, contrary to the answer given by the Chancellor?

Danny Alexander: The Office for Budget Responsibility takes into account forecasts for EU payments in its own forecasts. It did so at the time of the Budget and will do so again at the time of the autumn statement. A demand of this size in this manner is simply not acceptable, and we are absolutely right to do everything that we can to deal with the issue. That is what we in the coalition will ensure happens.

Tax Avoidance

7. **Mark Hunter** (Cheadle) (LD): What recent steps he has taken to reduce tax avoidance. [905844]

The Financial Secretary to the Treasury (Mr David Gauke): The Government have taken a wide range of actions to tackle tax avoidance over the Parliament, including introducing the UK's first ever general anti-abuse rule. This year's Finance Act introduced a tougher monitoring regime and penalties for promoters of high-risk tax avoidance schemes. We have also given HMRC the power to collect disputed tax bills up front. That removes the incentive for tax avoiders to delay and frustrate HMRC's efforts to settle disputes and brings forward £4.3 billion in revenues.

Mark Hunter: I am aware that, as a result of measures taken by the coalition Government to crack down on tax avoidance, a record £24 billion in additional tax revenue was raised in the last financial year. Does my hon. Friend agree that much more remains to be done to make sure that multinationals such as Starbucks and Google pay their fair share?

Mr Gauke: My hon. Friend is right to highlight the record yield for the last financial year. Indeed, there are reasons to believe that that record may well be broken for this financial year. As for multinationals, I do not want to be drawn on individual companies, but it is right to say that we need to work internationally, as I mentioned earlier, through the OECD base erosion and profit shifting process. As my right hon. Friend the Chancellor made clear at the Conservative party conference, we are looking to take further action in respect of multinationals not paying the tax that they should.

Mr Frank Roy (Motherwell and Wishaw) (Lab): The Chancellor has said that the Swiss tax deal will raise £5 billion by next year. How much has been raised so far?

Mr Gauke: We have already got in something like £800 million, and we will get more, but that is money that we would not otherwise have received. That is a deal worth doing. It is worth pointing out that some people said that if we had not had this deal with the Swiss—which has brought in additional revenue—we would not have been able to make progress on automatic exchange of information, whereas the reality is that just last week the Chancellor signed a deal on behalf of this country that made progress on that.

Charlie Elphicke (Dover) (Con): Does my hon. Friend the Minister agree that under the previous Government the tax gap grew and that all the running in this Parliament on ensuring that businesses pay their fair share of tax and cracking down on tax dodgers has come from our side of the House, and that this Government have made the case internationally as well?

Mr Gauke: The tax gap as a proportion of tax receipts was higher under the previous Government than for every year under this Government. We have introduced something like 40 measures to close loopholes, one of which, on disguised remuneration, let us not forget the Labour party opposed.

Mr Gregory Campbell (East Londonderry) (DUP): Given the Government's commitment to clamping down on tax avoidance, can the Minister give us a prediction or a commentary on the yield he expects next year as a result?

Mr Gauke: As we heard earlier, the yield for 2013-14 was £24 billion. HMRC anticipates that that will be broken and that the yield will be higher for this financial year—the details are to come, but that is encouraging. On the tax gap, the small increase is largely due to the VAT tax gap being higher in 2012-13 than the previous year, but we already know that for 2013-14 it will fall.

Regional Economies

8. **John Pugh** (Southport) (LD): What recent steps he has taken to rebalance regional economies. [905845]

The Exchequer Secretary to the Treasury (Priti Patel): This Government are committed to rebalancing the economy in order to strengthen every part of the UK. In July this year local growth deals were agreed with all 39 local enterprise partnerships across England. Each deal reflects the particular needs and capabilities of the local area. Growth deals are just one of several ongoing investment programmes aimed at helping every region in the United Kingdom achieve economic success.

John Pugh: May I explore the link with governance? What is the concrete evidence outside London of the slightest connection between economic growth and elected mayors?

Priti Patel: It is fair to say, as we have heard today, that devolving power to more local areas enables the regions to take responsibility for the decisions that affect their areas, which in the long run will create good, solid, strong local long-term economic plans.

Alison Seabeck (Plymouth, Moor View) (Lab): The Minister talks about supporting regional growth and rebalancing the economy, yet promises are being made—£7 billion to Greater Manchester, £7 billion potentially to top taxpayers. That money would sort out transport connectivity issues and help us grow our economy, so will she commit to the Dawlish avoiding line and the resilience measures that we need in the south-west now?

Priti Patel: We are currently looking specifically at that.

Ian Swales (Redcar) (LD): In the past four years the Tees valley has received five times as much investment from the regional growth fund as in the last four years of the Labour Government. That is going not just to

large companies, but to smaller ones too, such as Wards and ElringKlinger in my constituency. Will the Minister ensure that regional growth funding continues to be a key element of rebalancing the economy?

Priti Patel: My hon. Friend is right that, by handing back power to local leaders, we are enabling them to back local jobs and to create prosperity and long-term economic growth. That is exactly what this Government are committed to doing.

Lucy Powell (Manchester Central) (Lab/Co-op): I welcome yesterday's announcement in Greater Manchester and put on record my gratitude to the leadership in Greater Manchester for their efforts. May I offer some advice to the Chancellor? If he wants to endear himself further to the voters of Manchester, he might consider the totality of his Government's policies on the area. When will he consider going further in fiscal devolution and secondary legislation devolution so that we can truly live up to our aims?

Priti Patel: I welcome the hon. Lady's support for the package, which is substantial. The priority must be its implementation and delivery, and we look forward to working with all parties to make sure that it is a success.

Deficit Forecast

11. **Stephen Timms** (East Ham) (Lab): What recent forecast he has made of the change in the deficit between May 2010 and May 2015. [905849]

The Economic Secretary to the Treasury (Andrea Leadsom): In 2010 the Government inherited the largest deficit since the second world war at 10.2% of GDP. We have made substantial progress in reducing the deficit since 2010. By the end of the last financial year 2013-14, the deficit had fallen from £149 billion to £95.6 billion, estimated at Budget 2014. As a share of GDP that is a fall of more than a third from its peak.

Stephen Timms: The Chancellor's promise to eradicate the deficit in this Parliament has long since been abandoned, but with the deficit going up in the first half of this financial year, the scaled-back aim of halving the deficit by the end of this Parliament looks in serious trouble as well. The Chief Secretary has just attacked the unfunded tax cuts that the Chancellor announced. Does the Minister still think that the tax deficit will even be halved by the end of the current financial year?

Andrea Leadsom: The right hon. Gentleman is possibly being a little mischievous. As a veteran Chief Secretary to the Treasury from the previous Government, he should well understand that, according to the OBR's comments and looking at its 2010 forecast errors over time, the biggest difference between 2013 and earlier was the lack of external shock. In 2011, high commodity prices ate into disposable incomes and the euro area crisis damaged credit and confidence. He should well understand why the deficit reduction was impacted by external shocks.

Andrew Bridgen (North West Leicestershire) (Con): According to the International Monetary Fund's "World Economic Outlook", the UK is set to grow at rates that will put other major European economies to shame. What measures does the Minister believe have allowed that out-performance of our European partners?

Andrea Leadsom: My hon. Friend is quite right. The UK is now growing at the fastest rate in the G7 and, indeed, is forecast to grow at the fastest rate in the G20. That is the result of our long-term economic plan—reducing business tax rates in order to get more people into work; more people paying their taxes and more people able to bring home a wage. That long-term economic plan is what is bringing our economy back into growth.

Tax Credits

12. **Mr Steve Reed** (Croydon North) (Lab): How many working people are in receipt of tax credits. [905850]

The Exchequer Secretary to the Treasury (Priti Patel): In April 2014 there were 3.3 million people in work receiving tax credits, down from 4.8 million in April 2010.

Mr Reed: When the Chancellor came to office, less than a quarter of housing benefit claimants in Croydon were making claims to supplement low pay. Today that figure is two fifths. Will the Minister apologise for pushing growing numbers of hard-working Croydon families into poverty?

Priti Patel: When it comes to the cost of living, Labour's great recession is what made the country and the hon. Gentleman's constituents a whole lot poorer. We now have record levels of employment, including a 9% increase in his constituency. Perhaps he would like to welcome that.

Mr Stewart Jackson (Peterborough) (Con): There are a great many studies and much empirical evidence showing that the surest way to combat poverty is through work. Is it not a badge of pride for this Government that in four years we have reduced the number of people in households where no one works by 671,000?

Priti Patel: My hon. Friend is absolutely right. When it comes to tackling the country's economic problems, we can improve living standards only by getting more people back into work. This Government have been reducing child poverty and ensuring that work pays.

Dame Anne Begg (Aberdeen South) (Lab): Tax credits are meant to be moving into universal credit. What timetable is the Treasury working to for phasing out tax credits?

Priti Patel: That matter will be subject to the next Parliament.

Mr Speaker: It is time to hear from a Lincolnshire knight—Sir Edward Leigh.

Sir Edward Leigh (Gainsborough) (Con): If someone comes here to work from the European Union, and if they are in a relatively low-paid job and receive tax credits as a form of benefit, they might effectively be paying no tax at all. Will the Government tell the

European Commission that we should have a new system by which people have to pay tax for at least three years before drawing any tax credits or benefits?

Priti Patel: We have already made changes to that whole area, and that is something we will look at further.

Economic Growth

14. **Bob Blackman** (Harrow East) (Con): What estimate he has made of the rate of growth in the economy. [905852]

The Chief Secretary to the Treasury (Danny Alexander): In the year to the third quarter of 2014, GDP grew by 3%; it is now 3.4% above the pre-crisis peak. The International Monetary Fund expects the UK economy to be the fastest growing in the G7 in 2014.

Bob Blackman: Clearly the fact that we are leading our European partners in economic growth shows that the long-term economic plan is working. Does my right hon. Friend agree that, with the eurozone in crisis and external factors uncertain, the last thing we want to do is return the keys to those who crashed the car in the first place?

Danny Alexander: I am sorry that my hon. Friend has brought up the shadow Chancellor's recent driving incidents, but I agree with the point that the Labour party made the economic mess that we—Liberal Democrats and Conservatives—came together in a coalition to sort out. We have made strong progress in this Parliament, including achieving the strongest growth in the G7. The last thing that the country needs is to hand the keys back to a majority Labour Government.

Mr Andrew Love (Edmonton) (Lab/Co-op): The long-term economic plan is not working in terms of the living standards of people up and down the country. What has been the rate of growth of wages over the past year?

Danny Alexander: The rate of growth of real wages has been low, and that needs continued attention in the months and years to come. However, I hope that the hon. Gentleman would join me in welcoming the fact that millions of our fellow citizens are now in work as opposed to being unemployed, as they were under the Labour Government. We now need to work to make sure that we increase business investment, enhance productivity, and make sure that the benefits of the economic growth we are seeing are shared as widely as possible. I think that he and I would agree about that.

Average Earnings/Rate of Inflation

15. **Derek Twigg** (Halton) (Lab): What recent comparative assessment he has made of growth in average earnings and the rate of inflation since May 2010. [905854]

The Financial Secretary to the Treasury (Mr David Gauke): Inflation is at 1.2%—lower than at any point since 2009. We appreciate that times have been tough for families in recent years, but as the Institute for Fiscal Studies has said, that is

"a direct but delayed result of the 2008 recession".

Since May 2010, this Government have taken decisive action to support families. We have increased the personal allowance, frozen fuel duty and council tax, and cut energy bills. In the past year, unemployment has fallen at the fastest rate since records began, and the proportion of workless households is lower than it ever was under the previous Government.

Derek Twigg: For how many months under this Government have wages risen faster than prices?

Mr Gauke: We have gone through a difficult period, but, as I said, that is

"a direct but delayed result of the 2008 recession".

Employment Trends

16. **Mr David Burrowes** (Enfield, Southgate) (Con): What assessment he has made of recent trends in the level of employment. [905855]

The Economic Secretary to the Treasury (Andrea Leadsom): A record 30.76 million people are in employment. Since the coalition came to power, employment has increased by more than 1.7 million. Over 2 million private sector jobs have been created since early 2010, meaning that for every public sector job lost, over five have been created in the private sector.

Mr Burrowes: Can the Minister help my constituents, who are pleased by the record number of people in jobs in my constituency but confused by the Leader of the Opposition's claim that our plan would mean the loss of 1 million jobs, and concerned about the impact that Labour's pledges of more spending, more borrowing and higher taxes would have on jobs in my constituency?

Andrea Leadsom: My hon. Friend is right to point out that irony. Under this Government, we have just seen the biggest drop in unemployment ever. In particular, long-term unemployment and youth unemployment are dropping fast, giving hope, prospects and a decent wage to so many in our country. We should be celebrating these things and definitely not letting Labour put them in jeopardy.

Helen Jones (Warrington North) (Lab): Twenty per cent. of my constituents earn less than the living wage. People are working at two or three jobs and still cannot make ends meet. When is the Minister going to recognise that her so-called vaunted increase in employment is based on people earning poverty wages?

Andrea Leadsom: I completely refute what the hon. Lady says. A lot of the particularly big increases in employment have been among very young and older workers, who tend to earn less, but is not that great news for the longer-term prospects of those young people, who are off the unemployment register and developing skills for the future?

Pensions (Taxes)

17. **Stephen Metcalfe** (South Basildon and East Thurrock) (Con): What progress he has made on measures to reduce taxes on pensions. [905858]

The Financial Secretary to the Treasury (Mr David Gauke): The Taxation of Pensions Bill that is currently before the House will reduce tax rates that previously applied if people wanted to withdraw money from their pension flexibly. It will also reduce the 55% tax rate on pension assets when someone dies. These tax cuts will leave people with more of their own money and more choice about how to spend it.

Stephen Metcalfe: These measures clearly show that we are the party on the side of those who do the right thing, work hard, and save. Does my hon. Friend agree that Labour would adversely affect those people through its new pensions tax plan?

Mr Gauke: My hon. Friend raises an important point. We often heard Labour Members say that they were going to oppose a tax cut for hedge funds. It turned out that it was not a tax cut for hedge funds but a tax cut that benefits pension funds, yet they want to reverse it.

Mark Lazarowicz (Edinburgh North and Leith) (Lab/Co-op): While the Minister is talking about cutting tax on pensions, will he spare a thought for the 4,000 members of the British Midland International pension scheme who lost considerable sums of pension entitlement when their airline was taken over? Lufthansa offered them substantial compensation, but Her Majesty's Revenue and Customs is now insisting on taxing it. What is he doing about that?

Mr Gauke: I am grateful for the hon. Gentleman's question and I have met a couple of hon. Members to discuss the issue. Her Majesty's Revenue and Customs needs to apply the law as it currently stands, but that does not give it a great deal of discretion. This is a complicated matter and I am more than happy to set out details in writing for the hon. Gentleman.

Mark Menzies (Fylde) (Con): Given the significant number of pensioners in my Fylde constituency, may I welcome the sweeping reforms announced by the Chancellor earlier this year? What plans will be put in place to make sure that those pensioners who access their own money get sound advice?

Mr Gauke: As my hon. Friend will be aware, we have set out our plans for a guidance guarantee. My right hon. Friend the Chancellor has announced that we are working with Citizens Advice in particular to provide a face-to-face service. Good progress is being made, so that service will be available in good time for next April.

Topical Questions

T1. [905828] **Mr Dennis Skinner** (Bolsover) (Lab): If he will make a statement on his departmental responsibilities.

The Chancellor of the Exchequer (Mr George Osborne): The core purpose of the Treasury is to ensure the stability and prosperity of the economy.

Mr Skinner: How on earth can the Chancellor of the Exchequer justify a tax cut of £3 billion to those getting more than £150,000—like Nigel Farage—while at the same time cutting the wages of nurses and midwives? What a load of hypocrisy.

Mr Osborne: We have cut taxes for 25 million working people. In Bolsover, there are more people in work, fewer people unemployed and the claimant count is down by a third. It is the Conservative party that is the party of the working people now.

T4. [905831] **Mr David Amess** (Southend West) (Con): Does my right hon. Friend agree that the level of employment is a good economic indicator? If so, will he join me in congratulating Southend businesses on their outstanding apprenticeship schemes, which have helped a huge number of young people and reduced youth unemployment by 47%?

Mr Osborne: I certainly congratulate Southend businesses on the apprenticeship schemes they run. Apprenticeship schemes number 2 million in this Parliament and we aim to take that figure to 3 million in the next Parliament. That is all towards achieving our goal of full employment. We have the highest number of people in work, but we want to go further still.

Ed Balls (Morley and Outwood) (Lab/Co-op): The whole country was shocked to learn on the night the Prime Minister arrived at the European Council that the European Union is demanding from the UK a backpayment of a staggering £1.7 billion. The Prime Minister was unclear on this last week, so may I ask the Chancellor just how long before the Council meeting did he and his Ministers and officials learn that the UK was going to be asked to pay more, and why on earth did he not tell the Prime Minister?

Mr Osborne: First of all, may I say that it is very good to see the shadow Chancellor in his place? We had heard disturbing rumours that there was going to be a shadow Cabinet reshuffle. We waited nervously by the phones, but we are absolutely delighted that he is still in his place.

Let me answer the shadow Chancellor's question directly. There was a meeting at the Commission on Friday 17 October. On Tuesday 21 October, Treasury officials prepared advice for me, and the Prime Minister was aware of the advice on Thursday 23 October. That is very similar to the timetable that the Dutch Government have set out.

Ed Balls: The revisions of the Office for National Statistics came months beforehand and the Financial Secretary knew weeks before. The Chancellor knew only two days before and he still forgot to tell the Prime Minister. Was he not just asleep on the job?

Let me ask the Chancellor another question about the way in which Europe is affecting the public finances. The Government promised to get net migration down to the tens of thousands. According to the latest figures, net migration is 243,000—up 38% on the previous year. Will the Chancellor confirm that his Budget forecast for net migration has been revised not down, but up? What is his assumption for net migration for the 2015 public finance forecasts?

Mr Osborne: The reason there has been an increase in European migration is that the British economy is succeeding while the economies in Europe sadly are not. That is why we want to seek a different relationship with the European Union, to take into account that and other features of our relationship. I notice that the last Labour Chancellor now supports a referendum on Britain's membership of the European Union, but the shadow Chancellor does not. The truth is this: we will set out our forecasts to the independent Office for Budget Responsibility, but the idea that Labour would get a better deal in Europe is total fantasy, alongside the shadow Chancellor's fantasy that Labour left us with a golden economic legacy and that he has been right all along and everyone else is wrong. The right hon. Member for Lewes (Norman Baker) has resigned, so there is now a vacancy for a conspiracy theorist at the Home Office—the shadow Chancellor should apply.

T7. [905834] **Andrew Jones** (Harrogate and Knaresborough) (Con): Small businesses and retailers are the backbone of our economy. With small business rate relief, a relief for businesses re-occupying long-term empty properties and other discount schemes, this Government have shown their support for small business. Will my right hon. Friend go further and review the business rate system to ensure that it is fair and does not deter investment?

Mr Osborne: My hon. Friend makes a good point about the impact of business rates. That is of course why we have extended small business rate relief and helped 360,000 small properties. It is why we have offered the £1,000 high street discount to stores in Harrogate and elsewhere around the country. We are going to review the business rate system to make sure that it is simpler, fairer, more transparent and more responsive to economic circumstances, and he is very welcome to take part in that review.

T2. [905829] **Gavin Shuker** (Luton South) (Lab/Co-op): What is the link between the Chancellor's £7 billion of unfunded tax cuts and his blocking of the OBR from auditing the tax and spend plans of other political parties ahead of the election? I suggest that the clue is in the question.

Mr Osborne: Interestingly, we conducted an independent review by one of the Canadian officials involved in auditing their finances—

Ed Balls: Oh, come on!

Mr Osborne: The right hon. Gentleman says "Come on", but there were no independent forecasts when he was in the Treasury. He was the economic adviser who cooked up the forecasts, and came to the House and as a result misled this country about its economic fortunes. The OBR is working as an independent institution. The independent review of the OBR said that we should not extend its powers. We do not want the Labour party undermining the independent institution that has brought confidence back to public statistics.

T8. [905835] **Margot James** (Stourbridge) (Con): Last week, the Queen opened a new Jaguar Land Rover plant in Wolverhampton, which is creating 1,400 new jobs. The enterprise zone and the black country city deal are set to create nearly 10,000 more new jobs. Does my right hon. Friend agree that we could go even further in Birmingham and the black country if our local authorities followed the example set by those of the northern powerhouse?

Mr Osborne: The investment by Jaguar Land Rover is very welcome. I was at one of the Jaguar Land Rover plants in September, and saw the incredible investment that is going in there. The new engine plant in the black country is a huge and welcome investment in the west midlands. I take very seriously my hon. Friend's suggestion that we should talk to authorities in the west midlands to see if we can build on what has been achieved in Greater Manchester. I would be very happy to start those discussions with civic leaders and local MPs.

T3. [905830] **Heidi Alexander** (Lewisham East) (Lab): Will the Chancellor confirm that the only way to reduce the £1.7 billion bill from the EU and avoid paying interest requires the UK to secure support from a qualified majority of EU members on rule changes and get a vote in the European Parliament on delaying the deadline for payment? How confident is he that he can achieve that?

Mr Osborne: We are operating under a tough set of rules. The rules were put in place in 2007.

T10. [905837] **James Morris** (Halesowen and Rowley Regis) (Con): There are now 1,217 fewer people claiming unemployment benefit in my constituency than in 2010. Does the Chancellor agree that we need to continue the job of reducing business taxes to incentivise business to create jobs, rather than to adopt the policy of slapping higher taxes on business, which will only have the effect of destroying jobs?

Mr Osborne: My hon. Friend is absolutely right. I have been lucky enough to visit successful manufacturing businesses in his constituency with him and, indeed, to see the investment that as a result we are able to make in new hospitals in the west midlands. He of course makes the very strong point that if you increase business taxes—that is the official policy of the Labour party—in such a competitive world, you will destroy jobs, reduce revenues and not be able to fund good public services.

T5. [905832] **Bridget Phillipson** (Houghton and Sunderland South) (Lab): Will the Chancellor, as the self-styled champion of the north, now look again at his early decisions and their impact, and will he commit to a fairer funding settlement for north-east councils?

Mr Osborne: The whole United Kingdom has had to make difficult decisions because we inherited a record budget deficit, but I am willing to work with councils

in the north-east to see whether we can build on what we have achieved in Greater Manchester. There is real potential to do that and to make key investments in the infrastructure of the north-east. For example, I think there is a strong case for the A1 north of Newcastle to be dualled.

Richard Graham (Gloucester) (Con): This Government's support for apprenticeships has hugely helped the 40% drop in youth unemployment in Gloucester. Will my right hon. Friend confirm that the Government will continue to look constructively at new and innovative vocational schemes in sectors where there are jobs available—such as HGV drivers, haulage companies, and electroplaters for the Poeton company—but a shortage of skills at the moment?

Mr Speaker: Order. I try to get in as many Members as possible, but I think some colleagues have forgotten—or perhaps never learned—that topical questions are supposed to be shorter. Please do not abuse the process because you are spoiling it for other people.

Mr Osborne: I know that my hon. Friend the Member for Gloucester (Richard Graham) has worked with local employers to improve skills, and I visited a successful apprenticeship and training scheme with him. We want to ensure that local employers are involved in shaping those apprenticeships and further education courses, and that is precisely what we are now setting up.

T6. [905833] **Mr William Bain** (Glasgow North East) (Lab): The Institute for Fiscal Studies has forecast that under the Chancellor's current policies 900,000 more children will be in relative poverty by 2020 compared with 2011. Is his real attitude towards the working poor in this country too much stick and too little carrot?

The Chief Secretary to the Treasury (Danny Alexander): The hon. Gentleman raises an important point about child poverty, which under this Government is down. That does not in any way reduce the need for us to continue taking steps to reduce child poverty, the most important of which is having an economy that creates jobs. In the end, for most people the best route out of poverty is to get back into employment.

Guy Opperman (Hexham) (Con): May I urge the Chancellor to meet me and my hon. Friend the Member for Carlisle (John Stevenson) so that we can make the case for including the dualling of the A69 in the autumn statement? Hopefully such a meeting could be before the autumn statement takes place.

Mr George Osborne: My hon. Friends the Members for Hexham (Guy Opperman) and for Carlisle (John Stevenson) have made a strong case for improving transport links in the north of England and between the north-east and Carlisle. They have already brought the A69 to my attention, and I would be happy to have that meeting.

T9. [905836] **Karl Turner** (Kingston upon Hull East) (Lab): Given that the Chancellor is claiming to be the champion of the north, will he explain why he has given a £3 billion tax cut to people who earn £150,000 a year, while people in Hull are on average £1,600 a year worse off?

Mr Osborne: We have cut taxes, including taxes for people in the north of England, for 25 million working people. Under the Labour Government, the gap between the north and south increased. We are working across party divides with local authority leaders to get in the investment and change this decade-long imbalance in our country.

Greg Mulholland (Leeds North West) (LD): The last Labour Government cancelled the Supertram scheme in Leeds and then told the city that it could only have a bus-based solution. Does my right hon. Friend agree that as well as devo-max and "devo Manc", we also need "devo Yorks"?

Danny Alexander: I could not agree more with my hon. Friend, and the Deputy Prime Minister has been championing that agenda in government for the last four and a half years. If the leaders of Leeds wish to come forward with proposals for further devolution and more power over the things he has been talking about, to ensure that we get the right economic developments in the Leeds area, we would be delighted to have those discussions in an active way, to try to settle a deal there as well.

Douglas Carswell (Clacton) (UKIP): The Chancellor has rightly said that Europe is in danger of pricing itself out of the world economy, and one way in which it is making itself uncompetitive is through its costly renewable energy agenda. Will he try to persuade his neighbour in Downing street to abandon that dogma and liberalise the UK energy market?

Mr George Osborne: The Prime Minister achieved a good deal for the United Kingdom, and got away from the solid and fixed renewables target that the Labour Government signed up to. If the hon. Gentleman wants Britain to leave the European Union, that will be achieved with a Conservative Government offering a referendum, and him having a vote and seeing what the outcome is. *[Interruption.]* Under the Conservative Government, the British people will get a referendum. We will make the argument for staying in a reformed Europe, and the hon. Gentleman can make the case he wants to make. That will not happen under a Labour Government.

Caroline Dinenage (Gosport) (Con): May I urge the Chancellor to support the Secretary of State for Business, Innovation and Skills in calls for banks not to shut the last branch in a town? HSBC is about to shut its last branch in Lee-on-Solent, leaving businesses with no banking support at all.

The Economic Secretary to the Treasury (Andrea Leadsom): My hon. Friend makes an important point. Many people are concerned about bank closures. I recently had a round table with a number of banks and challenger banks to discuss the issue, not least the change towards mobile and telephone banking. We are certainly looking closely at the matter.

Barry Gardiner (Brent North) (Lab): Her Majesty's Revenue and Customs figures released this month show that the amount of uncollected taxes has increased by £3 billion each year under the Chancellor. What difficulties has he found in collecting those taxes, and what does he propose to do about them?

The Financial Secretary to the Treasury (Mr David Gauke): I am not sure whether the hon. Gentleman was in the House when we debated that at some length a few minutes ago. The fact is that the tax gap for 2012-13 was lower as a percentage of tax receipts than in any year under the Labour Government. Tax yield from HMRC has gone up by £7 billion since 2010-11.

Several hon. Members *rose—*

Mr Speaker: Order. I am sorry to disappoint colleagues but, as they will know, at Treasury questions demand always massively outstrips supply. Whether the business managers want to extend the sessions or provide further sessions with the Chancellor's concurrence, who knows? But we must now move on.

London Borough of Tower Hamlets

12.36 pm

The Secretary of State for Communities and Local Government (Mr Eric Pickles): With permission Mr Speaker, I wish to make a statement about the London Borough of Tower Hamlets.

The Government have long been concerned about the worrying pattern of divisive community politics and alleged mismanagement of public money by the mayoral administration in Tower Hamlets. Following persuasive evidence presented to me making serious allegations in April, I commissioned PricewaterhouseCoopers to undertake a formal best value inspection report of the council. In my written statement this morning, I published the PwC report. It paints a deeply concerning picture of obfuscation, denial, secrecy, the breakdown of democratic scrutiny and accountability, and a culture of cronyism risking the corrupt spending of public funds.

Let me outline some of the conclusions. PwC found that the mayoral administration's grants programme handed out taxpayers' money with no apparent rationale for the grant awards. There were no objectives, and there was no fair or transparent approach to grants, which the council's so-called corporate grants programme board was supposed to ensure. There was no proper monitoring. Grants were systematically made without transparency. Officer evaluation was overruled—across mainstream grants, 81% of all officer recommendations were rejected. More than £400,000 was given to bodies that failed the minimum criteria to be awarded anything at all.

On land disposal, properties were sold to third parties without proper process. Poplar town hall was sold to a company involving a person who had helped the mayor in his election campaign, against internal advice, and the winning bid was submitted after other bids had been opened. A number of other property transactions similarly had dubious processes.

Taxpayers' money was spent on unlawful political advertising for the mayor. Ofcom ruled that the spending was in breach of the Communications Act 2003 and the code of broadcast advertising. There was a lack of any documentation or monitoring of the use of media advisers, so taxpayers' money could be improperly and unlawfully used to pay for the mayor's political activities.

Irregular practice took place in the awarding of contracts. For example, PwC identified cases in which one of the council's officers recalls that, during a meeting, the mayor allegedly annotated a list of suppliers to indicate which suppliers he did not wish to be selected. As a whole, PwC concluded that the council had failed in numerous aspects to comply with the best value duty.

The council's core governance arrangements have centred on the three statutory officers: the head of paid service, the chief financial officer, and the monitoring officer. The council has failed to make permanent appointments to those key positions. Currently, all three posts are held by interim appointments. PwC concludes that the governance arrangements do not appear capable of preventing or responding to the succession of failures by the mayoral administration. Executive power is unchecked and executive power has been misused.

The PwC report is not the only evidence of where the council is seriously failing on high profile activities that are open to abuse by, for example, political interference. Concerns have been raised about the ability of the senior officers responsible—the electoral registration officer and the returning officer—to ensure the proper administration of elections. The current election petition on the May 2014 European and mayoral elections is now sub judice. I will make no comment on anything before the election court, but I note that on 1 July the Electoral Commission published a report on the elections in Tower Hamlets. The commission concluded that there are significant lessons for the returning officer appointed by the council. Immediate and sustained action must be taken to provide assurance that future elections and electoral registration will be well managed and efficiently and effectively delivered. Free and fair elections must be the bedrock of local democracy.

There is a clear picture that there has been a fundamental breakdown of governance in this mayoral administration. If unchecked, it will allow improper conduct to run rife, further undermining public confidence in the council, damaging community cohesion, and, ultimately, putting public services across the borough at risk. The consequence of this conclusion, expressed in formal terms, is that I am satisfied that the council is failing to comply with its best value duty. I will therefore need to consider exercising my powers of intervention to secure compliance with the duty. To that end, in line with procedures laid down in the Local Government Act 1999, I am today writing to the council to ask it to make representations, if it wishes, both on the PwC report and on the intervention package I am proposing.

The proposed package will need to do three things: first, it will need to put an end to all council activities that are not compatible with its best value duty; secondly, it will need to remove, so far as possible, the risk of further failures to comply with the duty; thirdly, it will need to rebuild the governance and financial management capacity of the council to secure its future compliance with the best value duty. My proposed intervention is centred on putting in place a team of three commissioners who I will appoint and who will be accountable to me. Their role will be to oversee or, as appropriate, exercise certain functions of the council. I envisage that the commissioners will be in place until 31 March 2017. It will be open to Ministers to review this in the light of the progress made by the council to secure compliance with its best value duty.

To help me assess progress, I propose that within three months of launching the intervention the council will, with the commissioners, draw up and agree an action plan to secure the council's future compliance with the best value duty. The commissioners will report to me at six-monthly intervals on progress being made. The action plan must reflect the specific intervention measures in the proposed package, which are as follows.

First, I propose to direct the council as a matter of urgency to undertake, as the commissioners may direct to their satisfaction, a recruitment exercise to make permanent appointments to the positions of the three statutory officers, all currently only interim appointments. I also propose to direct that any subsequent dismissal, suspension or further appointment of statutory officers must be with the agreement of the commissioners.

[Mr Eric Pickles]

Secondly, I propose to direct that the council's functions on grant making are to be exercised by the commissioners. The council must provide the commissioners with all the assistance they need. The commissioners will have regard to any views the council has on individual grants.

Thirdly, I propose to direct that the council obtains the prior written agreement of the commissioners before entering into any commitment to dispose of, or otherwise transfer to third parties, property other than individual housing.

Fourthly, I propose to direct that the council prepares a fully costed plan for how its publicity functions can be properly exercised. It must agree that plan with the commissioners, report to the commissioners on the delivery of that plan and adopt any recommendation of the commissioners with respect to that plan or to publicity more generally.

Fifthly, I propose to direct that the council's functions of appointing an electoral registration officer and a returning officer for elections are to be exercised as a matter of urgency by the commissioners.

Sixthly, I propose to direct the council to prepare with the commissioners a plan for addressing the weaknesses on contracting identified in the PwC report. It must seek the written agreement of the commissioners before entering into any contract or service agreement contrary to any recommendation of the statutory officers.

Finally, I am seeking two written undertakings from the council: first, that it will not, without my approval, enter into any agreement or modify any existing agreement for the making of grants, pending any decision on any proposed intervention package; and, secondly, that the council will not appoint or designate any statutory officer without my prior approval, pending any decisions on any proposed intervention package.

If I receive no satisfactory undertaking within 24 hours, I will use the urgency powers I have under statute. I can direct the council not to take any action on the making of grants or appointing of statutory officers without my approval in this interim period. I am also asking the council to provide information about any property transactions it has in the pipeline. Depending on what, if any, information I receive, I may need to use my urgency powers of direction to safeguard the council and its resources.

The council now has 14 days to make representations to me on the PwC report and on my proposed intervention package. I shall then consider carefully any representations the council makes and decide how to proceed. If I decide to intervene along these lines, I will then make the necessary statutory directions under the 1999 Act and appoint the commissioners. Any directions I make will be without prejudice to my making further directions, should it prove necessary. I will update the House on any conclusions in due course.

The report has cost just under £1 million, which will be borne by the council. It would have been much cheaper, had the mayoral administration not been so obstructive. But to place this spending in context, the financial irregularities identified relate to a £1.4 billion a year council budget. There is significant scope for taxpayers' money to be protected and saved from these interventions. This is a rare occasion where central Government intervention is required.

The commissioners I sent into Doncaster in 2010 show that such a targeted approach can turn around a dysfunctional mayoral administration. This thorough scrutiny by independent auditors shows we now have a stronger audit regime following the abolition of the Audit Commission, which did nothing to stop corrupt practices from emerging.

Localism requires local accountability and local democracy. Municipal corruption undermines the local checks and balances that are vital in a democracy and essential in mayoral systems with their concentration of power. We cannot risk such corruption elsewhere, but it is not just about the money. The abuse of taxpayers' money and the culture of cronyism reflects a partisan community politics that seeks to trade favours and spread division on the rates. Such behaviour is to the detriment of integration and community cohesion in Tower Hamlets and in our capital city.

This is a borough where there have been widespread allegations of extremism, homophobia and anti-Semitism that have been allowed to fester without proper challenge. Certainly, Tower Hamlets has challenges given its level of deprivation and its diverse population, but one has only to look across the border at the mayoral system in Newham to see that there is an alternative. Councils should be championing a common sense of identity and Britishness—across class, colour and creed.

In all of this, it is the residents of Tower Hamlets who are being let down, whose services are being put at risk, whose taxpayers' money is being wasted and whose home borough is being criticised rather than being cited with municipal pride.

Despite rare cases such as that of Tower Hamlets, councils as a whole have a good record of transparency, probity and accountability, and that is a reputation worth protecting. As a former councillor, I am proud of the standing that local government has in the United Kingdom, and of what it contributes to the lives of our communities up and down the country. I will take whatever steps are necessary to uphold the good name of local government, because there can be no place for rotten boroughs in 21st-century Britain.

12.50 pm

Hilary Benn (Leeds Central) (Lab): I am grateful to the Secretary of State for allowing me to have advance sight of his statement. Given that he had received serious allegations about Tower Hamlets earlier this year, and given the material that had been submitted to the Department, it was clearly right for him to exercise the powers granted to him under the Local Government Act 1999 to appoint PricewaterhouseCoopers to conduct an inspection of the authority's compliance with its best-value duty. As I said at the time, that audit had to be full, open and transparent if it was to command public confidence. The publication of PwC's report today has fulfilled the requirements for openness and transparency, and it has certainly done a comprehensive job, which may well explain why the process has taken slightly longer than I think both sides had originally hoped.

The findings of the report are indeed very troubling. There was a lack of transparency in regard to the giving of grants, the governance of grant awards was not effective, and grants were given to organisations that

had been ruled ineligible or did not meet the required evaluation score. As for property transactions, in three of the four cases that were investigated—those of Poplar town hall, Sutton street depot and Mellish street—the inspection concluded that

"the Authority failed to comply with its best value duty."

In the case of Poplar town hall,

"The Authority accepted a late bid from the winning bidder after other bids had been opened, creating a risk of bid manipulation",

and the authority did not, in fact, select the highest bidder.

In relation to publicity and the use of media advisers, the report refers to a finding by Ofcom that a broadcast constituted political advertising, and states that

"the clear implication is that Authority monies were spent inappropriately on what amounted to political advertising for the benefit of the Mayor…This in itself constitutes a failure to comply with the best value duty in this instance."

The overall conclusion of the inspection is that the current governance arrangements do not appear to be capable of preventing, or responding appropriately to, the failures identified. The fact that the council is still without permanent appointments to its three most important statutory officer posts should also be a matter of great concern to the House. In the light of what has been found, we support the course of action announced by the Secretary of State, although we must recognise that it is a very serious step to take. It is important for the considerable powers with which the Secretary of State has been entrusted not to be used lightly or because of a political disagreement with decisions made by a local authority, but to be used because that local authority has failed in its statutory duties.

When does the Secretary of State propose to announce the names of the three commissioners, and what background and experience will he be looking for in appointing them? Does he intend to consult anyone in making the appointments? Will the commissioners be paid, and, if so, who will bear the cost? The Secretary of State said that he envisaged that the commissioners would be in place until March 2017. Will the length of their term of office depend on the progress that they and the council make, together with the mayor, in dealing with the problems that have been identified? What progress reports will the Secretary of State, and the House, receive? What relationship will the commissioners have with the elected councillors in Tower Hamlets, and what role does he envisage for wider local government in the provision of support for Tower Hamlets, as happened in the case of Doncaster?

At the time of the Secretary of State's original decision to send in the auditors, he told the House that a file had also been passed to the Metropolitan police for their consideration. The police subsequently announced that they had found

"no credible evidence of criminality".

Does the Secretary of State believe that the PwC report contains any further information that might warrant its being referred to the police, or is that aspect of the allegations now closed?

In respect of publicity, the inspection report says that a

"significant proportion of the budget is allocated to the"

—weekly—

"publication of 'East End Life'",

which seems to be little more than a vehicle for promotion of the mayor. The Secretary of State knows of my concern about that particular publication. Will he tell us when he intends to make a final decision about "East End Life"?

There are, of course, other legal processes under way relating to Tower Hamlets, and it is right for us not to discuss them here. I will say, however, that given the concerns that have been expressed about the conduct of elections, we also support the Secretary of State's decision to ask the commissioners to take responsibility for the appointment of an electoral registration officer and a returning officer for future elections.

Local authorities have important powers and duties, which they exercise on behalf of the people whom they represent. They should be free to do that independently, in the way that they see fit. However, with those powers come responsibilities, and, in particular, the responsibility to ensure that all decisions are made on an open, fair and transparent basis. The people of Tower Hamlets are proud to live alongside each other in a community that reflects the face of modern Britain, which is why there can be no place for the politics of division in Tower Hamlets or elsewhere, whatever its motivation. It is the job of every locally elected representative to care for the interests of all his or her constituents.

It seems clear from the report with which we have been presented today that those standards have not been upheld in a number of instances in the case of Tower Hamlets and its mayor. Just as, in April, Tower Hamlets welcomed the opportunity to demonstrate that council processes had been run appropriately—which, as we have learnt today, was not the case—it should now accept the findings of this report, and work with the commissioners to ensure that what has gone wrong is put right.

Mr Pickles: I agree with the right hon. Gentleman's assessment. In particular, I agree with his view that in a diverse and vibrant community, a community to be proud of, it is the job and the responsibility of councillors and the mayor to ensure that no one feels out of place and everyone feels welcome.

The right hon. Gentleman asked me a number of questions, of which I hope I have made a reasonable note. He asked me for the names of the commissioners. I hope that he will forgive me: I have not yet made a decision. He asked whether I would want to consult and discuss matters once I had made a decision; well, of course I will. He asked about pay. The council will pay expenses and a reasonable fee. He asked about progress reports. As I said in my statement, we will expect such reports every six months, and, as in the case of Doncaster, we will of course share that information with the House.

I noted the right hon. Gentleman's special pleading in respect of "East End Life", which, perhaps, represents an exception to his usual views. We will listen to representations and make an announcement in due course, but that will be entirely separate from the process that I have described.

The right hon. Gentleman referred to criminal activities. I recall what the police said about the subject. I also recall their subsequent statement that they were continuing to look at the issues. I have no idea whether the report

[Mr Pickles]

contains allegations of criminality, although we will of course send a copy to the police for their information. However, I have here a statement from the mayor of Tower Hamlets which relates directly to the right hon. Gentleman's point. He said that I had announced that I was "concerned about potential fraud" and that

"the Evening Standard ran these claims on its front page".

He added:

"These allegations have been rejected by PwC.

The report highlights flaws in processes. These are regrettable. We will learn from this report and strengthen our procedures accordingly."

I am afraid to say that it seems to me that the mayor's test is, "If you're not actually caught with your fingers in the till, you're innocent." There are serious flaws in what has occurred. If I was the mayor of Tower Hamlets, I would be hanging my head in shame, because what he has allowed to occur in Tower Hamlets is shameful—not that I have made a final decision.

Mr Brian Binley (Northampton South) (Con): Forty years ago our electoral systems and controls were the envy of the world. They have deteriorated dramatically in the past 15 years and this report highlights that fact. This is not only a question for Tower Hamlets, but it features largely in Tower Hamlets. Will the Minister speak to the Electoral Commission to see whether we can have a proper review of electoral systems to ensure this sort of thing does not happen again in areas right across our country?

Mr Pickles: I am sure the Electoral Commission regularly reviews procedures, but my hon. Friend says things have deteriorated in the past few years, and he is of course right. Our rules and regulations with regard both to electoral law and to local government conduct assume people will behave reasonably—and the truth is that in the overwhelming majority of local authorities around the country people obey not only the law, but the spirit of the law—which makes it very difficult when we are dealing with an authority that has a cavalier disregard for good practice and probity. I will certainly ensure that the Electoral Commission is made aware of my hon. Friend's very wise words.

Rushanara Ali (Bethnal Green and Bow) (Lab): Every community in our country is entitled to the highest standards of probity and honesty in our democracy, and no community should put up with lower standards and poor governance and transparency, so I welcome the sentiments expressed by the Secretary of State and the shadow Secretary of State. In particular, I welcome the Secretary of State's commitment to appointing an electoral registration officer and returning officer. For too long the Electoral Commission has relayed concerns about public confidence in the electoral process, and it is vital that we give people confidence that the forthcoming elections will be free and fair. Can the Secretary of State say when those officers will be appointed, as this is, as he says, a matter of great urgency?

Mr Pickles: Clearly I will want to listen to what the council has to say to my suggestion, and we have given it two weeks to respond. Assuming—although I make no assumption—that I am not satisfied with its response, it will be a high priority for the appointed commissioners, should I decide to appoint them, to get those two people in place. Given that a general election and London elections are coming up, people need to feel confident in the system.

I did not reply to an earlier question so, with your indulgence, Mr Speaker, I would like to do so now: will we be looking to get a package of care together, as we did in Doncaster with the Local Government Association? Yes, of course we will.

Mike Freer (Finchley and Golders Green) (Con): I thank my right hon. Friend for his statement, but where taxpayers have been deliberately short-changed will he reconsider reintroducing surcharging?

Mr Pickles: I have no intention of reintroducing those measures in the lifetime of this Parliament. What is most important for us is to get a strong sense of corporate identity for Tower Hamlets and some transparency, so when people are overriding the sensible decisions made, they understand that it will be given the full glare of publicity.

Jim Fitzpatrick (Poplar and Limehouse) (Lab): Tower Hamlets is a great borough, whose reputation is being destroyed by independent mayor Lutfur Rahman and his Tower Hamlets First party. The mayor tries to present himself as a victim but, from reading the report, it seems that he and his senior colleagues are either in denial—they are the only people who do not know what is going on in Tower Hamlets—or they are lying to PricewaterhouseCoopers. Maybe the Secretary of State could indicate which he thinks is the case. Can he reassure us that the commissioners, if and when appointed, will meet the leaders of the Conservative and Labour groups on the council as a matter of urgency, and may I ask him to reconsider his decision to charge the taxpayers of Tower Hamlets the full sum of £1 million? Given the profile of Tower Hamlets—the poverty of the borough, notwithstanding the new business district, with Canary Wharf—charging Tower Hamlets taxpayers the £1 million seems unfair, especially as they are being victimised by Lutfur Rahman more than anyone else.

Mr Pickles: On the latter point, I entirely agree with the hon. Gentleman, but the method of charging is laid down in the legislation, and it needs to be emphasised strongly that the amount PricewaterhouseCoopers charged would have been considerably less had the mayor decided not to co-operate and to obfuscate and delay. The only reason why I did not make this statement in July is because of the delays by that administration. If the mayor would like to make a substantial contribution out of his own pocket to the report, that would seem to me to be a sensible thing to do.

Robert Neill (Bromley and Chislehurst) (Con): My right hon. Friend will know that I recognise from personal experience that intervention of this kind is very seldom used and its significance is not to be understated, but will he accept from me, from the experience of when we worked together in Doncaster, that this is utterly justified in this case, and that cumulatively this well-balanced report from PricewaterhouseCoopers indicates an overall political culture that is worse than that discovered in the

Doncaster case and that justifies the high level of intervention? Will he pay particular attention to the need to have strong commissioners with experience in electoral and administrative processes, because the lack of objectivity of former monitoring officers has been the subject of comment in the House before, and in Tower Hamlets opposition members, both Labour and Conservative, have in the past not had the protection from the statutory officers that they were entitled to when subject to personal—in the case of my friend Councillor Peter Golds, deliberate homophobic—abuse from supporters of the mayor? That cannot be accepted in a civilised country.

Mr Pickles: My hon. Friend was a very distinguished Minister in my Department, and he will know how long I agonised over the decision on Doncaster, because this kind of intervention goes against everything I believe in. I believe that local government is an independent entity and that is one of the strengths of our constitution, but there comes a point at which we need to ensure transparency, fairness and accountability, and it is certainly my hope that one of the commissioners will have extensive experience of practical election law and procedure, as that will strengthen that. It is also certainly my intention that Tower Hamlets will come out of this process much stronger.

Mr Clive Betts (Sheffield South East) (Lab): I welcome the actions and proposed actions of the Secretary of State and his comments about the general good conduct of local government and local councillors throughout the country. He referred to audit arrangements. There have been some changes, but there is nothing in them that means that throughout this period the auditor in Tower Hamlets did not have the ability and powers to audit properly these accounts. However, in December 2012 the overview and scrutiny committee, despite being quite weak in many respects, highlighted concerns about the grant process and asked for a referral to the district auditor. Despite that, the external auditor, KPMG, signed off these accounts without qualification for 2012-13, as it did for 2011-12. Are there not serious questions to be asked about the role of the external auditors in this regard and about their value for money, or lack of it, in carrying out this work?

Mr Pickles: I was probably unkind to the Audit Commission in many respects, but it did stand around doing nothing on this, as, indeed, it did on Doncaster—which required the LGA to act in Doncaster. The existing auditors have to answer for their own conduct, but I will say that I do not think this was their finest hour.

Eric Ollerenshaw (Lancaster and Fleetwood) (Con): There are some good councillors in Tower Hamlets representing the major parties and, as other hon. Members have said, they have been raising these issues for a number of years. Will the Secretary of State ensure that the commissioners have the powers to ensure that the statutory council meetings and the scrutiny meetings of the committees are carried out properly, so that those councillors who have a proper democratic mandate can finally be heard?

Mr Pickles: I need to emphasise, and not just for form's sake, that I am waiting to hear from Tower Hamlets in response to my report, but should I decide to appoint commissioners, one of their prime responsibilities would be to ensure that there was a robust system of transparency, scrutiny and accountability. The reason that I want to do that is that that is exactly what happens in just about every council up and down the land. That is normality, and no one ever really questions it. Sometimes, when I talk to other Government Departments about introducing new things for local government, people suggest nailing them down and making them a statutory duty, but the truth is that we probably do not need to do that. This is how local government operates, and how it has always operated. It puts its citizens first, so when we have one council that disregards that principle, it makes the system much more difficult to operate.

Mr Nick Raynsford (Greenwich and Woolwich) (Lab): I, too, welcome the Secretary of State's statement, and I entirely support the actions that he has outlined. It is absolutely right that there should be effective intervention in the exceptional cases in which individual local authorities have manifestly failed. I was involved in a similar action some years ago in Hackney, which I am pleased to say led to significant improvements. Hackney is now a very different authority from what it was. One of the lessons from that is that intervention to root out problems should also involve trying to build on the strengths of the authority and of the elected members who want to transform the area. Will he tell us what more will be done to encourage the elected representatives of Tower Hamlets who want to transform that area for the better to work with the commissioners to achieve a lasting improvement in the service?

Mr Pickles: I might be doing the right hon. Gentleman a disservice, but I think he was the architect of the powers that I am currently using, so I shall be freshly polishing the substantial bust of him that sits in my office. He is right to refer to previous experience. In Doncaster, we used the Local Government Association and peer-to-peer monitoring, and we got alongside the councillors. It was not just the mayor that we were trying to bolster up; it was the councillors as well. We took cognisance of the fact that we needed to bring out the best. Not everything is wrong in Tower Hamlets, as the hon. Members for Poplar and Limehouse (Jim Fitzpatrick) and for Bethnal Green and Bow (Rushanara Ali) have said. It is a wonderful, vibrant place, but frankly it deserves better leadership.

Mr Speaker: I will leave open the question of whether a bust of the right hon. Member for Greenwich and Woolwich (Mr Raynsford) is any more or less substantial than any bust of the Secretary of State.

Paul Uppal (Wolverhampton South West) (Con): I thank my right hon. Friend for his statement, and I want to revisit a comment that has been made by colleagues on both sides of the House. It appears that the rot started to set in as a result of electoral fraud at the very beginning, and that that was the first step. Many people from a south Asian community background feel that it is unfortunate that this spotlight has been shone on the community. I hope that, for the sake of

[Paul Uppal]

community cohesion, the proposed action can be a stepping stone towards ensuring that we have a full, robust and fair electoral system. Many migrants come to these shores to escape electoral fraud and dishonesty in the countries they came from.

Mr Pickles: I agree that electoral probity, honesty and transparency are hallmarks of our democracy. No one, on being elected—or failing to be elected—should have to wonder whether that was the electorate's decision or a result of the system. With regard to your last remark, Mr Speaker, may I respectfully suggest that it is just a matter of scale?

Mr Speaker: We cannot explore this issue at length, but in terms of being intellectually substantial, the right hon. Member for Greenwich and Woolwich and the Secretary of State both score very highly.

Luciana Berger (Liverpool, Wavertree) (Lab/Co-op): Members on both sides of the House will be shocked by many elements of the report. Knowing how rigorous the process relating to securing grants is in Liverpool, I think many people will be appalled to learn that £407,700 was given to bodies in Tower Hamlets that failed to meet the minimum criteria for being awarded anything at all. What efforts will the Secretary of State's Department be making to recover that money?

Mr Pickles: We will certainly look into that possibility. It is the council and the people of Tower Hamlets who have not received the appropriate sums. In the early part of the report, there is a map that shows how the grants have been allocated in a quite arbitrary way, concentrating them on just one area. The fact that more than £400,000 was simply handed out, as though by some mediaeval monarch, with no thought or consideration goes to the heart of the matter. Public money is precious and it should be accounted for. No one should receive public money without proper scrutiny. I refer the hon. Lady to the map on page 23 of the report, which shows the way in which the money has been distributed. It is an absolute disgrace.

Mr Speaker: We are all deeply grateful to the Secretary of State. I hope that everyone saw the map that he took the trouble to show to the House. Inspections can no doubt take place afterwards as well.

John Stevenson (Carlisle) (Con): Notwithstanding what has been going on in Tower Hamlets, does my right hon. Friend agree that elected mayors can provide a positive and effective form of leadership in local government?

Mr Pickles: Of course elected mayors can provide an effective form of leadership, but given their enormous power, they have an even greater obligation to ensure that there is proper scrutiny of their decisions and that the public have an opportunity to be assured that those decisions are made fairly and reasonably.

Meg Hillier (Hackney South and Shoreditch) (Lab/Co-op): I need to declare that my husband works for the Leadership Centre for Local Government. I welcome the Secretary of State's statement and, in particular, his comments about good mayors. In Hackney, the mayor has done an incredible job of leading Hackney towards becoming one of the best local authorities in the country. I believe that the mayor of Tower Hamlets should resign on the back of this report. Will the Secretary of State comment on that? Will he also, for clarity, outline to the House what the citizens of Tower Hamlets could do to abandon the mayoral model if they chose to do so?

Mr Pickles: The most important thing is for us to get into a position in which the residents of Tower Hamlets can feel confident in the mayoral system and in the functioning of their local government, which is now at best dysfunctional and at worst riddled with cronyism and corruption. I am not entirely sure that it would be appropriate for us to consider a big constitutional change. This is not about something being wrong with the system; it is about something being fundamentally wrong with the way in which the system has operated and with the people that are chosen. Should the mayor decide to resign at this point—I have no belief that he will—can I say that he would not be missed?

Mr Stewart Jackson (Peterborough) (Con): I speak as a vice-president of the Local Government Association and I was a London borough councillor for eight years. I have seldom seen such an appalling indictment of local governance. It is appropriate that we should put on record our thanks and pay tribute to those brave civic leaders such as Councillor Peter Golds who blew the whistle, and to journalists such as Ted Jeory and Andrew Gilligan who, in the best journalistic tradition, have fought a lonely battle to reveal the crooked and rotten regime in Tower Hamlets. May I point out to my right hon. Friend that that regime came about following an election? As my hon. Friend the Member for Northampton South (Mr Binley) said, we need to revisit the election arrangements in Tower Hamlets, focusing on postal votes, personation, polling place identification and, particularly, voter intimidation at polling places. This is imperative, not just in Tower Hamlets but across the country.

Mr Pickles: My hon. Friend has a justified reputation for being knowledgeable about matters relating to elections, and if I have a particular problem in this area, he is the first person I seek out. He outlines the task that awaits the returning officer and the electoral registration officer in Tower Hamlets. I hope that robust schemes are put in to support those two officers, be that through commissioners or through the council, should I decide not to act.

Andrew Gwynne (Denton and Reddish) (Lab): I thank the Secretary of State and his shadow, my right hon. Friend the Member for Leeds Central (Hilary Benn), for defending the best traditions of local government in England from the Dispatch Box today. Given that this week we have seen a further roll-out of the mayoral model, particularly in Greater Manchester, perhaps now is the time for the Secretary of State to define more closely the roles, responsibilities and expectations of an elected mayor and to uphold the independence of the local civil service in law.

Mr Pickles: I am not sure whether it will be necessary to uphold the local officials, some of whose rights are enshrined in law. I refer the hon. Gentleman to the point I made earlier to the right hon. Member for

Greenwich and Woolwich (Mr Raynsford), which is that for the most part local government operates under this system and we do not need to regulate it too closely because everyone operates, and has always done so, for the benefit of the public. The difficulty comes when a council disregards the norm, the rules and the normal give and take that occurs in local authorities. I am not entirely persuaded that we should legislate for all local authorities because one has behaved badly, but I am persuaded that whatever system we operate, be it a cabinet, committee or mayoral system—I do welcome the variety—it must conform to probity, transparency and accountability under the law.

Sir Richard Shepherd (Aldridge-Brownhills) (Con): Words such as "crooked" and "corrupt" have been used across the Floor of the House in response to the issues before us, yet the police have no reason for action. I just do not understand how one can reconcile corruption as laid out in the forms that my right hon. Friend has pointed out and there being no criminal implications whatsoever. What can be the answer?

Mr Pickles: That of course is a matter for the police—it is not a matter for me—but let me quote from the PwC report about the sale of Poplar town hall: It said:

"The Authority accepted a late bid from the winning bidder after other bids had been opened, creating a risk of bid manipulation…While the difference was small, the Authority did not in fact select the highest bidder, in spite of the external adviser's recommendation to do so….The winning bidder was, as a matter of fact, connected to a person with other business interests that had an association with the Mayor."

Would a well-run, accountable, transparent council act like that? I suggest that it would not.

Stephen Pound (Ealing North) (Lab): This report may not be welcome but it is certainly timely, and in its comprehensive nature it correctly identifies the mayor's parlour as the most likely source of the foul, fetid, reeking stench that has been a blight on a wonderful part of our city. I appreciate that the Secretary of State does not wish to rewrite the handbook of local government, but one problem in Tower Hamlets is the conflation of the roles of executive mayor and chief executive officer, with officers of the local government civil service reporting directly to this joint body. Will the Secretary of State at least consider, as we expand the role of the mayoralty, a system that would avoid that sort of contradiction and that sort of conflation occurring in future?

Mr Pickles: The conflation is made worse by the fact that the head of paid services is an interim appointment. An interim appointee does not have the same authority as someone who has their feet well and truly under the table, which is why, should we decide to use commissioners, it would be a priority to get a person in place who cannot be removed without their permission. The hon. Gentleman will have heard that, should I decide to act, we are setting up a framework whereby things come into being if the principal officer's advice is ignored. That is where things are important.

Charlie Elphicke (Dover) (Con): Some 20 years ago, I was elected to Lambeth council on a mandate to fight corruption. In that struggle, I found that it is a many-headed hydra and that these cultures are long in the making. Mayor Rahman has been running Tower Hamlets since 2008. Is it not right that there should be accounting as to how long this has been going on and how widespread the problem is?

Mr Pickles: One certainly wants to root out corruption, no matter where it took place and how long ago—that is fundamentally important. But the priority, should I decide to act, is to give the people of Tower Hamlets the opportunity to make a proper informed decision about their council and the mayor whereby, first, their votes would count, secondly, their voices will be heard and, thirdly, fairness will be there.

Andrew Bridgen (North West Leicestershire) (Con): Does the Secretary of State agree that the misuse of public funds and any hint of corruption or fraud in public office brings the whole of our political system into disrepute and risks undermining public confidence in our democracy, and therefore any such incidents should always be vigorously investigated and the individuals responsible held fully to account?

Mr Pickles: I entirely agree with that. Many of us will have experienced people on the doorstep saying, "All politicians are on the take. They are all on the make. They are all out for themselves." Many of us in this Chamber can think of our local councillors, people we have seen in politics for years, and realise that the overwhelming majority are people who simply want to put something back into their local community, to do civic service and to contribute to the value of life. The thing about what has happened in Tower Hamlets is that it besmirches even the most benign, hardest-working councillor, in even the remotest part of this country. That is why I will consider acting.

Mr Philip Hollobone (Kettering) (Con): I refer the House to my entry in the register as a member of Kettering borough council. Is not one of themes common to what happened in Doncaster, Rotherham and Tower Hamlets the importance, but sometimes the ineffectiveness, of local government scrutiny by councillors in their own authority? What can be done to strengthen the power of scrutiny committees, and raise the profile and esteem of scrutiny work? Instead of councillors always wanting to be in the administration, they should increasingly want to be in the scrutiny side of things, to hold mayors and chairmen of committees to account for making decisions about very large sums?

Mr Speaker: We could learn from the hon. Gentleman's parliamentary example.

Mr Pickles: Not for the first time, Mr Speaker, you take the words out of my mouth. My hon. Friend is a member of a very well-run council and he expresses some wise views. I would be interested in hearing his views, and those of any right hon. or hon. Member, as to how we might strengthen scrutiny in local authorities. Given that we have had a while to bed it down, there probably is a time for a re-examination.

Mr Betts *indicated assent.*

Mr Pickles: I see the Chair of the Select Committee nodding wisely.

Abortion (Sex-Selection)

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

1.28 pm

Fiona Bruce (Congleton) (Con): I beg to move,

That leave be given to bring in a Bill to clarify the law relating to abortion on the basis of sex-selection; and for connected purposes.

Sex-selective abortions are happening in the UK, and there is widespread confusion over the law, which is why this Bill is needed. The Bill is extremely straightforward, merely clarifying that nothing in section 1 of the Abortion Act 1967 allows a pregnancy to be terminated on the grounds of the sex of the unborn child. It is a shame that this clarification is needed. Successive Health Ministers and even the Prime Minister have been very clear on the matter. They state that abortion for reasons of gender alone is illegal. The Prime Minister has described the practice as "simply appalling". But these Ministers are being ignored. The British Pregnancy Advisory Service, which performs around 60,000 abortions a year, flatly disagrees with them. Even today, it is advising women, in one of its leaflets and on its website, that abortion for reasons of foetal sex is not illegal, because the law is "silent on the matter".

The British Medical Association holds yet another interpretation. It argues that there may be cases where having a child of a particular gender may be

"a legal and ethical justification for an abortion"

on the grounds that the sex of the child may severely affect the pregnant woman's mental health. I wish to address that point. Some say that the sex of the unborn child can be a legitimate ground for an abortion where a woman is being threatened with abuse if she carries the baby to term. Those who make that argument perhaps fail to realise that, in such tragic cases, it is not the sex of the child that is the ground for the abortion but the threat of abuse, which may constitute a physical or mental risk. I find it deplorable that anyone would be satisfied to provide a sex-selective abortion to a woman who, after she has had it, is then sent back to an abusive partner. What needs to be addressed in those dire circumstances is the abuse itself. Those women need help, and that is one aim of the Bill.

The BMA represents every doctor who permits or performs an abortion and BPAS is the UK's biggest abortion provider. We cannot sit idly by as it contradicts Ministers over a practice that the Government state is illegal. Urgent clarification from this House is needed.

The main motivation for the Bill, which is more than merely a desire to achieve a consistent policy line on this issue, is that we know that sex-selective abortions are happening in the UK and little is being done to stop them. We know that because a growing number of courageous women are speaking out about their experiences. Here is the story of Rupinder, which is not her real name, told by Jeena International, which works with UK women who have sex-selective abortions.

"Rupinder decided to abort her third child as she was expecting a girl. She was the eldest of six girls and she recalls that each time her mother went to hospital how disappointed everyone was when each time it was a girl. This experience traumatised and consumed her so much that the thought of giving birth to a girl meant disappointment, betrayal and lowered status within the family and the community. Rupinder made a painful decision to abort which she now regrets as she felt that she had no other choice."

Then there is the experience of Uraj—also not her real name—which might help to persuade those who doubt that son-preference is a problem in this country.

"During a routine ultra-sound scan Uraj's husband asked what the sex of the baby was and was told a girl. During the drive home, there was pin drop silence in the car. When they arrived home, Uraj started to prepare the evening meal in the kitchen, trying to silence her daughter at the same time as she was crying. She knew her husband was not happy and was angry that she was expecting another girl. She remembers him repeatedly punching and kicking her in the stomach and passing out. When she regained consciousness her husband had walked out and he sent her divorce papers a couple of months later."

Despite the existence of such stories, there are still those who claim that there is no evidence for the practice. In response to these critics, Rani Bilkhu, the director of Jeena International, said:

"Saying that there is no evidence is tantamount to saying that these women are lying and that our organisation is making things up."

It is hard to disagree with her, and it is crucial to note that Ms Bilkhu is referring to the brave few who have come forward in the hope that, in so doing, they will help to combat the practice. Their stories are only the tip of the iceberg. Another organisation, Karma Nirvana, which runs a crisis helpline for women in such situations, says:

"We believe the prevalence of sex-selective abortion in the UK is currently under-reported and this has been the case for many years. We have received, and continue to receive, calls from victims who are pressured to identify the gender of the child for the purposes of identifying if it is a girl. Victims express how they are then pressured by family members to abort the child and to give reasons other than sex selection and how they face abuse if they refuse to request this or abort."

To those who argue that there is no evidence of sex-selective abortion in the UK, I pose a question: what reason do we have to doubt the word of these organisations? If the testimony of these women and those who work with them is not enough, consider the statement of the GP and former BPAS consultant, Dr Vincent Argent, who said he had "no doubt" that this was a problem in the UK and that there were

"an awful lot of covert sex-selective abortions going on."

Indeed, I am told that some hospitals operate a policy of not telling the women the sex of their baby for fear that it will lead to a sex-selective abortion.

We can no longer ignore the fact that sex-selective abortion is a reality in the UK. Lest anyone think that this is an issue that applies only in certain communities, they should consider the tragic fact that the words "family balancing" are heard with increasing frequency and understanding across the country.

Thankfully, at the moment, countrywide analyses of birth data do not seem to show significant gender imbalances, but sex-selective abortion is clearly happening. Surely we cannot be saying that we will do nothing until the statistics show a national skewing in gender ratios, as in other countries. That would be wrong. How many more women must come forward before we take action? The time at which Government support should have been offered to women such as Rupinder and Uraj passed long ago, which is why I, and other colleagues, have brought this Bill to the House today.

The Bill is sponsored by 11 female MPs from all parts of the House and supported by a large number of other MPs. Today, I wish to place on record my thanks to those MPs, including: the hon. Members for Stoke-on-Trent South (Robert Flello) and for Linlithgow and East Falkirk (Michael Connarty), my hon. Friends the Members for Rossendale and Darwen (Jake Berry), for Dover (Charlie Elphicke), for Salisbury (John Glen), for Enfield, Southgate (Mr Burrowes), for Stroud (Neil Carmichael), for Daventry (Chris Heaton-Harris), for Stafford (Jeremy Lefroy), for Wolverhampton South West (Paul Uppal), for Harrow East (Bob Blackman), for Sittingbourne and Sheppey (Gordon Henderson), for Tewkesbury (Mr Robertson), for Calder Valley (Craig Whittaker) and for Cleethorpes (Martin Vickers), the hon. Member for East Lothian (Fiona O'Donnell), my hon. Friends the Members for Gainsborough (Sir Edward Leigh) and for Pudsey (Stuart Andrew), and my right hon. Friends the Members for Chelmsford (Mr Burns) and for North Somerset (Dr Fox). All of them support this Bill and I sincerely thank them for that.

Clause 1 would send a clear signal that abortion for gender is not permissible under UK law, clearing up considerable confusion. Subsection (2) would make it clear that the clarification relates only to sex-selective abortions, therefore putting the Bill squarely in line with the Government's interpretation of the Abortion Act. Clause 2 obliges the Secretary of State for Health to ensure that the law is being upheld. That will enable the Government to think about ways to help such women.

This month, for the first time, the UK has dropped out of the gender equality top 20. It is a further damning indictment of our commitment to female parity that we allow national institutions to contradict the Government on an illegal practice that predominantly affects girls. Even worse, we are choosing to ignore the evidence of women who have gone on the record and who have suffered under this appalling practice. This has gone on long enough. We must now act. As an editorial in *The Independent* said in January:

"Sex-selective abortion is barbaric and socially destructive."

This Bill would be a step on the way to addressing this tragic and discriminatory practice and the first and most fundamental form of violence against women and girls. I commend it to the House.

Question put (Standing Order No. 23).

The House divided: Ayes 181, Noes 1.

Division No. 67] [1.38 pm

AYES

Aldous, Peter
Amess, Mr David
Austin, Ian
Banks, Gordon
Barclay, Stephen
Bebb, Guto
Begg, Dame Anne
Benyon, Richard
Binley, Mr Brian
Blackman, Bob
Bottomley, Sir Peter
Bradshaw, rh Mr Ben
Brady, Mr Graham
Bray, Angie
Bridgen, Andrew
Brown, Mr Russell
Browne, Mr Jeremy
Bruce, Fiona
Burns, Conor
Burrowes, Mr David
Burstow, rh Paul
Burt, rh Alistair
Burt, Lorely
Campbell, Mr Gregory
Cash, Sir William
Caton, Martin
Champion, Sarah
Chapman, Jenny
Clappison, Mr James
Clark, Katy
Clarke, rh Mr Tom
Clifton-Brown, Geoffrey
Clwyd, rh Ann
Colvile, Oliver
Connarty, Michael
Cooper, Rosie
Crausby, Mr David
Cunningham, Alex
Cunningham, Sir Tony
Danczuk, Simon
Davidson, Mr Ian
Davies, Philip
de Bois, Nick
Djanogly, Mr Jonathan
Donaldson, rh Mr Jeffrey M.
Donohoe, Mr Brian H.
Doughty, Stephen
Doyle, Gemma
Durkan, Mark
Esterson, Bill
Evans, Jonathan
Evans, Mr Nigel
Field, rh Mr Frank
Fitzpatrick, Jim
Francis, Dr Hywel
Freer, Mike
Fuller, Richard
Gale, Sir Roger
Gapes, Mike
Garnier, Sir Edward
Garnier, Mark
Gilmore, Sheila
Glass, Pat
Glindon, Mrs Mary
Graham, Richard
Gray, Mr James
Greatrex, Tom
Green, rh Damian
Grieve, rh Mr Dominic
Hames, Duncan
Hanson, rh Mr David
Harris, Rebecca
Hart, Simon
Harvey, Sir Nick
Havard, Mr Dai
Heath, Mr David
Heaton-Harris, Chris
Hemming, John
Henderson, Gordon
Hepburn, Mr Stephen
Hermon, Lady
Hillier, Meg
Hilling, Julie
Hoban, Mr Mark
Hoey, Kate
Hollobone, Mr Philip
Hood, Mr Jim
Hopkins, Kelvin
Howarth, Sir Gerald
Jackson, Mr Stewart
Jones, Helen
Jones, Susan Elan
Kane, Mike
Kaufman, rh Sir Gerald
Kawczynski, Daniel
Keeley, Barbara
Kelly, Chris
Knight, rh Sir Greg
Lazarowicz, Mark
Leech, Mr John
Lefroy, Jeremy
Leslie, Charlotte
Lilley, rh Mr Peter
Long, Naomi
Loughton, Tim
Luff, Sir Peter
Lumley, Karen
MacNeil, Mr Angus Brendan
Mactaggart, Fiona
Main, Mrs Anne
Malhotra, Seema
McCann, Mr Michael
McCartney, Karl
McCrea, Dr William
McDonnell, Dr Alasdair
McDonnell, John
McGovern, Jim
McGuire, rh Mrs Anne
McInnes, Liz
McKechin, Ann
McKenzie, Mr Iain
McKinnell, Catherine
Meale, Sir Alan
Mills, Nigel
Moon, Mrs Madeleine
Morrice, Graeme *(Livingston)*
Morris, Grahame M. *(Easington)*
Mosley, Stephen
Mudie, Mr George
Murphy, rh Paul
Murray, Ian
Murray, Sheryll
Nash, Pamela
Nuttall, Mr David
O'Donnell, Fiona
Offord, Dr Matthew
Ollerenshaw, Eric
Osborne, Sandra
Paisley, Ian
Perkins, Toby
Phillips, Stephen
Pound, Stephen
Prisk, Mr Mark
Pritchard, Mark
Randall, rh Sir John
Redwood, rh Mr John
Rees-Mogg, Jacob
Reid, Mr Alan
Ritchie, Ms Margaret
Robertson, rh Sir Hugh
Robertson, John
Robertson, Mr Laurence
Roy, Mr Frank
Roy, Lindsay
Russell, Sir Bob
Sanders, Mr Adrian
Seabeck, Alison
Shannon, Jim
Sharma, Mr Virendra
Shepherd, Sir Richard
Sheridan, Jim
Shuker, Gavin
Skinner, Mr Dennis
Smith, Henry
Spelman, rh Mrs Caroline
Stephenson, Andrew
Stevenson, John
Stunell, rh Sir Andrew
Syms, Mr Robert
Teather, Sarah
Thornberry, Emily
Thornton, Mike
Turner, Mr Andrew

Vickers, Martin
Walker, Mr Charles
Weir, Mr Mike
Wharton, James
White, Chris
Whittingdale, Mr John
Wiggin, Bill
Winnick, Mr David
Young, rh Sir George

Tellers for the Ayes:
Pauline Latham and David Simpson

NOES

Jackson, Glenda

Tellers for the Noes:
Steve Baker and Mr Gary Streeter

Question accordingly agreed to.

Ordered,

That Fiona Bruce, Rosie Cooper, Mrs Mary Glindon, Kate Hoey, Pauline Latham, Naomi Long, Fiona Mactaggart, Sheryll Murray, Tessa Munt, Caroline Nokes, Sarah Teather and Dame Angela Watkinson present the Bill.

Fiona Bruce accordingly presented the Bill.

Bill read the First time; to be read a Second time on Friday 23 January 2015, and to be printed (Bill 112).

Steve Baker (Wycombe) (Con): On a point of order, Mr Deputy Speaker. My hon. Friend the Member for South West Devon (Mr Streeter) and I divided the House so that it would have the opportunity to express its view. May I put it on the record that both of us support my hon. Friend the Member for Congleton (Fiona Bruce) and the measure? I have been advised by many right hon. and hon. Members who are members of the Government and who abstained, as is usual practice, that they, too, would have supported it.

Mr Deputy Speaker (Mr Lindsay Hoyle): As the House is well aware, that is not a point of order for the Chair, but it is certainly on the record.

Jake Berry (Rossendale and Darwen) (Con): Further to that point of order, Mr Deputy Speaker. As has just been mentioned, there is a convention that Ministers, Parliamentary Private Secretaries and members of the shadow Cabinet and their PPSs do not vote on ten-minute rule Bills. Will you confirm to the House that when the Bill receives a Second Reading, there will be a further opportunity to vote on it, and that the usual convention that it should be a conscience vote will apply?

Mr Deputy Speaker: It is not a point of order for me to advise people how to vote, but I am sure they will reflect on that when they read *Hansard* tomorrow.

MODERN SLAVERY BILL (PROGRAMME) (NO. 2)

Ordered,

That the Order of 8 July 2014 (Modern Slavery Bill (Programme)) be varied as follows:

(1) Paragraphs (4) and (5) of the Order shall be omitted.

(2) Proceedings on Consideration shall be taken in the order shown in the first column of the following Table.

(3) The proceedings shall (so far as not previously concluded) be brought to a conclusion at the times specified in the second column of the Table.

Table

Proceedings	*Time for conclusion of proceedings*
New Clauses and new Schedules relating to transparency in supply chains; new Clauses and new Schedules relating to offences, other than offences of procuring sex for payment; remaining new Clauses and new Schedules, other than new Clauses and new Schedules relating to the Gangmasters Licensing Authority, overseas domestic workers or prostitution; amendments, other than amendments relating to the Gangmasters Licensing Authority, overseas domestic workers or prostitution.	4.00 pm on the day on which the proceedings are commenced.
New Clauses and new Schedules relating to the Gangmasters Licensing Authority; amendments relating to the Gangmasters Licensing Authority; new Clauses and new Schedules relating to overseas domestic workers; amendments relating to overseas domestic workers; new Clauses and new Schedules relating to prostitution; amendments relating to prostitution; remaining proceedings on Consideration.	6.00 pm on that day.

(4) Proceedings on Third Reading shall (so far as not previously concluded) be brought to a conclusion at 7.00 pm on the day on which proceedings on Consideration are commenced.—*(John Penrose.)*

Modern Slavery Bill

Consideration of Bill, as amended in the Public Bill Committee

New Clause 11

"Transparency in supply chains etc

'(1) A commercial organisation within subsection (2) must prepare a slavery and human trafficking statement for each financial year of the organisation.

(2) A commercial organisation is within this subsection if it—

(a) supplies goods or services, and

(b) has a total turnover of not less than an amount prescribed by regulations made by the Secretary of State.

(3) For the purposes of subsection (2)(b), an organisation's total turnover is to be determined in accordance with regulations made by the Secretary of State.

(4) A slavery and human trafficking statement for a financial year is—

(a) a statement of the steps the organisation has taken during the financial year to ensure that slavery and human trafficking is not taking place—

(i) in any of its supply chains, and

(ii) in any part of its own business, or

(b) a statement that the organisation has taken no such steps.

(5) If the organisation has a website, it must—

(a) publish the slavery and human trafficking statement on that website, and

(b) include a link to the slavery and human trafficking statement in a prominent place on that website's homepage.

(6) If the organisation does not have a website, it must provide a copy of the slavery and human trafficking statement to anyone who makes a written request for one, and must do so before the end of the period of 30 days beginning with the day on which the request is received.

(7) The Secretary of State—

(a) may issue guidance about the duties imposed on commercial organisations by this section;

(b) must publish any such guidance in a way the Secretary of State considers appropriate.

(8) The guidance may in particular include guidance about the kind of information which may be included in a slavery and human trafficking statement.

(9) The duties imposed on commercial organisations by this section are enforceable by the Secretary of State bringing civil proceedings in the High Court for an injunction or, in Scotland, for specific performance of a statutory duty under section 45 of the Court of Session Act 1988.

(10) For the purposes of this section—

"commercial organisation" means—

(a) a body corporate (wherever incorporated) which carries on a business, or part of a business, in any part of the United Kingdom, or

(b) a partnership (wherever formed) which carries on a business, or part of a business, in any part of the United Kingdom,

and for this purpose "business" includes a trade or profession;

"partnership" means—

(a) a partnership within the Partnership Act 1890,

(b) a limited partnership registered under the Limited Partnerships Act 1907, or

(c) a firm, or an entity of a similar character, formed under the law of a country outside the United Kingdom;

"slavery and human trafficking" means—

(a) conduct which constitutes an offence under any of the following—

(b) conduct which would constitute an offence in a part of the United Kingdom under any of those provisions if the conduct took place in that part of the United Kingdom.".—*(Karen Bradley.)*

Brought up, and read the First time.

This New Clause requires businesses over a certain size to disclose annually what steps they have taken to ensure that slavery or human trafficking is not taking place in any of their supply chains or their own business through a statement published on their website, if they have one.

1.52 pm

The Parliamentary Under-Secretary of State for the Home Department (Karen Bradley): I beg to move, That the clause be read a Second time.

Mr Deputy Speaker (Mr Lindsay Hoyle): With this it will be convenient to discuss the following:

New clause 5—*Duty on large UK companies to report efforts to eradicate modern slavery and forced labour—*

'(1) The Secretary of State must, not later than 5 October 2015,—

(a) make regulations under section 416(4) of the Companies Act 2006 (c. 46) requiring the directors' report of a company to contain such information as may be specified in the regulations about modern slavery and forced labour in the supply chain for which the company is responsible, or

(b) lay before Parliament a report explaining why no such regulations have been made.

(2) Regulations made under section (1)(a) must be in force in relation to quoted companies by 6 January 2016 and in relation to large private companies as the Secretary of State believes to be appropriate by 2 January 2018.

(3) Subsection (1)(a) is complied with if regulations are made containing provision in relation to the company's reporting of work in the following areas—

(a) accountability for tackling modern slavery and forced labour, including policy commitments, resourcing and actions to exercise due diligence;

(b) investigation, monitoring and auditing of modern slavery and forced labour risks in the UK and throughout their global supply chains;

(c) support and access to remedy for victims of forced labour and modern slavery; and

(d) training of staff and suppliers, access to expertise and advice.

(4) No regulations made under this section shall apply to small companies as defined by section 381 of the Companies Act 2006 (c. 46)."

New clause 15—*Legal liability for the beneficiaries of slavery—*

'(1) The Secretary of State shall within six months of this Act coming into force bring forward regulations to ensure that a person benefiting from an offence under section 1 or 2 of this Act committed by a third party shall have committed an offence where—

(a) the third party acted for that person's benefit; and

(b) their lack of supervision or control made possible for committing of the offence by the third party.

(2) Regulations under subsection (1) shall not be made unless a draft has been laid before and approved by both Houses of Parliament."

[Mr Deputy Speaker]

This new Clause requires the Secretary of State to bring forward measures along the lines set out in EU Directive 2011/36/EU on preventing trafficking in human beings.

New clause 14—*Ban on importation of goods produced by slavery or forced labour—*

'(1) The Secretary of State shall have the power to prohibit the import at any point of entry to the United Kingdom of any good, ware, article, or product mined, produced, or manufactured wholly or in part in any foreign country that can be demonstrably shown to have been produced by slavery, forced labour, child labour or with the involvement of human trafficking.

(2) The Secretary of State shall—

(a) prescribe such regulations as may be necessary for the enforcement of this provision;

(b) co-ordinate with and issue guidance to the Treasury, HMRC, devolved authorities and any other relevant public authority in relation to the exercise by them of their powers and responsibilities under this Clause; and

(c) have a duty to publish and maintain information on banned goods including a publicly available list of products which there is a reasonable basis to believe might have been mined, produced, or manufactured in the circumstances described in section (1).

(3) The Secretary of State shall establish a process whereby a petition can be made by any person, public authority or organisation who has reason to believe that goods produced in the circumstances in section (1) are being or are likely to be imported into the UK to communicate theses concerns to the relevant authority. Every such communication shall contain—

(a) a full statement of reasons for the claim;

(b) a detailed description or example of the product; and

(c) all relevant information regarding the production of the good."

This would allow for the banning of the import of any product produced by slavery, convict, forced or indentured labour, including child labour.

Government amendment 62.

Karen Bradley: It is a pleasure to open this important debate. Modern slavery in supply chains is an issue that this Government take extremely seriously and have been considering very closely for some time. Tackling modern slavery is not only about catching the perpetrators; it is about making sure that we as consumers and businesses do not inadvertently fuel the demand for slave labour. We do not want businesses in the UK to have any connection to these abhorrent crimes, and UK consumers should not be put in the position where they inadvertently buy goods that could have been produced by individuals who are abused and enslaved.

The Government have been listening carefully to the views of NGOs, businesses and parliamentarians on this issue. I know that many right hon. and hon. Members here today have been campaigning on it for a long time, and their contributions and insight have been invaluable in developing our thinking. I would particularly like to thank the pre-legislative scrutiny Committee on the draft Modern Slavery Bill, who collected such valuable evidence, and the chair of the Committee, the right hon. Member for Birkenhead (Mr Field), for his leadership. I would also like to thank the hon. Members for Slough (Fiona Mactaggart) and for Linlithgow and East Falkirk (Michael Connarty), who have both tabled private Members' Bills on this topic and have campaigned so tirelessly.

The Government have always been committed to encouraging businesses to take action on modern slavery, but I and the Home Secretary wanted to make sure that any further legislative changes were of real value and would not confuse existing arrangements. Having considered carefully the evidence and calls for change, I believe that we can improve the legislative framework further to encourage business to take action. That is why I am extremely pleased that we have brought forward new clause 11, which will require organisations carrying on a business in the UK above a certain size threshold to disclose each year what they have done to ensure that there is no modern slavery in their supply chains or their organisation. Once businesses are required to disclose what they are doing to tackle modern slavery, consumers, shareholders and campaigners will have a better understanding of what action each business is taking, and can call for more action if they think more is needed.

Mr Frank Field (Birkenhead) (Lab): I am grateful that the Minister is introducing this clause. May I ask two questions? When companies report, will the Government comment? Will the new independent anti-slavery commissioner be expected to comment and try to raise the standards of firms?

Karen Bradley: I thank the right hon. Gentleman for his questions. Later in my remarks I will come to how we envisage the provision working. I hope that will address his concerns.

Many businesses are already taking steps to eliminate modern slavery. Once it is clear what activity major businesses are undertaking, we expect that public pressure and competition between businesses will encourage those who have not taken decisive steps to do so. Introducing this measure is an important step, and that is why we want to get it right. The provision does not specify the size of business on the face of the Bill. That is because we genuinely want to listen to businesses and stakeholders about the best possible approach and we will formally consult on the threshold level.

Our thoughts are that this provision should apply to large companies in the first instance. We will consult fully on the threshold and then set the threshold through regulations subject to the affirmative procedure, which will ensure that Parliament has the final say on the initial threshold, and can subsequently review and amend it over time, if required. We will also produce statutory guidance to accompany this provision, setting out the kinds of information that might be included in a disclosure, so that companies understand and have the support they need to comply. Again, we will consult on what information should be in the guidance, working with businesses and other interested parties so that they have a good understanding of what information might be used to comply with the disclosure requirement.

Sir John Randall (Uxbridge and South Ruislip) (Con): Like the right hon. Member for Birkenhead (Mr Field), I am grateful that the measure is being included in

the Bill. Can my hon. Friend give us an idea of the time scale involved in the consultations and when we might see the resulting legislation?

Karen Bradley: My right hon. Friend deserves credit for campaigning tirelessly on this and other issues related to modern slavery. I will come on later to how we envisage the process working. We are considering an appropriate timetable. As he will appreciate, we have to get the balance right between letting both Houses have their say and the need to make progress.

Sir John Randall: I look forward to hearing further details. We are all aware that over the weekend, for example, there was a furore about T-shirts. That emphasises that many companies think they are free of slavery, but they are not. We must sure that we get on with the measure, because it is important.

Karen Bradley: I take my right hon. Friend's comments and will ensure that they are considered in the process. He is right that one of the difficulties and one of the reasons that we have considered the matter carefully is that many businesses are trying hard to comply, but we need to help them and support them to do so. That is why it was vital that we spent time consulting businesses to make sure that we came up with an effective approach that would make a difference.

Stephen Barclay (North East Cambridgeshire) (Con): The Minister has not spelled out any dates. The matter has gone through the Joint Committee, it has been debated and there have been various hearings. New clause 11 says that the Secretary of State "may issue guidance". What we are not getting is any sense of the operational requirements on a company such as Tesco, which was benefiting from slave labour in the fishing industry in Thailand. What would companies be required to do operationally under this guidance?

Karen Bradley: I will come, as I said, to how we envisage the measure working. My hon. Friend reflects exactly the balance that we are trying to achieve between getting on as quickly as possible and letting Parliament have its say to make sure that we reflect what Parliament wishes in this respect.

2 pm

The statutory guidance will only be guidance. We will not tell businesses what a disclosure must include, and we fully expect disclosures to differ from company to company, which is why the Bill does not specify what information a disclosure must contain. Businesses will be at different levels of maturity and will work in very different sectors, so what is applicable to one might not be applicable to others. We therefore believe that well-constructed guidance is the best approach.

In developing that provision, we looked carefully at the California Transparency in Supply Chains Act 2010, which is often cited as the first Act to address transparency issues. We recognised that any measure seeking to address the issue must create a level playing field, which is why we decided not to follow the amendment to the Companies Act 2006 proposed by the pre-legislative scrutiny Committee. The duty in that Act applies only to public limited companies. Our measure will require all companies over a certain size to disclose what they are doing to ensure that there is no slavery in their supply chains.

Mr David Burrowes (Enfield, Southgate) (Con): My hon. Friend refers to the proposed amendment to the Companies Act. Does she accept that when Parliament put forward a human rights disclosure requirement, it was plainly the intention that it should also include supply chains?

Karen Bradley: My hon. Friend, who was such a committed member of the Public Bill Committee, makes an important point. The Government have already legislated to require companies to disclose in their annual reports under the Companies Act that they respect human rights throughout their business. We wanted to ensure that there was a further requirement on slavery, so we ensured that there was full transparency on slavery in supply chains in addition to the requirement that we have already included in the Companies Act.

Mr Frank Field: I take the Minister's point about the Government's approach being superior to our proposal to amend the Companies Act. One of the advantages of her approach is that the proposed legislation will cover those companies that are large but are owned offshore. We want to bring them within the ambit of the Act, because they are really important traders in this country.

Karen Bradley: The right hon. Gentleman makes exactly the right point. This is about ensuring that any company doing business in the UK makes transparent disclosures on the action it has taken on slavery in its supply chains. We want UK consumers to understand what actions have been taken by the businesses they transact with so that they can then put pressure on them if they feel that not enough is being doing. The Government will be able to help those companies through the guidance we issue on the action they may take that would give consumers the reassurance they need. We have also improved on the California model by capturing any commercial organisation that produces not only goods but services.

We are also looking at public sector procurement, recognising that modern slavery could happen anywhere. All public sector suppliers are already required to comply with relevant human rights and employment law, and EU procurement rules require contracting authorities to exclude suppliers that have been convicted of certain offences. Social responsibility information is also sought annually from Government suppliers, including details of the steps taken and planned by suppliers in the areas of ethical procurement and supply chain management.

I will now turn to new clause 5, tabled by Opposition Front Benchers, which would require the Secretary of State to make regulations under section 416(4) of the Companies Act 2006 so that quoted companies and certain large private companies are required to include in their directors' reports information relating to modern slavery and forced labour in the supply chain. It is fair to say that we are all trying to achieve the same aim—ensuring that the supply chains of UK businesses are free from slave labour—but the ways in which we are seeking to do that may well differ. In considering this important issue, we have looked at a number of approaches, including amending the Companies Act and, in particular, the Companies Act amendment proposed by the pre-legislative scrutiny Committee.

[Karen Bradley]

I believe that introducing a specific provision in the Modern Slavery Bill, rather than in the Companies Act, sends out a clear signal that the UK will not tolerate any form of modern slavery. It also explicitly raises the profile of the issue by ensuring that the provisions are front and centre of what the Bill and this Government are trying to achieve: to stamp out modern slavery in all its forms. I think that all of us in this House are trying to achieve that. Those who disclose little or no action risk their reputation and, ultimately, their profits.

New clause 14, tabled by the hon. Member for Foyle (Mark Durkan)—he, too, served on the Public Bill Committee—would ban the import of any product produced by slavery, forced or child labour or human trafficking. As I have said, I believe that slavery in all its forms is abhorrent. The provisions we have brought forward to increase transparency in supply chains are both effective and proportionate. It would simply not be feasible for UK agencies to police the import of goods on the basis of whether they had been produced using slave labour. We need those trading with companies in other jurisdictions to apply due diligence and take decisive action where they believe that slave labour is being used. Waiting until the point when products are being imported into the UK is simply too late. That is why it is for businesses to take action to check their supply chains and for the Government to influence and encourage other Governments to do more, such as by improving the application of their employment laws or their approach to human rights issues.

Sir Andrew Stunell (Hazel Grove) (LD): I thank the Minister for working so hard to introduce new clause 11, which I very much welcome. Will she cover the point raised in an earlier intervention about the role of the anti-slavery commissioner? As she will know, the terms of reference were discussed in Committee. It would be useful to know whether the Government think that the commissioner's remit will include looking at company reports and assessing how effective they are.

Karen Bradley: I thank my right hon. Friend for his comments and for all his work, not only in the Public Bill Committee but in the pre-legislative scrutiny Committee—he has truly lived this issue for most of this year, so I know how committed he is. I think that policing the measure is a matter for us all. In particular, the non-governmental organisations that work on victim protection—I discussed this with them last week—have such an important role to play in bringing to our attention those companies that they believe are not doing the compliance and disclosure that we all expect. We will move on to the specifics of the anti-slavery commissioner's role later in the debate. My emphasis for the commissioner is on identifying victims and then ensuring that we get prosecutions in order to protect victims. The role is not so much about policing the supply chain measure. Obviously, as the commissioner's role develops, we may see new issues come to the fore.

Mrs Caroline Spelman (Meriden) (Con): I commend my hon. Friend for listening to Members on both sides of the House regarding the supply chain issue and bringing forward this new clause. Does she agree that the strongest policing of the issue will come from the large companies at the head of supply chains, because they have the infrastructure really to do due diligence and stamp out slavery down the line? The proportionate way in which she is introducing this, with company size being a factor, is one of the strongest signals we could possibly send to the wider world that we want no part of it in our supply chains.

Karen Bradley: I thank my right hon. Friend for her comments. She, too, was a member of the pre-legislative scrutiny Committee—there is definitely great experience and knowledge of the issue in the Chamber today. Her work on the issue has been of great help to the Government. She is right that this is about the large businesses. When the Government discussed how best to secure this, it was the large businesses that were keen to see the level playing field, with everyone crossing the line together. She is absolutely right.

Mr Burrowes: The Minister is being very generous in giving way. This whole measure can be seen not as a burden for businesses, but as an empowering measure, because all responsible businesses will be able to see how they can root out and eradicate slavery. Is there a way in which we could move on in the timing of this measure and on enforcement by ensuring that everyone can see those businesses that are disclosing and complying, and by shaming those that are not? We could do that straight away on the website. Perhaps the anti-slavery commissioner could have their own portal to allow that to be communicated so that we could name and shame in an easy and accountable way.

Karen Bradley: My hon. Friend is right to say that this process does not need to wait for the legislation to come in. Businesses can start to make these disclosures now; there is nothing to stop them doing that. The point of the Bill is to make sure that there is a level playing field and that all are crossing the line together. He makes some very interesting suggestions that I will reflect on.

Mr Frank Field: Will not successful disclosures involve some companies that, having found they are guilty of having slavery in the supply chain, rather than just sacking the suppliers, work with them on paying the workers proper wages? I would not want this measure to perpetuate poverty by pushing slavery further underground. If the public are to take a really rounded view on these reports, they should praise companies that find they are using slave labour and then go on to say what they are doing about it.

Karen Bradley: The right hon. Gentleman is absolutely right. This is about getting transparency in supply chains. On the very first day I started as a Minister, the first thing I was lobbied on was transparency in supply chains, and it became clear that this is all about finding out what is going on—shining a light. As he says, there may well be slavery within these supply chains, and if so action can be taken to deal with that.

I would add that in my experience of meeting Governments overseas where there may be concerns about human rights abuses, one of the strongest and most powerful tools to convince those Governments that they need to take action is that their businesses will not be able to trade with businesses here in Britain

because we expect to be sure that there is no slavery in the supply chain, that human rights are not being abused through the supply chain, and that when consumers buy goods in Britain they can be confident that all action that possibly can have been taken has been taken to eradicate these practices from the supply chain. That is what transparency does—it shines that light and gives that clarity to the consumer.

New clause 15, tabled by the hon. Member for Foyle, seeks to require the Secretary of State to lay regulations to ensure that individuals who have benefited from modern slavery that has been perpetrated by a third party are criminally liable where their lack of supervision made the modern slavery offence possible. We do of course want business to take action to eliminate modern slavery from supply chains, and, as we have discussed, the Government are bringing forward a legislative measure to achieve this. However, I am not persuaded that a potentially very broad criminal liability in this area is the best approach. I want these provisions to drive a change in behaviour. That is why I firmly believe that the Government's amendment to introduce a bespoke provision into the Bill is the right one. As I said, it goes much wider than the provisions in the California Act by including all sectors, not just retail and manufacturing, and the provision of services, as well as goods, but it does so in a way that does not create undue burdens for business.

I fully acknowledge the good intentions behind right hon. and hon. Members' amendments. However, in the light of discussions and the work that the Government have undertaken in this area, and the effective provision that we are proposing today, I hope that they will feel able to withdraw them.

Diana Johnson (Kingston upon Hull North) (Lab): I rise to welcome the Government's new clause 11 and to speak to new clause 5, which stands in my name and the names of other right hon. and hon. Members. It is very good news that the Government have finally moved on this matter in the final stages of the Bill. Not including supply chains was the single biggest omission from the draft Bill and the Bill introduced to this House, and it is good to see that this important concession has been secured from the Government.

I congratulate all those who have campaigned on this issue, including my hon. Friends the Members for Linlithgow and East Falkirk (Michael Connarty), for Slough (Fiona Mactaggart) and for Birkenhead (Mr Field), and, on the Government Benches, the right hon. Members for Uxbridge and South Ruislip (Sir John Randall) and for Meriden (Mrs Spelman). The hon. Member for Foyle (Mark Durkan) has tabled two new clauses that seek to extend the responsibilities of UK companies towards those who work in the supply chains, including compensation for victims and a ban on the importation of products produced using slavery.

Outside this House, a huge number of groups have also campaigned on the issue. I pay particular tribute to the Walk Free Foundation, the Ethical Trading Initiative, and the British Retail Consortium. I would like personally to thank all the groups and companies that I have met in order to inform Labour's position, including Next, Primark, the Co-operative Group, Focus On Labour Exploitation, and Amnesty International.

2.15 pm

Including supply chains in this Bill is the right thing to do. We cannot be serious about tackling slavery in the United Kingdom if we are prepared to accept products made using slave labour being sold on our high streets or commissioned by our companies. There has been an increasing awareness that slavery and forced labour are increasingly linked to the production of goods for major UK companies. We saw the collapse of the Rana Plaza factory where, sadly, 1,200 people lost their lives, many of whom were making clothes for UK stores. We saw the newspaper story by Felicity Lawrence—she won awards for it—about the prawn fishermen who were held in a lifetime of slavery reinforced by routine murder, having to watch individuals being tied to masts between boats and torn apart. We know that those prawns were being sold to Tesco, the Co-op and Aldi in the United Kingdom. We also know of small children who have been paid pennies a day to sew sequins on to children's clothes.

The strength of feeling about dealing with such examples is very high. Eighty-four per cent. of the UK public want legislation on this, and so do the overwhelming majority of companies. For far too long, it was just the Government who were holding up progress. While most large retailers are implementing policies to tackle the issue, it is hard to see tangible progress, and hard for consumers to judge between companies. We want to introduce mandatory standards for reporting to force companies to adopt standard procedures. It is important to stress that we want to support British businesses that are acting to create the level playing field that the Minister mentioned. This is not just about forcing companies to act, but helping them to act.

One thing that has become clear to me in looking at this issue is how complicated the supply chains for UK companies are. It is hugely complex for UK companies to inspect their suppliers. Even the best practice in auditing is not foolproof. As the right hon. Member for Uxbridge and South Ruislip said, we saw at the weekend the story about Whistles and the Fawcett Society T-shirts. I very much hope that *The Mail on Sunday*, which took such an interest in this area, will be campaigning hard to make sure that it talks about getting supply chains into the Bill and supports it as a very important piece of legislation.

The Bill is about changing market conditions and creating market incentives for suppliers to show themselves to be fair. That would mean suppliers being able to show that they are meeting International Labour Organisation standards, backed up by kite-marking and an inspection regime. This is hard for UK companies to implement individually, but collective action could make it the norm. The Bribery Act 2010 has been hailed for reducing the burden on businesses by creating consistent standards and an industry to audit what is happening.

The Opposition's proposal in new clause 5 builds on the recommendations of the Joint Committee and is modelled on section 85 of the Climate Change Act 2008. It does not bring in regulations directly; rather, it requires the Secretary of State to do so using an enabling power in the Companies Act 2006. While the regulations are in secondary legislation, the new clause lays out the framework for how they should work. I want to emphasise how our new clause addresses the three key issues in making a workable change to the Bill.

The first issue is coverage. Our new clause 5 is explicit that this must cover large private companies and quoted companies. Of course, that may exclude some international firms working in the UK, but it is important to know that most will have UK subsidiaries that will be covered by the law.

The second issue is comparability. I am concerned that the Minister seemed to say that she did not think that this issue is particularly important. Consumers, non-governmental organisations and investors must be able to look at two reports and make direct comparisons between companies. Any large company could write a report laying out work in this area, but we need regulation to be specific enough to ensure that we can compare like with like.

Our new clause demands regulation under four headings, which were drafted in coalition with the Ethical Trading Initiative. The first is

"accountability for tackling modern slavery and forced labour, including policy commitments, resourcing and actions to exercise due diligence".

The second is

"investigation, monitoring and auditing of modern slavery and forced labour risks in the UK and throughout their global supply chains".

The third is

"support and access to remedy for victims of forced labour and modern slavery".

The fourth heading, which fits in with what my right hon. Friend the Member for Birkenhead has said, centres on

"training of staff and suppliers,"

giving them access to expertise and advice.

Finally, our new clause deals with the issue of enforcement by placing the regulations within the framework of the Companies Act 2006. That is absolutely key, because if we look at what has happened in California—the Minister referred to the Californian model—we will note that it has been very hard to see which companies have complied and how they have done so. Proper enforcement is not just about companies writing a report; it is about companies complying with the reporting requirements. As we have seen in California, without an enforcement procedure, companies are able to interpret the reporting requirements however they see fit.

Placing the reporting requirement in the Companies Act deals with that. There is already a range of personal and corporate enforcement procedures. Directors would have individual fiduciary duties to ensure the accuracy of the report and those involved in the compiling of the report, including accountants and lawyers, would also be under a professional duty to ensure the report is not misleading.

Moreover, this is a report that would be used by investors, not just consumers, so it could put pressure on companies from both sides. If firm x produces a report saying it has done a and b to eradicate slavery and then a newspaper shows that to be incorrect, investors would have the right to take action against the firm for the resulting fall in share prices. That seems to me to be one of the biggest incentives we could provide in pursuing this objective.

We support the Government's new clause 11, but the details of the three points I have just set out are to be left to secondary legislation.

Stephen Barclay: The hon. Lady is making powerful points about what teeth the guidance will have. Does she think that there are lessons to be drawn from when this House debated the Financial Services and Markets Act 2000, when it was believed that the behaviour of the banks would be influenced by reputational damage, a belief that was found to be false in the light of their future conduct? There seems to be a reliance on the idea that guidance in itself will have a deterrent effect on major corporations, but that has to be backed up with some teeth.

Diana Johnson: I could not agree more. That is why it was important that I set out why new clause 5 deals in detail with the kind of issues that need to be clearly addressed in secondary legislation. I am grateful for the hon. Gentleman's intervention.

Just to recap: we support the Government's new clause 11. Obviously, we want to wait and see what happens with the secondary legislation as it is introduced. It is surprising that the Government have gone against the Joint Committee's recommendation and the evidence presented by several large companies arguing against stand-alone regulation, although the Government have now seen fit to pursue that. That poses particular problems for enforcement. I am sure the Minister has seen the briefing from the coalition of groups campaigning for change, which states:

"Monitoring of compliance with the provision needs to be taken seriously as this will be central to its success in driving change. We are concerned that the provision is currently weak on how monitoring and enforcement will be undertaken. The Government's approach relies on a civil enforcement procedure by the Secretary of State, which means that in reality the measure would be unlikely to deter any businesses other than those who would in any case seek to comply on a voluntary basis."

Sir Andrew Stunell: I thank the hon. Lady for giving way—I hope she will be able to wet her whistle while I speak. Does she agree that the monitoring process could make a start through the anti-slavery commissioner taking a more active role in observing and supervising company reports?

Diana Johnson: The right hon. Gentleman makes a very important point. Time is limited this afternoon, but I hope there will more discussion in the other place about extending the role of the independent anti-slavery commissioner to do exactly what the right hon. Gentleman has said.

In the Minister's closing remarks, I want assurances that whatever is proposed will apply to all large companies; that the regulations will be detailed enough to allow comparability; and that there will be a clear enforcement mechanism so that consumers, investors and NGOs can see who has complied and know that they can trust the report they have read.

Mr Burrowes: It is a pleasure to contribute to this debate and, in particular, to support the principles in new clause 11. Some good points have also been made about new clause 5. As was evident on Second Reading, the House has coalesced around the principle of providing

transparency of supply chains. It has taken a while to get there. I pay particular tribute to the Minister for the work she has done and the leadership she has shown in bringing together the Government in this way. That takes some doing.

The importance of the integrity of basic human rights in supply chains has not been recognised until now, unlike—shamefully, in some ways—the integrity of products in supply chains of hardwood, tobacco and pharmaceuticals. Today represents a big and important step change in recognising the integrity of those human rights.

New clause 11 covers the principles of accountability and reporting, which are also addressed by new clause 5. We can deal with the qualms and queasiness surrounding burdens by saying that any responsible business will welcome new clause 11 as an empowering measure that can help them disclose any issues and root out slavery.

I accept the point made by the right hon. Member for Birkenhead (Mr Field). When I said that we should name and shame, I did not mean that this is about good guys and bad guys. This is about disclosure. We should take a rounded approach. There needs to be full, transparent disclosure all the way along the chain so that everyone can shine a light to see what is happening and then deal with it appropriately. By shining that light all the way down and up, the most responsible businesses will expose some things that they are not happy about. They will then be able to say, robustly and confidently, "We've done that." We should ensure disclosure by naming those who are disclosing in a proper and full way, and shaming those who are not disclosing, which is an issue of concern.

Once this measure is on the statute book, compliance and enforcement must be effective. From a light-touch point of view, I agree that transparency and accountability can happen through individual company websites, but we need to go further and enable all concerned to access information centrally. That is why I suggested in an intervention that the independent anti-slavery commissioner should have a portal. The responsibility for maintaining it would not be the commissioner's alone, but people would be able to look at that independent website and see the names of those companies that have complied with the manner, spirit and intention of the statutory guidance. That is important and I think it would help. Given the timing involved with this measure and the need to get the office of the anti-slavery commissioner up and running, it is important that we make progress, possibly through the Home Office website, ahead of any parliamentary processes, including secondary legislation, and give people the opportunity to show that they are very much on the side of full disclosure.

I must say that I have one or two concerns. I am concerned about whether new clause 11 may be unduly complex, particularly in relation to enforcement via civil enforcement injunctions. Are such injunctions to expose the fact that a company is not up to speed on disclosure, or are they to get to the root problem of exposing its supply chain? The provision may be unduly bureaucratic and costly, and it may well not serve the purpose that everyone wants.

2.30 pm

To deal with that concern, we need to consider encompassing the approach covered by the Companies Act 2006. That has been suggested as an alternative, but we should consider how to embrace it. Last autumn, Parliament's intention was that quoted companies must report on human rights issues, and it was plainly our intention that those issues must include supply chains. In its response to the Joint Committee, the Home Office stated that

"there is no specific requirement, rather an expectation, that companies report on supply chains…under the current rules."

We need to ensure that the expectation is made a requirement, so that that indeed happens.

One alternative, as the Joint Committee said, is to add supply chains as a reporting requirement, so let us at least make it clear that Parliament's intention is to ensure that when public companies report on human rights issues, they include supply chains. Why would that be very useful? The Companies Act route is a top-down approach from public companies and does not cover the offshore issue—the Government have certainly embraced a much more comprehensive reporting obligation—but it imposes duties on directors and such reports are audited. The approach therefore already has independence or teeth at an early point. We cannot simply have companies reporting on their website; it is important to have auditable reporting. Companies Act processes ensure that directors, accountants or lawyers make sure that reports are up to speed, and we need to find a practical way to embrace that advantage.

We want to ensure that the Bill leads the way internationally and is world-class, as the Home Secretary has said. The Companies Act approach gives it portability across different legal systems. New clause 11 is important, but it relates to our country's legal system in the relief that it provides through injunctions. The Companies Act approach would allow other corporate governance ways to ensure that our lead is followed internationally. At the very least, we now have consensus, and I appreciate the direction in which the Government have gone.

Mr Frank Field: Could not other countries follow our lead by simply taking new clause 11 into their legislation?

Mr Burrowes: Other countries could do that, but they have different means of enforcement, which cannot be simply transferred. However, they could certainly take a lead by adopting much of what new clause 11 says.

Sir Andrew Stunell: My hon. Friend has done valiant work on this topic. I agree with him that the enforcement angle needs more attention, but does he not agree with me that new clause 11 takes us a huge step forward? We should congratulate the Government on that, and now invite them to take the next step and get the enforcement right.

Mr Burrowes: I do not want to understate my praise—this is a huge step forward—but we, as legislators, want to ensure that what we approve is really fit for purpose and has the necessary teeth. There are other elements that can be done without legislation: the issue of international corporate governance goes beyond legislation, and it can best be dealt with by sharing good practice internationally.

I will finish on a very positive note. Today, we can say that British law is no longer just concerned about the sustainability of the wood in our furniture, but is more

[Mr Burrowes]

concerned about the freedom and safety of the millions of men, women and children involved in making that furniture.

Mr Frank Field: I, too, want to pursue the theme just followed by the hon. Member for Enfield, Southgate (Mr Burrowes) in congratulating the Government, but drawing attention to just how important new clause 11 is. The Home Secretary made it very plain in her first article in *The Sunday Times* that she wanted a clause on supply chains in the Bill. I therefore congratulate her, her very able Minister and the person in No. 10 who changed his mind at this very late stage in the Bill's passage. Heaven rejoices at the sinner who repents even at the eleventh hour, and some credit should go to the Prime Minister for changing his mind on this matter.

My hon. Friend the Member for Kingston upon Hull North (Diana Johnson) has played a valiant role in spearheading our approach to the Bill and has borne all the heat of the day on it. However, I think we all accept, whatever efforts we have put in, that the legislation is the easy part of the process. The next part will be very hard—to get a genuinely mass consumer movement of people who do not buy goods if they are not kitemarked as being free of slavery.

As we draw stumps on this House's proceedings on the Bill, it is important to commend it, as the hon. Member for Enfield, Southgate has just done—it will not just be a good Bill, but a world leader when it leaves the other place—but the real work will be on enforcement and on convincing consumers that they have the vital job of not buying goods that are tainted by slavery.

Mark Durkan (Foyle) (SDLP): In following the right hon. Member for Birkenhead (Mr Field), I want to acknowledge the Minister's efforts in making good the serious deficit in the Bill, but also those of the right hon. Gentleman and many other colleagues during the pre-legislative scrutiny, on Second Reading and ever since. Those efforts by him and the many others who spoke on Second Reading and in Committee have reflected the very strong concern of some of the groups that have worked so hard to support and promote the Bill and that understand the issue so well.

I am one of those who can take yes for an answer, now that the Government have made good on this matter. However, I would say, "Yes, up to a point, but maybe it could be improved." I believe that the Bill could go further. The hon. Member for Kingston upon Hull North (Diana Johnson), who tabled new clause 5, has shown that there are important issues. The headings given in subsection (3) are clear and useful, and it is right for them to be in primary legislation, rather than left to remote chance by way of secondary legislation.

New clause 5 is also important in what it would do with respect to the Companies Act. I understand what the Minister said about not only using that Act as the way to deal with the problem, but how it brings in that Act sets very clear corporate responsibilities. In that context, it also highlights relevant professional obligations, which would give real meaning to what the Government and others are trying to encourage in relation to ethical investment, and in relation to the understandings we should all have about any investments—all the new pension provision and everything else—for which we are the source of the money.

The hon. Member for North East Cambridgeshire (Stephen Barclay) has referred to financial services legislation. We have said that more and more needs to be done to ensure full and due transparency in that context. We should complement such provisions in the Bill. I therefore hope that the Minister—I support her new clause 11—can see her way to accepting new clause 5 as well.

I tabled two of the new clauses in this group of amendments. The Minister has addressed new clause 15, but let me point out that throughout the gestation of the Bill, we have been told that it is meant to be world leading. New clause 15 is an attempt to bring in the clear standards in EU directive 2011/36/EU on preventing trafficking in human beings. If the Government are at pains to consolidate and codify much existing law in the Bill and to present it as world-leading legislation, the question arises whether we should not also use it to show that we are at least matching and adhering to international standards and obligations, including EU ones. My clause on the legal liability for the beneficiaries of slavery would be consistent with the EU directive, and I see no reason why we should not explicitly ensure that our legislation is up to that standard.

New clause 14 seeks to go further on questions of the supply chain and sourcing, and the possible use of slavery or exploited labour. We are meant to be discussing world-leading legislation, but the new clause reflects legislation that was introduced 84 years ago in the United States of America. We hear a lot about Californian legislation on supply chains, but the Tariff Act 1930 in America gave power to prohibit the importation of

"goods, wares, articles, and merchandise mined, produced, or manufactured wholly or in part in any foreign country…by forced labour."

The new clause is therefore hardly a radical view or innovation, and the Californian legislation—referred to often in debates on the Bill—exists in wider US legislation.

New clause 14 does not just rely on language in the 1930 legislation, which puts responsibility on the Secretary of State at the Treasury to prescribe the necessary regulations, but it also reflects the essence of the code of federal regulations in the United States, which establishes the process whereby anyone can petition the Department of Homeland Security. That explicitly provides for:

"Any person outside the Customs Service who has reason to believe that merchandise produced in the circumstances mentioned is being, or is likely to be, imported into the United States."

The United States legislation does not guarantee that the state will fully police all those issues, but it indicates that it will respond to legitimate petitions or legitimately presented evidence that gives rise to concern, and that it will act. Legislators in the US have ensured that the state reserves that power to act to prohibit the import of a good.

In the Government's new clause 11, the onus is—understandably—on companies, which have to be able to show what they are doing regarding their supply chains. We wanted supply chains included in the Bill not as a badge for companies, but as a shield for workers in developing countries and other places—including the UK—who could be exploited. The difference is between

this measure being a corporate badge or a shield for human beings. If companies have only to present what they say they are doing, and consumers then make their judgment and choice, why—if we are legislating for company responsibility but also for consumer responsibility and activism—is there still no rule for the state or Government?

New clause 14 clearly states:

"The Secretary of State shall have the power to prohibit the import at any point of entry to the United Kingdom of any good, ware, article, or product mined, produced, or manufactured wholly or in part in any foreign country that can be demonstrably shown to have been produced by slavery, forced labour, child labour or with the involvement of human trafficking."

By rejecting that new clause we are saying that even if exploitation can be demonstrably shown, we do not want the state or any Secretary of State to be able to act against that. Whether in relation to the t-shirts that were in the newspapers recently, or anything else, we are saying that when such issues are raised, we do not want anybody or any part of the state to have responsibility for saying, "The nature of those products in terms of the quality of the supply chain is clear, but it is nobody's job to move to do anything other that what companies are inspired to do, or what consumers are mobilised to do."

2.45 pm

New clause 11(9) provides that:

"The duties imposed on commercial organisations are enforceable by the Secretary of State bringing civil proceedings in the High Court for an injunction or, in Scotland".

Will the Minister clarify what provisions will be made in Northern Ireland? Other amendments that we will discuss later thankfully include measures to improve the scope and smooth interface of the legislation vis-à-vis Northern Ireland, which I was at pains to address in Committee. I notice, however, that reference to Northern Ireland is missing from new clause 11, although the reference to Scotland is clear.

Michael Connarty (Linlithgow and East Falkirk) (Lab): It is a great pleasure to stand up on Report and commend the Government on the progress we have made, but let us be clear that we are a little way along the journey. It is not as if the exploiters of women and children—whether for cheap labour, slave labour or sexual exploitation—are going to quake at the knees because we are passing this Bill, so let us be honest about that. As we try to close the loopholes, increase vigilance, and impose discipline on the trade that the exploiters are involved in, they will change the way they run that trade.

I spent time with the Serious Organised Crime Agency as part of the Government's great police service parliamentary scheme. It showed us a model that it has drawn up of much of the trafficking that goes on throughout Europe and that it is trying to combat. It looked like a five-dimensional or 10-dimensional spaceship, and had been drawn up by the London School of Economics to show exactly how such organisations work. They are multinational and beyond any discipline; they have no morals and think only about the money at the end of the chain.

In reality, for many people at the "murky" end of the supply chain—that is how it was described by some of the witnesses from whom the Joint Committee took evidence—that is where the abuse takes place. To reach into that is very difficult as we get further and further from the first payment of money from a customer to a company, and the first payment from a company to its supplier, who supplies in a nice neat box with a nice label—it might be a nice t-shirt, for example, that costs £45 but is made by people who get paid 62p an hour and are locked in the factory and not allowed out in case, as the owner said, "They might come back hung-over and not able to work well the next day". That is what we are dealing with.

We have made some strides, and many people were mentioned in the Joint Committee and the Bill Committee. Some, however, will not be mentioned—the right hon. Member for Meriden (Mrs Spelman) has unfortunately left her place, but she took an interest in this matter and went to see the Secretary of State for Business, Innovation and Skills to talk about the need to include this measure on the supply chain, at a time when we were getting the resistance referred to by my right hon. Friend the Member for Birkenhead (Mr Field). People of good will saw that a Bill that did not refer to supply chains was not in the spirit of the efforts that have been made over the past 10 years by people such as Anthony Steen and the Human Trafficking Foundation, and the EU Parliamentarians against Human Trafficking, who were involved in trying to deal with an international, pan-European and pan-world trade.

When I saw new clause 11, which followed a generous promise by the Minister in the final Committee sitting to introduce a measure on supply chains, I was impressed. It is fairly thorough. There is a lot of bureaucratic writing that I would not necessarily have put into my Bill, not knowing how the mechanisms of the Government's legislation works in all its depth, but part after part reflects the matters I referred to in my private Member's Bill in 2012. I thank the Minister and all those who supported that measure for what has been done. We are on a journey and we have a long way to go, even if we pass the Bill and it is effective. We know that there are reservations. They will come up again in the other place to deal with the things that are not dealt with in the amendments and new clauses tabled here.

Gareth Johnson (Dartford) (Con): The hon. Gentleman makes a valid point that some people will seek to avoid the provisions, but does he accept that that is the case with all forms of criminality, and that the Bill gives us a platform, for the first time, to tackle some of the worst cases of modern-day slavery?

Michael Connarty: I have absolutely no reservation in supporting that as a principle. We are doing the right thing. We have set together a number of pieces of legislation in the Bill that will deal with those who will wish to avoid its provisions, and I will mention some of the measures in new clause 11 that I think are effective and welcome.

I am glad that Government amendment 62 says there will be an affirmative resolution for regulations, because it is right that we will go into a Statutory Instrument Committee with them, and that we are given the chance to debate them with the Minister. I will mention some of things I hope we will discuss when we get there.

New clause 5, which was tabled by my hon. Friends on the use of the Companies Act 2006, is something we should look at, because it is right. The hon. Member for

[Michael Connarty]

Enfield, Southgate (Mr Burrowes) made the point that we need as many tools as possible as well as the court of public and business displeasure when people do not act as we want. Therefore, we should look at how we can put some firmer things in the Bill, but I think that the big change in the Government's thinking is to be welcomed, because they are using the principle of the California Act, which is much wider than the Companies Act.

By the way, I notice that the British Retail Consortium wants to include smaller companies. When I introduced my Bill, I used the figure of £100 million. In California, the figure was $100 million, and my amendment used £60 million, which is the equivalent. Clearly, quoted companies under the Companies Act are likely to be well outwith that in size. We want to respond to that and use the same reporting structures as the Act would use.

I tabled amendment (a) to new clause 11 because we should look at international standards. I have respect for the Secretary of State and the civil servants who advise her, but international organisations have looked at the issues again and again. In my Bill, I had a reference to the 1999 International Labour Organisation convention No. 182, which is about the definition of the worst form of child labour, because there can be difficulties with that in other countries.

I will tell a quick tale. When I was 10, I went out and found a job as a milk boy. I wanted to go out and become useful to my family. My brother had a job delivering rolls. I got 10 shillings—50p now—and about 1 shilling and sixpence in tips a week. I walked from the centre of town home and gave my mother 11 shillings and sixpence for the family budget. There were five of us and basically one labourer's wage. It was not easy to survive. Was that child labour? I did not feel exploited. I loved it—I loved every bit of it. I am sure it is why I am so healthy now in my older age. I ran and ran, and perhaps built up the infrastructure for a long life. It was great and I loved it.

In other situations, people say, "If a woman takes a child with her when she is making bricks in India, at what age does that become a breach of child labour? When is that child able to contribute to a very low family budget and when do they want to do so?" The ILO has looked at those questions but we have not looked at them in great detail in the House. Hopefully, the ILO's considerations will be used in the recommendations made under new clause 11(8), which is about giving guidance on the information that should be reported.

There is a bit missing from this Bill that was in my Bill: my clause 3 said that there should be some way of ensuring that the company that is found to use such labour provides assistance and protection for the victims of slavery. The guidance should continue that. It should say what a company should do as a benchmark. We should not just say, "We'll not use that company any more," but do something about it.

Mention was made of consumers. When I went around talking to people in supermarket networks—Mumdex is in many supermarkets in my area—they had a concern about slavery and the things that bothered their conscience, but they said, "If you've got four or five kids coming up to the summer, you buy the cheapest stuff you can get that is going to last the summer, because most of it's going to be thrown in the bin by the end of the summer anyway. It is the company's job to make sure I am not buying something that is contaminated by slave labour." That is totally right. Perhaps some people who go up the high street and buy very highly priced goods ask themselves about that, but most people in my constituents' environment will not.

I therefore welcome new clause 11(9). It is fantastic to see. If hon. Members read what is on the net about the Bill, they will see that people in Scotland think it has nothing to do with them. They think it is an English Bill. People should look at the new clauses to realise that it is a trans-border, transnational Bill. Subsection (9) states that people in Scotland can take an organisation to the Court of Session to enforce the fact that it is not carrying out the duty in the Bill. That will be very welcome.

I do not know whether the section covers Northern Ireland—I had that question in mind because it does not mention Northern Ireland. Do people there go to the Court of Session? Where do they go? Do people in Northern Ireland go to the High Court in England if they feel that a company in Northern Ireland is not doing something they should be doing? I am grateful to the Minister for including Scotland. That is an important measure.

We are making progress and I welcome the proposals. I hope the Government are listening when the Bill goes to the other place because they could add other things to it.

Jim McGovern (Dundee West) (Lab): I, too, was milk boy, and a butcher's boy and a paper boy, in my younger days. My hon. Friend has raised the subject of tips many times over the years. My wife and I booked a cruise two years ago through a British travel agent company. The cruise sailed from Southampton. When we spoke to the staff on the cruise, they said they did not receive any wages, and that they only got tips. If that is not modern slavery, I do not know what is. I was not fortunate enough to be on the Joint Committee. Does the Bill cover that?

Michael Connarty: I could not quote the legal detail, but I would think that if a company based in the UK did things like that, it could be taken to the Court of Session in Scotland or the High Court in England and found not to be complying with the law.

As a Scot and as an economist, I read Adam Smith's "Wealth of Nations". It talks about comparative advantage, but before that, he wrote a document about the morals of competition. The good thing about the Bill is that it says, "We believe in competition." We are not talking about pricing people out of the market entirely. We are saying that it must be morally justifiable as well as economically justifiable.

I want to finish with a response to one of my constituents, who, when it was reported that we were discussing the Bill, wrote in an e-mail blog: "What's that got to do with creating employment in Scotland and your constituency?" The reality is that, if we can stop people using cheap labour, and particularly slave labour at the worst end, we give British companies the chance to compete better. That is why the BRC is behind the Bill. If there is a

voluntary code, the bad companies just will not comply, whereas if there is a mandatory code and if we can take people to law to enforce it, everyone must do the right thing or be held to account.

Karen Bradley: I will not detain the House for long as we have other matters to come on to, but I want to make a few closing remarks.

This has been a very good debate and I am very grateful to all right hon. and hon. Members who have contributed to it. I think we can safely say that all those who have made contributions are great campaigners on this issue. They all deserve credit for getting us to this point, and they have changed the views of so many.

3 pm

The Government have taken their position from the evidence in the discussions and debates we have had with business and others on the best way to tackle this issue. The point was made that the Companies Act 2006 has already been amended to ensure that human rights are respected in companies' annual reports. We considered whether that, and measures coming forward from the EU, would be enough. We consulted fully with business to ensure we did not take action rashly that would have been ineffective. Many people have campaigned on this issue for many years, but we wanted to ensure that the measures would be effective, appropriate and proportionate. Representations have been made to me, particularly by smaller businesses. It has been important for us to consult properly and fully. We have listened to businesses and taken the point that the way to achieve the transparency we all want is to introduce the Bill. We want businesses to start to act as soon possible. They do not need to wait for the Bill—they can start now.

The right hon. Member for Birkenhead (Mr Field) referred to the mass consumer movement and he is absolutely right that Fairtrade is a model. We consulted the Fairtrade Foundation on how it approached this matter and how it managed to make the public aware of fair trade to the extent that Biddulph and Leek in my constituency are Fairtrade towns. That happened because people wanted it to happen. The Bill seeks to enhance that and to add to it.

Points were made about tougher enforcement. We do not expect companies to ignore the new disclosure duty, but rightly the injunction procedure is there so that if a company does fail to disclose as required, the courts can force it to do so.

Stephen Barclay: I am sure the Minister is aware that one of the common tactics used by banks when subject to regulatory action is to get rid of middle management, settle with the regulator at the earliest opportunity and profit from the 30% discount as a way of mitigating the fact that they have been caught out by enforcement breaches without actually changing their culture. Is there not a risk of the same thing happening with these injunctions?

Karen Bradley: I hope that businesses will act in a way that deals with this problem. That is what businesses told us they want to do. They want to ensure there is no slavery in their supply chains, and consumers and others want to see that too. I hope that will be the case.

Mark Durkan: On consumer action, what are the Government's intentions with regard to public procurement, because the public purse will be a significant consumer? On sourcing and supplying, will there be a Government public procurement standard for companies?

Karen Bradley: I addressed that point briefly in my opening comments, but I will come on to it again in a moment. I will just finish the point about enforcement.

The courts can force companies to disclose, but that is different from the issue that some companies may make disclosures that consumers, shareholders and campaigners feel show that inadequate steps are being taken to eliminate slavery from supply chains. The courts can act if no disclosure is made, but there is action that civil society can take if it feels that companies are not making appropriate disclosures. The Government believe it is for civil society to put pressure on businesses that are not doing enough to eliminate modern slavery from their supply chains. The Government's new clause makes this as easy as possible by ensuring that disclosures are easily accessible. The link to disclosure must be in a prominent place on a business's website home page.

Before coming on to public sector procurement, I would like to address the concerns expressed by the hon. Member for Foyle (Mark Durkan) on the extent of the new clause. I can confirm that the new clause on supply chains will apply to England, Wales, Scotland and Northern Ireland. This is made plain by later amendments to be taken later. I want to put it on the record that I am grateful to the Northern Ireland Executive and all the devolved Administrations for the excellent work we have done together to ensure that this provision can extend to the entire UK. He will know, from our discussions in Committee, that there were points on which we needed agreement—not just on this matter, but on many others as well. I am pleased that we have made so much progress. It was important throughout that this was not Westminster imposing on the devolved Administrations. Action has been taken because the devolved Administrations wanted to take that action.

On public sector procurement, all public sector suppliers are required to comply with applicable law, including relevant human rights and employment rights law. UK public procurement policy is that social, environmental or ethical issues can be taken into account in the procurement process where that is relevant, proportionate and non-discriminatory. We expect public sector procurement to be as transparent as other procurement, which is covered elsewhere. We will consult on this matter, and I encourage people who are concerned to respond to the consultation. It should be noted that whatever action is taken will be taken only following the affirmative procedure to ensure that Parliament has its say. We will ensure that points are put forward.

Sir Andrew Stunell: The Minister speaks very well on Parliament giving affirmative support to these proposals. Does she envisage that being given before the first week of May next year? *[Interruption.]*

Karen Bradley: The shadow Minister makes the point that perhaps that needs to be by the end of March, if the right hon. Gentleman is asking whether it will

[Karen Bradley]

happen before the general election. I cannot answer that question at the moment. Perhaps I could write to him on the specifics.

I am delighted that new clause 11 will amend the Bill to include the measure on transparency in supply chains that so many have worked so tirelessly for, for so long. I hope right hon. and hon. Members will not press their amendments to a Division. I look forward to this measure being part of the world-class Bill we all wish to create.

Question put and agreed to.

New clause 11 accordingly read a Second time, and added to the Bill.

New Clause 3

OFFENCE OF CHILD EXPLOITATION

'(1) A person commits an offence if they exploit a child.

(2) It shall be such an offence even if there was no threat or use of violence, other forms of coercion, deception or any abuse of a position of vulnerability.

(3) A child may be in a situation of exploitation whether or not—

(a) escape from the situation is practically possible for the child; or

(b) the child has attempted to escape from the situation.

(4) The consent or apparent consent of the child to the exploitation is irrelevant.

(5) "Child Exploitation" includes but is not limited to, the exploitation of the prostitution of others or other forms of sexual exploitation; the exploitation of labour or services including begging or practices similar to slavery, servitude or forced or compulsory labour; the exploitation of or for criminal activities including benefit fraud; the removal of organs; forced or servile marriage or enforced surrogacy; exploitation for unlawful adoption; and exploitation by enforced drugs smuggling, manufacture, production or distribution."—*(Diana Johnson.)*

Brought up, and read the First time.

Diana Johnson: I beg to move, That the clause be read a Second time.

Madam Deputy Speaker (Dame Dawn Primarolo): With this it will be convenient to discuss the following:

New clause 4—*Offence of exploitation*—

'(1) A person commits an offence if they exploit a person by means of the threat or use of force or other forms of coercion, of abduction, of fraud, of deception, of the abuse of power or abuse of a position of vulnerability, or of the giving or receiving of payments or benefits to achieve the consent of a person having control over another person.

(2) A person may be in a situation of exploitation whether or not—

(a) escape from the situation is practically possible for the person; or

(b) the person has attempted to escape from the situation.

(3) The consent or apparent consent of the person of the exploitation is irrelevant where any of the means set forth in section 9(1) has been used.'

New clause 24—*Human trafficking*—

'(1) Any person who for the purpose of exploiting a person or persons—

(a) recruits, transports, transfers, harbours or receives a person including by exchange or transfer of control over that or those persons;

(b) by means of the threat or use of force or other forms of coercion, of abduction, of fraud, of deception, of the abuse of power or abuse of a position of vulnerability, or of the giving or receiving of payments or benefits to achieve the consent of a person having control over another person,

commits an offence of human trafficking.

(2) The consent or apparent consent of a person to the acts referred to in subsection 2(1)(a) or to the exploitation shall be irrelevant where any of the means set forth in subsection 2(1)(b) have been used.'

New clause 20—*Control of assets related to modern slavery offences*—

'(1) In section 40 (Restraint orders) of the Proceeds of Crime Act 2002 after subsection (9) insert—

"(10) In the case of an investigation or prosecution under the Modern Slavery Act the court shall presume that the alleged offender will dissipate his assets unless restrained."

(2) The Secretary of State shall within six months of this Act coming into force bring forward regulations to—

(a) presume a freezing order will be granted within 24 hours in respect of assets where the court is satisfied that—

(i) there are reasonable grounds to suspect that some of those assets have been obtained as a result of an offence under this Act, and

(ii) those assets are over and above those reasonably required for living and business expenses.

(b) confer on the police power to issue a notice on financial advisers and institutions placing a duty of care on those institutions in respect of movement of assets that might hinder an investigation into an offence under this Act.

(3) The Chancellor of the Exchequer shall within six months of this Act coming into force bring forward regulations to provide that assets recovered in respect of an offence under this Act shall be paid to one or more of—

(a) the police and/or,

(b) the Gangmasters Licensing Authority, and

(c) the victim or victims of the offence.

(4) The court will require an asset declaration from anyone subject to a restraint order within 24 hours in respect of any financial interests in assets held in whole or in part in the United Kingdom and in overseas territories. In the event of a false declaration, this will be treated as an aggregated factor in the setting of any future penalty.

(5) Regulations under this section shall be made by statutory instrument and shall not be made unless laid before in draft and approved by both Houses of Parliament.'

New clause 21—*Civil remedy*—

'(1) An individual who is a victim of an offence under section 1, 2 or 4 may bring a civil action against the perpetrator in the County Court and may recover damages and reasonable legal costs.

(2) For the purposes of subsection (1) "damages" shall include the greater of the gross income or value to the defendant of the victim's services or labour or the value of the victim's labour as guaranteed under the national minimum wage guarantees of the National Minimum Wage Act 1998."

This provision creates a civil remedy for victims of trafficking, to allow victims to pursue a civil claim for compensation directly from the trafficker in the absence of a criminal prosecution.

Amendment 132, in clause 1, page 1, line 12, at end insert—

'(c) the person exploits another person within the meaning of section 3(4), (5) or (6) of this Act and the circumstances are such that the person knows or ought to know that the other person is being exploited."

Amendment 135, page 1, line 12, at end insert—

'(1A) For the purposes of this Act—

(a) it is irrelevant whether a child consents to being held in slavery or servitude; and

(b) a child may be in a condition of slavery, servitude or forced or compulsory labour whether or not—

(i) escape from the condition is practically possible; or

(ii) the child has attempted to escape from the condition."

Amendment 136, page 1, line 12, at end insert—

'(1A) For the purposes of this Act—

(a) it is irrelevant whether a person consents to being held in slavery or servitude; and

(b) a person may be in a condition of slavery, servitude or forced or compulsory labour whether or not—

(i) escape from the condition is practically possible; or

(ii) the person has attempted to escape from the condition."

Amendment 133, page 1, line 17, after "labour", insert "or is being exploited"

Amendment 143, page 2, line 3, at end add—

'(5) The consent or apparent consent of a person to the acts referred to in subsections 1(1)(a) or 1(1)(b) shall be irrelevant."

Amendment 152, page 2, line 4, leave out clause 2.

Amendment 134, page 2, line 30, clause 3, at end insert—

'(1A) For the purposes of section (1) a person is exploited only if one or more of subsections (4), (5) or (6) of this section apply in relation to the person."

Amendment 151, in clause 7, page 4, line 30, at end insert—

00 "Proceeds of Crime Act 2002

In section 69, subsection (2) of the Proceeds of Crime Act 2002, after "debt owned by the Crown", insert—

"(e) in the case of an investigation or prosecution under the Modern Slavery Act the court must presume that the alleged offender will dissipate his assets unless restrained.""

Amendment 138, in clause 41, page 29, line 29, at end add—

'(9) A child is not guilty of an offence if—

(a) he or she was under the age of 18 when the act which constitutes the offence was done; and

(b) the offence was integral to or consequent on the trafficking, slavery or exploitation of which he or she was a victim."

This amendment aims to ensure a child victim of trafficking is not obliged to prove they were compelled to commit an offence before being able to access the protection of the statutory defence in line with international standards.

Diana Johnson: New clause 3 and new clause 4 seek to introduce specific offences for child and adult exploitation, and I would like to test the opinion of the House at the appropriate time.

The Bill fails to cover cases of severe labour exploitation, and many recent high profile cases show we need specific laws to tackle it. New clause 3 would also help to stop workers being exploited and paid below minimum wage, which is often a driving force behind local businesses being undercut by unscrupulous employers. The new clause would be a historic measure that would, for the first time, make the exploitation of workers, adults and children an offence. Importantly, it also addresses what has been described as "a lacuna" in the Bill, which fails to recognise the specific nature of exploitation of children in the UK and fails to address the issues that have led to so few successful prosecutions for child trafficking and slavery. This grouping incorporates a series of amendments from all parties with a common aim—to enable more prosecutions for trafficking, slavery or exploitation. This is exactly in line with what the Minister said repeatedly in Committee about getting more prosecutions.

At this stage, the Opposition are focusing specifically on the offences of exploitation, even though in Committee we tabled or supported many of the other amendments that have been tabled today. We support their aims and hope to return to them in the other place.

The Government claim that the Bill will enable more prosecutions. To do so, it transposes existing offences from three pieces of legislation into a single Bill. The Bill maintains the current offence of holding someone in slavery and merges two existing offences of human trafficking into a single offence of human trafficking. To secure a prosecution for human trafficking, it is necessary to show that X was trafficked and that this trafficking was done for the purposes of exploitation. It is important to stress that, because nothing in the Bill deals with the structures of these offences or the very high threshold needed to get convictions. In short, I do not think there is anything here that will enable more prosecutions.

Stephen Barclay: Is the hon. Lady as surprised as I am that, as far as I am aware, only one person has ever gone to jail for breach of a Gangmasters Licensing Authority offence? Does that speak to the high hurdles to which she alludes?

Diana Johnson: The hon. Gentleman makes a very important point. We shall discuss the GLA later, but the hon. Gentleman's point shows why we need to think again about the offences in the Bill and how we can make them stronger to ensure that we get more prosecutions.

Sir Greg Knight (East Yorkshire) (Con): Does the hon. Lady agree that the offence of exploitation ought to be committed even when the threat of force is against someone other than the person being exploited—against a relative of the person who is being exploited, for example?

Diana Johnson: The right hon. Gentleman makes an important point, which should perhaps be debated more fully in the other place. I absolutely agree that this is a strong point that needs to be considered.

Returning to the low number of prosecutions, in 2011-12 there were 15 prosecutions for slavery offences, but no convictions. Since the introduction of the offence, there has shockingly never been a prosecution where the victim was a child. In 2011, there were 150 prosecutions for trafficking offences, but only eight convictions. To put those figures in context, in 2013 the national referral mechanism received 1,746 separate referrals of cases of human trafficking, 432 of them involving minors. The UK Human Trafficking Centre identified 2,744 victims of human trafficking last year, 600 of whom were deemed to be children.

Sir John Randall: One problem—not necessarily about the offences per se—is getting the victims to bear witness and testify against those who trafficked them. Victims' fear is one reason we are not getting successful convictions, and we need to do more for them.

Diana Johnson: I absolutely agree with the right hon. Gentleman about the need to ensure that victims feel able to come forward and give evidence against those who have trafficked them, but I still think that we need to get the offences right and ensure that the offences are fit for purpose—an argument that I shall develop.

The new clause in the name of my hon. Friend the Member for Sheffield Central (Paul Blomfield) is designed to address some of the structural problems with the drafting of the trafficking offence, and I want to put it on record that we fully support it. The amendments tabled by the hon. Member for Enfield, Southgate (Mr Burrowes) are designed to clarify the law on slavery to enable more prosecutions. I am sure that he will speak eloquently to those amendments. Again, we support what he is trying to achieve in principle.

3.15 pm

What we are trying to establish is the principle that there should be separate offences for exploitation. The Opposition's view is that this is the most effective way of overcoming the substantial barriers currently in place in getting convictions. I take into account as well what the right hon. Member for Uxbridge and South Ruislip (Sir John Randall) said about victims and giving evidence.

To explain why our approach is needed, I want to turn to the evidence of Lord Judge, who was until recently the Lord Chief Justice and the most senior criminal judge in the country. He said of this Bill:

"We are making provisions for slavery, servitude and compulsory labour in clause 1 of the Bill. In Clause 2, trafficking is the offence. It becomes an offence because you do it with a view to exploitation. You could have an offence of trafficking, full stop, and a separate offence of exploitation. As it stands at the moment, you have a single offence with two parts—here is the trafficking and here it is with a view to exploitation. My own view is that trafficking in people is a dreadful thing to do, trafficking with a view to exploiting them is a more serious thing to do, but exploiting them is also serious. My concern reading Clause 2 and the various subclauses is 'Is this really what we want?'—a single offence that has two ingredients, rather than two separate offences."

Lord Judge is not the only senior lawyer to think this is needed, so let me turn to the evidence given to the Committee by Nadine Finch, a barrister specialising in children's law. She said:

"In terms of child exploitation, in my view, as somebody who represents a lot of child victims, it is a real lacuna. Children are at a huge disadvantage in evidential terms. They very rarely understand they have been trafficked—what trafficking means—or what kind of evidence is needed. They particularly do not understand the movement part of being trafficked to the situation of exploitation; because they may well have been duped by their elders—by their parents. They may well have been too frightened, or not understood the movement. Therefore, children are more likely to be able to tell you about what happened to them when they were exploited than to be able to tell you about what happened to them when they were actually moved, or when travel was involved. That is a really important issue."

She went on to say:

"Many of my child clients can tell me about what happened when they were exploited in domestic servitude, in a restaurant or in prostitution; but they actually did not understand enough about the links between people who brought them across England, Europe or the world, and therefore they are not able to assist the police or prosecutors in terms of a trafficking offence. They can assist in the matter of exploitation, and I have got quite a few children who have been able to take the police to a house where they have been kept in domestic servitude or sexual exploitation, but they are not able to explain who brought them to that house, and therefore no prosecution happens."

So, two eminent lawyers, a whole coalition of children's charities and the Joint Committee on the draft Bill all recommend specific adult and child exploitation offences.

I quoted Nadine Finch's evidence at length because I think the House really should consider her experiences of these cases, and I think she encapsulates very well the problem with the current drafting. I also think we should consider this in the light of recent UK cases, particularly the sexual exploitation of girls in Rotherham, Rochdale, Oxford and elsewhere. We know that thousands of girls were exploited and abused, but little was done and few prosecutions were attempted. These girls were neither trafficked, nor held in slavery, but they were exploited, and putting specific offences in the Bill would move the legislative framework from one looking at individual sexual acts—who was present, was there consent and so forth—to one in which exerting control over a course of behaviour is more important. It is my view—and that of the charities and lawyers I work with—that this will enable more prosecutions, which we all want to see.

Given what we have learned recently about the scale of exploitation, and particularly in view of the report by my hon. Friend the Member for Stockport (Ann Coffey), I believe that we now have to look again and ask the Government to reconsider their approach to these offences.

New clause 4 is specifically about adults. There is a higher threshold in establishing exploitation but the principle is the same: exploitation should be a separate offence. That is illustrated best with a few case studies. Craig Kinsella was held captive by the Rooke family in Sheffield and forced to work from 7.30 in the morning until midnight for no pay. He slept in a garage. He was starved and beaten with a spade, a crowbar and a pickaxe. He was not trafficked into the country; he was a British national. He had even voluntarily moved in with the family, but was then subjected to appalling abuse and exploitation. There was extensive evidence of this abuse, including from the Rookes' own CCTV system. The Rookes were convicted, but not of slavery or of trafficking; rather they were convicted of false imprisonment and other lesser offences.

Gheorge Ionas, 35, exploited fellow Romanian migrants. He forced them to live in unheated buildings without sanitation, paid them as little as £100 a week for full-time work and made them scavenge for food from supermarket bins. Mr Ionas was fined just £500 for operating as a gangmaster without a licence.

Police in Kent described a similar situation where they came across 29 Lithuanian chicken catchers. Seventeen of these people gave written evidence and statements, which included beatings, theft of their wages, living with anything up to 12 people in a two-bedroom house, bedbug-ridden mattresses, dogs being set on workers, being held in the back of a Transit van for up to five to six days at a time without any ablutions—no washing or toilet facilities—being driven from job to job and not being paid for their full hours. The police thought this was criminal conduct but the CPS said there was not enough evidence to prosecute. No action was taken.

Following this case the evidence from Detective Inspector Roberts of Kent police to the draft Bill Committee was clear:

"Certainly within Kent, we have had quite considerable difficulty in working out what is criminal exploitation, particularly labour exploitation, where people are working very, very long hours in

difficult circumstances. If you asked an average member of the British public whether that person was being exploited, they are, but because of their circumstances they are allowing themselves to be exploited and to remain within circumstances of exploitation."

With the number of these cases growing, the evidence is now overwhelming that we need specific legislation to stop these people being exploited and to stop British workers being undercut.

In conclusion, the aim of the amendments is to prosecute those who traffick and exploit, but we must also recognise the amendment in this group that seeks to prevent those who have been trafficked from being prosecuted. That is an equally worthy cause and is particularly important in relation to children. It is quite frankly a disgrace that more trafficked children are being prosecuted than their traffickers. Labour welcomed the inclusion in the Bill of a statutory defence, though as was made clear both in evidence to the Committee and in discussion, this amendment does not do enough to protect children.

Therefore, we support the principle of amendment 138 tabled by the hon. Member for Foyle (Mark Durkan), which seeks to clarify that children can be trafficked without being compelled—something that is recognised in clause 2, but not in clause 41. Labour supported amendments to this end in Committee and does so again here. The drafting of amendment 138 is slightly broader than we think is appropriate, and we do not want to exempt children necessarily from either the reasonable person test or schedule 3. But the principle that children should be able to rely on the defence without proving compulsion is one we support and will seek to address in the other place.

Sir Edward Garnier (Harborough) (Con): The Modern Slavery Bill recognises our obligations under article 4 of the European convention on human rights and the 2005 European convention on action against trafficking of human beings, both of which will have informed section 71 of the Coroners and Justice Act 2009, which made it an offence to hold a person in slavery or servitude or to require them to perform forced or compulsory labour.

This Bill will replace section 71 of the 2009 Act but I believe there is a further and somewhat different menace that needs our attention. New clause 4 comes close to identifying it, which is why I have put my name to it. I am not sure that I can follow the hon. Member for Kingston upon Hull North (Diana Johnson) into the Lobby if she does force a Division on the new clause, and I suppose I am being somewhat disingenuous as I am using the new clause as a peg to talk about this further and different menace.

I want to urge upon the Government a few thoughts of my own on the subject of exploitation of vulnerable people. We have laws to protect children and those under a mental incapacity through intellectual impairment or disability or the effects of old age. We can prosecute those who take old and frail people's money through fraud and deception, but we leave unprotected adults who may succumb to pressure exerted upon them by others of malevolent intent but whose exploitative activities currently do not come within the criminal law.

I have in mind some young adult women whose experiences have been brought to my attention by their parents and families, some of whom have contacted other right hon. and hon. Members. In essence they have been brainwashed—I use the term unscientifically—or suborned by quack counsellors who have persuaded them to break off all contact with their parents and siblings and to pay them fees for the so-called counselling. Some of these young women are well-off and, I assume, suggestible but all of them for no apparent reason have broken off all contact with their families.

France and Belgium now have laws to criminalise the behaviour of these predatory charlatans—these quacks—who exploit others in a state of emotional or psychological weakness for financial or other gain. It must be assumed that these laws do not conflict with those articles of the ECHR that protect the rights to private and family life, to freedom of expression and to association or religion.

France has made it an offence to abuse the ignorance or state of weakness of a minor or of a person whose particular vulnerability due to age, sickness, infirmity to a psychological or physical disability or to pregnancy is apparent or known to the offender, or to abuse a person in a state of physical or psychological dependency resulting from serious or repeated pressure or from techniques used to affect his judgement in order to induce the minor or other person to act or abstain from acting in any way seriously harmful to him. That is punishable by three years' imprisonment and a fine of up to €375,000. Where the offence is committed by the legal or de facto manager of a group that carries out activities, the aim or effect of which is to create, maintain or exploit the psychological or physical dependency of those who participate in them, the penalty is increased to five years' imprisonment and to a fine of €750,000. I hope the House will forgive my somewhat inadequate translation of the French into English. But that is what the law says in France.

I accept that to create a new law as outlined by new clause 4 will not be easy but that is not a good reason not to try if the idea is a sound one. I can see that this short debate is not the best place to do this, but may I set out one way of considering whether any proposed offence will work by looking at the following questions? Is it prosecutable in theory and in practice? Can each of the elements of the offence be proved in a real life example? Does the measure deal with the mischief that is identified, and will it catch no one else? How will it affect partners, husbands, wives, teachers, gurus, salesmen, priests and employers, all of whom are likely to have power and influence? Will it allow the mentally capable who decide to give their fortunes away and leave their families to do so? Will it make sufficiently clear what is criminal behaviour and what is not? Will it comply with the European convention on human rights? What effect will it have on religious freedom or freedom of expression or association? That is unquestionably where we shall encounter the greatest controversy, because I suspect that it will not be enough to say that the measure does not outlaw any particular doctrine. If it is used to curtail a religious practice, freedom of religion will clearly be affected.

I have attempted to break the potential offence into a number of component parts or elements so that we can—or, I hope, the Home Office can—better construct the offence that is proposed in the new clause. I wish to criminalise behaviour that is characterised by four factors. The first is persistent or repeated pressure on a person. We shall need to be more specific about what constitutes pressure, and about the techniques employed. We shall

[Sir Edward Garnier]

also need to consider such questions as whether someone has a pre-existing weakness that can be exploited, or is of ordinary firmness but then becomes enfeebled or vulnerable by virtue of the exploitative pressure. The French law which I mentioned earlier specifies two offences: fraudulently taking advantage of someone who is already weak, and pressurising someone who thereby becomes weak.

3.30 pm

The second factor that we should consider is the intention of a person that causes another person to act to his or her own detriment. Should it be financial detriment, emotional detriment, social or family detriment, or any other kind of detriment?

Thirdly, we need to consider whether the activity concerned must take place in the context of a group that engages in behaviour of this kind. Under French law, if the leader or manager of a group is found guilty, that constitutes an aggravating factor, and the penalties are increased. In France, the law is aimed unashamedly at cults and sects. Perhaps, if the Minister is prepared to think about this form of exploitation, she should think about that as well. We also need to think more widely about, for instance, exploitative jihadist groups that suborn and seduce young people into going around the world to cause trouble for others and, indeed, for themselves.

I anticipate a difficulty. Once we move into the group element, we touch on the borders of religion. However, I think that we need to be brave, and to remind ourselves that there is a world of difference between a religion and an eccentric sect. If we do not include the group element, and allow one-to-one pressure alone to trigger the offence, we shall become involved in arguments about unequal domestic relationships, high-pressure selling or evangelists, and may fail to catch the charlatan counsellors whose activities have been brought to my attention.

Fourthly, we need to think about whether the offence will be complete only if the result of the pressure is that the person's will is indeed suborned, and the person does indeed do something to his or her detriment.

For reasons of time alone, I have compressed my thoughts, and I have unashamedly borrowed the new clause for the purposes of this short debate. I hope that, once the Home Office has had a chance to digest what I have said in a rather garbled way this afternoon, it will think about it carefully. I think that the issue is of much wider interest than may now be apparent to the Minister. We have already discussed it informally, but I hope that she and her officials, and others in the Government—from the Home Secretary upwards and downwards—will give considerable further thought to it.

Several hon. Members *rose—*

Madam Deputy Speaker (Dame Dawn Primarolo): Order. I remind Members that, as a result of the timetable set by the Government, the debate on this group of amendments and new clauses must end at 4 pm, and I must allow time for the Minister to respond. I should be grateful if Members would bear that in mind when making their speeches.

Paul Blomfield (Sheffield Central) (Lab): I will indeed bear that in mind, Madam Deputy Speaker, and will speak briefly, although I think that the issues that I wish to raise are fairly substantial. While I agree with all who have congratulated the Members on both sides of the House who have brought us to this point, I think that there is still a lack of action on key issues, and that the Bill, as it stands, falls a long way short of providing justice for victims of slavery.

There are three core gaps in the Bill. First, we need to get the definitions right, which is the aim of my new clause 24. If we do not do that, we shall risk leaving open legal loopholes that will allow traffickers to thrive. Secondly, the Bill must deliver for victims, which is the aim of new clause 21. Thirdly, there are issues in relation to prevention, which I hope to address later in the debate around new clause 1.

The definition of human trafficking was established in an internationally binding treaty and was integrated into the national laws of some 134 countries. That definition brings with it significant victim protection and a comprehensive framework for addressing trafficking, which is why I propose that we return to that in new clause 24. Unlike the international definition of trafficking, the trafficking provision in this Bill does not criminalise the "harbouring" or the "reception" or the

"exchange or transfer of control"

of victims or even the "recruitment" of victims where those acts do not involve the arrangement or facilitation of travel. We should recognise that there is a real problem in cases involving large criminal networks where different people take different roles in the trafficking process. There is also a problem where victims arrange their own travel into and around the UK and to the site of exploitation, as often occurs when individuals are deceived about work conditions or conditions deteriorate over time. The Bill's definition, which is narrowly focused on the movement of victims, adds nothing but confusion and will let traffickers off the hook for the crimes they commit, as my hon. Friend the Member for Kingston upon Hull North (Diana Johnson) pointed out.

Let me turn briefly to the purpose of new clause 21. In its current form, it is hard to see what this Bill would provide for the 40 Hungarian men found last year living in squalid conditions and forced to work for less than £2 a day in a mattress factory in Dewsbury, west Yorkshire. The men were barely surviving on limited food. They were crammed into a two-bedroom flat and threatened with violence if they resisted. They were exploited by gangmasters who supplied their forced labour to a factory run by the bed manufacturer KozeeSleep, which provides its products to some of our major national retailers.

Those victims of human trafficking have a right to compensation for the appalling wrongs that have been inflicted upon them. Clauses 8 and 9 include provisions for reparation orders to be made in cases where the perpetrator is convicted and a confiscation order is made, but from 2011 to 2013 only 252 trafficking and forced labour cases were prosecuted, and just 78 of them—less than a third—resulted in convictions. Not only are conviction rates low, but compensation orders are rare. The Government do not keep statistics on this, but we know from victim support providers that they are few and far between. I have tabled new clause 21 to allow victims themselves to bring civil claims in the

county court, to seek compensation directly from the trafficker—not from the public purse—in the many cases where a criminal prosecution has not been possible. A similar provision is currently in use in the US Trafficking Victims Protection Reauthorization Act 2003, and is frequently used successfully to secure compensation for trafficking victims.

These steps are essential to get a Bill that makes a difference to the lives of victims. We must get the very foundations of this Bill right by aligning our definitions with international law and, where people are exploited, making absolutely sure that they are compensated for the abuse suffered. I recognise that we may not get that through agreement on these amendments today, but I hope that these issues will be addressed when the Bill is debated in another place. These measures, together with real action on prevention, can make the difference between a Bill that will deliver headlines and a Bill that will deliver justice.

Stephen Barclay: The official figures for this year showed that more people were trafficked for labour exploitation than for sexual exploitation. The crux of that is money, and new clause 20, which is supported by the right hon. Member for Birkenhead (Mr Field) and my right hon. Friend the Member for Uxbridge and South Ruislip (Sir John Randall), seeks to identify how we can make it easier to recover money from criminals and strike at the heart of what is driving this trafficking trade.

There are two reasons why at present we recover so little from this organised crime. According to the National Audit Office and the Public Accounts Committee, we currently recover just 23p in every £100 that is identified as criminal assets. That has two results. First, increased pressure is placed on law enforcement agencies when, at a time of austerity and many other demands, investment in forensic investigators is often not a priority. The second reason relates to the high hurdles relating to evidence, which create a disincentive for the Crown Prosecution Service to apply for restraint orders. If there is insufficient evidence, the CPS can incur costs through losing an application. The resulting delay in freezing assets often means that they can be difficult to trace and expensive to identify. The Joint Committee has looked at this matter.

The new clause seeks to make it easier to freeze assets within the first 24 or 48 hours. I know that my right hon. Friend the Member for Uxbridge and South Ruislip has spoken in the House previously on the merits of that, and of learning from the example in Italy. Amendment 151 seeks to achieve that in relation to the presumption about criminal assets being dissipated post-arrest. We need to give the police a clearer incentive to invest in forensic investigators. If I were a chief constable, why would I make such an investment this year if I knew that it would take several years to recover the money, and that if the money were recovered, the Home Office would take 50% of it? We need to change that. We need to overcome the objections of the Home Office and the Treasury so that those who carry out the investigations are those who benefit from the assets that are secured, once the victims have been compensated.

We also need to place a higher duty on financial advisers. At the moment—I say this having worked for such an institution—it is very easy to hide behind a suspicious activity report. In essence, that report is a defensive mechanism, and more than 350,000 are filed with the Serious Organised Crime Agency each year. At the point of an arrest following an investigation by financial investigators, a higher duty should be placed on financial institutions, should they then choose to move the assets in question. We should freeze any assets over and above those that are required for reasonable living and business costs, so that money can less easily be moved offshore. We should also require an asset declaration that could be used to demonstrate an aggravating factor, should assets that had not been declared be discovered following further investigation.

There is a suggestion from the Home Office that some of these issues will be addressed in the Serious Crime Bill, but it is clear that it will not address many of the matters that have been raised in the Joint Committee and by Members here today, so I hope that the Minister will look again at the extent to which the measures in this Bill that relate to the financial proceeds of crime can be strengthened so that we can tackle the root cause of the problem—namely, the funds.

3.45 pm

Mr Frank Field: I also wish to speak on that theme, Madam Deputy Speaker. I know you will be pleased to hear that we will not press the matter to a vote, but we hope that the Minister will pick up the idea and translate it into effect in the other place. The change involved would be quite simple. The whole House agrees that we want to get more money back from these evil people. At the moment, we can start the process of freezing assets on the day the investigation begins. However, we have to prove that the person with the assets is likely to dissipate them around the world. The proposed change would mean that any agency attempting to freeze assets under the provisions of this Bill—which I hope will soon become an Act—would not be required to meet any threshold of proof that the person would otherwise dissipate them. That would make a huge difference to the number of people we hope will be prosecuted, as they could then have their assets frozen. There would then be a ready source of moneys with which the Government could make good on their wish to compensate the victims of slavery. Also, as my hon. Friend the Member for North East Cambridgeshire (Stephen Barclay) —as I call him on many of these occasions—has pointed out, those moneys could be used to help to pay for the policing involved, which would make the provisions of the Proceeds of Crime Act 2002 more effective.

Madam Deputy Speaker (Dame Dawn Primarolo): Before I call Mr David Burrowes, I must ask him to bear in mind that we have one more speaker on this group of amendments. If he and Mr Durkan could each speak for about four minutes, that would give the Minister time to reply before 4 o'clock.

Mr Burrowes: I rise to commend my hon. Friend the Member for North East Cambridgeshire (Stephen Barclay), particularly for his new clause 20, which I support. Many have said that we need to follow the money, but we also need to recover it and ensure that it gets to the right places, not least law enforcement agencies. I am aware from previous discussions about proceeds of crime that it becomes a territorial issue, not least within the

[Mr Burrowes]

Government. It is important, and it is very much in the Minister's and Department's self-interest, to ensure that the money is recovered and that it goes where we want it to in law enforcement. So I very much commend the purpose of the new clause.

I will speak briefly to amendments 132, 133 and 134, continuing the debate we had in Committee about the importance of recognising and prosecuting exploitation, whether or not a person has been trafficked, and where the form of exploitation cannot be construed as slavery, servitude or forced labour. I will not go over old ground. I am grateful for the Minister's letter following the debate, where she sought to reassure the Committee that such situations are covered by the definition of "forced labour" in European Court of Human Rights case law and the Court's understanding of that as "all work or service." My concern is that we should not just rely on European jurisprudence and we need to take the opportunity to have clarity in the Bill, not least for front-line officers, who are trying to use all the tools in the box. We will have the guidance that the Minister says is going to come, but we need greater clarity on the wider understanding of "exploitation".

The Minister also provided reassurance by saying that situations of begging, benefit fraud and petty criminality can be covered by prosecution for other offences. I hear that, but I have concerns relating to those other offences, not least those involving assisting or encouraging another offence, for example, begging or theft. That would mean that to prosecute exploitation we would be relying on construing the victim not as a victim, but as an offender, aided or encouraged by their exploiter. We recognise that the victims are the victims, and we need to ensure that "exploitation" covers the entire range of modern day slavery. Further work can be done on that, perhaps in the other place. She also said that other penalties can be attracted, but I am not convinced that they are sufficient, given the nature of these offences. So I ask for further consideration of a wider construction of "exploitation". We also need to ensure, as my proposal seeks to do, that that construction covers the nasty exploitation of children. We have the definition of exploitation in clauses 3(5) and 3(6) and this is about widening the construction in the way that the Minister and all of us want, particularly in relation to children.

Finally, I wish to flag up the issue of consent. That is a live issue, where work still needs to be done. We all agree on the law; the issue is whether it should be explicit in the Bill, avoiding the Minister's concerns about it getting in the way of prosecution and about relying on evidence where consent is an issue, but making it clear that what we all say—

Sarah Teather (Brent Central) (LD): We have no time, but I just want to put on the record that I agree with the hon. Gentleman.

Mr Burrowes: I thank the hon. Lady very much. I am sure we can find a way of putting in the Bill our understanding that consent is irrelevant here, particularly in relation to children. As for what is in case law, let us get a form of words in the Bill that ensures that we increase the prosecutions for slavery, particularly in relation to children.

Mark Durkan: The hon. Member for Kingston upon Hull North (Diana Johnson) referred to my amendment 138, which is mainly what I wish to address. However, I fully endorse what the hon. Member for Enfield, Southgate (Mr Burrowes) said about the amendments standing in his name and the wider issue of consent, which is also touched upon in amendment 143.

Amendment 138 aims to make good a clear deficit in the Government's provision in the Bill for a statutory defence. That defence is inadequate and certainly is not fit to deal with the position of children. The amendment seeks to change that so that child victims of trafficking would be fully protected. Clearly, children have already suffered if they are detained in the process, and if they find themselves subject to a prosecution or even the speculation about a prosecution. That becomes traumatic for children who have come through trafficking, slavery or exploitation, as it would for any victim. So it would be wrong to have a requirement that children have to show that there was compulsion—that should not exist in law. The presence of any other means including compulsion should be irrelevant when defining a child as a victim of trafficking or exploitation. Children in such a situation will be frightened, confused and traumatised. They should not face further isolation and distress and all the other psychological pressures as they go through what will be to them a fairly unknown process.

Despite the Crown Prosecution Service guidelines, children are still prosecuted. It should be an imperative for us in this legislation to stop that from occurring in the future, and this Bill provides us with an opportunity to do that.

I point out to the Minister that in July the UN Committee on the Rights of the Child urged the Government, in relation to trafficked children and to all children covered by the optional protocol on the sale of children, to establish

"a clear obligation of non-prosecution in the criminal justice system and ensuring that [children] are treated as victims rather than criminals by law enforcement and judicial authorities."

Basically, that is what amendment 138 tries to do; it tries to bring the Bill up to that standard. However, I recognise that there is the wrinkle in relation to schedule 3, and for that reason amendment 138 addresses a very important issue that needs to be considered further. I will not be pressing the matter to a Division, because, as the hon. Member for Kingston upon Hull North has said, there is an outstanding issue in connection with it.

Karen Bradley: I am grateful to all Members for tabling and speaking to a number of amendments that relate to the offences set out in clauses 1 and 2, the ability to seize the assets of those convicted of offences and the defence for victims who are compelled to commit an offence, as outlined in clause 41.

We had a thorough, detailed and lively debate on the offences and their practical application in Committee. I am extremely grateful to all Members of this House and others who have contributed to the debates on the offences and have made their thoughts known to the Government to enable us to continue our thinking.

I made it clear in Committee that the Government's approach is to consolidate and simplify existing offences into a single Act, which will make it easier for law enforcers to understand. We want to see clear offences

that can be used effectively by prosecutors and others to convict serious criminals who will now face a potential life sentence.

The offences in the Bill deliberately tackle serious criminal conduct that can be said to amount to modern slavery. Given the time available and the amount of discussion that we have had, I want to put it on the record at this stage that the Government continue to listen to all points that are made on this matter. We want to ensure that we reflect the concerns that have been raised and that we have clear and simple offences that achieve the convictions that we all want. Members should remember that we are looking here at international conventions and protocols that are written in civil law, which is a different type of law. Putting them straight into UK common law sometimes creates unintended consequences, and I am keen to ensure that we do not do that.

Clause 1 targets those who hold a person in slavery or servitude or who require another person to perform forced or compulsory labour in this country, without any requirements for movement. The clause 2 offence targets a different type of wrongdoing, which is the movement of human beings with a view to exploiting them. That different type of wrongdoing has been the subject of international legal instruments such as the Palermo protocol and the EU directive. That is fully justified because we know that there is an international and national trade in human beings. It is right that we have a separate offence targeting those involved in the movement of people to be exploited, and that is what this offence achieves.

These measures are part of a wider strategy to improve the law enforcement response to modern slavery, and to increase the number of successful prosecutions. Let me highlight at the start of this debate that there is no magic bullet by which we can transform the situation simply by amending the technical definition of the offences. The Committee heard from the Director of Public Prosecutions that the offences set out in this Bill are clear and welcome. However, the issue is often not the definition of the offence, but getting the evidence required for a conviction, which is a point that was made by my right hon. Friend the Member for Uxbridge and South Ruislip (Sir John Randall).

I want to touch on the Kinsella case, which the shadow Minister raised. We discussed a number of cases in Committee. It is important to put it on the record that the offenders in that case were convicted of false imprisonment, and that offence carries a maximum of a life sentence, whereas under the current law, slavery carries a maximum of only 14 years. It is completely understandable that those offenders faced the criminal charge conveying the highest possible penalty, but this Bill will ensure that slavery and trafficking offences carry a maximum sentence of life imprisonment, and I want to see those offences used in prosecutions in the future. So the solution to obtaining more prosecutions is better work by law enforcement, better support for victims and witnesses, and clear offences with the more severe penalties set out by this Bill.

New clauses 3 and 4 and the amendments seek in different ways to widen the scope of the offences to create a new criminal offence of exploitation, which will carry a life sentence. I fully understand why right hon. and hon. Members have tabled such amendments. I share the concern to ensure that this Bill criminalises modern slavery effectively. The wider criminal law needs to tackle exploitation that should properly be criminal but might fall short of the conduct required for the serious offences in this Bill.

I know that we debated this issue at length in Committee and I continue to look seriously at where there may be any gaps in the legislation. I have been absolutely clear throughout that our approach to offences is to take seriously how they will work in practice. For example, we have taken advice from the Director of Public Prosecutions. The director gave evidence in Committee that

"We much prefer the clarity of the offences in the Bill as drafted by the Government."—*Official Report, Modern Slavery Public Bill Committee,* 21 July 2014; c. 4, Q2.]

rather than the more complicated and confusing alternative presented by the pre-legislative scrutiny Committee, which included exploitation and child exploitation offences.

Introducing exploitation offences would risk causing confusion. "Exploitation" is potentially a very broad term, and there is a real risk that we would capture much wider behaviour than was ever intended in this Bill, which focuses rightly on the very serious crimes of slavery and human trafficking. The risk is that, by making the offences too broad, the public will no longer be clear on the conduct that we are targeting through very serious criminal offences that carry a life sentence as a maximum. And the effect of the Bill on law enforcement will be diluted, as the conduct we are targeting will be less clear and so will law enforcement's focus on the victims of serious crime. It is only right and proper that, where we are dealing with less serious conduct, we prosecute those responsible using less serious offences.

A second issue raised by new clauses 3 and 4 is whether separate child offences are needed in this Bill. In some circumstances, child offences are helpful to enable a tougher sentence to be given to criminals who target and abuse children. This Bill introduces a maximum of a life sentence for the main offences in relation to slavery and human trafficking and current sentencing guidelines already highlight offences against children as an aggravating factor for sentencing purposes. There is no practical benefit in establishing a separate child-specific offence when offenders already face the maximum penalty possible—life. That is why there is no need for a separate child murder offence.

The Director of Public Prosecutions gave clear evidence to the Committee that

"If you separated out offences into adults and children, it would make it more complicated because we know from the number of cases we prosecute that defining and identifying someone's age is often

extremely difficult…There is absolutely no need for it to be separated out; that would make it more complicated and more difficult to prosecute some of these offences."—[*Official Report, Modern Slavery Public Bill Committee,* 21 July 2014; c. 6, Q11.]

So I do not believe that a separate child offence would help to deliver the objectives of the House.

Amendments 135, 136, and 143 seek to remove any requirement for consent to be considered by the court when looking at clause 1. While I do not favour the wording of the amendments tabled today, which could make prosecution harder, I want to be clear that the Government are open to clarifying this aspect of the

[Karen Bradley]

offences. We have already altered the Bill following pre-legislative scrutiny to make it clear that the court could look at all the circumstances when determining whether an offence had taken place, including any vulnerability of the victim. I am now seriously considering the issue of consent in clause 1 and whether the law could be clarified to make it clearer that consent does not preclude a determination that a child is being held in slavery or servitude or required to perform forced or compulsory labour.

Turning to the trafficking offence, the pre-legislative scrutiny Committee also raised a concern that the offence in the draft Bill might not be as broad as the international definition, for example on receipt or harbouring of the victim. We responded and made it clear in the Bill that arranging or facilitating the travel of another person includes all of the ways through which human trafficking may be committed, as set out in the Palermo protocol and EU Directive. So a person may arrange or facilitate travel by recruiting, transporting, transferring, harbouring or receiving, or transferring or exchanging control over a person—words reflecting those used in the international instruments.

In Committee, we debated whether there should be a requirement for travel in the offence. Those instruments are explicitly concerned with "human trafficking". The evil that we are trying to tackle is trafficking, and clearly trafficking involves movement or travel of the victim.

On asset recovery, I am grateful to my hon. Friend the Member for North East Cambridgeshire (Stephen Barclay) and the right hon. Member for Birkenhead (Mr Field) for raising the important issue of asset recovery in relation to modern slavery offences. We have amended the definitions of modern slavery offences to make them lifestyle offences for the purposes of the Proceeds of Crime Act 2002 and introduced a reparation order, but we are seeking through the Serious Crime Bill to look at a number of other measures that would tighten up asset recovery overall. I hope that my hon. Friend and the right hon. Gentleman will allow us to have that debate when the Serious Crime Bill reaches this place.

The provisions of the Proceeds of Crime Act are already tougher—

4 pm

Debate interrupted (Programme Order, this day).

The Deputy Speaker put forthwith the Question already proposed from the Chair (Standing Order No. 83E), That the clause be read a Second time.

The House divided: Ayes 227, Noes 288.

Division No. 68] **[4 pm**

AYES

Abbott, Ms Diane
Abrahams, Debbie
Ainsworth, rh Mr Bob
Alexander, Heidi
Ali, Rushanara
Allen, Mr Graham
Anderson, Mr David
Austin, Ian
Bailey, Mr Adrian
Bain, Mr William
Banks, Gordon
Barron, rh Kevin
Begg, Dame Anne
Benn, rh Hilary
Berger, Luciana
Betts, Mr Clive
Blackman-Woods, Roberta
Blenkinsop, Tom
Blomfield, Paul
Blunkett, rh Mr David
Bradshaw, rh Mr Ben
Brown, Lyn
Brown, rh Mr Nicholas
Brown, Mr Russell
Burden, Richard
Burnham, rh Andy
Byrne, rh Mr Liam
Campbell, rh Mr Alan
Campbell, Mr Gregory
Campbell, Mr Ronnie
Carswell, Douglas
Caton, Martin
Champion, Sarah
Chapman, Jenny
Clark, Katy
Clarke, rh Mr Tom
Clwyd, rh Ann
Coaker, Vernon
Coffey, Ann
Connarty, Michael
Cooper, Rosie
Cooper, rh Yvette
Corbyn, Jeremy
Creasy, Stella
Cruddas, Jon
Cryer, John
Cunningham, Alex
Cunningham, Mr Jim
Cunningham, Sir Tony
Danczuk, Simon
Darling, rh Mr Alistair
David, Wayne
Davidson, Mr Ian
Davies, Geraint
De Piero, Gloria
Dobson, rh Frank
Docherty, Thomas
Dodds, rh Mr Nigel
Donaldson, rh Mr Jeffrey M.
Donohoe, Mr Brian H.
Doran, Mr Frank
Doughty, Stephen
Doyle, Gemma
Dromey, Jack
Dugher, Michael
Durkan, Mark
Eagle, Maria
Efford, Clive
Elliott, Julie
Ellman, Mrs Louise
Esterson, Bill
Evans, Chris
Farrelly, Paul
Field, rh Mr Frank
Fitzpatrick, Jim
Flello, Robert
Flint, rh Caroline
Flynn, Paul
Francis, Dr Hywel
Gapes, Mike
Gardiner, Barry
Gilmore, Sheila
Glass, Pat
Glindon, Mrs Mary
Godsiff, Mr Roger
Goodman, Helen
Greatrex, Tom
Green, Kate
Greenwood, Lilian
Gwynne, Andrew
Hain, rh Mr Peter
Hamilton, Mr David
Hamilton, Fabian
Hanson, rh Mr David
Harman, rh Ms Harriet
Harris, Mr Tom
Havard, Mr Dai
Hepburn, Mr Stephen
Hermon, Lady
Heyes, David
Hillier, Meg
Hodge, rh Margaret
Hodgson, Mrs Sharon
Hoey, Kate
Hood, Mr Jim
Hopkins, Kelvin
Howarth, rh Mr George
Jackson, Glenda
Jamieson, Cathy
Johnson, rh Alan
Johnson, Diana
Jones, Graham
Jones, Helen
Jones, Mr Kevan
Jones, Susan Elan
Kane, Mike
Keeley, Barbara
Kendall, Liz
Lammy, rh Mr David
Lavery, Ian
Lazarowicz, Mark
Leslie, Chris
Lewell-Buck, Mrs Emma
Lewis, Mr Ivan
Long, Naomi
Love, Mr Andrew
Lucas, Caroline
Lucas, Ian
MacNeil, Mr Angus Brendan
Mactaggart, Fiona
Mahmood, Mr Khalid
Malhotra, Seema
Mann, John
Marsden, Mr Gordon
McCabe, Steve
McCann, Mr Michael
McCarthy, Kerry
McClymont, Gregg
McCrea, Dr William
McDonagh, Siobhain
McDonnell, Dr Alasdair
McDonnell, John
McFadden, rh Mr Pat
McGovern, Alison
McGovern, Jim
McGuire, rh Mrs Anne
McInnes, Liz
McKechin, Ann
McKenzie, Mr Iain
McKinnell, Catherine
Meale, Sir Alan
Mearns, Ian
Miller, Andrew
Mitchell, Austin
Moon, Mrs Madeleine
Morrice, Graeme *(Livingston)*
Morris, Grahame M. *(Easington)*
Mudie, Mr George
Murphy, rh Paul
Murray, Ian
Nash, Pamela
O'Donnell, Fiona
Osborne, Sandra
Owen, Albert
Paisley, Ian
Pearce, Teresa
Perkins, Toby
Phillipson, Bridget
Pound, Stephen

Powell, Lucy
Raynsford, rh Mr Nick
Reed, Mr Jamie
Reed, Mr Steve
Reeves, Rachel
Reynolds, Emma
Reynolds, Jonathan
Riordan, Mrs Linda
Ritchie, Ms Margaret
Robertson, John
Robinson, Mr Geoffrey
Roy, Mr Frank
Roy, Lindsay
Ruane, Chris
Ruddock, rh Dame Joan
Sawford, Andy
Seabeck, Alison
Shannon, Jim
Sharma, Mr Virendra
Sheerman, Mr Barry
Sheridan, Jim
Shuker, Gavin
Simpson, David
Skinner, Mr Dennis
Slaughter, Mr Andy
Smith, Angela
Smith, Nick
Smith, Owen
Spellar, rh Mr John
Straw, rh Mr Jack
Stringer, Graham
Stuart, Ms Gisela
Tami, Mark
Thomas, Mr Gareth
Thornberry, Emily
Timms, rh Stephen
Trickett, Jon
Turner, Karl
Twigg, Derek
Umunna, Mr Chuka
Vaz, rh Keith
Vaz, Valerie
Walley, Joan
Watson, Mr Tom
Watts, Mr Dave
Weir, Mr Mike
Whiteford, Dr Eilidh
Whitehead, Dr Alan
Williams, Hywel
Williamson, Chris
Wilson, Phil
Winnick, Mr David
Winterton, rh Ms Rosie
Wishart, Pete
Wood, Mike
Woodcock, John
Wright, David
Wright, Mr Iain

Tellers for the Ayes:
Nic Dakin and
Julie Hilling

NOES

Afriyie, Adam
Aldous, Peter
Amess, Mr David
Andrew, Stuart
Arbuthnot, rh Mr James
Baker, Steve
Baldry, rh Sir Tony
Barker, rh Gregory
Barwell, Gavin
Bebb, Guto
Bellingham, Mr Henry
Benyon, Richard
Beresford, Sir Paul
Berry, Jake
Bingham, Andrew
Binley, Mr Brian
Birtwistle, Gordon
Blackman, Bob
Blackwood, Nicola
Blunt, Crispin
Boles, Nick
Bone, Mr Peter
Bottomley, Sir Peter
Bradley, Karen
Brady, Mr Graham
Brake, rh Tom
Bray, Angie
Brazier, Mr Julian
Bridgen, Andrew
Brine, Steve
Brokenshire, James
Brooke, rh Annette
Browne, Mr Jeremy
Bruce, Fiona
Bruce, rh Sir Malcolm
Buckland, Mr Robert
Burns, Conor
Burrowes, Mr David
Burstow, rh Paul
Burt, rh Alistair
Burt, Lorely
Cairns, Alun
Campbell, rh Sir Menzies
Carmichael, rh Mr Alistair
Carmichael, Neil
Cash, Sir William
Chishti, Rehman
Clappison, Mr James
Clark, rh Greg
Clarke, rh Mr Kenneth
Clifton-Brown, Geoffrey
Coffey, Dr Thérèse
Collins, Damian
Colvile, Oliver
Cox, Mr Geoffrey
Crockart, Mike
Crouch, Tracey
Davey, rh Mr Edward
Davies, Philip
de Bois, Nick
Dinenage, Caroline
Djanogly, Mr Jonathan
Doyle-Price, Jackie
Drax, Richard
Duncan Smith, rh Mr Iain
Dunne, Mr Philip
Ellis, Michael
Ellison, Jane
Ellwood, Mr Tobias
Elphicke, Charlie
Eustice, George
Evans, Graham
Evans, Jonathan
Evans, Mr Nigel
Evennett, Mr David
Fabricant, Michael
Farron, Tim
Featherstone, rh Lynne
Field, Mark
Foster, rh Mr Don
Fox, rh Dr Liam
Francois, rh Mr Mark
Freeman, George
Freer, Mike
Fuller, Richard
Gale, Sir Roger
Garnier, Sir Edward
Garnier, Mark
Gauke, Mr David
Gibb, Mr Nick
Glen, John
Goldsmith, Zac
Goodwill, Mr Robert
Graham, Richard
Grant, Mrs Helen
Gray, Mr James
Grayling, rh Chris
Green, rh Damian
Greening, rh Justine
Grieve, rh Mr Dominic
Griffiths, Andrew
Gummer, Ben
Gyimah, Mr Sam
Hague, rh Mr William
Halfon, Robert
Hames, Duncan
Hammond, Stephen
Hancock, rh Matthew
Hands, rh Greg
Harper, Mr Mark
Harrington, Richard
Harris, Rebecca
Hart, Simon
Harvey, Sir Nick
Haselhurst, rh Sir Alan
Hayes, rh Mr John
Heald, Sir Oliver
Heath, Mr David
Heaton-Harris, Chris
Hemming, John
Henderson, Gordon
Hinds, Damian
Hoban, Mr Mark
Hollingbery, George
Hollobone, Mr Philip
Hopkins, Kris
Horwood, Martin
Howarth, Sir Gerald
Hughes, rh Simon
Hunt, rh Mr Jeremy
Hunter, Mark
Huppert, Dr Julian
Hurd, Mr Nick
Jackson, Mr Stewart
James, Margot
Javid, rh Sajid
Jenkin, Mr Bernard
Jenrick, Robert
Johnson, Gareth
Johnson, Joseph
Jones, Andrew
Jones, rh Mr David
Jones, Mr Marcus
Kawczynski, Daniel
Kelly, Chris
Knight, rh Sir Greg
Kwarteng, Kwasi
Lamb, rh Norman
Lancaster, Mark
Latham, Pauline
Laws, rh Mr David
Leadsom, Andrea
Leech, Mr John
Lefroy, Jeremy
Leigh, Sir Edward
Leslie, Charlotte
Letwin, rh Mr Oliver
Lewis, Brandon
Lewis, Dr Julian
Lilley, rh Mr Peter
Lloyd, Stephen
Lopresti, Jack
Loughton, Tim
Luff, Sir Peter
Lumley, Karen
Macleod, Mary
Main, Mrs Anne
Maude, rh Mr Francis
Maynard, Paul
McCartney, Jason
McCartney, Karl
McIntosh, Miss Anne
McLoughlin, rh Mr Patrick
McPartland, Stephen
McVey, rh Esther
Menzies, Mark
Metcalfe, Stephen
Miller, rh Maria
Mills, Nigel
Milton, Anne
Moore, rh Michael
Mordaunt, Penny
Morgan, rh Nicky
Morris, Anne Marie
Morris, James
Mosley, Stephen
Mulholland, Greg
Mundell, rh David
Munt, Tessa
Murray, Sheryll
Murrison, Dr Andrew
Neill, Robert
Newton, Sarah
Nokes, Caroline
Norman, Jesse
Nuttall, Mr David
O'Brien, rh Mr Stephen
Offord, Dr Matthew
Ollerenshaw, Eric
Opperman, Guy
Ottaway, rh Sir Richard
Paice, rh Sir James
Parish, Neil
Patel, Priti
Paterson, rh Mr Owen
Pawsey, Mark
Penning, rh Mike
Penrose, John
Perry, Claire
Phillips, Stephen
Pickles, rh Mr Eric
Pincher, Christopher
Poulter, Dr Daniel
Prisk, Mr Mark
Raab, Mr Dominic
Redwood, rh Mr John
Rees-Mogg, Jacob
Reid, Mr Alan
Robathan, rh Mr Andrew
Robertson, rh Sir Hugh

Robertson, Mr Laurence
Rosindell, Andrew
Rudd, Amber
Ruffley, Mr David
Russell, Sir Bob
Rutley, David
Sanders, Mr Adrian
Sandys, Laura
Scott, Mr Lee
Selous, Andrew
Sharma, Alok
Shelbrooke, Alec
Simmonds, Mark
Simpson, Mr Keith
Skidmore, Chris
Smith, Chloe
Smith, Henry
Smith, Sir Robert
Soubry, Anna
Spelman, rh Mrs Caroline
Spencer, Mr Mark
Stephenson, Andrew
Stevenson, John
Stewart, Iain
Stewart, Rory
Streeter, Mr Gary
Stride, Mel
Stunell, rh Sir Andrew
Sturdy, Julian
Swales, Ian
Swayne, rh Mr Desmond
Swinson, Jo
Syms, Mr Robert
Tapsell, rh Sir Peter
Teather, Sarah
Thornton, Mike
Thurso, rh John
Timpson, Mr Edward
Tomlinson, Justin
Tredinnick, David
Truss, rh Elizabeth
Turner, Mr Andrew
Tyrie, Mr Andrew
Uppal, Paul
Vaizey, Mr Edward
Vara, Mr Shailesh
Vickers, Martin
Villiers, rh Mrs Theresa
Walker, Mr Charles
Ward, Mr David
Weatherley, Mike
Webb, rh Steve
Wharton, James
Wheeler, Heather
White, Chris
Whittaker, Craig
Whittingdale, Mr John
Wiggin, Bill
Williams, Roger
Williams, Stephen
Williamson, Gavin
Wilson, Mr Rob
Wollaston, Dr Sarah
Wright, rh Jeremy
Wright, Simon
Yeo, Mr Tim
Young, rh Sir George
Zahawi, Nadhim

Tellers for the Noes:
Harriett Baldwin and
Mr Ben Wallace

Question accordingly negatived.

The Deputy Speaker then put forthwith the Questions necessary for the disposal of business to be concluded at that time (Standing Order No. 83E).

New Clause 4

OFFENCE OF EXPLOITATION

'(1) A person commits an offence if they exploit a person by means of the threat or use of force or other forms of coercion, of abduction, of fraud, of deception, of the abuse of power or abuse of a position of vulnerability, or of the giving or receiving of payments or benefits to achieve the consent of a person having control over another person.

(2) A person may be in a situation of exploitation whether or not—

(a) escape from the situation is practically possible for the person; or

(b) the person has attempted to escape from the situation.

(3) The consent or apparent consent of the person of the exploitation is irrelevant where any of the means set forth in section 9(1) has been used.'—*(Diana Johnson.)*

Brought up.

Question put, That the clause be added to the Bill.

The House divided: Ayes 225, Noes 288.

Division No. 69] **[4.13 pm**

AYES

Abbott, Ms Diane
Abrahams, Debbie
Ainsworth, rh Mr Bob
Alexander, Heidi
Ali, Rushanara
Allen, Mr Graham
Anderson, Mr David
Austin, Ian
Bailey, Mr Adrian
Bain, Mr William
Banks, Gordon
Barron, rh Kevin
Begg, Dame Anne
Benn, rh Hilary
Berger, Luciana
Betts, Mr Clive
Blackman-Woods, Roberta
Blenkinsop, Tom
Blomfield, Paul
Blunkett, rh Mr David
Bradshaw, rh Mr Ben
Brooke, rh Annette
Brown, Lyn
Brown, rh Mr Nicholas
Brown, Mr Russell
Burden, Richard
Burnham, rh Andy
Byrne, rh Mr Liam
Campbell, rh Mr Alan
Campbell, Mr Gregory
Campbell, Mr Ronnie
Caton, Martin
Champion, Sarah
Chapman, Jenny
Clark, Katy
Clarke, rh Mr Tom
Clwyd, rh Ann
Coaker, Vernon
Coffey, Ann
Connarty, Michael
Cooper, Rosie
Cooper, rh Yvette
Corbyn, Jeremy
Creasy, Stella
Cruddas, Jon
Cryer, John
Cunningham, Alex
Cunningham, Mr Jim
Cunningham, Sir Tony
Danczuk, Simon
Darling, rh Mr Alistair
David, Wayne
Davidson, Mr Ian
Davies, Geraint
De Piero, Gloria
Dobson, rh Frank
Docherty, Thomas
Dodds, rh Mr Nigel
Donaldson, rh Mr Jeffrey M.
Donohoe, Mr Brian H.
Doran, Mr Frank
Doughty, Stephen
Doyle, Gemma
Dromey, Jack
Dugher, Michael
Durkan, Mark
Eagle, Maria
Efford, Clive
Elliott, Julie
Ellman, Mrs Louise
Esterson, Bill
Evans, Chris
Farrelly, Paul
Field, rh Mr Frank
Fitzpatrick, Jim
Flello, Robert
Flint, rh Caroline
Flynn, Paul
Francis, Dr Hywel
Gapes, Mike
Gardiner, Barry
Gilmore, Sheila
Glass, Pat
Glindon, Mrs Mary
Godsiff, Mr Roger
Goodman, Helen
Greatrex, Tom
Green, Kate
Greenwood, Lilian
Gwynne, Andrew
Hain, rh Mr Peter
Hamilton, Mr David
Hamilton, Fabian
Hanson, rh Mr David
Harman, rh Ms Harriet
Harris, Mr Tom
Havard, Mr Dai
Hepburn, Mr Stephen
Hermon, Lady
Heyes, David
Hillier, Meg
Hodgson, Mrs Sharon
Hoey, Kate
Hood, Mr Jim
Hopkins, Kelvin
Howarth, rh Mr George
Jackson, Glenda
Jamieson, Cathy
Johnson, rh Alan
Johnson, Diana
Jones, Graham
Jones, Helen
Jones, Mr Kevan
Jones, Susan Elan
Kane, Mike
Keeley, Barbara
Kendall, Liz
Lammy, rh Mr David
Lavery, Ian
Lazarowicz, Mark
Leslie, Chris
Lewell-Buck, Mrs Emma
Lewis, Mr Ivan
Long, Naomi
Love, Mr Andrew
Lucas, Caroline
Lucas, Ian
MacNeil, Mr Angus Brendan
Mactaggart, Fiona
Mahmood, Mr Khalid
Malhotra, Seema
Mann, John
Marsden, Mr Gordon
McCabe, Steve
McCann, Mr Michael
McCarthy, Kerry
McClymont, Gregg
McCrea, Dr William
McDonagh, Siobhain
McDonnell, Dr Alasdair
McDonnell, John
McFadden, rh Mr Pat
McGovern, Alison
McGovern, Jim
McGuire, rh Mrs Anne
McInnes, Liz
McKechin, Ann
McKenzie, Mr Iain
McKinnell, Catherine
Meale, Sir Alan
Mearns, Ian
Miller, Andrew

Mitchell, Austin
Moon, Mrs Madeleine
Morrice, Graeme *(Livingston)*
Morris, Grahame M. *(Easington)*
Mudie, Mr George
Murphy, rh Paul
Murray, Ian
Nash, Pamela
O'Donnell, Fiona
Osborne, Sandra
Owen, Albert
Paisley, Ian
Pearce, Teresa
Perkins, Toby
Phillipson, Bridget
Pound, Stephen
Powell, Lucy
Raynsford, rh Mr Nick
Reed, Mr Jamie
Reed, Mr Steve
Reeves, Rachel
Reynolds, Emma
Reynolds, Jonathan
Riordan, Mrs Linda
Ritchie, Ms Margaret
Robertson, John
Robinson, Mr Geoffrey
Roy, Mr Frank
Roy, Lindsay
Ruane, Chris
Ruddock, rh Dame Joan
Sawford, Andy
Seabeck, Alison
Shannon, Jim
Sharma, Mr Virendra
Sheerman, Mr Barry
Sheridan, Jim
Shuker, Gavin
Simpson, David
Skinner, Mr Dennis
Slaughter, Mr Andy
Smith, Angela
Smith, Nick
Smith, Owen
Spellar, rh Mr John
Straw, rh Mr Jack
Stringer, Graham
Stuart, Ms Gisela
Tami, Mark
Thomas, Mr Gareth
Thornberry, Emily
Timms, rh Stephen
Turner, Karl
Twigg, Derek
Umunna, Mr Chuka
Vaz, rh Keith
Vaz, Valerie
Walley, Joan
Watson, Mr Tom
Watts, Mr Dave
Weir, Mr Mike
Whiteford, Dr Eilidh
Whitehead, Dr Alan
Williams, Hywel
Williamson, Chris
Wilson, Phil
Winnick, Mr David
Winterton, rh Ms Rosie
Wishart, Pete
Wood, Mike
Woodcock, John
Wright, David
Wright, Mr Iain

Tellers for the Ayes:
Nic Dakin and Julie Hilling

NOES

Afriyie, Adam
Aldous, Peter
Amess, Mr David
Andrew, Stuart
Arbuthnot, rh Mr James
Baker, Steve
Baldry, rh Sir Tony
Baldwin, Harriett
Barclay, Stephen
Barker, rh Gregory
Bebb, Guto
Bellingham, Mr Henry
Benyon, Richard
Beresford, Sir Paul
Berry, Jake
Bingham, Andrew
Binley, Mr Brian
Birtwistle, Gordon
Blackman, Bob
Blackwood, Nicola
Blunt, Crispin
Boles, Nick
Bone, Mr Peter
Bottomley, Sir Peter
Bradley, Karen
Brady, Mr Graham
Brake, rh Tom
Bray, Angie
Brazier, Mr Julian
Bridgen, Andrew
Brine, Steve
Brokenshire, James
Browne, Mr Jeremy
Bruce, Fiona
Bruce, rh Sir Malcolm
Buckland, Mr Robert
Burns, Conor
Burrowes, Mr David
Burstow, rh Paul
Burt, rh Alistair
Burt, Lorely
Cairns, Alun
Campbell, rh Sir Menzies
Carmichael, rh Mr Alistair
Carmichael, Neil
Cash, Sir William
Chishti, Rehman
Clappison, Mr James
Clark, rh Greg
Clarke, rh Mr Kenneth
Clifton-Brown, Geoffrey
Coffey, Dr Thérèse
Collins, Damian
Colvile, Oliver
Cox, Mr Geoffrey
Crockart, Mike
Crouch, Tracey
Davey, rh Mr Edward
Davies, Philip
de Bois, Nick
Dinenage, Caroline
Djanogly, Mr Jonathan
Doyle-Price, Jackie
Drax, Richard
Duncan Smith, rh Mr Iain
Dunne, Mr Philip
Ellis, Michael
Ellison, Jane
Ellwood, Mr Tobias
Elphicke, Charlie
Eustice, George
Evans, Graham
Evans, Jonathan
Evans, Mr Nigel
Evennett, Mr David
Fabricant, Michael
Farron, Tim
Featherstone, rh Lynne
Field, Mark
Foster, rh Mr Don
Fox, rh Dr Liam
Francois, rh Mr Mark
Freeman, George
Freer, Mike
Fuller, Richard
Gale, Sir Roger
Garnier, Sir Edward
Garnier, Mark
Gauke, Mr David
Gibb, Mr Nick
Glen, John
Goldsmith, Zac
Goodwill, Mr Robert
Graham, Richard
Grant, Mrs Helen
Gray, Mr James
Grayling, rh Chris
Green, rh Damian
Greening, rh Justine
Grieve, rh Mr Dominic
Griffiths, Andrew
Gummer, Ben
Gyimah, Mr Sam
Hague, rh Mr William
Halfon, Robert
Hames, Duncan
Hammond, Stephen
Hancock, rh Matthew
Hands, rh Greg
Harper, Mr Mark
Harrington, Richard
Harris, Rebecca
Hart, Simon
Harvey, Sir Nick
Haselhurst, rh Sir Alan
Hayes, rh Mr John
Heald, Sir Oliver
Heath, Mr David
Heaton-Harris, Chris
Hemming, John
Henderson, Gordon
Hinds, Damian
Hoban, Mr Mark
Hollingbery, George
Hollobone, Mr Philip
Hopkins, Kris
Horwood, Martin
Howarth, Sir Gerald
Hughes, rh Simon
Hunt, rh Mr Jeremy
Hunter, Mark
Huppert, Dr Julian
Hurd, Mr Nick
Jackson, Mr Stewart
James, Margot
Javid, rh Sajid
Jenkin, Mr Bernard
Jenrick, Robert
Johnson, Gareth
Johnson, Joseph
Jones, Andrew
Jones, rh Mr David
Jones, Mr Marcus
Kawczynski, Daniel
Kelly, Chris
Knight, rh Sir Greg
Kwarteng, Kwasi
Lamb, rh Norman
Lancaster, Mark
Latham, Pauline
Leadsom, Andrea
Leech, Mr John
Lefroy, Jeremy
Leigh, Sir Edward
Leslie, Charlotte
Letwin, rh Mr Oliver
Lewis, Brandon
Lewis, Dr Julian
Lilley, rh Mr Peter
Lloyd, Stephen
Lopresti, Jack
Loughton, Tim
Luff, Sir Peter
Lumley, Karen
Macleod, Mary
Main, Mrs Anne
Maude, rh Mr Francis
Maynard, Paul
McCartney, Jason
McCartney, Karl
McIntosh, Miss Anne
McLoughlin, rh Mr Patrick
McPartland, Stephen
McVey, rh Esther
Menzies, Mark
Metcalfe, Stephen
Miller, rh Maria
Mills, Nigel
Milton, Anne
Moore, rh Michael
Mordaunt, Penny
Morgan, rh Nicky
Morris, Anne Marie
Morris, James
Mosley, Stephen
Mulholland, Greg
Mundell, rh David
Munt, Tessa
Murray, Sheryll
Murrison, Dr Andrew
Neill, Robert
Newton, Sarah
Nokes, Caroline
Norman, Jesse
Nuttall, Mr David
O'Brien, rh Mr Stephen
Offord, Dr Matthew
Ollerenshaw, Eric
Opperman, Guy
Ottaway, rh Sir Richard
Paice, rh Sir James
Parish, Neil
Patel, Priti
Paterson, rh Mr Owen

Pawsey, Mark
Penning, rh Mike
Penrose, John
Perry, Claire
Phillips, Stephen
Pickles, rh Mr Eric
Pincher, Christopher
Poulter, Dr Daniel
Prisk, Mr Mark
Raab, Mr Dominic
Randall, rh Sir John
Redwood, rh Mr John
Rees-Mogg, Jacob
Reid, Mr Alan
Robathan, rh Mr Andrew
Robertson, rh Sir Hugh
Robertson, Mr Laurence
Rosindell, Andrew
Rudd, Amber
Ruffley, Mr David
Russell, Sir Bob
Rutley, David
Sanders, Mr Adrian
Sandys, Laura
Scott, Mr Lee
Selous, Andrew
Sharma, Alok
Shelbrooke, Alec
Simmonds, Mark
Simpson, Mr Keith
Skidmore, Chris
Smith, Chloe
Smith, Henry
Smith, Sir Robert
Soubry, Anna
Spelman, rh Mrs Caroline
Spencer, Mr Mark
Stephenson, Andrew
Stevenson, John
Stewart, Iain
Stewart, Rory
Streeter, Mr Gary
Stride, Mel
Stunell, rh Sir Andrew
Sturdy, Julian
Swales, Ian
Swayne, rh Mr Desmond
Swinson, Jo
Syms, Mr Robert
Tapsell, rh Sir Peter
Teather, Sarah
Thornton, Mike
Thurso, rh John
Timpson, Mr Edward
Tomlinson, Justin
Tredinnick, David
Truss, rh Elizabeth
Turner, Mr Andrew
Tyrie, Mr Andrew
Uppal, Paul
Vaizey, Mr Edward
Vara, Mr Shailesh
Vickers, Martin
Villiers, rh Mrs Theresa
Walker, Mr Charles
Ward, Mr David
Weatherley, Mike
Webb, rh Steve
Wharton, James
Wheeler, Heather
White, Chris
Whittaker, Craig
Whittingdale, Mr John
Wiggin, Bill
Williams, Roger
Williams, Stephen
Williamson, Gavin
Wilson, Mr Rob
Wollaston, Dr Sarah
Wright, rh Jeremy
Wright, Simon
Yeo, Mr Tim
Young, rh Sir George
Zahawi, Nadhim

Tellers for the Noes:
Mr Ben Wallace and Gavin Barwell

Question accordingly negatived.

New Clause 8

ENFORCEMENT POWERS IN RELATION TO SHIPS: SCOTLAND

(1) A Scottish constable or an enforcement officer may exercise the powers set out in Part 2 of Schedule 1 ("Part 2 powers") in relation to—

(a) a United Kingdom ship in Scotland waters, foreign waters or international waters,

(b) a ship without nationality in Scotland waters or international waters,

(c) a foreign ship in Scotland waters, or

(d) a ship, registered under the law of a relevant territory, in Scotland waters.

(2) But Part 2 powers may be exercised only—

(a) for the purpose of preventing, detecting or investigating a listed offence, and

(b) in accordance with the rest of this section.

(3) The authority of the Secretary of State is required before a Scottish constable or an enforcement officer may exercise Part 2 powers in relation to a United Kingdom ship in foreign waters.

(4) Authority for the purposes of subsection (3) may be given only if the State or relevant territory in whose waters the powers would be exercised consents to the exercise of the powers.

(5) The authority of the Secretary of State is required before a Scottish constable or an enforcement officer may exercise Part 2 powers in relation to a foreign ship, or a ship registered under the law of a relevant territory, within the territorial sea adjacent to the United Kingdom.

(6) Authority for the purposes of subsection (5) may be given in relation to a foreign ship only if—

(a) the home state has requested the assistance of the United Kingdom for the purpose mentioned in subsection (2)(a),

(b) the home state has authorised the United Kingdom to act for that purpose, or

(c) the Convention otherwise permits the exercise of Part 2 powers in relation to the ship.

(7) In giving authority for the purposes of subsection (5) in relation to a foreign ship the Secretary of State must give effect to any conditions or limitations that the home state imposes as part of a request or authorisation of the kind mentioned in subsection (6)(a) or (b) (if the authority is given as a result of that request or authorisation).

(8) For the purposes of subsection (2)(a), "listed offence" means an offence under—

(a) section 22 of the Criminal Justice (Scotland) Act 2003 (traffic in prostitution etc) (asp 7);

(b) section 4 of the Asylum and Immigration (Treatment of Claimants, etc.) Act 2004 (trafficking for exploitation);

(c) section 47 of the Criminal Justice and Licensing (Scotland) Act 2010 (slavery, servitude and forced or compulsory labour) (asp 13).*—(Karen Bradley.)*

This New Clause provides additional powers for law enforcement in Scotland to tackle suspected human trafficking or slavery at sea. The details of the additional powers are set out in Part 2 of Schedule 1 (inserted by amendment 129).

Brought up, and added to the Bill.

New Clause 9

ENFORCEMENT POWERS IN RELATION TO SHIPS: NORTHERN IRELAND

(1) A Northern Ireland constable or an enforcement officer may exercise the powers set out in Part 3 of Schedule 1 ("Part 3 powers") in relation to—

(a) a United Kingdom ship in Northern Ireland waters, foreign waters or international waters,

(b) a ship without nationality in Northern Ireland waters or international waters,

(c) a foreign ship in Northern Ireland waters, or

(d) a ship, registered under the law of a relevant territory, in Northern Ireland waters.

(2) But Part 3 powers may be exercised only—

(a) for the purpose of preventing, detecting, investigating or prosecuting a listed offence, and

(b) in accordance with the rest of this section.

(3) The authority of the Chief Constable of the Police Service of Northern Ireland is required before an enforcement officer may exercise any Part 3 powers.

(4) The authority of the Secretary of State is required before a Northern Ireland constable or an enforcement officer may exercise Part 3 powers in relation to a United Kingdom ship in foreign waters.

(5) Authority for the purposes of subsection (4) may be given only if the State or relevant territory in whose waters the powers would be exercised consents to the exercise of the powers.

(6) The authority of the Secretary of State is required before a Northern Ireland constable or an enforcement officer may exercise Part 3 powers in relation to a foreign ship, or a ship registered under the law of a relevant territory, within the territorial sea adjacent to the United Kingdom.

(7) Authority for the purposes of subsection (6) may be given in relation to a foreign ship only if—

(a) the home state has requested the assistance of the United Kingdom for the purpose mentioned in subsection (2)(a),

(b) the home state has authorised the United Kingdom to act for that purpose, or

(c) the Convention otherwise permits the exercise of Part 3 powers in relation to the ship.

(8) In giving authority for the purposes of subsection (6) in relation to a foreign ship the Secretary of State must give effect to any conditions or limitations that the home state imposes as part of a request or authorisation of the kind mentioned in subsection (7)(a) or (b) (if the authority is given as a result of that request or authorisation).

(9) For the purposes of subsection (2)(a), "listed offence" means an offence under—

(a) section 57, 58, 58A or 59 of the Sexual Offences Act 2003 (trafficking for sexual exploitation);

(b) section 4 of the Asylum and Immigration (Treatment of Claimants, etc.) Act 2004 (trafficking for exploitation);

(c) section 71 of the Coroners and Justice Act 2009 (slavery, servitude and forced or compulsory labour).—*(Karen Bradley.)*

This New Clause provides additional powers for law enforcement in Northern Ireland to tackle suspected human trafficking or slavery at sea. The details of the additional powers are set out in Part 3 of Schedule 1 (inserted by amendment 129).

Brought up, and added to the Bill.

New Clause 10

HOT PURSUIT OF SHIPS IN UNITED KINGDOM WATERS

(1) An English and Welsh constable or an enforcement officer may exercise Part 1 powers in relation to a ship in Scotland waters or in Northern Ireland waters if—

(a) the ship is pursued there,

(b) immediately before the pursuit of the ship, the ship was in relevant waters, and

(c) the condition in subsection (10) is met.

(2) Part 1 powers may be exercised under subsection (1) only—

(a) for the purpose mentioned in subsection (2)(a) of section13, and

(b) (if relevant) in accordance with subsections (5) to (7) of that section.

(3) For the purposes of subsection (1)(b), "relevant waters" are—

(a) in the case of a United Kingdom ship or a ship without nationality, England and Wales waters or international waters;

(b) in the case of a foreign ship or a ship registered under the law of a relevant territory, England and Wales waters.

(4) A Scottish constable or an enforcement officer may exercise Part 2 powers in relation to a ship in England and Wales waters or in Northern Ireland waters if—

(a) the ship is pursued there,

(b) immediately before the pursuit of the ship, the ship was in relevant waters, and

(c) the condition in subsection (10) is met.

(5) Part 2 powers may be exercised under subsection (4) only—

(a) for the purpose mentioned in subsection (2)(a) of section (Enforcement powers in relation to ships: Scotland), and

(b) (if relevant) in accordance with subsections (5) to (7) of that section.

(6) For the purposes of subsection (4)(b), "relevant waters" are—

(a) in the case of a United Kingdom ship or a ship without nationality, Scotland waters or international waters;

(b) in the case of a foreign ship or a ship registered under the law of a relevant territory, Scotland waters.

(7) A Northern Ireland constable or an enforcement officer may exercise Part 3 powers in relation to a ship in England and Wales waters or in Scotland waters if—

(a) the ship is pursued there,

(b) immediately before the pursuit of the ship, the ship was in relevant waters, and

(c) the condition in subsection (10) is met.

(8) Part 3 powers may be exercised under subsection (7) only—

(a) for the purpose mentioned in subsection (2)(a) of section (Enforcement powers in relation to ships: Northern Ireland), and

(b) (if relevant) in accordance with subsections (6) to (8) of that section.

(9) For the purposes of subsection (7)(b), "relevant waters" are—

(a) in the case of a United Kingdom ship or a ship without nationality, Northern Ireland waters or international waters;

(b) in the case of a foreign ship or a ship registered under the law of a relevant territory, Northern Ireland waters.

(10) The condition referred to in subsection (1)(c), (4)(c) and (7)(c) is that—

(a) before the pursuit of the ship, a signal is given for it to stop, and

(b) the pursuit of the ship is not interrupted.

(11) The signal referred to in subsection (10)(a) must be given in such a way as to be audible or visible from the ship.

(12) For the purposes of subsection (10)(b), pursuit is not interrupted by reason only of the fact that—

(a) the method of carrying out the pursuit, or

(b) the identity of the ship or aircraft carrying out the pursuit,

changes during the course of the pursuit.

(13) Nothing in this Part affects any right of hot pursuit that a constable or an enforcement officer may have under international law.—*(Karen Bradley.)*

This New Clause sets out powers of hot pursuit, where law enforcement seek to pursue a suspected vessel between waters adjacent to different jurisdictions within the UK or between UK waters and international waters.

Brought up, and added to the Bill.

Clause 13

ENFORCEMENT POWERS IN RELATION TO SHIPS

Amendments made: 2, page 9, line 20, at beginning insert

"An English and Welsh constable or".

This amendment, together with amendments 10, 14, 71, 75 76, 77, 80, 81, 85, 86, 87, 88, 89, 90, 91, 92, 93, 94, 95, 96, 97, 98, 99, 100, 101, 102, 103, 104, 105, 107, 108, 110, 111, 112, 114, 115, 116, 117, 118, 121, 122, 124, 125, 126, is consequential on amendments 23 and 24.

Amendment 3, page 9, line 20, leave out "Schedule 1" and insert

"Part 1 of Schedule1 ("Part 1 powers")".

This amendment, together with amendments 70, 73, 106, 109, 113, 119, 123 and 127, results from the division of Schedule 1 into 3 Parts (see amendment 129).

Amendment 4, page 9, line 22, leave out "domestic waters" and insert

"England and Wales waters, foreign waters".

This amendment is consequential on amendments 22 and 25.

Amendment 5, page 9, line 23, leave out "domestic" and insert "England and Wales".

This amendment, together with amendment 7, is consequential on amendment 22.

Amendment 6, page 9, leave out line 24

This amendment is consequential on amendment 26.

Amendment 7, page 9, line 25, leave out "domestic" and insert "England and Wales".

Amendment 8, page 9, line 25, at end insert ", or

(d) a ship, registered under the law of a relevant territory, in England and Wales waters."

Paragraph (d) inserted by this amendment adds to the categories of ships in relation to which enforcement officers can exercise enforcement powers.

Amendment 9, page 9, line 26, leave out "Schedule" and insert "Part".

This amendment, together with amendments 11, 15 and 18, is consequential on amendment 3.

Amendment 10, page 9, line 30, after "before" insert

"an English and Welsh constable or".

Amendment 11, page 9, line 31, leave out "Schedule" and insert "Part".

Amendment 12, page 9, leave out lines 32 and 33 and insert "foreign waters".

This amendment results from the new definition of "foreign waters" (see amendment 25).

Amendment 13, page 9, line 34, leave out "in question" and insert

"or relevant territory in whose waters the powers would be exercised".

This amendment is consequential on amendment 8 and ensures that the Secretary of State may only give authority under clause 13(3) in respect of a UK ship in the waters of a relevant territory where that territory consents.

Amendment 14, page 9, line 36, after "before" insert

"an English and Welsh constable or".

Amendment 15, page 9, line 37, leave out "Schedule" and insert "Part".

Amendment 16, page 9, line 37, leave out from "ship" to end of line 38 and insert

", or a ship registered under the law of a relevant territory, within the territorial sea adjacent to the United Kingdom."

This amendment requires that the authority of the Secretary of State is given before enforcement powers can be exercised in relation to a ship, registered under the law of a relevant territory, which is within the territorial sea adjacent to the United Kingdom.

Amendment 17, page 9, line 39, after "given" insert

"in relation to a foreign ship".

This amendment ensures that the conditions on when the Secretary of State may give authority for the exercise of enforcement powers in relation to ships within the territorial sea adjacent to the United Kingdom apply only in relation to foreign ships.

Amendment 18, page 9, line 44, leave out "Schedule" and insert "Part".

Amendment 19, page 9, line 45, leave out "foreign".

This is a technical amendment which removes a word that becomes unnecessary in consequence of amendment 17.

Amendment 20, page 10, line 1, after "(5)" insert

"in relation to a foreign ship".

This amendment is consequential on amendment 17 and makes it clear that the requirement in clause 13(7) to give effect to any conditions or limitations imposed by a home state applies only in relation to foreign ships.

Amendment 21, page 10, line 5, leave out "section (and in Schedule 1)" and insert "Part".

It is expected that subsections (8) and (9) of clause 13 will become a new section providing for the interpretation of a new Part expected to be formed by subsections (1) to (7) of clause 13 and New Clauses [NC8 to NC10].

Amendment 22, page 10, line 10, leave out "domestic" and insert "England and Wales".

This amendment provides for the term "England and Wales waters" in place of "domestic waters". This term is more appropriate in view of the new provisions providing for enforcement powers in Scotland and Northern Ireland.

Amendment 23, page 10, leave out lines 13 and 14.

This amendment removes the reference to a constable from the definition of "enforcement officer" as references to a constable are now inserted in each relevant place in the provisions. The amendment also removes the reference to an immigration officer from this definition, which is considered to be unnecessary given that the definition includes designated customs officials.

Amendment 24, page 10, line 21, at end insert—

""English and Welsh constable" means only a person who is—

(a) a member of a police force in England and Wales,

(b) a member of the British Transport Police Force,

(c) a port constable, within the meaning of section 7 of the Marine Navigation Act 2013, or a person appointed to act as a constable under provision made by virtue of section 16 of the Harbours Act 1964, or

(d) a National Crime Agency officer having the powers and privileges of a constable in England and Wales under the Crime and Courts Act 2013;".

This amendment provides for the meaning of "English and Welsh constable".

Amendment 25, page 10, line 25, at end insert—

""foreign waters" means the sea and other waters within the seaward limits of the territorial sea adjacent to any relevant territory or State other than the United Kingdom;".

This amendment provides for the meaning of "foreign waters" as a result of limiting the meaning of "international waters" to waters that do not form part of the territorial sea of any State or relevant territory (see amendment 26).

Amendment 26, page 10, line 29, leave out from "waters" to end of line 30 and insert "beyond the territorial sea of the United Kingdom or of any other State or relevant territory;".

This amendment provides that "international waters" do not include any waters forming part of the territorial sea of other States or relevant territories (which are instead referred to as "foreign waters").

Amendment 27, page 10, line 30, at end insert—

""Northern Ireland constable" means a member of the Police Service of Northern Ireland or the Police Service of Northern Ireland Reserve;

"Northern Ireland waters" means the sea and other waters within the seaward limits of the territorial sea adjacent to Northern Ireland;

"Part 1 powers" means the powers set out in Part 1 of Schedule1;

"Part 2 powers" means the powers set out in Part 2 of that Schedule;

"Part 3 powers" means the powers set out in Part 3 of that Schedule;

"relevant territory" means—

(a) the Isle of Man;

(b) any of the Channel Islands;

(c) a British overseas territory;

"Scottish constable" means only a person who is—

(a) a constable, within the meaning of section 99 of the Police and Fire Reform (Scotland) Act 2012 (asp 8), or

(b) a National Crime Agency officer having the powers and privileges of a constable in Scotland under the Crime and Courts Act 2013;

"Scotland waters" means the sea and other waters within the seaward limits of the territorial sea adjacent to Scotland;

"ship" includes every description of vessel (including a hovercraft) used in navigation;".

This amendment sets out various new definitions used in the new Part 2A.

Amendment 28, page 10, leave out line 31.

This amendment removes the definition of a term that is no longer used.

Amendment 29, page 10, line 34, after "State" insert "or relevant territory".

This amendment clarifies that a stateless vessel is one that is not registered in, or otherwise entitled to fly, the flag of a State or relevant territory.

Amendment 30, page 10, line 35, after "States" insert

"or relevant territories, or under the flags of a State and relevant territory,".

This amendment clarifies that a vessel is stateless where it flies the flags of two or more States or relevant territories, or both.

Amendment 31, page 10, leave out line 37.

This amendment removes the provision that the term 'State' includes territories. The other amendments to clause 13 explicitly deal with the position of the relevant territories.

Amendment 32, page 10, line 41, after "State" insert "or relevant territory".

This amendment clarifies that a United Kingdom ship includes one that is not registered in any relevant territory (or State) but is wholly owned by persons with a UK connection.

Amendment 33, page 10, line 49, at end insert—

"() an individual who is habitually resident in the United Kingdom, or"—*(Karen Bradley.)*

This amendment adds an individual who is habitually resident in the UK to the definition of persons who have a UK connection. This provision applies for the purposes of the definition of "United Kingdom ship".

Clause 36

The Anti-slavery Commissioner

Amendments made: 34, page 26, line 19, after "must" insert

", after consulting the Scottish Ministers and the Department of Justice in Northern Ireland,".

This amendment places a duty on the Secretary of State to consult the Scottish Ministers and the Department of Justice in Northern Ireland before appointing the Commissioner.

Amendment 35, page 26, line 19, after "the" insert "Independent".

This amendment changes the name of the Commissioner from the "Anti-slavery Commissioner" to the "Independent Anti-slavery Commissioner".

Amendment 36, page 26, line 34, at beginning insert "Independent".

This amendment is consequential on amendment 35.

Amendment 37, page 26, line 34, at end insert—

'( ) In Part 3 of Schedule 1 to the Northern Ireland Assembly Disqualification Act 1975 (offices disqualifying for membership: other disqualifying offices) at the appropriate place insert—

"Independent Anti-slavery Commissioner"."

This amendment adds the Commissioner to the list of disqualifying offices under the Northern Ireland Assembly Disqualification Act 1975.

Amendment 38, page 26, line 37, after "The" insert "Independent"—*(Karen Bradley.)*

This amendment is consequential on amendment 35.

Clause 37

General functions of Commissioner

Amendments made: 39, page 26, line 40, leave out from "of" to end of line 41 and insert

"slavery and human trafficking offences".

This amendment, together with amendment 40, adds relevant Scottish and Northern Irish offences to those that the Commissioner has functions in relation to.

Amendment 40, page 27, line 1, at end insert—

'( ) For the purposes of subsection (1) a slavery and human trafficking offence is an offence under—

(a) section1,2 or4 of this Act,

(b) section 57, 58, 58A or 59 of the Sexual Offences Act 2003 (trafficking for sexual exploitation),

(c) section 22 of the Criminal Justice (Scotland) Act 2003 (asp 7) (traffic in prostitution etc),

(d) section 4 of the Asylum and Immigration (Treatment of Claimants, etc.) Act 2004 (trafficking for exploitation),

(e) section 71 of the Coroners and Justice Act 2009 (slavery, servitude and forced or compulsory labour),

(f) section 47 of the Criminal Justice and Licensing (Scotland) Act 2010 (asp 13) (slavery, servitude and forced or compulsory labour).".

See the explanatory statement for amendment 39.

Amendment 41, page 27, line 4, leave out "to the Secretary of State".

This amendment is consequential on amendment 42.

Amendment 42, page 27, line 4, at end insert

"to the Secretary of State, the Scottish Ministers and the Department of Justice in Northern Ireland".

This amendment enables the Commissioner to make reports to the Scottish Ministers and the Department of Justice in Northern Ireland, as well as the Secretary of State.

Amendment 43, page 27, line 6, leave out "in England and Wales".

This amendment reflects the expansion of the Commissioner's role across the UK and enables the Commissioner to make recommendations to any UK public authority (other than a court or tribunal) about the exercise of its functions.

Amendment 44, page 27, line 14, leave out "has authorised" and insert

", the Scottish Ministers or the Department of Justice in Northern Ireland have asked".

This amendment extends the definition of a 'permitted matter' to include a matter which the Secretary of State, Scottish Ministers or the Department of Justice in Northern Ireland have asked the Commissioner to report on.

Amendment 45, page 27, line 18, leave out from beginning to "publish" and insert

", the Scottish Ministers or the Department of Justice in Northern Ireland wish to exercise the powers conferred by subsections (5) to (7))".

This amendment provides that the Commissioner must not publish a report under subsection (2)(a) before establishing whether the Secretary of State, Scottish Ministers or Department of Justice in Northern Ireland wish to exercise the redaction powers conferred by subsections (5) to (7) (amendment 49 inserts subsections (6) and (7)).

Amendment 46, page 27, line 19, leave out "to the Secretary of State".

This amendment is consequential on amendment 42.

Amendment 47, page 27, line 24, after "person" insert "in England and Wales".

This amendment limits the Secretary of State's power to direct the Commissioner to omit from any report before publication material whose publication the Secretary of State thinks might jeopardise the safety of any person, to the safety of a person in England and Wales.

Amendment 48, page 27, line 25, at end insert

"under the law of England and Wales".

This amendment limits the Secretary of State's power to direct the Commissioner to omit from any report before publication material whose publication the Secretary of State thinks might prejudice the investigation or prosecution of an offence, to an offence under the law of England and Wales.

Amendment 49, page 27, line 25, at end insert—

'(6) The Scottish Ministers may direct the Commissioner to omit from any report before publication any material whose publication the Scottish Ministers think—

(a) might jeopardise the safety of any person in Scotland, or

(b) might prejudice the investigation or prosecution of an offence under the law of Scotland.

(7) The Department of Justice in Northern Ireland may direct the Commissioner to omit from any report before publication any material whose publication the department thinks—

(a) might jeopardise the safety of any person in Northern Ireland, or

(b) might prejudice the investigation or prosecution of an offence under the law of Northern Ireland.

(9) If the Secretary of State, the Scottish Ministers or the Department of Justice in Northern Ireland lay before Parliament, the Scottish Parliament or the Northern Ireland Assembly a report made by the Commissioner under subsection (2)(a), they must lay the report as it is published by the Commissioner under subsection (4).".—*(Karen Bradley.)*

This amendment gives Scottish Ministers and the Department of Justice power to direct the removal from reports of material they think might jeopardise the safety of any person in Scotland / Northern Ireland, or prejudice the investigation or prosecution of an offence under the law of Scotland / Northern Ireland.

Clause 38

STRATEGIC PLANS AND ANNUAL REPORTS

Amendments made: 50, page 28, line 2, at end insert—

'( ) The Secretary of State must—

(a) before approving a strategic plan, consult the Scottish Ministers and the Department of Justice in Northern Ireland, and

(b) after approving a strategic plan, send a copy of the plan to the Scottish Ministers and the Department of Justice in Northern Ireland.".

This amendment places a duty on the Secretary of State to consult the Scottish Ministers and the Department of Justice in Northern Ireland before approving a strategic plan, and to send them a copy of the plan once it has been approved.

Amendment 51, page 28, line 4, after "State" insert

"the Scottish Ministers and the Department of Justice in Northern Ireland".

This amendment requires the Commissioner to submit the annual report to the Scottish Ministers and the Department of Justice in Northern Ireland, as well as the Secretary of State.

Amendment 52, page 28, line 17, at end insert—

'(9A) The Scottish Ministers must lay before the Scottish Parliament—

(a) any strategic plan the Secretary of State approves, and,

(b) any annual report they receive,

and must do so as soon as reasonably practicable after receiving the plan or the report.

(9B) The Department of Justice in Northern Ireland must lay before the Northern Ireland Assembly—

(a) any strategic plan the Secretary of State approves, and

(b) any annual report it receives,

and must do so as soon as reasonably practicable after receiving the plan or the report.

(9C) An annual report laid under any of subsections (9) to (9B) must not contain material removed from the report under any of subsections (10) to (12).".

This amendment requires the Scottish Ministers / Department of Justice to lay the Commissioner's strategic plans and annual reports before the Scottish Parliament / Northern Ireland Assembly as soon as reasonably practicable. An annual report must not contain information redacted under subsections (10) to (12) (amendment 56 inserts subsections (11) and (12)).

Amendment 53, page 28, line 18, leave out from beginning to "report" in line 19 and insert

"The Secretary of State may remove from an annual".

This amendment is consequential on amendment 52.

Amendment 54, page 28, line 22, after "person" insert "in England and Wales".

This amendment limits the Secretary of State's power to remove from an annual report before publication material whose publication the Secretary of State thinks might jeopardise the safety of any person, to a person in England and Wales.

Amendment 55, page 28, line 23, at end insert

"under the law of England and Wales".

This amendment limits the Secretary of State's power to remove from an annual report before publication material whose publication the Secretary of State thinks might prejudice the investigation or prosecution of an offence, to an offence under the law of England and Wales.

Amendment 56, page 28, line 23, at end insert—

'(11) The Scottish Ministers may remove from an annual report any material whose publication the Scottish Ministers think—

(a) might jeopardise the safety of any person in Scotland, or

(b) might prejudice the investigation or prosecution of an offence under the law of Scotland.

(12) The Department of Justice in Northern Ireland may remove from an annual report any material whose publication the department thinks—

(a) might jeopardise the safety of any person in Northern Ireland, or

(b) might prejudice the investigation or prosecution of an offence under the law of Northern Ireland.".—*(Karen Bradley.)*

This amendment gives Scottish Ministers and the Department of Justice power to remove from annual reports material they think might jeopardise the safety of any person in Scotland/Northern Ireland, or prejudice the investigation or prosecution of an offence under the law of Scotland/Northern Ireland.

Clause 39

DUTY TO CO-OPERATE WITH COMMISSIONER

Amendment made: 57, page 28, line 37, leave out from "made" to end of line 38 and insert

"for the purposes of this section.

'( ) The power to make regulations under subsection (5) is exercisable—

(a) in relation to a public authority having only functions which are exercisable in or as regards Scotland, by the Scottish Ministers,

(b) in relation to a public authority having only functions which are exercisable in or as regards Northern Ireland, by the Department of Justice in Northern Ireland, and

(c) in relation to any other public authority, by the Secretary of State.".—*(Karen Bradley.)*

This amendment provides powers for Scottish Ministers/the Department of Justice to specify public authorities who are required to cooperate with the Commissioner. They can only specify public authorities which solely have functions in or as regards Scotland/Northern Ireland. The Secretary of State may specify any other public authority.

Clause 43

CHILD TRAFFICKING ADVOCATES

Amendments made: 58, page 30, line 2, leave out "may make arrangements" and insert

"must make such arrangements as the Secretary of State considers reasonable".

This amendment places a duty on the Secretary of State to make arrangements that she considers reasonable to enable child trafficking advocates to be available for children who there is reason to believe may be victims of human trafficking. This duty is subject to the commencement procedures in amendment 69.

Amendment 59, page 30, line 20, at end insert—

'(4A) A person exercising the functions of a child trafficking advocate in relation to a child must act in the child's best interests.".—*(Karen Bradley.)*

This amendment places a duty on any person exercising the functions of a child trafficking advocate to act in the child's best interests.

Clause 47

INTERPRETATION

Amendment made: 60, page 32, leave out line 5.—*(Karen Bradley.)*

This amendment extends the definition of a "public authority" to mean any public authority in the UK within the meaning of section 6 of the Human Rights Act 1998 (other than a court or tribunal).

Clause 49

REGULATIONS

Amendments made: 61, page 32, line 18, after "regulations" insert

"made by the Secretary of State".

This amendment is consequential on amendment 57 and reflects the fact that the Bill now contains powers for the Secretary of State, Scottish Ministers and the Department of Justice in Northern Ireland to make secondary legislation.

Amendment 62, page 32, line 29, at end insert—

"() regulations under section (Transparency in supply chains etc)(2);".

This amendment specifies that regulations under subsection (2)(b) of New Clause NC11, which will specify the total turnover required for that clause to apply to a commercial organisation, will be subject to the affirmative resolution procedure.

Amendment 63, page 32, line 31, at end insert—

'( ) Regulations made by the Scottish Ministers under section 39 are subject to the negative procedure.

( ) The power of the Department of Justice in Northern Ireland to make regulations under section 39 is exercisable by statutory rule for the purposes of the Statutory Rules (Northern Ireland) Order 1979 (S.I. 1979/1573 (N.I. 12)).

( ) Regulations made by the Department of Justice in Northern Ireland under section 39 are subject to negative resolution (within the meaning of section 41(6) of the Interpretation (Northern Ireland) Act 1954 (c. 33 (N.I.))).".

This amendment is consequential on amendment 57 and specifies the relevant legislative procedure for secondary legislation made by the Scottish Ministers and the Department for Justice in Northern Ireland.

Amendment 64, page 32, line 32, leave out

"by the Secretary of State"—*(Karen Bradley.)*

This amendment is consequential on amendment 57.

Clause 51

EXTENT

Amendments made: 65, page 33, line 4, leave out "This Act extends" and

"insert Parts 1, 2 and 4 extend".

This amendment limits the Parts of the Bill that extend to England and Wales only to Parts 1 (offences), 2 (prevention orders) and 4 (protection of victims). This is subject to amendments generally having the same extent as the provision amended.

Amendment 66, page 33, line 4, at end insert—

'( ) Part 2A extends as follows—

(a) section (Enforcement powers in relation to ships) extends to England and Wales only;

(b) section (Enforcement powers in relation to ships: Scotland) extends to Scotland only;

(c) section (Enforcement powers in relation to ships: Northern Ireland) extends to Northern Ireland only;

(d) sections (Hot pursuit of ships in United Kingdom waters) and (Interpretation of Part 2A), and Schedule1, extend to England and Wales, Scotland and Northern Ireland."

This amendment provides for the extent of the new Part 2A.

Amendment 67, page 33, line 4, at end insert—

'( ) Parts 3, 4A and 5 extend to England and Wales, Scotland and Northern Ireland, subject to subsections (2) and (3)."—*(Karen Bradley.)*

This amendment provides that Parts 3 (Anti-slavery Commissioner), 4A (which is expected to consist of New Clause NC11) and 5 (final provisions) will extend to England and Wales, Scotland and Northern Ireland (subject to amendments generally having the same extent as the provision amended).

Clause 52

COMMENCEMENT

Amendments made: 68, page 33, line 23, at end insert—

'( ) Before making regulations bringing into force any of the provisions of Part 2A, the Secretary of State must consult—

(a) the Scottish Ministers, so far as the provisions extend to Scotland;

(b) the Department of Justice in Northern Ireland, so far as the provisions extend to Northern Ireland."

This amendment requires the Secretary of State to consult devolved administrations before commencing provisions of the new Part 2A that extend to those administrations.

Amendment 69, page 33, line 23, at end insert—

'(3A) The Secretary of State may not make regulations under subsection (1) bringing section 43(1) to (4A) (or any part of it) into force before the end of the period of 9 months beginning with the day on which this Act is passed.

(3B) After the end of that period—

(a) if a resolution is passed by each House of Parliament that section43(1) to (4A) (or any part of it) should come into force, the Secretary of State must make regulations under subsection (1) bringing into force that section (or that part of it);

(b) the Secretary of State may not make regulations under subsection (1) bringing into force section43(1) to (4A) (or any part of it) unless required to do so by paragraph (a).

(3C) Regulations made by virtue of subsection (3B)(a) must bring into force section 43(1) to (4A) (or the part of it specified in the resolutions) before the end of the period of one month beginning with the day on which the resolutions are passed (or, if they are passed on different days, the day on which the later of them is passed).'—*(Karen Bradley.)*

This amendment ensures that the Secretary of State must commence the duty to introduce child trafficking advocates in response to resolutions passed by both Houses of Parliament. These resolutions can only be passed after 9 months from Royal Assent, to give time for the child trafficking advocates trial to finish.

Schedule 1

ENFORCEMENT POWERS IN RELATION TO SHIPS

Amendments made: 70, page 34, line 5, after "This" insert "Part of this".

Amendment 71, page 34, line 5, after "by" insert

"English and Welsh constables and".

Amendment 72, page 34, line 6, at end insert

"and (Hot pursuit of ships in United Kingdom waters)(1)".

This amendment is consequential on the powers conferred under subsection (1) of New Clause [NC10].

Amendment 73, page 34, line 7, after "In" insert "this Part of".

Amendment 74, page 34, line 11, at beginning insert "Part of this".

Amendment 75, page 34, line 13, after "if" insert

"an English and Welsh constable or".

Amendment 76, page 34, line 19, after "The" insert "constable or".

Amendment 77, page 34, line 25, after "before" insert "a constable or".

Amendment 78, page 34, line 27, leave out "England and Wales" and insert "the United Kingdom".

This amendment reflects the fact that enforcement powers in relation to ships have been amended to have UK wide extent.

Amendment 79, page 34, line 29, after "State" insert "or relevant territory".

This amendment ensures that the Secretary of State can only give authority for a ship to be diverted to a port within a relevant territory where that relevant territory is willing to receive the ship.

Amendment 80, page 34, line 30, after first "the" insert "constable or".

Amendment 81, page 34, line 31, after first "the" insert "constable or enforcement".

Amendment 82, page 34, line 32, after "home state" insert "or relevant territory".

This amendment, together with amendments 83 and 84, is consequential on amendment 8.

Amendment 83, page 34, line 33, after "home state" insert "or relevant territory".

Amendment 84, page 34, line 33, after "State" insert "or relevant territory".

Amendment 85, page 34, line 34, after "The" insert "constable or".

Amendment 86, page 35, line 1, at beginning insert "A constable or".

Amendment 87, page 35, line 4, after "by" insert "a constable or".

Amendment 88, page 35, line 7, after "if" insert

"an English and Welsh constable or".

Amendment 89, page 35, line 13, after "The" insert "constable or".

Amendment 90, page 35, line 17, after "The" insert "constable or".

Amendment 91, page 35, line 23, after "authorise" insert "a constable or".

Amendment 92, page 35, line 26, after "(3)" insert "a constable or".

Amendment 93, page 35, line 30, after "the" insert "constable or enforcement".

Amendment 94, page 35, line 34, at beginning insert "constable or enforcement".

Amendment 95, page 35, line 42, after "if" insert

"an English and Welsh constable or".

Amendment 96, page 36, line 1, after "The" insert "constable or".

Amendment 97, page 36, line 2, at beginning insert "constable or".

Amendment 98, page 36, line 3, after "The" insert "constable or".

Amendment 99, page 36, line 4, after first "the" insert "constable or".

Amendment 100, page 36, line 5, after "the" insert "constable or".

Amendment 101, page 36, line 9, after "by" insert

"English and Welsh constables and".

Amendment 102, page 36, line 14, after first "of" insert "a constable or".

Amendment 103, page 36, line 15, after "the" insert "constable or".

Amendment 104, page 36, line 35, after "An" insert

"English and Welsh constable or an".

Amendment 105, page 36, line 38, after first "the" insert "constable or".

Amendment 106, page 36, line 38, after "this" insert "Part of this".

Amendment 107, page 36, line 39, after "accompanying" insert "a constable or".

Amendment 108, page 36, line 40, after "the" insert "constable's or".

Amendment 109, page 36, line 40, after "this" insert "Part of this".

Amendment 110, page 36, line 41, after "the" insert "constable's or".

Amendment 111, page 37, line 2, after "An" insert

"English and Welsh constable or an".

Amendment 112, page 37, line 3, leave out "the officer's".

Amendment 113, page 37, line 3, after "this" insert "Part of this".

Amendment 114, page 37, line 5, after "An" insert

"English and Welsh constable or an".

Amendment 115, page 37, line 5, after "the" insert "constable's or".

Amendment 116, page 37, line 7, after "of" insert "constables and enforcement".

Amendment 117, page 37, line 8, after "An" insert

"English and Welsh constable or an".

Amendment 118, page 37, line 9, leave out "the officer's".

Amendment 119, page 37, line 10, after "this" insert "Part of this".

Amendment 120, page 37, line 14, after "offence" insert

"under the law of England and Wales".

This amendment, together with amendment 128, limits the offence in paragraph 10 of Schedule 1 to England and Wales. There are corresponding offences in relation to Scotland and Northern Ireland (see paragraphs 18 and 28 of that Schedule, as inserted by amendment 129).

Amendment 121, page 37, line 15, after "obstructs" insert "a constable or".

Amendment 122, page 37, line 16, leave out "the officer's".

Amendment 123, page 37, line 16, after "this" insert "Part of this".

Amendment 124, page 37, line 18, after "by" insert "a constable or".

Amendment 125, page 37, line 20, at beginning insert "a constable or".

Amendment 126, page 37, line 20, leave out "the officer's".

Amendment 127, page 37, line 21, after "this" insert "Part of this".

Amendment 128, page 37, line 21, after "offence" insert

"under the law of England and Wales".

Amendment 129, page 37, line 26, at end insert—

Part 2

Scotland

Introductory

11 (1) This Part of this Schedule sets out the powers exercisable by Scottish constables and enforcement officers under sections (Enforcement powers in relation to ships: Scotland) and (Hot pursuit of ships in United Kingdom waters)(4).

(2) In this Part of this Schedule—

"items subject to legal privilege" has the same meaning as in Chapter 3 of Part 8 of the Proceeds of Crime Act 2002 (see section 412 of that Act);

"listed offence" has the meaning given by section (Enforcement powers in relation to ships: Scotland)(8);

"the ship" means the ship in relation to which the powers set out in this Part of this Schedule are exercised.

Power to stop, board, divert and detain

12 (1) This paragraph applies if a Scottish constable or an enforcement officer has reasonable grounds to suspect that—

(a) a listed offence is being, or has been, committed on the ship, or

(b) the ship is otherwise being used in connection with the commission of a listed offence.

(2) The constable or enforcement officer may—

(a) stop the ship;

(b) board the ship;

(c) require the ship to be taken to a port (in Scotland or elsewhere) and detained there.

(3) Except as provided by sub-paragraph (5), authority of the Secretary of State is required before a constable or an enforcement officer may exercise the power conferred by sub-paragraph (2)(c) to require the ship to be taken to a port outside the United Kingdom.

(4) Authority for the purposes of sub-paragraph (3) may be given only if the State or relevant territory in which the port is located is willing to receive the ship.

(5) If the constable or enforcement officer is acting under authority given for the purposes of section (Enforcement powers in relation to ships: Scotland)(5), the constable or officer may require the ship to be taken to—

(a) a port in the home state or relevant territory in question, or

(b) if the home state or relevant territory requests, any other State or relevant territory willing to receive the ship.

(6) The constable or enforcement officer may require the master of the ship, or any member of its crew, to take such action as is necessary for the purposes of sub-paragraph (2) or (5).

(7) A constable or an enforcement officer must give notice in writing to the master of any ship detained under this paragraph.

(8) The notice must state that the ship is to be detained until the notice is withdrawn by the giving of a further notice in writing signed by a constable or an enforcement officer.

Power to search and obtain information

13 (1) This paragraph applies if a Scottish constable or an enforcement officer has reasonable grounds to suspect that there is evidence on the ship (other than items subject to legal privilege) relating—

(a) to a listed offence, or

(b) to an offence that is connected with a listed offence.

(2) The constable or enforcement officer may search—

(a) the ship;

(b) anyone on the ship;

(c) anything on the ship (including cargo).

(3) The constable or enforcement officer may require a person on the ship to give information about himself or herself.

(4) The power to search conferred by sub-paragraph (2)—

(a) is only a power to search to the extent that it is reasonably required for the purpose of discovering evidence of the kind mentioned in sub-paragraph (1), and

(b) in the case of a search of a person, does not authorise a constable or an enforcement officer to require the person to remove any clothing in public other than an outer coat, jacket or gloves.

(5) In exercising a power conferred by sub-paragraph (2) or (3) a constable or an enforcement officer may—

(a) open any containers;

(b) require the production of documents, books or records relating to the ship or anything on it (but not including anything the constable or officer has reasonable grounds to believe to be an item subject to legal privilege);

(c) make photographs or copies of anything the production of which the constable or officer has power to require.

(6) The power in sub-paragraph (5)(b) to require the production of documents, books or records includes, in relation to documents, books or records kept in electronic form, power to require the provision of the documents, books or records in a form in which they are legible and can be taken away.

(7) Sub-paragraph (5) is without prejudice to the generality of the powers conferred by sub-paragraphs (2) and (3).

Power of arrest and seizure

14 (1) This paragraph applies if a Scottish constable or an enforcement officer has reasonable grounds to suspect that a listed offence has been, or is being, committed on the ship.

(2) The constable or enforcement officer may arrest without warrant anyone whom the constable or officer has reasonable grounds for suspecting to be guilty of the offence.

(3) The constable or enforcement officer may seize and detain anything found on the ship which appears to the constable or officer to be evidence of the offence (but not including anything that the constable or officer has reasonable grounds to believe to be an item subject to legal privilege).

Assistants

15 (1) A Scottish constable or an enforcement officer may—

(a) be accompanied by other persons, and

(b) take equipment or materials,

to assist the constable or officer in the exercise of powers under this Part of this Schedule.

(2) A person accompanying a constable or an enforcement officer under sub-paragraph (1) may perform any of the constable's or officer's functions under this Part of this Schedule, but only under the constable's or officer's supervision.

Reasonable force

16 A Scottish constable or an enforcement officer may use reasonable force, if necessary, in the performance of functions under this Part of this Schedule.

Evidence of authority

17 A Scottish constable or an enforcement officer must produce evidence of the constable's or officer's authority if asked to do so.

Offences

18 (1) A person commits an offence under the law of Scotland if the person—

(a) intentionally obstructs a constable or an enforcement officer in the performance of functions under this Part of this Schedule, or

(b) fails without reasonable excuse to comply with a requirement made by a constable or an enforcement officer in the performance of those functions.

(2) A person who provides information in response to a requirement made by a Scottish constable or an enforcement officer in the performance of functions under this Part of this Schedule commits an offence under the law of Scotland if—

(a) the information is false in a material particular, and the person either knows it is or is reckless as to whether it is, or

(b) the person intentionally fails to disclose any material particular.

(3) A person guilty of an offence under this paragraph is liable—

(a) on summary conviction, to a fine not exceeding the statutory maximum;

(b) on conviction on indictment, to a fine.

Part 3

Northern Ireland

Introductory

19 (1) This Part of this Schedule sets out the powers exercisable by Northern Ireland constables and enforcement officers under sections (Enforcement powers in relation to ships: Northern Ireland) and (Hot pursuit of ships in United Kingdom waters)(7).

(2) In this Part of this Schedule—

"items subject to legal privilege" has the same meaning as in the Police and Criminal Evidence (Northern Ireland) Order 1989 (1989/1341 (N.I. 12)) (see Article 12 of that Order);

"listed offence" has the meaning given by section (Enforcement powers in relation to ships: Northern Ireland)(9);

"the ship" means the ship in relation to which the powers set out in this Part of this Schedule are exercised.

Power to stop, board, divert and detain

20 (1) This paragraph applies if a Northern Ireland constable or an enforcement officer has reasonable grounds to suspect that—

(a) a listed offence is being, or has been, committed on the ship, or

(b) the ship is otherwise being used in connection with the commission of a listed offence.

(2) The constable or enforcement officer may—

(a) stop the ship;

(b) board the ship;

(c) require the ship to be taken to a port (in Northern Ireland or elsewhere) and detained there.

(3) Except as provided by sub-paragraph (5), authority of the Secretary of State is required before a constable or an enforcement officer may exercise the power conferred by sub-paragraph (2)(c) to require the ship to be taken to a port outside the United Kingdom.

(4) Authority for the purposes of sub-paragraph (3) may be given only if the State or relevant territory in which the port is located is willing to receive the ship.

(5) If the constable or enforcement officer is acting under authority given for the purposes of section (Enforcement powers in relation to ships: Northern Ireland)(6), the constable or officer may require the ship to be taken to—

(a) a port in the home state or relevant territory in question, or

(b) if the home state or relevant territory requests, any other State or relevant territory willing to receive the ship.

(6) The constable or enforcement officer may require the master of the ship, or any member of its crew, to take such action as is necessary for the purposes of sub-paragraph (2) or (5).

(7) A constable or an enforcement officer must give notice in writing to the master of any ship detained under this paragraph.

(8) The notice must state that the ship is to be detained until the notice is withdrawn by the giving of a further notice in writing signed by a constable or an enforcement officer.

Power to search and obtain information

21 (1) This paragraph applies if a Northern Ireland constable or an enforcement officer has reasonable grounds to suspect that there is evidence on the ship (other than items subject to legal privilege) relating—

(a) to a listed offence, or

(b) to an offence that is connected with a listed offence.

(2) The constable or enforcement officer may search—

(a) the ship;

(b) anyone on the ship;

(c) anything on the ship (including cargo).

(3) The constable or enforcement officer may require a person on the ship to give information about himself or herself or about anything on the ship.

(4) The power to search conferred by sub-paragraph (2)—

(a) is only a power to search to the extent that it is reasonably required for the purpose of discovering evidence of the kind mentioned in sub-paragraph (1), and

(b) in the case of a search of a person, does not authorise a constable or an enforcement officer to require the person to remove any clothing in public other than an outer coat, jacket or gloves.

(5) In exercising a power conferred by sub-paragraph (2) or (3) a constable or an enforcement officer may—

(a) open any containers;

(b) require the production of documents, books or records relating to the ship or anything on it (but not including anything the constable or officer has reasonable grounds to believe to be an item subject to legal privilege);

(c) make photographs or copies of anything the production of which the constable or officer has power to require.

(6) The power in sub-paragraph (5)(b) to require the production of documents, books or records includes, in relation to documents, books or records kept in electronic form, power to require the provision of the documents, books or records in a form in which they are legible and can be taken away.

(7) Sub-paragraph (5) is without prejudice to the generality of the powers conferred by sub-paragraphs (2) and (3).

Power of arrest and seizure

22 (1) This paragraph applies if a Northern Ireland constable or an enforcement officer has reasonable grounds to suspect that a listed offence has been, or is being, committed on the ship.

(2) The constable or enforcement officer may arrest without warrant anyone whom the constable or officer has reasonable grounds for suspecting to be guilty of the offence.

(3) The constable or enforcement officer may seize and detain anything found on the ship which appears to the constable or officer to be evidence of the offence (but not including anything that the constable or officer has reasonable grounds to believe to be an item subject to legal privilege).

Code of practice

23 (1) The Department of Justice in Northern Ireland must prepare and issue a code in respect of the practice to be followed by Northern Ireland constables and enforcement officers when arresting a person under the power conferred by paragraph 22.

(2) The code must in particular provide guidance as to the information to be given to the person at the time of arrest (whether about procedural rights or other matters).

(3) A failure of a constable or an enforcement officer to comply with any provision of the code does not of itself render the constable or officer liable to any criminal or civil proceedings.

(4) The code—

(a) is admissible in evidence in criminal and civil proceedings, and

(b) may be taken into account by a court or tribunal in any case in which it appears to the court or tribunal to be relevant.

(5) The Department of Justice may at any time revise the whole or any part of the code.

(6) The code, or any revision of the code, does not come into operation until the Department of Justice—

(a) lays a draft of the code, or revised code, before the Northern Ireland Assembly, and

(b) provides by order for the code, or revised code, to come into operation.

(7) An order bringing the code into operation may contain such transitional provisions or savings as appear to the Department of Justice to be necessary or expedient.

(8) An order under this paragraph is subject to negative resolution (within the meaning of section 41(6) of the Interpretation Act (Northern Ireland) 1954 (c. 33 (N.I.))).

(9) The power of the Department of Justice to make an order under this paragraph is exercisable by statutory rule for the purposes of the Statutory Rules (Northern Ireland) Order 1979 (S.I. 1979/1573 (N.I. 12)).

Assistants

24 (1) A Northern Ireland constable or an enforcement officer may—

(a) be accompanied by other persons, and

(b) take equipment or materials,

to assist the constable or officer in the exercise of powers under this Part of this Schedule.

(2) A person accompanying a constable or an enforcement officer under sub-paragraph (1) may perform any of the constable's or officer's functions under this Part of this Schedule, but only under the constable's or officer's supervision.

Reasonable force

25 A Northern Ireland constable or an enforcement officer may use reasonable force, if necessary, in the performance of functions under this Part of this Schedule.

Evidence of authority

26 A Northern Ireland constable or an enforcement officer must produce evidence of the constable's or officer's authority if asked to do so.

Protection of constables and enforcement officers

27 A Northern Ireland constable or an enforcement officer is not liable in any criminal or civil proceedings for anything done in the purported performance of functions under this Part of this Schedule if the court is satisfied that—

(a) the act was done in good faith, and

(b) there were reasonable grounds for doing it.

Offences

28 (1) A person commits an offence under the law of Northern Ireland if the person—

(a) intentionally obstructs a constable or an enforcement officer in the performance of functions under this Part of this Schedule, or

(b) fails without reasonable excuse to comply with a requirement made by a constable or an enforcement officer in the performance of those functions.

(2) A person who provides information in response to a requirement made by a Northern Ireland constable or an enforcement officer in the performance of functions under this Part of this Schedule commits an offence under the law of Northern Ireland if—

(a) the information is false in a material particular, and the person either knows it is or is reckless as to whether it is, or

(b) the person intentionally fails to disclose any material particular.

(3) A person guilty of an offence under this paragraph is liable—

(a) on summary conviction, to a fine not exceeding the statutory maximum;

(b) on conviction on indictment, to imprisonment for a term not exceeding 2 years or to a fine, or to both."—*(Karen Bradley.)*

This amendment inserts two new Parts into Schedule 1, setting out enforcement powers in relation to Scotland and Northern Ireland. These include powers to stop, board, divert and detain vessels, and powers relating to search, arrest and seizure.

Schedule 4

MINOR AND CONSEQUENTIAL AMENDMENTS

Amendment made: 130, page 50, leave out line 10 and insert—

'(1) The Prevention of Social Housing Fraud Act 2013 is amended as follows.

(2) In section 4(12)(d) (application of Powers of Criminal Courts (Sentencing) Act 2000 to unlawful profit orders)—

(a) for the words from "133(3)(c)" to "confiscation order or" substitute "133(3)(c)(ii) to an unlawful profit order under section 4 were to";

(b) omit the second "(or both)".

(3) In the Schedule".—*(Karen Bradley.)*

This amendment is consequential on the changes to section 133(3)(c) of the Powers of Criminal Courts (Sentencing) Act 2000 made by paragraph 13 of Schedule 4.

Amendment made: 131, title, line 2 after "an" insert "Independent".—*(Karen Bradley.)*

This amendment is consequential on amendment 3.

New Clause 1

ENABLING PROVISION TO ENABLE THE GANGMASTERS LICENSING AUTHORITY TO TACKLE MODERN DAY SLAVERY

(1) The Secretary of State may by order amend section 3 of the Gangmasters (Licensing) Act 2004 to include other areas of work where the Secretary of State believes abuse and exploitation of workers or modern slavery or trafficking may be taking place.

(2) An order under subsection (1) may not be made unless a draft of the Statutory Instrument containing it has been laid before each House of Parliament and been approved by a resolution in each House."—*(Mr Hanson.)*

Brought up, and read the First time.

Mr David Hanson (Delyn) (Lab): I beg to move, That the clause be read a Second time.

Madam Deputy Speaker (Dame Dawn Primarolo): With this it will be convenient to discuss the following:

New clause 16—*Accommodation operated by gangmasters*—

'(1) The Secretary of State shall within one year of this Act being passed bring forward regulations to require gangmasters providing, or soliciting a third party to provide, accommodation to a worker to—

(a) agree and keep of a copy of a tenancy agreement with the worker;

(b) provide and keep copies of receipts for any rent paid by the worker to them; and

(c) keep a rent book recording rent due and paid.

(2) In section 7 of the Gangmaster (Licensing) Act 2004 after subsection (5) insert—

"(6) It shall be a condition of holding a license under this section that the gangmaster provide on request to the Authority or a local authority the documents required under regulations made under section (Accommodation operated by Gangmasters) of the Modern Slavery Act 2014."

(3) The Authority and police shall have the right of inspection of tenancy agreements held by letting agencies where there are reasonable grounds to suspect a number of properties are let or sub-let by the same individual to multiple workers."

New clause 17—*Gangmasters: offences, financial transactions*—

In the Gangmaster Licensing Act 2004 after section 13 (Offences: payments to or by gangmasters) insert—

"13A Offences: gangmasters, financial transactions

(1) This section applies to a person who is acting as a gangmaster in respect of a worker ("W").

(2) The person commits an offence if whilst acting as set out in subsection (1) they make a payment to W that is not made either—

(a) by a cheque which under section 81A of the Bills of Exchange Act 1882 is not transferable, or

(b) by an electronic transfer of funds (authorised by credit or debit card or otherwise), or

(3) The person commits an offence if—

(a) whilst making a payment to W in respect of work they do not keep a record of the payment and the hours worked for which the payment is due, or

(b) if they do not produce such a record when required to by either the Gangmasters Licensing Authority or the police.

(4) The Secretary of State may by regulations amend subsection (2) to permit other methods of payment.

(5) In this section making a payment includes payment in kind (with goods or services).

(6) If a gangmaster pays a worker in breach of subsection (2), each of the following is guilty of an offence—

(a) the gangmaster;

(b) if the payment is made with the knowledge of the person to whom the gangmaster is supplying W, that person; and

(c) any person who makes the payment acting for the gangmaster.

(7) It is a defence for a person within subsection (4)(a) or (b) who is charged with an offence under this section to prove that the person—

(a) made arrangements to ensure that the payment was not made in breach of subsection (1), and

(b) took all reasonable steps to ensure that those arrangements were complied with.

(8) A person guilty of an offence under this section is liable on summary conviction to a fine not exceeding level 5 on the standard scale."

New clause 18—*Provision of fixed penalty notices for gangmasters*—

'(1) The Gangmasters (Licensing) Act 2004 is amended as follows.

(2) In section 12 (Offences: acting as a gangmaster, being in possession of false documents etc.) after subsection (4) insert—

"(4A) The Secretary of State may by regulations make provision for fixed monetary penalties to be applied for an offence under this Act where—

(a) the offence is of a lower level of severity, and

(b) slavery, servitude and forced or compulsory labour is not a contributory factor in the offence.

(4B) Regulations made under subsection (4A) shall be made by statutory instrument and may not be made unless laid before in draft and agreed by both Houses of Parliament.""

New clause 19—*Investigation of modern slavery offences by Gangmasters Licensing Authority*—

'(1) In section 1 (The Gangmasters Licensing Authority) after "holding licences under this Act," insert—

"(c) investigate offences under section 1 of the Modern Slavery Act 2014, and related offences of fraud, where those offences involve gangmasters,

(d) investigate offences under section 1 of the Modern Slavery Act 2014, and related offences of fraud, where those offences are alleged to have been committed by a person licensed under this Act, whether or not the offence was committed in their capacity as a gangmaster,"

(2) The Secretary of State may by regulations confer powers on the Gangmasters Licensing Authority in order to investigate offences under this Act.

(3) Regulations under subsection (2) shall include provision to require financial institutions to disclose details of financial holdings to the Gangmasters Licensing Authority or the police in pursuit of an investigation of an offence under this Act.

(4) Regulations under this section shall be made by statutory instrument and may not be made unless they have been laid before in draft, and approved by, both Houses of Parliament."

New clause 2—*Protection from slavery from overseas domestic workers*—

'(1) All overseas and domestic workers, including those working for staff of diplomatic missions, shall be entitled to—

(a) change their employer (but not work sector) while in the United Kingdom;

(b) renew their domestic worker or diplomatic domestic worker visa for a period up to 12 months as long as they remain in employment and are able to support themselves adequately without recourse to public funds; and

(c) a three month temporary visa permitting them to live in the United Kingdom for the purposes of seeking alternative employment as an overseas domestic worker where there is evidence that the worker has been a victim of modern slavery."

New clause 6—*Procuring sex for payment*—

'(1) A person commits an offence under this section if he or she procures sexual intercourse or any other sexual act, whether for himself or for another person, in return for payment.

(2) A "payment" includes—

(a) payment that is promised or is given or promised by another person; and

(b) provision of non-financial benefits, including, but not limited to, drugs or alcohol."

New clause 7—*Strategy on assistance and support for exiting prostitution*—

The Secretary of State shall, at least once in every year, publish a strategy to ensure that a programmes of assistance and support is made available to a person who wishes to leave prostitution."

New clause 22—*Prostitution and sexual exploitation*—

'(1) The Secretary of State must undertake a review of the links between prostitution and human trafficking and sexual exploitation in England and Wales.

(2) The review under subsection (1) must consider—

(a) the extent to which the current legislation governing prostitution in England and Wales acts as an effective deterrent to demand for sexual services from exploited persons;

(b) the extent to which the current legislation governing prostitution in England and Wales enables effective enforcement action against those trafficking people for sexual exploitation; and

(c) the extent to which alternative legal frameworks for governing prostitution adopted by other countries within the European Union, including Northern Ireland, have been effective at reducing sexual exploitation and the number of people trafficked for the purpose of sexual exploitation.

(3) The review under subsection (1) must be completed and a copy must be laid before Parliament within six months of Royal Assent."

New clause 23—*Consultation on prostitution, sexual exploitation and trafficking*—

'(1) The Secretary of State must initiate a statutory consultation on the introduction of legislation prohibiting the procurement of sex for payment.

(2) The consultation in subsection (1) must seek to ascertain the degree to which the prohibition of sex for payment would—

(a) reduce the number of people sexually exploited in England and Wales;

(b) reduce demand for sexual services from sexually exploited persons in England and Wales;

(c) reduce the number of people trafficked into England and Wales for the purposes of sexual exploitation.

(3) In undertaking the consultation in subsection (1) the Secretary of State must—

(a) seek the views of those who work with trafficked and exploited persons in England and Wales;

(b) seek the views of the Director of Public Prosecutions and the Association of Chief Police Officers; and

(c) allow submissions from members of the public.

(4) The consultation must be completed and a summary of the results laid before Parliament within six months of the date of Royal Assent."

Amendment 1, page 45, line 21, at end insert—

"Street Offences Act 1959

'(10) Omit section 1"

Mr Hanson: New clause 1 and the other amendments in this group address a wide range of issues that are linked by the terminology of exploitation but cover different aspects of concern. They include my suggestions on gangmasters; comments and suggestions on the same topic by the hon. Member for North East Cambridgeshire (Stephen Barclay); how we deal with overseas domestic workers; and a wide ranging group of amendments on how we deal with the sensitive, difficult and challenging issue of prostitution. I will cover a number of issues, and I hope I do justice to them and set out the official Opposition's position.

New clause 1 revisits an issue that we discussed intensely in Committee: the role of the Gangmasters Licensing Authority. We considered a number of things to do with extending the role of that authority, and in the light of those discussions the new clause simply establishes that

"The Secretary of State may by order amend section 3 of the Gangmasters (Licensing) Act 2004"

to include other areas of work should a future Secretary of State determine that exploitation, modern slavery or trafficking was taking place. It gives the Secretary of State power to do that by order, rather than having to introduce new legislation.

Karen Lumley (Redditch) (Con): Does the right hon. Gentleman recall that in Committee the Minister said that she would continue to keep the GLA's remit under review to ensure that it met the needs of the modern slavery strategy? Does he think that was a reasonable comment to have made?

Mr Hanson: The Minister said:

"The case has not been made for extending the GLA's remit at this stage beyond the core areas the Act sought to address."—[*Official Report, Modern Slavery Public Bill Committee,* 14 October 2014; c. 480.]

She has recently undertaken a review into gangmasters legislation, and determined that there should be no extension of its remit. I am saying—I hope the hon. Member for Redditch (Karen Lumley) will take heed of this—that new clause 1 simply gives power to the Secretary of State to extend that remit, should they seek to do so. Were I to be Minister in a few months' time, I would want to consider extending the scope of the gangmasters

[Mr Hanson]

legislation because widespread views from trade unions, charities and academics suggest that many people are underpaid or exploited in areas not covered by current legislation.

Mr David Nuttall (Bury North) (Con): As I understand it—forgive me if I have the wrong end of the stick—new clause 1 is simply to make it easier should a future Minister determine that it is necessary to widen the scope of section 3 of the 2004 Act. Will the shadow Minister give the House some indication as to what difference that would make in terms of time scale and bringing forward that legislation?

4.30 pm

Mr Hanson: I will address the hon. Gentleman's points in the course of my remarks.

You will know, Madam Deputy Speaker, that my hon. Friend the Member for Paisley and Renfrewshire North (Jim Sheridan) introduced legislation on gangmasters in 2004. I pay tribute to him, because that is effective legislation. It has protected workers in three key sectors—agriculture, shellfish collection and horticulture. It has done something all hon. Members should be proud of: it has driven out poor standards, protected work forces, and ensured that we do not undercut legitimate workers in those sectors.

My argument in new clause 1 is that we should give the power to the Secretary of State to extend that. Following the Government's triennial review, they said:

"There is no change to the remit or funding of the agency",

yet there is ample evidence that the agency should have its work extended, particularly following the Joint Committee on the Draft Modern Slavery Bill, on which a number of hon. Members present in the House served. The Committee considered a number of issues in detail, including the role of the Gangmasters Licensing Authority. In paragraph 189 of its report, the Committee states:

"There was consensus from our witnesses over the excellent reputation of the GLA…the GLA has been held in high regard as an example of good practice."

In paragraph 190, it states:

"We heard from the Authority itself that there are limitations to what the GLA can currently do. Its Chief Executive, Paul Broadbent, told us that the GLA's underpinning legislation was 'good up to a point', but did not provide for the GLA to carry out what he described as 'hot pursuit'".

The Committee said:

"Several witnesses made the case for widening the industrial remit of the GLA to other sectors where forced labour is prevalent",

and that:

"The weight of evidence we received suggested that expanding the GLA's powers and industrial remit would yield positive results."

The Committee was comprised of Members of both Houses from all parties, but the TUC report, "Hard Work, Hidden Lives" concluded:

"The GLA needs to be extended to hospitality, construction and catering as these are usually small businesses that are open to abuse."

Oxfam, which hon. Members will agree is a well-respected charity, has said:

"Gangmasters have diversified into sectors beyond the reach of the GLA where there is less regulation of labour standards."

It concluded that

"the GLA's remit must immediately be extended to the sectors of construction, hospitality, and…care".

Stephen Barclay: When breaches by a gangmaster operating in a regulated sector such as agriculture are found by the GLA, would it be reasonable to assume that that same gangmaster operating in the hospitality sector is carrying out the same abuses, which therefore deserve to be investigated?

Mr Hanson: The hon. Gentleman puts his finger on the point the Opposition made in Committee. Gangmasters are diversifying. They are moving into horticulture, catering and the care homes sector. I do not want to ruin his reputation, but the amendments he has tabled have the Opposition's support, because he has indicated that measures can be taken to tighten up how we operate the current gangmaster legislation.

In his original Bill, my hon. Friend the Member for Paisley and Renfrewshire North sought to protect people who are exploited, but such legislation is also about supporting legitimate businesses working in those sectors who find themselves being undercut by people who are operating sharp practices. What is good for the horticulture, agriculture or shellfish collection sectors should be good for other sectors, such as care homes and construction. New clause 1 does not specify that, but simply says that the Minister has the power to extend legislation. I hope we can give her the power and make the case, both up to the election and I hope in my case beyond it, for introducing changes to improve how the legislation operates.

Stephen Barclay: One reason why the Government have resisted such a measure is the view of the Secretary of State for Defence, who, as a Minister in the Department for Business, Innovation and Skills felt that we would be adding additional red tape. Aside from the fact that targeting criminals who abuse people is not the sort of problem on which the deregulation challenge should focus, does the right hon. Gentleman agree that going after those people is not red tape, because many of the large businesses would welcome the fact that they are not being undercut by those abusing the market?

Mr Hanson: The hon. Gentleman sits on the Government Benches, so I am not sure it is in order for us to agree again. The British Retail Consortium supported our proposals in Committee. This is not some kind of mystical issue; this will help to protect the work force, stop undercutting and protect legitimate businesses working in specific areas. What is good for the three sectors currently covered should be good for others too.

I do not just pray in aid Oxfam, the TUC and the Joint Committee. The Joseph Rowntree Foundation said:

"Many have called for extending the authority…of the GLA to cover all industries where there is known risk of exploitation and forced labour associated with labour providers. The evidence from the JRF's programme points to the same recommendation."

In Committee, I prayed in aid Andrew Boff, who is not a member of my party but the Mayor of London's representative and deputy. In a report on slavery in London, he recommended strongly the extension of gangmaster legislation. That is very important, because we need to send a very strong signal on exploitation.

An answer to a recent parliamentary question revealed that the number of criminal investigations under the current gangmaster legislation has dropped from a high point of 134 in 2011, to 76 in 2013 and 65 to date in 2014. This information has come to light since the Public Bill Committee last sat. The Minister said in Committee that this was a growing problem. I would welcome her view on why the number of investigations into gangmaster activity has dropped over the four-year period.

The National Crime Agency, the general secretary of the Union of Construction, Allied Trades and Technicians, the Serious Organised Crime Agency, the leader of the Conservative group on the London Assembly, the Joseph Rowntree Foundation, the British Retail Consortium and the Ethical Trading Initiative have all said we should consider extending gangmaster legislation. New clause 1 would give the Minister the chance to do that speedily. I pressed her on this in and outside Committee. With due respect to her talent as a Minister, I do not think she has made an effective case for why we cannot extend it to the areas suggested by me and the hon. Member for North East Cambridgeshire.

I think there is a general consensus outside the House that exploitation is exploitation, be it in relation to shellfish or care work. We therefore need to look at this in an effective way. This is not, dare I say, a fly-by-night issue for the hon. Gentleman. He has pursued it over many months. His amendments do not deal directly with the matters addressed in new clause 1, but we sat on a Bill some time ago in the mists of this Parliament and he raised the same issues then. He has a real opportunity to ensure that his amendments enhance the 2004 legislation and build on the work of my hon. Friend the Member for Paisley and Renfrewshire North. He has our support, and if he wants to use that on his election address in due course I am sure that will be even better for him.

New clause 2 addresses protection from slavery for overseas domestic workers. The previous Government put in place a regime for migrant domestic workers who accompanied employers to the UK. The current Government changed the regime in April 2012. Overseas domestic worker visa holders are now tied to their original employer and the visa is not renewable beyond its initial six-month duration. We have had two-and-a-half years of the new regime since April 2012, and there is real concern that it has been detrimental to domestic workers and is causing real challenges in the system that need to be considered.

That is my view—I am open and honest about it—but it is shared by the Joint Committee that scrutinised the Bill, including Members in their places today who supported recommendations on a cross-party basis. Andrew Boff, the Conservative leader of the London assembly, is of that view, too. In his report on human trafficking, he said:

> "I don't think it intends to be, but the Government is actually licensing modern-day slavery… through their changes to tie a visa to an employer."

There is cross-party support for the Government to review the issues covered by new clause 2. In agreement are a Joint Committee of both Houses of Parliament, comprising and dominated by Government members, the leader of the Conservative group on the London assembly, along with many organisations interested in this topic from outside the House—notably Kalayaan, which carried out a study on the impact of the Government's proposals.

Kalayaan has thrown up some really concerning figures. Between 6 April 2012 and 3 April 2014, 402 migrant domestic workers registered with Kalayaan. Of those, 120 were tied to their employers and 282 had entered the UK prior to April 2012. There was a real difference between the way in which these groups were treated. The Minister said in Committee that it was a "small sample". Yes, it is, but if that sample shows that 62% of overseas domestic workers on tied visas report being paid no salary at all, and if 85% of those on tied visas are not given their own room to sleep in, with 86% saying that their passports have been taken off them by their employers, 96% not allowed to leave the house unsupervised, 74% reporting having suffered psychological abuse and 95% paid less than £100 a week, the size of the sample is not the crucial thing. Whatever the size of the sample, real and difficult challenges are evident, and they can be traced back to the change in the granting of these visas in 2012.

The Joint Committee recommended in its draft Bill that we return to the position of April 2012—prior to the changes the Government made. That proposal was put in Committee, and there was a tie with nine votes to nine votes. Members of the governing party voted with other members of the Committee; some Members did not, which was their choice; some Members supported the draft Bill's recommendations and voted against them in Committee, which was their choice. I believe, however, that there is a real consensus on ensuring that this issue is looked at in the other place. I hope the Government will consider it further. New clause 2 provides an opportunity to do so.

Let me move on from new clauses 1 and 2 to the other contentious and wide-ranging issue suggested by this group of amendments. My hon. Friend the Member for Slough (Fiona Mactaggart) raised this initially in Committee—the issues of how to deal with sex workers and prostitution and of how prostitution should be dealt with by society as a whole. My hon. Friend will undoubtedly speak to her new clauses. MPs do not need to look far into their inboxes to realise that a range of views are being expressed, including by the all-party group chaired by my hon. Friend the Member for Luton South (Gavin Shuker). My hon. Friend the Member for Hayes and Harlington (John McDonnell) has also filtered through a range of issues for Members to consider. People have different views about how to deal with this.

Let me put it on the record from the outset, however, that all the different views focus on the fact that there are around 80,000 people, mainly women and girls, involved in prostitution today. Nobody can deny that many of these workers carry out this work voluntarily, yet a lot of them are involved in sexual slavery, having got here through different routes. They are often pimped by people they know and can be trafficked by organised gangs. They are often extremely vulnerable, having been abused in the past. About 95% of women in street prostitution have problematic drug use; over half of women involved in prostitution in the UK have been raped and/or sexually assaulted; and the vast majority of those assaults are committed by people who have purchased sex from them.

[Mr Hanson]

According to recent statistics, there has been a recent and rapid increase in the number of non-British women selling sex on street in a significant number of London boroughs. There are real concerns about trafficked women being exploited in on-street as well as off-street prostitution and about the fact that this exploitation is now being controlled and organised by criminal gangs. This is a real issue that the House needs to address.

A number of solutions have been proposed. The Nordic model, which is effectively the basis of the proposals from my hon. Friend the Member for Slough, looks at how we diminish street prostitution—particularly by making it an offence for people to buy sex. One argument put forward is that street prostitution has diminished by half and that the number of brothel businesses is also diminishing, or certainly has not increased. There is evidence of the flow of human trafficking having been slowed in Sweden because of that. In Norway there is evidence that that is contributing to the reduction in demand for and volume of prostitution. But we do not have to look far into our email inboxes to know that there are very strong views from people involved in the trade that that potential model and others could lead to further violence against those who are involved in the industry and/or to driving prostitution underground.

The Opposition have tabled new clause 22, which seeks to place upon the Government a legal responsibility to undertake a review of these issues in detail. We are seeking to deal with this matter effectively. We have said that within six months of Royal Assent the Government should look at all the discussion points that are before us today. The review would investigate the extent to which current legislation governing prostitution in England and Wales acts as an effective deterrent to demand for sexual services from exploited persons. It would look at the extent to which current legislation governing prostitution in England and Wales enables effective enforcement action against trafficking people and sexual exploitation, and at the very points made by my hon. Friend the Member for Slough in her amendments today: the legal frameworks for governing prostitution adopted by other countries within the EU, including Northern Ireland. The review would look at the examples of Sweden and of Norway to help inform the debate.

All of us will have different experiences in our constituencies about the impact and challenges of this problem and I am not intending to come to conclusions today. The purpose of new clause 22, effectively, is to give a spur to a wider discussion on the topic. I hope that the Minister can look at it in that way because there are strong views on how we deal with the issue. It is important to have a proper debate.

John McDonnell (Hayes and Harlington) (Lab): I just want absolute clarity. The review in new clause 22, which I support, is a review before legislation, not after, so I am somewhat confused by subsection (3).

Mr Hanson: The review, under subsection (1), is to be completed and a copy laid before Parliament within six months of Royal Assent to this Bill.

John McDonnell: This Bill?

Mr Hanson: This Bill. The purpose is to lay a legally binding commitment upon the Minister to produce a report that takes account of whatever views are expressed in the debate today, but also of the views of the all-party group of my hon. Friend the Member for Luton South, of my hon. Friend the Member for Slough and of the points raised by my hon. Friend the Member for Hayes and Harlington (John McDonnell) in many emails. The real issue is how this House approaches the issue of prostitution. Now is the time for a review of the legislation.

4.45 pm

Mr Burrowes: The right hon. Gentleman was a Minister and may well have been involved in introducing in 2009 the criminalising of the purchase of sex from someone subjected to force. Evidence suggests that that has not been particularly effective. Will the right hon. Gentleman comment on that and on whether the evidence from it takes us any further?

Mr Hanson: As ever, having had a ministerial career in the last Government, I have form on these issues. In 2008-09, when I was the Minister, my hon. Friend the Member for Slough presented proposals in Committee that were similar to those that she has presented on this occasion, and the Government did not accept them. We look and we learn, and a new issue is now evolving. I think it fair to say that there is a greater involvement of criminal gangs in trafficking people for prostitution than there has ever been before.

The purpose of our new clause is simply to make the Secretary of State legally responsible for producing a review within six months. Six months from Royal Assent will mean something between the middle and the end of next year. The evidence enabling the next incoming Government to make judgments will already have been gathered, so that they—not me, and not the present Minister—can make those judgments on the basis of a full review.

Steve McCabe (Birmingham, Selly Oak) (Lab): If my right hon. Friend had had Home Office evidence that this trade was worth £130 million a year when he was a Minister at the Home Office, would that have changed his view of the proposals that were being presented?

Mr Hanson: I do not think that we made a financial assessment of the value of the trade when I was a Minister. I know that it is being discussed currently, as part of other discussions relating to the Treasury's contributions to Europe.

I do not want to be diverted, because we have only a short time available. I have tried to compress the material for a long series of debates into a fairly short contribution. Let me now sum up that contribution. New clause 22 concerns a review, and it commits the Government to nothing other than that review. There is a real case for extending the gangmaster legislation; new clause 1 simply gives the Secretary of State the power to do that, which I hope she will welcome. I was pleased to hear the comments of the hon. Member for North East Cambridgeshire (Stephen Barclay). I think it important for us to revert to the April 2012 position in regard to overseas domestic workers for a number of reasons. I also think it important to stimulate a debate on the issues of prostitution and

sexual exploitation, without reaching any conclusions yet, and that has been possible today through new clause 22.

I commend all three of our new clauses to the Minister. I hope that she will be able to deliver a positive response, but—as ever, Mr Speaker, you will have expected me to say this—in the event of her not doing so, I should like at least to reflect on the possibility of testing the House's opinion in due course.

Stephen Barclay: I want to develop the theme of how we can make prosecution and enforcement quicker and easier. I am aware that a number of Members who wanted to speak earlier have not yet been able to do so, and I shall therefore keep my remarks short.

I want to speak about new clauses 16, 17, 18 and 19. Let me begin with new clause 16. At present, it is very difficult for police in areas such as Wisbech in my constituency to identify houses in multiple occupation. The presence of 20-odd people in a two-storey house often does not meet the legal definition of an HMO. One of the ways in which we can make life easier for the local police is to give them clearer powers and rights to inspect letting agencies, and require gangmasters to keep records in the form of rent books and tenancy agreements. At present, when there is a breach of a tenancy agreement, it falls to the tenant to bring a private prosecution. How realistic is that? How realistic is it to expect someone who has been trafficked, who does not speak English and who does not understand the law to bring a private prosecution against his landlord?

We need to make it quicker, easier and therefore cheaper for the police to identify concentrations of HMOs. They need to be able to go into those houses, establish whether the law relating to, for instance, rent books is being adhered to, and take action if necessary. That will necessitate rights of access to the records of letting agents, and a requirement that the Gangmasters Licensing Authority can then use for leverage in relation to gangmasters.

New clause 17 seeks to build on the lessons this House can learn from scrap metal merchants being forbidden from taking cash payments and asks how we can create an audit trail for financial investigators in terms of the known abuse around the minimum wage legislation and the way people are being paid. At present wage slips will often simply show that someone was on for one day—it could have been seven hours, it could have been 12 hours—and when payments are made, they are made in cash. Straight away, deductions are taken for accommodation and for vehicles, so the abused worker never actually receives that money. Often they are told when they come into the country that they are not allowed a bank account. Obviously that is erroneous information, but they do not know otherwise. New clause 17 therefore addresses how we can make it easier for the police to follow the money—follow that audit trail—so that once money goes into an account, it is with the worker and it becomes harder for the rogue gangmaster to deduct it at source, which is what currently happens.

New clause 18's provision is, I fear, almost a well-worn theme. I had a debate on it in Westminster Hall in 2012 and 2013. The measure was being blocked by the Department for Business, Innovation and Skills, although I was told privately that the Department for Environment, Food and Rural Affairs was supporting it. The reality is that the Gangmasters Licensing Authority does not have the full range of tools available. It has draconian penalties available in terms of criminal sanctions, but they are almost never used because the standard of proof is high and the amount of time required is extensive.

To put this in context, do Members know how many inspectors the GLA currently has? It has 35 for the whole country. There is one covering the whole of Cambridgeshire and Lincolnshire. An inspector could spend their entire time just driving around my constituency, never mind the rest of the county and the two counties combined. The LGA has 35 inspectors and a budget of £4 million. We need only think about how much a supermarket makes in a week to see how well resourced the GLA is.

Mr Nuttall: Not Tesco.

Stephen Barclay: Tesco has some serious questions to answer in terms of its supply chain and the way some of its operations have been conducted. I do not want to return to the earlier debate, but if one looks at some of the difficulties Tesco is having in terms of its profit warnings, one wonders how accurate some of its statements on its website might be, especially given its statements on other areas.

My point is we need to make it easier for the GLA, at a time when it is resource-constrained, to take enforcement action. One of those ways is to hit rogue gangmasters in the pocket, through civil fines. There is a lower evidential requirement for that and it is quicker and cheaper, and we should be facilitating that. I hope the move of the GLA from DEFRA into the Home Office gives more clout within Whitehall for this long-overdue change.

New clause 19 addresses what happens when a gangmaster is found abusing workers in one sector. The shadow Minister touched on that in his opening remarks. It is illogical that where someone is operating in one sector or industry illegally, we seem to assume that that sinner is suddenly a saint in another sector. The additional costs of the extra 1 million temporary workers currently within the unregulated sector would place a huge burden on the GLA, so I am sympathetic to the Minister in terms of the constraints on extending into the unregulated sector, but we need to make that easier. Where a gangmaster has been shown to be rogue in one sector, that is the gateway through which we can make a foray into the unregulated activity of that specific gangmaster, not of the whole unregulated industry.

This is a very good Bill that will make a huge difference in constituencies such as mine and it signals the Government's intent in this area. When the Minister responds, I hope she will consider the operational difficulties faced by the police and the GLA in particular, and bring forward measures that make their job easier, quicker and cheaper, and therefore more likely to be achieved.

Fiona Mactaggart (Slough) (Lab): I rise to speak to new clauses 6 and 7 and amendment 1, which have been tabled in my name. In doing so, I want to focus on an issue that is the driver for a great deal of the exploitation and human trafficking in Britain today. Before I do that, however, I want to thank the Minister for her

[Fiona Mactaggart]

relatively helpful letter on the issue of domestic servitude, which is one of the matters being addressed in the Bill. I drew to her attention the case of a young woman who had been forced to use employment law in order to be paid. I remain shocked that the police did not take notice of that case or prosecute her exploiter. The reality is that domestic servitude does not, on the whole, involve big organised gangs, although they are often the ones that bring the people to the UK in the first place. It is within domestic settings that people are grotesquely abused, and unless we help those victims to help themselves, as the new clause proposed by my right hon. Friend the Member for Delyn (Mr Hanson) would do, we will continue to see an increase in that kind of trafficking.

5 pm

The main reason that I am on my feet is that I have tabled two new clauses and an amendment on prostitution. The real experience of prostituted women—it is overwhelmingly women who are affected—is that they are the target of police action against prostitution. Most of them started as children, and they have often been groomed into prostitution by exploitative gangs, by pimps or by people who are trying to up the profits of their drug dealing.

The statistics are intensely disputed. Frankly, I believe that, on this issue, what people get out of their research is what they believed when they went into it. However, there are a number of facts that no one disputes. First, prostituted women are much more likely to be raped than other women. Something like 75% of women in street prostitution in London report having been raped. Secondly, nobody disputes the fact that prostituted women are much more likely to be murdered than other women. Some studies suggest that a prostituted woman runs a 40 times greater risk of being murdered, usually by a client, than a woman of a similar age in another profession.

Let us be clear: this is not about a choice of career. I have yet to meet the girl who wants to grow up to be a prostitute or the mother who looks forward to her daughter's future as a prostitute. I do not believe that we should call it sex work; it is exploitation. Across the House, we should be working to reduce this form of exploitation. The national referral mechanism shows that, of all the people that it found in trafficking and modern slavery, 40% of those victims were in prostitution, as were 60% of all the women involved.

This is a serious issue and it needs to be dealt with. So how are we going to deal with it? What works? Does legalising prostitution work? Are there models that show that prostitution can be wonderfully regulated and hugely safe? People cite the decriminalised model in New Zealand, yet there are still reports of massive numbers of rapes and violence against prostituted women there. Prostitution is legal in the Netherlands and Germany, yet it is at record levels in those countries and involves grotesque exploitation. Germany has 10 times as many prostituted women as Sweden, per head of population. Clearly, that way is not working. It is striking how many countries have been convinced—as I have—that Sweden's way is the best that has been found so far. That is what I have tried to do in my new clauses. They aim to prosecute the men who seek to purchase sex; to stop prosecuting the women who are soliciting—there are other offences on women and I hope that if these proposals get through, the other place would remove the other ways in which prostituted women are the target of policing; and to ask the Home Office to support women who want to exit prostitution.

I am involved in a charity that provides housing for formerly prostituted women who are trying to leave prostitution, and I remember a letter that we received from one of our tenants. It said, "This is the first time in my life that I have control over who comes through my front door." Until then her life had always been run by other people; she had had to service men and had no control over her life, and that is overwhelmingly the experience of women in prostitution. I sought to change that through the change I conceded to in the Policing and Crime Act 2009, where an amendment said that women were subject to exploitation if a man sought to pay for sexual services from them and he would be committing an offence. In the first year of that being law there were 49 prosecutions—I was a bit disappointed because I did not think that was very many—with the men being found guilty in 43 cases. The following year there were 17 prosecutions, with 12 guilty verdicts, and the year after there were nine prosecutions, with six guilty verdicts. When we ask the police why that is, they say, "Oh it is really hard, because the definition of "exploitation" means it isn't a simple offence to prosecute." That is one reason why I tabled these provisions: we want simpler offences to prosecute, as we want to help the police to do their job.

If we take that approach, we need to talk to the Crown Prosecution Service about the advice it gives to the police on what constitutes exploitation. The CPS advice on this offence says that it is something that happens in premises: it happens in brothels. The problem is that if the police are dealing with a raid on a brothel where the exploitation that we have been talking about is going on, they want the johns to be witnesses. That is a perfectly sensible thing for the police to want to do, instead of using the strict liability offence and therefore making the men likely to be more silent.

I really believe that the Nordic model will make the difference. It has also been shown that Norway followed Sweden, Iceland followed suit and Canada has also just done so. I welcome the recent decision in Northern Ireland to introduce a similar arrangement. Other countries are following the Nordic model because it works. I am not yet convinced that we are going to pass my new clauses today. I did not push this matter to a vote in Committee, because I do not believe we should suddenly turn that small minority of men—every piece of research also says that most men do not buy sex—who think that what they are doing is perfectly legal into criminals without engaging them in knowing the changes we plan to make. I did not want to have a vote in Committee; I wanted to have a vote here.

I slightly pity the Minister, because the right hon. Member for Lewes (Norman Baker) was supposed to be doing this and he has run away. However, she will do it better than he would, so I am kind of relieved. I invite her to welcome the proposal made by my right hon. Friend the Member for Delyn for a review. There is the risk in any review that it will merely reflect the prejudices of the people who have gone before. However, those of us on the inquiry set up by my hon. Friend the Member for Luton South (Gavin Shuker) saw how convincing

those women who had been prostituted and who were trying to leave were, how hard it is to leave, and how the way in which we currently police prostitution does not assist them. It took the deaths of five women in Ipswich to change the way the police approached this matter in that city. We should change how the police approach this matter everywhere. We should see prostitution as a problem not of badly behaved women but of men who pay to own those women's bodies. It is vile exploitation and a form of modern slavery that we should end.

I am persuaded that more Members will support new clause 22 than supported my proposed new clauses 6 and 7. I hope to persuade the Minister to support it too. All it says is: let us find convincing evidence for what we should do. I spend a lot of time arguing with people on the media who disagree with me, who say that I have got my facts wrong and who cite conflicting research. Let us invest Government money in getting the research right and in hearing the victims of this exploitation, and then decide whether we will follow all those countries which, having done that, conclude that the Nordic model is the right one. We should stop prosecuting women and start prosecuting the men who pay for them.

Sarah Teather: I wish to comment on new clause 2. This Bill is unique in that it is one piece of Home Office legislation that I warmly welcome. None the less, I was disappointed to find that it did not include any provisions relating to the protection of overseas domestic workers.

Since becoming an MP 11 years ago, I have had many constituency cases involving overseas domestic workers who have managed to escape an abusive or exploitative employer and who were seeking protection. Those women had been made prisoners; their passports had been stolen and they had been made to work extremely long hours for very little pay and with no time off.

In April 2012, the Government changed the rules so that domestic workers would no longer be able to change employer. Instead they have a tied visa, which links their immigration status to their employer. The evidence collected by Kalayaan indicates that the result of the new visas has been an increase in abuse and exploitation. I understand that the Minister disputes those figures, but her own proposals will not address the problem that Kalayaan raises.

Given the levels and types of abuse that are experienced by overseas domestic workers, we should view this Bill as the opportune vehicle to provide extra protection, as it goes to the very heart of protecting victims of modern slavery. There was an extremely short debate on this matter right at the end of the Committee stage. The Minister said then that reintroducing the right to change employers was not the answer to preventing abuse. It was very difficult for us to explore all the issues because we were right up against time. The Minister then showed us a new information card that will be given to overseas domestic workers, and since then she has sent me a draft revised standard template contract, for which I am very grateful. However, I am not convinced that these steps, while welcome, will be enough on their own to prevent abuse while the tied visa system is still in place. This is not a one-or-the-other issue. I accept the Minister's argument that abuse undoubtedly also took place before the change in the visa system, but I am not convinced that merely giving people more advice will be enough. We need to tackle the tied visa system, which seems to have made the problem worse.

Some 78% of domestic workers who have arrived on a tied visa and then sought assistance from Kalayaan have reported that their passport was confiscated by their employer. What is to stop that same employer from taking the information card as well? Moreover, given that many will not have access to a phone, how are they supposed to dial the numbers on the card, assuming that the card is even in a language that they can read in the first place?

In Committee, the Minister criticised the robustness of Kalayaan's figures. It should be remembered that Kalayaan is an extremely small organisation, with very limited resources.

Karen Bradley: Let me make myself clear. I do not dispute Kalayaan's figures. I was merely pointing out that there was evidence of abuse both before and after the tie of the visa. I therefore believe that we need to tackle the root cause of that abuse and not merely look at the tie on the visa. I do not dispute the figures that Kalayaan has put out.

Sarah Teather: That is a helpful clarification. I agree with the Minister that we have to tackle the root cause of the abuse. I simply think that we need to do both. I am not sure that the solutions that the Minister has suggested will be enough on their own. I wonder whether I could persuade the Minister, especially as Kalayaan is such a small organisation, to consider collecting more data on overseas domestic workers. We know that abuse exists, and it would be helpful in our debates to have more accurate tracking of what happens. It may be that only the Government have the resources to fund such research.

5.15 pm

One of the other protections that the Government introduced along with the tied visa was a provision that domestic workers had to have been with their employer for at least one year in the country from which they arrived. One of the issues here is what checks are in place to ensure that the domestic worker was not being abused in the country they have come from. In the past two weeks, Human Rights Watch has produced a report on migrant domestic workers in the United Arab Emirates, and it makes for extremely grim reading. Ministers argue that the new contracts will protect against this, but, given that many domestic workers do not speak English, will they even know what they are signing?

I accept that there was abuse under the old visa system, but the new visas introduced as part of a raft of measures in an attempt to look tough on immigration do not appear to have made the situation any better. Indeed, the evidence suggests that they have made things worse because they have left abused domestic workers with no means of escape. I urge the Government to take this opportunity to improve the protection for domestic workers, and if new clause 2 is pushed to a vote, I will support it.

Several hon. Members *rose—*

Mr Speaker: Order. A significant number of colleagues still seek to contribute. There is no formal time limit—we are in a Report stage—but perhaps colleagues will have some regard to the interests of their colleagues.

Steve McCabe: I commend new clause 22. We need the review that it proposes and a thorough investigation of the links between human trafficking, prostitution and exploitation. It seems to me that that is the only way we will change the minds of the legislators and the wider public to bring about some of the changes that my hon. Friend the Member for Slough (Fiona Mactaggart) suggests.

Any trade that can be estimated to be worth £130 million a year should command our attention. We should look to understand it fully, with the purpose of undermining and collapsing it. That is what we are here for, and what we should do.

Finally, I want to mention Juliet, a young woman who currently resides in my constituency. She is supported by the asylum charity Restore. She fled here from Nigeria to escape slavery, brutality and a forced marriage, and she fell into the hands of traffickers and ended up working in a brothel in this country. The Home Office, sadly, intends to deal with that by sending Juliet back to Nigeria. We need to smash the link in this trade altogether, and we have to tackle a situation that punishes the victims while the traffickers carry on their trade and the clients who make that trade viable are largely unaffected by the misery that they generate and perpetrate. New clause 22 would make a good contribution to that and help this Bill achieve some of the aims that most of us here back.

Sir John Randall: As you know, Mr Speaker, I am standing down at the end of this Parliament, so I hope that I am allowed to say a few things. I rise to support the new clauses tabled by my hon. Friend the Member for North East Cambridgeshire (Stephen Barclay). I would give a piece of advice to the talent spotters on our Front Bench. He is becoming an extremely good Member of Parliament and they should harness that by putting him into a ministerial position so that he can be useful—not, of course, to stifle that dangerous streak of independence.

Mr Speaker: Order. I should just point out that that observation comes from the hon. Member from whose mouth came the advice that the hon. Member for Buckingham should aspire to join Her Majesty's Opposition Whips Office, which I thought was perhaps not a great idea.

Sir John Randall: At the time I thought that it was appropriate, Mr Speaker, but I fear that your opportunities have since vanished.

There is no fool like an old fool, and I am afraid that I felt a little like that in supporting—sincerely—the amendments tabled by the hon. Member for Slough (Fiona Mactaggart). I say that not because I disagree with the sentiment; we have heard so much about modern slavery and become so immersed in the issue that, as the hon. Member for Birmingham, Selly Oak (Steve McCabe) said, when we meet the victims, so many of whom are involved in the sex trade, there is a real feeling that the demand must somehow be curbed. However, I am not sure that this Bill is the right place to do that.

That issue seems to have stirred up a hornets' nest and taken up valuable time on Report, and unfortunately, because of the timing—it would be wrong, of course, to complain about the selection—we have not been able to discuss everything. We are discussing something that I think is slightly out of scope. I am almost tempted to agree with the Opposition Front Benchers on that. I am not sure that we should necessarily start it at this point. It is something that I will be observing from whatever job I do after leaving this place—in the car park at Tesco or wherever. It is a very important debate about prostitution and it cannot be ignored, but there are two sides to the argument, and I know that even the hon. Members for Slough and for Hayes and Harlington (John McDonnell) take slightly different views on it. It is an important discussion that we must have.

When I have previously voted against my party, I was normally also voting against the Labour party, which was in government at the time. In other words, I was part of a tiny minority, which I think is a safe position to be in—the hon. Member for Hayes and Harlington has tutored me well in how to rebel. In many respects the issue of overseas domestic workers, and therefore new clause 2, does not need to be covered in the Bill, because it is a matter of policy. Were I still in a ministerial position, I know that that is how I would explain it to colleagues, saying that this is not the time to deal with the matter. However, I have met too many victims to be able to say that it is a matter for another day. I understand why the Government brought that in, and it was a laudable reason: they thought that it would help the situation. Unfortunately, that appears not to be the case and there is a knock-on effect that is not helping those poor, innocent people from overseas.

As a result, I do not think that there will be much success. Unfortunately, the way the political debate on immigration is going at the moment—an important debate, but one in which we must be careful not to become extreme—I do not expect the Government to do a great deal about it this side of an election, if I am honest. I hear what my hon. Friend the Minister is doing, and there are some other things that can help. However, if it comes to a vote, regrettably—oh so regrettably—I shall march into the Lobby with the comrades on the other side of the House.

Jim Sheridan (Paisley and Renfrewshire North) (Lab): I will take your advice on brevity, Mr Speaker. I rise to support my party's new clause 1 on gangmasters.

Before I do so, I want to thank many people. As my right hon. Friend the Member for Delyn (Mr Hanson) said, I had the privilege of introducing the private Member's Bill that became the Gangmasters (Licensing) Act 2004. I was greatly supported in that by a number of individuals and organisations, none more so that my own union, Unite, which was absolutely terrific in giving me the support and research that I needed to try to get the Bill through. The National Farmers Union was also extremely helpful in getting it through and in championing the ethical trading initiatives that were around at the time.

One individual who was particularly helpful during that period was the then Member for Morecambe and Lunesdale, Geraldine Smith, who was extremely supportive in helping me as regards what happened to the cockle pickers. Another individual who was greatly supportive was the then national secretary of the Transport and General Workers Union, now my hon. Friend the Member for Birmingham, Erdington (Jack Dromey), who offered his experience in trying to get the Bill through. Also

very helpful and supportive were the legal gangmasters—the guys who operated on a legal basis—because they had operated in a legal field while the other people were undermining them by trying to get labour at cheap prices.

Some organisations, I have to say, were dragged to the negotiations by their fingernails—namely, the major retailers, who really did not want to get involved in this and wanted to exploit the farmers who were engaged in the industry. The farmers were getting a very bad deal from the major retailers, so we made sure that the retailers played ball.

To correct a fact about the gangmasters legislation, the myth is that it was drawn up in response to the tragedy of the Morecambe bay cockle pickers, but in fact it was introduced before that unfortunate incident because Unite had already experienced the inequities that were happening in the construction industry, the care industry, and so on. That is why the Bill was launched some months before the dreadful situation surrounding the Chinese cockle pickers.

Nevertheless, what happened to the cockle pickers was the catalyst in getting support for the Bill. Just imagine, if you will, that you are on a cold, sandy beach surrounded by water that is coming to drown you, you cannot speak English, and there is no one there to take any responsibility for you. All that was left for these people was to use their mobile phones to phone home to China to tell their relatives that they were in the process of dying. The gangmasters who took them on did nothing to help them. That is why the gangmasters Bill was a good and effective piece of legislation, and even now, as we speak, it has the potential to be even better and more effective.

Michael Connarty: Everything that my hon. Friend said about the struggle that he had to convince a number of organisations at the time is true. Does he know that on 21 August the Ethical Trading Initiative and the British Retail Consortium wrote to the Prime Minister in support of proposed amendments to the Bill, and, as part of that submission, called for the Gangmasters Licensing Authority to be strengthened and extended to cover hospitality, construction, and many other industries? My hon. Friend has converted a lot of people by showing that his legislation made a difference to people involved with gangmasters.

Jim Sheridan: There is no doubt in my mind whatsoever that the legislation must be extended.

We introduced the gangmasters legislation under a Labour Government, and I have to say that it was extremely difficult to try to convince Ministers that it was the right way to go. We decided to go with it as it stood in terms of the shellfish and agricultural industries, arguing that it should subsequently be extended to other sectors, and the Government said that we could extend it if it worked. In my view, it did work, and we set up the Gangmasters Licensing Authority. Prior to that, the gangmasters never paid any tax or national insurance, and neither did the exploited workers. The GLA cleaned its face: it got people to pay income tax and the workers to pay national insurance. In effect, it was a self-funding process. If that rationale were extended to take in construction and the service and hospitality sectors, I think the GLA would be a more effective organisation. The Modern Slavery Bill could have sought to prevent exploitation of forced labour by expanding the remit of the GLA.

5.30 pm

Constituents complain about migrant workers moving into their towns, cities and communities and taking their jobs. Immigration was a big issue in the past and it is an even bigger issue now in terms of the exploitation of migrant workers. That is what causes the tensions in this country's towns and cities. The GLA would make sure that people coming in to work in the fields or in construction were legitimate, trained workers with the necessary skills. More importantly, it would make sure that they paid their tax and received the benefits that flow from that.

The only proactive labour inspectorate that aims to identify and prevent exploitation and trafficking for the purposes of modern slavery is the Independent Labour Organisation, which supports the approach I have outlined. Unfortunately, since 2010 the resources and remit of the GLA have all been reduced, but there is support for Labour's proposal in new clause 1 for the GLA to cover other areas of work.

At around the same time as the death of the cockle pickers in Morecambe bay, agricultural workers were particularly at risk; indeed, they were exploited. We took many early morning trips with the inspectorate to see for ourselves where those people were living and the kinds of conditions they were working in, some of which were absolutely atrocious.

There are further ways in which the Bill could be improved. I think that relocating the GLA to the Home Office has impacted on its primary function. In my opinion, it should be reinstated as a non-departmental public body under the Department for Work and Pensions. The GLA should have the role of enforcing payment of outstanding wages owed to exploited workers through repayment orders. Migrant workers in the UK should be protected by employment law, regardless of their immigration status.

There is no doubt whatsoever that if Members were to visit construction sites these days, they would see that some of the workers cannot even speak English or understand the health and safety regulations posted at the sites. They are, therefore, a danger not only to themselves, but to others. Construction sites are extremely dangerous places to work and, unfortunately, some unscrupulous employers are happy to exploit workers by paying them low wages, and without assessing the skills they may or may not have. Friction is caused in our communities when indigenous people see migrant workers being exploited by gangmasters and big corporate organisations making lots of money at their expense.

I have no doubt whatsoever not only that our proposal to extend the GLA's remit to other sectors of employment is long overdue, but that it will eventually pay for itself and, therefore, not be a burden on the Government. I ask colleagues to forget the red tape challenge and to consider people's lives.

Caroline Nokes (Romsey and Southampton North) (Con): I will speak very briefly, but I want to commend the Government and my hon. Friend the Minister on bringing in this important Bill.

[Caroline Nokes]

I vividly remember, more than two years ago, that some of the members of the Southampton Stop the Traffik group came to my constituency surgery to explain in detail some of the problems associated with people trafficking and modern-day slavery in the city and the wider area. When I mentioned those problems to other constituents, they found it shocking and could not believe that it was happening in somewhere like Romsey. One key problem we face in tackling the scourge of slavery is that in many cases it is out of sight, and therefore very much out of mind.

I have absolutely no intention of being partisan on this issue. As a member of the Public Bill Committee, what came across very clearly to me was the massive consensus for having something on the statute book. It has taken a long time to get to this point—I know that previous Governments wanted to act—and there is a sense of pride that the current Government have brought forward legislation.

It is absolutely imperative to have a law that is practical and pragmatic, that will work and be enforceable, and that does not prescribe too tightly the roles of local authorities and of the anti-slavery commissioner in tackling the problem. We need such flexibility, because you can bet your bottom dollar that those involved in this illegal trade will also be flexible in seeking to find ways around new legislation. I therefore want the role of the anti-slavery commissioner to be able to adapt as time goes on, much as the role of police and crime commissioners is evolving in our counties. As their role evolves, so the anti-slavery commissioner's role should be truly inventive and of critical importance. The Government are absolutely right to institute that role, but it must be given sufficient flexibility to allow it to develop over time.

John McDonnell (Hayes and Harlington) (Lab): We are really short of time in this debate, so I apologise for taking more, Madam Deputy Speaker. If there are any talent spotters on the Government Front Bench, I think the right hon. Member for Uxbridge and South Ruislip (Sir John Randall) has an excellent role in the other place.

I chair the Public and Commercial Services Union parliamentary group—we are writing to the Gangmasters Licensing Authority about the new clauses in this group—but let me say that we have now gone beyond the stage at which we can continue to will the objectives without willing the means. Adequate staff and resources are needed to ensure that the GLA is effective.

To turn briefly to the new clauses and the amendment tabled in relation to prostitution, I apologise to all Members of the House for inundating them with briefings over the past 48 hours. I am very sorry, but this debate came up in a hurry, and it was important to give people the chance to express their views. I have always respected my hon. Friend the Member for Slough (Fiona Mactaggart), who is very well intentioned. I support new clause 7 because developing a strategy is critical, and amendment 1, which is the decriminalisation amendment, but I am fundamentally opposed to new clause 6, because it is worrying, counter-productive and dangerous. New clause 22 would give us the opportunity and enough time to undertake a proper review.

I know that sex work is abhorrent for some Members. I must say that in the years since I convened some of the first meetings of the Ipswich Safety First campaign in this House, after five women were killed there, I have met a number of men and women who were not coerced into sex work and do not want their livelihoods to be curtailed by the proposed criminalisation of their clients. It is true that I have met many others who entered prostitution to overcome economic disadvantage—they suffered in poverty to enable them to pay the rent and put food on the table for their children—but that has been made worse by welfare benefit cuts, escalating housing costs and energy bills. The answer is not to criminalise any of their activities, but to tackle the underlying cause by not cutting welfare benefits and ensuring people have an affordable roof over their heads and giving them access to decent, paid employment.

The whole issue has focused on the idea that by stopping the supply of clients, prostitution will somehow disappear, as will all the exploitation, trafficking and violent abuse. The Swedish model has been suggested as an example, but there was absolutely overwhelming opposition to it in the briefings that I have circulated. Those briefings have come from charities such as Scot-Pep—the Scottish Prostitutes Education Project—which is funded by the state; the Royal College of Nursing, the nurses themselves; and the Global Network of Sex Work Projects, which is another Government-funded organisation to get women and others off the game, that nevertheless says that the Swedish model would be counter-productive.

The Home Office has commissioned academic research, and I have circulated a letter from 30 academics from universities around the country that basically says that the proposed legislation is dangerous. We must listen to sex workers: the English Collective of Prostitutes, the Sex Worker Open University, the Harlots collective, the International Committee on the Rights of Sex Workers in Europe—flamboyant names, but they represent sex workers, and all are opposed to the criminalisation of clients.

Michael Connarty: Could my hon. Friend quote some sources from Sweden? I understand that in Sweden they do not take that view.

John McDonnell: I will come straight to that point, but let me go through the other organisations we have listened to: lawyers, human rights bodies such as Human Rights Watch, Amnesty International and UN Aid, and even the women's institute down in Hampshire—I warn hon. Members never to cross the women's institute anywhere—as well as members of the Ipswich Safety First coalition who dealt with the deaths those years ago.

What is the consensus? It is that there is no evidence that criminalising clients as in the Swedish legislation reduces the number of either clients or sex workers. I could quote at length—time we have not got—from the Swedish Government's report that demonstrates that there is no correlation between the legislation they introduced and a reduction in numbers of clients or sex workers.

Fiona Mactaggart: My hon. Friend said that the Swedish Government have no evidence for that, which is true, but they did have evidence that the number of men who pay for sex in Sweden has gone down significantly.

John McDonnell: That was one survey where men who were asked, "Do you pay for sex, because you could be prosecuted for it?" naturally said no. The evidence has been challenged. The other part of the consensus concerns the argument that other Governments are now acting and following the Swedish model, but South Africa has rejected it, and Scotland rejected it because measures on kerb crawling were introduced. In France, the Senate has rejected that model on the basis that sex workers will be put at risk. There are even threats of legal action in Canada on the issue of the safety and security of sex workers.

The other consensus that has come from these organisations is that not only do such measures not work, they actually cause harm. We know that because we undertook research through the Home Office in 2005-06. What did it say? Sex workers themselves were saying, "It means that we never have time to check out the clients in advance. We are rushed and pushed to the margins of society as a result, which does us harm."

There are alternatives. I do not recognise the view on the implementation of decriminalisation in New Zealand mentioned by my hon. Friend the Member for Slough, because all the research says that it is working. Who says that we should look at decriminalisation? The World Health Organisation, UN Women and UNAIDS. I circulated a letter from Nigel Richardson, who is not just a lawyer who represents sex workers but also acts as a judge. He says that we can tackle abuse and sexual exploitation with existing laws.

I appeal to the House not to rush to legislate on such a contested issue where there is such conflicting research, evidence and views. New clause 22 would provide a way through as it would enable us to undertake the necessary research, consult, bring forward proposals, and legislate if necessary. I want to include in that consultation the New Zealand model and full decriminalisation. I am not in favour of legalisation; I am in favour of full decriminalisation. On that basis we should listen to those with experience. I convened some meetings with the Safety First coalition to brief Members on what it had done. It invested money in the individuals—£7,000 a prostitute—and it got people out of prostitution by investing money, not by decriminalising them.

Reverend Andrew Dotchin was a founder member of the Safety First coalition. He states:

> "I strongly oppose clauses on prostitution in the Modern Slavery Bill, which would make the purchase of sex illegal. Criminalising clients does not stop prostitution, nor does it stop the criminalisation of women. It drives prostitution further underground, making it more dangerous and stigmatising for women."

I fully support the Reverend Andrew Dotchin in his views.

Mr Burrowes: If I had longer I would list a huge number of women's organisations, campaign groups and those dealing with the issue that the Bill is supposed to be addressing—human trafficking—that support dealing with demand for prostitution, as that is also a way of dealing with demand for modern slavery. We have dealt with demand in terms of the transparency of supply chains and have sought to deal with the demand for cheap goods that are linked to modern slavery. Similarly, we should deal with the demand linked to trafficking, which includes prostitution.

5.45 pm

The collectives and campaign groups make a big noise, but I want to speak up for the voiceless. Those who I saw in my 20 years' experience of prostitution—I hasten to add that I was a criminal defence solicitor—in the cells at Haringey magistrates court were sad and pathetic in the true sense. They were usually exploited and abused, and usually addicted to drugs. More often than not, they were no doubt trafficked. I want to speak up for them—those people who sadly commodified their bodies. Yes, we need to do more than legislate. We need to deal with the issue of sex culturally and put it properly in the context of mutual love and relationships, rather than it involving commodifying a body for gratification.

We are concerned about that, but the Bill is about modern slavery, and we should not dismiss the link between the demand for prostitution and trafficking. We recognised that in 2009 and crossed the Rubicon—we recognised the principle of legislating to criminalise people paying for sex when people are subject to force. We need to consider how we evaluate that. At the end of the day, without addressing the factors that drive demand for trafficking, including trafficking for exploitation, we will struggle to achieve our ultimate goal of eliminating modern slavery in this country.

Karen Bradley: I am grateful to right hon. and hon. Members for tabling measures and speaking in this debate, which covers three extremely important subjects: the role of the Gangmasters Licensing Authority, abuse of overseas domestic workers and prostitution. Given the time available and volume of the debate, I will do my best to address the points that have been made, but I hope Members will forgive me if I do not cover absolutely everything.

First, on the remit and powers of the Gangmasters Licensing Authority, I am grateful for the opportunity to restate that the Government are determined to tackle labour exploitation effectively. As I said in Committee when a similar amendment was tabled, I am sympathetic to Members' concerns. The GLA does good work in tackling harmful activity within a limited remit, focusing on areas that are potentially vulnerable to exploitation. My mind is not closed to changes to improve how it works—far from it.

The Government support the protections in place for all workers, whichever sector they work in, including minimum wage legislation—we have strengthened the national minimum wage inspections team and quadrupled the maximum fine. The amendments suggest a number of ways in which to change the GLA's powers and remit.

Sir Andrew Stunell: I am encouraged that the Minister says her mind is open and that there will be further consideration. Can hon. Members take that as a distinct hint for more progress in the Lords?

Karen Bradley: If my right hon. Friend will allow me to continue my comments, I will speak first about new clause 1. The new clause would open the way for the GLA's remit to be extended to any area of work or sector, which would be a much broader role than its current territory. I have concerns about such a broad role, which I want to put in the context of the Government's plans to ensure that the GLA delivers its critical role.

[Karen Bradley]

The GLA is both a licensing and an enforcement body. We need to make progress on both fronts. Licensing can be a blunt instrument in that it affects the compliant business and the rogue gangmaster alike. If a licensing regime is not targeted at known risk factors, it will not provide effective underpinning for enforcement. Therefore, simply extending the current licensing regime into new sectors would not of itself improve efforts to tackle exploitative employers who flout the law.

I want a GLA with a strong anti-slavery and worker exploitation focus that will support the Government's broader strategy on modern slavery. That will be best achieved by developing an approach that builds on the GLA's excellent work. The right hon. Member for Delyn (Mr Hanson) mentioned that the number of GLA investigations had declined over time. I want to put it on the record that, over time, the GLA has undertaken a reduced number of investigations, but they have been more complex and have focused more effectively on serious and organised crime. That reflects a targeted and risk-based enforcement approach.

We can do more to increase the GLA's reach and effectiveness. We are working with the GLA in three main areas: through the better business compliance partnerships, the review of licensing standards, and work on the supply chain. I do not have time to go through those points in detail.

Looking ahead, the GLA is well placed to tackle the serious worker exploitation that lies between the more technical compliance offences investigated by HMRC and the serious and organised crime addressed by the National Crime Agency. We will consider how to introduce more effective and targeted enforcement action by the GLA. We will also consider changes to the GLA to support its greater role in addressing exploitation. However, we believe this requires a more considered analysis of the types of changes required than simply changing the law today. I believe we should continue the hard work with the GLA rather than simply assuming that the answer is to extend the remit of the GLA beyond the core areas set out in the 2004 Act, as envisaged in the new clause. I therefore hope that the right hon. Member for Delyn feels able to withdraw it.

On the amendments tabled by my hon. Friend the Member for North East Cambridgeshire (Stephen Barclay), he has made some very good points and I would like to discuss many of them with him outside the Chamber. New clause 16 would require formal tenancy agreements where a gangmaster provides accommodation for workers. I reassure him that the GLA already addresses this risk. The current suite of GLA licensing standards already imposes requirements on gangmasters who provide accommodation. Specifically, licensing standards 4.1 and 4.2 require a licence holder who provides, or effectively provides, accommodation to ensure that the property is safe for the occupants. A licence is required by the local authority, for example if it is a licensable house of multiple occupation. This is a critical standard for the GLA, so failure to meet the criteria will mean that a licence application is refused or a licence already issued will be revoked.

There are also existing legal requirements affecting the relationship between tenant and landlord. I believe that these, together with the GLA's licensing standards, provide strong protection for workers. However, I have considered the amendment in detail and I will ask the GLA to consider adding a tenancy agreement to the documents to be provided to demonstrate compliance with the licensing standard as part of its forthcoming review. In doing so, I also wish to ensure that we are balancing protection from exploitation with our desire to reduce bureaucracy for small businesses.

Stephen Barclay: I thank the Minister for that reassurance and I will not be pressing the amendments to a Division. As part of those discussions, may I flag up an area that Anthony Steen has highlighted and which we did not come on to today? What happens when people come out of the shelters after 45 days? What measures might be put in place on that, and is it something on which we could have further discussions?

Karen Bradley: That is a point for the review of the national referral mechanism. The interim report of that review has been issued and the final report will be issued shortly. If my hon. Friend would allow it, we could perhaps discuss this outside the Chamber; I am sure that that would be helpful to both of us.

On overseas domestic workers and new clause 2, I welcome the opportunity to reaffirm the Government's commitment to protecting individuals who have come to the UK on domestic worker visas. I know that Members feel strongly about this. The Government, and I personally, share their commitment to ensure that no individual in this country is subjected to abuse and exploitation. Holding anyone in modern slavery is totally unacceptable. Overseas domestic workers, like anyone else, deserve protection as well as support and help if abuse takes place. The Bill will give that protection to all victims regardless of who they are, why they are in the UK, for whom they are working or their visa arrangements. We already have a range of measures in place to protect overseas domestic workers and we are intent on strengthening them further.

It is very important that overseas domestic workers know their rights in the UK and where they can seek help. The House will be pleased to know that a pilot is now under way to hand out very simple and easy-to-understand information cards on arrival to the UK, in addition to the information already provided with the visa. I absolutely understand and sympathise with the intention behind new clause 2, but, as I said in Committee, I do not believe it is the solution to those cases where an overseas domestic worker suffers ill treatment in the UK.

I pay tribute to the work of the voluntary sector in supporting domestic workers who have been the subject of abuse or poor working conditions, including that of Kalayaan, which both supports individuals and campaigns on their behalf. One case of abuse is one too many and some of the treatment reported by Kalayaan is absolutely appalling. However, without in any way minimising the distress those individuals have gone through, it is important to remember that those reports are based on a very small number of cases and represent a small proportion of those in the country with an overseas domestic worker visa.

Kalayaan's figures are based on 120 overseas domestic workers issued with visas after April 2012 who approached it for help over a two-year period. During the same

period, more than 30,000 visas were issued. Home Office internal management information suggests that between May 2009 and July 2014, there were 213 confirmed cases of trafficking for domestic servitude involving non-EU nationals. Of these, only 41, or less than 20%, were linked to the overseas domestic worker visa—an average of eight per year.

Focusing on the visa risks obscuring the main issue, which is protecting those at risk of domestic servitude. Our key concern should be that victims understand that they will be believed, that they will receive support and that the perpetrators will be brought to justice. Before the changes in April 2012, the ability to change employer did not prevent instances of abuse and poor treatment, and we have seen no evidence that instances of abuse of those here on overseas domestic worker visas have increased since the right to change employer was removed. Moreover, even while there was a right to change employer, there were still complaints of abuse and poor treatment.

The important point is that we should not be tackling this problem through one, albeit relatively simple, response. We need to look at the underlying problem and tackle it. My right hon. Friend the Member for Uxbridge and South Ruislip (Sir John Randall) made an important point when he said that much of this could be tackled and dealt with through policy changes. That is what I am working on.

In the limited time available, I shall deal with the issue of prostitution.

Gavin Shuker (Luton South) (Lab/Co-op): The debate on prostitution has seen a number of polarised positions, which shows the difficulty of the issue. The major problem is that there is no agreed shared evidence base. In the light of that, I commend to the Minister the report by the all-party group on prostitution and the global sex grade, "Shifting the Burden", which looks at the matter in detail and supports the amendment proposed by the Opposition Front-Bench team.

Karen Bradley: I thank the hon. Gentleman for his contribution. I know he wanted to get into the debate, which is why I gave way to him. He plays an important role in this policy area. I pay tribute to him and to the hon. Member for Slough (Fiona Mactaggart) for her tireless campaigning on the issue of prostitution.

Crispin Blunt (Reigate) (Con): All the peer-reviewed academic evidence is against new clause 6. The hon. Member for Slough (Fiona Mactaggart) can take it from me as a former criminal justice Minister that the criminal justice system simply could not sustain this measure being put on the statute book.

Karen Bradley: I thank my hon. Friend; I knew he wished to speak, too.

Jim Shannon (Strangford) (DUP): The Minister will be aware of legislation going through the Northern Ireland Assembly at this moment. The hon. Member for Slough (Fiona Mactaggart) tabled new clauses 6 and 7, which she is not going to press, but there is also new clause 22. I urge the House to support that new clause, which would provide a way forward. Will the Minister take into account the issues brought forward through legislative change in the Northern Ireland Assembly?

Karen Bradley: I also thank the hon. Gentleman for his comments. I discussed this issue with David Ford, the Justice Minister in Northern Ireland, a couple of weeks ago. We spoke about the Modern Slavery Bill, and I am cognisant of the work being done there.

It is clear that there are very polarised views on this issue. The subject of prostitution raises strong feelings, and it is good that we have had the chance to debate it. It is important to remember, however, that this is a Bill to tackle the heinous and horrendous crime of modern slavery, and I want to continue to focus the Bill on modern slavery. I am concerned that any of the amendments relating to prostitution could distract from the important work that the Government are doing. I will reflect on today's contributions, but I am afraid that I cannot accept the amendments. We need to make sure that the Modern Slavery Bill is focused, targeted and gets on the statute book.

Crispin Blunt: I shall take the remaining minute and a half simply to make the point that the authoritarian, moralistic and un-evidenced potential catastrophe that presents itself as new clause 6 must be opposed. In proposing these provisions, the hon. Member for Slough (Fiona Mactaggart) complained about the fact that she got on television programmes and then found that her statistics were under dispute. That is hardly surprising, because all the academic evidence is on the other side of the argument.

Fiona Mactaggart: Will the hon. Gentleman give way?

Crispin Blunt: No, I will not. It takes the scion of a couple of baronetcies with the education of Cheltenham Ladies' college to produce such a moralistic sense that can define sex work as exploitation—without ever having listened to the sex workers themselves. It is a pity, given the trouble the hon. Member for Hayes and Harlington (John McDonnell) took to draw attention to this group of people, that the hon. Lady did not take the trouble to listen to them. Had she done so, I cannot believe that she would have come to this view because the unintended consequence of her proposal would be to put the people whom she is trying to help in peril. That is a serious mistake.

Question put, That the clause be read a Second time.

The House divided: Ayes 234, Noes 292.

Division No. 70] [6 pm

AYES

Abbott, Ms Diane
Abrahams, Debbie
Ainsworth, rh Mr Bob
Alexander, Heidi
Ali, Rushanara
Allen, Mr Graham
Anderson, Mr David
Ashworth, Jonathan
Austin, Ian
Bailey, Mr Adrian
Bain, Mr William
Balls, rh Ed
Banks, Gordon
Barron, rh Kevin
Beckett, rh Margaret
Begg, Dame Anne
Benn, rh Hilary
Berger, Luciana
Betts, Mr Clive
Blackman-Woods, Roberta
Blenkinsop, Tom
Blomfield, Paul
Blunkett, rh Mr David
Bradshaw, rh Mr Ben
Brown, Lyn
Brown, rh Mr Nicholas
Brown, Mr Russell
Buck, Ms Karen
Burden, Richard
Burnham, rh Andy
Byrne, rh Mr Liam
Campbell, rh Mr Alan
Campbell, Mr Gregory
Campbell, Mr Ronnie
Carswell, Douglas
Caton, Martin
Champion, Sarah
Chapman, Jenny
Clark, Katy
Clarke, rh Mr Tom
Clwyd, rh Ann
Coaker, Vernon
Coffey, Ann
Connarty, Michael

Cooper, Rosie
Cooper, rh Yvette
Corbyn, Jeremy
Creasy, Stella
Cruddas, Jon
Cryer, John
Cunningham, Alex
Cunningham, Mr Jim
Curran, Margaret
Dakin, Nic
Danczuk, Simon
David, Wayne
Davidson, Mr Ian
Davies, Geraint
De Piero, Gloria
Dobson, rh Frank
Docherty, Thomas
Dodds, rh Mr Nigel
Donaldson, rh Mr Jeffrey M.
Donohoe, Mr Brian H.
Doran, Mr Frank
Doughty, Stephen
Doyle, Gemma
Dromey, Jack
Dugher, Michael
Durkan, Mark
Eagle, Maria
Edwards, Jonathan
Efford, Clive
Elliott, Julie
Ellman, Mrs Louise
Esterson, Bill
Evans, Chris
Farrelly, Paul
Field, rh Mr Frank
Fitzpatrick, Jim
Flello, Robert
Flint, rh Caroline
Flynn, Paul
Francis, Dr Hywel
Gapes, Mike
Gardiner, Barry
Gilmore, Sheila
Glass, Pat
Glindon, Mrs Mary
Godsiff, Mr Roger
Goodman, Helen
Greatrex, Tom
Green, Kate
Greenwood, Lilian
Griffith, Nia
Gwynne, Andrew
Hain, rh Mr Peter
Hamilton, Mr David
Hamilton, Fabian
Hanson, rh Mr David
Harman, rh Ms Harriet
Harris, Mr Tom
Healey, rh John
Hepburn, Mr Stephen
Hermon, Lady
Heyes, David
Hillier, Meg
Hilling, Julie
Hodge, rh Margaret
Hodgson, Mrs Sharon
Hoey, Kate
Hood, Mr Jim
Hopkins, Kelvin
Howarth, rh Mr George
Jackson, Glenda
James, Mrs Siân C.
Jamieson, Cathy
Johnson, rh Alan
Johnson, Diana
Jones, Graham
Jones, Helen
Jones, Mr Kevan
Kane, Mike
Keeley, Barbara
Kendall, Liz
Khan, rh Sadiq
Lammy, rh Mr David
Lavery, Ian
Lazarowicz, Mark
Leslie, Chris
Lewell-Buck, Mrs Emma
Lewis, Mr Ivan
Long, Naomi
Love, Mr Andrew
Lucas, Caroline
Lucas, Ian
MacNeil, Mr Angus Brendan
Mactaggart, Fiona
Mahmood, Mr Khalid
Mahmood, Shabana
Malhotra, Seema
Mann, John
Marsden, Mr Gordon
McCabe, Steve
McCann, Mr Michael
McCarthy, Kerry
McCrea, Dr William
McDonagh, Siobhain
McDonnell, John
McFadden, rh Mr Pat
McGovern, Alison
McGovern, Jim
McGuire, rh Mrs Anne
McInnes, Liz
McKechin, Ann
McKenzie, Mr Iain
McKinnell, Catherine
Meale, Sir Alan
Mearns, Ian
Miller, Andrew
Mitchell, Austin
Moon, Mrs Madeleine
Morden, Jessica
Morrice, Graeme *(Livingston)*
Morris, Grahame M. *(Easington)*
Mudie, Mr George
Murphy, rh Paul
Murray, Ian
Nash, Pamela
O'Donnell, Fiona
Osborne, Sandra
Owen, Albert
Paisley, Ian
Pearce, Teresa
Perkins, Toby
Phillipson, Bridget
Pound, Stephen
Raynsford, rh Mr Nick
Reed, Mr Jamie
Reed, Mr Steve
Reeves, Rachel
Reynolds, Emma
Reynolds, Jonathan
Riordan, Mrs Linda
Ritchie, Ms Margaret
Robertson, John
Robinson, Mr Geoffrey
Rotheram, Steve
Roy, Mr Frank
Roy, Lindsay
Ruane, Chris
Ruddock, rh Dame Joan
Sarwar, Anas
Sawford, Andy
Seabeck, Alison
Shannon, Jim
Sharma, Mr Virendra
Sheerman, Mr Barry
Sheridan, Jim
Shuker, Gavin
Simpson, David
Skinner, Mr Dennis
Slaughter, Mr Andy
Smith, Angela
Smith, Nick
Smith, Owen
Spellar, rh Mr John
Straw, rh Mr Jack
Stringer, Graham
Stuart, Ms Gisela
Sutcliffe, Mr Gerry
Tami, Mark
Thornberry, Emily
Timms, rh Stephen
Twigg, Derek
Umunna, Mr Chuka
Vaz, rh Keith
Vaz, Valerie
Walley, Joan
Watson, Mr Tom
Watts, Mr Dave
Weir, Mr Mike
Whiteford, Dr Eilidh
Whitehead, Dr Alan
Williams, Hywel
Williamson, Chris
Wilson, Phil
Winnick, Mr David
Winterton, rh Ms Rosie
Wishart, Pete
Wood, Mike
Woodcock, John
Wright, David
Wright, Mr Iain

Tellers for the Ayes:
Karl Turner and
Susan Elan Jones

NOES

Afriyie, Adam
Aldous, Peter
Alexander, rh Danny
Amess, Mr David
Andrew, Stuart
Arbuthnot, rh Mr James
Baker, Steve
Baldry, rh Sir Tony
Baldwin, Harriett
Barclay, Stephen
Barker, rh Gregory
Bebb, Guto
Bellingham, Mr Henry
Benyon, Richard
Beresford, Sir Paul
Berry, Jake
Bingham, Andrew
Binley, Mr Brian
Birtwistle, Gordon
Blackman, Bob
Blackwood, Nicola
Blunt, Crispin
Boles, Nick
Bone, Mr Peter
Bottomley, Sir Peter
Bradley, Karen
Brady, Mr Graham
Brake, rh Tom
Bray, Angie
Brazier, Mr Julian
Bridgen, Andrew
Brine, Steve
Brokenshire, James
Brooke, rh Annette
Browne, Mr Jeremy
Bruce, Fiona
Bruce, rh Sir Malcolm
Buckland, Mr Robert
Burns, Conor
Burrowes, Mr David
Burstow, rh Paul
Burt, rh Alistair
Cable, rh Vince
Cairns, Alun
Campbell, rh Sir Menzies
Carmichael, rh Mr Alistair
Carmichael, Neil
Cash, Sir William
Chishti, Rehman
Clappison, Mr James
Clark, rh Greg
Clegg, rh Mr Nick
Clifton-Brown, Geoffrey
Coffey, Dr Thérèse
Collins, Damian
Colvile, Oliver
Cox, Mr Geoffrey
Crockart, Mike
Crouch, Tracey
Davey, rh Mr Edward
Davies, David T. C. *(Monmouth)*
Davies, Glyn
Davies, Philip
Davis, rh Mr David
de Bois, Nick
Dinenage, Caroline
Djanogly, Mr Jonathan
Doyle-Price, Jackie
Drax, Richard
Duncan Smith, rh Mr Iain
Dunne, Mr Philip
Ellis, Michael
Ellison, Jane
Elphicke, Charlie
Eustice, George
Evans, Graham
Evans, Jonathan
Evans, Mr Nigel
Evennett, Mr David
Fabricant, Michael
Farron, Tim
Featherstone, rh Lynne
Field, Mark
Foster, rh Mr Don
Fox, rh Dr Liam
Francois, rh Mr Mark
Freeman, George

Freer, Mike
Fuller, Richard
Gale, Sir Roger
Garnier, Sir Edward
Garnier, Mark
Gauke, Mr David
Gibb, Mr Nick
Glen, John
Goldsmith, Zac
Goodwill, Mr Robert
Gove, rh Michael
Graham, Richard
Grant, Mrs Helen
Gray, Mr James
Grayling, rh Chris
Green, rh Damian
Greening, rh Justine
Grieve, rh Mr Dominic
Griffiths, Andrew
Gummer, Ben
Gyimah, Mr Sam
Hague, rh Mr William
Halfon, Robert
Hames, Duncan
Hammond, Stephen
Hancock, rh Matthew
Hands, rh Greg
Harper, Mr Mark
Harrington, Richard
Harris, Rebecca
Hart, Simon
Harvey, Sir Nick
Haselhurst, rh Sir Alan
Hayes, rh Mr John
Heald, Sir Oliver
Heath, Mr David
Heaton-Harris, Chris
Hemming, John
Henderson, Gordon
Herbert, rh Nick
Hinds, Damian
Hoban, Mr Mark
Hollingbery, George
Hollobone, Mr Philip
Hopkins, Kris
Horwood, Martin
Howarth, Sir Gerald
Hughes, rh Simon
Hunt, rh Mr Jeremy
Hunter, Mark
Huppert, Dr Julian
Hurd, Mr Nick
Jackson, Mr Stewart
James, Margot
Javid, rh Sajid
Jenkin, Mr Bernard
Jenrick, Robert
Johnson, Gareth
Johnson, Joseph
Jones, rh Mr David
Jones, Mr Marcus
Kawczynski, Daniel
Kelly, Chris
Knight, rh Sir Greg
Kwarteng, Kwasi
Lamb, rh Norman
Lancaster, Mark
Latham, Pauline
Laws, rh Mr David
Leadsom, Andrea
Lee, Jessica
Leech, Mr John
Lefroy, Jeremy
Leigh, Sir Edward
Leslie, Charlotte
Letwin, rh Mr Oliver
Lewis, Brandon
Lewis, Dr Julian
Lloyd, Stephen
Lopresti, Jack
Loughton, Tim
Luff, Sir Peter
Lumley, Karen
Macleod, Mary
Main, Mrs Anne
Maude, rh Mr Francis
May, rh Mrs Theresa
Maynard, Paul
McCartney, Jason
McCartney, Karl
McIntosh, Miss Anne
McLoughlin, rh Mr Patrick
McPartland, Stephen
McVey, rh Esther
Menzies, Mark
Metcalfe, Stephen
Miller, rh Maria
Mills, Nigel
Milton, Anne
Mitchell, rh Mr Andrew
Moore, rh Michael
Mordaunt, Penny
Morgan, rh Nicky
Morris, Anne Marie
Morris, James
Mosley, Stephen
Mulholland, Greg
Mundell, rh David
Murray, Sheryll
Murrison, Dr Andrew
Neill, Robert
Newton, Sarah
Nokes, Caroline
Nuttall, Mr David
O'Brien, rh Mr Stephen
Offord, Dr Matthew
Ollerenshaw, Eric
Opperman, Guy
Ottaway, rh Sir Richard
Paice, rh Sir James
Parish, Neil
Patel, Priti
Paterson, rh Mr Owen
Pawsey, Mark
Penning, rh Mike
Perry, Claire
Phillips, Stephen
Pickles, rh Mr Eric
Pincher, Christopher
Poulter, Dr Daniel
Prisk, Mr Mark
Raab, Mr Dominic
Randall, rh Sir John
Redwood, rh Mr John
Rees-Mogg, Jacob
Reid, Mr Alan
Robathan, rh Mr Andrew
Robertson, rh Sir Hugh
Robertson, Mr Laurence
Rosindell, Andrew
Rudd, Amber
Ruffley, Mr David
Russell, Sir Bob
Rutley, David
Sanders, Mr Adrian
Sandys, Laura
Scott, Mr Lee
Selous, Andrew
Sharma, Alok
Shelbrooke, Alec
Simmonds, Mark
Simpson, Mr Keith
Skidmore, Chris
Smith, Chloe
Smith, Henry
Smith, Sir Robert
Soubry, Anna
Spelman, rh Mrs Caroline
Spencer, Mr Mark
Stephenson, Andrew
Stevenson, John
Stewart, Iain
Stewart, Rory
Streeter, Mr Gary
Stride, Mel
Stunell, rh Sir Andrew
Sturdy, Julian
Swales, Ian
Swayne, rh Mr Desmond
Swinson, Jo
Syms, Mr Robert
Teather, Sarah
Thurso, rh John
Timpson, Mr Edward
Tomlinson, Justin
Tredinnick, David
Truss, rh Elizabeth
Turner, Mr Andrew
Tyrie, Mr Andrew
Uppal, Paul
Vaizey, Mr Edward
Vara, Mr Shailesh
Vickers, Martin
Villiers, rh Mrs Theresa
Walker, Mr Charles
Wallace, Mr Ben
Ward, Mr David
Weatherley, Mike
Webb, rh Steve
Wharton, James
Wheeler, Heather
White, Chris
Whittaker, Craig
Whittingdale, Mr John
Wiggin, Bill
Williams, Mr Mark
Williams, Roger
Williams, Stephen
Williamson, Gavin
Willott, Jenny
Wilson, Mr Rob
Wright, rh Jeremy
Wright, Simon
Yeo, Mr Tim
Zahawi, Nadhim

Tellers for the Noes:
John Penrose and
Gavin Barwell

Question accordingly negatived.

6.13 pm

Proceedings interrupted (Programme Order, this day).

The Deputy Speaker put forthwith the Questions necessary for the disposal of the business to be concluded at that time (Standing Order No. 83E)

New Clause 2

PROTECTION FROM SLAVERY FROM OVERSEAS DOMESTIC WORKERS

'(1) All overseas and domestic workers, including those working for staff of diplomatic missions, shall be entitled to—

(a) change their employer (but not work sector) while in the United Kingdom;

(b) renew their domestic worker or diplomatic domestic worker visa for a period up to 12 months as long as they remain in employment and are able to support themselves adequately without recourse to public funds; and

(c) a three month temporary visa permitting them to live in the United Kingdom for the purposes of seeking alternative employment as an overseas domestic worker where there is evidence that the worker has been a victim of modern slavery."—*(Mr Hanson.)*

Brought up.

Question put, That the clause be added to the Bill.

The House divided: Ayes 234, Noes 288.

Division No. 71] [6.13 pm

AYES

Abbott, Ms Diane
Abrahams, Debbie
Ainsworth, rh Mr Bob
Alexander, Heidi
Ali, Rushanara
Allen, Mr Graham
Anderson, Mr David
Ashworth, Jonathan
Austin, Ian
Bailey, Mr Adrian
Bain, Mr William
Balls, rh Ed
Banks, Gordon
Barron, rh Kevin

Beckett, rh Margaret
Begg, Dame Anne
Benn, rh Hilary
Berger, Luciana
Betts, Mr Clive
Blackman-Woods, Roberta
Blenkinsop, Tom
Blomfield, Paul
Blunkett, rh Mr David
Bradshaw, rh Mr Ben
Brown, Lyn
Brown, rh Mr Nicholas
Brown, Mr Russell
Buck, Ms Karen
Burden, Richard
Byrne, rh Mr Liam
Campbell, rh Mr Alan
Campbell, Mr Gregory
Campbell, Mr Ronnie
Caton, Martin
Champion, Sarah
Chapman, Jenny
Clark, Katy
Clarke, rh Mr Tom
Clwyd, rh Ann
Coaker, Vernon
Coffey, Ann
Connarty, Michael
Cooper, Rosie
Cooper, rh Yvette
Corbyn, Jeremy
Creasy, Stella
Cruddas, Jon
Cryer, John
Cunningham, Alex
Cunningham, Mr Jim
Curran, Margaret
Dakin, Nic
Danczuk, Simon
David, Wayne
Davidson, Mr Ian
Davies, Geraint
De Piero, Gloria
Dobson, rh Frank
Docherty, Thomas
Dodds, rh Mr Nigel
Donaldson, rh Mr Jeffrey M.
Donohoe, Mr Brian H.
Doran, Mr Frank
Doughty, Stephen
Doyle, Gemma
Dromey, Jack
Dugher, Michael
Durkan, Mark
Eagle, Maria
Edwards, Jonathan
Efford, Clive
Elliott, Julie
Ellman, Mrs Louise
Esterson, Bill
Evans, Chris
Farrelly, Paul
Field, rh Mr Frank
Fitzpatrick, Jim
Flello, Robert
Flint, rh Caroline
Flynn, Paul
Francis, Dr Hywel
Gapes, Mike
Gardiner, Barry
Gilmore, Sheila
Glass, Pat
Glindon, Mrs Mary
Godsiff, Mr Roger
Goodman, Helen
Greatrex, Tom
Green, Kate
Greenwood, Lilian
Griffith, Nia
Gwynne, Andrew
Hain, rh Mr Peter
Hamilton, Mr David
Hamilton, Fabian
Hanson, rh Mr David
Harman, rh Ms Harriet
Harris, Mr Tom
Healey, rh John
Hepburn, Mr Stephen
Hermon, Lady
Heyes, David
Hillier, Meg
Hilling, Julie
Hodge, rh Margaret
Hodgson, Mrs Sharon
Hoey, Kate
Hood, Mr Jim
Hopkins, Kelvin
Howarth, rh Mr George
Jackson, Glenda
James, Mrs Siân C.
Jamieson, Cathy
Johnson, rh Alan
Johnson, Diana
Jones, Graham
Jones, Helen
Jones, Mr Kevan
Kane, Mike
Keeley, Barbara
Kendall, Liz
Khan, rh Sadiq
Lammy, rh Mr David
Lavery, Ian
Lazarowicz, Mark
Leslie, Chris
Lewell-Buck, Mrs Emma
Long, Naomi
Love, Mr Andrew
Lucas, Caroline
Lucas, Ian
MacNeil, Mr Angus Brendan
Mactaggart, Fiona
Mahmood, Mr Khalid
Mahmood, Shabana
Malhotra, Seema
Mann, John
Marsden, Mr Gordon
McCabe, Steve
McCann, Mr Michael
McCarthy, Kerry
McCrea, Dr William
McDonagh, Siobhain
McDonnell, John
McFadden, rh Mr Pat
McGovern, Alison
McGovern, Jim
McGuire, rh Mrs Anne
McInnes, Liz
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
Murphy, rh Mr Jim
Murphy, rh Paul
Murray, Ian
Nash, Pamela
O'Donnell, Fiona
Osborne, Sandra
Owen, Albert
Paisley, Ian
Pearce, Teresa
Perkins, Toby
Phillipson, Bridget
Pound, Stephen
Powell, Lucy
Randall, rh Sir John
Raynsford, rh Mr Nick
Reed, Mr Jamie
Reed, Mr Steve
Reeves, Rachel
Reynolds, Emma
Reynolds, Jonathan
Riordan, Mrs Linda
Ritchie, Ms Margaret
Robertson, John
Robinson, Mr Geoffrey
Rotheram, Steve
Roy, Mr Frank
Roy, Lindsay
Ruane, Chris
Ruddock, rh Dame Joan
Sarwar, Anas
Sawford, Andy
Seabeck, Alison
Shannon, Jim
Sharma, Mr Virendra
Sheerman, Mr Barry
Sheridan, Jim
Shuker, Gavin
Simpson, David
Skinner, Mr Dennis
Slaughter, Mr Andy
Smith, Angela
Smith, Nick
Smith, Owen
Spellar, rh Mr John
Straw, rh Mr Jack
Stringer, Graham
Stuart, Ms Gisela
Sutcliffe, Mr Gerry
Tami, Mark
Teather, Sarah
Thornberry, Emily
Timms, rh Stephen
Twigg, Derek
Umunna, Mr Chuka
Vaz, rh Keith
Vaz, Valerie
Walley, Joan
Watson, Mr Tom
Watts, Mr Dave
Weir, Mr Mike
Whiteford, Dr Eilidh
Whitehead, Dr Alan
Williams, Hywel
Williamson, Chris
Wilson, Phil
Winnick, Mr David
Winterton, rh Ms Rosie
Wishart, Pete
Wood, Mike
Woodcock, John
Wright, David
Wright, Mr Iain

Tellers for the Ayes:
Karl Turner and Susan Elan Jones

NOES

Afriyie, Adam
Aldous, Peter
Alexander, rh Danny
Amess, Mr David
Andrew, Stuart
Arbuthnot, rh Mr James
Baker, Steve
Baldry, rh Sir Tony
Baldwin, Harriett
Barclay, Stephen
Barker, rh Gregory
Bebb, Guto
Bellingham, Mr Henry
Benyon, Richard
Beresford, Sir Paul
Berry, Jake
Bingham, Andrew
Binley, Mr Brian
Birtwistle, Gordon
Blackman, Bob
Blackwood, Nicola
Blunt, Crispin
Boles, Nick
Bone, Mr Peter
Bottomley, Sir Peter
Bradley, Karen
Brady, Mr Graham
Brake, rh Tom
Bray, Angie
Brazier, Mr Julian
Bridgen, Andrew
Brine, Steve
Brokenshire, James
Brooke, rh Annette
Browne, Mr Jeremy
Bruce, Fiona
Bruce, rh Sir Malcolm
Buckland, Mr Robert
Burns, Conor
Burrowes, Mr David
Burstow, rh Paul
Burt, rh Alistair
Burt, Lorely
Cable, rh Vince
Cairns, Alun
Campbell, rh Sir Menzies
Carmichael, rh Mr Alistair
Carmichael, Neil
Cash, Sir William
Chishti, Rehman
Clappison, Mr James
Clark, rh Greg
Clifton-Brown, Geoffrey
Coffey, Dr Thérèse
Collins, Damian
Colvile, Oliver

Cox, Mr Geoffrey
Crockart, Mike
Crouch, Tracey
Davey, rh Mr Edward
Davies, David T. C. *(Monmouth)*
Davies, Glyn
Davies, Philip
Davis, rh Mr David
de Bois, Nick
Dinenage, Caroline
Djanogly, Mr Jonathan
Doyle-Price, Jackie
Drax, Richard
Duncan Smith, rh Mr Iain
Dunne, Mr Philip
Ellis, Michael
Ellison, Jane
Elphicke, Charlie
Eustice, George
Evans, Graham
Evans, Jonathan
Evans, Mr Nigel
Evennett, Mr David
Fabricant, Michael
Farron, Tim
Featherstone, rh Lynne
Field, Mark
Foster, rh Mr Don
Fox, rh Dr Liam
Francois, rh Mr Mark
Freeman, George
Freer, Mike
Fuller, Richard
Gale, Sir Roger
Garnier, Sir Edward
Garnier, Mark
Gauke, Mr David
Gibb, Mr Nick
Glen, John
Goldsmith, Zac
Goodwill, Mr Robert
Gove, rh Michael
Graham, Richard
Grant, Mrs Helen
Gray, Mr James
Grayling, rh Chris
Greening, rh Justine
Grieve, rh Mr Dominic
Griffiths, Andrew
Gummer, Ben
Gyimah, Mr Sam
Hague, rh Mr William
Halfon, Robert
Hames, Duncan
Hammond, Stephen
Hancock, rh Matthew
Hands, rh Greg
Harper, Mr Mark
Harrington, Richard
Harris, Rebecca
Hart, Simon
Harvey, Sir Nick
Haselhurst, rh Sir Alan
Hayes, rh Mr John
Heald, Sir Oliver
Heath, Mr David
Heaton-Harris, Chris
Henderson, Gordon
Herbert, rh Nick
Hinds, Damian
Hoban, Mr Mark
Hollingbery, George
Hollobone, Mr Philip
Hopkins, Kris
Howarth, Sir Gerald
Hughes, rh Simon
Hunt, rh Mr Jeremy
Hunter, Mark
Huppert, Dr Julian
Hurd, Mr Nick
Jackson, Mr Stewart
James, Margot
Javid, rh Sajid
Jenkin, Mr Bernard
Jenrick, Robert
Johnson, Gareth
Johnson, Joseph
Jones, Andrew
Jones, rh Mr David
Jones, Mr Marcus
Kawczynski, Daniel
Kelly, Chris
Knight, rh Sir Greg
Kwarteng, Kwasi
Lamb, rh Norman
Lancaster, Mark
Latham, Pauline
Laws, rh Mr David
Leadsom, Andrea
Lee, Jessica
Leech, Mr John
Lefroy, Jeremy
Leigh, Sir Edward
Leslie, Charlotte
Letwin, rh Mr Oliver
Lewis, Brandon
Lewis, Dr Julian
Lilley, rh Mr Peter
Lloyd, Stephen
Lopresti, Jack
Loughton, Tim
Luff, Sir Peter
Lumley, Karen
Macleod, Mary
Main, Mrs Anne
Maude, rh Mr Francis
May, rh Mrs Theresa
Maynard, Paul
McCartney, Jason
McCartney, Karl
McIntosh, Miss Anne
McLoughlin, rh Mr Patrick
McPartland, Stephen
McVey, rh Esther
Menzies, Mark
Metcalfe, Stephen
Miller, rh Maria
Mills, Nigel
Milton, Anne
Mitchell, rh Mr Andrew
Moore, rh Michael
Morris, Anne Marie
Morris, James
Mosley, Stephen
Mulholland, Greg
Mundell, rh David
Murray, Sheryll
Murrison, Dr Andrew
Neill, Robert
Newton, Sarah
Nokes, Caroline
Nuttall, Mr David
O'Brien, rh Mr Stephen
Offord, Dr Matthew
Ollerenshaw, Eric
Opperman, Guy
Ottaway, rh Sir Richard
Paice, rh Sir James
Parish, Neil
Patel, Priti
Paterson, rh Mr Owen
Pawsey, Mark
Penning, rh Mike
Perry, Claire
Phillips, Stephen
Pickles, rh Mr Eric
Pincher, Christopher
Poulter, Dr Daniel
Prisk, Mr Mark
Raab, Mr Dominic
Redwood, rh Mr John
Rees-Mogg, Jacob
Reid, Mr Alan
Robathan, rh Mr Andrew
Robertson, rh Sir Hugh
Robertson, Mr Laurence
Rosindell, Andrew
Rudd, Amber
Ruffley, Mr David
Russell, Sir Bob
Rutley, David
Sanders, Mr Adrian
Sandys, Laura
Scott, Mr Lee
Selous, Andrew
Sharma, Alok
Shelbrooke, Alec
Simmonds, Mark
Simpson, Mr Keith
Skidmore, Chris
Smith, Chloe
Smith, Henry
Smith, Sir Robert
Soubry, Anna
Spelman, rh Mrs Caroline
Spencer, Mr Mark
Stephenson, Andrew
Stevenson, John
Stewart, Iain
Stewart, Rory
Streeter, Mr Gary
Stride, Mel
Stunell, rh Sir Andrew
Sturdy, Julian
Swales, Ian
Swayne, rh Mr Desmond
Swinson, Jo
Syms, Mr Robert
Thurso, rh John
Timpson, Mr Edward
Tomlinson, Justin
Tredinnick, David
Truss, rh Elizabeth
Turner, Mr Andrew
Tyrie, Mr Andrew
Uppal, Paul
Vaizey, Mr Edward
Vara, Mr Shailesh
Vickers, Martin
Villiers, rh Mrs Theresa
Walker, Mr Charles
Wallace, Mr Ben
Ward, Mr David
Weatherley, Mike
Webb, rh Steve
Wharton, James
Wheeler, Heather
White, Chris
Whittaker, Craig
Whittingdale, Mr John
Wiggin, Bill
Williams, Mr Mark
Williams, Roger
Williams, Stephen
Williamson, Gavin
Willott, Jenny
Wilson, Mr Rob
Wollaston, Dr Sarah
Wright, rh Jeremy
Wright, Simon
Yeo, Mr Tim
Zahawi, Nadhim

Tellers for the Noes:
John Penrose and Gavin Barwell

Question accordingly negatived.

New Clause 22

PROSTITUTION AND SEXUAL EXPLOITATION

'(1) The Secretary of State must undertake a review of the links between prostitution and human trafficking and sexual exploitation in England and Wales.

(2) The review under subsection (1) must consider—

(a) the extent to which the current legislation governing prostitution in England and Wales acts as an effective deterrent to demand for sexual services from exploited persons;

(b) the extent to which the current legislation governing prostitution in England and Wales enables effective enforcement action against those trafficking people for sexual exploitation; and

(c) the extent to which alternative legal frameworks for governing prostitution adopted by other countries within the European Union, including Northern Ireland, have been effective at reducing sexual exploitation and the number of people trafficked for the purpose of sexual exploitation.

(3) The review under subsection (1) must be completed and a copy must be laid before Parliament within six months of Royal Assent."—*(Mr Hanson.)*

Brought up.

Question put, That the clause be added to the Bill.

The House divided: Ayes 229, Noes 283.

Division No. 72] [6.25 pm

AYES

Abbott, Ms Diane
Abrahams, Debbie
Ainsworth, rh Mr Bob
Alexander, Heidi
Ali, Rushanara
Anderson, Mr David
Ashworth, Jonathan
Austin, Ian
Bailey, Mr Adrian
Bain, Mr William
Balls, rh Ed
Banks, Gordon
Barron, rh Kevin
Beckett, rh Margaret
Begg, Dame Anne
Benn, rh Hilary
Berger, Luciana
Betts, Mr Clive
Blackman-Woods, Roberta
Blenkinsop, Tom
Blomfield, Paul
Blunkett, rh Mr David
Bradshaw, rh Mr Ben
Brown, Lyn
Brown, rh Mr Nicholas
Brown, Mr Russell
Burden, Richard
Byrne, rh Mr Liam
Campbell, rh Mr Alan
Campbell, Mr Gregory
Campbell, Mr Ronnie
Caton, Martin
Champion, Sarah
Chapman, Jenny
Clark, Katy
Clarke, rh Mr Tom
Clwyd, rh Ann
Coffey, Ann
Connarty, Michael
Cooper, Rosie
Cooper, rh Yvette
Corbyn, Jeremy
Creasy, Stella
Cruddas, Jon
Cryer, John
Cunningham, Alex
Cunningham, Mr Jim
Curran, Margaret
Dakin, Nic
Danczuk, Simon
David, Wayne
Davidson, Mr Ian
Davies, Geraint
De Piero, Gloria
Dobson, rh Frank
Docherty, Thomas
Dodds, rh Mr Nigel
Donaldson, rh Mr Jeffrey M.
Donohoe, Mr Brian H.
Doran, Mr Frank
Doughty, Stephen
Doyle, Gemma
Dromey, Jack
Dugher, Michael
Durkan, Mark
Eagle, Maria
Edwards, Jonathan
Efford, Clive
Elliott, Julie
Ellman, Mrs Louise
Esterson, Bill
Evans, Chris
Farrelly, Paul
Field, rh Mr Frank
Fitzpatrick, Jim
Flello, Robert
Flint, rh Caroline
Flynn, Paul
Francis, Dr Hywel
Gapes, Mike
Gardiner, Barry
Gilmore, Sheila
Glass, Pat
Glindon, Mrs Mary
Godsiff, Mr Roger
Goodman, Helen
Greatrex, Tom
Green, Kate
Greenwood, Lilian
Griffith, Nia
Gwynne, Andrew
Hain, rh Mr Peter
Hamilton, Mr David
Hamilton, Fabian
Hanson, rh Mr David
Harman, rh Ms Harriet
Harris, Mr Tom
Healey, rh John
Hepburn, Mr Stephen
Hermon, Lady
Heyes, David
Hillier, Meg
Hilling, Julie
Hodge, rh Margaret
Hodgson, Mrs Sharon
Hoey, Kate
Hollobone, Mr Philip
Hood, Mr Jim
Hopkins, Kelvin
Howarth, rh Mr George
Jackson, Glenda
James, Mrs Siân C.
Jamieson, Cathy
Johnson, rh Alan
Johnson, Diana
Jones, Graham
Jones, Helen
Jones, Mr Kevan
Kane, Mike
Keeley, Barbara
Kendall, Liz
Khan, rh Sadiq
Lammy, rh Mr David
Lavery, Ian
Lazarowicz, Mark
Leslie, Chris
Lewell-Buck, Mrs Emma
Long, Naomi
Love, Mr Andrew
Lucas, Caroline
Lucas, Ian
MacNeil, Mr Angus Brendan
Mactaggart, Fiona
Mahmood, Mr Khalid
Mahmood, Shabana
Malhotra, Seema
Mann, John
Marsden, Mr Gordon
McCabe, Steve
McCann, Mr Michael
McCarthy, Kerry
McCrea, Dr William
McDonagh, Siobhain
McDonnell, John
McFadden, rh Mr Pat
McGovern, Alison
McGovern, Jim
McGuire, rh Mrs Anne
McInnes, Liz
McKechin, Ann
McKenzie, Mr Iain
McKinnell, Catherine
Meale, Sir Alan
Mearns, Ian
Miller, Andrew
Mitchell, Austin
Moon, Mrs Madeleine
Morden, Jessica
Morrice, Graeme *(Livingston)*
Morris, Grahame M. *(Easington)*
Mudie, Mr George
Murphy, rh Mr Jim
Murphy, rh Paul
Murray, Ian
Nash, Pamela
O'Donnell, Fiona
Osborne, Sandra
Owen, Albert
Paisley, Ian
Pearce, Teresa
Perkins, Toby
Phillipson, Bridget
Powell, Lucy
Raynsford, rh Mr Nick
Reed, Mr Jamie
Reed, Mr Steve
Reeves, Rachel
Reynolds, Emma
Reynolds, Jonathan
Riordan, Mrs Linda
Ritchie, Ms Margaret
Robertson, John
Robinson, Mr Geoffrey
Rotheram, Steve
Roy, Mr Frank
Roy, Lindsay
Ruane, Chris
Ruddock, rh Dame Joan
Sarwar, Anas
Sawford, Andy
Seabeck, Alison
Shannon, Jim
Sharma, Mr Virendra
Sheerman, Mr Barry
Sheridan, Jim
Shuker, Gavin
Simpson, David
Skinner, Mr Dennis
Slaughter, Mr Andy
Smith, Angela
Smith, Nick
Smith, Owen
Spellar, rh Mr John
Straw, rh Mr Jack
Stringer, Graham
Stuart, Ms Gisela
Sutcliffe, Mr Gerry
Tami, Mark
Teather, Sarah
Thornberry, Emily
Timms, rh Stephen
Trickett, Jon
Twigg, Derek
Umunna, Mr Chuka
Vaz, rh Keith
Vaz, Valerie
Walley, Joan
Watson, Mr Tom
Watts, Mr Dave
Whitehead, Dr Alan
Williams, Hywel
Williamson, Chris
Wilson, Phil
Winnick, Mr David
Winterton, rh Ms Rosie
Wood, Mike
Woodcock, John
Wright, David
Wright, Mr Iain

Tellers for the Ayes:
Karl Turner and
Susan Elan Jones

NOES

Afriyie, Adam
Aldous, Peter
Alexander, rh Danny
Amess, Mr David
Andrew, Stuart
Arbuthnot, rh Mr James
Baker, Steve
Baldry, rh Sir Tony
Baldwin, Harriett
Barclay, Stephen
Barker, rh Gregory
Bebb, Guto
Bellingham, Mr Henry
Benyon, Richard
Beresford, Sir Paul
Berry, Jake
Bingham, Andrew
Binley, Mr Brian
Birtwistle, Gordon
Blackman, Bob
Blackwood, Nicola
Blunt, Crispin
Boles, Nick
Bone, Mr Peter
Bradley, Karen
Brady, Mr Graham

Brake, rh Tom
Bray, Angie
Brazier, Mr Julian
Bridgen, Andrew
Brine, Steve
Brokenshire, James
Brooke, rh Annette
Browne, Mr Jeremy
Bruce, rh Sir Malcolm
Buckland, Mr Robert
Burns, Conor
Burstow, rh Paul
Burt, rh Alistair
Burt, Lorely
Cable, rh Vince
Cairns, Alun
Campbell, rh Sir Menzies
Carmichael, rh Mr Alistair
Carmichael, Neil
Cash, Sir William
Chishti, Rehman
Clappison, Mr James
Clark, rh Greg
Clifton-Brown, Geoffrey
Coffey, Dr Thérèse
Collins, Damian
Colvile, Oliver
Cox, Mr Geoffrey
Crockart, Mike
Crouch, Tracey
Davey, rh Mr Edward
Davies, David T. C. *(Monmouth)*
Davies, Glyn
Davies, Philip
Davis, rh Mr David
Dinenage, Caroline
Djanogly, Mr Jonathan
Doyle-Price, Jackie
Drax, Richard
Duncan Smith, rh Mr Iain
Dunne, Mr Philip
Ellis, Michael
Ellison, Jane
Elphicke, Charlie
Eustice, George
Evans, Graham
Evans, Jonathan
Evans, Mr Nigel
Evennett, Mr David
Fabricant, Michael
Farron, Tim
Featherstone, rh Lynne
Field, Mark
Foster, rh Mr Don
Fox, rh Dr Liam
Francois, rh Mr Mark
Freeman, George
Freer, Mike
Fuller, Richard
Gale, Sir Roger
Garnier, Sir Edward
Garnier, Mark
Gauke, Mr David
Gibb, Mr Nick
Glen, John
Goldsmith, Zac
Goodwill, Mr Robert
Gove, rh Michael
Graham, Richard
Grant, Mrs Helen
Gray, Mr James
Greening, rh Justine
Grieve, rh Mr Dominic
Griffiths, Andrew
Gummer, Ben
Gyimah, Mr Sam
Hague, rh Mr William
Halfon, Robert
Hames, Duncan
Hammond, Stephen
Hancock, rh Matthew
Hands, rh Greg
Harper, Mr Mark
Harrington, Richard
Harris, Rebecca
Hart, Simon
Harvey, Sir Nick
Haselhurst, rh Sir Alan
Heald, Sir Oliver
Heath, Mr David
Heaton-Harris, Chris
Hemming, John
Herbert, rh Nick
Hinds, Damian
Hoban, Mr Mark
Hollingbery, George
Hopkins, Kris
Horwood, Martin
Howarth, Sir Gerald
Hughes, rh Simon
Hunt, rh Mr Jeremy
Hunter, Mark
Huppert, Dr Julian
Hurd, Mr Nick
Jackson, Mr Stewart
James, Margot
Javid, rh Sajid
Jenkin, Mr Bernard
Jenrick, Robert
Johnson, Gareth
Johnson, Joseph
Jones, Andrew
Jones, rh Mr David
Jones, Mr Marcus
Kawczynski, Daniel
Kelly, Chris
Knight, rh Sir Greg
Kwarteng, Kwasi
Lamb, rh Norman
Lancaster, Mark
Latham, Pauline
Laws, rh Mr David
Leadsom, Andrea
Lee, Jessica
Leech, Mr John
Leigh, Sir Edward
Leslie, Charlotte
Letwin, rh Mr Oliver
Lewis, Brandon
Lewis, Dr Julian
Lilley, rh Mr Peter
Lloyd, Stephen
Lopresti, Jack
Loughton, Tim
Luff, Sir Peter
Lumley, Karen
Macleod, Mary
Main, Mrs Anne
Maude, rh Mr Francis
May, rh Mrs Theresa
Maynard, Paul
McCartney, Jason
McCartney, Karl
McIntosh, Miss Anne
McLoughlin, rh Mr Patrick
McPartland, Stephen
McVey, rh Esther
Menzies, Mark
Metcalfe, Stephen
Miller, rh Maria
Mills, Nigel
Milton, Anne
Mitchell, rh Mr Andrew
Moore, rh Michael
Morris, Anne Marie
Morris, James
Mosley, Stephen
Mulholland, Greg
Mundell, rh David
Murray, Sheryll
Murrison, Dr Andrew
Neill, Robert
Newton, Sarah
Nokes, Caroline
Nuttall, Mr David
O'Brien, rh Mr Stephen
Offord, Dr Matthew
Ollerenshaw, Eric
Opperman, Guy
Ottaway, rh Sir Richard
Paice, rh Sir James
Parish, Neil
Patel, Priti
Paterson, rh Mr Owen
Pawsey, Mark
Penning, rh Mike
Penrose, John
Perry, Claire
Phillips, Stephen
Pickles, rh Mr Eric
Pincher, Christopher
Poulter, Dr Daniel
Prisk, Mr Mark
Raab, Mr Dominic
Randall, rh Sir John
Redwood, rh Mr John
Rees-Mogg, Jacob
Reevell, Simon
Reid, Mr Alan
Robathan, rh Mr Andrew
Robertson, rh Sir Hugh
Robertson, Mr Laurence
Rosindell, Andrew
Rudd, Amber
Ruffley, Mr David
Russell, Sir Bob
Rutley, David
Sanders, Mr Adrian
Sandys, Laura
Scott, Mr Lee
Selous, Andrew
Sharma, Alok
Shelbrooke, Alec
Simmonds, Mark
Simpson, Mr Keith
Skidmore, Chris
Smith, Chloe
Smith, Henry
Smith, Sir Robert
Soubry, Anna
Spelman, rh Mrs Caroline
Spencer, Mr Mark
Stephenson, Andrew
Stevenson, John
Stewart, Iain
Stewart, Rory
Streeter, Mr Gary
Stride, Mel
Stunell, rh Sir Andrew
Sturdy, Julian
Swales, Ian
Swayne, rh Mr Desmond
Swinson, Jo
Syms, Mr Robert
Thurso, rh John
Timpson, Mr Edward
Tomlinson, Justin
Tredinnick, David
Truss, rh Elizabeth
Turner, Mr Andrew
Tyrie, Mr Andrew
Uppal, Paul
Vaizey, Mr Edward
Vara, Mr Shailesh
Vickers, Martin
Villiers, rh Mrs Theresa
Walker, Mr Charles
Ward, Mr David
Weatherley, Mike
Webb, rh Steve
Wharton, James
Wheeler, Heather
White, Chris
Whittaker, Craig
Whittingdale, Mr John
Wiggin, Bill
Williams, Mr Mark
Williams, Roger
Williams, Stephen
Williamson, Gavin
Willott, Jenny
Wilson, Mr Rob
Wollaston, Dr Sarah
Wright, rh Jeremy
Wright, Simon
Yeo, Mr Tim
Zahawi, Nadhim

Tellers for the Noes:
Gavin Barwell and Mr Ben Wallace

Question accordingly negatived.

Ordered,

That Clause 13 be transferred to end of line 15 on page 26.

That Clause No. 13 be divided into two clauses, the first (*Enforcement powers in relation to ships: England and Wales*) to consist of subsections (1) to (7) and the second (*Interpretation of Part 2A*) to consist of subsections (8) and (9).

That Schedule 1 be transferred to end of line 25 on page 38. *—(Karen Bradley.)*

Third Reading

6.36 pm

The Secretary of State for the Home Department (Mrs Theresa May): I beg to move, That the Bill be now read the Third time.

The injustice and suffering experienced by victims of modern slavery is often difficult to comprehend: young girls raped, beaten and passed from abuser to abuser so that they can be sexually exploited for profit; vulnerable men tricked into long hours of hard labour before being locked away in cold sheds or run-down caravans; people made to work in fields, in factories and on fishing vessels; women forced into prostitution; children forced into a life of crime; and domestic workers imprisoned and made to work all hours of the day and night for little or no pay. Those are the harsh realities of modern day slavery, and those are the crimes taking place not in the distant past, but in towns, cities and villages in Britain today.

That is why this Modern Slavery Bill—the first of its kind in Europe—is so important. It sends out a powerful message about our intent to be at the forefront of this fight and to end this trade in human misery. It will ensure that we can effectively prosecute perpetrators, properly punish offenders and help prevent more crimes from taking place in the first place. But most importantly, it will enhance protection and support for the victims of these appalling crimes. Furthermore, in a measure that goes further than any other similar legislation in the world, it will encourage businesses to make sure that supply chains for goods and services sold in the UK are not tarnished by slavery.

Members on both sides of the House have contributed enormously to the Bill, and today we have heard further lively and constructive debate. I thank all those who have played a role in shaping the Bill. In particular, I thank all those who played a part in Committee for their valuable contributions. All those who contributed in Committee and at other stages in the Bill's passage through the House have ensured that we will have effective legislation to deal with offenders and protect victims. I thank the Under-Secretary of State for the Home Department, my hon. Friend the Member for Staffordshire Moorlands (Karen Bradley), in particular, for not only her tireless work but for her passionate commitment to this issue.

I think that the Bill has been greatly improved by its passage through this House, demonstrating the value of parliamentary scrutiny. I pay tribute to the members of the pre-legislative scrutiny Committee, particularly the right hon. Member for Birkenhead (Mr Field), who chaired the Committee, and whose unstinting dedication to the issue has been truly admirable. The Committee held an intensive and thorough inquiry and produced a report that led to significant improvements in the Bill.

I have always been clear that victims must be at the heart of everything we do, and it is imperative that they get the help and support they need and deserve. I commissioned the detailed review of the national referral mechanism to ensure that we provide effective care and support and that all agencies work together in the best interests of victims. The review will be published shortly, and the Government are currently re-tendering the victims care contract. It is also why I put in place a trial scheme of child trafficking advocates so that child victims' voices are heard and they receive the support and assistance they need in relation to the social care, immigration and criminal justice systems.

Sarah Champion (Rotherham) (Lab): I am listening to the Secretary of State with interest. I am pleased to hear that she is putting victims at the very centre of the Bill. Why, then, did the Government turn down Labour's amendment to make child exploitation part of the Bill?

Mrs May: I say to the hon. Lady, who was, I believe, a member of the Bill Committee and has obviously been working on this with others, that we looked at the issue of child exploitation and took a lot of advice on it. The worry was that if it were referenced in the Bill in the way suggested, that could lead to certain actions and activities falling within the description of child exploitation that were never intended to be part of the Bill. In short, I am afraid that the law of unintended consequences would have kicked in and a disbenefit would have resulted from having that aspect in the Bill.

However, as the hon. Lady knows, we have brought together various offences and made some changes to them in order to clarify some of the issues. There has been genuine debate, in Committee and throughout the stages in this Chamber, on the various issues in the Bill, and I think it is, in a number of aspects, a better Bill as a result. We have responded on the issue of supply chains. We have added the new provision on the statutory defence for victims of modern slavery who are compelled to commit crimes. That includes substantial safeguards against abuse but would not apply to a number of serious offences—mainly violent and sexual offences, as set out in the Bill.

The Bill extends to all modern slavery victims existing provisions that help victims of trafficking to gain access to special measures in court. I hope that that will give victims the confidence to come forward and give evidence.

Sir Edward Garnier: Will my right hon. Friend take time over the next few days to have a look at the record of this afternoon's debates? I spoke about exploitation by brainwashing. Although that is not yet in the Bill, I hope that at some stage she and her team will consider the inclusion of some sort of offence along those lines. Will she also take this opportunity to mention Mr Anthony Steen, our former colleague, whose work outside Parliament has done a great deal to push this agenda forward?

Mrs May: I thank my hon. and learned Friend. I recognise that we were not able to respond to the specific points that he raised, and my hon. Friend the Under-Secretary or I will write to him about those.

I am indeed happy to pay tribute to the work that has been done by Anthony Steen, who, for a period of time, was my special envoy and produced a number of reports. He went to a number of countries to look at how they were dealing with this issue, and he was able to bring that experience back and help to inform us in dealing with the Bill.

This Bill will stand alongside our wider programme of work to tackle modern slavery nationally and internationally. It is an important step, but if it is to be implemented effectively we need concerted effort from all those involved. That is why we will publish a comprehensive strategy to tackle modern slavery that will complement the legislative framework that we are putting in place.

Mr Burrowes: May I put on record my thanks to the Under-Secretary, who withstood and responded to robust challenge and scrutiny in Committee? We have a Bill that is fit for purpose and will no doubt be strengthened further as it goes through the rest of its parliamentary stages. I commend her for her passion and dedication.

The amendment that provides that the anti-slavery commissioner is independent is a welcome addition to the Bill. Will the fact that they are now explicitly independent under the Bill affect the selection process, which I understand has already started with the advertising of the position?

Mrs May: It was always the intention that the anti-slavery commissioner would be independent and that does not affect the selection process. A number of posts under the purview of Government are made by appointment. In my own area, for example, they are appointed by the Home Secretary. I assure my hon. Friend that those individuals remain fiercely independent in the work that they do. For example, I do not think that anybody has ever suggested that the appointment by the Home Secretary of the chief inspector of borders and immigration leads to him being anything other than extremely independent in his reports.

I want to mention one other aspect. I am clear that we must strengthen our law enforcement response. I have made tackling modern slavery a priority for the National Crime Agency and we are working with international law enforcement agencies to target organised criminal gangs. The UK is leading a group of international law enforcement chiefs, the Santa Marta group, which will strengthen and co-ordinate our response to modern slavery internationally. The members of the Santa Marta group will meet again in London in December.

As I have said, modern slavery is an appalling crime that crushes lives and strips people of their dignity. More than 200 years ago, this House passed historic legislation to make the slave trade illegal. Sadly, the fight against slavery is not at an end. This Bill will ensure that we can continue that fight against the slave drivers and traffickers, and release innocent people from slavery and servitude so that they can be returned to freedom. I commend this Bill to the House.

6.46 pm

Yvette Cooper (Normanton, Pontefract and Castleford) (Lab): This is an important Bill, which we support, but it does not go far enough. The Home Secretary was right to talk about the horrors of modern slavery, but she was too complacent about how far the Bill will go in acting as a solution to those problems. Time and again, she has turned down the opportunity to strengthen the Bill. So much more could be done—and I hope it will—before it returns to us from the other place.

I thank my right hon. Friend the Member for Delyn (Mr Hanson) and my hon. Friend the Member for Kingston upon Hull North (Diana Johnson) for scrutinising the Bill on behalf of the Opposition. I also thank all members who served on the Committee and the members of the cross-party Joint Committee, including my hon. Friends the Members for Slough (Fiona Mactaggart) and for Linlithgow and East Falkirk (Michael Connarty), my right hon. Friend the Member for Birkenhead (Mr Field) and the right hon. Members for Uxbridge and South Ruislip (Sir John Randall), for Meriden (Mrs Spelman) and for Hazel Grove (Sir Andrew Stunell), who have continued to improve the Bill and argue for the changes required.

The horrors of modern slavery in the 21st century are still with us and the Home Secretary is right to raise such concerns about them. Victims include children forced into servitude or to tend cannabis farms; grown men exploited and held in dreadful, inhuman conditions, labouring under gangs; and women raped, beaten and pimped into prostitution. They are trafficked by gangs across borders or around the country, used and abused, their basic humanity denied.

The Home Secretary is right to say that action is needed to introduce a Bill that builds on the work not only of Anthony Totnes, but of the previous Government, who criminalised trafficking in 2003, introduced the new offence of forced labour, slavery or servitude in 2009 and created the national referral mechanism and the UK Human Trafficking Centre. It is also right to introduce new offences, a new commissioner and the new civil orders. However, if this Bill is such a powerful signal and a chance to lead the world, it should also be chance to go so much further.

The former Member for Totnes, Anthony Steen, has said that the Bill in its current form is a "lost opportunity":

> "The bill is wholly and exclusively about law enforcement—but it shouldn't be enforcement-based, it should be victim-based. We have majored on the wrong thing. It is positive in the sense that it is an entirely new initiative, but is it going to do anything?"

That is the challenge from Anthony Totnes to all of us, and we should seize the opportunity to go further.

Sir John Randall: I hope the right hon. Lady realises that it is Anthony Steen, not Anthony Totnes. The quotation she cites relates to an early stage of the Bill and I know, because I am in constant touch with Anthony Steen, that, although there are some things to be addressed, that view was from some time ago.

Yvette Cooper: The right hon. Gentleman has taken a great interest in this subject and he did an immense amount of work on the Joint Committee. I thank him for his clarification. It shows that I still have the unfortunate habit, which we can so easily fall into in this place, of naming people by their constituencies, rather than by their surnames. I reiterate my tribute to—

Mr Hanson: John Uxbridge.

Yvette Cooper: Yes, I reiterate my tribute to John Uxbridge, and to the former Member for Totnes, Anthony Steen, whom we all hold in high regard. The trouble is that the Bill has not changed very much during its passage. There have been some significant and welcome changes, but it still does not go far enough.

On law enforcement, the main offences at the heart of the Bill, particularly in clause 2, are not strong or simple enough to ensure that we can prosecute the criminals who drive this evil trade. It is such a shame that the Government have not listened to all those calling for separate offences of trafficking and exploitation, and for separate offences for children. We know that the law fails to protect children, and this is an opportunity to strengthen the law through a separate offence of child exploitation. I really hope that the other place will take that chance. I urge the Home Secretary to give this matter further consideration and I urge the Government to respond in the other place.

Jim Shannon: Last year, 2,744 people were trafficked across the United Kingdom, of whom 602 were children. Is the right hon. Lady aware of the legislative change made in Northern Ireland on human trafficking and exploitation? The legislation sets in place terminology and change that could be a precedent for the rest of the United Kingdom. Does she think that that is worth considering?

Yvette Cooper: The hon. Gentleman is right. We know that the issue crosses borders and exists in different areas, so we should look at such legislation. We all know that the most vulnerable people who are so abused by this evil trade are children, so we should do as much as we possibly can to ensure that they get the additional protection they need and deserve. That is why the Government should really look at this again.

We welcome some of the changes that the Government have started to make on supply chains. We hope that they will go further—we will look at the details of their proposals—because none of us should ever tolerate the seafood on our supermarket shelves or the fashion clothes on our rails being stained with the sweat and blood of slaves overseas, and our companies should never participate in that kind of slavery.

Why do the Government not go further and help domestic workers? Their visa reforms have made things worse, trapping more domestic workers into slavery. Why will they not admit that they have got things wrong and look at that again? Why will they not do more to help victims—the most important thing of all—through guardians, strengthened referral mechanisms and the anti-slavery commissioner? We hope that the other place will consider what more can be done to improve support for victims. Why do the Government not look further at the links between trafficking and prostitution, which also drive the evil trade?

Rarely has a Bill had such overwhelming support from Members on both sides of the House, but also caused so much frustration. It could go further, and it could do more. There can be no half-measures. This is about stopping evil people committing terrible crimes, ending the enslavement, abuse and degradation of modern-day slavery, and defending the rights of liberty and freedom that we in this country have championed for so long. Let us hear the words of one victim:

"I was trafficked. I was fooled. I was deceived"—

with someone—

"forcing me to work on the streets, beating me up, force feeding me and turning me into someone with no mind of my own. Death too often felt like my only way to escape…but I am a survivor. I have a new life but I am haunted by the faces of those who used me".

For such victims and survivors, we must do more.

6.53 pm

Sir John Randall: I want quickly to congratulate the Home Secretary, the Home Office and the Under-Secretary of State for the Home Department, my hon. Friend the Member for Staffordshire Moorlands (Karen Bradley), as well as all those with whom I have served on a variety of Committees on this subject, in which I am now totally immersed. Of course we could always go further, but I think that we have gone a huge way, and a lot further than we thought we would get. There is an opportunity at the end of the building, but we must not waste it, because with an election coming up, time is not on our side.

If we are to get more traffickers behind bars, we must concentrate—and these are the words that really matter—on victims, victims, victims. That is the key to it all. We must also utilise the vast skills, expertise and good will of non-governmental organisations and civil society. Many of the victims are frightened of Governments and law enforcement and we must recognise that what victims are used to in their own countries is not necessarily the same as they experience here.

As I am shortly to leave this place, I think the one thing that I can be sure of is that this was the finest hour in all my time here.

6.54 pm

Jim Shannon: I have a couple of quick points but I shall try to leave time for other Members. I did not get a chance to contribute on Second Reading, so I wish to mention the clear case for the Northern Ireland Assembly and the suggestions made by the right hon. Member for Normanton, Pontefract and Castleford (Yvette Cooper) in new clause 22. That sets an example for the rest of the United Kingdom and should be part of how the Bill proceeds. We also want the anti-slavery commissioner to be introduced.

Let me put into perspective the importance of what happened in the Northern Ireland Assembly in the recent Human Trafficking and Exploitation (Further Provisions and Support for Victims) Bill. With the exception of 10 Assembly Members, Members across the Chamber supported the Bill—they cannot agree on welfare reform, but they can agree on that Bill, which I thought was interesting.

One point that was mentioned—although perhaps not as much as I would have hoped—is the fact that it is not always foreign citizens who are trafficked. Some British citizens in the United Kingdom are being trafficked—men for labour and girls for sex. Another issue that I hope will be considered at a later stage concerns students, some of whom have been forced into the sex trade as the best way to pay their student fees. Such issues cannot be ignored by the House and those outside it, and we must consider the effect on students and those who are forced by unscrupulous people—pimps—who are prepared to pay up to 100% of their tuition fees. Although new clause 22 may not have been supported by the House tonight, there will be chances in another place to do that, and when the Bill comes back we will get it right.

6.55 pm

Sir Andrew Stunell: I will leave time, I hope, for the right hon. Member for Birkenhead (Mr Field).

We have moved a long way during the passage of the Bill, and I welcome every step. We are very near to having a world-class Bill, but we are not there yet. I hope that the Home Secretary will read the debate and listen to what was said about the Gangmaster Licensing Authority in particular, and about exploitation as a separate offence. There is still considerable work to do, but I commend the ministerial team for their work, the way they have listened, and the way this Bill has progressed through the House.

6.56 pm

Mr Frank Field: I underscore that last comment, which is immensely important. This has been the most open conversation on a Bill that I have experienced in my time in the House.

Fifteen months ago there was no talk of this Bill, and tonight there are a few scratchy comments about whether it could be an even better world-class Bill—it will be when it leaves the other place. There are three tasks to do, and they are the difficult tasks as opposed to getting a world-class Bill. One is about victims, and that immensely difficult task will take time and resources. There is also the question of how we educate a new consumer movement, so that consumers enforce the Bill by refusing to touch goods and services made by slaves. The Secretary of State will have a world-class Bill, so I hope she will take it to the Commonwealth and enliven that body. Many of the supply routes to this country for slavery are from Commonwealth countries. Since the overthrow of apartheid, the Commonwealth has lacked a huge moral task with which to get involved, and I think this issue will be that. I thank the Home Secretary for her openness. Some of the concessions that she made, such as on supply chains, are ones that she wanted to give anyway.

Question put and agreed to.

Bill accordingly read the Third time and passed.

Business without Debate

DELEGATED LEGISLATION

Madam Deputy Speaker (Mrs Eleanor Laing): We now come to motions 4 and 5 on investigatory powers.

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

Investigatory Powers

That the draft Regulation of Investigatory Powers (Covert Surveillance and Property Interference: Code of Practice) Order 2014, which was laid before this House on 22 July, be approved.

That the draft Regulation of Investigatory Powers (Covert Human Intelligence Sources: Code of Practice) Order 2014, which was laid before this House on 22 July, be approved.—*(Mark Lancaster.)*

Question agreed to.

Madam Deputy Speaker: We now come to motions 6, 7 and 8 on terms and conditions of employment.

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

Terms and Conditions of Employment

That the draft Shared Parental Leave Regulations 2014, which were laid before this House on 21 July, be approved.

That the draft Statutory Shared Parental Pay (General) Regulations 2014, which were laid before this House on 21 July, be approved.

That the draft Maternity and Adoption Leave (Curtailment of Statutory Rights to Leave) Regulations 2014, which were laid before this House on 21 July, be approved.—*(Mark Lancaster.)*

Question agreed to.

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

Value Added Tax

That the Value Added Tax (Place of Supply of Services) (Exceptions Relating to Supplies Not Made to Relevant Business Person) Order 2014 (S.I., 2014, No. 2726), dated 13 October 2014, a copy of which was laid before this House on 14 October, be approved.—*(Mark Lancaster.)*

Question agreed to.

PETITION

Impact of New Housing in Longridge, Clitheroe and Whalley

7 pm

Mr Nigel Evans (Ribble Valley) (Con): I rise today to present a petition from the residents of Longridge and Whittingham, and other residents of the Ribble Valley. There has been a deluge of planning applications to build thousands of houses in my area, and in neighbouring areas under Preston council control but affecting Longridge in the Ribble Valley. Whalley has had several hundred houses foisted upon it on appeal. Clitheroe is the same. Barrow will be transformed—at the moment, it is a small village of about 300 houses—to take 504 more houses on appeal, with 65 other houses approved and further applications in the pipeline. Other villages are suffering planning pressures.

Councillors are exasperated and council officers are overrun with work. The public are frustrated that their voice is thwarted by planning inspectors. The council is strapped for cash defending expensive appeals. Their cry is simply this: enough is enough. I back them 100%. This is their plea to the Government today via a petition signed by 1,065 local residents.

The petition states:

The Petition of the residents of Longridge, Whittingham and the Ribble Valley Parliamentary Constituency,

Declares that the small rural towns and villages like Longridge, Clitheroe and Whalley up and down the country are under siege from housing developers seeking to build excessive numbers of homes to encourage people to migrate from industrial towns and cities to rural communities.

The Petitioners therefore request that the House of Commons recognises the problems of these communities like Longridge where developers are seeking to build 2,300 houses and amend the National Planning Policy Framework to:

(a) Suspend the operation of clauses 14 and 49 of the National Planning Policy Forum until 90% of local authorities have an approved local development plan so there is no presumption in favour of planning consent where a local authority does not have an approved Local Development Plan or 5 years of development land and

(b) Allow local communities divided by a local government boundary to be treated as one entity for planning purposes.

And the Petitioners remain, etc.

[P001395]

Internet Abuse of Members of Parliament

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

7.3 pm

John Mann (Bassetlaw) (Lab): I wish to raise the problems that Members of the House and many more people in our communities face from the abuse of social media. For me, and probably for all hon. Members, social media has huge benefits. It is a great liberator and gives many new opportunities to people throughout the world to communicate in different ways. However, it has a small but vicious and nasty downside. Indeed, having called the debated, I noted a story in the newspapers. Mr Yaya Touré, a footballer, went back on to Twitter after five months and was immediately viciously abused by racists. Mr Robert Hannigan, the head of GCHQ, said this morning that internet companies are in denial over the use of the internet by terrorists and criminals.

We have seen the most grotesque misuse of the right of freedom of expression by individuals using the internet in a series of cases affecting Members. My hon. Friend the Member for Walthamstow (Stella Creasy), who successfully prosecuted, said that

"the authorities didn't even know how to begin investigating whether one person was sending these messages"—

the abusive, hateful and violent messages she was receiving—

"or many individuals".

The grotesque racist abuse from a whole range of people in the past few weeks aimed at my hon. Friend the Member for Liverpool, Wavertree (Luciana Berger) has been a factor in my request to Mr Speaker to grant this debate. On Saturday, 10 people were arrested as a direct consequence of issues raised on the internet. When I had the temerity to raise the issue on a point of order in the House, I received the most extraordinary fake messages, allegedly in my name, which were deliberately meant to upset, alienate and aggrieve individuals in the community: incendiary words that were fiction and mere lies—nothing I would ever contemplate saying—but put up by one of these individuals in my name and then spread by others across the internet. There has been an arrest in the past few days.

The Inter-parliamentary Coalition for Combating Antisemitism, which I chair, and the Anti-Defamation League in the US, have spent the past four years agreeing best practice for responding to cyber-hate. A whole range internet providers—Google, Twitter, YouTube, PayPal, Facebook—have agreed five procedures for internet providers:

"Providers should take reports about cyberhate seriously, mindful of the fundamental principles of free expression, human dignity, personal safety and respect for the rule of law."

The last three are being violated repeatedly, both in relation to Members and to people—far more people—outside this House. What the internet companies and law enforcement companies are doing in this country is insufficient.

The second guideline states:

"Providers that feature user-generated content should offer users a clear explanation of their approach to evaluating and resolving reports of hateful content, highlighting their relevant terms of service."

Having had this happen against me and seeing it against others, I have no idea what those terms are. They are not upfront. They are not available for people to see. No one has a clue what the internet companies claim to be doing about it.

The third guideline states:

"Providers should offer user-friendly mechanisms and procedures for reporting hateful content."

I would advise anyone to take as an example Twitter. To know how to use Twitter's response one has to be something of a computer expert. It is not user-friendly and it is not immediately available for those being harassed on the internet by others, sometimes in a criminal way.

The fourth guideline states:

"Providers should respond to user reports in a timely manner."

Even when the police use RIPA requests for Twitter, Facebook and others, they go to the United States, or even Europe where the companies have their headquarters, rather than have them agreed in this country, This delays hugely the ability of the police to gain the information even to contemplate prosecuting.

Fifthly:

"Providers should enforce whatever sanctions their terms of service contemplate in a consistent and fair manner".

I am not suggesting, and nobody else is, a hierarchy of victims or any special privileged treatment for MPs, but the fact is that Members of Parliament are receiving the most grotesque and criminal hate abuse on the internet. If that can be done to Members of Parliament, can we imagine what is being done to people out in the community? I am now hearing countless examples of the most extraordinary abuse even of tiny children and of victims being abused when the victim complains. Businesses are another example, with people's businesses torn apart by abuse on the internet.

Luciana Berger (Liverpool, Wavertree) (Lab/Co-op): I congratulate my hon. Friend on his tireless work in this area. Does he agree with me that we must have in mind those people to whom he alludes and who are not in this House and have to suffer in silence and in isolation? They often have no support, and these people should be at the forefront of our minds. We need to do everything we possibly can to tackle this issue for them.

John Mann: A system that would work for a Member of Parliament at the top of society—as, in reality, we are—should and must also work for anybody in society. We have the ability to fight back against this abuse. We have the ability to contact the police at a senior level and immediately. I shall come on to what can and should be done even for Members of Parliament, but for people being bullied, intimidated and criminally harassed by people on the internet, there is very little ability and very little knowledge to respond, largely because the internet companies do not take their responsibilities seriously. The police and the Crown Prosecution Service are behind the times when it comes to dealing with this problem.

Social media is regarded as a communication tool, but it is also a search engine. Others are going in and seeing what is there. It is used to incite, as happened in the case with me, or to organise, in the case of others, and often goes far beyond the initial expression to cause

further damage at the aimed-for victim. There are real-life consequences—huge, real-life consequences—and lack of resource is not a defence that these social media companies can use.

We have seen racist and anti-Semitic abuse weighing in across the world, with the most extraordinary stuff being put up in their own domains in their own countries, but linking together because they have been brought together using social media. Then the opportunity is taken to target individuals and to repeat target them, with groups of people joining in the cyber-bullying and harassment, including criminal harassment. Some examples are potentially within the reach of our law enforcement, but others are well beyond it.

Even when there have been convictions—actual convictions for doing this in the most extraordinary and horrific ways to members of the public—Twitter and Facebook, to name but two, have not taken down the associated Twitter and Facebook accounts when people were convicted of abuse on the basis of evidence that those two companies helped to provide. So the culprits continue to glory in that abuse and repeat it against other victims. Something is seriously and significantly wrong with how these internet companies are dealing with the problem, but it can be seen, too, in the sanctions used by the courts and requested by the police in this country.

We need simple systems to report abuse. They should be simple to the police and authorities in this country and simple to the internet companies. We need internet companies that can be contacted directly and that do not hide away so that no one knows who runs them. I am told by these companies that it is very easy to write simple algorithms that can deal with such problems. Why, then, are these algorithms not being used, particularly where abuse has been reported and a conviction has been made?

Alison McGovern (Wirral South) (Lab): My hon. Friend is making a point about simplicity. That is vital, as it will help all of us who want to stand with the victims of abuse to report it quickly, easily and simply to keep others safe.

John Mann: Where individuals set up multiple accounts, Twitter finds it impossible to deal with that. That shows a lack of will. In law, there is an ability to ban or block individuals on social media in relation to sexual offences. This needs to be widened to all bullying and harassment on the internet where it can be shown in a detailed way that individuals have taken a considered and determined view in advance to exploit the networks to harm others. These rules should apply in all forms of harassment and abuse.

Why are we not using internet banning orders, ASBO equivalents for social media? If we can ban people from going to a certain pub or a certain football match, or any football match, or into this town or that locality, the same should be done to specific parts of social media or, if necessary, the internet as a whole. The powers exist in law but if the police were to ask for such powers and if those powers were to be implemented by the courts as part of prosecutions, there would be more ability to close down those who refuse to be tolerant and decent and who are criminal abusers of the existing law. We do not need new law. We need the current law to be used imaginatively to remove profiles from the internet, to delete accounts and to stop people continuing their abuse in exactly the same way as the police can confiscate hardware and so on. But we know how easy it is for people to switch to other mobiles or to internet cafes to continue and they are doing that.

This is not simply about using the Malicious Communications Act 1988 or the Communications Act 2003. It is about public order and harassment and those laws and those powers should be available. We need to see this as serious and major crime, not as a minor problem. Some of the abuse that we receive may be unpleasant but it does not cross the threshold. We are not talking about idiots giving us general grief on the internet. We are not talking about special privileges for MPs. We are talking about everyone, including MPs; where there is serial harassment and attempts to incite, including potentially to incite violence. We are talking about that being acted upon.

The parliamentary authorities need to get their act together in dealing with this. This is a workplace. If we are abused, insulted or threatened, and our staff and our families receive similar, they need to be doing more. Communities need to be doing more. I am critical of those, in the case of my hon. Friend the Member for Liverpool, Wavertree, who said how sorry they were but did not step up to the mark in suggesting solutions and providing solidarity and support, which should be automatic.

Finally, the political parties are not stepping up to the mark when one of their members is being abused in this way. It is being dismissed as par for the course and part of the general thing. We hear that it is not nice or pleasant but is something that is less than other criminal harassment. It is not. It is a fundamental part of criminal harassment. People out there—non-MPs—have had their lives ruined by this. That is why what happens to MPs, as with the rest of the community, needs to be dealt with more effectively in here and in this country.

7.19 pm

The Parliamentary Under-Secretary of State for Justice (Mr Shailesh Vara): I congratulate the hon. Member for Bassetlaw (John Mann) on securing the debate. We would all agree that the passion with which he has spoken is abundantly clear and sends out a powerful message on what he passionately believes in, which many of us in the Chamber share. I also pay tribute to the work he has done in this field, which I know he will continue. As he has pointed out, such attacks are particularly abhorrent, and can cause serious distress to the victims, whoever they may be—Members of Parliament or members of the public. I share his concern about the distress and fear that such actions can inflict. No one should have to deal with such abuse.

Let me first make it absolutely clear that anyone who has been a victim of internet abuse should not hesitate to contact the police. The recent convictions of a man for sending an anti-Semitic message directed at the hon. Member for Liverpool, Wavertree (Luciana Berger), and of another who had been found guilty of sending abusive messages to the hon. Member for Walthamstow (Stella Creasy) after she had supported a feminist campaign, demonstrate the seriousness with which the police and prosecutors take such crimes, and their willingness to take appropriate action.

[Mr Shailesh Vara]

In June last year, following consultation, the Director of Public Prosecutions published guidelines for prosecutors considering cases that involve communications sent via social media. As with all cases, prosecutions are subject to the two-stage test of whether there is sufficient evidence and whether a prosecution is in the public interest. The guidelines specify that, when considering whether communications sent via social media are capable of amounting to criminal offences, prosecutors should make an initial assessment of the content of the communications and the conduct. Prosecutions may be brought in relation to material when there is a credible threat of violence, when communications specifically target an individual or individuals and may constitute harassment or stalking within the meaning of the Protection from Harassment Act 1997, when communications breach a court order, or when communications may be considered so grossly offensive, indecent, obscene or false as to justify prosecution.

Those guidelines seek to strike the difficult balance between protecting freedom of speech and acting robustly against communications that cross the threshold into illegality. They make clear that, while not every communication that causes offence or is controversial or unpopular would justify criminal proceedings, the criminal law is available to tackle abuse that is targeted or of a seriously offensive nature. I therefore urge anyone who has been a victim of such abuse to come forward, in the knowledge that the authorities understand the gravity of that kind of behaviour.

As Members may know, and as those guidelines from the Crown Prosecution Service make clear, a number of offences may be committed by those who abuse others over the internet, including those who abuse members of Parliament. I fully accept what the hon. Gentleman said about inactivity in some cases, but I assure him that the Government are working and engaging with social media platforms, the police and other stakeholders with a view to trying to improve the position. It is by no means perfect, but we are working hard to try to make it a great deal better than it is at present.

There is, of course, plenty of legislation to deal with issues such as this. Internet communication that is grossly offensive or menacing may constitute the commission of an offence under section 127 of the Communications Act 2003. Section 127(1) makes it an offence to send, or cause to be sent by means of a public electronic communications network, a message or other matter that is grossly offensive or of an indecent, obscene or menacing character. The offence does not require an intention to cause anxiety or distress to be proven, and the message does not have to be sent to a specific person. Section 127(2) contains a separate offence of misusing a public communications network for the purpose of causing annoyance, inconvenience or needless anxiety to another, either by sending or causing to be sent a false message or by persistently making use of the network. The maximum penalty for offences under section 127 is six months' imprisonment and/or a fine of up to £5,000.

Sending, delivering or transmitting an indecent, grossly offensive, threatening or false message, or something that is of an indecent or grossly offensive nature, to another, including by means of the internet, is an offence under the Malicious Communications Act 1988, provided that the material is sent with the purpose of causing distress or anxiety to a person to whom it is communicated, or to any other person to whom the sender intends it or its contents or nature to be communicated. Even if the content does not meet the threshold required by those offences, internet abuse could still amount to an offence under the Protection from Harassment Act 1997 if carried out on more than one occasion. Section 2 of that Act makes it an offence for someone to pursue a course of conduct which amounts to harassment. Section 4 makes it an offence if the defendant's course of conduct causes someone to fear that violence will be used against them and he or she knows or ought to know that the course of conduct will cause that fear. The maximum penalty for a harassment offence under section 2 is six months' imprisonment or a level 5 fine, which is up to £5,000, or both. The offence under section 4 carries a maximum penalty of five years' imprisonment or a fine, or both. A court sentencing for an offence may also make a restraining order, the breach of which is an offence with a maximum sentence of five years' imprisonment. Where the offence is motivated by the victim's race or religion, the court can take this into account as an aggravating factor and reflect this in the sentence, something we saw recently in the case concerning the hon. Member for Liverpool, Wavertree.

Let me be clear: the Government are not complacent. Changes to the law contained in the Criminal Justice and Courts Bill, currently being considered in the House of Lords, will increase the maximum penalty for offences under the Malicious Communications Act 1988 from six months to two years' imprisonment or an unlimited fine, or both. The offence in section 1 of the 1988 Act is currently a summary-only offence, which means that it can only be dealt with in the magistrates court. As a summary-only offence, prosecutions must be brought within six months. The changes being taken forward in the Criminal Justice and Courts Bill also mean more serious offences can be dealt with in the Crown court and that there will not be a time limit for bringing prosecutions, allowing more time for offences to be investigated.

Alongside this, the Government are extending the time within which prosecutions under the Communications Act 2003 may be brought, to allow up to three years, as opposed to the previous six-month limit, to bring prosecutions against people for using the internet, social media or mobile phones to send menacing messages, so long as prosecutions are brought within six months of the prosecutor having sufficient knowledge to justify proceedings. These changes come on top of a raft of Government measures to support victims. Next year, victims' rights to tell the court how their crime has affected them will be set out in statute, a new nationwide victims information service will be set up to ensure better information and support, and millions of pounds will be invested in improving the court experience.

Where abusive behaviour has occurred on social networking sites, the Government expect social media companies to have robust processes in place to respond promptly when abuse is reported. This includes acting quickly to assess the report, removing content which does not comply with the acceptable use policies or terms and conditions in place and, where appropriate, suspending or terminating the accounts of those breaching

the rules in place. The Government have worked with social media to ensure that their practices are sufficiently robust to address online abuse quickly and effectively, and we will continue to do that work. Let me also be clear that online abuse is just as illegal as communications that are offline. The measures also include working with the main companies to simplify and highlight their reporting processes so that users can make reports easily, as well as ensuring that their own guidelines are readily accessible and publicised widely, so that users are aware of the service they can expect.

I hope that I have been able to assure the House that the Government take the concerns expressed today very seriously, and that we already have a strong framework of offences, which we are seeking to strengthen by further legislative changes. The Government will continue to work with social media and the internet industries in the interests of the public, as this is an important and developing area of policy. Hon. Members should be in no doubt that the Government are committed to addressing online abuse in all its forms.

The hon. Gentleman referred specifically to the abuse that Members of Parliament receive, and his points have certainly been taken on board. The law applies as much to us as it does to members of the public. Indeed, we have seen recent examples of the law being used to secure the convictions of members of the public who were seeking to abuse Members of Parliament. I thank him again for raising this important subject on the Floor of the House tonight. I know that it will continue to merit attention from colleagues on both sides of the House, because it is an immensely important subject that continues to change in the fast-moving internet arena. For our part, the Government will continue to monitor the situation and to do whatever we can to ensure that Members of Parliament and members of the public are kept as safe as possible from the abuse that is currently out there.

Question put and agreed to.

7.31 pm

House adjourned.

Westminster Hall

Tuesday 4 November 2014

[Mr Philip Hollobone *in the Chair*]

Animal Slaughter (Religious Methods)

Motion made, and Question proposed, That the sitting be now adjourned.—*(Damian Hinds.)*

9.30 am

Neil Parish (Tiverton and Honiton) (Con): It is a great pleasure to serve under your chairmanship, Mr Hollobone. I welcome the Under-Secretary of State for Environment, Food and Rural Affairs, my hon. Friend the Member for Camborne and Redruth (George Eustice), to his place. I thank Mr Speaker for allowing me time for this vital debate. It is good to see the shadow Minister, the hon. Member for Ogmore (Huw Irranca-Davies), here.

When the all-party group on beef and lamb, of which I am honoured to be the chairman, decided to conduct an inquiry into the welfare of animals slaughtered in accordance with religious rites, I knew we were entering a highly polarised and often poorly understood area of public discourse. Discussions in the media have often produced more heat than light, and I hope the group's report and today's debate will provide more of the latter.

There are no easy solutions to what is legally, scientifically and culturally a complicated set of circumstances. However, given the legitimate concerns of the public, animal welfare organisations and religious communities, it is worth having the debate in a calm and transparent way. For that reason, the group proceeded on the basis that the inquiry's ultimate aim should be to improve animal welfare at the time of slaughter. Throughout the inquiry, we were careful to make distinctions between halal and shechita, the different methods of non-stun slaughter and the species being considered. We took evidence, in writing and in oral evidence sessions, from a wide range of stakeholders, including industry experts, Shechita UK, the Halal Food Authority, veterinary professionals, the Minister and the European Commission.

European law requires that all animals are stunned before slaughter. However, a derogation permits member states to allow non-stunning in the case of slaughter in observance with religious beliefs. That is an important point. By law, animals have to be stunned before slaughter to ensure they suffer as little pain as possible, and the relevant laws were informed by scientific and veterinary evidence. Halal and shechita methods of slaughter are exempt from those scientifically established regulations not because they meet a different set of animal welfare standards, but because they are a matter of freedom of religious and cultural expression. In an ideal world, I would like all livestock to be stunned before slaughter, but that must be reconciled with the United Kingdom's proud record of religious tolerance and our history of allowing communities to eat meat prepared in accordance with their faith.

The report has identified several areas where greater research is needed, and I hope the Government take our recommendations on board when considering regulations on food labelling and welfare at the time of slaughter. As we move forward, it is particularly important to note that, under the halal method of slaughter, the animal must be killed as a result of a sharp blade cutting its jugular vein, so that death is caused by bleeding out. The way the animal dies is important, and there is much diversity of opinion among UK Muslims on whether stunned slaughter is halal. Some in the Muslim community believe that there is a danger that stunning the animal will result in its being killed by the stunning rather than by bleeding out, and that stunning is therefore not halal.

About 90% of lambs and 88% of chickens slaughtered under halal are stunned before slaughter, so the likelihood and duration of pain at the time of slaughter is likely to be much less. However, that still leaves a large number of animals that are not stunned before slaughter. It is estimated that 3% of cattle, 10% of sheep and goats, and 4% of poultry slaughtered in Great Britain are not pre-stunned. One estimate is that 114 million animals are killed annually in the UK using the halal method, while a further 2.1 million are killed under the shechita method. The value of the halal market is estimated at between £1 billion and £2 billion.

Being able to prove that the stun is recoverable and will not kill the animal, but will instead render it insensitive to pain, is vital if we are to increase the number of animals stunned before slaughter. Some witnesses we took evidence from will accept no stunning during the slaughtering process, while others, including the Halal Food Authority, will permit some, but not all, methods of stunning.

We took evidence, for example, on the use of post-cut stunning—stunning immediately after the animal's neck is cut. Although it is not as desirable as pre-stunning, evidence from studies in New Zealand shows that post-cut stunning reduces the duration of pain at the time of slaughter, while ensuing that the cause of death is bleed-out, making this method of stunning halal-compliant.

Roger Williams (Brecon and Radnorshire) (LD): I pay tribute to the work the hon. Gentleman did in chairing the all-party group. Some of the evidence we received showed that New Zealand has developed a process called "stun to live". An animal that has been stunned is used to demonstrate that if it is not slaughtered, it will regain consciousness and continue to live. That is satisfactory to some Muslim people.

Neil Parish: That was exactly what we heard. The crux of the matter is that any stunning that takes place under a halal system must be recoverable to be seen as halal-compliant. Not all in the Muslim community agree with that, but many do, and I would like the Government to do more research on that. I thank the hon. Gentleman for his intervention.

The inquiry highlighted that the majority of studies have been about halal slaughter. There is therefore a deficit in our veterinary understanding of the shechita method of slaughter in the Jewish community, which permits no form of stunning. In its evidence, the Department for Environment, Food and Rural Affairs said it had sought to include the shechita method of slaughter in its studies, but that it had not yet been

[Neil Parish]

successful in doing so. I therefore urge the Government to carry on that work and to look at the shechita method.

David Simpson (Upper Bann) (DUP): I declare an interest in the agri-food business. I have been listening carefully to the hon. Gentleman, and I congratulate him on the work he has done on the issue. Does he accept that those who export meat right across the world are put in a difficult position? They want to ensure the welfare of the animal, which is vital, but they are forced to go down a certain route when they export. They also have to look after their employees. In order to win contracts, therefore, they sometimes have to change their methods.

Neil Parish: There is a balance to be struck. New Zealand exports a lot of meat to the middle east. It still does partial stunning, and the Muslim community seems largely to accept that. Work can therefore be done on the issue. There is also an argument that stunning in the slaughterhouses makes things easier and safer for the slaughtermen. There are therefore issues about the welfare not only of the animals, but of those doing the slaughtering.

Eric Ollerenshaw (Lancaster and Fleetwood) (Con): I add my congratulations on the way my hon. Friend chaired the work on this fairly balanced report. One of the issues that we did not get to the bottom of, certainly in the meetings I attended, was the sheer scale of mis-stunning. That was raised by Shechita UK. Nowhere did there seem to be any particular figures on how much mis-stunning there is.

Neil Parish: Yes. I am hoping that in a moment the Minister with responsibility for farming will give us more figures. I think we should have closed circuit television cameras in all slaughterhouses, whether they are using shechita or halal methods, or stun systems for the general meat trade. I think that the amount of mis-stunning is sometimes exaggerated. On the other hand, mis-stunning of animals should not happen. It is very bad animal welfare, and we need to stamp it out. We need to be certain how big the problem is. If the system of stunning in a slaughterhouse is not correct, it should be replaced. I have no time for mis-stunning.

Miss Anne McIntosh (Thirsk and Malton) (Con): I know that my hon. Friend works closely with the British Veterinary Association, for which I am sure we all have the highest regard. Is it the case that if an animal is stressed, that is reflected in the state of the meat? Is that not damaging for the market?

Neil Parish: Yes; my hon. Friend, the Chair of the Select Committee on Environment, Food and Rural Affairs, makes an interesting point. We believe that if an animal is stressed, there will be an effect on the flavour of the meat. It is in the interest of not only the animal but the industry to make sure that it is as little stressed as possible when it comes through the slaughterhouse, but of course, the act of slaughter is in itself very difficult.

The revelations of horsemeat contamination in 2013 highlighted the importance that consumers place on the origin of their food, and the trust that they place in retailers to guarantee that. When that trust is broken, it is felt across the industry. An animal passes through a number of stages from the farm gate to the fork. That is why it is important that the meat should be properly labelled to allow consumers of all faiths to make informed decisions when they buy their meat. It is the all-party group's belief that labelling should be considered, and it should be on the basis of stun or non-stun methods—not halal versus kosher—because consumers are thought to have a sufficient understanding of what the terms "stunned" or "non-stunned" mean. The group believes, however, that more work can be done to clarify, for consumers of halal and kosher meat, and the wider public, what the terms entail, specifically. That applies particularly to halal, where there is disagreement about the permissibility of stunning, as I mentioned earlier.

The report also makes a recommendation for research to be reviewed and new research to be undertaken where necessary to determine the effect of stunning on the residual blood content left in meat, in comparison with that produced from slaughter without stunning.

Roger Williams: I was very pleased by the all-party group's conclusion that meat should be labelled as stunned or non-stunned. That will give consumers greater understanding. Does the hon. Gentleman agree that in the hospitality trade—restaurants and pubs where meat is served—it is sometimes very difficult for traceability to be established for consumers?

Neil Parish: That is a good point. The labelling system is more difficult in the case of restaurant meat, processed meat, and meat products. We need to remember that quite a lot of meat from animals slaughtered in the halal system and the shechita system—the kosher system—does not land up in that particular food chain. Quite a lot of it goes into the general meat trade. That is an issue that requires us to think seriously about labelling.

In addition to existing research, a report has recently been published by Colin Brewer, an academic psychiatrist, and Peter Osin, a consultant pathologist, comparing halal and kosher beef with ordinary beef and a piece of venison from a shot deer. Microscopic slides revealed that they all retained similar amounts of red blood cells. Their report concluded:

> "If ritual slaughter not only causes levels of avoidable pain and distress to meat animals...but also fails in its stated purpose of removing as much blood as possible, compared with other methods, then it becomes more difficult to justify and defend".

There are measures that the Government can introduce in the short term to help improve the welfare of animals slaughtered in accordance with religious rites. First, the Government should review whether compulsory CCTV in abattoirs should be introduced to make sure that there is oversight and that guidance is being followed for all—I emphasise that I mean all—methods of slaughter. There must also be a review of the current guidance available to operators conducting religious slaughter. There is some guidance available, but during the inquiry we were concerned about the lack of guidance that we found on the actual methods of cutting the neck of the animal. Providing greater guidance would undoubtedly minimise the risk of mis-slaughtering and reduce the duration of pain felt.

The Food Standards Agency does not publish information on the number of mis-slaughtered animals, and holds details only of when mis-cuts have occurred—not

of whether the associated slaughter was carried out using a stun or non-stun process. That makes it hard to judge its effectiveness and how it compares with different stunning methods. What is clear is that there are gaps in our understanding of the slaughter process. Our inquiry identified several areas where more research is needed, such as on the measurement of pain in animals at the time of slaughter and on demonstrating the recoverability of certain stunning methods to reassure religious communities that they are compatible with their religion.

There is a danger that an outright ban on religious slaughter would not improve the welfare of animals at the point of slaughter. At the moment about 80% of the halal meat produced in this country has been stunned. Driving our halal and shechita meat industry abroad to countries without our robust animal welfare standards and our supply chain traceability might result in more animals being slaughtered without stunning.

I want to thank Weber Shandwick, which is retained by EBLEX, the organisation for beef and lamb levy payers in England, to act as the all-party group's secretariat. I thank all the individuals and organisations who submitted written evidence and who appeared before our oral evidence sessions, as well as the other members of the all-party group. My particular respect goes to the hon. Member for Brecon and Radnorshire (Roger Williams), who attended all our meetings. We conducted the inquiry in a pretty cool, calm way, and took some good evidence. I hope that the Minister will take many of our points on board. We present our report as a serious piece of work. I should like there to be some animal welfare benefit, and to be able to deal with our Muslim and Jewish communities to find a way forward, so that more animals will be stunned at slaughter.

Mr Philip Hollobone (in the Chair): Order. The debate runs till 11 o'clock and I want to call the Front-Bench spokesmen no later than 10.40, and ideally before then. Six hon. Members want to speak, and perhaps they will be aware of timing when they make their remarks.

9.49 am

Mrs Louise Ellman (Liverpool, Riverside) (Lab/Co-op): It is a pleasure to serve under your chairmanship, Mr Hollobone. I congratulate the hon. Member for Tiverton and Honiton (Neil Parish) on securing this debate. I particularly welcome his opening comments that the debate should be conducted calmly and transparently, as he did in the presentation of his case, and it is important that that approach is maintained. I want to draw attention to some issues relating to shechita, Jewish laws on slaughter methods. Muslims have similar concerns, but I will confine my remarks to Jewish methods of slaughter and kashrut.

My first point is that this issue is very important to the whole Jewish community. It recognises its rights as part of British society as well as enabling individual Jewish people who observe the laws of kashrut to eat meat and poultry. Any interference with their ability to do so would be a gross infringement of civil rights. The Jewish laws of kashrut are part of a wider concern for animal welfare. Shechita is carried out by trained, licensed experts. Animals are killed by a single cut to the throat in a prescribed way from a special surgically sharp knife that is regularly inspected. Blood flow to the brain is immediately cut off with consequential inability to feel pain and subsequent rapid death. There are too many other rules of kashrut to enumerate here, but it is important to point out that they are all related to enhancing animal welfare.

Criticism of Jewish methods of slaughter, of shechita, claims or often assumes that other methods of slaughter are more humane. Those other methods include stunning by penetrative bolt or by electrocution. They include chickens being shackled by their ankles and dipped into a weather bath and electrocuted, and pigs herded into a room and gassed. None of those methods are pleasant.

What are the facts about allegations of cruelty in Jewish methods of slaughter compared with other methods? It is important to recognise, as has happened in this debate, that mechanical stunning has a high failure rate. Many more animals suffer because of inadequate stunning than are killed altogether by shechita. The report of the EU Food Safety Authority stated that failure rates for penetrative captive bolt stunning may be as high as 6.6%—2 million cows. It also reported that failure for non-penetrative captive bolt stunning and electric stunning could be as high as 31%—10 million cows. In comparison, the total number of cattle killed by shechita in any one year is 20,000. It is clearly accepted, and has been by hon. Members this morning, that there are many cases of failed stunning and it is extremely important to register that. It is sometimes assumed that that is a superior method to shechita.

In addition to that report, a more recent one from Animal Aid, "The Humane Slaughter Myth", recorded the results of filming in three random slaughterhouses in 2009. Among other things, it found pigs, sheep and calves inadequately stunned by electrocution and recounted horrific scenes of those animals trying to escape, howling and thrashing around. It reported injured animals who were then slaughtered and ewes watching their young killed. It is important to note that both practices are specifically prohibited under a range of intricate Jewish laws that prohibit cruelty to animals and make them not kosher and not able to be eaten by Jews observing kashrut.

Roger Williams: I thank the hon. Lady for her sensible and calm approach to this matter. One of our concerns when we took evidence was that not all animals killed by the shechita method were found to be of kosher standard or quality and had to go into the general meat trade. Can anything be done to ensure that only animals that will be suitable for kosher meat are killed by the shechita method?

Mrs Ellman: Some parts of animals are prohibited from being eaten by people who observe the laws of kashrut and they are often sold in other parts of the food chain. That is part of the system. I know that there are issues about labelling slaughtering methods. I do not think that labelling would be objected to in principle, but it should apply to all types of killing and all situations in which killing takes place.

Neil Parish: I am grateful for the calm way we are debating this matter. We found from the evidence presented to us that in some big slaughterhouses not all slaughtering is necessarily checked by the Jewish community and some animals go through the system and end up in the normal food chain without going through the shechita system. There is a way to tighten up on that. The issue

[Neil Parish]

involves not just parts of the animals but whole animals that go through the system and are not fully checked. We could do more about that.

Mrs Ellman: I accept that further steps could be taken, but my essential concern is about a preserving the rights of the Jewish community as part of British society to maintain its traditions and religious laws that are all designed to enhance animal welfare. I am greatly concerned about the often unstated assumption that stunning is more humane and that animals that are not killed according to Jewish laws do not suffer. The evidence simply does not substantiate that.

Shechita is humane. It is part of a body of Jewish laws designed to improve animal welfare and is vital to the Jewish community. The debate will continue and it is important that it does so calmly, recognising the rights of animals to the highest welfare standards and also recognising the rights of all communities within the United Kingdom.

9.57 am

Mr Jonathan Djanogly (Huntingdon) (Con): On 16 January, the other place debated religious slaughter, showing a high level of scientific, practical and religious expertise. For example, Lord Winston and Lord Sacks gave scientific and religious justifications of shechita slaughter that I would recommend to anyone who is interested. I appreciate the non-emotive tone used by my hon. Friend the Member for Tiverton and Honiton (Neil Parish). As the hon. Member for Liverpool, Riverside (Mrs Ellman) said, let us be under no illusions about how emotive the issue is for the Orthodox Jewish British community. In the event of a ban on non-stunned meat—I appreciate that that has not been recommended by my hon. Friend—they would either have to import their meat or move to a place where they could eat it and maintain their civil liberties.

The report of July 2014 by the all-party group on beef and lamb, chaired by my hon. Friend, set out areas for future debate and asked as many questions as it answered. In particular, it accepted that concerns over shechita slaughter are not supported by scientific evidence and called for more research. I note the report's statement that it is worth debating

"whether the right to Freedom of Religious Expression outweighs animal welfare considerations".

However, that is not the right starting point from a Jewish point of view, which is that a single knife cut stuns, kills and exsanguinates in a single act. Accordingly, the Jewish view is that shechita is the most humane and animal welfare friendly method of slaughter and is not to be weighed against or bargained with freedom of religious expression.

A conceptual problem is that modern slaughter practice, including stunning, is based on mechanised, mass market, cheap food requirements. That is not the starting point for shechita, where the quality of and respect to be given to each animal is key.

Another issue relates to whether or to what extent the animal feels pain during slaughter. The report acknowledges that there is a "knowledge deficit" about whether a neck cut is painful or not. That issue was raised by Lord Winston in the other place, who said:

"I emphasise that what has been said about pain is another assumption. Of course animals may move after the brain is severed but the brain itself does not perceive pain if it is damaged and, in fact, none of the organs below the skin has pain fibres. You have some pain fibres in your trachea but they are very small. The evidence that animals suffer severe pain after one cut with an extremely sharp knife is extremely arguable. The truth is that, once you are unconscious, nobody knows what the perception of death or pain is."—[*Official Report, House of Lords,* 16 January 2014; Vol. 751, c. GC200.]

I should point out that many other academics see shechita as just as humane as other slaughter methods. Moreover, it is certainly considered to be more humane than what happens to the chickens that are hung and electrocuted, the pigs that are gassed, and the cows that can be mis-stunned before the second, later act of slaughter takes place. All that avoids the issues surrounding the trapping of animals or the shooting of game from a distance, which is why many Jews and Muslims ask why shechita and halal should be looked at in isolation.

That question also attaches to the issue of labelling. Jewish rules were, of course, the first to initiate labelling, and all meat consumed as kosher needs to be labelled as such. However, it is then asked why kosher and halal meat in general—say, put in dog food—should have to be labelled, when meat slaughtered or stunned by other means need not. Moreover, are we not missing the broader point? Namely, would the consumer not be as interested in knowing how the animal lived as much as how it died—for instance, what drugs it was given or what density of population and conditions it lived in? Should those issues not also be included in the labelling debate? Personally, I think that they should, and that the all-party group report should be looked at in that wider context.

10.2 am

Shabana Mahmood (Birmingham, Ladywood) (Lab): It is a pleasure to serve under your chairmanship, Mr Hollobone. I congratulate the hon. Member for Tiverton and Honiton (Neil Parish) on securing the debate and the hon. Members who took part in the production of this report. I follow on from my hon. Friend the Member for Liverpool, Riverside (Mrs Ellman) and the hon. Member for Huntingdon (Mr Djanogly) in welcoming not only the atmosphere of calm in this debate and the transparent way in which it has been conducted so far, but the overall tone of the report produced by the APPG. It feels better to have this type of debate, rather than the one we had earlier in the year, followed by extensive media reporting, which was deeply divisive and caused a great deal of upset and pain to religious communities, who felt that their religious freedoms were under attack in an atmosphere of misinformation and sensationalist media reporting, which we should all do our best to avoid.

I am a practising Muslim, so the issues relating to access to religious slaughter matter to me personally; they also matter to many thousands of my constituents who are also Muslim. I represent a constituency with a large Muslim population, but I also represent other communities who have spoken to me about issues relating to religious slaughter—in particular, the Sikh community in my constituency, who worry that they are inadvertently consuming meat that, according to their religious laws, they would not be allowed to consume. That is why I will focus most of my remarks on the key issue of

labelling, which is very important in order to give religious communities—people of practising religious faith—the opportunity to access meat that is in accordance with religious belief, and for those who wish to reject that meat, either on grounds of views on the humaneness of the method of slaughter or because of other religious views. They should also be protected.

I just say that I absolutely fully support this country's current legislative framework, which allows religious communities to have access to meat that has not been stunned prior to slaughter. I think it is an important protection for religious freedom in our legislative framework and it should be retained. If it was not, as the hon. Member for Huntingdon said, religious communities would be forced to import meat or consider their long-term future in this country, and that would be a big and important moment for religious minority communities in our country.

The report says a great deal about labelling, much of which I support. As a person of practising religious faith, it is important to me that when I am buying meat, I am able to know whether that meat is halal and whether it has been stunned prior to slaughter. I was a bit troubled by some evidence given to the APPG by the Halal Food Authority in particular, which was uneasy about labelling, because it felt that if people knew that the meat had been stunned prior to slaughter, it would lead to a rejection of halal meat that had been stunned. I think that is a misunderstanding both of what is happening in our communities today and of the essential rights of consumers to know what they are buying. We should not be trying to hoodwink communities into accepting practices that result from mass production and mechanised processes, when, if people knew about those, they would utterly reject and feel very strongly about them.

I agree with the point made by Shechita UK and the Association of Non-Stun Abattoirs about the extent of labelling. Let us say the starting position is the belief that consumers should know what has happened to meat—whether it has been slaughtered in accordance with religious principles and about the method of stunning. None of those is a particularly pleasant way to treat animals. Sometimes I think we feel that we can sanitise the whole process of eating meat. At the end of the day, an animal is being killed, and, for people of religious faith, the killing of an animal is a really big deal, which is why so many Muslims and Jews, in particular, are so wedded to the methods laid down in their holy books for the killing of an animal. A life is being taken and therefore, it can only be done in the precise way that God has ordained, according to God's law, and that is why that matters so very much. When there is mass production and so much meat being produced in a mechanised way, it is difficult to stick to the principles laid down in the holy books, and some kind of further understanding of what happens in those processes is really important. However, we cannot take away from the fundamental act that is being done, and it is important that consumers understand that more. It is not just a nicely packaged pink bit of meat that we buy in the supermarket; something happened to it before, and the more information that we can give people, the more we can shine a light on practices in the industry, and actually, sometimes shining a light puts pressure on industry to look at better methods that would be more acceptable to the public.

Labelling is something that we should all support, but we should not just go for the basic level, and we should not just say that the burden on industry would be too great if we gave more information. That sounds to me almost as though we are trying to hide from the public what really happens in some abattoirs. We should be totally open and transparent, and labelling should not just extend to whether the animal is stunned or non-stunned; we should look at the method of stunning as well as the method of slaughter, and we should seek to educate the public as much as possible. That would matter a lot not only to people of religious faith, but to people who have no religious faith but want to know how an animal has been treated, and ultimately, how it died.

10.8 am

Mr Lee Scott (Ilford North) (Con): It is a pleasure to serve under your chairmanship, Mr Hollobone. Like others, I congratulate my hon. Friend the Member for Tiverton and Honiton (Neil Parish), not only on the report, but on the way he has conducted this debate, as others have as well, because it is an emotive subject and it is very important that we tackle it in a calm, collected way.

It will not surprise my hon. Friend to know that I do not agree with everything that he said, but the truth of the matter is that my constituents and I—I only eat kosher meat, as he knows—believe passionately that the welfare of the animal is vital. To that end and after earlier debates, I thought, along with my hon. Friend the Member for Finchley and Golders Green (Mike Freer), that it was necessary to visit an abattoir and see the process at first hand. We did that—I visited kosher and non-kosher abattoirs—and I am going to be very honest: as the hon. Member for Birmingham, Ladywood (Shabana Mahmood) said, anyone who says that there is a pleasant way of killing an animal is kidding themselves. There is not a pleasant way of killing an animal.

We must also consider the wider aspects of the issue. As my hon. Friend the Member for Huntingdon (Mr Djanogly) said, what happened before the animal was killed is also important. Was the animal living in terrible circumstances? It could be killed in the most humane way possible, but if it lived its whole life in terrible circumstances, that is also not a pleasant thing to think about.

What is shechita? Shechita is the Jewish religious humane method of animal slaughter for food. It is the only method of preparing meat and poultry in accordance with Jewish tradition—meat and poultry that an observant Jew can eat. As was said by my hon. Friend the Member for Liverpool, Riverside (Mrs Ellman)—I call her my hon. Friend even though I should say "the hon. Member"—shechita is carried out by a trained person called a shochet, who has been trained for many years before taking up the profession.

Dr Matthew Offord (Hendon) (Con): Can my hon. Friend confirm that the shochet holds two licences? One is issued by the Food Standards Agency and the other by the Rabbinical Commission for the Licensing of Shochetim. That rabbinical commission is a statutory body established by Parliament under the Welfare of Animals (Slaughter or Killing) Regulations 1995.

Mr Scott: My hon. Friend is perfectly right: that is the case.

The chalaf is the surgically sharp instrument that is used, and the incision made cuts off the blood supply to the brain straight away. Shechita conforms to the EU definition of stunning. Immediately, the brain is inactive and the animal feels no pain—to the best of our knowledge. With any form of killing at an abattoir, we do not know exactly what an animal might go through.

Let me move on to labelling. The Jewish community is not against food labelling; in fact, we invented it. The hechsher, which is on every piece of kosher meat to prove that it is kosher so that the community can eat it, has existed since time immemorial; it has always been there. However, it would be inappropriate if meat was labelled in a way that was purely of a religious nature. If it is to be labelled, every aspect has to be covered. We have heard about some of the methods of killing animals or stunning animals, such as gassing and electrocution, and we have heard a lot about mis-stuns. There are reports that the figure could be as high as 20 million. We do not know how many animals are mis-stunned. That is perfectly true, but we should know. That should be recorded as well, because if we are to start recording, if we are to start labelling, that has to be across the board.

I believe that one of the great things about our country is the freedom of people to practise their religions and live according to their holy books as they believe they should. I believe that it is vital that that be allowed to continue, because, as my hon. Friend the Member for Tiverton and Honiton rightly mentioned, all that would happen if it was not would be that meat was imported from areas that are perhaps far less stringent than we are in the United Kingdom.

They were not from my own constituency, but I received e-mails before this debate in which people said that they were concerned not about how the animal was killed, but about whether a religious prayer had been said over the animal. I do not think that that has any role to play in this whatever. We are talking about how the animal is treated—the welfare of the animal. I believe that whatever side of the debate we come from, we all want the same, which is for the animal to have the best possible life and the least pain possible when it is killed, and I believe that shechita does meet that.

10.13 am

Dr Matthew Offord (Hendon) (Con): It is a pleasure to serve under your chairmanship, Mr Hollobone, and to hear so many great speeches. In my constituency, I have two significant groups to which the issue of food labelling causes great concern: the Muslim community and the Jewish community. I speak mainly from the Jewish perspective, as I know more about shechita than halal meat production, but I also speak as someone who passionately believes in animal welfare and, having been a vegetarian for the last 35 years, I think that my actions demonstrate that more than my words.

As I said, I am more informed about the production of kosher meat through the shechita method. That is the only method of preparing meat and poultry in accordance with Jewish tradition. Both the hon. Member for Liverpool, Riverside (Mrs Ellman) and my hon. Friend the Member for Ilford North (Mr Scott) went through the technical aspects of shechita, but one point that I want to clarify is that under the shechita method, the blood supply to the animal's brain ceases immediately. Consciousness is irreversibly lost and, with it, the ability of the animal to feel pain. I believe that it is quick, effective and safe, and it ensures that the animal is not subjected to any avoidable pain.

That is in contrast to conventional mechanised slaughter, which uses industrial methods that I do not believe members of the public would be very enthusiastic about if they witnessed how an animal was incapacitated before its death. In conventional mechanised slaughter, a high throughput of animals must be maintained for commercial reasons. That creates many animal welfare issues, such as workers using cattle prods or kicking or pushing animals to usher them quickly along the production line.

However, the main difference between shechita and conventional mechanised slaughter is in the way in which the animals are stunned. I believe, as do other hon. Members, that shechita conforms to the EU definition of stunning:

"any intentionally induced process which causes loss of consciousness and sensibility without pain, including any process resulting in instantaneous death"

by causing immediate cerebral perfusion. Mechanical methods, on the other hand, may include captive bolt shooting, gassing, electrocution, drowning, trapping and clubbing. This is where I have a problem with the premise that mechanised slaughter is preferable to other methods, such as those termed as religious slaughter. Mechanised methods frequently go wrong, leaving the animal in great and prolonged distress.

Many people are unaware that mechanised methods were originally conceived by large-scale factory abattoirs to speed up the process and stop the animal thrashing around at the point of slaughter, so that the production line could move more quickly. Acceptance of the use of such methods has been adopted by those who express animal welfare concerns in order to allay their own conscience. The use of evidence on mechanised methods in support of the animal welfare benefits is inconclusive and—this is the crux of my concern—I consider the failure rates to be unacceptably high.

By contrast, the shechita process has to be slow and methodical. Any animal or bird that is even slightly harmed before slaughter is not considered suitable for kosher consumption. Special care is taken to ensure that animals are well treated and calm ahead of slaughter, not only because that is mandated but because any other approach would make kosher meat production near impossible.

The hon. Member for Liverpool, Riverside, mentioned the European Food Safety Authority's 2004 report on the "Welfare Aspects of Animal Stunning and Killing Methods". That identified a failure rate of up to 2 million cows for penetrating captive bolt stunning in conventional mechanical slaughter and, with non-penetrating captive bolt stunning and electric stunning, it can rise as high as 10 million cows, so we are looking at 12 million to 14 million cows being mis-stunned each year.

In the Jewish community, the number of cows consumed through the shechita method is just 20,000, so I have to ask why there is this great concern about the 20,000 cows that pass through the shechita and kosher process when

12 million cows are possibly mis-stunned each year. No one seems to like to answer that question. Recently, the FSA was asked that very question.

Neil Parish: I think that my hon. Friend is mixing his figures. I think that he is taking the 20,000 cattle in the UK that are slaughtered under the shechita system and probably taking a European-wide figure for mis-stunning. I would not think the figure was anywhere near that for mis-stunning in this country, so that ought to be corrected. It is nowhere near 14 million; I hope to God it is not.

Dr Offord: That helpfully illustrates my next point, and I am grateful to my hon. Friend for that. Statistics produced by the Food Standards Agency on the number of mis-stuns are a requirement under legislation and—recent parliamentary questions have asked about this—they show that an unrealistically low number of mis-stuns have been reported in the UK. For example, in 2011, just six cattle were officially reported as having been mis-stunned. My hon. Friend will accept that that is an unrealistic number, too. Following a series of follow-up questions to the Department, the previous Minister conceded that those statistics may not be complete and may represent only a fraction of the actual numbers. I look forward to the Food Standards Agency reviewing its reporting methods.

Many researchers believe, as my hon. Friend the Member for Ilford North said, that shechita is at least as humane as other methods, if not preferable in light of the animal welfare benefits, although others, such as my hon. Friend the Member for Tiverton and Honiton (Neil Parish), believe that conventional animal slaughter is preferable. However, there is agreement that making any assessment of the pain felt by an animal is incredibly difficult. As a result, the Government's position has always been that the scientific evidence in this area is inconclusive. No study has ever replicated shechita in a laboratory environment, and therefore no accurate scientific assessment of shechita has ever been carried out. It seems incongruous to me to presuppose that consumers do not have a right to know that an animal has been slaughtered by mechanical methods, or mechanically stunned prior to slaughter by one of the legal methods that I have mentioned. All of those, including the mis-stunnings, as I have said, are supposed to be recorded in slaughterhouses but are not. Labelling a meat product as not stunned before slaughter suggests that no stun takes place at all, when shechita in fact incorporates an effective stun at slaughter.

Some Muslims accept stunning as being consistent with halal, provided that the stun only renders the animal unconscious but does not kill it. That means that the animal will be alive but unconscious at the point of throat cutting. It will die from loss of blood, not from the stun. It is crucial for Muslims that the stun does not kill the animal, so they want to be assured that the stun is recoverable—that if the stun was not followed by throat cutting, the animal would recover consciousness.

I believe that labelling meat as not stunned before slaughter is pejorative and discriminatory, because it effectively places religious slaughter methods in a second-class category. I call on the Government to end the constant criticism of religious practices by introducing comprehensive food labelling, or rather by producing religious food labelling. The EU strategy on animal welfare from 2012 to 2015 states that the Commission plans to study the issue of labelling meat that comes from animals that have not been stunned before slaughter. The study is likely to be published shortly. I urge the Government to seek the introduction of a fully comprehensive food labelling scheme, and not simply to use the half-truth about "meat from slaughter without stunning".

10.21 am

Mike Freer (Finchley and Golders Green) (Con): I thank my hon. Friend the Member for Tiverton and Honiton (Neil Parish) for the report and for securing the debate. I read the report and was pleasantly surprised, because it was not what I was expecting. It is balanced, although I take issue with several points in it.

Before I took a view on religious slaughter, I thought I would go and see for myself. I am not sure how many hon. Members have visited a slaughterhouse, but my hon. Friend the Member for Ilford North (Mr Scott) and I ventured out to Witney, of all places, so that we could see for ourselves. I have to say that from the cows' point of view, there is no such thing as a good death. From what I saw as a layman—I am not an expert—of both types of slaughter, the work of the shochetim in the religious slaughter appeared to be more humane than a bolt through the head. Let us not dance around the niceties—we are talking about a bolt fired at pressure through the centre of a cow's skull. As hon. Members have already said, all forms of slaughter are unpleasant. We must remember that one is not nice and fluffy while another is cruel.

Mike Gapes (Ilford South) (Lab/Co-op): I agree with what the hon. Gentleman has just said. In that sense, would it not be more honest for the organisations that campaign against religious slaughter to campaign as well for all of us to become vegans?

Mike Freer: The hon. Gentleman makes a good point. The campaign against religious slaughter is remarkably narrow. If someone is against slaughter, they should be against all slaughter, because neither method is humane from the point of view of the cow, lamb or chicken.

Before we saw the slaughter, I spent some time learning who does the work of the slaughter. The shochetim are highly trained and have to train for many years. From some reports of religious slaughter, one might think that a shochet was a knife-wielding maniac who had wandered in off the street to slit the throats of cows. Shochetim have to undertake years of training and sit exams to prove that they are of a high calibre. Not only are they highly trained, but they are not allowed to operate unless they are at peace and centred. If they have had a car accident or a row with their partner on their way in, or if they are out of sorts that day, they are simply not allowed to practise. A great deal of time and thought is put into ensuring not only that the animal is calm and uninjured, but that the person who uses the blade is equally calm and unperturbed. The process is calm on both sides—for the animal that is being slaughtered and the person who undertakes the slaughtering.

From what I saw, the person who operates a bolt gun undertakes far less training than the shochet who uses a blade. It is almost the case that a person could apply to a slaughterhouse, and within days and with minimal

[Mike Freer]

training they could be operating a bolt gun on a cow. I reiterate that the use of the bolt is not humane, and we need to bear that important factor in mind when we compare the two types of slaughter. As the report says, the evidence is inconclusive about the pain experienced by an animal in the stunning involved in religious slaughter compared with stunning by a bolt through the head.

It is important that we use the term "religious slaughter". The word "rite" is used too glibly, and we are not talking about a rite. Religious slaughter is not like dancing around the maypole; it is not something that we did in the past and from which we can now move on. It is an integral part of being Jewish or Muslim. It is not an option. If someone wants to practise their faith as a Jew or a Muslim, they have to keep kosher or halal. It is not something that they can choose to do on a Monday but choose not to do on a Tuesday. Religious slaughter is not a rite; it is an integral part of the faith.

Perhaps we should simply label meat. I am not fundamentally opposed to labelling, but why does the labelling have to say "stunned" or "not stunned"? In my view, that is an emotional response, not a factual one. It is discriminatory, as my hon. Friend the Member for Hendon (Dr Offord) has said, to pick out one or two factors. If we are going to label meat, it is important for the consumer to know whether a piece of meat was stunned or not stunned, gassed or electrified, drowned, trapped or clubbed—or indeed whether two, three or four attempts were required with a bolt through the brain before the animal was killed. If we are going to label, let us label honestly and not try to mislead the public.

I think that the report was a good one, and I fundamentally agree with the statement in the conclusion on page 16 that

"it is to the benefit and pride of the United Kingdom that religious freedoms allow communities to eat meat prepared in accordance with their religious rites."

I prefer to use the word "beliefs". In my view, the Government and the House should leave the matter there.

10.27 am

Roger Williams (Brecon and Radnorshire) (LD): I apologise for not having been present at the beginning of the debate. Along with the hon. Member for Tiverton and Honiton (Neil Parish) and the Minister, I was attending an event to celebrate the great British sausage, at which the maker of the best British sausage was awarded a prize. We were engaged in some of the issues that have been debated this morning.

I reiterate my thanks to the hon. Member for Tiverton and Honiton for chairing the all-party group and for the way in which the inquiry was carried out. I felt some trepidation when we set out on the inquiry, because I was afraid that emotion might cloud reality. However, I think that the evidence was taken in such a way as to allow us to concentrate on knowledge and scientific evidence.

There has been a suggestion that how animals live is more important than how they die. I do not think that anybody would disagree with the belief that animals should be kept in the best conditions and should die in the best conditions. We have free-range eggs, for example, and they are often labelled as such so that consumers can see how the animals were kept and reared. I support the all-party group's conclusion that meat should be labelled "stunned" or "not stunned". The Minister has expressed a view on that, and I understand that there are some European problems with going down that route, but perhaps he can explain how we can move towards that situation.

As well as having different methods of stunning and slaughter, we know that slaughterhouses are not always run in the best way. A lot can be done for animal welfare by improving slaughterhouses so that whichever method they use is used in the best possible way. During the inquiry one of the things that amazed me was the amount of scientific work on this subject. I thought the debate was based on anecdote or impression rather than evidence, but there has been a lot of work, which was taken into consideration when we came to our conclusions.

Evidence was given about how the anatomy of cattle differs from the anatomy of sheep. The shechita, or the cut, in cattle is less likely to reduce blood flow to the brain than in a sheep, which would lose consciousness very quickly. There is work to be done on that, too, and everyone acting in good faith will be able to reach a conclusion on how things can be improved. Indeed, one of the report's main conclusions is that this is a subject that needs to be understood, and one of the benefits of the report is that the public will now better understand some of the issues and that, across the industry, there is a commitment to animal welfare throughout an animal's life and at the point of death.

I once again thank the hon. Member for Tiverton and Honiton for chairing the all-party group. He has done a great service both to the religious communities in this country and to the general public, who want to know how and in what conditions their food has been produced, including at the point of slaughter.

10.32 am

Huw Irranca-Davies (Ogmore) (Lab): I thank all hon. Members who have spoken, particularly the hon. Member for Tiverton and Honiton (Neil Parish), for conducting themselves with real intelligence, insight, clarity on detail and compassion for the many interested parties in a fascinating but sensitive debate. I also thank the all-party group on beef and lamb and the hon. Gentleman, its chairman, for producing a genuinely thoughtful report on meat slaughtered in accordance with religious rites. Every member of that group—some of them are here today—is a thoughtful and insightful individual. I declare my interest as a member of that all-party group.

I congratulate the APPG on bringing light to this debate in place of heat. Some people have tried to use the subject of halal and kosher meat as a proxy for a generalised attack on Muslim and Jewish communities. The report rejects that dark populism and rightly focuses instead on animal welfare and informed consumer choice. The report also attempts to take an evidence-based approach, which will not be welcomed by some who have firm positions either in opposition to or in support of the methodologies underpinning the production of halal and kosher meat. It is worth saying that the two methodologies differ in their detail.

The report is the right way to advance our understanding and to encourage sound policy making. Although I welcome the report, I do not think it is the end of the matter. This is a notoriously difficult subject not simply because of the religious and cultural sensitivities but because of some of the technical detail and gaps in scientific certainty. The report, however, is a worthy attempt to understand the matter, and it makes some useful recommendations. The religious and cultural sensitivities deserve our full consideration, and they must of course be set against any legitimate, if contested, concerns about animal welfare and the desire for informed consumer choice expressed through labelling. The report addresses all those matters.

The facts are important in this debate, as sometimes the tabloid hyperbole can overtake the reality. Although shechita slaughter prohibits any form of stunning, more than 80% of halal animals are pre-stunned. The Food Standards Agency estimated in 2012 that 3% of cattle, 10% of goats and sheep and 4% of poultry were not pre-stunned as part of halal slaughter—let us get the facts on the record. Religious slaughter has strict oversight by official veterinarians from the Meat Hygiene Service, and there are strict regulations governing meat hygiene and animal welfare and statutory regulations in each food business operator. The official veterinarians can give written or verbal advice on improvements, issue warnings and recommend prosecutions where necessary.

Of course, several organisations have now come to the conclusion that slaughter without pre-stunning compromises animal welfare. Those organisations include the British Veterinary Association—of which I am delighted to be an honorary member—the Royal Society for the Prevention of Cruelty to Animals, the Farm Animal Welfare Committee, the Humane Slaughter Association and others. They have presented strong evidence to support their case for a ban on such slaughter. But equally, as we have heard, organisations such as Shechita UK contest that evidence and have presented powerful counter-arguments and evidence. Of course, shechita meat could not be produced if there were a requirement for pre-stunning before all slaughter, and there have been some well made points on that today.

The organisations that advocate a complete ban on slaughter without stunning also advocate an alternative way forward if there can be no ban. They propose working with religious communities to enhance the enforcement of existing welfare-at-slaughter legislation where non-stun slaughter takes place; to introduce immediate post-cut stunning; to ensure time and facilities for the official veterinarian to be able adequately to monitor welfare where non-stun slaughter takes place; and to educate consumers.

Neil Parish: The shadow Minister is absolutely right. One of the problems with shechita is that the Jewish authorities just will not accept any post-stunning. I can understand the need for an animal to be conscious at the time of cut, but post-stunning would be very useful for large animals.

Huw Irranca-Davies: The hon. Gentleman makes a good point. That is why we need to work on both the religious and cultural differences and methodologies to find a way forward that, as he rightly says, does not stamp on the liberties that come with the absolutely right and long history of not only tolerance but acceptance of those differences within UK society.

Bill Wiggin (North Herefordshire) (Con): Will the hon. Gentleman say what a future Labour Government, if one should ever happen, will do? I hope that, like us, a future Labour Government would continue to allow religious slaughter, but there is one area that worries me. What happens to the beef, in particular, that is rejected? Does it not just go back into the food chain? Everybody else is therefore buying non-stunned meat without necessarily knowing.

Huw Irranca-Davies: If the hon. Gentleman will bear with me, I will fully lay out our position. I appreciate that he came late, but that was covered earlier in the debate. I will cover it in my speech.

The proposals on an alternative way forward include educating consumers about animal welfare at slaughter—hon. Members have already addressed that point—and giving people confidence when they buy meat or meat products by providing reliable explanatory information about food labels or logos of assurance schemes that require stunning before slaughter so that people can make informed choices. The final proposal is the introduction of a simple logo for packaging to indicate meat obtained from non-stunned animals or the promotion of labelling from existing farm assurance schemes that require stunning before slaughter, such as the red tractor scheme. Those are reasonable and sensible proposals that focus not on the religious element of slaughter but on animal welfare and informed consumer choice. Do such suggestions meet with the Minister's approval? How will he act upon them?

An issue raised by some organisations that has attracted much attention is increasing informed consumer choice through clear labelling. The Labour party, of course, supports informed consumer choice and has been a champion of clearer food labelling for a range of issues, such as nutritional information. However, in the context of meat slaughtered in accordance with religious rites, the question becomes what the label should say. Should meat be labelled halal or kosher? That was roundly and rightly rejected by parliamentarians of all parties when a private Member's Bill to that end was presented to Parliament last May. Should all different types of slaughter be labelled for the consumer? In that case, make room on the label for "slaughter by electrical current", or by carbon dioxide, inert gas, captive bolt pistol, gunshot or free bullet and so on. Some advocate doing so, as we have heard in this debate, and it would certainly satisfy the need for transparency, although it could reasonably be argued that it is not currently being demanded by consumers.

Roger Williams: The hon. Gentleman sets out clearly some alternative methods of stunning, but one hon. Member who spoke in this debate—I am sure it was by mistake—included clubbing as a method of pre-stunning. We should put it on record that clubbing can in no way be seen as a legal method of stunning in this country.

Huw Irranca-Davies: The hon. Gentleman has corrected the record appropriately. I am not aware that clubbing is a legitimate method sanctioned within UK slaughterhouses,

[Huw Irranca-Davies]

so I am not sure where it came from. The methods that I listed are legitimate, sanctioned and overseen by veterinarians, the Food Standards Agency and others.

Dr Offord: If that was me, it was certainly not my intention, and I apologise for making that assertion. I have been told that fish can be killed that way.

Huw Irranca-Davies: I thank the hon. Gentleman for clarifying that on record.

To return to the issue of labelling, how it could be done and the difficulties involved, should labelling focus on the issue of stunning or the absence thereof? That seems to be the crux of the consumer argument as well as the animal welfare argument. If that or any alternative labelling proposals are to be taken forward, Labour believes that any implementation of proposals affecting meat slaughtered in accordance with religious rites must involve full engagement with the faith groups affected, as well as with other interested parties. But—this is a significant "but"—surely that is best done at European level. I ask the Minister for an update on progress in European discussions on the issue. I will be raising it in my discussions with European colleagues this evening and tomorrow in Brussels, and it would be helpful to know what progress, if any, has been made.

The Minister will want to respond in detail to the points raised and to the recommendations in the report. I draw his attention to a couple of specific points. Recommendation 5 relates to concerns about the accuracy of recording of mis-stunning and mis-slaughtering in slaughter practices unrelated to religious slaughter. A written answer to the hon. Member for Tiverton and Honiton on 24 March 2014 revealed that under the FSA recording procedures, in the whole nation only nine cases of cattle mis-stunning were recorded for 2013-14, as well as one duck, three pigs, three sheep and one turkey. The Minister told the hon. Member for Finchley and Golders Green (Mike Freer) on 1 April this year that a study into the accuracy of the data was unnecessary, but when pursued by me and others in written questions, he responded to me on 26 September:

"The Food Standards Agency (FSA) is due to complete a review into its monitoring and reporting of breaches of welfare legislation by the end of October. Previously"—

this may explain things—

"only major and critical breaches were recorded, along with the actions taken to correct these. The FSA review is now also looking to strengthen recording of minor breaches."

I look forward to the results of that review, as many people look at the figures with disbelief.

I say to the Minister that if the principle is animal welfare, that principle must extend across all forms of slaughter, not simply slaughter done in accordance with religious rites. We look forward to hearing the results of the FSA review and what actions might follow.

Finally, what work has the Minister carried out to assess consumer awareness of the issues raised in this debate, such as meat slaughtered in accordance with religious rites or stunned and non-stunned meat production? It cannot be left to the tabloids or rabble-rousers to set the agenda. We must have, as we have had today, a well informed and calm public and policy debate that proposes appropriate solutions that apply the highest animal welfare standards, provide clear and appropriate information for consumers and recognise and respect the cultural and religious practices of our diverse communities.

10.45 am

The Parliamentary Under-Secretary of State for Environment, Food and Rural Affairs (George Eustice): I congratulate my hon. Friend the Member for Tiverton and Honiton (Neil Parish) on securing this important debate. As many Members have said, this issue is complex and sensitive. I had the pleasure of giving evidence to his all-party parliamentary group, and I thought that the report was engaging and got to grips with the details. As many hon. Members have said, it addressed the issue calmly and dispassionately, focusing on the evidence. I welcome his approach. Over the last six months or so, I have met representatives from all sides of the debate, including from Shechita UK, halal meat processors and Compassion in World Farming, to ensure that I have the fullest perspective of everyone's views on the issue.

I will start by setting out a little of the historical and international context to the debate. Like many debates, it has been running for a long time. Today, European and domestic regulations apply to the welfare of animals that are to be slaughtered, requiring that all animals be stunned before slaughter. However, as every hon. Member here knows, there is a derogation to allow slaughter without stunning in accordance with religious rites for the production of halal or kosher meat only. The aim of the regulations is to ensure that animals are spared any avoidable pain, distress or suffering at the time of killing.

However, our current national requirements on religious slaughter have a long history. Government first set down powers to prevent cruelty in slaughterhouses in the Public Health Act, which was as long ago as 1875. Byelaws made under that legislation required that animals be "effectually stunned". After that, in 1904, a Committee was set up to ascertain the most humane practicable methods of slaughtering animals. The Committee's report recommended that all animals to be slaughtered, without exception, should be stunned.

Following that report, the Local Government Board issued a circular proposing that the Committee's recommendations should be implemented, but that stunning should not be obligatory where slaughter was carried out by a Jew licensed by the Chief Rabbi, provided that no unnecessary suffering was inflicted. Interestingly, a similar requirement for shechita slaughter—that it is carried out by a Jewish slaughterman licensed by the Rabbinical Commission for the Licensing of Shochetim—still exists in our current national legislation.

The first national legislative requirement in England and Wales for stunning before slaughter was in the Slaughter of Animals Act 1933, which also retained an exception from stunning for religious slaughter by Jews and Muslims. Over the years, the national rules governing religious slaughter have developed to provide protection to animals slaughtered in accordance with religious rites.

Our existing national rules on religious slaughter provide greater protection than those contained in the European regulation. For example, there are requirements for how cattle can be restrained. In particular, we prohibit inversion during slaughter, and require bovines to be

restrained only in approved restraining pens. The requirements for bovine restraining pens are set down in national legislation. Other national rules concern so-called standstill times for cattle, sheep and goats; following the neck cut, the animal cannot be moved until at least 30 seconds have passed and the animal is unconscious, in the case of bovines, or at least 20 seconds have passed and the animal is unconscious, in the case of sheep and goats. The standstill times are aimed at providing protection from avoidable pain, suffering and distress caused, for example, by unnecessary movement while the animal is still conscious after its neck has been cut.

I turn now to what other countries are doing, to make some international comparisons. European legislation allows for national rules on religious slaughter, so there are differing rules across Europe. For example, in Germany abattoirs have to prove the "religious needs" and define the number of animals to be slaughtered so as to satisfy the needs of the religious community concerned before they are granted a licence. In the Netherlands, all animals must be stunned if they have not lost consciousness within 40 seconds of the cut being made. In France, there must be a post-cut stun if cattle are still conscious after 90 seconds. Other countries, such as Finland, Denmark, Austria, Estonia and Slovakia, go further by requiring immediate post-cut stunning. Further afield, under Australian law stunning at slaughter is required, but there is an option for a state or meat inspection authority to provide an exemption and approve an abattoir for religious slaughter without prior stunning for the domestic market, but post-cut stunning is still required for these animals.

The hon. Member for Upper Bann (David Simpson), who was here earlier, mentioned the potential impact on exports and the concerns that some people have about what might happen to exports if we place additional restrictions on religious slaughter. I completely understand that argument. However, last year I met a farmer from Australia, who said that all Australian sheep are effectively slaughtered in accordance with halal requirements, because they are exported to some very important Muslim markets in Asia, but those sheep are also stunned post-cut.

The reason I highlight both the historical and the international context of this issue is that there has been a long-running debate about it, which legislators have wrestled with for well over a hundred years. I am not sure that we will resolve all the issues here today in this debate but we have had a very calm and insightful debate, which has certainly helped.

I will pick up on the points that some hon. Members have made. As my hon. Friend the Member for Tiverton and Honiton pointed out, one of the issues with halal is that there is no single definition of what constitutes "halal". Often in the case of halal meat, the relevant Muslim authorities are content that the animal is stunned. Where that stunning is carried out during the course of religious slaughter, the stun must be effective under the legislation and the animals must also be stunned using a lawful stunning method. As was pointed out by a number of hon. Members, the majority of halal meat is stunned; around 88% of poultry in the UK is stunned.

Also, the EU welfare at slaughter regulation allows for "simple stunning", which is sometimes referred to as "recoverable stunning". Simple stunning does not kill the animal but renders it unconscious and insensible to pain and, if it is used, it must be followed as quickly as possible by a procedure that causes death, such as bleeding.

I will pick up on some of the issues that other hon. Members have raised. First, however, I will underline the Government's position today, which builds on the long-standing position we have adopted in this country. Our position is that we would prefer that all animals are stunned before slaughter, but we recognise and respect the needs of religious communities, so we have always maintained this limited exemption, which is to be used only for meat produced for Jewish and Muslim communities. Last year, the Prime Minister made it very clear in a speech that the Government have no intention of abolishing religious slaughter in this country. However, it is equally important to note that none of the derogations that we have in place, which are set out through the Welfare of Animals (Slaughter or Killing) Regulations 1995, exempt anyone from the requirements of the Animal Welfare Act 2006, which requires all abattoirs to avoid causing an animal avoidable pain.

My hon. Friend the Member for Huntingdon (Mr Djanogly) and a number of other hon. Members questioned the evidence that non-stunned slaughter causes more pain and suffering to an animal. I understand the arguments that he made; I have met representatives of Shechita UK and heard those arguments from them. However, that is not a view that is widely shared in the scientific or veterinary community.

Put bluntly, the situation is clear from most of the evidence. There are a number of reports. The Farm Animal Welfare Committee issued a report in 2003, which concluded that there was significant pain and distress where there was not stunning before slaughter. Likewise, in 2004 the European Food Safety Authority issued a similar opinion, maintaining that there was more pain and suffering if there was no stun. There was also the EU Dialrel report and project, which was conducted in 2009 and looked at the neurological behaviour of animals once they are slaughtered. That report, too, reached a similar conclusion, as my hon. Friend the Member for Tiverton and Honiton said, and more recently there has been research in New Zealand, which reached the same conclusion. So there is a large body of research that concludes that it is better for the welfare of the animal for it to be stunned, and it is for that reason that the Government would prefer it if all animals were stunned.

It is important to make that point, because although the Prime Minister has made it absolutely clear that we have no intention of banning religious slaughter, we must understand the basis on which that is done. It is not that we believe that there is no difference between the two types of slaughter, nor that we believe shechita is a more welfare-friendly method of slaughter, but because we respect the rights of religious communities. That has been the long-standing position of every UK Government, going back some 100 years.

A number of hon. Members, including the shadow Minister, the hon. Member for Ogmore (Huw Irranca-Davies), raised the issue of labelling. The European Commission is conducting a study on labelling at the moment; we expect it to conclude in December. Initially, it was planned that the study would be published this summer, but as usual—because this is a very contentious

[George Eustice]

issue—it has taken the Commission rather longer than it thought. Nevertheless, we hope that the study will come by the end of the year, or perhaps the beginning of next year.

A number of hon. Members made the point that it would be wrong just to label meat as "stunned" or "unstunned", and that a fairer way would be to list all the different methods of slaughter. The only thing I would say in response is that, from the EU perspective, "stunned" has a clear legal definition in the legislation, and it is simply that an animal is rendered insensible to pain almost immediately. As I say, that is a clear definition and the scientific evidence does not support the argument that a cut without prior stunning achieves that. In addition, it would be complicated to list all the different methods of slaughter and, as the hon. Member for Ogmore said, I am not sure that there would be a huge consumer appetite for us to try to differentiate between all the different methods of slaughter.

I know that previously people have said that perhaps we should label meat as being "halal" or "kosher", so that people know what they are buying. However, there are also difficulties with that, in that there is no single definition of "halal", as many hon. Members have said, and a further complication is that not all meat slaughtered by kosher methods is deemed "kosher"; for instance, the hind quarters of an animal are not deemed "kosher", even though the animal is slaughtered by kosher methods. As I say, there are complications in the area of labelling, but we await the report from the European Commission and look forward to following it up.

I will also cover mis-stunning, which many hon. Members have mentioned. I can confirm that the Food Standards Agency has reviewed the way that it approaches mis-stunning. Previously, it only reported critical breaches that were observed by the official veterinarians in the slaughterhouse. We always accepted that that would not pick up every single mis-stun. Following representations that have been made, which is proof that this Parliament works when people ask questions of Ministers, I can confirm that we looked at this issue again and in future the FSA intends basically to monitor and record all breaches, whether or not they were critical.

The important thing to understand is that just because there is a mis-stun, that does not necessarily mean that the welfare outcome for the animal was dire. On occasions, and this usually happens with bovine animals, what a mis-stun means is that the first shot taken by the captive bolt did not quite achieve the intended task, and within seconds—almost literally—a second bolt is fired, which finishes the job. So it is wrong to equate mis-stunning with dire outcomes from an animal welfare point of view. Nevertheless, we are concerned about mis-stunning and will therefore monitor it.

I will finish by referring briefly to a few other points. CCTV in slaughterhouses is an issue; the FAWC is looking at it. The last time we had a consultation on it, we ruled out its use, on the basis that we did not think it would necessarily identify where there were problems, but we keep the issue under review.

Also, when it comes to the point my hon. Friend the Member for Tiverton and Honiton made about consistency of approach, I have asked the FSA and our vets in the Department for Environment, Food and Rural Affairs to consider the approach they take to these issues, to ensure that there is consistency.

Finally, I will finish on the point that my hon. Friend the Member for Brecon and Radnorshire (Roger Williams) made, namely that there is a difference between animal species. We know that sheep and chickens lose consciousness relatively quickly but sadly the same is not true for bovines, which can take up to 1 minute 20 seconds to lose consciousness.

Mr Philip Hollobone (in the Chair): I thank all Members who took part in that important debate. If they are not staying for the debate on broadband in Cheltenham, will they be kind enough to leave the Chamber quickly and quietly? They no doubt have plenty to chew over as they leave. We now move on to the important subject of broadband in Cheltenham, in the name of Mr Martin Horwood.

Broadband (Cheltenham)

11 am

Martin Horwood (Cheltenham) (LD): Thank you, Mr Hollobone. You will have to forgive me taking a moment to catch my breath. After a three-hour journey, I had to run across New Palace Yard to get to the Chamber on time—but I am here.

The origins of the problems in Cheltenham date back a long time. We have an unusual telephone exchange lay-out, with a single exchange to serve a town of 120,000 people. The further one gets from the central exchange by copper wire, therefore, the worse the telephone service is. In the 1960s, as the exchange developed, that lay-out did not make a massive difference; voice call quality was simply slightly worse in the outlying areas of town. Today, it makes a huge difference, because internet broadband speeds drop off the further one is from the exchange, so even if some parts of town have a decent basic broadband service of about 2 megabits per second, in outlying areas such as Up Hatherley and Springbank speeds can be as low as 0.5 megabits per second.

I have raised this issue over many years, including with the Minister's predecessors in the previous Government, but we were told that the digital revolution was coming and that we need have no fear, because given the commercial roll-out and the gap-filling exercise that the Government rightly prioritised—the Broadband Delivery UK programme to subsidise hard-to-reach areas—all would be well. Indeed, the Government have put more than £100 million for England into BDUK to reach those areas that are not commercially viable. BT told us that it would be able to supply most parts of Cheltenham with a commercial service, and that other operators would be playing their part.

It looked as though the Government's targets, which are ambitious, would be met as far as Cheltenham was concerned. The targets are to achieve 90% availability of superfast broadband, with speeds as high as 25, 30 or more megabits per second, and for everyone to have the basic 2 megabits-per-second broadband service, whether they had upgraded to superfast fibre-optic or not. It seems to me, however, that the real risk is that neither of the targets will be met in Cheltenham, and if they are not met in an urban area such as Cheltenham, they are unlikely to be met nationwide.

Today that matters, because we are talking about something used not only for entertainment or casual purposes, but by people working from home who need access to documents. One computer programmer told me it took three days to download a programme on the broadband speeds available to him. Children have to access their homework; my kids access their school intranets to file their homework and to access homework materials. People also do their banking, respond to Government consultations and apply to university via the internet. A basic internet service is no longer a luxury, but something that people expect. People certainly expect that when they buy new houses, but we have people moving into an almost brand-new estate only to discover that they do not even have 2 megabits per second available on their broadband service, which is clearly unacceptable. We need to ask why that is happening.

The commercial roll-out has proceeded and BT has done a pretty good job. It is reaching about 88% of the homes in Cheltenham, but that leaves a gap of at least one in 10 homes. Other commercial operators, including Virgin, are active in the town and are filling some of that gap, but far from all of it. We hoped that the Government-subsidised programme would then step in and fill the remaining holes, but that does not seem to be happening.

The Government-sponsored programme in Gloucestershire is called Fastershire, and it tells me that for various technical reasons it simply cannot fill the gaps. Its 2011 open market review did not identify the specific gaps; it was given information by the commercial suppliers on a postcode basis, but the supply is actually provided on a cabinet, street or even premises basis, so Fastershire had an inaccurate picture of where broadband would be provided commercially. Fastershire also states that BT and some of the other commercial operators have changed the boundaries and the areas in which they are operating. Given how Fastershire is set up, it must apply for state aid exemption to subsidise particular postcode areas, and it cannot undo that approval to fill in gaps that emerge over time.

I hope that the Minister's broadband service is good on his mobile phone, which he is checking at the moment. I also hope that what I am saying is sinking in, in terms of the seriousness of what is happening in Cheltenham.

The Minister for Culture and the Digital Economy (Mr Edward Vaizey): My hon. Friend is inviting me to intervene. I am happy to do so, and to start responding to him now. Obviously, I am aware of all the points that he is making, and I am pleased that he managed to make it to his own debate.

Martin Horwood: Thank you.

The problem that people face is that they are falling between the gaps. Fastershire is providing a roll-out programme that is overwhelmingly geared to rural areas, but even after the open market review had shown that there were gaps in urban Cheltenham, it has not identified an immediate way in which to deliver a decent broadband service or access to superfast broadband in the areas that have been left out. We are finding increasing numbers of such areas, in Benhall, The Reddings, Up Hatherley, Springbank and Battledown. Only last week, I discovered a new area in the St Paul's part of town, where a brand-new estate is without decent broadband services.

New estates, or those filling in between older areas, seem to be one of the key problems, and where the service has not been provided. That might be an historical pattern of some sort—perhaps no dedicated BT cabinet, or a cabinet used to serve a smaller number of premises—but whatever the reason, people find it extraordinary that they are moving into brand-new homes in which the developers have not bothered to ensure broadband services. People then find that they fall between the gaps, with BT or other commercial operators saying that such a service is not commercially viable and Fastershire saying, "Sorry, guv, it's nothing to do with us, you're outside our approved area." Fastershire is conducting a new open market review, but if some of those problems of communication between it and the commercial operators persist—if we repeat the problem of information being provided by postcode, when services

[Martin Horwood]

are provided by cabinet, street or individual premises—we might find yet again that gaps emerge and households are left out.

I have a few things to ask the Minister to have a look at. First, on planning and building regulations, if we are so ambitious as a Government to deliver superfast broadband across the country, it seems wrong that we are allowing new estates to be built without the provision of proper broadband services. That is something that could be tackled. I know that councils are wary these days—with due reason, in some cases—of imposing restrictions on developers and conditions on planning consents that might be seen to be unreasonable or threaten the commercial viability of a housing development. I would like the Minister to talk to his colleagues in the Department for Communities and Local Government to see whether we can reassure councils that it will be regarded as reasonable, and that they will not be challenged, if they insist that those developing new developments have to put in decent broadband services and, if necessary, pay BT to connect the local cabinet to the option of superfast broadband.

The second thing is for the Minister to go, at national level, to BDUK and the various commercial providers —mainly BT, but also Virgin, EE, TalkTalk, Sky and others—to try to resolve these issues about communication, and about the basis on which the maps are drawn that decide what is commercially viable. It would be reasonable to knock some heads together and say, "Listen, it is completely unacceptable that you all have the information, but each side is blaming the other when it comes to how the information is provided." Fastershire in Gloucestershire told me that it was provided with information by BT and the others only on a postcode basis, so that was the only basis on which it could draw its maps. BT insists that Fastershire has all the information it needs to fill the gaps. They cannot both be right. The Minister needs to sit down with BDUK and the commercial providers to knock heads together and find out why Cheltenham and, presumably, other urban areas right across the country have so many gaps in the roll-out.

We need to offer a bit of challenge to some of the commercial operators. At least behind closed doors, we need to remove the cloak of commercial confidentiality and ask exactly on what basis they are judging whether an area is commercially viable. On some occasions, the operators have suggested to people that if they could raise the money themselves—that would effectively add a subsidy through the community—they could have the option of connecting to superfast broadband. If a community is willing to raise that money to subsidise superfast broadband, presumably they would be willing to pay the premiums required to upgrade to it, which implies that it would be commercially viable to go into that street or estate. I am still not clear whether the poor service that some areas get is part of the consideration, or whether BT is doing a tick-box exercise using the area's demographics, house prices, topography and so on. The decisions seem to be fine judgments in some cases.

There are a few bits of good news. For example, BT and Fastershire have been prepared to talk about these issues and, I think in both cases, are generally committed to removing the embarrassing gaps in the programme. There are some good news stories where community effort has resolved the issue. Cabinets 124 and 214 in Cheltenham are, in different ways, good news stories. In one case, the community persuaded the developers of a new estate to underwrite the cost of putting superfast broadband into their local cabinet, so that cabinet should be okay. In another case, the community persuaded BT to shift the cabinet, apparently to make the viability more commercially promising. BT is therefore including that in its roll-out plans.

We still have a number of other cabinet areas that have been left out. I am notified weekly of new streets where people are getting poor service. Going back to the original problems with the centralised exchange, poor service is particularly hard to take for those who live in the areas that were most distant from the old exchange. In some parts of Cheltenham, people in one street have a service of 0.5 megabits a second, which is an unconscionably slow service, while only yards away people can get 25 to 30 megabits a second and have a service that is 60 times better. That is pretty hard for people to understand and accept.

I do not expect the Minister to have an instant solution. I realise that there are complexities around state aid rules and the planning of these programmes over many years, but I do not think we are likely to meet our ambition as a Government to supply at least 90% of the population with access to superfast broadband by next year, and to supply everyone with a service of at least 2 megabits a second or better, if areas such as Cheltenham are not meeting the targets. I would like him at least to recognise the problem, and to promise to get the commercial providers, the roll-out programme for BDUK and programmes such as Fastershire in Gloucestershire together to try to establish what information can be shared on a rolling basis, so that we can ensure that these gaps do not continue to emerge in the delivery of broadband.

The Government have rightly prioritised the issue. The calculation is that superfast broadband could be worth £400 million to the Gloucestershire economy alone. To the country as a whole, it is economically vital. It is part of our future and our competitiveness as a 21st-century nation. We have to do better for some of my constituents.

Mr Philip Hollobone (in the Chair): I commend the hon. Gentleman on the way in which he addressed the House this morning, and in particular on starting the debate by demonstrating what the human form of superfast broadband might look like. For one dreadful moment, some of us thought that he might be the replacement for the right hon. Member for Lewes (Norman Baker) in the Home Office, but I am delighted that he has managed to be here. His constituents should know that he made his whole speech without referring to any notes. Having listened to a lot of his speeches, may I say that he speaks rather better without notes than he does with brief supplied to him?

11.16 am

The Minister for Culture and the Digital Economy (Mr Edward Vaizey): It is a pleasure to appear before you this morning, Mr Hollobone, with my prepared speech typed out for me by my officials, which I intend to refer to constantly through the next 15 minutes. I join

you in congratulating my hon. Friend the hon. Member for Cheltenham (Martin Horwood) on his superfast appearance at this morning's debate. At 10.59 am, I wondered whether he was going to make it, but he arrived right on cue, although his initial remarks were characterised by a certain breathlessness. For those of us who aspire for our appearances in the House to be broadcast on "Today in Parliament", I have some concerns that the BBC will perhaps decide not to broadcast the beginnings of the debate in case it gets complaints from its listeners about heavy breathing. When at one point he stopped dead in the middle of his speech, I was worried enough about him that I was forced to intervene to ensure that he had recovered appropriately.

My hon. Friend has covered a number of important points to do with broadband in his constituency and some national issues. He fairly made the point throughout that this is a flagship programme for the Government. On a national level, we are investing something like £1.7 billion in superfast broadband roll-out. That is money direct from Government and from local authorities. It includes some European money—forgive me for mentioning that, Mr Hollobone—and some private sector money from BT. My hon. Friend highlighted examples in Cheltenham, and many of the specific issues that he raised are ones that I have had to grapple with over the past four and a half years.

As my hon. Friend mentioned the national picture on several occasions during his remarks, I begin by reminding the House of the successes we are seeing with the national broadband roll-out. Superfast broadband coverage in the UK is very high, at 78%. We outperform the other four big European economies. On the world stage, we perform well in access to superfast speeds and in price, which is important when looking at access to broadband. We have a competitive telecoms market in the UK and accessible prices. I am often told that in such-and-such a country, people can access speeds of, for example, 100 megabits per second, but no one ever completes the sentence by saying that it costs the equivalent of £80, £90 or £100 a month, or perhaps even more. Price is important. We have passed the 1 million mark in premises covered since all the contracts were signed, and we are now covering something like 40,000 additional premises every week.

My hon. Friend referred to the need for commercial providers to do more in urban areas. I am pleased that, partly as a result of discussions with the Government, BT has set aside an additional £50 million for broadband in cities and that Virgin Media, under its new leadership, is also looking to extend its footprint, which it has not done before. We therefore expect some half a million additional premises in cities and towns to benefit from the commercial deployments of BT and Virgin Media. Overall, thanks to our superfast broadband programme, some 4 million additional premises will get coverage.

Turning to the local issues raised by my hon. Friend, the Fastershire project, covering Herefordshire and Gloucestershire, will see central Government investment of some £29 million and total investment of over £55 million. I appreciate that this does not relate specifically to his constituency, but the programme has already reached more than 32,000 homes and businesses and will reach almost 146,000 over the next three years, meaning that Herefordshire and Gloucestershire will see 93% of their premises enjoying the benefits of superfast broadband. My hon. Friend's constituency of Cheltenham is projected to see coverage of some 96%, with 48,000 out of 50,000 premises covered by the commercial deployment. Of the 2,000 that are not covered, some 625 should be covered by phase 2 of our broadband project.

Martin Horwood: I would be interested to know where that figure of 96% comes from, because I am not familiar with it. BT tells me that it is delivering commercial broadband to 88% of the town, but neither it nor Fastershire can tell me how much of the remainder is being supplied by companies such as Virgin Media. As it stands, at least one in 10 households in Cheltenham will not be included and will not have the advantage of that commercial roll-out. The Minister does not have to provide the information now, but if he could write to me to explain where that 96% came from, I would be grateful.

Mr Vaizey: I will certainly set out the details for my hon. Friend. BT is responsible for setting out only what its own coverage will achieve in Cheltenham, but we are able to access an overview of total coverage, including that provided by Virgin Media, for example. Thanks to local loop unbundling, Cheltenham residents, like residents all over the country, are able to take advantage of other providers, such as Sky and TalkTalk, using the network.

My hon. Friend mentioned state aid. It is a difficult issue that we have resolved as far as rural broadband is concerned, but it is difficult in towns and cities, where state aid is deemed to distort free markets because of high levels of commercial investment. It may be that the commercial investment case is not as clear as we believe, but we should make every effort to support commercial investment before investing state funds. The criterion for public investment is that the area must not have current or planned supply of services within three years, and we must test that through market reviews such as the open market review to which my hon. Friend referred. That takes time, planning and resourcing. In places such as Cheltenham and similar towns, the case for public investment is not straightforward, and we must tread carefully.

The Fastershire project ran a market review in 2011, and areas that were reported to be without provision or plans for it were included within the scope for investment under phase 1 of the programme. The belief at the time would have been that many areas outside the scope of the local programme would be covered by commercial plans. However, sometime plans change for unforeseen reasons, and there will another opportunity under the current open market review of phase 2 of the programme to consider including those areas in local plans.

Martin Horwood: I am grateful to the Minister for giving way a second time. One problem with the initial open market review process is the basis on which information was exchanged about which areas were commercial and which were not. The open market review was conducted on a postcode basis, whereas actual delivery has been cabinet by cabinet, street by street or premises by premises, so gaps have emerged within postcodes. For example, Fastershire might say that it cannot act as a postcode was deemed commercially

[Martin Horwood]

viable, but people within the postcode might be told by BT that it is not commercially viable. Will the Minister knock heads together to get such issues resolved?

Mr Vaizey: There are many local issues to consider. The viability of enabling some cabinets and premises is not straightforward. We do go down to six and seven-digit postcodes, but I am happy to consider specific examples that my hon. Friend wants to bring before me. Other factors that come into play include local infrastructure and buildings, such as the locations of cabinets, planning permissions, railway lines and street furniture, all of which can cause problems. Where suppliers cannot connect cabinets due to such obstacles, we work closely with them to provide solutions. The open market review in Herefordshire and Gloucestershire should resolve some such issues, but I will be delighted to look at any specific examples that my hon. Friend would like us to consider.

While talking about the Fastershire project, I must say that the area has a number of providers offering a different range of technologies and solutions. Companies such as Loop Scorpio, Airband and Cotswold Wireless all provide services in different parts of the two counties. We have also announced eight pilot projects with alternative providers to look at getting to the most hard-to-reach areas.

The second issue that my hon. Friend raised was provision to new builds, which is a frustration that I share. We considered regulation in 2010, but it was decided at the time that it would be inappropriate. Over the past few months, it emerged that a number of large developments were being constructed without proper broadband provision. It is possible for local councils to make it clear when giving planning permission that they expect developers to provide superfast broadband, but by engaging with BT, Virgin Media and several other providers, such as Hyperoptic, it became clear that we needed a much better system of developers working together with such organisations.

Following two meetings with me as Minister and a series of meetings with BDUK, we instituted a forum through which developers can contact telecoms providers with their plans for new builds, so that superfast broadband can be provided at the appropriate time for ducts to be laid and so on before proper building commences. I am also pleased that Openreach is in the process of hiring an additional 1,500 engineers in order to meet such demand. We will work with house builders and telecoms providers to continue to develop an action plan to ensure that new developments have access to superfast broadband. I agree wholeheartedly with my hon. Friend that it is completely unacceptable in this day and age for somebody to move into a new home to find that superfast broadband is not ready to be connected.

Forgive me for reading a significant proportion of my speech, Mr Hollobone, I will now go into improvisation mode and will try to avoid hesitation, repetition or, indeed, deviation in summing up. The Fastershire project has been a great success so far, with 32,000 premises covered out of almost 150,000 planned, and some £15 million invested. I am familiar with the problems relating to urban development highlighted by my hon. Friend in his excellent speech without notes, and it is difficult to get appropriate state aid in order for us to subsidise broadband roll-out in urban areas. People find it hard to believe, but there are urban areas that some telecoms companies deem uneconomical to supply. I will certainly consider any specific examples that my hon. Friend wants to provide and will, as he instructed, knock heads together—metaphorically—to see whether we can make some progress.

11.29 am

Sitting suspended.

Badger Culls (Assessment)

[Martin Caton *in the Chair*]

2.30 pm

Chris Williamson (Derby North) (Lab): It is a pleasure to serve under your chairmanship this afternoon, Mr Caton. We should not, however, be having this debate, because the cull actually flies in the face of scientific opinion. Furthermore, having the cull takes no notice whatever of public opinion and blatantly disregards the will of the House. Only earlier this year, on 13 March, after a debate in the main Chamber, the majority in favour of abandoning the badger cull was 218, yet the Government are ploughing on regardless. They seem to have forgotten that they are elected by the British people, and not by the National Farmers Union.

Roger Williams (Brecon and Radnorshire) (LD): The hon. Gentleman draws our attention to the vote in the House. I do not think that he was in Parliament at the time, but the House voted in favour of the Iraq war, which then proceeded, even though the people were against it.

Chris Williamson: That may be true, but on badger culls scientific, parliamentary and public opinion are at one, yet the Government are completely disregarding all those areas of clear opposition to their direction of travel on the issue.

As I was saying, the Government and all of us present are elected by the British people and not by any single issue group. Ministers seem to be behaving as if they were the parliamentary wing of the National Farmers Union. The NFU, however, does not even represent the vast majority of the farming industry. According to the NFU's own website, it claims some 55,000 members—

Neil Parish (Tiverton and Honiton) (Con) *rose*—

Bill Wiggin (North Herefordshire) (Con) *rose*—

Chris Williamson: I will give way in a moment. According to a document published by the Department for Environment, Food and Rural Affairs, "Agriculture in the United Kingdom":

"The number of commercial agricultural holdings in the UK has remained stable between 2010 and 2013 at 222 thousand".

So just under 25% of the farming industry is represented by the NFU, yet the Government, or Ministers at least, seem to be doing the NFU's bidding, even though it represents only a minority interest in the farming industry.

Neil Parish: I was under the illusion that I was in the Chamber to debate the badger cull, not the National Farmers Union.

Chris Williamson: If the hon. Gentleman will bear with me, I will come on to that and explain why I am referring to the NFU. Despite public, parliamentary and scientific opinion, the NFU is clearly the only interest group to think that the badger cull is a good idea. For the life of me, I cannot understand why the Government seem to prefer the views of a pressure group that represents a small proportion of the overall farming industry to the views of science, the public and, overwhelmingly, the House of Commons.

To be clear, last year's cull was a catastrophic failure. It failed to reach its target within the specified six-week timetable, so what did the Government do? They extended the timetable. The cull still failed to reach its target, which was for some 5,000 badgers to be killed, and it only managed to kill 1,861, making matters worse.

Caroline Lucas (Brighton, Pavilion) (Green): I thank the hon. Gentleman for securing this important debate. Does he agree that one of the most dismal scenarios that we can have is that of the Government setting their face against the evidence? They not only do not look at the evidence, but try to close it down. On this occasion, for example, they got rid of the independent expert panel that might have been able to tell them whether their cull was being successful.

Chris Williamson: The hon. Lady is absolutely right about that point, and I will be coming on to it.

As a consequence of not reaching the target of 5,000 badgers, the Government are likely to have made matters considerably worse because of perturbation, about which they were warned. DEFRA has not only failed in its own terms on effectiveness, but certainly failed on the test of humaneness as well. The independent expert panel, which the Government disbanded, as the hon. Lady said a moment ago, said about year one of the pilot badger cull:

"It is extremely likely that between 7.4% and 22.8% of badgers that were shot at were still alive after 5 min, and therefore at risk of experiencing marked pain. We are concerned at the potential for suffering that these figures imply."

When it was clear that the cull was failing on every possible measure, the previous Secretary of State, unbelievably, blamed the badgers for "moving the goalposts". In truth, the Government have moved the goalposts and Ministers are behaving like the three wise monkeys. The DEFRA independent expert panel confirmed last year that the cull was unsuccessful in terms of humaneness, as I have mentioned, and ineffective. The figures speak for themselves. The chief scientific adviser to Natural England also made negative comments about the cull, describing it as an "epic failure".

Mr Adrian Sanders (Torbay) (LD): I congratulate my hon. Friend on securing the debate. No one should be in any doubt that farming communities are suffering as a result of bovine tuberculosis, but is his case not simply that the evidence does not support this method of trying to eradicate bovine TB?

Chris Williamson: My hon. Friend is absolutely correct in his summary of the position. Of course bovine TB is a dreadful illness, but the way in which the Government have gone about tackling it is precisely the wrong thing to do and is likely to be making matters worse. I do not understand why they are ignoring the overwhelming scientific view that the badger cull should be abandoned and a different approach taken.

I was referring to the opinion of the chief scientific adviser to Natural England, who described the cull as an "epic failure", and was about to ask, what did DEFRA in response to such overwhelming criticism? It simply changed the methodology. That was described by one badger expert, Professor Woodroffe, as "very crude". She went on to say that the Government targets

"are all rubbish because they are based on rubbish data",

[Chris Williamson]

and that

"with the data that is being collected, it will be impossible to know how effective this year's culls have been."

The Government did not like the conclusions of their independent expert panel, so they moved the goalposts again by disbanding it, but the new Secretary of State says that the outcome of the latest culls will determine whether there will be a roll-out across the rest of the country.

Mrs Anne Main (St Albans) (Con): I congratulate the hon. Gentleman on securing this important debate. Is he aware that the BBC is reporting today that a journal of the British Ecological Society has offered to assess the trials independently, in the light of the fact that the independent panel has been disbanded?

Chris Williamson: I am grateful to the hon. Lady for that intervention. It is important that there is independent assessment of the culls, as there is a real fear of a lack of trust if there is no independent assessment of their effectiveness. We cannot leave it to the Government to determine whether culling has been effective because, as we have seen, they simply ignore the wealth of evidence put before them.

Miss Anne McIntosh (Thirsk and Malton) (Con): I am following closely what the hon. Gentleman is saying. On the subject of assessment, is his conclusion that the cull should not have proceeded or that it did not take place on the right criteria? The public would like to hear what he and his right hon. and hon. Friends propose for controlling a vicious disease that has an impact on wildlife and domestic animals, as well as a huge impact on cattle, which I am sure many hon. Members will go on to discuss.

Chris Williamson: I do not think the cull should have started in the first place, because of the wealth of scientific opinion that I have already outlined. I will come on to the alternative way forward.

I ask the Minister, where is the transparency? The Chancellor of the Exchequer has been talking about the importance of transparent Government, but there is no transparency whatever in this process. Ministers and the National Farmers Union need to get real. The main route of transmission of TB is cattle to cattle. That has been independently verified by numerous experts. Ministers need to end this wild goose chase. To respond to the hon. Lady, we need mandatory annual and pre-movement testing for all cattle, and should impose significant movement restrictions. There also needs to be rigorous biosecurity for dairy farms around the country. That has happened in Wales, where the Welsh Government have gone further and have introduced badger vaccination, a move that the Government would do well to adopt, to address the dreadful disease of TB.

I have a number of questions that I hope the Minister will be able to answer when he responds. The public would like to know—it is in the interests of transparent government that they do—who monitored the latest cull; perhaps he will take a note of that question and respond to it. Will he also say when details about the cull will be published and by whom—will it be Natural England or DEFRA? How will humaneness, safety and efficiency be assessed? Those factors were assessed in the first year of culling.

Will a decision on a third pilot be reserved until after the results are assessed, or has that matter already been decided? Again, it would be helpful if the Minister could come clean on that. Indeed, will there be a third pilot or will the Government go straight to a roll-out? We need to know that as well.

Were any badgers tested for TB during the latest cull? If so, how many tested positive? Last year, a relatively small proportion of badgers killed tested positive. What proportion of badgers killed in this year's culls were cage-trapped? We need to know that, because, as I understand it, part of the rationale behind the cull was to determine the effectiveness of free shooting.

Why was a different methodology for calculating the number of badgers used in year two from that used in year one? Why does the methodology applying to Somerset differ from the one applying to Gloucestershire? That just does not make sense—how can there be different methodologies from one county to the other? Surely that calls into question the bona fides of the Government's process.

Finally, does the Minister agree with his own Department's guidance to Natural England that the badger culls need to remove at least 70% of the local badger population within six weeks to avoid the risk of increasing cattle TB rates? If he does, can he explain why the targets set for this year's pilot culls have been changed?

2.44 pm

Mrs Anne Main (St Albans) (Con): It is a delight to serve under your chairmanship, Mr Caton. I congratulate the hon. Member for Derby North (Chris Williamson) on keeping up the impetus on this difficult subject.

Across the House, the majority of Members believe that we should tackle TB humanely and effectively. That includes the issue of how we deal with what is seen to be a contributory factor to the problem, namely the spread of TB by badgers. I am a convert to the cause and was pleased to lead the debate in March that showed overwhelmingly that the will of the House was to come up with a better way of controlling TB. I do not think that the House ever intended to control it by inflicting cruelty on another species, while potentially making the problem worse.

On 7 July I chaired a panel discussion with members of the Badger Trust and Care for the Wild, the director of the Humane Society International, an ecologist and habitat and species specialist, and Dr Tim Coulson, a member of the independent panel of experts. The IEP was unhappy that it could not continue with its work. On top of that, Dr Coulson said that he had asked Whitehall officials about a meeting with the Secretary of State but that request was not followed up.

On 16 July I wrote to the Secretary of State asking her to meet the IEP. The Minister replied on 16 August—over a month later—stating that meetings would be considered on a "case by case basis" and that the Department was

"in dialogue with leading vets and scientists".

Why has it not, as far as I know—unless the Minister corrects this—met the IEP? Anecdotally, Dr Coulson has told me that the Secretary of State replied to his request by saying that she was terribly busy and unable to find a date. Has the Department still not been able to do so?

How can the public have confidence in the Government if the culls are not independently monitored? As I pointed out in my intervention on the hon. Member for Derby North, there has been a kind offer of independent monitoring by the British Ecological Society. Will the Government consider taking that up? I would like to hear an answer to that today. I gather that there would be no cost to the Government. If the Government are to have confidence that they can take the public with them on this subject, which polarises opinion and creates strong passions, they should be able to explain their actions in a way the public understand. The public could then at least find a reason to support those actions, even if in their hearts they do not support the idea of some animals having to be killed to control the disease.

Mr Barry Sheerman (Huddersfield) (Lab/Co-op): I apologise for having come to the Chamber very recently, Mr Caton; I have been chairing a committee on prison education.

In DEFRA questions last week I saw a glimmer of light, as the Secretary of State said that she absolutely believed in the appliance of science to most of the topics we were talking about, including losing our birdsong in this country. If we apply that to the situation with badgers, there is a small possibility that someone at DEFRA might be waking up to the idea that we need science and proper independent evaluation.

Mrs Main: I hope that I am correct in interpreting what the hon. Gentleman says as meaning that if the Secretary of State was listening to the science, the Government would take a different route. Unfortunately, the science—the results of the trials—does not bear out the hope that there was when the trials were agreed. It is important that we do not have a roll-out based on two failures. We should not consider rolling out any Government policy on the basis of two test runs, whether it is a proposed benefits package or something like the poll tax. Surely we should learn from our failures and not roll out a failure elsewhere.

Bill Wiggin: Will my hon. Friend give way?

Mrs Main: I certainly shall give way to the branch of the NFU that is my hon. Friend.

Bill Wiggin: I am most grateful for that tremendous compliment. I suspect that if the NFU had its way, the schemes would not be pilots but would be rolled out into all areas where there is a high incidence of TB. If the science is so important—I suspect that the hon. Member for Derby North (Chris Williamson) feels it is—will my hon. Friend take this opportunity to condemn the people who are sabotaging these experiments?

Mrs Main: I absolutely condemn anyone who sabotages experiments, and I condemn anyone who puts any of our armed forces, police or anyone else involved, including protestors, in any danger. However, my hon. Friend must accept that passions are running high because logical arguments are being made in various debates and by panels that I have chaired, but people are not listening. If we are to prevent sabotage, which is obviously a last resort for some people, we must ensure that genuine concerns are listened to.

Kerry McCarthy (Bristol East) (Lab): I went down to Somerset recently to meet some of the people monitoring the culls. They are there not to sabotage them, but to ensure that the rules are obeyed and that badgers are not shot and left wounded to die slowly and painfully. They are there to ensure that the rules are kept. I met a farmer who did not want to take part in the cull pilot, but wanted to vaccinate her cattle. She had to stand guard at midnight at the gates to her farm to stop people coming on to her land and trying to shoot badgers. It is wrong to categorise anyone who protests against and monitors the culls as trying to sabotage them. They are just trying to ensure fairness.

Mrs Main: I thank the hon. Lady for her comments. Other hon. Members want to speak, so I will not labour the point, but my constituents, who have written to me in their hundreds, have lost confidence in the rationale and the way the problem is being tackled. No one is disputing that there is a problem, but we still do not know how many badgers were killed after having been cage-trapped, when that was expressly excluded originally.

I do not believe that the Government's method of choice will deliver what the farmers and the Government want, so we must look at the matter again. I for one, and hundreds of people in St Albans who care about the humaneness of the approach, believe that the Government are foolish not to listen to two failures. I do not accept that activists have ruined the trials; I suspect that the badger does not wish to comply with the trials, that the marksmanship has not been up to the job, and that the original premise of using free shooting instead of cage shooting was never a realistic means of dealing with the problem. We must come up with an alternative proposal, and I suggest that cattle movements, vaccination and other methods that do not inflict cruelty on another animal species are the way forward.

Several hon. Members *rose—*

Martin Caton (in the Chair): Order. At least six Members are on my list as wishing to speak. I want to start the wind-ups at 3.40 pm, so if they are all to have a chance of speaking, hon. Members should all keep their speeches to around six minutes.

2.52 pm

Caroline Lucas (Brighton, Pavilion) (Green): I thank the hon. Member for Derby North (Chris Williamson) for securing this important debate. I have several questions and concerns about this year's cull, as well as long-standing concerns about the culling policy.

First, the Government said that they plan to use the results of this year's culls to decide whether to roll out culling to new areas, but they have cut back massively on the data collection and expertise that they need to make an informed decision. They have scrapped independent oversight and the methods recommended by their independent advisers for assessing the humaneness and effectiveness of culling. In so doing, they have

[Caroline Lucas]

undermined their ability to make a well-informed decision. Their chosen methods seem to be completely inadequate, and they have undermined public confidence in a future roll-out decision, not least by fighting two legal battles to avoid independent scrutiny.

My views on the cull are well known. I have always argued that we need to take an evidence-based approach, so it is deeply disappointing that DEFRA has ignored the facts before it and, this year, has even done away with the independent panel, presumably because it did not like its conclusions last time round. I appreciate that the Secretary of State has expressed the view that independent auditing is sufficient, but I stress that that is not the same as peer review. The audit explicitly concerns adherence to DEFRA's chosen methods, rather than the robustness of the methods themselves. Peer review would have taken that much broader perspective.

This year, there has been no attempt to count badgers in the cull areas, either before or after the culls. The time taken by badgers to die was not recorded, and there has been no oversight by independent scientists. Instead, the effectiveness of the culls has been judged on key data collected by the marksmen. Let us remind ourselves that in 2013, the data they collected were so unreliable that they were considered unusable by the independent expert panel. Available information suggests that any future claim that the 2014 culls have reduced badger numbers sufficiently to control TB will be baseless. Moreover, it will be difficult to believe any claims that this year's culls are safe, humane and effective, based on the available evidence.

In that context, it is welcome that the British Ecological Society has offered to check the Government's badger culling trials, as the hon. Member for St Albans (Mrs Main) said. I would be interested to learn from the Minister whether DEFRA will accept that offer, and the reason for its decision.

I hope that DEFRA will make every effort to be completely transparent about the information it has gathered on this year's culls. To that end, I would welcome the Minister's comments on the humaneness of the culls. A non-governmental organisation in Somerset carried out a post-mortem on a badger that had been shot and wounded and showed that it would have suffered for many minutes after being shot. Yet the Government are not issuing any report this time round on the humaneness of their culls. That is a scandal and means that we have no proper means of assessing whether the culls are humane, despite that long being one of DEFRA's stated objectives. I would like clarification of the number of badgers culled in Somerset. Was the target reached, and is the Minister satisfied that it was the right one, given that the methods used to calculate it have been described by Professor Rosie Woodroffe of the Zoological Society of London as "very crude"?

I understand that officials estimate the Somerset population by counting setts and multiplying by a fixed number. That estimate suggested that the target should be between 316 and 1,776 badgers killed. Perhaps not surprisingly, DEFRA chose the lower figure. In Gloucestershire in 2013, 39% of the target was met. This year, we understand that it is 41%, according to information that has come out. Will the Minister tell us whether DEFRA expects any increase in bovine TB in the edge areas around the Gloucestershire cull? Given all we know about perturbation in areas where less than 70% of badgers are culled, how will they monitor that?

We know that ineffective culling can make a bad situation worse. By failing to collect the evidence needed to evaluate future policy, DEFRA is failing farmers, taxpayers and wildlife. I hope that the Government will at long last stop blaming the badgers for moving the goalposts and admit that it is time for a complete rethink of their so-called strategy for tackling bovine TB.

2.56 pm

Geoffrey Clifton-Brown (The Cotswolds) (Con): I draw hon. Members' attention to my entry in the Register of Members' Financial Interests. I am a farmer, although I do not keep any stock so I have no financial interest in this debate.

We have again found ourselves having a debate about an incredibly important scientific issue before the scientific evidence has been fully analysed and published by the Minister's Department. The debate is premature and speculative and will be incompletely informed. The second year of the culls ended on 20 October, and we have not yet seen the results of either of the trials in Somerset or Gloucestershire, so how can we have a reasoned and fully informed debate assessing those trials? I suspect that the debate will be centred on rumour and uninformed results.

Chris Williamson: Will the hon. Gentleman give way?

Geoffrey Clifton-Brown: I will give way to the hon. Gentleman once only.

Chris Williamson: Will the hon. Gentleman comment on the Government's decision to disband the independent expert panel? Surely it would have provided the comfort blanket of impartial evidence.

Geoffrey Clifton-Brown: The Government have said that that they will fully audit the results. When they are fully audited and analysed and properly published, I have no doubt that he and others will want to examine them in great detail and return to the House with comments.

One point of fact is the dreadful disease that bovine TB is and the pain it causes to badgers, cattle and farmers. Significant attention has been given to the relatively small number of badgers being culled in these trials, but less attention is given to the 314,000 cattle that have been slaughtered in the last 10 years at a cost of £500 million to taxpayers. Indices of TB in cattle show that it increased ninefold between 1997 and 2010 in England, which now has the highest incidence of TB in the whole of Europe. The cost will rise to more than £1 billion over the next decade if nothing is done to eradicate TB from our communities.

It is important to remember that culling is simply one aspect of the Government's comprehensive strategy to eradicate TB within 25 years. I hope that no one speaking in the debate will disapprove of that.

Martin Horwood (Cheltenham) (LD): Will my hon. Friend give way?

Geoffrey Clifton-Brown: I will give way to my hon. Friend once.

Martin Horwood: My neighbour and hon. Friend and I share a concern for Gloucestershire farmers, and I am sure we share the ultimate aim of seeing both cattle and badger populations healthy and TB-free. Does he agree that preliminary data that seem to be emerging in the press, and which the hon. Member for Brighton, Pavilion (Caroline Lucas) referred to, suggest that less than half the target number of badgers were killed in Gloucestershire this time? If those data are correct, we may worsen the risk to Gloucestershire cattle because of the perturbation effect.

Geoffrey Clifton-Brown: That is speculation, but even if it proves to be true, we will need to have a debate over what the target numbers were, and I shall come on to that later in my speech. We will begin after this second year, and certainly in the third year, to be able to analyse some of the results and see what is already known through some anecdotal evidence, which is that some farms that have had TB reactors for six or eight years have, this year, for the first year in those six or eight years, had no reactors. That may be anecdotal evidence, but it begins to point to the fact that the culls are having a beneficial effect.

Maria Eagle (Garston and Halewood) (Lab): Does the hon. Gentleman accept that during the course of the randomised badger culling trial there were 472 new confirmed breakdowns to TB in the proactive culling areas? Would he therefore argue that the culls did not work in those instances?

Geoffrey Clifton-Brown: I have great respect for the hon. Lady, but I think she is drawing a false analogy, because the numbers removed in the randomised badger culling trial per square kilometre were considerably lower than the numbers removed per square kilometre in either of these two trials. Let us give the trials a chance—*[Interruption]*—instead of chuntering about it. These trials are trials—they are exactly that. What we need to do is evaluate the science and see whether it is in favour of the trials or not. I think that would be a constructive way forward.

The cost will rise to £1 billion over the next decade if nothing is done to eradicate TB from our communities. I ask the hon. Lady what her party's policy is going to be: is she just going to let this disease continue to spiral out of control? Does she want our farmers to continue to slaughter cattle, and does she want to continue to have to pay more taxpayers' money in compensation? Her public statements so far—I am happy to let her intervene if I am wrong—suggest that she would discontinue the trials, so we will have gone through all the pain, yet we will not have the scientific evidence to be able to evaluate them properly.

Maria Eagle: In my view, there is no point in going ahead with a policy that has been shown not to work, as is the case with this one.

Geoffrey Clifton-Brown: With great respect to the hon. Lady, it is too early to say. If she will not begin to take some of the anecdotal evidence of people on the ground who have to make their living from farming with cattle, I do not know what else I can say to her. Let us let these trials go ahead and evaluate them. Instead of setting our face against them, let us give them time and see if they work, and then let us hope that we can begin to eradicate this dreadful disease. I repeat what I have just said: this is part of an overall policy to eradicate TB in this country in 25 years. I will allow the hon. Lady to intervene again on me—does she agree with that aim or not?

Maria Eagle: Of course I agree with eradicating TB, but I do not see how one does that by pursuing a policy that does not work.

Geoffrey Clifton-Brown: Well, that is the hon. Lady's prejudiced view. She does not know yet whether it will work, because this is a four-year trial.

Roger Williams: The hon. Gentleman draws our attention to the public cost of this illness, but the cull that is now taking place is actually at the farmers' expense. Does he agree that if there is no improvement or if, in fact, it makes things worse, farmers will not be willing to pay for something that acts against their interests?

Geoffrey Clifton-Brown: I am extremely grateful for that intervention. The hon. Gentleman must have been reading my notes, because I make that point very well. As he said, these two trials are entirely at the farmers' expense, and there would be very little cost in policing them were it not for the activity of the protesters. If we set the cost of culling against the cost of what the farmers are providing, there is no doubt about it: this cull is very considerably cheaper than the cost of vaccination, which is not yet proved to be working either. I would be interested to know, when the hon. Member for Garston and Halewood (Maria Eagle) speaks, whether she thinks vaccination is working in Wales.

Simon Hart (Carmarthen West and South Pembrokeshire) (Con): The reality is that the Labour Government in Wales fully recognise that they cannot measure the impact of vaccination yet, and what reduction there is of bovine TB in Wales is just the same outside the vaccination area as it is inside, so the hon. Member for Garston and Halewood can point to no evidence that the alternative Labour method is working in Wales.

Geoffrey Clifton-Brown: I had better make some rapid progress, Mr Caton, or else you will call me to order for not making my six-minute deadline. Let me make one or two brief points.

As I said, it is welcome that vaccination is taking place in certain parts of the country to try to prevent the further spread of this awful disease, but the simple fact is that vaccination does not work for an already infected badger. If it does not work, that infected badger, by going to the bottom of its sett, continues to infect the whole of that sett. It also must be remembered that vaccination generally works better on young badgers. Young badgers do not emerge from their sett for six months or so, and therefore do not get vaccinated for that first vital six-month period of their life when they are likely to be infected by the infected badgers. The other point to remember about vaccination is that badgers have to be vaccinated every year for five years before it is effective.

[Geoffrey Clifton-Brown]

I have referred to some anecdotal evidence about how the trials have worked, but I can also give the House some actual evidence of where vaccinating is not working. On the Killerton estate in North Devon, where TB is a huge problem, the National Trust has been vaccinating badgers at an annual cost of £45,000 for the past four years, and there have recently been as many as six additional herd breakdowns due to TB, which seems to show that vaccinating alone is not the solution.

Many people cite vaccination in Wales as an example, as my hon. Friend the Member for Carmarthen West and South Pembrokeshire (Simon Hart) mentioned, but that is not the whole story. Although TB has been reduced in Wales, the current vaccination programme is only being conducted in 1% of the country and it is only in its second year. It is therefore difficult to see how the Welsh experiment—as he said, the Labour party in Wales do not think it is working—has led to a 25% reduction across the whole of Wales, where other factors must be at play.

Therefore, culling must be part of the solution. No less than the president of the British Veterinary Association has said:

> "Badger culling is a necessary part of a comprehensive bovine TB eradication strategy".

I really hope that the Labour party will think carefully about what one of our foremost experts in the country said about that. Vets are the very people who want to see a humane strategy for tackling this disease, because they of all people know what suffering the disease causes to badgers.

Nobody wants to see animals culled. I am an animal lover. Farmers are animal lovers. This is not an enjoyable solution, but it is a necessary one. Clear evidence tells us that no country in the world has got its TB problem under control without removing it in the reservoir of the wildlife. We have seen that in Australia, Ireland and New Zealand, all of which are now virtually BTB-free.

On top of that, evidence also tells us that every time there has been a culling programme in this country—any of the six previous trials, including the Krebs trials—there has been a reduction in bovine TB. I accept that in some of the Krebs trials the reduction was relatively small, but that was related to the number of badgers that were taken out. The higher the number of badgers in an area that are taken out, the higher the reduction in BTB, and that, I think, has been fairly well scientifically proven.

In conclusion—because I think I have exceeded your patience and my allotted time, Mr Caton—it is too early to tell whether the culls have been successful. Anecdotal evidence tells us that they are beginning to have some success. Let us hope, for the sake of the farmers who are affected by this dreadful disease and the cattle that will have to be culled, that they are having some effect. The culls will be rolled out only in the very worst areas of BTB. I am all in favour of ring vaccination around those really bad areas, but let us see it as part of a comprehensive strategy. I congratulate my hon. Friend the Minister and the Government for being steadfast in their desire to eliminate this dreadful disease.

3.9 pm

Miss Anne McIntosh (Thirsk and Malton) (Con): I am delighted to contribute to this debate, and I congratulate the hon. Member for Derby North (Chris Williamson) on securing it.

There is a lot of common ground among Members here this afternoon, in that we recognise that TB is a huge problem—both bovine TB and potentially, the spread of TB in wildlife. We are talking about assessing a pilot scheme in one particular reservoir of wildlife, but heaven forfend that it enter into deer or other aspects of wildlife as well. It is not that long since people suffered from TB, and it is only due to the medical science developed in the last century that that has been controlled. The dangers of TB are, therefore, very real.

On animal welfare, there has to be some balance in the argument. We surely have to accept that, if 314,000 cattle are slaughtered, that in itself is something of a potential animal welfare crisis. What we are all trying to achieve is a healthy badger population living alongside a healthy cattle population.

I would like to know about the science. We are the only country in the European Union, and I believe in the world, that has protected badgers. Has that led to the increase that we have seen in the badger population? Has that, in itself, contributed to the spread of TB in the badger population?

I would now like to raise one or two questions for the Minister to respond to. In the previous Session, the Environment, Food and Rural Affairs Committee looked at what the cull's parameters should be, and I applaud the fact that the Government's pilot scheme seems, to all intents and purposes, to be following those that we laid down. I should add that I welcome the Minister to his place, and I look forward to his summing up the debate.

If we are to tackle the vaccine situation, we need to deal with a number of remaining issues, and I would welcome the Minister bringing us up to date on them. I applaud the work of the Food and Environment Research Agency, which operates in my constituency and other parts of the country. In Wales, the cost of an injectable vaccine for badgers was estimated at about £662 per badger in 2012. An injectable BCG vaccine has been available for use since March 2012, but there are obviously challenges in using it. To be cost-effective, deployment would have to focus on areas where the vaccine would have the biggest impact. The cost of injecting badgers with vaccine is huge. An oral baited vaccine for badgers, which can be laid at setts, is likely to be cheaper and more practical. I would be interested to know whether the definition of such a vaccine has moved on and whether we are closer to that taking place. Furthermore, from the evidence it received, the Select Committee understood that the current skin test to detect TB in cattle would miss one in four infected cows. Liver fluke, Johne's disease and even pregnancy may have an impact on the result of a skin test.

How much progress has been made, since the Committee adopted its report, on allowing the vaccination of cattle under European law? That is a vexatious issue. How welcome is vaccination among our friends and allies among other European countries? I agree with my hon. Friend the Member for The Cotswolds (Geoffrey Clifton-Brown) that the treatment and control of TB has not

been achieved anywhere unless TB has been tackled in the wildlife population. In the long term, vaccination—particularly of cattle, but also of badgers—would be a good way forward, but will the Minister let us know where we are on the vaccination of cattle under European law and how close we are to rolling out field trials in this country, as required under EU law?

3.14 pm

Tracey Crouch (Chatham and Aylesford) (Con): I congratulate the hon. Member for Derby North (Chris Williamson) on securing the debate. However, I must start by saying that, as a Conservative who voted against the badger cull and who has been consistent in my opposition to it, I thought it was rather unfortunate how politicised he made his comments on the NFU. Those of us who oppose the badger cull have enormous sympathy for farmers who find they have bovine TB in their cattle stock and who have to have their stock completely removed, with the suffering they face as a consequence.

I have spoken to the NFU in my region about my opposition to the cull, and it asked me specifically why I opposed it, to which my answer was, "To stop you guys getting it." My fear about the cull and the science behind it is that they are wrong and it will lead to perturbation, which will spread the disease wider. When I talk to Kent farmers, who, I can tell Members, are not a wing of the local Conservative party, I am therefore opposing the cull as much in their interests as for my own personal reasons.

The hon. Gentleman's comments distracted us from the real issue, which is that the science does not stack up. The perturbation effect is real. Last year's culls failed many of the tests that had been set out. They failed on effectiveness, and the pilot came nowhere close to reducing the badger population by 70%. It also failed on humaneness. That is what happened in the first year, but we are having a debate about assessing the second year, without any of first year's outcomes having been properly considered.

Bill Wiggin: I am enjoying my hon. Friend's speech very much. Does she agree that if the first year had failed comprehensively because of perturbation, we should see a huge increase in the number of TB reactors in the area around the pilot schemes? I am surprised she has not mentioned that if that is what is going on.

Tracey Crouch: Three tests were set out for the first pilot culls: humaneness, effectiveness and cost. As we know, the costs were extraordinary, effectiveness was not achieved, because the cull did not reduce the badger population in the way that was set out, and humaneness was not adhered to. Those are tests the Government set out. I fear, therefore, that progressing with the second year was a mistake. I voted against it. The Government might think they have a legal mandate to continue with the culls, but they have no political mandate whatever, and I fear they do not have the widespread support of the population.

Neil Carmichael (Stroud) (Con): I am listening carefully to my hon. Friend, but I am bound to point out that, in some countries where culling has taken place in wildlife, it has been successful in controlling TB in wildlife and in cattle. The obvious example is New Zealand.

Tracey Crouch: We keep on hearing about the New Zealand experiment, but it had other aspects, such as improved movement and better biosecurity measures. We need to ensure that we have such things as part of a whole package.

I am personally opposed to the badger cull, and I think we should look at other ways, as my hon. Friend the Member for St Albans (Mrs Main) said, of dealing with the issue, such as vaccination, which is what is happening in Wales. We are seeing a reduction in bovine TB; indeed, I read somewhere, although I cannot find the precise source, that there has been a reduction of 48%. We have to look at these issues. However, the cull was not the right way forward, and it is not the right method now.

Simon Hart: Will my hon. Friend give way?

Tracey Crouch: If my hon. Friend will forgive me, I will not, because other people want to speak.

One concern I have with assessing the effectiveness of the culls is that we keep changing the methodology. For example, we had one estimate of the badger population in the first year; now we have another estimate of its size, and that will interfere with a proper independent audit. The large downgrade in the population estimates for last year's cull has been followed by estimates suggesting that this year's cull numbers are set to be met in Somerset, but not in Gloucestershire, due to the different methodologies used to estimate badger numbers in the two areas. In Somerset the method involved multiplying the number of setts by a fixed number and taking the lowest figure from the estimated range, a method described by the ecologist Professor Rosie Woodroffe as "very crude". She said that

"the targets are all rubbish because they are based on rubbish data...with the data that is being collected, it will be impossible to know how effective this year's culls have been".

I would argue strongly that that is making it nearly impossible to compare or measure success. How, then, can we measure the key levels of success by the Government's own indicator, if we cannot agree on the population size in the first place?

Others have mentioned the independent expert panel. I was going to say that it is disappointing that it has been disbanded, but I do not think that it has been disbanded, technically; it has just not been reinstated, so it will not meet again. It is incredibly disappointing; the panel was important for close monitoring of the culls. It is also disappointing that not all the data have been published, and an independent audit is now taking place. I would like the Minister to outline who is undertaking that audit. I do not think that any of us fully understands precisely what is being done. Will the audit involve monitoring of the culls? I understand that the British Ecological Society has offered to take on the role but has not been taken up on that. We need another, proper, debate in the House of Commons. If there is to be widespread culling a full-scale discussion in the Chamber is needed, and the Minister needs the political will of the House to go forward. I do not think that he has that. A number of my hon. Friends who originally voted for the culls are now sceptical, following the pilot culls. I agree with my hon. Friend the Member for St Albans

[Tracey Crouch]

that if the policy is not working we must address the issue again, and not continue absent-mindedly through fear of looking weak.

I am a strong supporter of the Government, but we have not seen the results from the culls that the Minister may have wanted, in the initial tests. We need to consider what happens in Wales and not to be so sceptical about the different approach being taken there. We also need to re-examine the issues of cattle movement and rigorous biosecurity on farms. Farmers from high-incidence areas have contacted my office—so I assume they have contacted the Department—to say that they are willing to be trial farms and be involved in vaccination tests as opposed to pilot culls; so I think there are farmers out there who want to consider other methods of tackling bovine TB. I remain absolutely opposed to the badger cull and I hope that the Minister will explain how he will properly assess the results of the second year of badger culls and publish that assessment.

3.23 pm

Roger Williams (Brecon and Radnorshire) (LD): I declare an interest as a member of the National Farmers Union, the Farmers Union of Wales, and the Country Land and Business Association. Indeed, I still own and keep some cattle. A couple of weeks ago we had a clear TB test, but we have only seven cattle on the farm, now. We used to have well over 200, but because of the difficulty of managing them, as a result of TB, it was decided to get rid of them. We are not the only farm that has taken that decision.

Bovine TB is a very dangerous disease, for cattle and for badgers. It is a zoonotic disease, and it affects humans as well as animals. That, indeed, is why in the 1950s and 1960s there was a great move to rid the country's cattle herd of bovine TB. Many human beings were infected by drinking raw milk. If the Government did not believe that TB was still a matter of public health, they would presumably wash their hands of it and let farmers get on with things on their own. However, it is still a very serious disease not only for animals but for human beings.

In about 1971 the infection link between badgers and cattle was established and in 2007 the report of the randomised badger culling trials—I am not quite sure whether Professor Krebs or Professor Bourne was in charge at the time—said that between 40% and 50% of cattle infections resulted from transmission by badgers. That was established in an entirely independent assessment. Little mention has been made of DEFRA's 25-year TB eradication strategy and what it entails—*[Interruption.]*—I am sorry if I have not paid attention. It is being rolled out at the moment and includes more frequent—yearly—testing in areas where there is bovine TB, more movement restrictions, increased biosecurity, and vaccination at the edge of areas of spread of the disease.

The disease is out of control, spreading northward and eastward at an increasing rate. We must try to hold it back, to protect areas that are still free of bovine TB. The Government have decided to do that through a vaccination strategy, because they realise that culling in an edge area could lead to perturbation and increase the incidence of the disease. However, in areas where it is well established, and where other ways of controlling it have proved ineffective, they have introduced a pilot culling scheme. That approach is based on the randomised badger culling trials, which said that if culling were to be effective it would have to be on a bigger area with, if possible, hard boundaries to prevent perturbation. Perturbation in those areas, however, will not have much effect, because the disease is already well established. Probably up to 40% of the badgers are infected, so the movement of badgers will not make much difference there.

We cannot really assess the success of the culls at the moment, because we need at least four years' information to find out. That is another thing that the randomised badger cull trial showed: results would not be obtained for about four years. However, it showed that even when those culls had stopped there were improvements in the cull areas and those surrounding them.

We must do more work on oral vaccines for badgers, vaccination for cattle, and the polymerase chain reaction that provides a possible test for infection in badgers. With that, we could trap and test badgers; the healthy ones could be vaccinated and released, and the infected ones disposed of, as vaccination could do them no good. There is a huge amount of work to be done, but I still believe that the pilot cull trials that the Government have instigated are an important part of that work in the heavily infected areas.

3.29 pm

Neil Parish (Tiverton and Honiton) (Con): It is great to follow the hon. Member for Brecon and Radnorshire (Roger Williams). I concur with many of his remarks, if not all of them. It will come as no surprise to hon. Members to learn that I completely oppose the whole idea of stopping the badger cull: I will explain exactly why.

Between 1999 and 2010, the number of cattle with TB in this country rose from 6,000 to 33,000. That was the period when Labour Members were in control of government in this country. Let us look at the same period in the Republic of Ireland. There were 40,000 reactors to TB in 2000, but by 2012 the number had dropped to 18,500 and it is dropping further now, so the number of cases in the Republic of Ireland more than halved in that period, whereas ours went up by four times.

In the Republic of Ireland, there are badgers and there is virtually the same cattle testing regime as we have, so of all the countries in the world that we look at, the Republic of Ireland is the best one to take an example from. In that case, what was different about the Republic of Ireland in the period to which I am referring? It took the difficult decision—it is a difficult decision; we all respect that and I respect hon. Members in this Chamber who have different views on badger culling—to cull badgers and it is reducing the disease dramatically. If we are to eradicate TB from our cattle, we must tackle the reservoir of disease within badgers.

More than 6,000 reactors a year are taken out of the county of Devon alone. There, we have a real hot spot of TB, and where we have a hot spot of TB in cattle, we also have TB in the badgers. There is a higher percentage of TB in the badgers because they catch it from the

cattle, and then the badgers reinfect the cattle. I have made this point many times before. If we are going to test our cattle and test them more vigorously, as the hon. Gentleman said, and take out the infected animals, it is absolutely pointless then putting the cattle back into a field where there are badgers with the disease, because they will just reinfect the cattle all the time.

Tessa Munt (Wells) (LD): Does the hon. Gentleman agree with me on this point? Certainly in my part of Somerset, a number of the farmers have declared that they have cattle with TB, but the cattle are not removed from their farms with any level of speed whatever, so it both causes a great deal of distress to the farmers and has the potential to keep the infection level going.

Neil Parish: Yes. The hon. Lady raises a point that my hon. Friend the Minister might well like to deal with. The quicker we can get a reactor off a farm the better, because it is infectious while it is there.

While there is a reservoir of disease in the wildlife and particularly in badgers, we have to cull, and we have to cull in the areas where the badgers have TB and the cattle do. That is why the hot spots are where we target the culling. That is why we targeted Gloucester and west Somerset. That is absolutely right. We will be able to use vaccine in other areas, because in other areas, where there is little TB in the cattle, there is likely to be little TB in the badgers also. Therefore, vaccinating badgers in those areas could well be very successful. The point has been made many times that if a badger is infected with a disease, we will not cure it by vaccinating it. That is why we have to take the very difficult decision of culling infected badgers.

I congratulate very much the previous Secretary of State, my right hon. Friend the Member for North Shropshire (Mr Paterson), who may have been lambasted by many, but who actually stuck his neck above the parapet and said, "Yes, we will do the thing that is necessary, which is to cull badgers in infected areas."

The hon. Member for Derby North (Chris Williamson) opposed the policy from the beginning, so he would oppose it whether or not it was successful. That was never an issue with him, because he has opposed the whole thing, but what do we say to my constituent, David, who is at Ennerleigh farm in Washfield? He has been farming there for generations. Over the last 10 years, he has lost 350 cattle that have had TB. It has been a slow decline all the time—more and more reactors. He needs the pool of wildlife that has that infection to be dealt with, as do farmers across Devon, across the west country and in Wales, because, as has been said, the disease is spreading. If we do not deal with it in those hot spots, we will, in the end, have to cull more badgers, for the simple reason that the disease will have spread, the badgers will get it, they will then disease the cattle and the whole thing will get worse and worse. We cannot go on like the last Labour Government did—prevaricating and prevaricating and doing absolutely nothing.

The current Government have taken the difficult position. We have looked at the cull areas. We have looked at hard boundaries to ensure, as far as possible, that we use major roads, rivers and so on to try to prevent as much perturbation as possible. The system is not perfect. We would accept that and we have learned lessons from last year as far as the humaneness is concerned. As for traps, it is absolutely within the rules for traps to be used, and as for those activists who go out and trash the traps so that we cannot catch the badgers, that is absolute madness, because if we want to cull a badger in the most humane way possible, getting it in a trap so that we can dispatch it at point-blank range will always be the best method of culling.

We have worked so hard to get this going, and the farmers of this country, who keep the cattle, deserve to have the disease brought under control, because this is not only about the meat that we eat and the milk that we drink. It is about the countryside that we see out there and the cattle out in those fields. If we do not get rid of the disease in the wildlife, those cattle will have to stay indoors because it is too dangerous for them to go out, and I do not exaggerate. That is why this Government are making the right decision. I look forward to these pilot culls being successful. We are, again anecdotally, seeing the disease reducing, reactors reducing and outbreaks of TB in Somerset in particular—

Chris Williamson: Will the hon. Gentleman give way?

Neil Parish: No. You want me to finish by 20 to 4, Mr Caton, so I will keep going.

We have seen, anecdotally, a reduction. If we can hold our nerve and ensure that we carry out the culls in a humane way, we will reduce the number of infected badgers in the countryside, in those areas with a high number of TB cases. If we use traps wherever necessary, carry out controlled shooting and ensure that we carry out the cull properly, we will see TB, first, reduce in this country and, eventually, we will eradicate it. If we do not take this action, we will never eradicate the disease. Farmers need to see a good future not only for them, but for their families. Farming is about generations of farmers, generations of cattle and generations of breeding of cattle. That is all being destroyed by this disease, and unless we take this firm action, we will not eradicate the disease.

3.38 pm

Maria Eagle (Garston and Halewood) (Lab): I begin by congratulating my hon. Friend the Member for Derby North (Chris Williamson) on securing the debate. It has been an excellent and passionate one on both sides of the argument. I would like to be clear about the Labour party view of the pilots. It is appalling that the badger culls have gone ahead for a second year when year one was described by David Macdonald, the chief scientific adviser to Natural England, as an "epic failure". The Government should today commit to abandoning any attempt to continue these unscientific, inhumane and ineffective badger culls. They must instead work with scientists, wildlife groups and farmers to develop an alternative strategy to get the problem of TB under control. That is what Labour would do in office.

I accept that bovine TB is a scourge on our countryside. I have spoken to farmers whose herds have been affected and I have seen at first hand how it can destroy livelihoods as well as the communities that depend on them. I do not think that there is an argument about that. There is no doubt about the fact that the spread of bovine TB is a serious problem in need of a solution.

Bill Wiggin: Will the hon. Lady give way?

Maria Eagle: No. We hear, and we have heard today, that the last Labour Government did nothing to address the problem. That is simply not true. We spent 10 years and £50 million on a large-scale trial in the areas worst affected by TB to develop a credible plan to tackle the issue based on the best available science. That work included testing the case for badger culling. The conclusion was that culls make no meaningful contribution to eradicating TB, and that small-scale, localised culling, which had been the policy of the previous Conservative Government, actually worsened the problem. It may be worth noting that the real rise in the spread of bovine TB began in 1979. Far from doing nothing, the previous Labour Government put in place the evidence base that was needed effectively to tackle that scourge.

In a manner so typical of the Government, they have decided that to pursue prejudice-based policy, with no regard to the scientific evidence, is the way forward. The badger cull pilots are one more example of that disregard for evidence. The culling has nothing to do with piloting or learning anything. Indeed, the Government have just fought two legal battles to preserve their right not to learn anything, and I am not the only person who thinks so. Professor Lord May of Oxford, the former Government chief scientific adviser, has said that the approach to the badger culls has shown that the Government

"are transmuting evidence-based policy into policy-based evidence."

In other words, the Government have selectively used evidence to give the illusion of a scientific underpinning for the policy.

The guidance provided to Natural England ahead of licensing the original culls made it clear that the target for culling must lead to the removal of at least 70% of the badgers in the total land area in the application over a period of not more than six consecutive weeks. The two areas where culling took place, Gloucestershire and Somerset, were each granted two extensions in the first year. On timing alone, therefore, both culls failed. In 2013, an independent expert panel was appointed to monitor the culls to assess the effectiveness, humaneness and safety of the pilots. The panel came up with a scientifically robust method for assessing the effectiveness of the culls, which included hair traps and sample testing to provide the best estimate of the local badger population. The results of the IEP monitoring could not have been clearer. The badger culls were ineffective and inhumane. The culls failed.

Simon Hart: If there was a methodology improvement that enabled the contractors to hit that target of 70%, would the hon. Lady support it?

Maria Eagle: I would support a policy that worked. The evidence demonstrates that a cull has to take 70% of the local badger population out in six weeks, otherwise it will be ineffective. In Somerset, only 48% of badgers were removed, and in Gloucestershire that figure was 39%. That is far too few to make those culls effective.

The IEP was only allowed to cover the first six weeks of the culls. The equivalent figures at the end of the extended time were 50.9% in Somerset and 55.7% in Gloucestershire. The extra time taken is likely to have increased the perturbation effect and hence made the spread of BTB more likely. On humaneness, the IEP reported:

"It is extremely likely that between 7% and 22% of badgers that were shot at were still alive after 5 minutes and therefore at risk of experiencing marked pain."

Not only were the culls ineffective, but they caused unnecessary suffering for badgers. What was the Government's response to that unwelcome advice from the experts? It was simple: cut out the experts and carry on with the culls. That sums up the Government's approach. Instead of listening to the science, they decided to do away with it. That, I believe, is why there is not widespread support in the general population for the policy the Government are pursuing. The new Secretary of State for Environment, Food and Rural Affairs, the right hon. Member for South West Norfolk (Elizabeth Truss), said in last week's Department for Environment, Food and Rural Affairs questions that she believes in science and evidence, but in her first week in the job, she announced her intention to press on with the culls in defiance of the scientific evidence. She missed a clear opportunity to leave prejudice-based policy behind and to place science firmly at the head and centre of her Department's policy, and I believe that her decision speaks volumes.

The Government also changed the methodology that was used for the second year of the culls. Tim Coulson, a member of the IEP, which the Government have not used this year, in a recent article for the *Journal of Animal Ecology* commented:

"A change of protocol half way through an experiment reveals such a limited understanding of the scientific method that I am tempted to speculate that the government no longer wants to know whether the pilots are effective or humane. They just want to cull badgers, regardless of whether the population or humaneness consequences can be assessed."

That, I am afraid, is my view as well.

We know that the badger culls are not being conducted in the name of science. We can only assume that to go ahead with them is the easiest way for the Government to claim that they have a solution to the problem of bovine TB, despite the conclusion of badger ecologists and scientific evidence that culling makes the problem worse. The Government's decision to ignore scientific evidence and best practice has not been justified by the Secretary of State. The existing evidence makes it clear that culling is not the solution.

The 2013 targets were based on estimates of badger population size derived from capture-mark-recapture using genetic signatures from badger hair snagged in barbed wire. For 2014, there was no such field estimation of badger numbers. In the second year of the culls, the Government have not only departed from the original methodology but used two different methods to set cull targets for Gloucestershire and for Somerset. Why? For Gloucestershire, the Government relied on last year's estimate, minus the number of badgers killed last year, plus a fudge factor to account for breeding and immigration. For Somerset, they threw out last year's estimate and multiplied an estimate of the number of active badger setts by another fudge factor that was meant to indicate badgers per sett. Badgers per sett is a meaningless concept, however, because most badgers use more than one sett, and sett use is likely to change as culling disrupts the badgers' social system.

The cull targets for the second year of the pilots are apparently derived from numbers that have been plucked out of thin air or worked out on the back of an envelope. Those crude methods for estimating badger populations provided a range for the cull target in Somerset of between 300 and 1,700 badgers, which is rather a wide range. DEFRA chose the lowest figure. Analysis by Professor Rosie Woodroffe, which has been referred to during the debate, has shown that there is a 97.5% chance that the cull will fall short of the 70% mark that the evidence shows would give it a chance of being effective.

Will the Minister tell us what assessment he has made of the comparability of the methods used to assess the effectiveness from year one and year two of the badger culls in Gloucestershire and Somerset? Will he also clarify the reason why different methods of estimating badger population were used in Gloucestershire and Somerset to determine the numbers of badgers to be removed in year two of the pilot culls? Why did the methodology used to calculate the number of badgers to be culled change from year one to year two?

Will the Minister, in recognition of the importance of having a credible and agreed evidence base, agree to an independent scientific peer review of the methodologies used for determining the humaneness and effectiveness of the second year of the culls? Today, in an open letter from the senior editors, the *Journal of Animal Ecology* has offered its services

"critically to appraise the methods used and their power to determine the success of this year's cull",

and to provide

"a transparent and independent review of the available evidence using our extensive international network of reviewers, comprising scientists with acknowledged expertise in wildlife population monitoring and management, as well as expert statisticians and modellers."

What possible reason could the Minister have for turning down such an offer? Will he, therefore, accept it? In DEFRA's calculations of badgers per sett as a means of estimating badger populations, what account was taken of the movement by badgers between setts and the effects of perturbation? Can he confirm that Natural England's audit addresses only adherence to DEFRA's chosen methods? As we have seen, those methods are crude, vague, different in Somerset and Gloucestershire and different in years one and two of the culls? Are there any plans to extend badger culling beyond the pilots in Gloucestershire and Somerset ahead of next year's general election?

What is the Government's view of evidence from Wales, where there has been no badger culling but where there has been a crackdown on cattle-to-cattle transmission, improved farm biosecurity and a reduction of 18% in new incidents of bovine TB? As hon. Members have mentioned, the Government have continually pointed to international examples of controlling bovine TB in Australia, New Zealand and the Republic of Ireland to defend their decision to cull badgers. Do they not appreciate that comparing totally different situations will not yield the insights required for proper evidence-based policy making? Why should data from New Zealand or Ireland be more relevant to England than data from England? Not only are the culls an epic failure, but they are estimated to have cost more than £4,000 per badger killed, according to research undertaken by the Conservative Bow Group. Labour has consistently pledged to put evidence at the heart of policy making, working with scientists, wildlife groups and farmers to develop an alternative strategy to get the problem of bovine TB under control. We need to introduce stricter cattle measures and prioritise badger and cattle vaccinations, but the culls are not the answer.

In March 2014 I wrote to the previous Secretary of State for Environment, Food and Rural Affairs, the right hon. Member for North Shropshire (Mr Paterson), offering to work with him on the development of an evidence-based, cross-party programme. Rather than engaging meaningfully in the search for a proper long-term solution, he ignored scientific evidence, made a decision based on his own prejudice and then offered retrospectively to tell me and other hon. Members what the policy was, expecting us to agree. That is no way to address a disease that will take many years to eradicate. These disastrous culls should be abandoned now, and we should work together across parties to develop an alternative that works.

3.50 pm

The Parliamentary Under-Secretary of State for Environment, Food and Rural Affairs (George Eustice): I welcome the opportunity to respond to today's debate and thank all hon. Members for their contributions, which have covered a wide range of issues.

This year's culls finished as planned after six weeks, and we are now analysing the data collected over that period. The data are being independently audited in the same way as last year's. When the analysis is complete, the outcomes of this year's cull will be published, so I will focus on our approach to collecting the data and assessing populations this year—issues to which many hon. Members have alluded. That is directly relevant to this debate.

We published our approach to monitoring before the culls started, and I confirm that we carried out the planned number of field observations and far more than the planned number of post-mortem examinations—figures that were both set last year. A lot of information has been collected. The processes used for collecting data are also currently subject to independent audit. We are taking the same approach as last year to ensure that our data are robust.

In August 2014 we published a detailed document setting out our precise methodology, "Setting the minimum and maximum numbers for Year 2 of the badger cull", and before the cull started we published that guidance to help Natural England set this year's minimum and maximum numbers. We set out clearly how this year's numbers were derived for each area, and the paper describes in great detail—it runs to 34 pages—the basis of the estimates and any assumptions made. The approach was agreed by the chief scientific adviser. Estimating wildlife populations is subject to uncertainty, as the independent expert panel acknowledged in its report last year. It is important that we use all valid sources of information, giving particular weight to up-to-date evidence about numbers of active setts, based on repeated observations across the whole cull area.

A number of hon. Members have mentioned the somewhat unscientific outburst by Professor Rosie Woodroffe. I like Rosie Woodroffe—she hails from Cornwall and

[George Eustice]

even went to the same school as my sister—but she needs to compare the approach taken in the randomised badger culling trials with the methodology we have used this year. The reality is that there was no hair-trapping at all in the RBCTs, on which all our assumptions in the fight against this disease are based. In fact, no assessment of the badger population was made at the start of the culls. Instead, once four years of culling were finished, there was a retrospective attempt to estimate what the population might have been at the start—to back-calculate what the populations were. People have talked about the methodology that we adopted being crude, but how is that for crude? The RBCTs did not even assess the population before they started, and then they retrospectively tried to estimate what the population was.

Compare that with the approach we took this year, which is set out in great detail on pages 10 and 11 of the guidance. We took the end point of the population last year as this year's starting point. We followed the IEP's advice and used the cull sample matching method to try to predict the end population after last year's culls. We then used a number of models, which are set out in detail, to take account of population growth. Those models are largely rooted in long-standing population measurements in places such as Woodchester park over many years—there are 20 years of data—to establish how populations change over a given winter. At the end of that process, as with the RBCT, which is all the IEP had to go on, we finally submitted the population to method 4, which is where one looks at the real activity on the ground. There were sett surveys and sett sticking. We have looked at the latrines and measured actual activity in badger setts. That is a kind of reality check, to check whether our data models are giving the right information.

The shadow Secretary of State highlighted the fact that different approaches were taken in Somerset and Gloucester, and asked why. We set that out in great detail on pages 12 and 13 of the guidance. In Gloucester, there was greater consistency in what the models were telling us about the population, so it was easier to meet that condition. In Somerset there was a conflict between some of the models, so it went with the most reliable model, which used real data in real time on real activity in setts.

Mr John Redwood (Wokingham) (Con): What progress has the Minister made with farmers on trying to find ways to improve biosecurity so that there is less contact between badgers and cattle?

George Eustice: We are making progress. In fact, we have been talking to an accreditation organisation about whether we could get farmers to sign up to a package of measures to improve biosecurity, including keeping badgers away from their farmyards, for example, to try to reduce the spread of the disease.

There is a misunderstanding about the IEP. Last year, the IEP was not out in the field in the middle of the night with binoculars to observe the culls. That was done by Natural England staff last year, and they did it again this year in the same way. The IEP did not carry out the post-mortems on badger carcasses last year. It was done by the Animal Health and Veterinary Laboratories Agency, both last year and this year. The IEP had a one-off role last year in informing us of how we should treat the raw data that came from AHVLA and Natural England. The IEP was not in the field; it was a desktop exercise. The IEP completed its work, and we do not need to repeat it this year. Do we need the British Ecological Society to repeat what the IEP did last year? No, we do not, because that job was done and completed last year, and this year we have a process that will be audited. If the British Ecological Society has an opinion, it can express a view on this very detailed, 34-page report. People like Professor Woodroffe say that they do not agree with the report, but they have yet to explain why.

Mrs Main: Will the Minister give way?

George Eustice: I will not give way, because I want to get through as many other points as I can. My hon. Friend the Member for The Cotswolds (Geoffrey Clifton-Brown) and others highlighted the situation in Wales and the limitations of vaccination. He is right that it is wrong to read too many conclusions into the fall in incidences of the disease in Wales. The vaccination trials in Wales cover only about 1% of the land area. We are running our own vaccination trials in the edge area. I have met a number of wildlife groups to discuss taking that project forward to check the spread of bovine TB, so vaccination has a role in fighting this disease. Vaccination is part of the Government's strategy.

My hon. Friend the Member for Thirsk and Malton (Miss McIntosh) mentioned the inaccuracy of the skin tests. We know that the test is only about 80% effective, but where we have a serious breakdown, we often use it in conjunction with the gamma interferon test, which has fewer false negatives but a few more false positives. We can use that where we deem it necessary. The shadow Secretary of State mentioned that the RBCT proves that culling does not work, but that is not the case. The RBCT actually proves that, at the end of the four-year cull period, there was an improvement in the number of breakdowns.

I finish by reminding hon. Members that we have the worst bovine TB situation in the developed world. We cannot let that continue if we want competitive, productive and profitable beef and dairy sectors. Other countries that have faced similar problems, as my hon. Friend the Member for Tiverton and Honiton (Neil Parish) pointed out, have demonstrated the route to long-term disease freedom. They show us that addressing the risks posed by wildlife must be part of any coherent and comprehensive approach to tackling this disease.

We now have a very clear strategy for achieving our goal of official TB-free status in England. The approach includes deploying tighter cattle measures, strengthening biosecurity, and vaccinating badgers to prevent the disease spreading from the TB high-risk area to the edge area. Unlike the Opposition, we are clear that any coherent strategy to eradicate TB must include measures to address the disease in wildlife in TB hot spots. We will continue to use all options available to us today to fight this dreadful disease, which has been out of control for 20 years. Doing nothing is no longer an option, which is why we intend to stick with this strategy.

Ovarian Cancer (Gene Testing)

4 pm

Ms Margaret Ritchie (South Down) (SDLP): I am pleased to serve under your chairmanship, Mr Caton, and I am grateful to have secured this vital debate on ovarian cancer, and more specifically on the implementation of genetic testing techniques for every woman diagnosed with the illness. Ovarian cancer affects more than 6,500 women in the UK each year, making it the fifth most common cancer among women. In fact, more than 150 women a year are diagnosed with the disease in Northern Ireland alone. It is most common in women—

4.1 pm

Sitting suspended for Divisions in the House.

4.22 pm

On resuming—

Ms Ritchie: Again, it is a pleasure to serve under your chairmanship, Mr Caton. I am pleased that the Minister is here to respond on this delicate, critical and vital issue for women.

Ovarian cancer is most common in women who have had the menopause, but it can affect women of any age. Notably, the symptoms can be difficult to diagnose, as they are common to many other less serious ailments. Sadly, that leads to many women not getting the treatment they need quickly enough. It is the most aggressive gynaecological cancer. Only about 40% of women are still alive five years after being diagnosed, according to research in the *British Medical Journal.*

David Simpson (Upper Bann) (DUP): I congratulate the hon. Lady on securing this debate. As she knows, I do a lot of work in my constituency with the Mandeville cancer unit. When I visit it, I see a lot of younger women who have the disease. Hospital staff tell me that early intervention is one of the ways that it can be resolved, so I fully support the hon. Lady in her bid today.

Ms Ritchie: I thank the hon. Gentleman his intervention. I agree that it is all about early diagnosis. Women who are diagnosed in the early stages of ovarian cancer have a 90% chance of surviving the next five years, but if the cancer is found at a later stage the five-year survival rate is reduced to 22%—quite a startling statistic. Clearly, early diagnosis and treatment is vital.

Jim Shannon (Strangford) (DUP): I thank the hon. Lady for bringing this important issue to the House's consideration. Some 39% of women carry the harmful BRCA1 gene and up to 70% carry the BRCA2 gene. Does the hon. Lady think that those with a family history of the disease should be tested earlier to ensure they have regular check-ups and screenings? Does she also think that those outside that 39% should have checks?

Ms Ritchie: I thank the hon. Gentleman for his intervention. I agree that early diagnosis of ovarian cancer is the key for women.

UK survival rates for ovarian cancer are among the lowest in western Europe, with one woman dying every two hours from the disease. Sadly, according to the Department of Health in Northern Ireland, survival rates for the cancer have not improved significantly since the early 1990s. Dr Miriam McCarthy of the Public Health Agency in Northern Ireland pointed out at a recent hearing in Stormont that the northern European and Scandinavian countries have five-year survival rates above 40%, so we could clearly do more to combat the cancer.

Anybody who has personal or familial experience of this dreadful illness knows the devastating impact it has. In Northern Ireland, a lady called Una Crudden courageously documented her fight with the disease and inspired many others to do the same. I know of a young lady, a teacher in my constituency called Oonagh Carson, who died last year shortly after diagnosis, which took her a long time to get.

Paul Burstow (Sutton and Cheam) (LD): I congratulate the hon. Lady on securing this debate. My aunt died of ovarian cancer some years ago.

One of the areas that I am sure the hon. Lady wants to highlight is the role of genetic testing for ovarian cancer and the BRCA gene. Is she aware of the work that is being led by the Institute of Cancer Research in conjunction with the Royal Marsden on mainstreaming genetic testing in this area? That programme has already produced a free-to-access pathway that has already enabled 200 women to be tested and could be rolled out to other hospitals. It has been shown not to cost any more, but it can save many lives.

Ms Ritchie: I thank the right hon. Gentleman for his useful intervention, which highlights the need for genetic testing and the good pilot work that is being done at the Royal Marsden. It is a pity that that work cannot be rolled out in England, Northern Ireland and Wales. We must not forget that such work has already been executed in Scotland.

By better informing the public and GPs and implementing modern genetic testing techniques we can prevent many more women and their families having to live through the trauma of ovarian cancer. I want to focus on genetic testing techniques that have become available and will have a key role in the battle against this dreadful disease. Genetic techniques have rapidly moved out of the realms of science fiction and are having a significant impact on the way we approach and treat illnesses. Without overstating scientific advances and promising miracle cures, we have a responsibility to utilise those groundbreaking new techniques in everyday medicine. As we learn more about the genetic basis for diseases and certain cancers, this becomes not only a medical issue but an issue for society as whole.

There is an onus to manage and develop new information in a responsible, morally sound way that informs people, rather than distressing or panicking them. The public have been made more aware of those techniques by high-profile figures telling their stories. For example, Angelina Jolie has spoken about the tragic death of her mother from ovarian cancer and her decision to have preventive surgery. Mainstream awareness can only be a good thing, but we must harness it positively to empower women to make informed choices about their treatment.

[Ms Ritchie]

Speaking about her experience of genetic testing and of dealing with the illness, Angelina Jolie said:

"Wherever I go, usually I run into women and we talk about health issues, women's issues, breast cancer, ovarian cancer. I've talked to men about their daughters' and wives' health. It makes me feel closer to other people who deal with the same things and have either lost their parents or are considering surgeries or wondering about their children."

In the same way, women in Northern Ireland and elsewhere in the UK who have or are at risk of the disease are desperate to have access to the information that advanced genetic testing can reveal. The genetic testing normally involves having a sample of blood or tissue taken. The sample will contain cells containing DNA, which can be tested to find out whether someone is carrying a particular mutation and is at risk of developing a particular condition or illness.

Specifically, BRCA1/2 gene testing, which was referred to by the hon. Member for Strangford (Jim Shannon), has emerged as the leading genetic test related to ovarian cancer. We all have these genes, but a mutation on them can increase the risk of developing ovarian cancer from one in 54 to approximately one in two. Evidence shows that one in five women with non-mucinous epithelial ovarian cancer, which accounts for 70% of all cases, carries the BRCA1 or BRCA2 mutation, which dramatically increases their risk of developing the disease. The BRCA gene test at a time of diagnosis offers patients the best guidance for their treatment and should be a matter of priority to ensure that the optimal treatment pathway is selected, whether that is drugs or preventive surgery.

Critically, a BRCA test at a time of diagnosis can change the management of their treatment and save the lives of relatives, who can also be guided toward taking the test. Women in possession of this knowledge are able to make better decisions on their own treatment, as can their close relatives. They can make better informed decisions on surgical and drug treatment options. Indeed, the presence of the mutation points to a form of the disease that responds better to PARP inhibitor drugs, such as the new drug Olaparib, on which the European Commission is considering a recommendation for approval. Dr Sadaf Ghaem-Maghami, senior lecturer and honorary consultant in gynaecological oncology at Hammersmith hospital in London, has stated:

"PARP inhibitors are more effective at killing cancer cells and shrinking tumours in patients with BRCA 1/2 than those without. They are particularly important for BRCA1/2 patients who have a recurrence of ovarian cancer, and for whom there might not be many options."

In short, I contend that it is clear that we need to implement a system across the UK and Northern Ireland where women diagnosed with ovarian cancer automatically receive a BRCA gene test and have the option for close relatives to take that test as well. I have no doubt that that would save lives and put women in a position where they can make decisions based on all the available scientific evidence. What is the Minister's position on that?

On cost and commissioning, such techniques have unfortunately not received the attention or funding they deserve from NHS commissioners or the Department of Health in England and Wales or the Department of Health, Social Services and Public Safety in Northern Ireland. Despite qualifying under National Institute for Health and Care Excellence guidelines and despite the introduction of mandatory testing in Scotland, the tests are not uniformly available across the UK. It is also evident that clinicians and practitioners in Northern Ireland and England are unclear who is responsible for commissioning BRCA testing. Can the Minster provide clarification on those arrangements and confirm that testing qualifies under NICE guidelines?

BRCA testing has been highly selective and based largely on family history, which risks missing out on three out of four people with the gene, according to the charity Ovarian Cancer Action, which I commend on its work. It published a report some time ago and has been at the forefront of this campaign. It argues that all women with non-mucinous epithelial ovarian cancer should be considered for the test on diagnosis. It should be clarified and reiterated that the procedure is already in place in Scotland. Trials at the Royal Marsden hospital, which were referred to by the right hon. Member for Sutton and Cheam (Paul Burstow), show that such testing could be extended in a cost-effective manner to England, Wales and Northern Ireland.

Paul Burstow: The hon. Lady is absolutely right to emphasise that point. The research evidence shows that productivity is increased by doing the testing as part of an oncology appointment, rather than as something separate. The trials are delivering that in a way that is not costing the NHS more, and it is having huge benefits.

Ms Ritchie: I totally agree with the right hon. Gentleman. It is estimated that a BRCA1/2 gene test for someone already diagnosed with ovarian cancer costs the NHS between £600 and £850. Associated counselling can cost between £250 and £500. Together, that can amount to approximately £1,000 a patient. Some 15% to 20% of those tested are likely to receive a result that shows they have the gene mutation. There are likely to be additional costs for resulting tests on close family members, but the early diagnosis and treatment of those individuals will be especially beneficial. The evidence shows that BRCA gene testing is cost-effective in other countries. Modelling conducted in association with NICE guidelines on familial testing suggested that BRCA1/2 gene testing versus no gene testing was particularly cost-effective in women aged 35 to 55.

In conclusion, this disease is one of the most prominent threats to women's health. It is particularly difficult to diagnose and treat early, and it is obviously devastating and very sad for sufferers and their families, but we are on the cusp of being able to treat it more effectively. Through the introduction and implementation of genetic testing on diagnosis, we can make a significant impact on survival rates and familial guidance. Will the Minister inform us what the Department's position is on automatic BRCA gene testing for women diagnosed with ovarian cancer? What discussions has she had with NHS Scotland about its existing programme? What discussions does she plan to have with counterparts in Northern Ireland and Wales about such measures? It would be welcome if she could provide clarification on who is responsible for implementing BRCA testing, as there is a degree of confusion over the current arrangements.

In bringing forward modern genetic testing techniques, we can improve survival rates for this terrible and sad illness and put us, as women, in a more empowered

position where we can make the best informed decisions on our treatment and the well-being of our close relatives. I look forward to the Minister's response to the various issues I have outlined.

4.38 pm

The Parliamentary Under-Secretary of State for Health (Jane Ellison): I thank the hon. Member for South Down (Ms Ritchie) for bringing this important issue to the House today. She has a long-standing interest in health issues and she has made the case very well for why we need to look closely at this important disease. I will come back to her after the debate on any point that I am not able to respond to now, particularly the technical aspects. I want to give the House a bit of the picture on what else is happening on ovarian cancer, as well as addressing the specific issues that she raised.

As the hon. Lady said, ovarian cancer is the fifth most common cancer for women in the UK. The current five-year survival rate is 44%, but we know that if we get the critical early-stage diagnosis, up to 90% of women survive for at least five years. We know that we could save 500 additional lives each year if we matched the best European survival rates. The debate comes at a poignant time for me, because I lost a very dear friend to ovarian cancer less than three weeks ago. I am well aware of the pressure that the disease brings to bear on the families of those affected. We are investing an additional £750 million over four years in England to improve early diagnosis, and I will discuss the details of that and of treatment later.

The hon. Lady's speech focused on testing and the BRCA1 and BRCA2 genes. As she rightly said, a family history of cancer is one of the most important risk factors for ovarian cancer, with about one in 10 ovarian cancers being caused by an inherited faulty gene such as the two to which she referred. Incidentally, the genes also increase the risk of breast and prostate cancer. We know that women with a mother or sister diagnosed with ovarian cancer have three times the risk of ovarian cancer of women without such a family history.

NICE's most recent guidelines recommend offering genetic testing to people with a 10% risk of carrying a BRCA mutation, which is lower than the 20% risk previously recommended. I remind hon. Members that NICE clinical guidelines represent best practice and that we expect NHS organisations in England to take them fully into account when designing services to meet the needs of the population. As a result of their complexity and the different states of readiness for implementation in the NHS, clinical guidelines are not subject to the same statutory funding regulation as technology appraisals. Clinical guidelines therefore have a slightly different status, but it is none the less important that NICE has revised them. NHS England is considering the new recommendation in developing and publishing a single national clinical commissioning policy to confirm the routinely funded NHS threshold for testing.

Like the hon. Lady, I thank Ovarian Cancer Action for all its work in this area. The recently released report on BRCA testing raises important issues, some of which were aired in the hon. Lady's speech and in interventions. NHS England has said that moving to routine testing at a 10% risk would require a significant capacity and funding investment in genetic testing, diagnostics, counselling and treatment. NHS England is currently considering the potential for funding a revised 10% testing threshold in 2015-16 as part of its annual funding prioritisation process. I will draw NHS England's attention to the strength of feeling in this debate and to the interesting points that my right hon. Friend the Member for Sutton and Cheam (Paul Burstow) and the hon. Member for South Down made about cost-effectiveness. I will also stress that Parliament continues to have considerable interest in the subject.

The hon. Lady touched on groundbreaking techniques, which provides me with an opportunity to refer to the 100,000 genomes project. We can see the potential of genomics to understanding cancers and rare illnesses and finding new treatments. In 2012, we launched the 100,000 genomes project, through which 100,000 whole genomes from NHS patients will be sequenced by 2017. The project will focus on patients with a rare disease and their families, as well as patients with cancer. Ovarian cancer is in the programme's scope, and it will hopefully enable us to continue our record of groundbreaking cancer research here in the UK.

I will update hon. Members on the two major screening trials for ovarian cancer taking place in the UK. The first is looking at two possible techniques: trans-vaginal ultrasound and a blood test for cancer antigen CA125. Both of them are being tested as part of the UK collaborative trial of ovarian cancer screening. The study is being funded by the Medical Research Council and Cancer Research UK, with the Government funding the NHS costs of the study. The first phase of results was promising for both techniques, and the final results are due in January 2015. The UK National Screening Committee, which advises the Governments of England, Scotland, Wales and Northern Ireland on screening matters, is preparing to assess the results of the trial against its internationally recognised criteria for a screening programme and to make a recommendation on that basis, which could be a significant move forward. A second study, the United Kingdom familial ovarian cancer screening study, which began in 2005, is also looking to develop an optimised screening procedure for ovarian cancer in high-risk women, such as those to whom the hon. Lady referred.

Returning to early diagnosis, there is cause for encouragement, but we must continue to consider early diagnosis at every possible moment. The hon. Lady is right to draw attention to the impact of early diagnosis on survival rates. The Government have committed £450 million to achieving earlier diagnosis and improving survival. The funding supports improved direct GP access to four key tests, including non-obstetric ultrasound, to help with speedier diagnosis of ovarian cancer. Those tests are being used; in June 2014, GPs requested more than a quarter of all tests that may have been used to diagnose cancer under the direct access arrangements. The test with the highest proportion of GP referral was ultrasounds that may have been used to diagnose ovarian cancer, 46% of which were requested by GPs.

I also want to update the House on the "Be Clear on Cancer" preventive work in England. We want to improve outcomes for women, which is what Public Health England is working towards. With the Department and NHS England, it ran a regional "Be Clear on Cancer" ovarian pilot campaign early this year to raise awareness of the symptoms of ovarian cancer. Like other cancers with poor survival rates, many of the early symptoms

[Jane Ellison]

can be similar to those of benign conditions, making early diagnosis difficult. The next step is to assess thoroughly the data from the regional pilot, which will help us make informed decisions about which cancer and symptom-awareness campaigns to take forward in 2015-16.

On research, the National Institute for Health Research's clinical research network is currently recruiting patients to more than 30 ovarian cancer clinical trials and studies. In partnership with Cancer Research UK, the NIHR is also funding 14 experimental cancer medicine centres across England, six of which have a focus on ovarian cancer. A good amount of research is ongoing.

In addition to giving some sense of where NHS England is on BRCA testing, I hope that I am also providing a rounder picture of what else is going on in the field, including screening, diagnostics and awareness campaigns. It is important that the matter gets this level of attention.

Ms Ritchie: Has the Minister had any discussions with the NHS in Wales and in Northern Ireland? Like her, I have personal experience from knowing people who have died. Perhaps their situation could have been made easier had they had much earlier diagnosis.

Jane Ellison: Although the decision is one for NHS England, the debate has highlighted the fact that interesting work is going on in Scotland. The scale of the challenge is smaller in numerical terms, but I am interested in finding out more about what is going on. I will certainly initiate a conversation to understand what is going on in the four countries of the United Kingdom. I have regular conversations with Health Ministers from other nations for other reasons, as the hon. Lady knows. It may not be possible to raise this specific issue in those conversations, but I will ask for more information to see whether lessons can be learned and to understand the points identified in studies about the cost-effectiveness of early testing, in order to ensure that we have bottomed that out.

I hope that this short debate has served to highlight the issue's importance. I am always grateful for an opportunity to discuss such important issues and to ensure that the House expresses its interest in making better progress on cancers with the poorest survival rates. I hope I have also updated the hon. Lady and other interested Members on what else is going on to try to improve outcomes for family and friends and to achieve better results in future. I thank for bringing the debate to the House today.

Martin Caton (in the Chair): Order. We can now move on to the final debate of the afternoon, which is on sentencing for dangerous driving offences. The Member leading the debate has already indicated that many hon. Members would like to intervene, which is entirely in his gift. I will only say that we do want to hear the Minister as well, because the questions that are asked need to be answered. I ask everyone to bear that in mind during the debate.

Dangerous Driving Offences (Sentencing)

4.49 pm

Alok Sharma (Reading West) (Con): It is a pleasure to serve under your chairmanship, Mr Caton, in this incredibly important debate on sentencing for dangerous driving. The fact that so many hon. Friends and colleagues have turned up for the debate demonstrates the strength of feeling across the House on the issue. I want to highlight the case of my constituents, John Morland and Kris Jarvis, who were killed by a dangerous driver. I also want to press for a change in the law to toughen sentences for dangerous driving.

The case of John and Kris is incredibly tragic. They were cycling in my constituency on 13 February and were hit from behind by a car driven by a man called Alexander Walter. He had stolen the car, was disqualified from driving, and was two and a half times over the alcohol limit. In the 24 hours before the accident, he had taken cocaine, and it emerged afterwards that he had already made 14 court appearances and had 67 convictions, one of which related to him phoning Heathrow airport to make a bomb hoax only days after the 9/11 tragedy. Walter walked away from the wreckage without a scratch. John and Kris did not; they died at the scene due to their appalling injuries.

John and Kris were family men, and as a result of the accident seven children lost their father; parents lost their sons; brothers and sisters lost their siblings; and the fiancées of John and Kris, who are present and are listening to the debate, Hayley Lindsay and Tracey Fidler, lost the love of their life. I was particularly touched by a point that Tracey made in the local paper: since the age of 17, they had never spent a day apart. I pay tribute to the courage, bravery and strength of character of Tracey and Hayley. They have spent months trying to rebuild their shattered lives and dreams. They are very grateful to their friends and families, who have helped them, but the reality is that those families started a life sentence on 13 February.

Caroline Dinenage (Gosport) (Con): I congratulate my hon. Friend most wholeheartedly on securing this vital debate. I pass on my condolences to the families he mentioned. I have enormous sympathy for their case. A year ago yesterday, two teenage girls from my constituency were mown down by a gentleman driving at more than twice the speed limit on a cocktail of drugs, for which crime he received a nine-year prison sentence, which amounts to less than 4.5 years per life. Does my hon. Friend agree that that is completely inadequate for the life sentence that that man inflicted on those families?

Alok Sharma: My hon. Friend is absolutely right. I will make the case for changing the law, but she has set out clearly that at the end of the day we are talking about families and justice. That is what we are all fighting for in this House. As I said, the families started a life sentence—a life without their loved ones—on 13 February. By contrast, Walter got 10 years and three months for killing two innocent men. He committed what I understand from the Crown Prosecution Service guidance to be a level 1 offence. He was also responsible for just about every aggravating factor listed in the guidance that anyone could think of. Perhaps the Minister will comment, but why on earth was the maximum tariff of 14 years not levied against that man?

Gareth Johnson (Dartford) (Con): I commend my hon. Friend for taking up this serious issue. Will he join me in requesting that the Crown Prosecution Service considers charging with manslaughter far more often, rather than charging with death by dangerous driving? If a person causes someone's death by behaving in a grossly negligent or reckless manner anywhere else in society, they are charged with manslaughter. If that happens on the road, however, they are not; they are charged with death by dangerous driving. There is no legal reason why that should be. If a person is convicted of manslaughter, that gives the sentencing court far more powers, and a maximum possible sentence of life, rather than 14 years.

Alok Sharma: My hon. Friend is an expert in the law, and he knows about these matters, so I hope that the Minister has listened to what he said. We will talk about the review being conducted by the Minister, but I hope that that point will form part of it.

Mr Barry Sheerman (Huddersfield) (Lab/Co-op): I, too, congratulate the hon. Gentleman on a timely debate. I started the campaigning group PACTS, the Parliamentary Advisory Council for Transport Safety, many years ago, because I saw two people lying by the side of the road dying. My passion has always been to stop such needless deaths. Does he agree that we want evenness of justice in this country? Wherever in our land that ghastly offence of death by dangerous driving occurs, there should be the same penalty with the same severity.

Alok Sharma: The hon. Gentleman is right. I was about to say that even had the offender in the case I mentioned got 14 years, that would not have been enough. The reality is that that man, Walter, will probably be out of prison in a lot fewer than 10 years.

Andrew Bridgen (North West Leicestershire) (Con): I, too, congratulate my hon. Friend on raising again this most emotive issue. I draw the attention of the House to my constituent, 18-year-old Olivia Flanagan, who was killed last December by Luke Sykes. Mr Sykes was over the drink-drive limit and had hit a number of cars before ploughing into Olivia's car. He was driving at a blind summit on the wrong side of the road, and Olivia happened to be coming the other way. The man had 15 previous driving convictions and had only recently got his driving licence back. He had also ticked a box on the licence stating that he did not suffer from mental illness, although he had a history of such illness.

Martin Caton (in the Chair): Order. I am afraid that is far too long for an intervention.

Alok Sharma: I thank my hon. Friend for that intervention. He makes the important point that we must have a punishment that fits the crime. We have a justice system that sometimes has much more regard for the criminal than the victims—not only the victims who are killed, but their families and friends who are left behind to pick up the pieces.

Mr Ben Bradshaw (Exeter) (Lab): Does the hon. Gentleman agree that the point that he is making is particularly relevant to motoring offences? Until the legal system—the courts and the police—treats people who get behind the wheel of a car as being in charge of a lethal weapon, and until those people realise that they are in charge of a lethal weapon, his constituents and the constituents of all of us who have experienced such terrible losses will never feel that justice has been done.

Alok Sharma: The right hon. Gentleman is absolutely right. As we all agree, the law has to change in the case of dangerous driving.

Greg Mulholland (Leeds North West) (LD): I congratulate my hon. Friend on securing the debate, and I agree with everything that he has said so far. Another element is that the CPS, when looking at such cases, sometimes chooses to go for the lesser charge of careless driving. That is what happened in the case of my constituent, James Still, who was killed on new year's eve 2010, and whose family I am supporting. May I also bring my hon. Friend's attention to the round-table meeting that I am setting up with MPs and victims' families? All hon. Members are invited to meet with the families. I will ensure that anyone who has not already had an invitation gets one.

Alok Sharma: My hon. Friend makes an important point. I was aware of the meeting and will of course attend, as I am sure everyone present will. Despite the grief that Tracey and Hayley have to live with every day, they want justice for John and Kris. They want to ensure that the lives of their loved ones were not lost in vain. They are asking for a change in the law. Despite all the problems that they face as a result of the loss of their fiancés, they have had the courage to put forward an e-petition, which was prepared with the help of a fantastic local campaigner in my constituency, Teresa Colliass, and is now on the Government website. The petition calls for drivers to receive a maximum sentence of 14 years per person who has been killed.

Chris Skidmore (Kingswood) (Con): I thank my hon. Friend for securing the debate. Tragically, there was a similar case in my constituency last year, when Ross and Clare Simons, riding a tandem bike, were mown down by a dangerous driver who was disqualified and had many previous convictions. Ross and Clare's families, and the campaign, "Justice for Ross and Clare", today back Tracey, Hayley and their families in a common cause: 14 years should be 14 years per person killed. We should not have concurrency—sentences being served together. My offer is that we and those families work together to get the law changed urgently.

Alok Sharma: My hon. Friend is absolutely right: families want to make sure that we have not concurrent but consecutive sentences. If Walter had been given 14 years for each death, he would now be facing 28 years behind bars rather than being out in what will probably be a lot less than 10 years.

Susan Elan Jones (Clwyd South) (Lab): I congratulate the hon. Gentleman on securing this debate. We all agree on the importance of the review of sentences for driving offences. I am sure that like everyone else here, he would be grateful for clarity from the Minister on when that review will happen.

Alok Sharma: I am sure the Minister will address that point in detail.

[Alok Sharma]

I put on the record my thanks to the *Reading Post* and *The Reading Chronicle* for publicising the case and the petition. I also thank *The Sun*, which has done so nationally, and many others for helping to publicise the petition. So far, 25,000 people have signed. Both I and the families want to see a lot more signatures.

I do not believe that 10 years was a long enough sentence for what Walter did. The families affected do not believe that, and, so far, 25,000 people across our land do not, either. We have heard today that Members of Parliament representing many, many people across our country do not believe that that was right. I would like us all to sign the petition, which should influence the review, and to bring about a change in the law.

There are a number of specific things I want to hear from the Minister. I understand that he cannot predetermine the review. But does he understand the strength of feeling there is in the country about this issue and that Members of Parliament, members of the public and families who are affected by such tragedies want to put victims first? Does he have sympathy for the petition's aims? The hon. Member for Clwyd South (Susan Elan Jones) talked about the ongoing review on all driving offences. How can members of the public influence the review? Will there be a public consultation?

I want justice for John and Kris, as do their families. Hon. Members want justice for the families of constituents who have been affected by this crime. When it comes to dangerous driving, the punishment must fit the crime. It is high time we had a change in the law.

5.2 pm

The Minister for Policing, Criminal Justice and Victims (Mike Penning): It is a pleasure to serve under your chairmanship, Mr Caton. I congratulate my hon. Friend the Member for Reading West (Alok Sharma) on securing this debate, which I welcome. My thoughts and prayers are with his constituents' families, and all those who have been mentioned today. The hon. Member for Poplar and Limehouse (Jim Fitzpatrick), a former Road Safety Minister, is in his place to listen to the debate. I pay tribute to him, and will refer back to the work done on this issue over the years, not least the work that he and I both did in our former occupation.

Far be it from me to nudge my colleagues into going before any Committee, but given the absolutely understandable strength of feeling here today, the petition may well get 100,000 signatures, and no doubt should. It should go before the Backbench Business Committee, as we need a much longer debate on the matter. I do not mind whether I respond to that debate or the Road Safety Minister does, but the House should hear more about the effects on Members' constituents, including my own—Ministers should never forget that we are still MPs, and I know my constituents will support many of the comments made today.

Nothing I say today will bring back Kris and John. As an ex-fireman, ex-paramedic and ex-Road Minister—I have lots of ex-careers—one of the most poignant jobs I have ever had was going to what used to be called, inappropriately, road traffic accidents and are now quite rightly called road traffic collisions. I pay tribute to all our blue-light responders: our police, ambulance and fire crews, and representatives of local authorities, who are now often there. They do a fantastic job for us every day. Going to an incident is enormously difficult, as responders can see what has been done to an individual or individuals by someone who should never have been driving the car in the first place because they were disqualified—as in this case—who should not have been behind the wheel because they were drunk and who had no regard for another person's life.

Far be it from any parliamentarian, including me, to tell a judge what they should do in their court—we do not have that system in this country, thank goodness—but it is absolutely right and proper that Parliament decides the punishment for a crime. It is then for the judges to interpret that. In this particular case the judge interpreted the law and decided that the sentence would be 10 years and three months. The offender and his legal team appealed against that sentence, but thank goodness we saw common sense.

For this offence it falls within the capabilities of the prosecuting team to appeal to the Attorney-General against an unduly lenient sentence. I do not know what the Attorney-General might have decided, but that option was certainly within the capability of the prosecution. As a Back-Bench MP, I appealed against lenient sentences on many occasions, sometimes successfully, sometimes not.

My hon. Friend the Member for Dartford (Gareth Johnson) touched on the issue of what the CPS looks at. I am not a lawyer—there are many in the House—but the problem with the law as it stands is the issue of intent. It is a question of whether the driver intended to go and do what they did. That is why the CPS tends to hold back from prosecuting for murder or manslaughter. It is entitled to do that, however; that is within the regulations.

I turn now to what we are going to do—and not only because of the debate, the petition and the ongoing review. There are a couple of matters I will touch upon.

Andrew Bridgen: Will the Minister give way?

Mike Penning: I will not. I know that sounds very rude, but I spoke to the Chair before the debate, and because so many people have intervened—that is why I would like a longer debate on the issue at some later point—I will not get through all the points I want to raise if I do. If I get through all the points that I promised my hon. Friend the Member for Reading West I would raise in my response, I will then give way.

The review is massively important, in that it will look not so much at the offences—those are within a different brief—but at what the penalties should be. I will not pre-empt the review but I agree that we need to look carefully at whether the punishment fits the crime. We should look at the difference between driving a car and killing somebody—when drunk, or without insurance, or a licence, or any of those things we know people should have—with the intent to do that and killing a person with intent in any other way. That will be part of the review.

We will consult extensively. I know that families are listening to me—not only those who are here today because of the debate but families across the country—and

I want everybody involved in that consultation. It is vital that not just judges, prosecutors and politicians, but the families of the victims themselves—I would say that as the Victims Minister—are involved.

We can make some changes while the review is going on. For instance, I find it completely perverse that the driving ban that that gentleman—I use that word in inverted commas—was given in court is running while he is serving his sentence in prison. I have never understood the legislation on that. That situation will change, outside of the review. The ban will start when they come out.

Mr Bradshaw: Will the Minister give way?

Mike Penning: If I give way to the right hon. Gentleman I will have to give way to my hon. Friend the Member for North West Leicestershire (Andrew Bridgen). I will do that if I can, but in a moment. I know the exact time that I have, and if there is time left I will give way.

It is also important that when someone gets this type of sentence there is openness and honesty about why it was given. I have been talking extensively to judges about that recently. Although the courts, quite rightly, must be independent, guidance from Parliament tells them what the will of Parliament is—that is what judges are supposed to look at—when such abhorrent offences take place. One area where we can give the courts and certainly the police more help is in matters such as the terrible incident that occurred in the constituency of my hon. Friend the Member for Gosport (Caroline Dinenage), which was drug-related. At the moment, it is difficult to prosecute someone for drug-driving for myriad reasons, not least that some drugs leave the system quickly. That is why we intend to introduce roadside drugalyser testing—I started the process when I was the Minister responsible for roads—and in-station drugalyser testing.

I have often attended RTCs, and I know from experience, as does the right hon. Member for Exeter (Mr Bradshaw), who is another former Transport Minister, that someone who has been involved in an accident, often when someone has died, may have been under the influence of drugs. However, if they are breathalysed that may not show up enough to prosecute them, even though we all know that that person is under the influence of something. We must, morally, do something about that, and I have been working on it with other countries.

As I have made good progress, I will give way to my hon. Friend the Member for North West Leicestershire (Andrew Bridgen) and then to the right hon. Member for Exeter.

Andrew Bridgen: Does the Minister agree that we must tighten up when reissuing licences to people who have been disqualified? We need a multi-agency approach to ensure that repeat driving offenders get their licence back only if it is agreed they should.

Mike Penning: Yes, and that is important. We are tight on people who have been banned for drink-driving, and they are often required to get a medical report saying that they do not have a drink problem. Anyone who ticks the box to say that they do not have a mental illness or mental health issues when they have such problems breaks the law.

The key is to work with the insurance companies. That may be a strange way of looking at the issue, but they are interested in what offences have taken place because they insure the risk. That was why, when I was at the Department for Transport, I gave insurers access to Driver and Vehicle Licensing Agency data so that insurers knew whether someone had been banned and whether they had points on their licence when applying for insurance. Such people often lie about that, as the person that my hon. Friend mentioned did. That person was subsequently involved in an incident and was not insured.

Mr Bradshaw: Why should anyone who has committed such an offence ever be allowed to drive again? They should be banned for life.

Mike Penning: I have some sympathy with that, but if someone comes out of prison and lives in an area where they must rely on driving to work—*[Interruption.]*

Mr Bradshaw: Tough.

Mike Penning: Well, at the end of the day, when someone has served their sentence I want them not to be a burden on the state but to work. In rural parts of the country, such as that which the right hon. Gentleman represents, that might exclude someone from working. I am willing to look at the suggestion, but it is not as simple as just saying "tough".

Caroline Dinenage: The Minister is being incredibly patient in giving way. I strongly welcome what he said about looking at changing the rules so that a driving ban runs from the end of a sentence. That has been the biggest slap in the face for the families of Olivia and Jasmine in my constituency—the gentleman concerned was given a seven-year driving ban despite getting a nine-year jail sentence. That was utterly disgusting.

Mike Penning: We talked earlier about the punishment fitting the crime. What is the logic of giving someone a driving ban when it will be over when the offender comes out of prison?

It is poignant for the families to know that their petition works, and that so may colleagues from throughout the House have come to this debate. It is important that there should be a much more open debate on the Floor of the House, and I am sure that the Backbench Business Committee would be amenable to that, because there has been cross-party support in the Chamber today.

As the review goes forward, nothing should be ruled out, which is what I think my hon. Friend the Member for Reading West was alluding to in his comments to me. There will be some natural concerns from the judiciary and colleagues, which is fine. Let them put that into the mix, but the most important people who need to be part of the consultation are the families of the victims. No one can replace their loved ones, but if they have the courage of those who have come here today saying this should not happen to anyone else, perhaps we can make this country a safer place.

Question put and agreed to.

5.14 pm

Sitting adjourned.

Written Statements

Tuesday 4 November 2014

COMMUNITIES AND LOCAL GOVERNMENT

Infrastructure Bill

The Minister of State, Department for Communities and Local Government (Brandon Lewis): My hon. Friend the Parliamentary Under-Secretary of State, Department for Communities and Local Government (Lord Ahmad of Wimbledon), has made the following written ministerial statement:

I wish to update the House on an aspect of the Infrastructure Bill, on behalf of the Department for Communities and Local Government and my noble Friend, Lord de Mauley, of the Department for Environment, Food and Rural Affairs.

Better use of previously used, brownfield land is at the heart of the coalition Government's planning reforms. Our ambition is for there to be permissions in place to accommodate 200,000 new homes on suitable brownfield land by 2020. The Government are committed to playing their part, ensuring that where they own land that they no longer need, this land is returned to economic use more quickly and effectively, building homes and creating jobs. Better use of this type of land will support our desire to protect the green belt and amenity land, such as forests, woodlands and open spaces.

We are committed to continuing to improve and accelerate this programme, removing the internal Government bureaucracy that causes delays and impedes progress. From 2015, this will mean transferring a significant amount of land from Government Departments and their arm's length bodies to the Homes and Communities Agency. These transfers will enable the Homes and Communities Agency to prepare that land for release to market, promoting house building and boosting economic growth.

Currently, land held by Government's existing arm's length bodies cannot transfer directly to the Homes and Communities Agency, and instead must transfer first to the parent department, before it can then transfer to the Agency. Clause 21 of the Infrastructure Bill which is currently working its way through Parliament, aims to simplify this process and reduce bureaucracy so that land owned by arm's length bodies can be transferred directly to the Homes and Communities Agency without having to go through the parent department. The bodies that will be able to transfer land to the Agency are to be named in regulations.

There has been some suggestion that this minor adjustment to the Government's existing powers to transfer land presents a threat to the future of the nation's publicly-owned forests. It does not, and Ministers would like to make this crystal clear. The intention behind the clause is not to sell off socially or environmentally important publicly-owned land such as the nation's forests. These forests are not surplus, they are in use and the new powers will not be used for this purpose.

The Government recognise the significant social, environmental and economic value of the public forest estate to the nation and made a clear public commitment, in their forestry and woodlands policy statement in 2013, to establish a new operationally-independent body to own and manage the estate, holding it,

"in trust for the nation."

This commitment reflects the recommendations of the independent panel on forestry, which the Government established in 2011, under the leadership of the then Bishop of Liverpool, with a remit to advise on the future direction of forestry and woodland policy in England.

The Government have worked closely with partners to develop plans for the new body but it was not in the end possible to accommodate the necessary legislation within the current parliamentary programme. However, the Government remain fully committed to the objective of establishing the new public forest estate management body.

The Government have no plans to dispose of the public forest estate and the powers contained in clause 21 of the Infrastructure Bill do not present a threat to the future of the estate in public hands. The estate is not surplus, it is not owned by an arm's length body and very little of the public forest estate would be suitable for housing development under the Homes and Communities Agency's remit.

The Government recognise, however, the strength of people's concerns about the future security of the public forest estate, and commit to:

Not transferring any part of the public forest estate to the Homes and Communities Agency while the land remains in its ownership; and

Not including the new public forest estate management body in any future regulations specifying which bodies can transfer land to the Homes and Communities Agency.

I hope this clear public commitment by the Government provides certainty and reassurance for noble peers and the wider public.

London Borough of Tower Hamlets

The Secretary of State for Communities and Local Government (Mr Eric Pickles): In my written statement of 7 April 2014, *Official Report*, column 2WS, I stated that my Department had received documents which made serious allegations about poor governance and financial management at the council of the London Borough of Tower Hamlets. I also noted that Ministers had long been concerned about a worrying pattern of divisive community politics and alleged mismanagement of public money by the mayoral administration in Tower Hamlets.

On 4 April, I appointed PricewaterhouseCoopers LLP (PwC) to carry out an inspection of the local authority's compliance with its best value duty and to report its findings to me by 30 June 2014. On 30 June, I told the House that PwC had informed me that the council had considerably delayed the investigation by delaying the provision of key information or simply not providing it at all, and that consequently I was extending the period for PwC to report.

PwC has now completed their inspection; I am today putting a copy of its report in the Library of the House and publishing the report on my Department's website. As statute requires, PwC is now also sending a copy of the report to the council.

I have been carefully considering the report, and later today I will make an oral statement updating the House on the action I propose to take, having regard to the report and other relevant information available to me about the London Borough of Tower Hamlets. I hope this will provide an opportunity for hon. Members to read through the detailed and comprehensive report before my oral statement.

DEFENCE

Defence Equipment and Support

The Parliamentary Under-Secretary of State for Defence (Mr Philip Dunne): In my statement of 14 May 2014, *Official Report,* column 24WS, I outlined plans for the

Defence Equipment and Support organisation (DE&S) to procure a set of specific private sector skills through contracts for managed service providers (MSPs). We made good progress on this work over the course of the summer and I can confirm that on 3 November, we made formal offers of contract to three companies. I am announcing this development today, in anticipation of a final contract award. In line with standard commercial practice, the offer of contracts triggered a stand-still period which will last for at least 10 calendar days. Subject to the successful conclusion of this period, we expect contract signature to take place on 17 November.

The MSPs are being brought in to help DE&S with its transformation programme. Unlike the approach being followed under the last year's competition for a Government-owned contractor-operated (GoCo) entity, we are not placing contracts with the MSPs to run the DE&S business. What we need is an injection of highly specialised advice to support some specific areas of the business. The MSPs will be working alongside the DE&S work force to achieve aligned transformation goals.

The project delivery MSP contracts have an initial term of three and a half years, with the option of two one-year extensions. They will be awarded in four lots covering each of the four DE&S domains. The commercial approach was designed to allow a maximum of two of the four lots to be won by any one company, and following a rigorous competitive process, we have offered the land and joint enabler domain contracts to CH2M Hill, and the air and fleet domain contracts to Bechtel.

The project delivery MSPs will be required to provide high-quality advice in the fields of project management and project controls over a defined period. They will support DE&S in driving the necessary organisational, behavioural and cultural change designed to establish enduring improvements in project delivery approach, systems and outcomes across the organisation in support of the equipment and support plans.

The human resources MSP contract has an initial term of three years with the option of two one-year extensions. It is a single lot and has been awarded to PricewaterhouseCoopers. This MSP will be required to help DE&S establish a bespoke and business-relevant HR function and deliver the required HR transformation. It will support DE&S to attract, develop, manage and retain high-performing individuals through a new performance management, incentivisation and career management system.

The competition for the third MSP, which will cover finance, management information and information technology is planned to begin in the next few months. Sequencing the procurements in this manner will ensure maximum coherence across all three MSPs, and will allow the assessment and application of early lessons identified through the first MSP contracts.

The House will recall that when DE&S became a bespoke trading entity on 1 April this year, it secured a range of freedoms, agreed by HM Treasury and the Cabinet Office, to allow DE&S to manage its work force better. This included the ability to pay 25 members of staff at a rate higher than the senior salary cap; and flexibility around how DE&S recruits, rewards and manages its staff to optimise its business needs. The MSPs are not party to these freedoms, and are being brought in to the business as external contractors, procured via standard commercial practices.

The offer of these contracts represents an important milestone in the transformation of DE&S. We are moving ahead at pace, and this development underlines our firm intent both to build on recent project successes and deliver genuine and sustainable improvement to defence acquisition. Once contracts are signed, the MSPs will play an important role in this, working with DE&S to deliver the substantial change programme, which is itself designed to deliver improved value for money for taxpayers, and the best possible support for the armed forces.

Libya (Update)

The Secretary of State for Defence (Michael Fallon): On 11 June this year, my predecessor informed the House, *Official Report*, column 49WS, that the UK had started training the first tranche of Libyan recruits at Bassingbourn Camp, as part of an international commitment with other G8 nations to train a general purpose force.

The UK has been providing a challenging training programme to Libyan troops since late June. The majority of recruits have responded positively to the training despite the ongoing political uncertainty in Libya but there have been disciplinary issues.

Training was initially expected to last until the end of November but we have agreed with the Libyan Government to bring forward the training completion date. The recruits will be returning to Libya in the coming days.

The UK remains committed to supporting the Libyan Government as they work to establish stability and security across the country. The immediate priority must be agreement to a political settlement and the Prime Minister's special envoy to Libya, Jonathan Powell, is playing an active role in support of that process.

As part of our ongoing support for the Libyan Government, we will review how best to train Libyan security forces—including whether training further tranches of recruits in the UK is the best way forward.

ENVIRONMENT, FOOD AND RURAL AFFAIRS

Agriculture and Fisheries Council

The Parliamentary Under-Secretary of State for Environment, Food and Rural Affairs (George Eustice): I represented the UK at the EU Agriculture and Fisheries Council on 13 October in Luxembourg. Richard Lochhead MSP was also present.

Fisheries

Agreement was reached on setting the TACs and quotas for the Baltic sea in 2015, established for the first time under the requirements of the reformed common fisheries policy. Preparatory discussions were also held ahead of the upcoming EU-Norway fisheries agreement negotiations, where I highlighted our priorities of North sea cod and continuation of our successful catch quota scheme. I also supported the Commission in the need to introduce further shark protection measures and follow the science in setting quotas for bluefin tuna at next month's annual meeting of the International Commission for the Conservation of Atlantic Tunas (ICCAT).

The Council discussed the impact of the Russian trade restrictions on EU fisheries products. I highlighted the impact on the Scottish pelagic fishing industry with Russia making up 18% of the UK's mackerel exports in 2013. I was successful in securing agreement from the Council to increase quota banking rates from 10% to 25% for mackerel and herring as a temporary measure. This will allow UK fishermen to carry over more of their 2014 quota until 2015, thereby providing more time to develop alternative export markets.

Under AOB Lithuania also raised its concerns about the seizing of a Lithuanian fishing vessel by the Russian authorities. Commissioner Damanaki assured Lithuania that she was giving high priority to responding to this situation.

AGRICULTURE

Europe 2020 strategy

Member states responded to a short presidency questionnaire on the Europe 2020 strategy mid-term review. I stressed that CAP contributes to jobs and growth through pillar 2 rural development programmes where it can be used to support agricultural innovation and competitiveness.

Europe 2030 climate and energy package

EU Ministers participated in a lunch discussion on the treatment of agriculture and the land use, land-use change and forestry (LULUCF) sector under the 2030 climate and energy framework. I argued that we cannot have an informed discussion in the immediate term on the role of these sectors as there is insufficient data to fully assess the three options suggested by the Commission and outlined in the presidency's paper. The Commission acknowledged that further work was required.

Agricultural trade issues

The Commission updated the Council on the progress of several trade negotiations, including the transatlantic trade and investment partnership (TTIP), the comprehensive economic and trade agreement (CETA) and Mercosur. Several member states accepted that open, global markets were necessary but many raised concerns. Focusing on TTIP, I acknowledged that there would be some difficult discussions ahead however none appeared insurmountable and we should not overlook the benefits for all parties from a successful deal.

African swine fever

The Council endorsed a Commission proposal in response to a request from Poland and the Baltic member states to increase the EU co-financing rate to 75% for measures to combat the spread of African swine fever.

Russian ban on agriculture products from the EU

The Commission stated that it wanted to provide direct compensation to dairy producers in the Baltic member states and Finland who have been impacted the most as a result of the Russian import ban. Commissioner Ciolos, however, was unable to provide further detail but acknowledged that it may need to be funded through the crisis reserve. I accepted the principle but argued that further detail was required and we needed to consider the precedent it would set. The Commission and presidency agreed to discuss this further at the special committee on agriculture on 20 October. I, along with several other member states, rejected Polish proposals for the reintroduction of export refunds in the dairy sector and a temporary increase in the intervention price.

International Olive Oil Council

The Commission updated the Council on action it was taking to prevent the current impasse in negotiations to extend the mandate of the International Olive Oil Council, and its efforts to persuade the Turkish chair to extend the current agreement for one year.

National Pollinator Strategy

The Secretary of State for Environment, Food and Rural Affairs (Elizabeth Truss): I would like to update the House on the progress that my Department has made in developing a national pollinator strategy for England.

Bees and other insect pollinators play an essential role in our food production and are vital to the diversity of our environment. Evidence suggests that many species of our pollinators are less abundant and widespread than they were in the 1950s. Although it is difficult to be certain about the rates or the causes of change, we do know that pollinators face a wide range of environmental pressures—including intensification of land use, loss of habitat and food sources, pests and diseases, invasive species, and pesticides—and that some species are already threatened.

The Government are committed to taking action on a range of fronts to protect pollinators. The national pollinator strategy launched today, sets out a 10-year plan which commits to actions that will help protect the 1,500 or so insect species that fulfil an important pollination role in England. The strategy aims to deliver across five key areas, which are:

supporting pollinators on farmland particularly through the new countryside stewardship scheme;

supporting pollinators across towns, cities and the countryside;

enhancing the response to pest and disease risks;

raising awareness of what pollinators need to survive and thrive; and

improving the evidence on the status of pollinators and the service they provide.

Recognising that there are gaps in our understanding of the status of pollinators, the strategy provides a framework for evidence gathering action that will help improve our understanding of current trends, economic and social value, and impacts of pressures. Together with building our evidence base, the strategy outlines that there are policy actions that the Government and others can take now to protect pollinators. The strategy also reaffirms our pollinator call to action, "Bees Needs: Food and a Home", that was launched in July this year and which provides a simple message for all land managers on the essential needs of pollinators and how to fulfil them, including five simple actions such as planting more bee-friendly flowers and cutting grass less often. Finally, the strategy includes a commitment to review and refresh the vision, aims and policy actions from 2016, as evidence emerges.

The strategy builds on current policies across DEFRA which support pollinators, including habitat and species conservation, the honey bee disease control programme, pesticides and environmental stewardship as well as initiatives and campaigns across many other organisations. Our conservation charities, beekeeping associations, scientists and many volunteers already make a vital contribution in protecting these species and the services they provide. Equally, farmers, landowners and local

authorities have a central role to play in their stewardship. Many of these individuals and organisations have made important contributions to the drafting of the strategy, and we will continue to work with these partners towards producing an implementation plan over the following six months.

Given that our current understanding about the problems facing wild pollinators is patchy and incomplete, our approach to developing new policies will be iterative and adaptive. The strategy provides a framework for doing more as we find out more.

TRANSPORT

HS2 Safeguarding Consultation

The Secretary of State for Transport (Mr Patrick McLoughlin): Further to my statement of 27 October, *Official Report*, column 7WS, in which I welcomed the key recommendations in Sir David Higgins' report "Rebalancing Britain", I am today announcing to the House the launch of a consultation on safeguarding directions for the western leg of HS2 phase 2 between Fradley, near Lichfield, to Crewe.

Safeguarding is an established part of the planning system in the UK. It ensures that land which has been identified for major infrastructure is protected from conflicting development. The consultation will run for nine weeks, closing on 6 January 2015.

In Sir David's "HS2 Plus" report of March 2014 he suggested opening the line to a new hub station in Crewe in 2027, six years earlier than planned. In response I commissioned HS2 Ltd to undertake a route consideration process, informed by feedback from consultation. While a decision has yet to be made on the phase 2 route, I can inform the House that the analysis we have undertaken to date, points towards an onward connection from HS2 phase 1 through to Crewe and that it is therefore appropriate to consult on whether I should make safeguarding directions for that part of the route.

HS2 Ltd has examined hundreds of options for the whole route for the western leg of phase 2 across five criteria: constructability, sustainability, journey time, cost, and demand. HS2 Ltd has refined these options into a number of recommendations through a sifting process that balanced these different criteria. Following a careful consideration of the suggestions put forward by consultees, including those put forward by Stoke-on-Trent city council, HS2 Ltd advice is that on the analysis done so far—and there is more to do—the Crewe route looks likely to be the right route choice.

A connection from the high speed line to the west coast main line at Crewe would allow towns across the north west to benefit from HS2 with trains running direct to Crewe, Liverpool, Carlisle, Lancaster, Preston, Wigan, Warrington, Chester and Runcorn. Crewe would also permit ready access to HS2 to north Wales. HS2 Ltd's analysis recognises the importance of serving these areas too.

Other destinations served by the proposed HS2 phase 2 route, on both the eastern and western side of the country, should be reassured that we continue to be committed to a Y-shaped HS2 network delivered as quickly as possible. Decisions on the phase 2 route will be taken when the necessary analysis has been completed, and my Department continues to carefully review the material submitted by consultees and the further work undertaken by HS2 Ltd. While we work towards finalising a route for phase 2, I cannot rule out the possibility of needing to make changes to the route including from Fradley to Crewe. But in the interests of ensuring the timely and economic delivery of phase 2, I must consider protecting that part of the route from conflicting development in the meantime. Making safeguarding directions would also trigger the entitlement for affected owner-occupiers to ask the Government to buy their property under statutory blight arrangements.

Following a decision on the route of phase 2, HS2 Ltd will undertake a more detailed design study; and safeguarding directions made following this consultation would have to be reviewed. As with safeguarding for HS2 phase 1, updates are also to be expected as greater understanding of the engineering requirements will clarify whether or not the correct land is safeguarded or whether any changes need to be made.

I am placing copies of both the phase 2 (Fradley to Crewe) safeguarding consultation and the HS2 safeguarding maps (Fradley to Crewe): general notes on draft safeguarded area documents in the Libraries of both Houses.

ORAL ANSWERS

Tuesday 4 November 2014

	Col. No.
TREASURY	639
Average Earnings/Rate of Inflation	653
Deficit Forecast	651
Economic Growth	653
Employment Trends	654
Fiscal Consolidation	647
Income Tax Allowances/Thresholds	643
Northern Powerhouse	639
TREASURY—*continued*	
Pensions (Taxes)	654
Regional Economies	650
Tax Avoidance	649
Tax Credits	652
Tax Receipts (Deficit)	644
Topical Questions	655
Uncollected Tax	646

WRITTEN STATEMENTS

Tuesday 4 November 2014

	Col. No.
COMMUNITIES AND LOCAL GOVERNMENT	41WS
Infrastructure Bill	41WS
London Borough of Tower Hamlets	42WS
DEFENCE	42WS
Defence Equipment and Support	42WS
Libya (Update)	44WS
ENVIRONMENT, FOOD AND RURAL AFFAIRS	44WS
Agriculture and Fisheries Council	44WS
National Pollinator Strategy	46WS
TRANSPORT	47WS
HS2 Safeguarding Consultation	47WS

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Volume 587
No. 55

Tuesday
4 November 2014

CONTENTS

Tuesday 4 November 2014

Oral Answers to Questions [Col. 639] [see index inside back page]
Chancellor of the Exchequer

London Borough of Tower Hamlets [Col. 663]
Statement—(Mr Pickles)

Abortion (Sex-Selection) [Col. 677]
Motion for leave to bring in Bill—(Fiona Bruce)—on a Division, agreed to
Bill presented, and read the First time

Modern Slavery Bill [Col. 683]
As amended, considered; read the Third time and passed

Petition [Col. 796]

Internet Abuse of Members of Parliament [Col. 797]
Debate on motion for Adjournment

Westminster Hall
Animal Slaughter (Religious Methods) [Col. 147WH]
Broadband (Cheltenham) [Col. 171WH]
Badger Culls (Assessment) [Col. 179WH]
Ovarian Cancer (Gene Testing) [Col. 203WH]
Dangerous Driving Offences (Sentencing) [Col. 210WH]
Debates on motion for Adjournment

Written Statements [Col. 41WS]

Written Answers to Questions [The written answers can now be found at http://www.parliament.uk/writtenanswers]