Oral Answers to Questions

TRANSPORT

The Secretary of State was asked—

Potholes

1. Sir David Amess (Southend West) (Con): What financial assistance he is providing to local authorities to repair potholes.

2. Andrew Jones (Harrogate and Knaresborough) (Con): What financial assistance he is providing to local authorities to repair potholes.

3. Miss Anne McIntosh (Thirsk and Malton) (Con): What financial assistance the Secretary of State is providing to local authorities to repair potholes.

4. Mr McLoughlin: Potholes are a menace to all road users and that is why this Government are taking action. I announced in December 2014 that we are allocating just under £6 billion for councils in England to tackle potholes and improve local road conditions over the next six years. This funding is on top of the £4.7 billion we have provided since 2010.

5. Mr McLoughlin: Un fortunately, I receive lots of complaints about the state of local roads. I do understand that repairing potholes is very expensive, and I commend last week’s national pothole week. Despite the present strains on the economy, I ask my right hon. Friend that sufficient funds be made available so that local roads in Southend are kept in good order.

6. Mr McLoughlin: I pointed out in my announcement that Southend-on-Sea would get £7.3 million over the period I have just referred to. Despite the financial situation we found ourselves in when we entered government, we allocated 27% more for road repairs in this Parliament than the previous Government did in the last Parliament.

7. Mr McLoughlin: I certainly understand the point my hon. Friend makes—indeed, I have a large rural constituency that has many similar problems. It is up to the highways authority to look after its entire network fairly. Account is taken of rurality and road usage in the various highways authorities when we allocate this money to them.

8. Mr McLoughlin: My right hon. Friend rightly points out the allocation that has been made to Kent. As I said, in this Parliament we have increased by 27% what the previous Government spent on road maintenance, and in December I announced another funding increase of more than 20%. I hope that we see a fair sharing of it across the whole of the community—in both urban and rural areas.

9. Mr McLoughlin: Overall, local authorities do take their highway maintenance projects seriously. I point out to the hon. Gentleman that one cannot argue for localism and then argue all the time for central direction. However, I very much hope that all authorities that have been allocated the money spend it on the roads. Some other funds are available, and we will judge what local authorities have done regarding how those funds are distributed.

10. Mr McLoughlin: I am grateful for the answer. There are currently huge numbers of casualties and fatalities in the villages of Ganton, Rillington and Heslerton, which have no speed restrictions on the roads and no protections for the very vulnerable crossing them—children and the elderly. Will my hon. Friend give priority to that section of the A64, in which I know he too has a personal interest, serving as it does his own constituency?
Mr Goodwill: When considering investment in our roads network, two factors are always borne in mind. One is congestion, and in that respect the section between Malton and Hopgrove is the busiest and most congested. The other is safety, and that would include the situation to which my hon. Friend refers.

Railway Improvements

3. Christopher Pincher (Tamworth) (Con): What plans has he to introduce new rolling stock and infrastructure on the railway.

Claire Perry: The hon. Lady shares with me a firm commitment to ensuring that passengers have safe and better journeys. That is the point of this unprecedented level of investment. It is within the grasp of us all to hold Network Rail to account. It is an arm's length public body, and we have a regulator that regulates its investment programme. Network Rail is also accountable to Members of Parliament just as it is to members of the public. She will be aware that we are holding a series of performance summits with the train operating companies and Network Rail, particularly relating to the routes that have shown the worst performance data over the past few months.

Sir Alan Haselhurst (Saffron Walden) (Con): Will my hon. Friend confirm that Washwood Heath is the right site for such a marshalling yard and that they do not propose to move it?

Claire Perry: I can confirm that Washwood Heath is absolutely the right location for the rolling stock maintenance depot. This was confirmed by the High Speed Rail (London - West Midlands) Bill Select Committee’s announcement in December, and it would be a brave and foolhardy politician who suggested for political reasons that anything else might be appropriate.

Andy Sawford (Corby) (Lab/Co-op): I met representatives of East Midlands Trains this week to discuss the electrification of the line to Corby. I am concerned that when that happens there might no longer be any services running north from Corby on the Manton line. Will the Minister meet me to discuss what options there are to maintain those northbound services towards Oakham and Melton Mowbray?

Claire Perry: Yes, of course.

Mr Speaker: I call Mr Simon Burns. [Interruption.] Mr Burns! [Laughter.]

Mr Simon Burns (Chelmsford) (Con): Thank you, Mr Speaker. On the question of infrastructure, my constituents are concerned by comments that have been made by the right hon. Member for Birmingham, Hodge Hill (Mr Byrne) that the HS2 marshalling yard proposed for Washwood Heath might be moved. Will my hon. Friend confirm that the Government believe that Washwood Heath is the right site for such a marshalling yard and that they do not propose to move it?

Claire Perry: When considering investment in our roads network, two factors are always borne in mind. One is congestion, and in that respect the section between Malton and Hopgrove is the busiest and most congested. The other is safety, and that would include the situation to which my hon. Friend refers.
are looking at all specifications, including upgrading the inappropriate Pacers, which will be part of the franchising specification process he will see published in the next few weeks.

Lilian Greenwood (Nottingham South) (Lab): Two weeks before the Christmas chaos at King’s Cross and Finsbury Park, the Transport Secretary said that he had “absolute confidence” in Network Rail’s ability to deliver the Government’s plans, but up and down the country, projects are delayed, over budget and at risk, while some passengers have been hit by fare rises of more than 30%. Forget Ministers’ confidence in other people, does this shambles not betray a total lack of leadership from this failing Government?

Claire Perry: I thought that the hon. Lady was going to celebrate the fact that her own station is receiving a £100 million upgrade. As she should know, there were more than 2,000 engineering sites over the holiday period. Two of them—particularly important ones—ran over time.

I want to address the points made by the hon. Member for Barnsley East (Michael Dugher) about comments I was alleged to have made in a column. Anyone who read that column over Christmas would have seen that I am far from pleased with railway performance. We must do better for passengers. Only a lowly headline writer at the Sunday People, an idiot or a politician who has no policies of his own would describe my words in such a way. This Government care about the railways. That lot policies of his own would describe my words in such a way. This Government care about the railways.

Road Investment Strategy

5. David Morris (Morecambe and Lunesdale) (Con): What progress he has made on implementing the Government’s road investment strategy. [907139]

The Minister of State, Department for Transport (Mr John Hayes): I have looked at the prepared answer and it is mind-numbingly turgid, so I will do something of my own. This Government have introduced a road investment strategy with a plan for road investment that is backed up by finance and informed by empiricism, and it is the most ambitious plan since the 1970s. The whole House can look forward to a future considerably brighter than the past that we endured under the last Government.

Mr Hayes: I wondered whether my hon. Friend might ask this question, because he has raised the subject in an Adjournment debate and I know that he is a great champion of his constituents’ interests. I thought, as you must have done, Mr Speaker, of Ezra Pound, who said:

“What matters is not the idea a man holds, but the depth at which he holds it”.

Any man who advocates tunnelling at this scale certainly holds an idea at very great depth indeed. This is a matter for local councils—for Lancashire and Cumbria—and it is for them to consult their local enterprise partnerships. Nevertheless, I am interested in the scheme and am happy to invite my hon. Friend to the Department to discuss it with officials and see what can be done.

Richard Burden (Birmingham, Northfield) (Lab): I do not know whether the Minister has a prepared answer for this one, but may I take him back just a few weeks to the launch of a poster showing a road smoothly stretching out into the distance which was discovered to be a German road full of potholes that had been airbrushed out? Is that why he and other Ministers are trying to airbrush out the fact that spending for local road maintenance will be lower in real terms in 2020 than it was in 2010?
Mr Hayes: Road maintenance is just short of £1 billion a year. This Government are not neglecting road maintenance and we are certainly not neglecting roads—[Interruption.] I know the hon. Gentleman thinks that I am smooth, but I am never airbrushed. This Government's commitment to roads is unprecedented and I recommend to the Opposition that they recognise that such infrastructure investment is something on which there should be consensus. Unless there is consensus, we will not build the confidence that is necessary to get the investment that is in the national interest.

Stephen Hammond (Wimbledon) (Con): I share my right hon. Friend’s enthusiasm and confidence about the future under the strategy, although perhaps I do not express it so eloquently. One of the most exciting elements of the strategy is the introduction of smart motorways. Will he say a little about how the Government’s plans for that are going?

Mr Hayes: My hon. Friend will know that the way in which people drive, the vehicles they use and the interface between the driver and the road will change. That is already happening with smart motorways. We have been innovative in the work we have done on that and there is more to be done, but what is certain is that the Government need to consider all the technological changes that will inform the alteration in how people use roads in the way that he implies. The smart motorways programme is important, but it is also important that we articulate that message more clearly. I know that the Secretary of State will be saying more about this over the coming weeks and months, and I will be too, because I think it is important that people understand the opportunity that lies ahead of us.

Mr Philip Hollobone (Kettering) (Con): The A14 around Kettering between junctions 7 and 9 is being widened. When complete, that will be very good news for Kettering and the national economy, but understandably, while the roadworks are under way, disruption is being caused. Will my right hon. Friend confirm that the works will be completed this April, on time?

Mr Hayes: We will be setting out in the coming weeks a timetable for the completion of a series of schemes associated with this strategy. We need to set out the detail to maintain confidence that we will carry through our intentions. In that context, I will happily discuss with my hon. Friend the timetable for that scheme.

Public Transport Fares

6. Ian Lavery (Wansbeck) (Lab): What assessment he has made of variations in eligibility for young person or child fares on public transport.

The Parliamentary Under-Secretary of State for Transport (Claire Perry): My hon. Friend will know that this is a slightly longer answer, but I am trying to cover both forms of public transport. On trains, fares for children under 16 are half of the adult fare and 16 to 25-year-olds can buy a young persons railcard providing a discount of one third off most adult fares. Bus operators, as the hon. Gentleman will know, set their own fares. The Department estimates that three quarters of under-16s and half of 16 to 19-year-olds in England receive a discount of at least one third, but there are variations across the country as local authorities must specify how they will support 16 to 19-year-olds, which may include specific financial support.

Ian Lavery: One of the failures of bus deregulation is that it allows bus companies to set their own fares. In my constituency, Arriva is exploiting young people by charging the full adult fare to 14-year-olds, yet only a few miles away that age limit rises to 16. Does the Minister agree that that is totally unjust and unfair, and will she agree to investigate?

Claire Perry: I have looked at the numbers, and I know that Arriva has a teencard that provides a 40% discount. I will certainly look at the age specification, but I gently remind the hon. Gentleman that this is a matter for local authorities. In Conservative-controlled Staffordshire, the Your Staffordshire card allows 11 to 19-year-olds to travel on any bus in the county for just £1. I suggest he takes this eloquent pitch to Labour-controlled Northumberland council.

Andrew Bridgen (North West Leicestershire) (Con): Does the Minister agree that public transport, particularly buses, is essential and very important to young people, as it gives them the means of access to employment, training and education?

Claire Perry: I could not agree more with my hon. Friend. My 18-year-old daughter refuses to learn to drive because she is happy on the bus and the train.

Railway Stations (Disabled Access)

7. Michael Fabricant (Lichfield) (Con): What progress the Government have made in increasing access for disabled people at railway stations.

The Secretary of State for Transport (Mr Patrick McLoughlin): As well as access improvements delivered as part of projects such as Crossrail and the upgrade of Birmingham New Street station, Access for All has now completed 139 step-free routes and smaller scale access improvements at more than 1,100 stations. To build on this success we have allocated an additional £160 million to extend the programme until 2019.

Michael Fabricant: I know that my right hon. Friend is very familiar with Lichfield Trent Valley railway station. I have plodded with him over the footbridge to try to get to the southbound access on the west coast main line while carrying heavy bags. Two platforms at Lichfield Trent Valley are not accessible by disabled people, or people with heavy bags. When will that change?

Mr McLoughlin: My hon. Friend may have plodded; I think I sprinted because I was late for the train. The simple fact is that, as he well knows, Network Rail is designing the project and is expected to start on site in the summer of 2016, which will, I hope, address some of the problems for his constituents that he has just outlined.

Mr Speaker: I was just reflecting on the alluring image of the Secretary of State sprinting.
Mrs Cheryl Gillan (Chesham and Amersham) (Con): Physically disabled passengers and mothers with prams, for example, arriving at Amersham station have no real means of exiting the station. Work on the lifts was started and some groundwork was done, but it was taken out. The Secretary of State must know that Amersham station comes under Transport for London, and my constituents have no vote for that London authority, which has just received an extra £75 million additional funding to make the network accessible. What support can he give to me and my constituents, and campaigners such as Chesham and district transport users group, in getting this vital step-free access installed at Amersham station?

Mr McLoughlin: I am concerned if work that has been started on a project has not been completed. I will contact Sir Peter Hendy of TfL and write to my right hon. Friend.

Andy McDonald (Middlesbrough) (Lab): Last week, a disabled passenger at Middlesbrough railway station was trapped on platform 2 because of the failure of the lift and had to travel to Saltburn at the end of the line to get to platform 1. Will the Under-Secretary of State for Transport, the hon. Member for Devizes (Claire Perry), encourage Network Rail to accelerate its programme of investment in Middlesbrough railway station, which is much overdue, and meet me to discuss the acceleration of the direct service from Middlesbrough to London? I wrote to her many weeks ago and I have not had a response.

Mr McLoughlin: I am sure that my hon. Friend the Under-Secretary will be more than willing to meet the hon. Gentleman. With regard to the particular problem that he described today, obviously, when a lift breaks down it creates problems. That can happen occasionally and I very much regret it when it does. I think that Middlesbrough station will benefit from the new franchise that we have let, with more services coming to London.

Mike Thornton (Eastleigh) (LD): At Hedge End railway station in my constituency there is the absurd situation whereby someone who is disabled has to travel in the opposite direction in order to cross in a lift and travel back to reach their destination, adding considerable time and inconvenience to the journey. Investment in a lift at that station has been refused on the ridiculous basis that not enough people use the station as a whole. Surely we should give priority to the needs of a disabled person.

Mr McLoughlin: I accept that there is a huge job to be done on Access for All. The programme was due to end in 2015 and we have extended that. As I say, 1,100 stations have already been served, but I am always interested to hear of other applications and positions on various stations. We have tried to concentrate on the busy stations.

Mr Gordon Marsden (Blackpool South) (Lab): If, as we have heard, the Government’s progress on rail access for disabled people has been questionable, what is their record on disabled access on buses? Twice last year Ministers ducked questions from me in the Chamber on why they are blocking mandatory bus staff training, as the Select Committee and disabled groups have urged, then in a letter last May they proposed to review the matter again shortly, but eight months later nothing has happened. They are also ducking pressing bus operators to expand audio-visual technology, and instead they have school students competing to design a cheap alternative. Will the Minister confirm that the winning idea is to be announced only three weeks before Parliament dissolves? What message does all this buck-passing send to disabled people using our buses?

Mr McLoughlin: I am sorry the hon. Gentleman feels that way about access for disabled people. It is a matter that I take very seriously, and it is right that we do so. There is obviously a big problem in upgrading to allow access for all right across the public services but, as I pointed out, we have invested quite a lot of money. On his more detailed questions about bus access, I will write to him.

Mr Robert Syms (Poole) (Con): On disability, the abolition of the tax disc has been a challenge to local authorities, which want to know who is exempt from parking charges. The Driver and Vehicle Licensing Agency was going to give information to local authorities about who was exempt, but because of complaints about it giving information about people on benefits and with disabilities, it has stopped doing so. Many of my constituents now have to pay or are being fined and have to fight with local authorities to avoid paying a £60 or £100 fine. Can we sort this out, as it is causing undue stress to many disabled people?

Mr McLoughlin: I will look into the points that my hon. Friend makes, which have not been made directly to me before. I am sure we can sort it out.

Great Western Main Line

Stephen Doughty (Cardiff South and Penarth) (Lab/Co-op): What assessment he has made of the recent performance of train services on the Great Western main line.

The Parliamentary Under-Secretary of State for Transport (Claire Perry): In the latest operating period to 3 January, the First Great Western public performance measure was 82.5%. The average for the previous year was 87.7%. Both measures are below the target of 90.3% set by the Office of Rail Regulation for this franchise. I am sure that, like me, the hon. Gentleman has heard Network Rail, the regulator and many MPs saying that this is not good enough.

Stephen Doughty: Is the Minister aware of the concerns expressed by the RMT, TSSA and other organisations and passenger groups about the future provision of buffet cars and guards on First Great Western services? Was she aware of those concerns before the Department awarded a direct award franchise to an extension to the First Great Western franchise?

Claire Perry: I am sure the hon. Gentleman, like me, is delighted that this line is receiving so much investment, in the form of billions of pounds for electrification and the new intercity express programme rolling stock to which he alludes, which will transform the passenger
experience. I gently encourage him not to read the scaremongering press releases put out by the RMT. I have visited the IEP mock-ups. I have discussed in great detail what the franchising and catering capabilities will be. It is up to the operators to specify, and I am sure he will have seen the East Coast statements that it intends to offer an enhanced catering service on those trains when they are running. I am happy to discuss this further with the hon. Gentleman, but I suggest he looks at the facts, not the scaremongering.

Kerry McCarthy (Bristol East) (Lab): I am pleased to hear the Minister acknowledge that the present service on the First Great Western line is not good enough. As she will know as a south-west MP, one of the biggest issues is capacity. I know that new rolling stock is to be introduced, but will that be enough to address the terrible overcrowding issues, which I am sure her constituents have raised with her, as mine have with me?

Claire Perry: The hon. Lady is right to point out that there is crowding. There was a great lack of investment in the line under the Government whom she supported. In addition to the IEPs, one a half first class carriages are being declassified and standard class seating is being put in. It is happening now—I have sat in the 2,000th seat to be declassified. Although that is not the whole solution, I think we will see reduced overcrowding, particularly when passengers come in from Reading to Paddington, which is where trains can get extremely crowded.

Railway Lines

10. Paul Uppal (Wolverhampton South West) (Con): What plans he has to improve existing railway lines and build new ones. [907144]

The Parliamentary Under-Secretary of State for Transport (Mr Robert Goodwill): We are delivering £38 billion of investment on our existing rail network. In addition, HS2 will deliver a £42.6 billion programme to build a new railway, linking London to our other great cities. It will reach Birmingham by 2026 and Manchester and Leeds by 2033.

Paul Uppal: Transport links are crucial to the economy of the black country. Currently, commuters between Wolverhampton and Walsall have to go through a connection at Birmingham New Street, which takes double the time it would to take to drive. Will the Minister, with local support, consider a reintroduction of the line between Walsall and Wolverhampton?

Mr Goodwill: We are certainly happy to meet my hon. Friend. That line would not only deliver a better journey time between Wolverhampton and Walsall, but would relieve some of the pressure on Birmingham New Street.

Mr Clive Betts (Sheffield South East) (Lab): David Higgins has described the transport links between Sheffield and Manchester as a matter of national concern. Under his proposals for an HS3 line, it merely goes from Manchester to Leeds, and to get from Manchester centre to Sheffield centre, one will have to go on HS3 to north of Wakefield, down on HS2 to Meadowhall, and then back to Sheffield centre. It will take longer than the current trundle through Hope valley. If improving connectivity is an important issue for the Government, should not this whole project get a complete rethink?

Mr Goodwill: Improving connectivity is a very important issue for this Government. That is why we have not only a long-term economic plan but a long-term infrastructure plan. I have some very good news for the Labour party. Its plans, both economic and on infrastructure, seem to have been drawn up on the back of a fag packet; the good news is that there will be more room on the back from now on.

Martin Vickers (Cleethorpes) (Con): Though my constituents would be happy to see new rail lines built, they would prefer better services on the existing ones. East Midlands Trains, which operates the Grimsby-Lincoln-Newark service, most of which is provided by a single-car unit, has been telling me for four and a half years that it will improve that by making it two cars. When will the Minister act to do something about that?

Mr Goodwill: It is always important to address such issues when franchises come up. One of the problems we are facing in announcing all these programmes up and down the country is that everybody is now wanting to jump on the bandwagon to catch up and see the investment coming to their area after a 13-year period of drought in real investment in infrastructure.

Topical Questions

T1. Mrs Linda Riordan (Halifax) (Lab/Co-op): If he will make a statement on his departmental responsibilities.

The Secretary of State for Transport (Mr Patrick McLoughlin): Last week I introduced an extensive package of compensation and assistance for property owners along the London to Birmingham High Speed 2 route. That will look after the people who live along the HS2 route while balancing this with our responsibility to the taxpayer. People will also be helped by HS2's new residents charter and the appointment of a residents commissioner.

Mrs Riordan: I am sure that the Secretary of State will agree that Pacer units are not fit for purpose and that Halifax passengers deserve new rolling stock. Will he now put a definite date on when we will get those much-needed trains?

Mr McLoughlin: Thanks to the support I have had from the Chancellor and the Prime Minister, I hope that we can move to a position of replacing the Pacers. They have certainly outlived their useful purpose, and I know that many people want them replaced, as do I, the Chancellor and the Prime Minister. It is a pity we had to wait so long and that 13 years were wasted.

T2. [907165] Robert Jenrick (Newark) (Con): Tomorrow I will visit Abbott and Co. of Newark, a fourth-generation local business that has been manufacturing boilers and fittings for British vessels flying the red ensign since HMS Warrior in the 1860s. What more are the Government doing to support the maritime sector given its importance to the economy?
The Minister of State, Department for Transport (Mr John Hayes): I have been maritime Minister for a relatively short time in which we have developed a maritime skills strategy and a maritime growth plan. There are those, tinged by the melancholy of what is past, who do not believe that our future can be as bright. I believe, imbued with the spirit of Nelson, that our island nation’s seafaring future can be just as glorious as its past.

Michael Dugher (Barnsley East) (Lab): Last week the “Buses in crisis” report from the Campaign for Better Transport revealed that since 2010 more than 2,000 bus routes have been cut and bus fares have risen by 25% on average—five times faster than the rise in average wages—while bus companies continue to make big profits and big bonuses for people at the top. Why will not the Government back Labour’s proposals to legislate to give London-style powers to city and county regions in England, which would give passengers the power to control fares, set routes and integrate services? If it is okay for Boris, then why not the same powers for Bristol, Birmingham, Bedford, Brighton, Burnley, Bradford, Burton, Blackpool and Barnsley?

Mr McLoughlin: I do not know quite where the hon. Gentleman gets his facts from. Between 1997 and 2010, the annual average increase in English bus fares, in real terms, was 2.25%, whereas between 2010 and 2013 the increase was 1.5%, so there was a lower increase under this Government than during the whole period of the previous Government. The simple fact is that buses play a very important role in offering transport opportunities both to younger people and older people. That is why we have kept, and will keep, concessionary bus fares for older people.

Mr McLoughlin: We have done a deal with Greater Manchester that involves it having a mayor, which is an imaginative way forward. I look forward to seeing how the scheme will work.

T4. [907167] Christopher Pincher (Tamworth) (Con): I will meet the Minister of State, Department for Transport, my right hon. Friend the Member for South Holland and The Deepings (Mr Hayes) shortly, but will he heed the representations of Councillor David Salter and ask the Highways Agency to review the new design of the A5 Wall Island, which is still causing accidents, tailbacks and huge chaos for my constituents in Shenstone, Wall and Muckley Corner?

Mr Speaker: That was very long. We really have to speed up.

Mr Hayes: My hon. Friend has presented me with a diagrammatic representation: his original version was a cross between an egg timer and a peanut, but he has now given me a more detailed one. I am aware of the situation. As he will know, the Highways Agency spent £1.5 million on the scheme. Nevertheless, I know there remain problems and I am happy for him to meet with me and the Highways Agency to see if the problems can be solved.

Julie Hilling (Bolton West) (Lab): The Prime Minister has said that the Pacer trains are going, but the Treasury has said it will only encourage bidders, so will the Secretary of State give a guarantee that all Pacers will be replaced and a date for when that will happen?

Mr McLoughlin: I am pleased that we are making progress that was not made between 1997 and 2010. We are making huge investments in trains and I am very pleased about that. The invitations to tender will be issued shortly and I hope to be able to say more about it then.

Mr McLoughlin: The Department for Transport is consulting on removing the MOT exemption for HGVs based on But, Islay, Mull and Tiree, but the exemption is there for a very good reason: there are simply not enough HGVs on those islands to justify the cost of an authorised testing facility and the cost of taking an HGV to the mainland is very high. Will Ministers please stop this burden on island businesses?

The Parliamentary Under-Secretary of State for Transport (Claire Perry): The hon. Gentleman knows that the consultation is being looked at on a Great Britain-wide basis and specific exemptions are indeed made for local service and delivery issues. I encourage him to continue eloquently to make the case for the existing exemption in his neck of the woods.

Heidi Alexander (Lewisham East) (Lab): The rail Minister will know that, due to the rebuild of London Bridge station, overcrowding on Southeastern services into Cannon Street has reached dangerous levels. What was previously a poor service is now utterly abysmal. What immediate action will she take to ensure that every rush hour train into Cannon Street is formed of 12 cars, and can she guarantee that the old Thameslink rolling stock, which will become available towards the end of the year, will be used to increase capacity on those services?
Claire Perry: The hon. Lady knows that there are potentially many solutions to solving the many problems caused by the unprecedented rebuild of one of London’s oldest stations. I am glad that, directly after these questions, she will join me at the performance summit, which is being held on a cross-party basis, with the operator, Network Rail and the regulators, where we will be able to hear answers from those specifically in charge of running the railways.

T8. [907171] Damian Green (Ashford) (Con): The problems in the channel tunnel have led to the use of Operation Stack on the M20, which, as ever, is causing huge disruption to traffic in my constituency and across Kent. What progress is being made in finding an off-road solution to parking trucks when they cannot get across the channel?

Mr McLoughlin: Following the disruption this week, we obviously need to look at and investigate that matter further. I am more than happy to meet my right hon. Friend and the relevant authorities to discuss what solutions there may be should it happen again in the future.

Mark Lazarowicz (Edinburgh North and Leith) (Lab/Co-op): Local councils and parties up and down the east coast from Aberdeen and Edinburgh to London have come together in the Consortium of East Coast Main Line Authorities with a plan for comprehensive improvements to infrastructure and trains on the east coast main line. Will the Secretary of State look at those proposals? Does he accept that improvements to the east coast main line are an essential complement to the improvements to infrastructure and trains on the east coast from Aberdeen and Edinburgh to London that are an essential complement to the east coast main line? Will the Secretary of State look at those proposals? Does he accept that improvements to the east coast main line are an essential complement to High Speed 2, not an alternative?

Mr McLoughlin: I am certainly happy to look at the proposals. We are making huge progress with the IEP trains—we are making a dramatic increase in investment on that line—but I am always willing to look at reasonable proposals to improve services for our constituents.

T9. [907172] Paul Uppal (Wolverhampton South West) (Con): Since 2005, the number of passengers visiting Wolverhampton station has more than doubled. Recent passenger survey returns show that the service is poor, particularly at peak times. Will the Secretary of State meet me and investors in the station to talk about the specific issues of extended leases and facility charging so that Wolverhampton station can get its new station and we can complete the interchange project?

Mr McLoughlin: When I went back to Wolverhampton station in my early days as Secretary of State, I said that it had not changed much since I used it as a small young person. I said that it was not very good then, and had not improved very much since. I am more than happy to meet my hon. Friend to discuss that problem. I would however say that there are some major station improvements in the west midlands, not least at Birmingham New Street. It is about time that such improvements moved up to Wolverhampton.

Kate Green (Stretford and Urmston) (Lab): I wrote to the Secretary of State before Christmas about the Trafford Park Metrolink extension and ITV’s concerns that noise from trams on the route in front of the set of “Coronation Street” may cause difficulties with filming. While ITV and Transport for Greater Manchester argue, I am sure that he agrees with me that anything that might delay progress in getting the extension built would be very regrettable. What can he do to help to unblock the situation?

Mr McLoughlin: I am not aware of the hon. Lady’s letter. I will certainly seek it out and see whether I can address the problems. From memory, the tram runs at the bottom of the set of “Coronation Street”; at least, that is what we are shown.

Stuart Andrew (Pudsey) (Con): Will my right hon. Friend update the House on progress with connectivity to Leeds Bradford airport? The prospect of a link road is of great concern to many of my constituents. Surely, an effective contribution to the northern economic powerhouse would be for one of the largest airports in the north to be connected to the rail network.

Mr Hayes: Equipped with the information I need, I have that very study here. My hon. Friend is right that it says that a road link is important, but it does not of course rule out a rail link in the way he describes and of which I know he has been a great advocate. In that context, I will take another look at the matter, which of course has to be taken forward locally. He has been a great champion. How proud the people of Pudsey must be to be represented by my hon. Friend.

Chris Bryant (Rhondda) (Lab): Last Thursday in Committee, the charming Minister pushed through amendments to the Infrastructure Bill to change the electronic communications code. Last night, he sneaked upstairs to the Public Bill Office to table amendments to delete the very same changes that he made last week. Are these the shortest lived amendments in the history of this House? To be blunt—[Interruption.] I am here all week. To be blunt, is it not time to say that the Government’s whole deal with the mobile phone companies has fallen apart?

Mr Hayes: My advice to the hon. Gentleman is that it is always better to be sharp than to be blunt, but that option is not available to him most of the time. The truth is that we have listened, because we want to move forward in a spirit of consensus. We know that it is vital to reform the code, and we want to do it properly. The Opposition made the case that we should withdraw it, think again and work with all concerned to make it work, but now when we do so, they criticise us. They cannot have it both ways.

Mr Speaker: Last but not least, I call Jeremy Lefroy.

Jeremy Lefroy (Stafford) (Con): Will my right hon. Friend work with Staffordshire county council to tackle the long-term congestion problems in and around Stafford that are caused by, among many reasons, diversions from the M6 when it is blocked?

Mr McLoughlin: As a former member of Staffordshire county council, I am certainly content to work with that excellent county council to see whether we can address some of the problems to which my hon. Friend has referred.
LEADER OF THE HOUSE

The Leader of the House was asked—

Private Members’ Bills

1. Mr William Bain (Glasgow North East) (Lab): If he will review the effectiveness of the procedure for tabling money resolutions for private Members’ Bills; and if he will make a statement. [907153]

2. Mr Hague (Mr William Hague): It is the responsibility of the Member in charge of the Bill to make a request to the Government to table any money or Ways and Means motion that may be required in respect of private Members’ Bills that have had a Second Reading. It is the usual but not invariable practice of the Government to accede to such requests.

Mr Hague: On the question of Monday’s business, it is right to allocate a full day of debate on the Floor of the House when all stages of a Bill are being considered. It is up to the House if it does not use the full time, but there would be considerable objections if we did not allocate a full day for all stages of a Bill. As I have explained to the House before, the problem with the money resolutions on the Affordable Homes Bill and the European Union (Referendum) Bill is not one of time; there has been no agreement in the coalition about those money resolutions, and that remains the case.

Mr Hague: There was necessary consideration of whether a money resolution was needed for that Bill. The House authorities have confirmed that no money resolution is needed for the Bill to enter Committee and I have now instructed officials to table the motion that will facilitate the establishment of another Committee so that the Bill can proceed.

Mr David Nuttall (Bury North) (Con): As the Leader of the House will be aware, the Procedure Committee recommended, as part of its inquiry into private Members’ Bills procedure, that if a money resolution has not been tabled by a Minister within three weeks of Second Reading, a written ministerial statement should be made setting out the reasons for the delay. Does he think that that would be a sensible change to introduce?

Mr Hague: I am certainly aware of that recommendation of the Procedure Committee, and my hon. Friend is right to remind the House of it. There may be a variety of views in the House on it. It is important for Ministers to explain why, in one way or another, when a money resolution is not granted, as I have done for the Bills in question during this Session.

Mr Simon Burns (Chelmsford) (Con): Will my right hon. Friend reflect on the answer that he gave the hon. Member for Bristol East (Kerry McCarthy)? Even if there had been a need for a money resolution for the Bill promoted by the hon. Member for Eltham (Clive Efford), it would have been totally wrong to bring one before the House, because the Bill is based on an utter fallacy and on misinformation, as no privatisation of the health service is planned under this Government.

Mr Hague: My right hon. Friend is absolutely right. Were a money resolution required on that or any other Bill, the Government must also have regard, in granting a money resolution, to whether huge expenditure could be involved. It would therefore be irresponsible for any Government to say that they would always grant a money resolution under any circumstances.

Thomas Docherty (Dunfermline and West Fife) (Lab): Many people will be curious about the answers that the right hon. Gentleman gave to the hon. Member for Bury North (Mr Nuttall) and my hon. Friend on private Members’ Bills, such as that of the hon. Member for St Ives (Andrew George), which would exempt thousands of disabled people from the terrible effects of the Government’s hated bedroom tax?

Mr Hague: There are quite a lot of outstanding reports from the Procedure Committee, as the hon. Gentleman knows well. I have been taking stock of them recently, and I certainly intend that a very large proportion of them will be debated in the House shortly, before Dissolution—I will announce in due course in what order—so that consideration can be given to the many changes that the Procedure Committee has recommended.

Backbench Business Committee

2. Mrs Mary Glindon (North Tyneside) (Lab): What assessment has he made of the effect of the introduction of the Backbench Business Committee on the work of the House. [907154]

7. Huw Irranca-Davies (Ogmore) (Lab): What assessment has he made of the effect of the introduction of the Backbench Business Committee on the work of the House. [907159]
Backbench Business Committee on the work of the House, but the Government response to the Procedure Committee’s review agreed that the Backbench Business Committee has been widely welcomed as a successful and effective innovation.

**Mrs Glindon:** This Parliament has seen votes on numerous Back-Bench motions completely ignored by the Government, including a vote to end the badger cull, which proceeded, and a vote to make personal, social, health and economic education a statutory requirement. Does the Deputy Leader of the House agree that it is time to take the will of the House seriously? What is the purpose of Parliament if the Government just pick and choose which votes they want to act on?

**Tom Brake:** I am sure that the hon. Lady will be aware that the outcome of Back-Bench debates is not binding on the Government. However, the Government have taken account of many Back-Bench debates. For instance, policy has changed on the issue of VAT on fuel for air ambulances, and on cheaper petrol and diesel following a motion tabled by my hon. Friend the Member for Harlow (Robert Halfon). Of course, there was also the successful campaign on the release of documents relating to Hillsborough.

**Mr Speaker:** I call Huw Irranca-Davies. Not here.

**Miss Anne McIntosh** (Thirsk and Malton) (Con): May I, too, welcome the excellent work of the Backbench Business Committee, which has chosen debates that the hon. Member for North Tyneside (Mrs Glindon) and I have asked for on a number of reports by the Select Committee on Environment, Food and Rural Affairs? The strength of the Backbench Business Committee is that its time is for debating purposes, but will my right hon. Friend the Deputy Leader of the House consider the possibility of a debate either selected by the Backbench Business Committee or in Government time on how the House deals with the scrutiny of European Union matters? When an implementing regulation comes before the House, hon. Members should be allowed to amend as well as just debate it.

**Tom Brake:** I thank my hon. Friend, and I am sure that if a cross-party group of Members of Parliament went to the Backbench Business Committee with a proposal for a debate to examine that, the Committee would be happy to accept the request.

**HOUSE OF COMMONS COMMISSION**

The hon. Member for Caithness, Sutherland and Easter Ross, representing the House of Commons Commission, was asked—

**Houses of Parliament: Shared Services**

3. **John Robertson** (Glasgow North West) (Lab): What estimate he has made of savings that could be achieved through sharing more services with the House of Lords.

**John Thurso** (Caithness, Sutherland and Easter Ross): There has been no overall assessment of the potential financial savings from increased joint working with the House of Lords. Subject to what is said later today in the debate on the report by the House of Commons Governance Committee, the Commission expects to write to the Lords House Committee shortly to propose an initial joint meeting later this year. I would not be surprised if the issues raised in the Governance Committee’s report about greater bicameral working were on the agenda for that meeting.

**John Robertson:** I thank the right hon. Gentleman, and he will know that there is wide support for that in the Governance Committee. Members would like to see such work go forward as quickly as possible. The trouble with this place and the other place is that things can be dragged out for some time, so will he ensure that we can move down the road a lot quicker than usual?

**John Thurso:** As the hon. Gentleman will know, both Houses are sovereign, so we must make progress through dialogue and agreement. However, I am much encouraged by how the joint service for procurement was set up last year, and I believe that there is an appetite in both Houses to reach agreement. I will certainly do all I can to assist in that.

**Ian Swales** (Redcar) (LD): I know that my right hon. Friend has extensive management experience in the hospitality industry. What constraints does he see in making this place efficient compared with his private sector experience?

**John Thurso:** I thank my hon. Friend. Friend for that extremely interesting question. I would observe that when one is appointed chief executive of an organisation in the private sector, one is in charge, one takes responsibility and one gets on with it. In this place and the other place, we are responsible to the Members, so it is necessary to have a structure that properly reflects that. One therefore tries to take the best bits of governance that one has learned from the private sector but use them in a way that serves the House and its primary purpose of legislation.

**Mr Barry Sheerman** (Huddersfield) (Lab/Co-op): The right hon. Gentleman also knows that this is not just about cost saving. Many of us are in favour of serious economies, but we want an effective system across both Houses that delivers good improvements to the quality of our ability to do our job. Many of us want co-operation on security and other things with the House of Lords, but this is not just about cost cutting; it is about getting a better service to Members of this House.

**John Thurso:** I agree wholeheartedly with the hon. Gentleman and that is exactly what has been happening. Let us consider, for example, what is happening with the security services being brought in-house. That is the most effective model and will deliver the best service. The joint procurement service has been put together between the two Houses. The primary reason for that was to increase governance, but it is now also producing savings without any detriment—indeed, there is an improvement—to services. I am at one with the hon. Gentleman on that objective, and I believe we are starting to deliver it.
LEADER OF THE HOUSE

The Leader of the House was asked—

Private Members’ Bills

4. Sir Hugh Bayley (York Central) (Lab): If he will make more time available in Public Bill Committees and on the Floor of the House for consideration of private Members’ Bills.

The First Secretary of State and Leader of the House of Commons (Mr William Hague): No; in July 2012 the House voted against a proposal to consider private Members’ Bills on Tuesday evenings, following a report from the Procedure Committee. In its subsequent report on private Members’ Bills, that Committee assessed the timing for consideration of those Bills but did not recommend a significant increase in the total amount of time available.

Sir Hugh Bayley: In 23 years as a Member of the House I have never been fortunate enough to have my name come up in the ballot for a private Member’s Bill, and I do not think that as a legislator I should have to wait a generation for an active chance to legislate in this House on behalf of my constituents. Will the Leader of the House set up a working party, which includes my hon. Friend the Member for Wallasey (Ms Eagle) and the Chair of the Backbench Business Committee, to consider better ways of giving Back Benchers the opportunity to legislate?

Mr Hague: I am sorry that the hon. Gentleman has not had that chance in 23 years. I am sure that whatever he introduced would have been brilliant, and the nation has been deprived of that legislation. However, many hon. Members across the House are fortunate enough to be able to do that—22 private Members’ Bill have attained Royal Assent so far in this Parliament, and I am sure there will be others during this Session. These questions are for the Procedure Committee and, as I said, it has reported on private Members’ Bills but did not recommend a significant increase in the time available.

HOUSE OF COMMONS COMMISSION

The hon. Member for Caithness, Sutherland and Easter Ross, representing the House of Commons Commission, was asked—

Parliamentary Digital Service

6. Michael Fabricant (Lichfield) (Con): What the responsibilities will be of the director of the Parliamentary Digital Service.

Mr Speaker: Order. It has been brought to my attention that following the Division yesterday on the ten-minute rule motion in which he acted as a Teller for the Noes, the hon. Member for Daventry (Chris Heaton-Harris) was listed as a supporter of the Bill, then introduced by the hon. Member for Selby and Ainsty (Nigel Adams). A Member whose name is to be announced as a supporter of a Bill should not vote or tell against the introduction of that Bill. That is contrary to the well-established principle of this House that a Member’s vote must agree with his voice. In line with previous rulings from this Chair, I must give directions that the hon. Member’s name be removed from the list of supporters of the Bill, and that the Journal be corrected accordingly.
Child Abuse Inquiry

10.35 am

Yvette Cooper (Normanton, Pontefract and Castleford) (Lab) (Urgent Question): To ask the Home Secretary to make a statement on the child abuse inquiry.

The Secretary of State for the Home Department (Mrs Theresa May): In July last year, I announced the establishment of the independent panel inquiry into child sexual abuse. The inquiry will consider whether public bodies and other, non-state institutions have taken seriously their duty of care to protect children from sexual abuse. As I said when I established the inquiry, it must expose the failures of the past and must make recommendations to prevent them from ever happening in the future.

The House is aware that the first two nominees for chairman of the inquiry resigned after it became apparent to them that they did not command the full confidence of survivors. I am clear that the new chairman must be someone who commands that confidence, and who has the necessary skills and experience to carry out this vital work. In my work to find that person, as I told the House I would do, I have undertaken a number of meetings with the survivors of child abuse and their representative bodies. I have been deeply moved by the courage and the candour they have shown in telling me their harrowing stories and the experiences they have been through. I am absolutely committed to finding the right chairman to ensure they get the answers they deserve.

Not only does the inquiry need the right chairman, but it needs the right powers. That means the ability to compel witnesses and full access to all the necessary evidence. In December, I wrote to panel members to set out the three options that could give the inquiry those powers. I confirmed the options in my evidence that month to the Home Affairs Committee. I also confirmed to panel members that I would make my decision on the right model for the inquiry and the chairman by the end of January. Three options are available in order to get statutory powers for the inquiry. One is to set up a royal commission, and the other is to set up an inquiry with the powers it needs, yet we are six months from the initial start of the inquiry, and we still have no chair, no clarity on the powers and no clarity on the timetable for something that is so important.

The Home Secretary will know how serious the inquiry is and how much it means to those who endured awful abuse in childhood and were not listened to then but deserve to be listened to and to have the chance of justice now—yet they are being let down.

In November, the Home Secretary made much of apologising to the survivors and she promised personally to sort things out. She said she had a direct message to them:

“I know…you have questioned the legitimacy of this process…I understand that. I am listening.”

Despite the fact that she had already messed up twice, we and many others supported her in November because we were very keen to see an effective inquiry up and running, and we took her commitment in good faith. She is now at risk, however, of making a fool of everyone because the inquiry has stalled again—yet it has become more important than ever.

Since November, the allegations have become more serious. The police are now investigating allegations of child murder, involving senior figures linked to Dolphin square. A Government file has emerged, containing further potential allegations of abuse, clearly not seen by the Wanless review. These need to be investigated by the police—not just by the inquiry—but this makes it even more vital that a serious and credible inquiry is under way with the confidence of the public and survivors.

Given the seriousness of this matter, I say there is no choice but to start this inquiry again properly, with a new chair and statutory powers and proper consideration given to the scope and purpose, involving the survivors themselves. This should not be beyond the wit of a Home Secretary. Other people have set up effective inquiries—Hillsborough, the Northern Ireland inquiry into child abuse and the Soham inquiry—and we are now six months on, with still no chair, still no powers, still no clarity. It is deeply unfair on survivors of abuse, who need to be listened to and who need justice. When will she sort this out?

Mrs May: The right hon. Lady is trying to make an argument between us about this inquiry where I think none exists—or certainly none should exist. She has indicated in her response that she believes an inquiry should be set up with a new chairman and with statutory powers. That is exactly what I said I would be doing when I last made a statement to this House.

I said in my response to her urgent question today that I set out the timetable to panel inquiry members in the letter I sent them in December and that I would make the decision on the right model for the inquiry and the chairman by the end of January. Three options are available in order to get statutory powers for the inquiry. One is to set up a royal commission, and the
others are two variations on setting it up as a statutory inquiry: one to start again and reset it as a statutory inquiry, the other to await the appointment of the chairman and continue the current panel, but with statutory inquiry powers. I made that clear in the letter I sent to panel members, and I set out those three options when I gave evidence to the Home Affairs Select Committee.

The right hon. Lady mentions the very serious issues that have come to light, which are being investigated by the police. It is absolutely right that the police investigate allegations. That is not going to be a job for the panel inquiry: investigation of allegations rests with the police, and will always rest with the police, and it is important that that is what happens.

The right hon. Lady made reference to the file that has come to light. We are checking that today, but I understand that it may be a duplicate of a file that was at the Home Office and was seen by Wanless and Whittam during their review. Of course, we are checking that. Any allegations relating to that file will be passed to the police and those concerned to ensure that they are looked at properly.

The right hon. Lady talked about the role of the panel inquiry. It has been meeting survivors and has had a number of listening meetings with them. It was decided yesterday that from now on their work will focus on issues such as methodology that will assist the new chairman in making decisions. The panel wrote to say that it will not have any more listening meetings with survivors until the new chairman has been announced and the model for the inquiry has been announced. I respect that decision. I understand that it must have been difficult, but it was a decision for the independent inquiry panel members to take.

I am sure that everybody recognises that we want to get this right and that we want to ensure that we have the right chairman and the right powers. We received more than 150 nominations for the post of chairman following the resignation of Fiona Woolf. It is right for us to take our time in considering those nominations, and to apply due diligence to them, so that when I announce the name of the new chairman, everyone—I hope—will feel fully confident that that individual has the capability that is needed to ensure that the inquiry can do the job we all want it to do, which is to get at the truth.

**Mrs Cheryl Gillan (Chesham and Amersham) (Con):**
I am sure that we are all grateful for the concern and sincerity that the Home Secretary is bringing to this incredibly difficult and sensitive inquiry. She should rest assured that we all want it to start work as soon as possible. However, she must know that organisations that support victims of child sex abuse are experiencing an increase in demand following the setting up of the inquiry. How can we further help those organisations to meet their funding needs as more and more people come forward requiring help?

**Mrs May:** My right hon. Friend has made an important point, which has been raised with me by groups who are representing and working with survivors. On 19 December, we announced that an extra £7 million would be available to such groups, and £2 million of that will be available specifically to groups that have received more requests for support as a direct result of the setting up of the inquiry. That is the child abuse inquiry support fund; a further £2.85 million will be available to child and adult victims of sexual abuse. The fund will be launched at the end of this month, and there will then be a very simple bidding process. We hope that that will provide the necessary support for groups that have experienced increased demand.

**Keith Vaz (Leicester East) (Lab):** The Home Secretary has always been eloquent and sincere in her support for the victims of child abuse, but she is in danger of losing control of this process, which has been lamentable. If she reads the evidence given to the Home Affairs Committee by members of the panel on Tuesday, she will see that there were allegations of bullying by some of them, and that after the evidence session the inquiry’s counsel called for Sharon Evans, one of only two survivors, to be removed from the panel. Moreover, the Minister for Crime Prevention, the right hon. Member for Hornsey and Wood Green (Lynne Featherstone), who is sitting next to the Home Secretary and who has responsibility for these issues, said that she had not seen the letter that the Home Secretary had sent to the panel, because she was in Burma.

This is a regrettable situation, and it needs to be brought to a conclusion. The Home Affairs Committee stands ready for confirmation hearings, and this is a big opportunity to draw a line under the past. Will the Home Secretary give a categorical assurance that once she has made her final decision, the full package will be put before the House so that we know exactly where the inquiry is going to go?

**Mrs May:** It is indeed the case that a member of the panel said that she had made a complaint to the Home Office about the conduct of the inquiry’s counsel. The Home Office can confirm that that complaint has been fully investigated, and that no evidence of bullying was found. As for the right hon. Gentleman’s final question, I intend to announce the name of the nominated chairman to the House, together with the details of the form that the inquiry will take thereafter. The Home Affairs Committee will then be able to hold its hearing, which, as we have discussed, is an important part of the process.

**Sir Alan Beith (Berwick-upon-Tweed) (LD):** I welcome the emphasis that the Home Secretary placed on the fact that the investigation of individual cases remains the task of the police. Justice will not be achieved unless, whenever possible, offenders are brought before the courts, and, if necessary, a police force other than the one in whose area the offence took place is involved.

**Mrs May:** My right hon. Friend is absolutely right, and I have been very clear from the start in my statements to this House and more publicly and in what I have been discussing with survivors and their representatives that this panel inquiry will not have the ability to investigate potential criminal acts that have taken place. That is rightly for the police, and we will be ensuring that where people come forward with such allegations, those allegations will be appropriately treated. The national policing lead in relation to these matters is working on ensuring that a proper system is in place so that any allegations are dealt with appropriately by police forces.
Sarah Champion (Rotherham) (Lab): I am afraid that this whole inquiry has now become a farce. It is very frustrating that my right hon. Friend the shadow Home Secretary has had to tell the right hon. Lady to come to the House, because what we need are transparency and clear communication. We also need not just an inquiry but a national taskforce, because this is a national issue and the regional forces do not have the capacity to deal with it.

Mrs May: I commend the hon. Lady once again for the work she has done, particularly on the child sexual exploitation that has taken place in Rotherham, but also the way in which she is using that experience to inform others to try to ensure both that we put in place the necessary support mechanism and that the terrible things that happened in Rotherham do not happen elsewhere.

I made it clear in my statement that I will come to this House once a decision about the chairmanship has been taken, and I was very clear in the letter I wrote to the panel inquiry members in December that that decision would be taken by the end of January. It is fully my intention to come to the House when that decision has been taken, as I indicated to the right hon. Member for Leicester East (Keith Vaz), to set the whole package before the House and for the House to be able to look at that.

The hon. Lady also raised a point that is not just about the work of the panel inquiry. I am also chairing a group of Secretaries of State who are looking more specifically at the allegations that arose in the Rotherham case, and which have, sadly, been replicated elsewhere, and particularly from the hon. Member for Stockport (Ann Coffey), who did important work with Greater Manchester Police on what happened in Greater Manchester. We are looking at the issue of support, and work is being done with local authorities to look at the support that is available and how they can identify and make sure these things are not happening.

Bob Blackman (Harrow East) (Con): My right hon. Friend will probably be aware that the Communities and Local Government Committee has conducted an inquiry into what happened in Rotherham and produced a report. We have now moved on to aspects of the Ofsted regime. My right hon. Friend may be aware from evidence that has now been presented that Ofsted in 2007, and right up until 2009, gave Rotherham a status of “adequate” when clearly it was not adequate at the time. As the same regime operated throughout the country, will my right hon. Friend ensure that when this inquiry takes place, the role of Ofsted, its inspection regime and the potential for failure to have occurred right across the country are adequately looked at?

Mrs May: I am grateful to my hon. Friend for raising the issues that have been looked at by the Communities and Local Government Committee. Of course, the Secretary of State did ask Louise Casey to review Rotherham council, and she has been doing that. The Secretary of State for Education is part of the Secretaries of State group that I mentioned in response to the hon. Member for Rotherham (Sarah Champion), and that group is looking at all aspects. It is looking not just at the local authorities’ response and the policing response, but at parts of the response under the remit of education and the role of Ofsted is coming into that. Work is therefore already being done, but of course the panel inquiry will be looking across the board at the state and non-state institutions that have a duty to protect children and how they are doing their job, and looking at what can be done to ensure that they are properly protecting children in future.

Simon Danczuk (Rochdale) (Lab): I have always held the Home Secretary in high regard, but this inquiry has become something of a complete shambles. It is so badly run that it is starting to make Chilcot look punctual and efficient. We now have no chair, no proper panel and no apparent means of finding any files. The Home Secretary mentions the file dealing with unnatural sexual behaviour at the top of Government. Why do the Government not now publish that file so that we can judge its importance, and who is going to be held accountable for the failure of this inquiry so far?

Mrs May: I recognise the significant campaigning the hon. Gentleman has done on this issue, as have other Members. A number of other Members of this House have been prepared to put their heads above the parapet on an issue that has sometimes not been easy to talk about, particularly in relation to some of the individuals who have been involved.

The hon. Gentleman said that there is no panel. There is a panel, which continues to meet and to do work. Since the last chairman resigned, it has continued to hold meetings with survivors and listening events. The panel has indicated that it will now delay any further listening events until the chairman is appointed, and I have said to this House, as I have to the panel members, that it was my intention to take a decision on the chairmanship by the end of January.

My understanding is that the Cabinet Office file to which the hon. Gentleman referred is being looked at to make sure that it can be passed to the National Archives, which would effectively make it public. That may require some redaction to take place, but I think everybody is aware that we want to ensure that the information that needs to be available is available.

Andrew Stephenson (Pendle) (Con): I welcome what the Home Secretary said in response to my right hon. Friend the Member for Chesham and Amersham (Mrs Gillan) about additional support for victim support groups. How does she expect the £2 million fund for organisations experiencing an increase in demand for services will help support the victims of these awful crimes?

Mrs May: There are a number of jobs that need to be done. First, it is important that specific allegations of criminal actions are properly investigated and that, where possible, people are brought to justice as a result. Of course, the panel inquiry then needs to look at whether those state and non-state institutions that had a duty of care were properly exercising it, and, crucially, at what lessons can be learned for the future.

Mr Tom Watson (West Bromwich East) (Lab): The revelations from Sky News yesterday about the document were significant and illuminating, and there is a clear public interest in knowing whether a former Prime
Minister received a briefing by a senior intelligence officer or officers on sexual crimes committed. Regardless of whether the inquiry gets to see the document, can the Home Secretary not commit to publishing the document now, in the public interest, or at least commit to giving it to members of the Home Affairs Committee as part of their inquiry?

**Mrs May:** I recognise the points made by the hon. Gentleman—another Member of this House who has campaigned long and hard on these issues. As I understand it, and as I said earlier, the file has been passed to the police so that they can look at any issues within that file that they should be properly investigating. I assure the House that the file will be made available—as it is my intention that all files should be made available—to the inquiry panel, so that it can be appropriately looked at and considered in its work.

**Duncan Hames** (Chippenham) (LD): We have seen in the criminal justice system that delays to investigations matter, not least because of the age, declining health and, ultimately, mortality of the accused, resulting in survivors being robbed of the opportunity to have their evidence heard in court. How does the Home Secretary propose to ensure that the circumstances surrounding such cases do not similarly fall out of the reach of the inquiry?

**Mrs May:** The hon. Gentleman is right that for those who have specific allegations of abuse, of criminal activity having taken place, it is important that those be properly investigated. It is possible to bring people to justice some years after the events about which allegations were made. I refer the hon. Gentleman, for example, to the work of the National Crime Agency through Operation Pallial in north Wales, where an individual has been prosecuted despite the fact that the allegations concerned incidents that took place some years ago. We are already ensuring that allegations that come forward are properly passed to the police, not waiting for the inquiry to get fully up and running before doing so. Those allegations are being properly looked at.

**Mr Dennis Skinner** (Bolsover) (Lab): There have been a lot of casualties in this very sensitive process. Has the Home Secretary, with the great authority the Home Office holds, ever considered that she might be the problem? Has she considered the unthinkable? Has she considered resigning?

**Mrs May:** I am firmly committed, as are all Members of this House, to ensuring that we get this inquiry up and running fully, with a chairman. I have apologised to the House and to the survivors for the fact that two chairmen have resigned, but I would also say to the hon. Gentleman that it is this Government who agreed to set up this inquiry. Yes, we are now in a position where we have to look for a further chairman, but we have a panel set up and it is our intention to ensure that that inquiry gets fully up and running with a chairman and that we get to the truth. That is what everybody wants.

**Mr David Nuttall** (Bury North) (Con): The Home Secretary is absolutely right to proceed with care and caution in the appointment of a new chairman, because it is essential that whoever is chosen should be the right person for the role. Is she confident, however, that once the new chairman is appointed, the inquiry will report in a shorter period of time than the Chilcot inquiry is taking?

**Mrs May:** My hon. Friend makes an important point. The inquiry will be looking into significant issues and it will not be able to come to decisions in a short space of time. However, the panel members I have spoken to are clear—as am I—that they should recognise the need for striking a balance between getting to decisions and ensuring that they are doing the full job. This is not an inquiry that should simply be pushed into the long grass, and we need to have some answers for the survivors within a reasonable period of time. I have said before in the House that the inquiry panel, under the new chairman, will have to look into whether they report to survivors and survivors groups, to this House and more widely on a more ongoing basis than would normally be the case, because of the nature of the issues that they are dealing with.

**Mr David Winnick** (Walsall North) (Lab): I do not for one moment doubt the Home Secretary's commitment to holding a thorough inquiry, but does she acknowledge that if someone had set out to wreck the whole process from the very beginning, that person could not have done a more effective job than this? I hope she recognises that this is a tragedy. It goes beyond Ministers or Back Benchers or anything of the kind. As far as the survivors are concerned, what has occurred is a tragedy—first, when they were abused, and now with what appears, to them at least, to have been a farce since the inquiry was established.

**Mrs May:** I recognise that survivors will rightly be concerned to ensure that the panel inquiry is established on the basis on which they wish it to be established, with a chairman, and that it gets on with its role. As the hon. Gentleman will be aware, when the inquiry was first established, it was based on the model that we had used for the Hillsborough inquiry, which had been very successful. We felt that that was an appropriate model to use in the circumstances. In discussions with survivors and others, however, it became clear—particularly from the survivors—that they felt that statutory powers were needed, which is why I have indicated that when the inquiry continues under a new chairman, it will do so on a statutory basis.

**Mr Philip Hollobone** (Kettering) (Con): I think my right hon. Friend said that she had received 150 nominations for the post of chairman. Given that we have now moved on from that long list, will she tell us how short the shortlist is from which she is now operating?

**Mrs May:** We have brought that list down, and it is now quite a short list. I will not give the House any more details at this stage because I have undertaken that we will discuss this matter with the survivors and their representatives. I believe that that is an important first step.

**Chi Onwurah** (Newcastle upon Tyne Central) (Lab): One consequence of the ongoing delays and confusion surrounding this important inquiry is the continuing lack of a clear understanding of, and provision for, the
needs of survivors in terms of support, counselling and mental health treatment, where appropriate. Practices and capabilities are very different around the country. Will the Home Secretary tell us what she is doing financially to support the delivery of better practice in this important area?

Mrs May: Yes, that is an important aspect. It is something that has emerged not only in relation to this inquiry, but post the Rotherham work and the report from Professor Alexis Jay. The whole question of what support is available to victims has been an important issue. A number of things have been happening. As I mentioned earlier, in response to my right hon. Friend the Member for Chesham and Amersham (Mrs Gillan), a sum of money is being made available to groups that are dealing with the victims and survivors who have come forward. Often it is those groups that are the first port of call for individuals, and it is important that they are giving that support. But we are doing other things as well. We have been working with the Department of Health in looking at the specific support that it can offer. We are also looking at the interaction of the various agencies in a particular area, including local authorities—we have been actively doing that post-Rotherham—and the availability of support for survivors and victims. Not everybody will have the same needs or the same wishes with regard to support. What is important is that a range of support is available, and that people can see where they can access the support that suits them best.

Steve McCabe (Birmingham, Selly Oak) (Lab): The Home Secretary said earlier that this missing file may turn out to be a duplicate, which would obviously put a different complexion on events. Given the cloud of suspicion, I cannot believe that it can take more than a couple of days to clarify whether it is a duplicate or a withheld file. Will she agree to come back to the House next week and tell us which it is?

Mrs May: Work is being actively done to look at that file to see whether it is a duplicate. I have made it clear to the House that I intend to take a decision on the chairmanship and the nature of the inquiry by the end of January and that shortly after that I intend to report to the House on that matter. [Interruption.] The hon. Gentleman might recognise that the end of January is only about a week away. Shortly after that, I intend to come to the House to make a statement, in which I will include the issue that he has raised.

Cathy Jamieson (Kilmarnock and Loudoun) (Lab/Co-op): Having served on an inquiry team that looked into abuse in residential child care in Edinburgh, I have some understanding of the issues and the sensitivities involved. However, I have been horrified at the delay, which is obviously having an impact on survivors. Will the Home Secretary assure us that whatever model she adopts, there will at least be a representative of the survivors organisation on that panel and that the survivors will continue to be fully informed, otherwise this inquiry will have no credibility whatever?

Mrs May: I am happy to give that undertaking. When we set up the initial panel, we ensured that survivors were on it to give their experience. I am very happy to give the undertaking that there should be survivors and/or their representatives on the panel inquiry as it goes forward. Another issue that we have been considering, and that the new chairman will wish to consider, is how to ensure that we have the maximum ability to work with survivors. As membership of the panel will be limited, we may have to do that through groups that are advising the panel and that are additional to it.

Paul Flynn (Newport West) (Lab): The Home Affairs Committee was told that there will be an investigation into allegations that Whips in this House have concealed evidence of paedophilia by Members in order to blackmail them in the Division Lobby. The range of investigations being carried out by this committee is vast, involving tens of thousands of incidents. Is it not right that we look again at the scope of the investigation, because it is unlikely that it can achieve the expectations of the victims within a reasonable time, and should we not look at more forensic investigations that can be attainable with results in a reasonable time?

Mrs May: It is important that the terms of reference do not leave out anything in the work of the inquiry panel. How the chairman, when appointed, will wish to take that forward as regards the specific areas they want to consider will be a matter for them. It has been made very clear by survivors in discussions with me and others that they want to ensure that the inquiry does not inadvertently or deliberately leave out areas that they feel it should cover within the geographical limits that we have set, of England and Wales. On the hon. Gentleman’s first point, I have written to party leaders to ask them to ensure that their parties co-operate fully with any requests from the inquiry.

Ian Lucas (Wrexham) (Lab): The Home Secretary set up the Macur review into the Waterhouse inquiry in north Wales more than two years ago and it is yet to report. There is growing expectation in north Wales that it will not report until after the general election. Is the Home Secretary aware that that is contributing to a collapse in confidence in the political process that has affected all of our reputations? Will she please pull the inquiry together and hasten the release of the Macur review?

Mrs May: Once inquiries are set up, it is up to those who are conducting them to decide how they wish to conduct them and when they will publish the results. As I have already said, the work in north Wales has resulted not just in the review but in Operation Pallial, which has had an impact and has identified at least one individual who has been prosecuted.

Huw Irranca-Davies (Ogmore) (Lab): Key to the success of the inquiry will be the stalwart confidence of the survivors and relatives and of the broader public, yet that confidence has drained away day by day, week by week and month by month. I do not doubt the Home Secretary’s sincerity and commitment one jot, but what assurance can she give that she can restore that confidence? Without it, the inquiry is doomed.
Mrs May: The hon. Gentleman is absolutely right that the inquiry must have the confidence of the survivors and that is why the two chairmen who had previously been appointed resigned. They felt that they did not have the confidence of survivors. I do not see quite the same picture as him as regards survivors, as in the meetings that I and others have with survivors we have been keeping them informed about matters as they go forward. Of course it is important that survivors have confidence in the inquiry, and that is why it is my intention to involve them in discussions about the appointment of the chairman.

Kate Green (Stretford and Urmston) (Lab): More survivors are coming forward to the police, so could the Home Secretary say something about police practice in dealing with them? In particular, is she encouraging the police to go beyond what I understand to be current guidance, which is to hand victims an agency referral sheet and on an exceptional basis to make an introduction to support services? What is she doing to encourage the police to facilitate access to support for those survivors who seek it?

Mrs May: The hon. Lady makes an important point. Obviously, the police have one role to play and, generally, supporting victims requires others to step in. I will look at the guidance she mentions. I have had discussions with the national policing lead on the approach they are taking to allegations and Home Office officials have continued to talk to the police about ensuring that we set out the right route so that people who make allegations are given the right support during the investigation. Work is also being done on the support that will be available for those who come to the inquiry with allegations, which would of course follow a separate track to any information given by the police. We need to ensure that whoever the survivors interact with they are given the information they need and that they can have access to support.

Andy Sawford (Corby) (Lab/Co-op): Further to the question asked by my hon. Friend the Member for Ogmore (Huw Irranca-Davies) about the confidence of survivors, in my experience, having talked to some survivors, these people have very little confidence in a system that they feel has failed them. The appearance over the past six months or so is of an establishment stitch-up. I appreciate that that is not necessarily the fault of the right hon. Lady, who has good intentions, but that is how it appears to the public. She says, “I make a decision,” but can it be, “We make a decision,” so that we can be inclusive and so that from the outset survivors have confidence in the chairperson?

Mrs May: I have already said in response to a number of hon. Members that we will be having discussions with survivors about exactly that. The hon. Gentleman is absolutely right. It is important that people have confidence in the inquiry and that they do not believe that there is any attempt to cover anything up or somehow to push the inquiry off. That is absolutely not the case. It is my intention that the inquiry will be fully up and running with a new chairman soon, and I have given the timetable on which I wish to make a statement to the House.

Kerry McCarthy (Bristol East) (Lab): The Home Secretary has repeatedly said that the decision on the new chairman will be made by the end of January, which is next week on Saturday. She has also said that there is quite a short list, that she wants to consult on that shortlist with survivors, and that once the appointment is made due diligence needs to be carried out. Is she confident that all that can be done next week without the risk of yet another farce and another chairman who is not acceptable to the survivors?

Mrs May: I think that the hon. Lady has slightly misunderstood my comments on due diligence. Due diligence has already been done, and further due diligence work is being done, so we will not be starting ab initio from the nomination of an individual. Obviously, in getting to the shortlist, a lot of work has been done in terms of the suitability of individuals to undertake this role. So a lot of the work has already been done.

Ann Coffey (Stockport) (Lab): As the Home Secretary will understand, one of the problems identified in past reviews of child abuse cases is that children’s services and police did not always recognise that the children were being sexually exploited. They were often referred to as making lifestyle choices or as child prostitutes. Does she agree that if a lesson is to be learned it is that language is important, and that this place should take the lead in stripping “child prostitution” from all the existing legislation and substituting “child sexual exploitation”, which is what it is?

Mrs May: I fully understand the point that the hon. Lady makes. The language of “child prostitution” has come up elsewhere, particularly in the Modern Slavery Bill that is going through the House. She is right: language does matter. But what also matters is the attitude that leads to that language. Using the correct term of “child sexual exploitation” is important. The sort of attitudes that were set out so graphically in Professor Alexis Jay’s report, whereby police and others appeared to take the view that this was the sort of thing that would happen to girls like that, is utterly appalling—a point I have made to the House previously. We cannot allow that attitude to continue, and we must ensure that we take every measure to ensure that those attitudes change.
Draft Scotland Clauses

11.18 am

The Parliamentary Under-Secretary of State for Scotland (David Mundell): With permission, Mr Speaker, I wish to make a statement to the House about the further devolution process in Scotland and the publication of draft clauses to implement the Smith commission agreement.

The draft clauses published today deliver a substantial package of new powers to the Scottish Parliament. We are publishing ahead of the Burns night deadline, demonstrating the Government’s commitment to honouring the vow made to the people of Scotland during the referendum and meeting the timetable we set out during the referendum to deliver further powers to Scotland.

The referendum on independence on 18 September 2014 saw Scotland vote decisively to remain within our United Kingdom family of nations, retaining the strength, security and stability of being part of the UK. But the Scottish people did not vote for no change. During the referendum campaign, the Prime Minister, the Deputy Prime Minister and the Leader of the Opposition, made a joint commitment to deliver more powers to the Scottish Parliament.

The Smith commission, chaired by Lord Smith of Kelvin, was the result of that commitment. All five main parties in Scotland came to the table and reached agreement on the proposals for further devolution to Scotland within the United Kingdom. The Government welcomed the fact that this was the first time that all of Scotland’s main parties had taken part in a process to decide the future of devolution. This landmark agreement was signed by all five parties. I am grateful to Lord Smith and the members of the commission for their work.

The commission’s heads of agreement were published on 27 November and the Government committed to bring forward draft clauses to implement the agreement by Burns night, 25 January. This was a challenging timetable, but, by publishing a Command Paper and draft clauses today, I am pleased to say that the Government have delivered on their commitment in advance of that deadline.

The clauses published today will make it possible quickly to translate the Smith commission agreement into law at the beginning of the next Parliament. The draft clauses provide for an already powerful Scottish Parliament to become further empowered and more accountable to those who elect it. As a result, the Scottish Parliament will become one of the most powerful devolved Parliaments in the world.

I will begin with the constitutional measures. The biggest transfer of powers to the Scottish Parliament and Scottish Ministers since the start of devolution comes with greater flexibility for the Scottish Parliament and the Scottish Government to manage their own arrangements, with statutory recognition of the enduring place of a Scottish Parliament in the UK’s constitutional arrangements. Our commitment to the process has already been evidenced by the steps the Government have taken to enable the Scottish Parliament to extend the franchise to 16 and 17-year-olds in time for the 2016 Scottish Parliament elections, with an order now laid before both Parliaments.

On the fiscal framework, the package gives greater financial responsibility to the Scottish Parliament with an updated fiscal framework for Scotland, consistent with the overall UK fiscal framework. As the Smith commission agreement set out, the new fiscal framework will be agreed and implemented jointly by the UK Government and the Scottish Government through the Joint Exchequer Committee, with suitable engagement with both the UK and Scottish Parliaments. For the first time, more than 50% of the money spent by the Scottish Parliament will be funded by the Scottish Parliament. This is an important step that builds on the measures brought forward by this Government in the Scotland Act 2012 and further increases the financial accountability of the Scottish Parliament to the people of Scotland.

Under the tax clauses, Scotland will receive extensive new tax powers without losing the essential elements of our unified tax system that support the single market and make the UK such an attractive place to do business. The Scottish Parliament will be given the power to set the rates of income tax and the thresholds at which these are paid for the non-savings and non-dividend income of Scottish taxpayers. This is the most significant tax in Scotland and a powerful redistributive tool.

The first 10 percentage points of the standard rate and the first 2.5 percentage points of the reduced rate of value added tax will be assigned to the Scottish Government. This means that the Scottish Government will retain half the VAT revenue generated in Scotland. The clauses also give the Scottish Parliament the power to charge a tax on air passengers departing from Scottish airports and on commercial exploitation of aggregate in Scotland.

The welfare clauses provide for key welfare measures to be designed by and delivered in Scotland. The Scottish Government will be responsible for a number of benefits, including those for disabled people and carers. Issues relating to long-term unemployment will be tackled with specific consideration of local circumstances. As set out by the Smith commission, universal credit will remain reserved, but the Scottish Government will have certain flexibilities, including the power to vary the housing cost element. Scotland will continue to share the benefits and strengths of the UK-wide system for pensions, labour market benefits and Jobcentre Plus.

Additional clauses build on the already significant powers of the Scottish Parliament and Government in a range of other policy areas. To give a few examples, there are new powers for the licensing of onshore oil and gas extraction, powers to introduce gender quotas in respect of public bodies in Scotland, and powers to police the railways. Together, these clauses give greater responsibility for more decisions affecting Scotland to be made in the Scottish Parliament and paid for by revenue raised by the Scottish Parliament.

Later today, the Prime Minister and ministerial colleagues will host an event in Edinburgh to present the Command Paper and clauses to representatives of civic Scotland. This will signal the next phase of the work.

The clauses are presented today in draft. They will require further preparation to make them ready for their introduction in a Scotland Bill in the next Queen’s Speech. It has become clear that this legislation will be taken forward by whoever leads a Government after the general election. To get the clauses fully ready, the Government wish to engage with experts from civic
Scotland. We are also committed to engaging with the Scottish Government and Her Majesty’s Opposition ahead of finalising the clauses for introduction. Questions of commencement and implementation will need to be answered, and in order to do this we will need to understand what the Scottish Government intend to do with the new powers. It will be necessary for the fiscal framework to be agreed alongside the introduction of the Scotland Bill.

Lord Smith made further observations to which we need to pay heed. In some areas, he recommends further devolution from the Scottish Parliament to local authorities in Scotland. He also recommended better working between the two Governments and the two Parliaments.

The Command Paper and draft clauses provide for a responsible and accountable Scottish Parliament inside a strong United Kingdom. By publishing ahead of time, the Government are demonstrating that they are meeting their guarantee to the people of Scotland. The clauses ensure a set of proposals that do not cause detriment to the UK as a whole or to any of its constituent parts.

The Government remain committed to ensuring that Scotland and the whole of the United Kingdom continue to prosper from our single domestic market, our social union, and the strength that comes from the pooling and sharing of risks. People in Scotland made it clear that they want to keep the advantages of a UK pound, UK pensions, UK armed forces, and a strong UK voice in the world. These clauses allow that to happen.

This is the package that Scotland voted for, it is what all parties in the Smith commission process signed up to, and it is what this Government are delivering today. I commend this statement to the House.

11.27 am

Mr Russell Brown (Dumfries and Galloway) (Lab): I thank the Minister for advance sight of his statement.

Today we mark another milestone in the delivery of the vow made to the people of Scotland before the independence referendum in September. The timetable set out by my right hon. Friend the Member for Kirkcaldy and Cowdenbeath (Mr Brown) during the referendum campaign has now been exceeded at every stage, with a Command Paper on the process towards further powers just 25 days after the referendum; the conclusion of the Smith commission and agreement by all five of Scotland’s political parties before St Andrew’s day just 10 weeks after the referendum; and today, ahead of schedule, just 18 weeks after the referendum, the draft clauses that will form the basis of the next Scotland Bill.

Before I turn to our response to the draft clauses and the Command Paper laid before the House, I want to provide an absolute guarantee from the Labour Benches. As my right hon. Friend the Leader of the Opposition has made clear on a number of occasions, the powers agreed by Smith will be delivered, and the next Labour Government will include a new Scotland Bill in our first Queen’s Speech. Labour created the Scottish Parliament in 1999, we supported more powers for the Parliament in 2012, and we will create a powerhouse Parliament with these new powers when we are in government.

Labour made it clear at the outset of the Smith commission process that we wanted a settlement that, first, respected the outcome of the referendum, namely a strong Scotland inside a UK where we pooled and shared risk; secondly, moved the maximum possible power from Westminster to the Scottish Parliament; and, finally, did not make Scotland worse off.

We are satisfied that the Smith commission delivered that outcome and we can say with confidence that with these clauses we will be delivering home rule—the full powers that Scotland needs. As the Command Paper notes, the powers the clauses will confer on the Scottish Parliament will mean that it will control about 60% of spending in Scotland and retain about 40% of Scottish tax. That will make it the third most powerful devolved Assembly in the OECD.

Before I turn to the detail of the clauses, I wish to press the Minister on two areas that I hope he will address in his reply. The Command Paper makes explicit reference to the Barnett formula and the agreement of all five parties during the Smith commission to its continuation. Can the Minister provide any more clarity about how the adjustment to the block grant will take place and how discussions with the Scottish Government to agree that are progressing?

I also wish to press the Minister on an item on page 40 of the Command Paper, which reproduces the following commitment from Smith:

“MPs representing constituencies across the whole of the UK will continue to decide the UK’s Budget, including Income Tax.”

Given the Chancellor’s comments at the Treasury Committee on Tuesday, can the Minister provide an absolute reassurance that that part of the Smith agreement will be respected, as it is not addressed in the paper?

I now wish to turn to the detail and the precise powers that the clauses will confer specifically over job creation, tax and social security. The clauses confer full power over income tax and a number of other taxes. We welcome the clarity provided by the Command Paper on the areas to be devolved. We welcome the extension of powers over VAT, which go further than the proposals of the Smith commission, but will the Minister explain why that change was made?

On welfare, the clauses will transfer extensive new powers on the Scottish Parliament, including powers worth £2.5 billion for welfare spending and the powers to create new benefits. Will the Minister confirm that the clauses as drafted respect the spirit and the letter of the Smith agreement and allow the Scottish Government to create new benefits? Will he also explain the process that will now be undertaken to examine in more detail the consequential arrangements to adjust the Scottish block grant to reflect what will now be devolved to the Scottish Parliament?

On job-creating powers, my hon. Friend the Member for Glasgow East (Margaret Curran) has already raised with the Secretary of State, and at Scottish questions, our desire to see the job-creating powers of the Work programme passed to Scotland at the earliest opportunity. It continues to be our view that that could be achieved by using a section 106 order to transfer responsibility to the Scottish Government immediately. That would reduce any uncertainty about the effect of continuing contracts in Scotland and it would allow others to start to remedy the failure of this Tory Government’s Work programme in Scotland, which sees only one in five people into a job. Will the Minister consider again the introduction of those powers now?
[Mr Russell Brown]

Finally, I would welcome more clarity from the Minister on the devolution of the Crown Estate. Will he clarify the process that will be followed to determine the transfer scheme and how long it might take? Will he also explain how the Government will ensure that the Smith commission's recommendation that the powers be further devolved to our island communities will be seen through? Many in our rural and island communities will want guarantees about the devolution of the Crown Estate and that the powers will be passed to the islands as both the UK and Scottish Governments promised during the referendum.

This is another milestone in Scotland's home rule journey. The Smith agreement was the response to the call for change that we heard, and today one thing is clear: Scotland will have a powerhouse Parliament.

David Mundell: I very much welcome the hon. Gentleman's commitment, and indeed that of his party both in Scotland and across the United Kingdom, to the implementation of the Smith commission proposals. The position could not be clearer: whichever party is in government after the next general election, the proposals will be taken forward in the Queen's Speech.

The hon. Gentleman raised a number of issues. The Prime Minister, the Leader of the Opposition and the leader of the Liberal Democrats have made it very clear that the Barnett formula is here to stay. The discussions on the creation of the fiscal framework will have to take into account the additional revenue raised by the Scottish Parliament. It is very important for MPs from Scotland to make it clear to our colleagues that the Scottish Parliament's additional ability to raise funds will not be in addition to the block grant that it receives, because an amount still to be calculated will be deducted from the block grant under the Barnett formula.

The hon. Gentleman raised the issue of VAT. The Smith commission clearly made a recommendation on the standard rate of VAT, and the Government feel that it is entirely consistent to apply the same recommendation to the lower rate—the 5% rate—of VAT. That will ensure that Scotland receives 50% of the revenue raised.

The hon. Gentleman raised several issues about the welfare proposals. We and the Scottish Government have established a joint welfare working group at ministerial level—I will co-chair it with Alex Neil, the Scottish Cabinet Secretary with responsibility for such matters—which will take forward some of the issues. I assure the hon. Gentleman that the Scottish Parliament will have full legislative responsibility for the Work programme. As I understand it—I will provide confirmation—my right hon. Friend the Secretary of State has already written to the hon. Member for Glasgow East (Margaret Curran) to set out why he and the Government do not believe that the section 106 route is the right way to transfer the programme. If the letter has not already been delivered, I will ensure that the hon. Gentleman receives a copy.

Of course we will proceed on the basis of good faith in relation to the Scottish Government and further devolution within Scotland. The hon. Gentleman will be aware that the Scottish Cabinet is coming to Dumfries on Monday, which will be a good opportunity for the Scottish Government to demonstrate that they are listening to people outwith the central belt of Scotland. I am sure that they will discuss the Crown estate, which is certainly an important issue in my constituency.

If I have not covered all the points made by the hon. Gentleman, I will write to him about those matters.

Sir George Young (North West Hampshire) (Con): The coalition Government have moved with commendable speed to meet the aspirations of the Scottish people, and I welcome the statement. Does my right hon. Friend agree that the Government should now move with equal speed to meet the aspirations of the English?

David Mundell: As has already been made clear from the Dispatch Box, the proposals for Scotland are stand-alone proposals that will proceed whatever arrangement is reached for other parts of the United Kingdom. My right hon. Friend the Leader of the House has published a Command Paper setting out various options in relation to England, which I am sure will continue to be the subject of vigorous debate in the House.

Mr Alistair Darling (Edinburgh South West) (Lab): I, too, welcome the statement, and the production of draft clauses exactly to the timetable promised during the referendum. May I press the Minister on one matter on which he conspicuously did not respond to my hon. Friend the Member for Dumfries and Galloway (Mr Brown)? The Smith commission recommended that all Members of the House would decide on the Budget, which is all very well and good. That appears to have been accepted in the Command Paper, but it is entirely inconsistent with what the Chancellor and the Prime Minister have said during the past few weeks. Does the Minister accept that any future reforms will have to be fair, but must not undermine the fiscal integrity of the United Kingdom? If they did so, we would end up with all the restrictions we see in the eurozone, which no one in this country—north or south of the border—wants.

David Mundell: Nobody in the House, with the exception of one party, wants to see the fiscal nature of the United Kingdom undermined in any way, and my right hon. Friend the Chancellor most certainly does not. He has made it clear that as we move forward with the different settlement in Scotland, there will be elements of the Budget that do not apply to Scotland. Clearly it is appropriate, as there is a debate about the governance of England, to debate that matter too.

Sir Malcolm Bruce (Gordon) (LD): My constituents in Gordon overwhelmingly rejected independence and declared their support for the United Kingdom. They will certainly welcome the statement. However, they are concerned that it is the responsibility of the Scottish Government to provide devolution within Scotland. The people of Gordon feel extremely let down by the Scottish Government, who have diverted resources and powers away from them, leading to a crisis right across our public services.

There is also an abuse of the term “home rule”. Apparently, to the SNP it means everything except foreign affairs and defence, which means that it does not address the single currency, the single market or the single welfare system. In other words, it means...
independence. Nobody should be in any doubt that voting for the SNP is voting to break up the United Kingdom.

**David Mundell:** I certainly agree with the right hon. Gentleman's final statement. We have to move the debate on, so that it is a debate about what the powers of the Scottish Parliament are used for, and, rather than a debate about powers, which always seems to be predicated on blaming someone else for the lack of action by the Scottish Government. I hope that today will be a watershed and that the debate in Scotland will be about what the Scottish Government are doing with the extensive powers the Scottish Parliament has and those that it is going to receive.

**Pete Wishart** (Perth and North Perthshire) (SNP): How come the UK austerity parties are so far behind the curve when it comes to more powers for the Scottish people? The Scottish people thought that they were getting real home rule, as the right hon. Member for Gordon (Sir Malcolm Bruce) described it, or “almost federalism”, which is the phrase that was used. Instead, we have this veto-ridden document. Is not the only way the Scottish people will get the further powers they want by having more SNP MPs? That is why we are at 52% in the polls.

**David Mundell:** I could not disagree more with the right hon. Gentleman, but he would not expect it to be otherwise. Some of the questions that he has raised today and on other occasions need to be addressed to John Swinney and Linda Fabiani, who were the SNP members of the Smith commission. If these powers were so important to them, why were they not deal-breakers in reaching the Smith agreement? Instead, they signed an agreement at 8 o'clock one night and at 8 o'clock the next morning, they set about deriding it. This agreement is what the people of Scotland voted for by a significant majority. More than 2 million people in Scotland voted for a Scottish Parliament with more powers, and that is what the draft clauses deliver.

**Mr Andrew Tyrie** (Chichester) (Con): It is right to honour the vow and I warmly welcome the Minister’s announcement. Does not the big increase in devolved powers from this place to Scotland that is embodied in the announcement highlight the need finally to address the West Lothian question? It cannot be right that Scottish MPs should continue to vote on English-only issues and laws in such circumstances. The English and the Welsh need more than a say. Is it not necessary, in order to buttress the Union as a whole, that they have the power to decide whether such a measure is acceptable to them?

**David Mundell:** I absolutely agree with my hon. Friend, and I think that most people in Scotland would agree with his sentiments. However, it is always important to make it clear in such discussions in this Parliament, in case they are misrepresented, that this is a stand-alone package of measures that will be implemented regardless of where the debate in England, Wales and Northern Ireland goes.

**Mr Ian Davidson** (Glasgow South West) (Lab/Co-op): May I ask the Minister about pensions and benefits? Will he confirm that, under the Smith commission’s proposals, although the pensions system is being reserved, which will provide a floor level for pensioner income in Scotland, things like the winter fuel payment are being devolved, which will effectively allow the Scottish Parliament to double pensioner incomes in Scotland, if it is willing to pay for it? Similarly, will he confirm that the Scottish Parliament will be able to increase every welfare benefit in Scotland through the use of discretion, should it wish to do so, because some benefits are being devolved entirely and those that are not being devolved will have a floor level set by the United Kingdom, meaning that it will be entirely up to the Scottish Government whether they wish to make the money available to double, treble or quadruple any of those benefit levels?

**David Mundell:** I agree with the hon. Gentleman. If he refers to pages 50 and 49 of the Command Paper, he will find a good summary of the benefits for which full responsibility will be devolved to the Scottish Parliament, and of the measures related to universal credit. Although universal credit will remain reserved, as was agreed by all five parties to the Smith commission, the housing element will be subject to Scottish Government engagement. The hon. Gentleman is right that with their new powers, the Scottish Government will now have a responsibility and will need to explain whatever decisions they take to the people of Scotland.

**John Thurso** (Caithness, Sutherland and Easter Ross) (LD): May I, too, commend the Government for publishing the clauses and making this statement? The Smith commission recommendations, if properly enacted, are a blueprint for home rule delivered, and the clauses will ensure that. However, the devil is always in the detail, and it will require good will to work through the process in the coming months and ensure that the recommendations are properly enacted. What will the Government do to ensure that there is good will from all parties in the process, so that we do not have a jam further down the line, which the Scottish people would never forgive?

**David Mundell:** I assure my right hon. Friend that I am personally committed to that good will, and the recent meetings that I have held with Alex Neil to discuss welfare matters, for example, have been extremely constructive. The Prime Minister is meeting the First Minister today, which I am sure will also be a constructive dialogue, and the Secretary of State is in almost constant dialogue with the Deputy First Minister, who has responsibility for constitutional matters. Scottish Government and UK Government officials also work extremely well together. I give my right hon. Friend the undertaking that we are committed to delivering not just the letter of the Smith commission proposals but the spirit of them.

**Gregg McClymont** (Cumbernauld, Kilsyth and Kirkintilloch East) (Lab): The extensive income tax powers that are to be devolved to the Scottish Parliament will give Scotland the opportunity to make different decisions on taxation. The Scottish Labour party is committed to restoring the 50p rate of income tax for those earning more than £150,000 a year. Will the Minister join the Scottish Labour party in supporting that policy, putting some clear blue water between the Conservative party and the SNP, which refuses to support the restoration of the 50p rate?
David Mundell: I thought the hon. Gentleman was asking me to join the Scottish Labour party, which I understand I can do for just £1 at the moment. Although I do not seek to endorse any particular policy of the Scottish Labour party, I welcome a debate on these issues in Scotland. We need a debate on the use of the powers and the difference they can make in Scotland, not simply a debate on the powers themselves.

Mr Alan Reid (Argyll and Bute) (LD): I congratulate the Government on delivering this significant package of powers ahead of schedule, which will bring about a powerful Scottish Parliament. Will the Minister confirm that the Government have completely rejected the submission that the SNP made to the Smith commission to replace the Barnett formula with disappearing oil revenues? It was revealed at a Scottish Affairs Committee hearing that if the black hole were made up purely out of income tax, it would mean a staggering 14p in the pound increase in Scottish income tax rates.

David Mundell: The Scottish Affairs Committee is to be commended for its work on the impact that the falling oil price would have on the figures given in the Scottish Government’s White Paper. My hon. Friend is quite right to highlight that black hole.

The position on the Barnett formula is quite clear: the Prime Minister, the Leader of the Opposition and the leader of the Liberal Democrats have made it absolutely clear that the Barnett formula will continue.

Mr John Denham (Southampton, Itchen) (Lab): As a result of this statement it is much clearer what the governance of Scotland will be; it is much less clear what the governance of England will be, and which decisions will be retained at UK level. The paper produced by the Leader of the House before Christmas was inadequate and inconclusive. Is it time for a clear statement that considers all aspects of the governance of England, where power should lie, and how decisions should be taken?

David Mundell: It is to be welcomed that the referendum in Scotland and the Smith commission have brought about debate in England about governance within England, and that discussion is clearly ongoing. I do not accept the right hon. Gentleman’s comments about the Command Paper produced by my right hon. Friend the Leader of the House, as that is a significant part of the debate.

Dame Anne Begg (Aberdeen South) (Lab): If 50% of the money spent by the Scottish Parliament will be funded by the Scottish Parliament, is it about time that an independent body, like the Office for Budget Responsibility, is set up in Scotland to ensure that spending is scrutinised properly? Is the Minister aware of whether the Scottish Government plan to publish a timetable of when the powers that they currently hold, or will receive, will be further devolved to local level?

David Mundell: The hon. Lady makes a good point, and I am sure that our counterparts will want to raise that issue in the Scottish Parliament to ensure that the Scottish Government set out a timetable for devolution. Of course a strong body—an equivalent to the Office for Budget Responsibility—is required, and I am sure that that will be discussed as we go forward with the fiscal framework.

Mr Tom Clarke (Coatbridge, Chryston and Bellshill) (Lab): Does the Minister accept that nothing in this decent and honourable document diminishes the standing of local government, given that local authorities deliver more, day by day, to ordinary people than the Scottish Parliament or even this House?

David Mundell: I absolutely agree, and I was appalled by the comments of Joan McAlpine MSP in relation to denigrating local government in Scotland. Local government in Scotland currently does an excellent job under very difficult circumstances. We need devolution within Scotland, not the ever-centralising nature of the current Government.

Mr Mike Weir (Angus) (SNP): The Minister claims a substantial transfer of powers, but is it the case that many new powers, for example those regarding benefits or fuel poverty, remain subject to a veto by UK Ministers?

David Mundell: That is the hon. Gentleman’s almost inevitable interpretation. The position on consultation and working together is that the Department for Work and Pensions will continue to administer benefits and therefore clearly needs to work with the Scottish Government on that. The Scottish Government will have the capacity to take forward arrangements as they choose. [Interruption.] Perhaps we are already getting a flavour of what we will see continuing in Scottish politics—when the SNP does not deliver the promises on welfare that it makes to the people of Scotland, it will be somebody else’s fault.

Pamela Nash (Airdrie and Shotts) (Lab): I remain concerned about some of the responses that the Minister has given to my hon. Friends, regarding MPs who represent Scottish constituencies voting with their colleagues across the UK on the Budget, including income tax. He said that there was a commitment to honour the wording and spirit of the Smith commission. The Smith agreement is explicit that that power will be retained, and many believe that that is necessary in order for Scottish people to be represented equally in this place with people across the UK. Will the Minister confirm whether the Conservative party will stick to the commitment in the Smith agreement and support Scottish MPs voting on the Budget, including income tax?

David Mundell: The hon. Lady obviously did not hear my response to the former Chancellor, the right hon. Member for Edinburgh South West (Mr Darling). As my right hon. Friend the Chancellor indicated earlier this week, the Budget will be framed in a different way after powers have been transferred to Scotland. It is wholly appropriate to hold a discussion and debate on matters that apply solely to England, or to England and Wales, about who makes decisions in that regard.

Cathy Jamieson (Kilmarnock and Loudoun) (Lab/Cop): I would like to press the Minister slightly further on the response he gave to my hon. Friend the Member for Airdrie and Shotts (Pamela Nash). At some stage the Budget has to be taken as a whole entity, because it
has implications right across the UK. It was clearly the intent of the Smith Commission that all Scottish MPs would have a vote on that Budget. Will the Minister give a simple yes or no answer: will that now happen?

David Mundell: I made that very clear in my previous answers. What I welcome from both hon. Ladies is a willingness to engage in the debate on which MPs should vote on which matters. It is disappointing that the Opposition more widely have not been prepared to engage with the Command Paper and the debate instigated by my right hon. Friend the Leader of the House. Let us have that debate on the governance of England and let us all make our contributions to it.

Mr William Bain (Glasgow North East) (Lab): Can the Minister confirm that, with the proposals before the House today, if the Scottish Parliament chooses to introduce discretionary payments, which would effectively top up even reserve benefits such as unemployment benefit or employment and support allowance, that will be a decision purely for the Scottish Parliament and that this Parliament does not have a veto? Does he agree that these powers would make the Scottish Parliament one of the most extensive welfare Parliaments anywhere in the world?

David Mundell: Yes.

Sandra Osborne (Ayr, Carrick and Cumnock) (Lab): I thought my ears were deceiving me when I heard the Minister say that there would be powers for gender quotas in public bodies in Scotland. That is excellent news, and something from which the rest of the UK would benefit. A popular measure is the devolution of air passenger duty, which is very important for Prestwick airport and has the potential to help it tremendously with the problems it has been having. Will the Government consider bringing that forward before the general election and giving those powers to Scotland now?

David Mundell: I certainly respect the hon. Lady’s championing of both gender issues and Prestwick airport. It is not practical, within the time scale of Parliament ahead of the general election, to introduce the necessary procedures to transfer air passenger duty. We are pressing ahead on a very, very tight time scale with the 16 and 17-year-old vote. I hope that as soon as we have a new Parliament, post general election, we will expedite all the measures in the clauses and have them in legislation as soon as possible.

Katy Clark (North Ayrshire and Arran) (Lab): Will the Minister confirm whether the clauses relating to rail mean that the Scottish Government will no longer be required to put rail services out to tender? Will he agree to meet me, and any other interested MP who wishes to see the railways in Scotland brought back into public ownership, to discuss whether that will be possible under the forthcoming legislation?

David Mundell: It will certainly be possible for the franchise in Scotland to be let to a public sector organisation. That was the basis of the agreement on the Smith Commission to which the hon. Lady’s Labour colleagues signed up.

Fiona O’Donnell (East Lothian) (Lab): May I say to the House that we will not hear MPs from the Scottish Labour party bleating about the fact that the Smith agreement went beyond our original submission, because we know how to put country before party?

The proposals give powers to the Scottish Parliament to build a fairer Scotland, an issue that was at the heart of the referendum debate. I want to ask the Minister about a particular aspect of that agenda—access to work support grants. I wrote to the Secretary of State about that at the beginning of December. There is no certainty in Scotland on how the assessment takes places—there are inconsistencies. Is the Minister proposing that support grants should be part of the settlement?

David Mundell: I will certainly speak to my right hon. Friend the Secretary of State to look at the position of the correspondence he entered into with the hon. Lady.

Mark Lazarowicz (Edinburgh North and Leith) (Lab/Co-op): The Government are currently rolling out the personal independence payment benefit throughout the UK, but PIP benefits will, of course, be devolved to the Scottish Parliament under these proposals. Given that we all know that the PIP system is already causing chaos and misery to many of our constituents, do the Government propose that the PIP benefits should continue to be rolled out in Scotland when, in a year or so, the matter will be devolved to the Scottish Parliament, which might want to do something different?

David Mundell: I have two points in response. First, that issue will be discussed at the first meeting of the joint ministerial group. Secondly, whatever happens to the current PIP regime, as we move forward on benefits, we need to have a clear idea of what the Scottish Government are proposing. The transition will be affected by what we are transitioning to, so on the devolution of benefits, it is very important for the Scottish Government to come forward with their proposals. None of us wants to see a UK system being switched off without a Scottish system in place.

Sheila Gilmore (Edinburgh East) (Lab): Following on from that, one important thing that could be done over the next few months would be to get the involvement of many organisations—voluntary organisations, charities and so forth in the disability and carers sector, for example—in framing some of these ideas. Can the Minister tell me how these organisations are going to be involved right from the start, because I believe that they will have important insights into this work? They need to be convinced that this will give them—I believe it will—an ability to shape a much fairer welfare system.

David Mundell: The hon. Lady makes an excellent point. I have already discussed that with the Scottish Government, and it will form part of the agenda for the first meeting of the joint ministerial welfare group.
Business of the House

12.2 pm

The First Secretary of State and Leader of the House of Commons (Mr William Hague): I should like to make a statement about next week’s business, which will be:

Monday 26 January—Remaining stages of the Infrastructure Bill [Lords].

Tuesday 27 January—Second Reading of the Corporation Tax (Northern Ireland) Bill, followed by debate on a motion relating to accommodation for young people in care. The subject for this debate was determined by the Backbench Business Committee.

Wednesday 28 January—Opposition day (15th allotted day). There will be a debate on an Opposition motion. Subject to be announced.

Thursday 29 January—Debate on a motion relating to the Iraq inquiry, followed by general debate on financial support available for restoration of open-cast coal sites. The subjects for both debates were determined by the Backbench Business Committee.

Friday 30 January—The House will not be sitting.

The provisional business for the week commencing 2 February will include:

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

Ms Angela Eagle (Wallasey) (Lab): I thank the Leader of the House for his announcement of next week’s business. I thank him, too, for his announcement earlier that he has asked the Clerk to draft the necessary motion to allow the Bill proposed by my hon. Friend the Member for Eltham (Clive Efford), which repeals this Government’s catastrophic top-down reorganisation of the NHS, to proceed finally to Committee. Since this Parliament is rapidly running out of time, can he clarify when that is now likely to happen?

The Bill proposed by my hon. Friend the Member for Poplar and Limehouse (Jim Fitzpatrick) to ban wild animals in circuses is scheduled, yet again, to have its Second Reading debate at this time tomorrow, after Conservative Members have made every effort to talk it out. A ban has widespread support across the country, it was backed by the House in 2011 and no less a person than the Prime Minister promised to introduce it in this Parliament. Will the Leader of the House now allow the Prime Minister’s promise to be delivered by granting the Bill Government time?

On Monday we shall debate the remaining stages of the Infrastructure Bill. Last week I raised the last-minute tabling of 60 pages of badly drafted Government amendments relating to the electronic communications code and asked for more time to debate them, which the Leader of the House refused. Last night the farce continued as the Government dramatically withdrew all the amendments. Can the Leader of the House tell us what on earth is going on with this farrago of a Bill? Is this his definition of competence, or is it, once again, total chaos?

We welcomed yesterday’s top-line figures on jobs, but for millions of families up and down the country, there is a grim reality lurking beneath the headlines. More and more people are unable to obtain the hours they need at work in order to pay the bills. Real wages have fallen by record amounts, and 5 million people are being paid less than the living wage. That shortfall in wages is being made up by hundreds of millions of pounds of extra spending on tax credits. Will the Leader of the House accept that a low-wage economy is not just bad for hard-working people but bad for public finances, and will he arrange for an urgent debate, in Government time, on the low-wage economy that the Government parties have sustained?

As Mr Speaker noted yesterday, we shall be celebrating a number of important anniversaries this year, including, this week, the 750th anniversary of the de Montfort Parliament. Let me take this opportunity to thank the members of the Speakers’ Advisory Committee for the 2015 Anniversaries for all their hard work on Parliament in the Making. I particularly thank the House of Commons Chair of the Committee, the hon. Member for Mid Worcestershire (Sir Peter Luff), and—obviously—Mr Speaker himself.

Mr Speaker was right yesterday when he said that we must remember our history, but, when we look back at the de Montfort Parliament, it seems there are some lessons that the Conservatives have failed to learn even after 750 years. If you destabilise your leader with defections, and if you keep arguing with Europe, you will be in for a bloody end before the year is out. Simon de Montfort was a rebel leader who held the King hostage and governed in his place—no wonder he is an inspiration to the many Conservative MPs who have similar ambitions.

The Prime Minister has been brushing up on his history this week, in order to avoid a repeat of his failure, on prime-time US television, to know what “Magna Carta” actually means, but I am afraid that he bestowed an even worse embarrassment on the nation by insisting that the President calls him “bro”. Yesterday the Prime Minister failed a test on the radio to establish whether he was as cool as President Obama. I think we could all have told him what the outcome of that would be—it was fairly obvious before he began—but he did say that he enjoyed a Nando’s. That is hardly surprising; we all know that the Prime Minister is very partial to chicken.

Meanwhile, the Deputy Prime Minister proposed his own constitutional change this week. He has decided that he would like to scrap Prime Minister’s Questions. Apparently, they are just “not a good use of his time”, and he would rather be “out of the Westminster bubble”.

The Deputy Prime Minister keeps fleeing Westminster, so I thought that I had better look at what he has been up to in his own constituency, and in doing so I came across a leaflet. Alongside the obligatory dodgy Liberal Democrat bar chart, this leaflet contains—strangely—two photographs of the leader of the Labour Party, and absolutely none of the local MP, who happens to be the Deputy Prime Minister. In fact, I cannot see any mention of him at all. Moreover—this is the oddest part yet—it claims that the leader of Labour Party “wants you to vote Conservative”.

The Prime Minister’s promise to be delivered by granting the Bill Government time?
It should be pretty obvious by now that the person who has been voting Conservative for five years is actually the Deputy Prime Minister.

Mr Hague: As usual, I thank the hon. Member for Wallasey (Ms Eagle) for her questions. She asked about several Bills. As I made clear earlier, during Question Time, we will table a motion to allow the appointment of members of a Committee to consider the private Member’s Bill introduced by the hon. Member for Eltham (Clive Efford). Of course, a Committee of Selection will need to meet in order to make those appointments, but the Committee will then be able to do its work.

On the Wild Animals in Circuses Bill, I certainly support that Bill and the Government do too, but it would be wrong for the Government to pick Bills out of the private Members’ Bill process and give them Government time. It would be an entirely different process if Governments did that, so the Bill will have to take its normal chances.

Last week the hon. Lady complained that amendments had been submitted on the communications code amendments, but now she is not happy that they are not going to be proceeded with. I think there is no pleasing her on this subject. Opposition Members asked me to provide additional time for the Infrastructure Bill so these amendments could be discussed, but it is a good job I did not provide the additional time because the Government do not now propose to add the amendments to the Bill. The Minister responsible in Committee, the Minister of State, Department for Transport, my right hon. Friend the Member for South Holland and The Deepings (Mr Hayes), mentioned earlier that the Department had listened to some of the objections, so the Government need to consult further.

The hon. Lady mentioned the commemoration of anniversaries, which Mr Speaker informed us about yesterday. I was proud that one of the anniversaries he referred to was the 20th anniversary of the Disability Discrimination Act 1995, which I took through Parliament and which I regard as my main achievement in 26 years in Parliament—some may say it is my only achievement, but that is not how I see it. I am proud that that Act was mentioned and I join in thanking my hon. Friend the Member for Mid Worcestershire (Sir Peter Luff) and Mr Speaker for the work they have done on the commemorations this year.

The hon. Lady talked about the lesson of 750 years of history being not to destabilise the leader. It might be awkward for Labour Members to embark on that subject, although in their case it is not so much destabilising the leader as that the leader has not stabilised himself in the first place or at any point in his time in office as Leader of the Opposition. The issue is not that the Prime Minister insists that President Obama calls him “bro”; it is that the word the US Administration use most for the Leader of the Opposition is “who?” The hon. Lady might like to reflect on that instead.

The hon. Lady asked about an interview the Prime Minister gave in the United States, but I have noticed that the Opposition have had a disastrous week in terms of giving interviews. When interviewed by Andrew Neil on Sunday, Labour’s deputy leader was unable to answer questions on where £30 billion of savings were to be found by the Labour party, and the shadow Business Secretary walked out of the Sky News studio when asked questions by the interviewer on subjects he had not been briefed on. I can only say that if we all walked out of interviews when we were asked about things we did not know about in advance, there would not be much politics on television. The hon. Gentleman really needs to get a bit less sensitive. Most of us did not know we were allowed to walk out and have spent several decades valiantly trying to answer the questions, but the shadow Business Secretary has an entirely different approach.

We cannot be lectured on competence by a party that has had those experiences this week and that has now dropped 21 policies since new year’s day. It is now the 22nd day of the month, so that is one policy per day. The Labour party has still been unable to explain about “weaponising” the national health service, and the former Labour mayor of Doncaster has said of the Leader of the Opposition, whom he knows well:

“He is ignorant of the real values of ordinary working-class voters and holds his nose at their lifestyle.”

Also, the Labour party has still had “Freeze that bill” on its website for most of this week, so Labour headquarters is apparently unaware that the nation has moved on—that energy prices are falling, and that a “Freeze that bill” policy is precisely what people do not want when their energy prices are being reduced. Once again, we will not be taking lessons on competence from the Opposition.

The hon. Lady quoted President Obama, so I will finish by quoting him too. Last week he said:

“I would note that Great Britain and the United States are two economies that are standing out at a time when a lot of other countries are having problems, so we must be doing something right.”

Mr Jack Straw (Blackburn) (Lab): The Iraq debate is scheduled for next Thursday. I welcome that debate as both Foreign Secretary at the time of the Iraq war and as a witness before the Chilcot inquiry. May I say that I share the deep frustrations felt in all parts of the House and across the country about the delays in the production of this report? I think we all acknowledge above all the anxieties and distress that the delays in publishing it are causing the families of those who lost their lives fighting for the United Kingdom in that theatre. Leaving aside for a moment the arguments about whether we could have appointed an inquiry earlier, which I do not think we could have done, will the right hon. Gentleman accept that, given that it was appointed in June 2009 and that the inquiry promised first that it would report by the end of 2010 and then by the end of 2011, there was a reasonable expectation from everyone that it would certainly have reported by the end of 2013? Will he confirm that witnesses, including former Prime Minister Tony Blair and me, had absolutely nothing whatever to do with declassification of sensitive material, and that, because the Maxwellisation process has only recently begun, witnesses have had nothing whatever to do with the delays that have taken place?

Mr Hague: The right hon. Gentleman and I would differ on whether the inquiry could have been established earlier, but, leaving that aside, as he says, the House will of course be able to debate this in detail a week today thanks to the choice of the Backbench Business Committee, and I think many of these points are best explored then.

It is of course an independent inquiry, as the whole House acknowledges, so Ministers do not have much
knowledge of the detailed reasons for the delays in its proceedings. I think I can say we all had a reasonable expectation that it would have reported by now, and while I cannot, given its independence, confirm some of the things the right hon. Gentleman has just said, I certainly have not seen any indication that the behaviour of witnesses like himself has been delaying the inquiry.

Sir George Young (North West Hampshire) (Con): Further to the welcome announcement in the Adjournment debate last night by my the Under-Secretary of State for Health, my hon. Friend the Member for Battersea (Jane Ellison), can my right hon. Friend say when the Government will lay the regulations so that we can make progress with the standardised packaging of tobacco products?

Mr Hague: My hon. Friend the Minister who is responsible for public health did make that announcement yesterday. I cannot say exactly when these regulations will be debated, but they will be laid in good time to be debated in both Houses before the general election. My hon. Friend is also talking to the devolved Administrations about consent for the measure to be UK-wide. Because of various EU processes, these regulations cannot be laid until after 2 March, so they will have to be dealt with in the final month of the Parliament.

Mr Jim Cunningham (Coventry South) (Lab): Will the Leader of the House have a word with the Communities Secretary about making a decision on the Gateway project in Coventry? We were promised a decision this month, but we have not had it. Will the Leader of the House stop the Communities Secretary travelling to China and other places, so that he stands up and takes a decision for a change?

Mr Hague: I shall certainly inform my right hon. Friend that the hon. Gentleman has raised this question, and he may be able to have a word with him himself because a week on Monday, on 2 February, there will be DCLG questions, when the hon. Gentleman may be able to catch the eye of the occupant of the Chair and raise this point.

Sir Oliver Heald (North East Hertfordshire) (Con): Will my right hon. Friend see whether there is an opportunity to debate radiotherapy so that I can make a plea on behalf of my constituents for a radiotherapy unit in the Lister hospital in Stevenage, rather than their having to travel miles to Northwood in Middlesex for their treatment? The Lister is getting lots of investment, but this extra item would be very good news indeed.

Mr Hague: My hon. and learned Friend has very successfully raised the matter on the Floor of the House by asking that question, and as always speaks up strongly for his constituents. There are regular opportunities to raise health matters on the Floor of the House, and I have no doubt he will continue to do so assiduously.

Ian Paisley (North Antrim) (DUP): Yesterday, the Leader of the Opposition made a speech at the Titanic Centre in Belfast. The Titanic is known for being a sinking ship. Given the flooding occurring in the Members’ Lobby, can the Leader of the House do anything to ensure that repairs are carried out soon?

Mr Hague: Having been in the Chamber for a couple of hours now, I have not witnessed this flooding. Since the Leader of the Opposition is evidently an expert on sinking ships—in all sorts of ways—we could ask him to have a look at it. However, given that the former mayor of Doncaster has pointed out that the Leader of the Opposition is sometimes unable to close doors and burned through the carpet in his house, we will not ask him. We will make sure that the House authorities are dealing with the matter, and after business questions I will make inquiries about it.

Mrs Cheryl Gillan (Chesham and Amersham) (Con): This week’s welcome fall in the unemployment figures reminds all Government Members how successful the Chancellor’s long-term economic plan really is. That is no better evidenced than in Buckinghamshire, where more than 30,000 registered businesses contribute £14 billion to the economy, and new business start-ups are 30% above the national figure. Can the Leader of the House find time before Parliament dissolves before the general election to debate the unsung heroes—those organisations that often provide the link between public policy and businesses? One example is Buckinghamshire Business First, which has been particularly successful in creating a dynamic business environment and was recently officially invited by the Department for Business, Innovation and Skills to be the first non-city growth hub in the UK, because of the trends developing in our successful businesses in Buckinghamshire?

Mr Hague: I join my right hon. Friend in congratulating Buckinghamshire Business First—and congratulate her on the rare event of her question being focused on something other than HS2. I thought I would mention that, since she did not do so herself, very unusually. Buckinghamshire is, like other parts of the country, sharing in the success of the Government’s long-term economic plan. We have this week seen unemployment in this country fall below 6% for the first time in six years, and three quarters of the new jobs created since the election are full time. Wages are rising faster than inflation, which is part of the answer to the points about pay raised by the shadow Leader of the House. I absolutely agree with what my right hon. Friend has said.

Paul Flynn (Newport West) (Lab): As we have waited all these years to discover the truth about why this House sent 179 brave British soldiers to their deaths in pursuit of non-existent weapons of mass destruction, is it not a matter of urgency, to avoid future blunders, that we look now at why we took the decision to go into Helmand province in 2006, in the hope that not a shot would be fired? Four-hundred and fifty-three deaths occurred. Should we not start that inquiry as soon as possible?

Mr Hague: That is really a question—about policy on a future inquiry—to direct to other Members of the Government. The hon. Gentleman will know that we have instituted regular quarterly statements in Parliament on Afghanistan, which I often delivered in my time as Foreign Secretary, and which the Defence and International Development Secretaries have delivered. We have thus ensured that in this Parliament there has been greatly increased scrutiny of our policies on Afghanistan. Any decisions about inquiries on top of that have to be taken in the future.
Mr Alan Reid (Argyll and Bute) (LD): Dairy farmers in Argyll and Bute produce a very high quality product, but the falling price of milk is causing them and the entire British dairy industry serious problems. May we please have an urgent statement on what the Government can do to help this iconic British industry to survive? Extending the scope of the groceries code adjudicator to include dairy farmers is one action that could help.

Mr Hague: My hon. Friend raises what is a very important issue in many parts of the country. I agree with what the Prime Minister said yesterday: legislation should be introduced to enable the groceries code adjudicator to impose a financial penalty. The Government are also considering the GCA’s remit, which is subject to a statutory review in March next year. We do understand the concerns of British dairy farmers about the current pressures on milk prices. The only good news is that, of course, exports have risen and we are giving dairy farmers the opportunity to unite in producer organisations, which in the longer term could give them greater clout in the marketplace.

Yvonne Fovargue (Makerfield) (Lab): The Public Accounts Committee has stated today that more than 100,000 young people aged between 16 and 18 have simply disappeared from all relevant public systems and records. Can we have an urgent debate in Government time on how these young people can be tracked and helped, and how we can ensure that we do not continue to have an ever-growing invisible generation?

Mr Hague: This too is an important issue, and the hon. Lady might wish to make the case for a debate on it to the Backbench Business Committee. At the end of 2013, the last year for which we have figures, 89.6% of 16 and 17-year-olds were in education or work-based learning, including apprenticeships—an increase on the previous year and the highest rate since consistent records began in 1994. The Government plan to invest £7.2 billion this year to fund education and training places for 16 to 19-year-olds. So a huge amount is happening, but that does not mean the problem has been completely solved, and the hon. Lady may well wish to make the case for a debate.

Andrew Bridgen (North West Leicestershire) (Con): I draw the attention of the House to early-day motion 705, which stands in my name.

[That this House notes that the former Prime Minister Tony Blair remains, in part, a public servant, but considers that his conduct since leaving Downing Street is in breach of the code of ethics established in 1994 to regulate public life which he himself, whilst in Parliament, enforced so vigorously against others; calls for an urgent debate into the former Prime Minister’s commercial and business activities, leading to legislation that mirrors controls over the executive that exists in countries such as the US; further notes that such legislation would control, restrict and regulate a former incumbent of No. 10 Downing Street in the interest of national security and protecting the reputation of the UK among the UK’s friends and allies, by limiting his or her ability to work for foreign nations once out of office; and finally believes that it is an essential function of Parliament to do its utmost to safeguard and protect the integrity and reputation of the UK, including the conduct of the holder of the highest executive office in the land.]

Mr Hague: My hon. Friend has successfully drawn attention to his early-day motion. There are of course rules that apply in this country to former Prime Ministers and Ministers for two years after leaving office regarding the need to seek approval for business appointments. After that, we rely very much on the good judgment of those former Prime Ministers and Ministers. That is the current situation, and we should look to them all to exercise that good judgment.

Barry Gardiner (Brent North) (Lab): At the beginning of this Parliament, the Government signed up to 20 biodiversity targets. Most of those had to be completed by 2020, but three were due to be completed by 2015. One of the targets concerns coral reefs, and the right hon. Gentleman will know of the importance of the Pitcairn Islands in that regard from his days at the Foreign Office. May we have a statement on the Government’s policy on putting in place a marine protected area around the Pitcairn Islands to protect and restore those coral reefs?

Mr Hague: The hon. Gentleman raises a very important issue and I am certainly familiar from my work at the Foreign Office with the relevance to it of Pitcairn. Marine protected areas have been introduced in other seas around our overseas territories, including around the Chagos Islands; indeed, from memory, I introduced such an area around the South Sandwich Islands. So we have made a lot of progress on this issue, and it will be up to my hon. Friends at the Foreign Office to answer any questions on it or to make a statement, working with the Department for Environment, Food and Rural Affairs. I will refer to them the hon. Gentleman’s question and request for an information update.

Pauline Latham (Mid Derbyshire) (Con): Four school crossings in Belper and Duffield, in my constituency, and 61 in the rest of Derbyshire, are to be axed. May we have a debate on how councils allocate their funding from central Government?

Mr Hague: This is a very important issue, because local residents look to councils to use their funding wisely and responsibly, according to local needs. There certainly will be opportunities to raise this issue further in the House. As I mentioned earlier, DCLG questions will take place a week on Monday, when my hon. Friend will no doubt wish to pursue this important matter for her constituents.

Steve McCabe (Birmingham, Selly Oak) (Lab): I understand that the Secretary of State for Communities and Local Government is about to order Birmingham to undertake “all out” local government elections in 2017, without any consultation with the elected councillors or Members of Parliament or indeed with any of the people of Birmingham themselves. May we have a debate on this matter? If not, will the Secretary of State
provide a statement on it next week? If he will do neither of those things, may we at least have a meeting between the Birmingham MPs and the Secretary of State to discuss the implications of what might prove to be a rather rash decision?

Mr Hague: I believe that this matter is still being discussed. As with other matters relating to DCLG that have been raised today, I will ensure that the Secretary of State is aware of the hon. Gentleman’s question. I reiterate that DCLG questions will be on 2 February—a week on Monday, which is not far away—when there will be an opportunity to raise the matter directly with Ministers.

Jacob Rees-Mogg (North East Somerset) (Con): In this year of anniversaries, may I draw to the Leader of the House’s attention the fact that today is the first anniversary of the European Scrutiny Committee’s request for a debate on European papers relating to the free movement of people? In the past couple of weeks, the Home Secretary, the Foreign Secretary and the Minister for Europe have all appeared before the Committee and told us that, although they have a particular love of parliamentary scrutiny, they cannot explain why the motion has not been brought forward. I wonder whether my right hon. Friend, as First Secretary of State and therefore senior in the hierarchy, might be able to bring this delay to an end, or are Her Majesty’s Government in fact celebrating this anniversary by a party enjoining itself the joys of evading parliamentary scrutiny?

Mr Hague: This was an anniversary that Mr Speaker unaccountably omitted to mention yesterday. My hon. Friend has an acute sense of the seniority within the Government, which I appreciate. As he well knows, the European Scrutiny Committee has submitted a number of requests for debates on the Floor of the House and in Committee, and we are working to ensure that some of those requests are dealt with. I have also agreed to come to the Committee to discuss these matters.

Kerry McCarthy (Bristol East) (Lab): Earlier this week, I tabled a question to the Prime Minister to ask about the work of his special representative on preventing sexual violence in conflict, particularly in relation to the changing situation in Sri Lanka. I have just had a letter from No. 10 telling me that my question has been transferred to the Foreign Office. I am not sure whether that means that the special representative, who is a truly admirable man, now reports to the Foreign Secretary. Will the Leader of the House advise me on what mechanisms are available to Members wishing to have a discussion with the special representative on his important work?

Mr Hague: Generally, such questions will be referred to the Foreign Office, because the officials who work on this are in the PSVI—preventing sexual violence in conflict initiative—unit, which is part of the Foreign Office, and one of the Foreign Office Ministers has responsibility for this matter. It is also possible, however, to table questions directly to me, as Leader of the House, including at oral questions to the Leader of the House. This has happened in the past, although as we had just such a question session a couple of hours ago, the opportunity will not arise again for another few weeks. There are certainly opportunities, however, and I am happy to answer such questions in the course of business questions as well.

Philip Davies (Shipley) (Con): May we have a debate on the answering of parliamentary questions? I have here a handy 15-page internal guide from the Ministry of Justice entitled “Parliamentary questions guidance”. It gives a list of all the people that an answer must go through before it can be signed off. They include special advisers, the head of news, the deputy head of news, press officers and, as if that were not enough, “your designated press officer”. Surely a parliamentary question should simply be responded to with a factual answer. Why does it need to go through so many spin doctors? I have no idea how many of the other Departments run this kind of operation. May we have a debate on this, or a statement from the Ministry of Justice on why it goes through this rigmarole? It is no wonder that it gets so far behind in answering our questions. If the Leader of the House will not grant us such a debate, will he intervene to stop parliamentary answers being subjected to this kind of spin?

Mr Hague: The fact that the answers go through so many wise people before they get to my hon. Friend probably explains why they are so good. The important thing is that they should go quickly, in a timely way, through whomever they need to go through. By the end of my time as Foreign Secretary, the Foreign Office had a 100% record of answering questions on time. That simply requires all the officials who need to examine these things to do so speedily, and I encourage other Departments to do the same.

Huw Irranca-Davies (Ogmore) (Lab): We are now in the second major dairy crisis in three years, and the viability of small and medium-sized dairy farms is threatened. The call is going out loud and clear here and outside this place for the solution to include a review and reform of the powers and remit of the groceries code adjudicator. On 25 April 2013, Royal Assent was given to the Groceries Code Adjudicator Bill, under the terms of which a statutory instrument was to be laid to give the adjudicator the teeth to impose financial penalties. We are still waiting for that SI. Where is it? Will it be laid before Parliament dissolves?

Mr Hague: The hon. Gentleman raises an important issue about which, as we have noted, there are strong feelings across the House and among all parties. I have mentioned—as did the Prime Minister at Prime Minister’s questions—that we agree that the legislation to introduce financial penalties should be brought forward, so I will keep the House up to date on that. Urgent work is going on in that regard. I also mentioned earlier that the Government were considering the remit of the groceries code adjudicator, so I hope that there will be further developments before the Dissolution of Parliament.

Stuart Andrew (Pudsey) (Con): My right hon. Friend will be fully aware of the campaign surrounding the children’s heart unit in Leeds. I welcome the new review and I am confident that the unit can meet the new standards, but the fact that disproportionate funding
has been allocated to other regions in the past might need to be addressed in order to create a level playing field. Also, there is no mention of patient access in the standards, yet they formed an important part of the independent reconfiguration panel’s report. May we have a debate on these questions to ensure that they are properly addressed and that we get this absolutely right this time?

**Mr Hague:** I am well aware of the campaign. No decisions have yet been made about how the services will be provided, but I believe that NHS England’s consultation on new standards and service specifications ended on 8 December. I understand that NHS England is now reviewing all the responses that it received and considering what changes might be needed. It expects to begin commissioning services against the new specifications during 2015-16, with a view to their coming into effect in April 2016. We debate health matters regularly on the Floor of the House, and I am sure that my hon. Friend, who speaks up well for his constituents on these issues, will be able to pursue this matter further in those debates.

**Andy Sawford** (Corby) (Lab/Co-op): May we have a debate on the issuing of national insurance numbers? This is an important matter for young people; it is a sign of their coming of age and it is important for those who might want to start a part-time job, for example. Those 16-year-olds in my constituency whose parents have opted out of child benefit do not automatically receive a national insurance number, and have to jump over various bureaucratic hurdles with Her Majesty’s Revenue and Customs in order to get one. Traditionally, the process was based on the child benefit list and provided national insurance numbers automatically.

**Mr Hague:** This sounds like an important issue that needs to be pursued. The most immediate opportunity to do that will be at questions to the Chancellor and Treasury Ministers next Tuesday, 27 January, in the House. The hon. Gentleman could also make a case for an Adjournment debate or a BackBench Business debate on the matter.

**Jeremy Lefroy** (Stafford) (Con): May we have a debate on the discrepancy between the time limits on tax refunds and refunds of overpaid benefits? The constituent who had to take early retirement from teaching, through no desire of her own, found that she had been overpaid incapacity benefit for a number of years, on all of which she paid income tax. She returned the overpaid benefits in full, but was only refunded the tax she paid for the statutory four years, and thereby lost several thousand pounds, which she could ill afford, to the Exchequer.

**Mr Hague:** It is right in principle that, where overpayments of benefits have occurred, it is the policy to recover them to prevent loss to the public purse. I am not able to comment immediately on that individual case, which does seem to be complicated by the issue that my hon. Friend raises. But I will ask my ministerial colleagues to write to him in response to the concerns that he has raised.

**Mr John Leech** (Manchester, Withington) (LD): Given that Responsible Gambling Trust research into fixed odds betting terminals showed that four out of five gamblers staking the average £13 spin exhibited problem gambling characteristics, can we have a debate on the Floor of the House to discuss whether the Government’s proposals will have any impact whatever?

**Mr Hague:** Again, that is an important matter. There will be other Members concerned about that as well. I cannot offer a debate in Government time between now and the dissolution of Parliament. But, as I have said to one or two other Members, my hon. Friend may wish to pursue the matter through an Adjournment debate or a Back-Bench business debate as well as having raised it here today.

**Martin Vickers** (Cleethorpes) (Con): Yesterday, the mayor of north-east Lincolnshire, who is also the council’s armed forces champion, and I met the veterans Minister to discuss the military covenant. The mayor and council take their responsibilities under the covenant particularly seriously. One unique thing they do is to allocate housing to veterans. Will my right hon. Friend find time for a debate on the military covenant and on how local authorities up and down the country deal with it?

**Mr Hague:** It would be good to have such a debate. I am not sure whether there will be time for it in the remainder of this Parliament, but it would allow us to reiterate that the covenant is a very important priority for this Government, and I know that it is strongly supported by my hon. Friend. We have committed £105 million over the past four years to support its aims. He is right that councils have an important role to play in supporting the covenant. The Minister of State, Ministry of Defence, my hon. Friend the Member for Broxtowe (Anna Soubry) has now written personally to every chief executive and every leader of every council to encourage all councils to rise to the standards of the best on this issue, and we strongly encourage them to do so.

**Mark Pawsey** (Rugby) (Con): May we have a debate on how communities can take advantage of major sporting events? The Leader of the House will be aware that the rugby world cup is being held this year. Does he agree that, with the support that Rugby borough council is providing, there is a great opportunity for my constituency to benefit as rugby enthusiasts from around the world will be attracted to the birthplace of the games and will spend their money in our shops, restaurants and hotels?

**Mr Hague:** It is a great birthplace. I am sure that the whole country will be delighted that the rugby world cup will return to us in September and October. My hon. Friend’s constituency, with its unique link to the tournament as the birthplace of the sport, will have an excellent opportunity to benefit, especially as it has been given host status. I know that my hon. Friend will continue to champion the town of Rugby where visitors to the world cup will be able to discover more about the place and where it all began way back in 1823 when William Webb Ellis picked up the ball and ran. The rugby world cup will have a huge positive impact on this country.

**Mark Pritchard** (The Wrekin) (Con): May we have a debate on equine welfare? Is the Leader of the House aware that the Royal Society for the Prevention of
[Mark Pritchard]

Cruelty to Animals is talking about a horse welfare crisis in England, with more than 900 horses being abandoned in 2014 and 3,000 being illegally grazed? Will the Government consider what the Welsh Assembly Government have done, which is to introduce better traceability and enforcement through the Control of Horses (Wales) Act 2014, or similar legislation?

Mr Hague: My hon. Friend raises an important question. Earlier, we discussed private Member’s Bills in this Session, so he will be aware that one very positive private Member’s Bill that is making progress and has recently completed its stages in this House before going on to the other place is the Control of Horses Bill. Other issues concerning equine policies can be raised next Thursday at the Department for Environment, Food and Rural Affairs questions at which my hon. Friend will also be able to pursue his question.

Bob Blackman (Harrow East) (Con): Harrow’s Labour-run council is currently consulting on closing four community libraries, including the Bob Lawrence library, which is a popular community hub. That library is attracting a great deal of attention and a strong campaign from local residents, which I have been assisting. More than 5,000 residents have already signed a petition opposing the closure. May we have a debate in Government time on the importance of libraries as community hubs and the importance of local authorities honouring their statutory duties to provide such facilities?

Mr Hague: My hon. Friend speaks up well for his constituents on this and all other issues. He is right that there is a statutory duty. Legally, local authorities have to provide a comprehensive and efficient library service. It is for them to decide how to do that. The decision by Harrow council on this is anticipated at the council cabinet meeting in February. I know that my hon. Friend will continue to speak strongly for the views of his constituents. I cannot offer a debate on local authorities on this subject, but he has made his point very well today.

Mr Philip Hollobone (Kettering) (Con): I bring further good news from Kettering. The Leader of the House might be aware that, in May 2012, there were 2,042 unemployed claimants in Kettering. Yesterday, it was announced that that number has fallen to exactly 1,000. Given that many of my constituents were very alarmed by claims from Her Majesty’s Opposition that unemployment would climb by more than 1 million because of the policies of this Government, can we have a debate in Government time on unemployment in which the halving of unemployment in Kettering could be highlighted?

Mr Hague: My hon. Friend brings a steady stream of good news from Kettering as the weeks go by, and he is absolutely right to do so, because it represents the tremendous economic progress that is being made in this country. The previous Labour Government left nearly half a million more people without a job. The Leader of the Opposition predicted that our economic plan would lead to the disappearance of 1 million jobs. There are now more than 1.75 million more people in work than there were in May 2010, and I am pleased that Kettering is sharing to the full in the benefit of that.

Mr David Nuttall (Bury North) (Con): May I add my voice to that of my hon. Friend the Member for Kettering (Mr Hollobone) on the call for a debate on the continued fall in unemployment? Not only can we highlight the successes in Kettering, but it will give Government Members the opportunity to nail the myth that the new jobs being created are all part-time, low-paid and zero-hours contract jobs when the reality is that three out of four jobs are full-time and three out of four are in either the managerial or professional sectors.

Mr Hague: My hon. Friend makes an excellent point, and it is indeed the case that three-quarters of new jobs created since the last general election are full-time. It is also the case that, as we saw in the figures released this week, wages are rising faster than inflation. These myths are steadily being punctured. My hon. Friends the Members for Bury North (Mr Nuttall) and for Kettering (Mr Hollobone) have asked about having a debate. We will of course be able to debate such things extensively when my right hon. Friend the Chancellor of the Exchequer presents his Budget on 18 March. That may be a very important time to debate these things.

Robert Jenrick (Newark) (Con): I congratulate my right hon. Friend on his campaign against sexual violence in conflict. I am sure that, like me, he will have been disturbed by the reports emerging from Iraq and Syria of sexual violence, sexual slavery and rape by ISIL and other groups operating in the region. Will he consider a debate in Government time, before the end of this Parliament, and give us his assurance that he and others will continue to campaign on this issue?

Mr Hague: I am grateful to my hon. Friend and would love to have a debate on these issues, although I cannot promise one at the moment. I strongly support what he says about ISIL’s appalling use of rape as a weapon of war and the summit we held last year was a major success, bringing together more than 120 countries and producing new plans to address sexual violence in Somalia, the Democratic Republic of Congo and throughout the African Union. We launched the first international protocol and that summit came in under budget at £5.2 million. That was money well spent and countries were brought here for a good reason, given the opportunity we have to try to prevent these appalling crimes.

Andrew Stephenson (Pendle) (Con): It is now almost five years since the brutal murder of three of my constituents, Mohammed Yousaf, Pervez Yousaf and Tania Yousaf, who were killed in Pakistan on 20 May 2010. I led a debate in this Chamber on the murders in October 2010 and have kept up pressure ever since, even getting the Prime Minister involved in the case in 2012, yet the family still do not have justice. May we have a debate on this horrific case and what further pressure we can bring to bear on the Pakistani authorities?

Mr Hague: These murders were a terrible tragedy and the thoughts of the House will be with the family whose grief over the past five years can only have been exacerbated
by the fact that they have not had justice. I understand that a trial is going on following the arrest of two suspects who are now on bail while three other suspects have been declared as absconding. I will ensure through my hon. Friends at the Foreign Office that consular officials follow up with the family and that high commission staff in Islamabad again press the Pakistani authorities to ensure that progress is made as quickly as possible, making clear the strong interest of the British Government in this case.

Point of Order

12.51 pm

Mrs Cheryl Gillan (Chesham and Amersham) (Con): On a point of order, Mr Speaker. I would be grateful for your advice about the business tomorrow. It is Friday business and until recently many colleagues were under the impression that the Second Reading of the HS2 Funding Referendum Bill, promoted by my hon. Friend the Member for Christchurch (Mr Chope), was first on the list. I am surprised to see that the Report stage of the Local Government (Review of Decisions) Bill has now leapt ahead of it, and am concerned that we might not have the opportunity to debate the important Bill on the HS2 funding referendum. Can you advise me why the other business has now taken precedence?

Mr Speaker: The right hon. Lady raises a point of order of great concern to her and potentially to her constituents, but I am afraid, from her point of view, that the answer is straightforward. After the seventh Friday, Report stages take precedence over Second Readings of new Bills. The right hon. Lady might be disappointed by that, but what has happened is perfectly orderly. There has been—I know that she will be reassured by this—no machination. We shall leave it there.
House of Commons Governance

12.53 pm

Mr Jack Straw (Blackburn) (Lab): I beg to move,

That this House welcomes the report of the House of Commons Governance Committee; notes the priority it has given to agreeing a package of proposals which can both significantly improve the governance of the House and be capable of attracting support from Members on all sides of the House, in a timely manner and well before the House is dissolved; agrees to the recommendations in Chapters 6 and 7, with the proviso that, without changing the party balance of the Commission as proposed in the report, the recommendations relating to the composition of the Commission be implemented so as to allow the Chairs of both the new Finance Committee and the Administration Committee to be elected to these positions rather than appointed to them by the Commission; and encourages the appropriate bodies in both Houses of Parliament to address the Committee’s remaining conclusions and recommendations.

The motion has been tabled in the name of the Leader of the House, the shadow Leader of the House, all members of the Select Committee on Governance and myself. I want to begin with some thanks, first to the House for appointing me Chair of the Committee, which turned out to be a happy and consuming task. Secondly, I express my deep thanks to all members of the Committee: the hon. and learned Member for North Antrim (Ian Paisley) and for North East Somerset (Jacob Rees-Mogg) and my hon. Friends the Members for St Helens North (Mr Watts) and for Walsall South (Valerie Vaz). Despite all the other calls on their time and the fact that we had to meet intensively on two or three days each week, attendance at the Committee was almost always complete. The House will wish to note that all members of the Committee are present in the Chamber today with the single exception of my hon. Friend the Member for St Helens North, who cannot be here for unavoidable family reasons and who has asked me to offer his apologies to the House.

My third set of thanks is to the staff of the Committee, who worked incredibly hard and provided sage and timely advice. For reasons that the House will readily appreciate, the staff of the Committee were drawn more widely than just from what was known as the Clerk’s Department. They came from other parts of the House Service, but worked brilliantly together. I put on record my thanks to Mark Hutton, Joanna Dodd, Paul Dillon-Robinson, Ed Potton, Charlotte Simmonds, Louise Glen, Dr Michael Everett, Liz Parratt and Nicholas Kroll, the former secretary of the BBC Trust, who acted as our special adviser.

My fourth set of thanks is to the Leader of the House and the shadow Leader of the House for the constructive and timely response to our report—I say this in advance of their speeches, so I reserve the right to withdraw that comment if they are not quite as we would hope. They have been extremely co-operative, and I thank them for that, as evidenced by the fact that their names are on the motion.

Fifthly, I thank all those who gave evidence to the Committee. In seven weeks of evidence taking, we heard from 59 witnesses in 13 sessions, including from 21 Members of the House and 16 staff. In addition to receiving 91 written submissions, many from staff, we held an afternoon of consultation with 60 members of staff of all grades and from all Departments of the House. We were always conscious of the keen interest that staff were understandably taking in our work and the anxiety that some of our deliberations gave in some cases. We are very grateful indeed to them.

The House is well aware of the provenance of the Committee, which arose from the pause in the appointment of a new Clerk and chief executive that you, Mr Speaker, announced in your statement on 1 September, the Backbench Business debate held on 10 September that was initiated by the hon. Members for Hereford and South Herefordshire and for Harwich and North Essex (Mr Jenkin), and the resolution of the House passed that day to establish the Committee. The appointment process for a new Clerk and chief executive has now been formally terminated by the Commission. I intend to say no more about it as the Committee’s purpose was not to conduct a post-mortem but look forward.

Although there had in recent decades been three reviews of aspects of the governance of this House, known as the Ibb’s, Braithwaite and Tebbit studies, ours was the first root-and-branch examination of the subject by Members themselves in more than 40 years, since the Bottomley Committee met in the mid-1970s.

A huge amount has changed in the intervening period. The establishment of departmental Select Committees in the 1979-80 Session, the exponential increase in Members’ constituency caseload, the decline in deference towards those running the country and the ever-rising public expectation and scrutiny of Members that comes with it, the astonishing growth in the number of visitors to the Palace of Westminster and the ubiquity of the internet—unknown and unimagined when I first came into this place not many years ago—have led to a multiplication of demands on Members that have in turn resulted in a major expansion of the Estate across Bridge street and a dramatic growth in the number of staff in the employment of the House and of individual Members.

What has not changed in the past 40 years is that the House of Commons is unique. As it is at the heart of our democracy, governed by 650 individual Members, each with strong opinions and none of them wilting violets, who are answerable to their constituents, simplistic analogies with corporations, whether they are in the public or private sector, rapidly break down. We are also conscious of the following paradox about this place: precisely because it works by the dialectic method, by intense argument, it is essential that there is broad consensus about how that argument should take place and about the ground rules, including on how this place should govern itself.

We began by exploring the principles of good governance that should apply to the House. We quickly concluded that the governance arrangements in the House of Commons Administration Act 1978, which followed the Bottomley review, were no longer fit for purpose. That view was heavily reinforced by the evidence we received.

We were appointed to deal with an immediate problem, which I shall come on to, but in the course of our deliberations we had to look to the longer term. The next Parliament will face some critical decisions on the restoration and renewal of the fabric of the Palace of Westminster. We were reminded of the imperative of
restoring and renewing the fabric of the Palace of Westminster by the exchange just a few minutes ago in business questions over the fact that the roof to the Members’ Lobby is leaking yet again.

Hazel Blears (Salford and Eccles) (Lab): I add my thanks to my right hon. Friend and all the members of the Committee who have worked so hard on this report and its recommendations. My right hon. Friend may not be aware that in a particular initiative, led by Mr Speaker, it has now been agreed that we will include requirements to have social value and social impact in the procurement for both the House of Commons and the House of Lords, including the restoration. It is a huge step for this Parliament, and I would like the Committee to confirm that that element of our modernisation will be at the heart of the process.

Mr Straw: I am extremely grateful to my right hon. Friend. When she rose as I was speaking about leaks, I thought perhaps she had something to say about her work as a member of the Intelligence and Security Committee, but I was on the wrong track. Of course she is right about that, and I greatly welcome the initiative that you, Mr Speaker, have taken.

We have endeavoured to ensure that all our recommendations will assist in decision taking for the restoration and renewal programme that will take place in the next Parliament. Those decisions will have to be made on a bicameral basis: it is a single building for two Chambers. It is the essence of any properly functioning bicameral system that each Chamber should govern its own work, and it was no part of our remit or intent to usurp the autonomy of the other place. However, we took plenty of evidence from both ends of the Palace, including from the Lord Speaker, about how, co-operatively, there could be better joint working between the two Houses. Those proposals are highlighted in recommendations 1 and 2 of our report.

I turn now to the Commons itself and the current corporate arrangements for running this place, which are essentially with the House of Commons Commission, chaired by you, Mr Speaker, and, underneath that, the Management Board. The respective roles of the Commission and the Management Board were unclear not only to staff and Members—to many Members their roles were not only unclear but their existence was unknown—but even to some of those who sat on those bodies. The Committee’s recommendations for reform of the Commission and the replacement of the Management Board with an Executive Committee flow directly from the assessment that those two bodies are not working, either individually or together, as effectively as they should. Our aim has been to bring together Members and officials into a single coherent structure.

One key change proposed to the Commission is in respect of Back-Bench Members of the Commission. We recommend that the current three—one from each of the largest parties—should be replaced by four Members, by the addition of a fourth from the minority parties. At present, the Back-Bench Members, distinguished though they are, are effectively nominated by the Whips Offices. In future—Interruption. Mr Speaker, will you note the fact that the Opposition Whip has broken rule one of all Whips, which is to remain silent. [Interruption.] No, it was not a cough. I was about to say that the current Back-Bench Members are effectively nominated by the dark forces of the Whips, but I decided to be nice to them by leaving that out. I will now ensure that it goes back on the record. In future, to avoid these dark forces of the Whips Office, we recommended that each of the four should be elected by the whole House. We also added that they should be remunerated on the same basis as Chairs of Committees.

We looked carefully at the work of the Finance and Services Committee and of the Administration Committee. Each has been very ably chaired by the right hon. Member for Caithness, Sutherland and Easter Ross (John Thurso), who is in his place, and by the right hon. Member for Saffron Walden (Sir Alan Haselhurst). The former happens to have been also a member of the Commission, while the latter has not. We thought that that was unsatisfactory, and that the Chairs of both those Committees should, ex officio, be members of the Commission.

Mark Tami (Alyn and Deeside) (Lab): As a member of the Administration Committee and also a Whip—I declare my role as a dark force—I think that that is a very important point. Without that direct link, the Administration Committee is undermined. It is important that the Chair of that Committee is on the Commission.

Mr Straw: I am grateful to my hon. Friend. I should also say that my general remarks about Whips exclude him, as a pairing Whip, because I have to ingratiating myself with him on a regular basis.

Mr Speaker: It is important that our proceedings are always intelligible to those beyond the Chamber who are listening. Therefore, I know that the right hon. Gentleman will want it to be made clear that the significance of the pairing Whip in this context is that the pairing Whip gives him permission to go away when he wishes to do so.

Mr Straw: But not very often.

The House will note that the recommendation of our report was that the Chairs of both those Committees should be chosen by the Commission itself from the four Back-Bench Members who, in turn, would be elected by the House. However, the motion before the House today proposes a variation to that recommendation, stating that “without changing the party balance of the Commission as proposed in the report, the recommendations relating to the composition of the Commission be implemented so as to allow the Chairs of both the new Finance Committee and the Administration Committee to be elected to these positions rather than appointed to them by the Commission.”

That change in our recommendation was made after taking account of the views of both the Leader and the shadow Leader of the House. My Committee met informally after it had reported to consider this proposal, and we accepted it, as is clear from the fact that we have signed the motion effectively amending our report.

While the motion does not explicitly say so, it is implicit that these Chairs should be elected by the whole House, whatever prior agreements may have been made about from which party group they should come. I also hope that the Whips on both sides will ensure that these elections are held promptly in the new Parliament.
[Mr Straw]

They should not be put at the back of the queue, after departmental Select Committee Chairs, otherwise much time—perhaps three months—will be lost in getting the new governance proposals bedded down.

Mr Peter Hain (Neath) (Lab): May I add my congratulations to my right hon. Friend personally and to all of the Committee, especially as this was a unanimous report? There were differences among Committee members, as I saw when giving evidence. On the question of speed, is that not true of all the recommendations? No doubt he will come on to that in respect of the director general.

Mr Straw: I am grateful to my right hon. Friend for his intervention and for his evidence. We did come to the issue from different perspectives, but the fact that this is a unanimous report does not reflect any sense of it coming from a search of the lowest common denominators—rather, the highest common factors. I will come on to the issue of implementation in a moment.

A second reform that we propose to the Commission concerns non-executive members. At the moment, there are external, non-executive members, who have great outside professional experience, who sit on the Management Board, but not on the Commission. We thought that this was a rather eccentric arrangement not consistent with the principles of governance outside, and that it ought to be the other way round. We therefore proposed that two non-executives should sit on the Commission and, in addition, so too would the two senior officials of the House, a matter I shall come on to in a moment.

As I have indicated, the evidence we received showed clearly that the relationship between the Commission and the Management Board was opaque. So alongside the strengthened Commission, the Management Board will be replaced by a streamlined executive committee.

The potentially trickiest issue for us to deal with was the senior leadership of the House service. As the House is well aware, not least from the debate that we had on 10 September and from the evidence that we received, there is a wide range of opinion on this issue. Some favoured the status quo, some wanted a chief executive above the Clerk, some wanted a chief operating officer under the Clerk, and some thought the two functions should be separated entirely, with a Clerk and a chief executive of equal status. We thought hard about this. There are, as we all recognised, advantages and disadvantages to each proposal. In the end the Committee responded to what it heard from staff and from many others by endorsing the objective of a single unified House service.

This was significant because the House service is often portrayed as being divided into parliamentary and non-parliamentary elements. Asserting that the service should be unified is important both for rejecting the perception that some parts of the service are second class, and for emphasising that the primary purpose of the whole service—all parts of it—is to support the House’s parliamentary functions. But we also accepted that there had to be a strengthening of the leadership of those functions and of the hundreds of staff beyond the direct work of the Clerks.

It is not accidental, in our view, that although in the whole time that I have sat in the House there have rarely been any complaints or concerns about the standards of service provided to this House and its Committees in respect of our core functions, there have been myriad complaints about the way our employers—the public—have been treated when they try to get into this place, and from Members about the IT system, room bookings and many aspects of the maintenance of this place.

I have already spoken about leaks in Members Lobby. I hope Mr Speaker will allow me an excursion into the bowels of what was the cell block of the old Canon Row police station, which has housed the House of Commons gym for some decades. My hon. Friend the Member for Wallasey (Ms Eagle), the shadow Leader of the House, and I are often to be seen there ensuring that we remain trim and fit. The refurbishment of the Commons’ gym may seem a second-order issue to those who do not use the facility, but for those of us who do, and for the dedicated staff of the gym, the saga of its refurbishment has not been a pretty one nor, as the weekend’s press indicates, has it enhanced the reputation of Parliament.

Classic and avoidable errors were made in the refurbishment programme, which was due to be finished in early September and has only just been finished. I understand that the costs quadrupled. I know for certain that the specifications were changed and changed again after agreement had been reached with the gym management. It was disruptive in the extreme to us who use it and also to the staff. I thought that I had been able to put cold showers behind me when I left school 50 years ago but, like many other Members, I have had to endure cold showers, or no showers, as late as last week.

On Monday, having spent my two hours in the gym, I came out in anticipation of having a shower, only to discover that in the two hours that I had been working away in the gym, the showers had packed up. Happily, I did not meet any constituents, but other rather surprised Members will have seen me wearing my jacket over my gym kit and carrying the rest of my clothes, on my way to find a shower elsewhere. It is amusing, we are all tolerant of the situation, but it tells a story about why a better grip is needed of such issues.

Mark Tami: I do not understand how we have reached such a state, but the fact that the building is listed makes it difficult to do certain things, such as putting up a sign. I was amazed to learn that there is a signage committee in the House, which will decide on the type of sign and the size and colour of the signs that are permitted. It takes ages to get even the simplest thing done.

Mr Straw: I accept that there are such problems. This is a grade I listed building. I do not dispute the dedication of staff, but stronger leadership and greater clarity are needed.

We propose that the position of Clerk and chief executive should be split. There should in future be a Clerk, and working alongside her or him, there should be a new post of director general of the House of Commons. We had lots of debate about nomenclature. Others may lift the veil on the wide range of titles we considered. We decided on this title, rather than CEO or COO and many others, because, as we say in paragraph 157,
we wanted a title that emphasised the authority of the new post, and would allow it to evolve unburdened by preconceptions.

As a consequence of calling this senior person director general of the House of Commons, the people currently titled directors general will need to be re-titled directors. There is a separate issue about whether the new post should become an additional accounting officer, an arrangement that exists in some Government Departments. I hope the Commission will consider that.

Dr Julian Lewis (New Forest East) (Con): Given that there is going to be a split and that there will be an authoritative figure in charge of the management of the House of Commons, can the right hon. Gentleman tell us what would happen if there were a decision about management taken by the new director general with which the Clerk disagreed? What would happen then?

Mr Straw: Let me go through the arrangements. Once I have done that, it will become easier to answer the hon. Gentleman's point.

To secure a unified House service, we concluded, as paragraph 166 sets out, that the Clerk should continue to be head of the House service and thus formally the line manager of the director general. However, the new director general will have a considerable degree of autonomy. Since delivery will be their responsibility, it is the director general, not the Clerk, who will chair the new executive committee. She or he will sit on the Commission with the Clerk, and will have direct access to Mr Speaker and other Commission members.

So the answer to the hon. Gentleman is that if there were a dispute between the Clerk and the chief executive, the matter would go to Mr Speaker and be resolved by the Commission. Crucially, unlike the current arrangements where the Management Board is free-floating and separate from the Commission, the executive committee will formally be a committee of the Commission. I hope that that answers his question.

The executive committee will consist of the director general, the Clerk, and Director of Finance, with up to three other members drawn from the senior officials appointed by the Commission. I believe that the Committee's recommendations have attracted support from all sides, but as I said earlier we did not simply split the difference between them: they are a coherent line manager of the director general. However, the new director general will have a considerable degree of autonomy. Since delivery will be their responsibility, it is the director general, not the Clerk, who will chair the new executive committee. She or he will sit on the Commission with the Clerk, and will have direct access to Mr Speaker and other Commission members.

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The right hon. Gentleman's findings are a great opportunity for a big change in the culture—by which we mean the attitudes and behaviour—of people throughout the organisation so that, in cases such as that of the gym, there is somebody who is clearly accountable for such decisions and wants to take responsibility for making them. The lack of trust that the current structure has generated needs to change, and I think he has come up with the right solution. Some structures can be set up in such a way as to generate mistrust, but he has chosen a structure—not entirely one of my choosing. I accept—that will create the opportunity to generate real trust and accountability throughout the organisation.

Mr Straw: With luck, this report will not be particularly uncomfortable to anybody, but it will involve major change—above all, for traditionalists, if there are such, in this House.

Mr Bernard Jenkin (Harwich and North Essex) (Con): As a traditionalist, perhaps, neither do I want to see business as usual.

The right hon. Gentleman's findings are a great opportunity for a big change in the culture—by which we mean the attitudes and behaviour—of people throughout the organisation so that, in cases such as that of the gym, there is somebody who is clearly accountable for such decisions and wants to take responsibility for making them. The lack of trust that the current structure has generated needs to change, and I think he has come up with the right solution. Some structures can be set up in such a way as to generate mistrust, but he has chosen a structure—not entirely one of my choosing. I accept—that will create the opportunity to generate real trust and accountability throughout the organisation.

Mr Straw: I am very grateful to the hon. Gentleman, not least because, as I acknowledged in my opening remarks, he co-sponsored the resolution that led to the establishment of the Committee. Those who have had to put up with it can smile about what has been going on in the bowels of the old Canon Row police station, but I very much hope that the Commission might examine a case study, what went wrong there. In my judgment—this is not to criticise the good faith of the officials involved—we have a decision-making structure at an official level where somebody gets something
agreed, then they have another thought, and there is no proper structure above that for saying, “Should we be doing this? Why didn't you think of that in advance?” It is ironic that the people making these decisions in Parliament are less accountable—certainly to Members and, I think, to senior officials—than they would be in an ordinary corporate organisation. That has to change because, apart from anything else, it is wasting a lot of money.

Mr Jenkin: The other tension that exists in the current organisation is that, with the best will in the world, the Management Board is trying to think strategically in the long term and there has not always been synergy between its strategic long-term thoughts and the Commission's strategic long-term thoughts. Merging the two organisations will generate that synergy.

Mr Straw: I hope that is the case. Putting the non-executive members on to the Commission, with all their outside experience, should ensure that the input into a longer-term strategy is where it should be, which is ultimately with the Commission.

I want to conclude—

Mr Hain: I am really sorry—I do apologise—but my right hon. Friend did not respond on the timing of the advertisement, and I would like him to do that.

Mr Straw: I agree with my right hon. Friend on the timing. I was going to make some remarks about that as I concluded.

On the face of it, splitting the current Clerk/chief executive post will mean two salaries in place of one. The House has made commendable progress in reducing the costs of this place by 17% in the past few years. We were very clear that this particular reform would have to be self-financing after the first year, as we say in recommendation 207. How exactly that is to be achieved will be for the new Commission, but achieved it must be.

We make plenty of other recommendations, including on widening the involvement of the Deputy Speakers in non-Chamber issues, clear and published delegations, and improvements in staff development and diversity.

Finally, I turn to implementation. The changes we propose will require amendments to the 1978 Act. Those are minor and uncontroversial. I therefore hope that those on both Front Benches will agree that if the House adopts the motion this afternoon, amending legislation will be introduced rapidly in this Session, with the aim of putting it on the Statute Book before Dissolution at the end of March. There will also need to be changes to Standing Orders. I hope that these too can be secured before the end of March, and I should be grateful for confirmation of that from the Leader of the House. Once those are in place, it is for the Commission to go ahead with this, and I hope that it does so very rapidly indeed.

I conclude by repeating my thanks to my colleagues on the Committee. We all came at our task with different perspectives, but in a fascinating and concentrated period of two months we focused hard, and we have made a set of interlocking recommendations that we believe will greatly strengthen and improve the running of this House, and, above all, the service that we provide to those who put us here. I commend the report to the House.

1.26 pm

The First Secretary of State and Leader of the House of Commons (Mr William Hague): I am very pleased to participate in this debate on behalf of the Government and as a member of the House of Commons Commission. As hon. Members know, and as the Government have always said, this is a matter primarily—entirely, really—for the House as a whole. I regard the principal role of the Government as being to facilitate consideration by the House and then to support the rapid implementation of what the House agrees.

I must first congratulate the right hon. Member for Blackburn (Mr Straw)—I have said this before at various points over the past few weeks but wish to reiterate it; I really mean it—not just on the very clear and convincing way in which he moved the motion but on the dedication shown by him and all the members of his Committee over the past few months. Back in September, the House set the Chair it nominated and the Committee it subsequently established quite a formidable task, both in terms of the knottiness of the problem they were asked to confront and the time scale for resolution that was set. The right hon. Gentleman and his Committee were not only up to this task but exceeded it by some margin in delivering their report ahead of schedule and, most importantly given the circumstances, with a unanimity that appeared at the beginning to be very difficult to achieve. I hope that this effusion of praise allays any fear he had that he would have to withdraw the thanks that he expressed earlier.

The Committee was no doubt helped to reach a consensus not only by the skills of its Chair but by the diligent and inclusive way in which it set about hearing views from across the House—from Members in all corners of the House and from staff in all departments and at all grades. I think we have all learned a great deal about the House in which we work as a result of this exercise. This work and this evidence have enabled the Committee to devise a thoughtful and sensible set of proposals that I sincerely hope and believe the whole House can now unite around.

The motion before us rightly welcomes the Committee's report and agrees with almost every dot and comma, as the right hon. Gentleman explained. It also seeks agreement to encourage all those responsible for implementation to get on with that important task. I wish to explain the reason for the one small point of difference between the motion and the Committee's original draft motion, since it was partly my suggestion that the change be made.

The Committee envisaged that the Chairs of the Administration and the Finance Committees would be drawn from the four Back-Bench members of the Commission once they were in place. On reflection, that could lead to a situation in which three of the Back-Bench members had the expertise and desire to chair the Finance Committee but no one was keen to chair the Administration Committee, or vice versa.

Mark Tami: Never!
Mr Hague: Of course, but nevertheless the situation could theoretically arise. It could even be the case that none of the Members elected to serve on the Commission wished to chair either of the Committees. It would then be the first task of the other members of the new Commission to allocate the responsibilities, which would be an invidious task in such circumstances. It is therefore my preference—and that of many others, including the shadow Leader of the House, the hon. Member for Wallasey (Ms Eagle)—that these two important internal Committees should be chaired by Members who have relevant experience and who are actively seeking to undertake those particular roles. I believe that will better ensure that the House has the right people in those roles and that the decision does not rest solely with the members of the Commission.

Although we fully support the outcome the Committee seeks to achieve—four Back-Bench Members, two Chairs of the internal House Committees and two others with clearly defined portfolio responsibilities—the motion proposes a slightly different way of reaching it. I hope the House will agree that it is a small but beneficial adjustment and one that will ensure that the Commission retains a party balance in the way envisaged by the Committee.

Mr David Heath (Somerton and Frome) (LD): I do not think that the Leader of the House’s suggestion fundamentally changes the Committee’s view of the Commission’s structure. However, as has been said, it is extremely important that there is no delay in putting in place the two House Committee Chairs. That cannot wait until the long process of negotiation relating to the election of Select Committee Chairs. Will the Leader of the House assure us that he will bequeath to his successor a view that those two Chairs should, if possible, be in place immediately after the election of the Speaker and the Deputy Speakers, so that the Commission is in place at the earliest possible opportunity in the new Parliament?

Mr Hague: My hon. Friend raises a very important point. It will be very important for the Commission to be able to begin its work very early—earlier than has sometimes been the case—in the new Parliament. As the final weeks of this Parliament go by, I will be increasingly happy to bequeath many views to my successor, particularly on things that are difficult to achieve, but I hope this will not be too difficult to achieve. The election of those Chairs should not be left to be the tail end of the whole process of the election of Committee Chairs. They are vital to the working of this House. Given that we will need to keep up the momentum of implementing the Governance Committee’s recommendations, a new Commission will need to be up and running pretty quickly in the new Parliament. My hon. Friend makes a good point and I will certainly bequeath that view, as he put it.

From the Government’s point of view, the report fully addresses the issues that were set out by my right hon. Friend the Deputy Leader of the House in the 10 September debate on the Committee’s establishment and on which I enlarged when I gave evidence to it. Notably, the proposals will provide the House with a Clerk whose independence and authority are unquestioned, and they should also provide a first-rate administrator with the visibility and authority to manage the services delivered to Members, staff and the public.

Mr Hague: That is important, too, although the right hon. Gentleman will know from reading the report that the recommendation of the Committee is that the Clerk should sit on the selection panel for the selection of the director general, so there is a sequence. That does not prevent us from starting the process of recruiting the director general, but it does mean that one has to come before the other.

Mr Hague: That is a very fair point. When the Commission meets next week, subject to the motion being approved by the House today, it will be able to
consider such things and, indeed, to bear in mind the urgency stressed by the right hon. Gentleman and other Members.

We have already invited the two existing external members of the Management Board to attend Commission meetings as a first step. Indeed, they attended the Commission's meeting on Monday, so that recommendation has already been provisionally implemented, as announced by the Commission in a written statement to the House yesterday. My right hon. Friend the Member for Caithness, Sutherland and Easter Ross (John Thurso), who speaks for the Commission, may wish to elaborate on that. It was the first in a series of periodic updates on process that the Commission has undertaken to make, which in itself was in direct response to one of the Committee's recommendations.

I have already indicated to the House on an earlier occasion that the Government are working hard to find a way to make the minor legislative changes that are needed to alter the membership of the Commission in the way recommended by the Committee, and to do so quickly. I will make further announcements about that as soon as I can. We will also provide the necessary time requested by the right hon. Member for Blackburn for the House to consider before the Dissolution of Parliament the minor changes to Standing Orders that implementation will require.

Mr Jenkin: Given the delays that tend to affect legislation, is there any impediment to the Management Board and the existing Commission working together as one body on a pro tem basis until legislation formalises the arrangement, even though any formal Commission decisions would have to be taken by the Commission as currently constituted?

Mr Hague: No, I do not believe there is any legislative impediment to that. Indeed, I have already mentioned how the two non-executive members of the Management Board have started attending the meetings of the Commission. That work is already going on, but legislation will be essential in order to alter the membership of the Commission. Given that we all envisage that the Commission in the new Parliament will be appointed and elected in a different way from before, there is a very good case for that legislation to be dealt with speedily. I will return to the House on that matter in the not-too-distant future.

Finally, we can acknowledge that the House faced a significant problem and disagreement on these matters, and that the Committee, chaired so ably by the right hon. Member for Blackburn, has not only found the right solution but set out a governance structure for this place that will finally be fit for purpose in our rapidly changing world.

Since the publication of the report on 16 December, I have advocated acting on its recommendations quickly. I therefore particularly welcome the speed with which the Leader of the House has acted to ensure that the report was debated today. Should the House endorse the Committee's recommendations—I hope and believe that it will—it will be incumbent on the House of Commons Commission to act with similar speed. I therefore welcome your decision, Mr Speaker, to schedule a meeting of the Commission on Monday to decide on the next steps in the light of today's debate. There is every sign that all parts of the House understand the need for speed of implementation. Since the beginning of this debate, everyone has focused on how we can best do that.

All of us are anxious for the House to endorse the report so that we can move quickly to the appointment of a new Clerk of the House, as well as to the commencement of the process to appoint the first director general. That process should at least start before the Dissolution at the end of March. We need to move speedily to appoint people to both posts, although one will unavoidably take slightly longer than the other.

Dr Julian Lewis: Does the hon. Lady agree that any advertisement should make it absolutely clear that the director general will have very considerable autonomy in the execution of their duties?

Ms Eagle: And authority.

Dr Lewis: Indeed. That very considerable autonomy was emphasised by the right hon. Member for Blackburn (Mr Straw) in his report and his speech.

Ms Eagle: I strongly agree with the hon. Gentleman. I hope that anyone who wishes to apply for the post will read the Committee's report, as well as all the fascinating evidence people gave in such a short time, so that they are well aware of the nature of the job and the authority that we intend should go with it.

Mr Jenkin: I agree with everything that has been said, but what is so vital in the arrangement is that there should be complete trust and understanding between the Clerk of the House and the director general. The sequencing of the appointments, which my right hon. Friend the Leader of the House mentioned, is therefore very important. The Clerk must feel that he or she has had a say over the director general's job description and how the job is advertised, otherwise the arrangement will not work. We will be setting it up to fail if anybody feels that premature decisions have been foisted on them. That must be borne in mind.
Ms Eagle: The direction of the discussion so far, like that of the report by my right hon. Friend the Member for Blackburn, is that the holders of the two jobs have to work in harmony, but that each must have their own autonomy and authority, so one cannot have a veto over the other. It is for the Commission to decide how and in what way it advertises the posts and with how much alacrity it does so, but I hope that it will act with alacrity. It is important for both posts to be advertised, and that at least one of them, the Clerk’s appointment, should proceed as quickly as possible. I agree with the Leader of the House that it ought to be done and dusted, barring unforeseen circumstances, before the Dissolution, but in my view—this is a matter for the House to decide today and for the Commission to debate and decide on Monday—I for one think that we should, by then, also be pretty well on with the arrangements to appoint the director general. I expect that appointment to be made quite quickly in the new Parliament.

I congratulate, and expression my admiration for, the Committee on the work that it did in such a short time. I am not the first speaker today, and I am certain that I will not be the last, to emphasise that point. The Committee was ably led by my right hon. Friend—when not in the gym—in tenacious pursuit of a solution that would bind wounds and take the House forward. He worked his Committee extremely hard. Members from both sides of the House took a close interest in its work, and many gave both written and oral evidence. Thanks should go to all members of the Committee, who set aside much time to ensure that they could fulfil the remit set by the House and report ahead of the tough deadline that we gave them. There is much that we are grateful to them for. We must also thank Members of the House of Lords, senior managers, Clerks and other employees of the House at all levels for their willingness to engage with the Committee’s work.

The Committee’s recommendations distilled the wealth of experience with which it was provided to create a vision for a House of Commons that is better equipped to face the future, especially in dealing with the challenges of restoration and renewal, with which the next Parliament will have to grapple. I note that all members of the Committee have signed the motion, which creates a welcome opportunity for the House to move forwards in harmony, which many people would not have believed possible last summer. I hope and believe that we will grasp that opportunity with open arms.

Turning to the substance of the report, the Committee’s proposals fall into three broad categories: the role of the Clerk; shared services; and a reformed Commission. I want to deal with each of them in turn.

On the Committee’s proposals on the Clerk and chief executive of the House, you noted in your statement in September, Mr Speaker, that there have been persuasive arguments for splitting the two roles for some time. Given the increasing complexity of the House’s administration and the imminent changes facing this place, not least the significant programme of restoration and renewal, there is an obvious need for more proactive management structures and accountability.

The Committee heard evidence that the current post of Clerk is “overloaded”, and that “neither part of it is…given the attention it deserves.” It therefore suggests splitting the two roles to ensure that the House administration is “better led and more capable of delivering responsive and effective services to Members, staff and the public.”

It proposes that the Clerk of the House will no longer be the chief executive; the new post of director general is central to the report’s recommendations. I must say that I strongly agree with the report’s conclusions on that crucial point.

The proposal to replace the current Management Board with an executive committee, chaired by the new director general, will ensure more experienced and professional management of this place, and is much to be welcomed. I emphasise that such a statement is not intended in any way as a criticism of any current or former post holder; it is a statement of reality as the House faces the task of dealing with increasingly complex management challenges, whether the restoration and renewal programme, or the modernisation of House services while delivering significant savings.

Mark Tami: As my hon. Friend says, there is an absolutely huge task before us and the next Parliament to deal with the physical structure, but that must be done in a culture where we look to save money. We need a very professional person in place. I have nothing against the Clerk—the Clerks do an excellent job—but it is a different role.

Ms Eagle: I have long believed the same thing. I welcome the fact that after the intense look at the evidence that the Governance Committee subjected itself to before Christmas, it came to a very similar conclusion. It is an obvious conclusion. If we can get the changes right, we will all look back at this as a turning point in the professionalism and effectiveness of the House service.

Susan Elan Jones (Clwyd South) (Lab): Those of us who are relatively new MPs remember keenly and fondly coming to the House as visitors. What strikes me is that the number of facilities on offer, whether in retail or tours around the building, seems to have increased greatly. The development of the two posts seems to be very much in keeping with the changes that have been made, very much for the better, to encourage more people to come in and appreciate the facilities. After all, it is the people’s Parliament.

Ms Eagle: I could not agree more strongly. They still had the ticker-tape in place when I came here. There has been rapid change in the short space of time since then. We must continue to future-proof our institution—not only our building, but our Parliament—to ensure that the transparency of what we do and our accessibility to our constituents and those to whom we are accountable continue to be among the best, rather than being achieved almost accidentally.

The report recommends positive changes to the House of Commons Commission, including the addition of an explicit statutory responsibility to set the strategic framework for the provision of services to the House and the election of Back-Bench Members to the Commission to serve as the chairs of the reformed Finance and Services Committee and Administration Committee, although that will happen in a slightly different way from that proposed in the original recommendation. As I noted in
my evidence to the Governance Committee, it is only as a result of sitting on the House of Commons Commission for the past three and a bit years that I have developed a real understanding of its role in running this place. The election of Members and clarity of responsibility will go a long way towards boosting the profile and scrutiny of the Commission, and that can only be positive.

The Governance Committee made important recommendations on sharing services with the other place. I am on record as saying that I favour a much greater integration of administration across Parliament that respects the independent nature of both Lords and Commons administration. I believe that there is much potential for efficiency savings and more effective joint working across the Houses. Both Houses already work together on a range of services, including procurement, security and ICT. The report found “wide support” for extending the practice. I agree with the Committee.

My colleague in the Lords, Baroness Royall of Blaisdon, observed that there was “much more scope for working together”, while the Lord Speaker has indicated the upper Chamber’s willingness to explore further collaboration, which I welcome. The same view is held by many who have worked at a senior level in this House. Sir Roger Sands, who served as Clerk between 2003 and 2006, observed that given that we “share the same building; there are so many things that cannot sensibly be managed separately”.

In his view, a “joint services department along the Australian lines is a logical end point”.

In its report, the Governance Committee supports the development of a single services department that would support the primary parliamentary purposes of each of the two Houses, and it encourages the House to work towards that in the medium term. It makes the important point that the delivery authority that will facilitate the restoration and renewal project might form a useful model for the sharing of services. It is certainly my view that once this House has made its decisions on restoration and renewal, whether it decants or finds another way to deliver that project, it will not be run in the same way when it comes back. That project will transform the way in which this House, and perhaps the other place, is run, which will be good.

Of course, the autonomy and independence of both Houses is an integral part of a bicameral Parliament, and there are services that could not be shared due to the different characters and working arrangements of the two Houses. However, in the current economic climate, when public bodies and members of the public are all making savings, there is an understandable expectation that all possibilities for savings, efficiency and effectiveness will be explored. Given that many witnesses highlighted the cost savings that could arise from the further sharing of services, I am pleased that the House of Commons Commission will consider it. I hope that we can be part of speeding up the progress in that important area.

This is perhaps the most crucial report on House business that we have debated for a long time. It is a timely report and, like the Leader of the House, I hope that we will ensure that its implementation proceeds as quickly as possible after the House makes its decision today. If this package of proposals and recommendations is delivered, I believe that it will make our governance fit for purpose. I will vote for the recommendations in the motion, and I hope that we can move forward as a House unanimously.

1.56 pm

Sir Oliver Heald (North East Hertfordshire) (Con):

Sir Oliver Heald (North East Hertfordshire) (Con): The hon. Member for Wallasey (Ms Eagle) talked of the pace of change over the years. She and I used to sit on the Select Committee on Employment in the early 1990s, when Committees were not supported to the extent they are now. As has been observed by others, there has been massive change over that period. This report has presented an opportunity to look at our arrangements, many years since Members last looked at them, and to see how we can better fit them to the current day.

I pay tribute to the work of our Chairman, the right hon. Member for Blackburn (Mr Straw). The Committee sat a great deal. We sat three times a week and took evidence from many witnesses. I am grateful to him. It was a privilege to serve under him. We saw some excellent chairmanship skills, which is not surprising after many years here and all the important posts he has held over the years.

It was a particularly good idea for the Committee to meet 60 staff members in break-out groups to hear their views on the governance of the House. That might be a good model for the House of Commons Commission to follow occasionally. The staff were genuinely excited and pleased to be asked their views.

I am proud of the work of the Committee. I pay tribute to my colleagues and the staff who helped us. It was a major undertaking and the report was delivered early. I am glad that the Commission has pledged to implement the proposals if the House supports them today.

The right hon. Member for Neath (Mr Hain), with whom I served on the Modernisation Committee when I was shadow Leader of the House, asked whether this is a major change. One only has to look at the organograms in annexes E and F to see that it is. The wonderful current arrangements are shown in annex F, which is like a piece of modern art, it is so complex. What is being proposed is a much simpler, more straightforward and more modern system.

I do not want to dwell on the reasons the Governance Committee was set up. It was clear from the evidence that we heard that it was time for Members to look at this issue. I believe that the Committee did a thorough and good job.

One focus for the Committee was to consider the role of Clerk of the House and chief executive. We heard important evidence from Members and a large number of other witnesses. Lord Browne, who at the time was the Government’s lead non-executive, was a particularly telling witness. He explained that, in designing who should be at the top of the pyramid of officers in a company, it was important to look at who had detailed knowledge of the core business. Although we are not a company—we are a very unusual body indeed—I felt that he had a point. He felt that the same principle should apply here, and I rather agreed.
We also heard from Lord Judge, the previous Lord Chief Justice, that if he was talking about privilege he would expect to talk to the person who was in charge and was expert in the matter. Many others, including the former leader of the Liberal Democrats, the right hon. and learned Member for North East Fife (Sir Menzies Campbell), also gave good evidence on that point.

One thing that became clear during our deliberations was that there are models in the public service of the senior official having somebody with commercial and operational skills working with him. That can be valuable in ensuring that what is decided actually gets done. We heard from John Manzoni, chief executive of the civil service, and Michael Whitehouse, chief operating officer for the Comptroller and Auditor General at the National Audit Office. Lord Browne told us that if there are to be two roles, it is vital to have clarity and proper job specifications, and we have set out in the report the specifications for the two roles we decided on. He said:

“Governance must start with clarity, which is difficult to achieve, and with a clear understanding of accountability, which includes decision rights. Who gets to decide what and to whom do you report when you have done it?”

The chief executive of the civil service, who reports to the Cabinet Secretary, and the chief operating officer of the NAO, who reports to the Comptroller and Auditor General, had found that it was possible to have a senior official working closely with the person in charge in a role that was described in different ways—chief executive or chief operating officer. They found that it depended crucially on having the right people in position, having clarity and the two people having an ability to co-operate. We have set out a process whereby the Clerk would be appointed first and then the director general, which is important to ensure that we have people who can work closely together.

Mr Jenkin: From hearing this debate, I am increasingly persuaded that part of the accountability that we need is the autonomy and clear visibility of the director general. Even now, the director general of facilities wears a badge telling us his name and title, and he feels more accountable because people stop him and talk to him as he walks around the Palace. That shows how important the visibility and demonstrable autonomy of the director general will be under the new arrangement, which is something we have all learned from this process.

Sir Oliver Heald: I very much agree. We use the words “overall responsibility” several times in the job specification for the director general, to show that autonomy.

I support the conclusion that the Clerk should remain the senior official of the House of Commons, with the authority that that involves, but that a director general should bring the skills we have just discussed to that important role. It is also right that the director general should have the freedom to initiate in certain areas, that he should be on the House of Commons Commission and that his role should be clearly defined.

During the course of our evidence taking, it became clear that the arrangements for the Commission and the Management Board were not working as well as they should, partly because of the structure, which I have already mentioned and which is obvious from the annexes to which I have referred, but also partly because of culture. We proposed a model that would expand the Commission and involve every important player in this place, and we clarified an enhanced role for Back-Bench Members of the Commission. As the motion states, it is important that there is party balance on the Commission, and it is also important that there are non-executive directors to strengthen it and ensure that there is proper business experience at the top level.

The effect of the changes will be that the Management Board will be abolished and replaced with an executive committee. That is more common in public companies and other parts of the public sector. It will be a streamlined body, working on a House service basis, committed to delivering the Commission’s decisions. Some suggest that the Clerk should chair that body, but we decided that, overall, it should be the place where the director general ensures that the Commission’s decisions are put into effect. The Clerk should of course be a member, but the lead role of implementation should be with the director general.

The report is more extensive than we first expected, and I believe that it provides a good way forward for the future. I hope that the Government will commit the time necessary to put the new system in place so that it takes effect immediately after the general election, and I was grateful to the Leader of the House for his points on that, which seemed encouraging.

As somebody who has practiced as an employment lawyer and advised the recruitment industry in the past, I was a bit surprised by the recruitment procedure followed last summer. The procedure from 2011, which was supervised by Susan Craig of the human resources department here, was a good step forward on what had happened previously. Although it was intended that a similar procedure would be followed this time, it was not. The House must have state-of-the-art recruitment procedures in place, so I welcome the report’s provisions setting out a model for future recruitment in line with current practice. That is an improvement on the 2011 procedure and fits in with the recommendations that Sir Kevin Tebbit made as long ago as 2007.

Over recent years, there has been a process of improving the way in which the House of Commons is managed, but having heard the evidence to the Governance Committee I have no doubt that there is a lot more to do. I believe that the report provides a basis for structural changes that are needed.

An important part of our recommendations relates to the culture of the House and the need for further efforts to achieve a more coherent House service that puts even more emphasis on staff development and training. Sir Kevin Tebbit told us that was important to break down the barriers between departments and functions. I am sure that is right, and our report suggests ways to foster that. I am proud of the report and its conclusions, and I hope that the House will agree that they have merit.

2.7 pm

Ian Paisley (North Antrim) (DUP): Thank you, Mr Speaker, for calling me so early in the debate.

It is the 750th anniversary of de Montfort’s Parliament, so it is incredibly fitting that we are debating changes and improvements to the governance of the House. I am not saying that they are 750 years late, but there are certainly issues to be addressed.
The House of Commons Governance Committee was an excellent one on which to serve, and it offered a new insight into the House, especially for new Members but I am sure also for experienced Members. We quickly got down to the nitty-gritty of the services that the House offers, and the right hon. Member for Blackburn (Mr Straw) has already recounted some of them. We heard about the queues that members of the public face, sometimes in the rain, when they attend the House—I think there are now about 5,000 visitors to Parliament a day, and looking after our visitors, who are the public and the electorate, is incredibly important.

We heard about the non-functioning gym. The cold showers, or lack thereof, have given rise to the notion that labour really does stink—I am sure the right hon. Gentleman will appreciate that. We heard about blocked toilets in the Norman Shaw building, the leaking roofs outside the Chamber, the double-booking of rooms and—from the sublime to the ridiculous—the quality of champagne in the Pugin Room. I am not saying that we had a wine tasting session, but we can disprove the noble Lords’ theory about what is the best-quality champagne. We had an escorted journey from the sublime to the ridiculous as part of our efforts on the Committee, and it was worth while pursuing many of those issues.

The Committee was aided by its gifted Chairman and—more importantly, I think—by the gifted and widely drawn staff whom we were able to pull together. All our members appreciated their skills, because each member of staff had a real sense of purpose in addressing the lack of clarity in the governance of the House and the other issues that have arisen.

The Committee was not about settling old scores. It was about looking forward and setting a road map for the governance of this great institution. The report, in both its anticipation and publication, has caused interest beyond what the Committee expected—I understand that it is now on its second or third print run and it looks as if we may have published a bestseller. In the other place it was the subject of questions earlier this week, and the Leader of that House was faced by noble Lords who wished to assert their position on structures, governance, reform and renewal. It is good that we have perhaps awakened an interest in some of those important issues.

As the hon. and learned Member for North East Hertfordshire (Sir Oliver Heald) said, the most important evidence that we received concerned the need for clarity and purpose, and that theme returned time and again—the importance of clarity and purpose is the raison d’être that runs through the report, and we have tried to focus on that. There is a sense that lines have been blurred, and in some areas there is a notion of “let’s just muddle through and it will be all right”. It is now time to adjust and repair that notion.

Any new Member who comes to the House, as I did in 2010, expects the place to function. However, within days of sitting on the Committee, I found that that was a mistaken view. Soon into our deliberations it became clear that tensions exist and must be addressed, and I believe the report offers solutions in those areas. We set out clear lines of responsibility and accountability, and clear assertions about where the buck should stop.

Setting those matters out now and getting unanimous support, as expressed by the Leader and shadow Leader of the House, is important.

It is clear that the staff of this House are extremely proud of working in this Parliament, and why should they not be? A renewed collegiate sense between staff, staff groups and Members needs to be kindled. We all have responsibility in that regard and it is a two-way process. All parties, not just the Government and main Opposition parties, must play their part. The next election promises to flood the House with more Members from smaller parties. That voice must also be heard in future, and the report addresses that issue in its recommendations.

There is clearly need for the House of Lords to move with us and not to pretend that all is well there or, worse, to impede the progress that we have outlined. At the commencement of the new Parliament, there will be an opportunity to start afresh and ensure that bad habits are done away with and a fresh page is opened. Change will happen only if we implement the report’s recommendations with determination and zeal. Let us get the right people in the right places, and ensure that we put this Parliament first.

2.12 pm

John Thurso (Caithness, Sutherland and Easter Ross) (LD): I have added my name to the motion and speak in support of it. I congratulate the right hon. Member for Blackburn (Mr Straw), and his Committee and staff, on their excellent work. Before he set off, I thought to myself that the Committee would be jolly lucky to get the report in on time and that it would need an extension, but not only has the right hon. Gentleman beaten the deadline, he has done so with a well-crafted report that I would describe as an elegant package that has precision where required and sufficient imprecision where that is helpful. As other hon. Members have pointed out, one has only to look at annexes E and F to see the difference between what was and what is proposed, and the Committee is to be congratulated on its work.

Let me make it clear that I speak for myself and not as spokesman of the House of Commons Commission. The Commission awaits the verdict of the House, and we have provided for a meeting on Monday to take forward what is decided. At our meeting last Monday, we made an assumption that the House might like to approve the report, and everything is ready to fire the starting gun. The need for speed that was mentioned by the right hon. Member for Neath (Mr Hain) has been prepared for, but my comments reflect my thoughts on the report and do not come from the Commission.

I want to mention the quality of the staff. As I said when I gave evidence, since I have served on the Finance and Services Committee, I have engaged with staff on a great many levels, and I have been impressed by how much they want us to succeed in what we do. I know that the report has been welcomed by members of staff, and I think they would like us to get on with delivering it. I sense great good will and desire on the part of our staff for the matter to be sorted out so that they have that governance structure. Clearly, this process started with a hiccup, but as the right hon. Member for Blackburn said, the report does not concern itself with that but looks forward. That is commendable and is perhaps a case of “per ardua ad astra”—we have had the hardship, let us now shoot for the stars.
The report suggests a package of measures. I am sure that each of us has bits that we would have done slightly differently, but this package is workable and can be put into place, and it is therefore important that we accept it as a package. I particularly like the way that the report first sets out clear principles, and secondly encourages us to move towards modern best practice. It also encourages us to retain what we value about the way this House is run, and to understand that in taking the best from the governance of other organisations, we must also preserve that which makes this House the successful legislature it is.

I wish briefly to mention three specific areas: the arrangements for the new Commission, restoration and renewal, and bicameral services. I will begin with bicameral services, having had the happy memory of serving on a sub-Committee of a Committee in the other place 20-odd years ago, when the prevailing notion was, “Who on earth are these people at the other end, and how do we keep them out of our House?” In the past couple of years there has been a welcome change, and I was pleased when the Audit Committee, which twice a year meets jointly with the House of Lords Audit Committee, proposed some form of joint procurement. That idea was taken up by Members of this House and we now have a joint procurement service. That demonstrates that with good will and agreement, such things are not only possible but can happen quickly.

Obviously, both Houses are sovereign, but if one looks at the history, they have never been particularly sovereign in facilities, but rather in legislature. The fact that different services have been built up in different ways over the decades, or even over a century, is not by design but rather by accident. Therefore, provided that the sovereignty of the two Houses in legislation and how they operate as legislatures in a bicameral system is preserved, it makes great sense to have joint provision or commissioning of services that will provide efficiencies for both Houses. I look forward to that happening, and see no reason why, with good will and dialogue, that cannot happen reasonably quickly.

Restoration and renewal will be a mammoth capital project with many noughts at its end—I have no idea how many, but there will certainly be a lot. I had a tour of the archives in Victoria Tower a few weeks ago, and we must understand that whatever happens and whatever option is chosen, that whole archive will have to be decanted. That will need a high-grade provisional archive, which prompts the question of whether we should move it twice—out of Victoria Tower and back again—or move the archive once and let it stay there. I have no idea what the answer to that is, but such questions will have to be considered.

Anybody who has done the tour of the subterranean areas of this place will be surprised to discover that one can go from one end of the building to the other in an almost straight line—I think it is the only place where one can do that. Many would also be surprised at the complexity and amount of redundant services that date back 30, 40, 50 and 70 years, although nobody knows if they are actually redundant.

The magnitude of the task is immense. The important point is that I do not think that either of the posts that will be put in place should be asked to deal with that or have the competence to deal with that. The competence the director general will have is to advise the Commission and the House on how best to commission it. That is why I believe that the proper road map going forward is: first, for the core decisions to be made by the two Houses and for the two Houses to agree; and, secondly, to set up a form of governance rather like, as I suggested, the Olympic Delivery Authority, such that we get the expertise required to deliver a project with clear accountability and governance. We should not expect a new director general to come in and, in addition to running the place, also be the best project manager in the world, because that is simply not going to happen. Clarity on that is very important.

We will need to accept—and I think we do—that there are many different ways that restoration and renewal could go. The choices need to be made from facts, when the facts are revealed and the small committee that has been recommended will be set up in the next Parliament. Ultimately, once the strategic decisions have properly been made by the Members of each House, we will need to put in place a delivery mechanism.

I am in complete agreement with the arrangements for the Commission, which is not surprising since most of them were in the evidence that I gave to the Committee. It would be rather odd if I disagreed with what I had said at that time. I particularly felt that widening it to include external members and bringing on to it executive members were critical to creating a modern form of governance. I feel that the way in which the Committee has gone about looking at that, reading its evidence and the solution it has come up with for a wider commission, together with an executive committee as a sub-committee of the Commission, is absolutely an appropriate way to go forward.

I agree, too, with the Committee’s recommendations in respect of the four Back-Bench commissioners. I agree that they should be elected as that is a tremendous step forward. I also agree, as the right hon. Member for Blackburn said in his opening remarks, that they should all be remunerated. The reason for that is twofold: they should all be equal and they should all have portfolios. Clearly, there is the Finance and Services portfolio, which I hope will become a finance committee portfolio.

I have always thought that there is a very strong portfolio for a commissioner to have responsibility for staff, human resources and diversity, and to take that on. I think that some of the comments that have been made today might support that. I also think that a commissioner should take a lead role in strategy, which would also encompass restoration and renewal. Many plc have strategic committees, not a formal committee, to take on that role.

One of the arguments against that, of course, is that Chairs of Select Committees are remunerated—hence the remuneration for Admin and F and S—but that members of Select Committees are not. I suggest to those on the Front Benches that that is the wrong parallel to draw. The right parallel is with the Panel of Chairs. They are all remunerated to some degree for their work. I think the commissioners are quite separate from members of Select Committees. I think it is perfectly appropriate that those who also Chair a Committee should do that, but I believe it is important to ensure that the four commissioners are of equal rank, should all be elected and all be remunerated. On that basis, they should all have work to do. I would like to see that
going forward, because that was an important part of the recommendations. The motion as written—carefully crafted—does not preclude that. I have no problem—the motion is right to suggest it—with people being elected to specific posts. I am quite happy with that, but when the four are elected by the whole House they should be remunerated and have proper work to do.

I again commend the report to the House. The right hon. Member for Blackburn and his Committee have done an excellent job. It is a real blueprint for a form of governance that the House will be able to be proud of. The duty of an existing commissioner in the dying days of his office, as it were, is to ensure it is delivered. I am sure my fellow commissioners feel the same way.

2.25 pm

Valerie Vaz (Walsall South) (Lab): It is always a pleasure to follow the right hon. Member for Caithness, Sutherland and Easter Ross (John Thurso). He will have read in the evidence we heard the tributes paid to him for the work he has done.

This year, we are celebrating the huge anniversary of Magna Carta—for the benefit of the Prime Minister, that is the “great charter”—and this week we celebrated the de Montfort Parliament. Today is the day of the Straw Committee. I am not sure we will be celebrating this document in quite the same way as those other anniversaries, but it is nevertheless an important document.

It was important not to think of the individuals in the posts that we were discussing. If Members of the House do that, they will probably understand why we came to the conclusions and recommendations on the evidence that was before us. I want to touch on the Committee, the Commission, the two separate roles—the appointment of the Clerk and the director general—and security.

Starting with the Committee, all of us took the task the House gave us very seriously. We did not want to go over the background to why we were there, but to find ways to move forward. We were set a task by our excellent Chair, and I pay tribute to my right hon. Friend the Member for Blackburn (Mr Straw) for his stewardship, and to each and every one of the excellent Committee staff at every level—I can see some of them here, dotted around the Chamber. The Committee met three times a week, with Committee Clerks picking up on what we wanted and implementing it.

To start with, I was not aware of the views of the other members of the Committee. However, the hon. and learned Member for North East Hertfordshire (Sir Oliver Heald), as a former Solicitor-General, brought his legal experience to bear. The hon. Member for Somerton and Frome (Mr Heath), whom I wish well in his future endeavours, is a former Deputy Leader of the House and brought his experience. The hon. Member for Hereford and South Herefordshire (Jesse Norman) had his own pressures, because he has a very special constituent—the former chief Clerk. The hon. Member for North Antrim (Ian Paisley) served the Committee well—I think he was one of the only members who attended every single meeting—while he was still grieving for his father. The hon. Member for North East Somerset (Jacob Rees-Mogg) brought his experience of boards and being an active Member of the House, and was an excellent co-chair at the staff session. By the way, he has his own copy of “Erskine May”. The hon. Member for St Helens North (Mr Watts) fitted in his other commitments with his assiduous Committee work and gave us wise advice. I also want to thank all those who took the time and effort to put their views to us, both in writing and orally.

What we heard is that there is not another institution like this. We therefore felt there could be some creativity in what we could come up with. We heard that learning from the private sector, which we can, cannot make this place corporate: the public sector instils that unique sense of public duty and acting in the public interest that we see everyday from the people who work here.

One of the major planks of the report is to streamline the governance structure. Many Members have touched on this. The Commission sets the strategic framework for the delivery of services to Members, staff and the public. Many Members have mentioned the organogram—it rapidly became one of my favourite words—which is set out on page 89. From the confusion of lines of reporting, accountability and action, it is clear that not much could get done very quickly. I hope you will agree, Mr Speaker, that the new structure cleans this up, and it is much more streamlined on page 88, with the four elected members given the status of Select Committee Chairs. That is right, because it is difficult for them to concentrate on the work of the House. I take the point that they need to be remunerated and given status so that they know they are doing important work. We cannot have four Committee members doing separate things, with two getting an allowance and the other two not. All four have to play their part on the Commission.

The non-executives do not have voting rights but, to clarify an issue mentioned by the Leader of the House, it is not a question of just moving them from the Management Board up to the Commission. We have recommended that there should be a fair, open and transparent selection of the non-executives and the two officials who will also sit on the Commission.

That brings me to the two separate roles. As is well known, we decided as a Committee that we should have the two separate roles. The Clerk’s role is unique and the skills required are extremely important—giving advice to the Speaker and the Deputy Speakers. I am sure we all agree that we are well served by the Clerk’s Department. However, it is too much to ask one person to undertake the responsibility of the other aspects of the House relating to its management and liaison with the other place—a necessary and important requirement.

I changed my mind many times on who should be in charge overall. We heard from those who had run large corporations that we need to know where the buck stops and who has a grip on what is going on. Where is the Gantt chart of work to be done, and who is responsible for the delivery? Ultimately, it must be the Speaker, elected by Members, but with the support and the challenge from a board—the Commission. The staff, too, had a variety of ideas, and the meeting with them at all levels of the organisation was unique—and I hope that will continue.

If Members care to look at paragraph 68, they can see the variety of views expressed to us. In the end, the Clerk’s role is preserved as head of the House service, but the director general is autonomous and is responsible for resource allocation and delivery across the House service. There were organisations that said that in cases
ranging from Sir David Higgins, formerly at the Olympic Delivery Authority to the National Audit Office—my right hon. Friend the Member for Blackburn touched on this—two people have been in charge and they have been able to make it work. I believe that it can work. While the Clerk is head of the House service, the executive committee is chaired by the DG: both have a direct line to the Speaker.

Let me move on to the appointment of the Clerk. We have heard that in previous times, a piece of paper was passed up to the Speaker and two names, or even just one name, were given to the Speaker to choose. That cannot be right in the 21st century. Judges used to be appointed by a tap on the shoulder, and sometimes solicitors and barristers were asked to apply to be judges. That has changed to a much more transparent system. We are moving away from appointing people in the image of their predecessors, and we are looking at different and transferable skills.

I feel that some explanation should be made of how the process will work. There will be a sifting panel—I hope many people will apply, and I have talked in terms of hundreds—that will sift things down to a manageable number. The panel that interviews must shortlist. That provides consistency and continuity, and it has to be done under any equal opportunities proposals. The panel will have a discussion at the shortlisting stage about why they have scored candidates in the way they have against the job description and whether they can draw out certain aspects of the applications that will apply to the job or whether transferable skills are relevant. In my view, the person working most closely with the Clerk and the DG has to sit on the shortlisting and selection panel—and that is the Speaker. That is all set out in paragraph 192 and agreed in the report. The new Clerk will be part of the panel for the DG, as they have to work together.

Let me touch on security aspects, which are also included in the report. We wanted to reassert our rights as Members. While the security of Parliament is of fundamental importance, we need clear governance arrangements to ensure that, except in an immediate emergency, security concerns should never override a Member’s constitutional right of access to Parliament or any other privilege. Protections must be in place to ensure that Members’ communications are not subject to interference, including surveillance and interception. We consider that the governance of security arrangements should be subject to approval by both Houses and that security policy should be a regular item on the agendas of the joint meetings of the Commission and the House Committee. Between those meetings, whenever they happen, there should be an effective oversight body, as set out in paragraph 129.

In conclusion, this is a place of work that should be accessible to those who need to understand it and who send us here—but sometimes it is not accessible. We should be able to conduct our work on behalf of our constituents in an efficient and timely manner. I thank the people who have been acting up in their role in the absence of the chief Clerk while the Governance Committee has been meeting. It is important that there is a framework in which Members and staff know the limits and know what is required, what action needs to be taken and what the outcome will be, so that things are just not left to the whim of a manager—there must always be accountability to the Commission and, ultimately, the Speaker and Deputy Speakers who are the public face of the House.

We have evidence showing where you have intervened, Mr Speaker. When the pay deal was stuck, the trade union leader appealed to you and that moved things forward. I also want to mention the idea of screening “12 Years a Slave” with the director, Steve McQueen, actually standing in Speaker’s House. That is remarkable, and it happened following a request from the diversity group, which was agreed by you, Mr Speaker.

I hope Members find this report workable—and workable now. There is a will to change and the staff now expect something to be done. We heard from Mark Hutton, the Committee Clerk, that there has been an extended print run, and I understand that it is selling faster than the books by my right hon. Friend the Member for Blackburn!

I feel that I have learned about this place, and heard from Members and staff alike that we will all rise to the challenge and make this an even more historic week. I thank my colleagues on the Committee for their support, and I commend the report to the House.

2.37 pm

Jacob Rees-Mogg (North East Somerset) (Con): I begin with an apology, as I may have to leave early to attend the repeat of the Simon de Montfort Parliament in the chapter house of Westminster Abbey.

I join other members of the Committee in thanking the right hon. Member for Blackburn (Mr Straw), who was an absolutely brilliant Chairman and incredibly smooth in getting us to agree when there were bits of disagreement and in bringing people together. As a Member who was elected only in 2010, I was interested to watch someone who is an expert in his craft. He operated the Committee incredibly well.

I am pleased to follow the hon. Member for Walsall South (Valerie Vaz), who was a terrific member of the Committee. Although I will not mention every member of the Committee, I hope that she will take it as a compliment when I say that she was very much the grit that allowed the oyster to produce a pearl. While our Chairman was doing his silky stuff, for which other members of the Committee might have fallen slightly more easily, the hon. Lady ensured that we were kept up to the mark and that things were rigorously questioned and not just accepted. Her membership was crucial to our unanimously agreed report.

The report was important because we were tackling complex issues. The fundamental purpose of this place is to be a legislature, but we must be run in as efficient a way as possible. We have a duty to the public purse; we should not spend money carelessly. We have to ensure that we are run efficiently so that members of the public can come here. It is a very important constitutional right that our constituents can turn up in Central Lobby on any day of the week when the House is sitting and demand to see their Member of Parliament, to ask their MP to behave in a particular way. That means that the general operation needs to be smooth running in admitting people and providing some element of hospitality.

We also have to get legislation through, which I sometimes regret, saying that an awful lot of legislation is bad and it would not necessarily be a bad thing if we
were a little less efficient. On the other hand, the Government need to be able to get their business through the House, and they need the authority and expertise that is brought to them by the Clerks.

I hold the Clerks in the highest regard. They were referred to in some of the evidence that we received as a "priestly caste", and I rather like that view of them. As a Catholic, I have always been taught that one should not criticise or question priests unduly, because they have that high authority. Oddly, in the priestly class of Clerk, that is important. There are 650 Members of Parliament, all of whom, individually and jointly, think that they know best. They think that, having read one page of "Erskine May"—which is about what I have done—they have suddenly become experts on every aspect of procedure, and are willing to challenge Clerks with 40 years' experience.

Those bewigged figures have an authority through their learning, their length of service and, indeed, their appearance—an authority that is accepted by Members, and that allows the business of the House to progress—and anything that we did in our report had to preserve that. However, we had also observed that some aspects of the House were not running as efficiently and as smoothly as might have been hoped, partly because of the absurd burden that was placed on someone who was performing the job of both Clerk and chief executive.

I happen to dislike the title "chief executive". I think it is part of a title inflation that has affected every organisation. Even in a two-man band, one of the two has to be the chief executive. It has become part of a culture of flattery, and of raising things that do not necessarily need to be raised, which I find broadly disagreeable. None the less, the title had been introduced, and it meant that one person was expected to do absolutely everything. For instance, people would contact him if they were upset about the gymnasium. I must confess that nothing has ever worried me about any gymnasium at all. I never go near such places. I think that raising one's hand to hail a taxi is quite enough exercise for any individual day.

Valerie Vaz: You should walk.

Jacob Rees-Mogg: That sounds far too energetic, but never mind.

The fact that a chief executive was being bombarded with petty requests meant, inevitably, that the job was becoming unmanageable. The number of people who were coming in, and the growth in the business that was going on, meant that the role needed to be divided. However, as we observed while the Committee was sitting, there are occasions when matters that we think are completely routine and entirely administrative suddenly become constitutional.

I was a member of a private Member's Bill Committee. When I turned up, I found that the Committee Room had been hired out for—I don't know—a tiddlywinks contest; certainly not for any parliamentary activity. Although everyone knows that the business of legislative Committees takes priority over any other business that is going on in a Committee Room—which is quite right—dealing with that is a clerkly role, not an administrative role. The more one thought about it, the clearer it became that it was impossible for the head administrator to be above the head constitutional person, but also that the head administrator needed to have enormous authority and clout in order to get things done.

One of our fascinating discoveries—this happened when I was talking to members of staff with the hon. Member for Walsall South—was that no one actually knows how anything is decided in this illustrious place. I had a great conversation with a gentleman from Portcullis House, which, as some of us know, is that remote office space that takes us away from the Chamber, about a room booking. He said that one person had told him that drink could be served but not food, another person had told him that neither could be served, and the Speaker had said that both were allowed. I said to him "Well, who did you follow?" You will be glad to know, Mr Speaker, that he quite rightly replied "Mr Speaker, of course." For all the governance that may be put into this place, there are authorities which are not necessarily written down, but which carry—rightly, in my view—a great deal of weight, and the director general needs to be in that position.

The right hon. Member for Blackburn mentioned that we had bandied about titles when we were discussing what the director general ought to have been the head administrator had various favourites. I went through the list of titles in the Royal Household from which I thought we might be able to learn. We briefly considered "comptroller", with a "p", but that was rejected, eventually and somewhat reluctantly, after I had a discussion—with the leave of the Committee—with a journalist, the great Brendan Carlin of The Mail on Sunday. [Interruption.] I believe that it is traditional not to recognise the Galleries, but never mind.

I asked Brendan Carlin whether we would be teased if we used the title "comptroller". He immediately said to me "fat", and I am afraid that the image of Thomas the Tank Engine diverted us from "comptroller". My other favourite was "grand bailiff", but I regret to say that "grand bailiff" got no takers. So director general became the title: a title that carries implicit authority, power and prestige, but does not confuse the operation of a Parliament with an intrusion of the private sector that is entirely unnecessary.

This place cannot have a chief executive. When the chief executive of BP—and goodness, Lord Browne's evidence was impressive—says "Go", his minions "goeth". When the chief executive of the House of Commons says to a Member of Parliament "Go", the Member of Parliament—however new, however humble, however diffident—says "Why?" If 650 employers, effectively, are not willing to be told to go, a very different role is needed: a role that requires more tact and subtlety and understanding. The private sector comparisons were therefore not the correct ones. I think that we have got this big task absolutely right. We have made the role manageable, but we have maintained the primacy of Parliament and the primacy of the legislative process.

As for the other aspects with which we have dealt, it is not, I suppose, that unusual for a mini-crisis to lead to a process that uncovers matters that can be significantly improved. The administration of the House of Commons, although in the hands of very impressive and capable people, was an enormous mystery to anyone who had not served on the House of Commons Commission. I agree with the hon. Member for Walsall South in that regard.
When we looked at the organogram—which is an ugly word, to be honest—we had no idea who was reporting to whom about what, and I think that one of our major tasks is to cut that structure down so that it is understandable. That is not just important to Members of Parliament, because it is very easy for them to have their views heard. They have opportunities to question the Leader of the House, to send messages to the Speaker, and to speak directly to the Clerk. A Member of Parliament has access to where authority lies. However, the employees of the House—the staff of the House—need to know who makes a decision, and whether that decision is authoritative or merely a suggestion made by someone higher up in the pecking order than them, but not high up enough to make the decision authoritative. I think that if we cut down the administration and simplify it, we will have clear lines of command that everyone will be able to understand, and better engagement with the people who work in the building.

I want to make one point on the relationship with the other place—with the noble Lords. I understand why their lordships are very nervous about this place trying to grab power from them. If I were in that place rather than in this place I would take the same view: that the House of Commons—by virtue of ultimately controlling the purse strings and by having the democratic mandate—is always in a position to peer over at what their lordships are doing. Although the champagne story may have been legendary if not mythical—anyway, I think their lordships ought to drink the highest quality of champagne; after all, if you’re a Lord, you must have some privilege of peerage—their lordships need to maintain their independence because they do not want to be a subsidiary Chamber. They are a second Chamber—the second Chamber—but not a subsidiary Chamber. In their procedures, and sometimes in aspects that do not immediately seem procedural but may have procedural implications, their lordships will want to keep their independence. We as the lower House must be incredibly tactful and diffident in how we deal with them. It is not for us to tell them what to do; it is for us to make tactful and polite suggestions. If we do that, we may, I hope, be able to maintain a good working relationship, but we must ensure that we do not appear to be engaged in a power grab.

I am honoured to have served on the Committee, which was very good and worked speedily. I am glad that today we are debating our report and that the Leader of the House and First Secretary of State is so generously allowing us time. He does not allow us time for some other things, but he is being very good in this respect. It is a happy coincidence that the former Clerk of this House, Lord Lisvane, was introduced to their lordships’ House earlier today. If he has read this report, I hope he thinks it is up to the standard of the reports issued when he was still in office.

2.50 pm

Mr David Winnick (Walsall North) (Lab): The hon. Member for North East Somerset (Jacob Rees-Mogg) will be pleased to know that he is not in a minority of one when it comes to the gym. I am not altogether certain where it is located, and I cannot confess that I have much interest, but I recognise that it serves a very good purpose for many Members and, indeed, staff, which is the important point. The hon. Gentleman and I are not likely to agree over wigs and costumes, however; if only we would all recognise we are now in the 21st century.

I commend the report and the work that has been put into it. A great deal has rightly been said about my right hon. Friend the Member for Blackburn (Mr Straw) and his colleagues. They have undoubtedly produced a report on which, so far at least, there has been unanimous agreement, and I am not going to voice dissonance.

The point is made in the report that we do not seek to be elected because of a wish to run the House. Indeed, at election time that is about the last thing on our minds. When the next campaign begins in a few weeks, running the House of Commons will not be one of the issues that we will raise with constituents. It is not likely that anyone wishes to come here to be Speaker or Deputy Speaker or to chair internal Committees. Nevertheless, the place could not function without Members being willing to take on such responsibilities. While we have the privilege—it is always a privilege—of being Members here, we have a collective overall responsibility, albeit fortunately not a day-to-day one, for the building, for appointments and for the functioning of this place. That is not an overall responsibility that we can give to Officers.

Of course we would not be debating this issue at all—there would have been no Committee in the first place—if the previous procedure for appointing a Clerk had been adopted. A proposal, which I shall not go into, caused a great deal of controversy. A motion was tabled and debated, and then the Committee was appointed—and all of that arose entirely because of the original suggestion that was made.

In paragraph 59 of the report mention is made of how in 2006 two names were put before the then Speaker by the retiring Clerk, from which a choice was made, and I recall that the current Speaker made a statement to the House on 30 June 2011 in which he told us that—from a panel of five, so it was not as in 2006—an appointment had been duly made. He made that announcement to the House and we cheered accordingly. I do not in any way question the way in which those two Clerks carried out their duties, and it is quite likely that under the new recommended appointment proposals those two individuals would have been appointed, so I am not questioning their credibility or the manner in which they carried out their jobs. The important point is the manner in which they were appointed, which was surely unacceptable then, and even more so now. I very much welcome the more complex and thorough method now being recommended for appointing the Clerk, which I am sure will be adopted.

Although the new appointment process will rightly be more thorough and complex, I would like—I hope this is not too daring a suggestion—Members generally to have a say. Would it be totally out of the question to have hustings? That happened last time for those who wanted to be Speaker, and it would have been unthinkable before. Moreover, why not have a pre-confirmation hearing before the Public Administration Committee for the successful applicant for the post of Clerk of the House of Commons? The recommendation would be made, and the person recommended would go before that Committee. In my view, there is a case to be made for that approach, although the report does not uphold that view, which is perhaps unfortunate.
If it is considered inappropriate for the person to be appointed Clerk to go before a pre-confirmation hearing—as I say, I see no reason why it should be—what about the new director general of the House of Commons? Is there a particular reason why that should not be done?

Mr Heath: I think there is a reason why that should not be done: that would then be substituting the judgment of one set of Members for another set. In both cases, they would be Members of this House and there is no obvious reason why the Public Administration Committee should have a better view of who should be appointed than the appointing Committee.

Mr Winnick: That point was made to me informally when I raised the issue with a Member who has some responsibility in this regard. I am not altogether convinced that it is written in holy scripture that, because one Committee has made a recommendation, it cannot be looked at by another Committee. However, as I said, the Committee chaired by my right hon. Friend the Member for Blackburn did not take up the suggestion.

In my view, it is sensible that, although the two posts will involve equal—if very different—responsibilities, the Clerk should be the more senior of the two. So much must depend on the way in which the two individuals—the Clerk of the House and the director general of the House of Commons—will be able to function, day by day. The last thing we want is a turf war: disputes about who should be responsible for a, b and c, and who for x, y and z. That would take us back to square one, or indeed worse. So it is absolutely essential that, when the appointments are made, there is a clear understanding that these are two individuals who can get on together, recognise their different functions and serve the House of Commons as it should be served.

During the last debate on this subject, I was one of those who argued that being Clerk of the House of Commons, with all the authority and understanding of its procedures that that involves, and handling the day-to-day administration are completely different functions. I am very pleased that the view is shared by a number of Members on both sides of the House, and was clearly upheld by the Committee, that these are different functions that should be performed by two different individuals.

Finally, I turn to the restoration and renewal of the building, which a number of Members have mentioned. It is absolutely essential—indeed, there is no more important issue for the new Parliament elected in May to get to grips with as soon as possible. In November 2012, we had a general debate on House of Commons facilities, at which I took the opportunity to refer to a report that mentioned such problems as widespread water penetration—more evidence of which we have seen just outside the Chamber today—and asbestos all over the building. The report also stated that the mechanical and electrical services were defective, and it should be a matter of even greater concern that it identified a high fire risk.

When the necessary overhaul work has been agreed to, there will no doubt be complaints because it is costing a very large sum of money. People will write in to ask whether the money could not have been spent on more important things, but we will have to make the point that vast sums are already being spent every year to try to keep the building in a condition in which it can function on a daily basis. This is not a matter of a few minor defects. The building is not fit for the 21st century, and it is dangerous in its present condition.

I hope that, when the new Parliament is elected, it will get down and do the necessary planning work. I agree that a new delivery service will be required, and I cannot see that being undertaken by the new Clerk and the new director general of the House of Commons. I do not believe that that should be their job; rather, as has been suggested, there should be a structure similar to the one that helped to put on the Olympics so successfully. I have no doubt that the report will be accepted; there does not seem to be any dissension. Once the two main appointments have been made, the first priority of the new Parliament regarding internal matters must be to decide how and when the work is to be carried out, as it will undoubtedly involve the evacuation of this building for a few years at least.

Mr Hague: On a point of order, Mr Deputy Speaker. I hope that it is appropriate for me to inform the House that, while we have been having this debate, news has emerged that Lord Brittan of Spennithorne, Leon Brittan, has passed away. Many of us who have known him for a long time will know that he had been ill for many months, but this is a sad moment to receive this news. He was my predecessor as Member of Parliament for Richmond (Yorks), which is why I particularly want to pay tribute to him as a former Member of this House and former Home Secretary. He was a kind, assiduous and brilliant man, and I know that the whole House will join me in sending our deepest condolences to his wife, Diana, at this difficult time.

3.2 pm

Jesse Norman (Hereford and South Herefordshire) (Con): I echo the sentiments that the Leader of the House has just expressed. I am sure that we all feel the same sense of sorrow on hearing that Lord Brittan has passed away.

I rise to support the motion as a member of the Governance Committee. I little thought at the outset of this process that we would end up where we have, or with as happy and constructive a result. My original goal in tabling an early-day motion on the clerkship nomination was simply to allow colleagues to express their concerns about the nomination, which has now been terminated. This came after my noble Friend Baroness Boothroyd fired a majestic broadside of her own on the topic, in her own inimitable fashion.

Such are the vagaries of life that, in late August last year, I was in the middle of a series of walks to raise money for two outstanding local charities, the Royal National College for the Blind in Hereford and the Midlands Air Ambulance, and I vividly recall standing at the cairn on the top of the Cat’s Back on the Offa’s Dyke path in the Black mountains, looking out over my gorgeous constituency and—if one can imagine such a movement from the sublime to the ridiculous—calling the House of Commons to table my early-day motion from there. That was a very rare example of successful rural mobile telecommunications, although I know that the Secretary of State for Culture, Media and Sport is...
even now straining every sinew to improve those communications. But supported by you, Mr Deputy Speaker, and this House, the mysterious alchemy of Parliament has transmuted my original concern and that of others from base alloy into the gold of careful constitutional reform, and for that we have enormous reason to be grateful.

I do not propose to comment in any great detail on the substance of this report, except in one regard to which I shall come. But one key point needs to be made now, and it is a point that we should recall as we continue the debate. It is that the Committee came down overwhelmingly in favour of a single unified service. There is, at the heart of that idea, a balance that must be struck between the accountability to which the Clerk is entitled from the director general and the delineated areas of autonomy that the director general exercises as head of the executive committee. It is in that balance and harmony that the subtlety of the report and the recommendation lies, and it is in the success of that harmony that ultimately the balance of the good management of this House stands to be assessed.

I wish to join colleagues who have acknowledged the brilliance of the Chair of the Governance Committee. He was a model Chairman. Remarkable as it may seem to those who think about how much time he has spent in Cabinets and shadow Cabinets, he cut a comparatively naive and youthful figure as the Chair of a Select Committee. None the less, he did preside over a model of judicious, inclusive and yet rapid consultation. We took evidence from a vast and diverse array of people, which included Mr Speaker and the Deputy Speakers, many colleagues and executives from this House, senior executives from the other House, outside experts, Clerks, our magnificent doorkeepers, security personnel, and our brilliant librarians who struggle to keep us all up to the mark with information. Perhaps the highlight was a fascinating session we had with 60 very thoughtful and committed members of staff across all levels and functions of the House. It will astonish Members to know that the remarkable achievements of the Committee are all the more remarkable given the Chairman’s commitment to the House of Commons gym.

The point came through time and again that the House of Commons is an institution unlike any other. Many people talked about the sheer difficulty of managing 650 autonomous Members of Parliament, each in effect running a small business and responding to their constituents’ concerns. That managerial challenge has been magnified over time by the increased constituency workloads of Members of Parliament; the rising numbers of their staff; heightened security concerns; the drive to make Parliament more accessible; and the need to renew the crumbling fabric of the Palace of Westminster. None the less, many witnesses testified that the House was, in general, well managed. They said that that was increasingly so in recent years.

It is important to note that we also came across areas where improvement was needed. I am talking about areas where we found poor management, unclear or overlapping responsibilities, clashing priorities, slow decision-making, lack of implementation of agreed actions, and inconsistent strategic direction. In particular, the crucial relationship between the senior statutory body, the Commission, and the Management Board was not working well. All those matters have been addressed in the Committee’s report.

For me, this experience has served to ram home one key message, which is that the British constitution relies on the effective functioning of Parliament. Time and again, witnesses emphasised that it is the parliamentary function of this House that is, and must ever be, primary. The role of the Clerk is absolutely fundamental. He or she acts as the final word in procedural matters for a host of other Parliaments across the Commonwealth. When I opened the debate on the motion that established the Committee, I said that contrary to popular belief, parliamentary procedure—the rules of the game—is not some pettifogging accretion or irrelevant decoration to the business of government; it is the essence of government. This country is governed by laws, and laws are made in Parliament, and that Parliament is run according to rules and procedure. Without procedure, there could be no government.

In retrospect, I have one, and just one, regret, which it is important to place on the record. Having reflected further, I believe that the Committee could and should have recommended that the name of the candidate for Clerk should be presented in an address by Parliament to the monarch, signed perhaps by the Prime Minister and the Leader of the Opposition, instead of the present system, which the Committee has left intact, whereby a letter goes to No. 10 Downing street and so to Buckingham palace. This is, after all, a purely parliamentary matter that does not concern the Executive directly at all. An address would be a cleaner and more transparent approach that would not permit a nomination to be made as it was made last year unless Parliament were sitting. I hope that that idea can be revisited by the House in future years.

I think that it is fair to say that I have established a national and perhaps even intercontinental reputation for being a bore about one of our predecessors, Edmund Burke, and the deep insights he still brings to politics and to government. Burke is the Paul Scholes of modern politics: just when the game is fizzling out and the crowd desperately needs a goal, he has an uncanny way of ghosting into the enemy’s penalty area and slotting the ball home. He does so again here. Scattered across his writings, Burke gives us seven tests of reform, seven ways by which we can judge the quality or temper of a given set of political measures over and above how we collectively and individually might feel about them.

For Burke, reform should be early, anticipating the emergence of a problem before its full effect are felt. It should be proportionate to the evil to be addressed to limit collateral effects. It should build on existing arrangements and previous reforms so that it can draw on any lessons learned from them. It should be measured, so that those making the change and those affected by it can adjust their behaviour appropriately. It should be consensual, so that it can be lasting over time regardless of changes of Administration. It should be cool in spirit, to maintain consensus throughout the process of change and, finally, every step of it must be practical and achievable in itself.
The Committee’s recommendations satisfy at least six and possibly all seven of the tests laid down by Burke and I do not think that they can have any higher recommendation than that. This is reform in the spirit of reform.

I conclude by thanking the Chairman of the Committee and my colleagues on it, the Committee staff, who did a superb job, and the Members and staff of the Commons, who will have the thankless task of making these reforms work.

3.12 pm

Sir George Young (North West Hampshire) (Con): It is a pleasure to follow a thoughtful Burkean speech from my hon. Friend the Member for Hereford and South Herefordshire (Jesse Norman), who kick-started the process that led up to the report from a hill top in his constituency. It was just over four and a half months ago that we debated his motion, which set up the Committee. I join him in congratulating the Chair and, indeed, the Committee on a first-class piece of work. It is appropriate that we should debate the report this week, when we are focusing on how Parliament has evolved over time.

I want to make a very brief contribution. The Governance Committee represents a new approach to the issue in the sense touched on by the right hon. Member for Blackburn (Mr Straw), as the previous reviews have been led by people outside Parliament with no direct stake in the outcome—Ibbs, Braithwaite and Tebbit. This approach was intrinsically led by people in the thick of it. The previous reviews had no time pressures, but, as I said in the debate that established it, this review had a challenging deadline. The quality of the report shows that we should not underestimate the capacity of this House to tackle complex issues seriously, promptly and in a collegiate way.

I draw a parallel between this report and the report of the Wright Committee at the end of the last Parliament. A Select Committee was set up right at the end of that Parliament alongside the existing Select Committees that had a specific remit, reported promptly and produced a groundbreaking report charting the way forward and leading to long-term improvements to how this place works. The Straw report will join the Wright report in the history of how this place is reformed.

Part of the success of the Governance Committee was its size—eight—and there is a lesson there for other Select Committees whose effectiveness can be diminished by their size. They become too large to manage and the law of diminishing returns kicks in, in my view, somewhere above 10. I commend the members of the Committee for their attendance record, which was exemplary.

Before dealing with the substance of the report, I want to mention three matters briefly in passing. First, I have a minor quibble with paragraph 200, which says:

“One of the consequences of the reforms introduced by the Wright Committee is that there is no clear route by which House business reaches the floor of the House”.

In fact, the Wright Committee could not have been clearer. It states:

“Backbenchers should schedule backbench business. Ministers should give up their role in the scheduling of any business except that which is exclusively Ministerial business”.

To my knowledge, there has never been a problem about allocating time for Standards and Privileges or Procedure Committee reports. I welcome the rather tactful letter of the Leader of the House pointing out this minor error.

Thomas Docherty (Dunfermline and West Fife) (Lab): I do not know whether the right hon. Gentleman was here earlier today, but there was an exchange between the Leader of the House and me about the timetabling, because a large number of reports await debate, some of which have been waiting for more than 18 months.

Sir George Young: None the less, the Wright Committee could not have been clearer. A certain number of days a year are allocated to the Backbench Business Committee specifically for the purpose of debating Select Committee reports. The Government, generously, have made additional time available over and above that which they had to, and that shows the generosity of my right hon. Friend the Leader of the House in going beyond what he had to do to facilitate debate.

Secondly, I very much support the proposal in paragraph 138 that we should make wider use of the Deputy Speakers. This is a good week in which to make the point, because looking at the number of commemorative events taking place, it is impossible for Mr Speaker to represent the House at all of them, and it would be absolutely right for the Deputy Speakers to do so in his place. Pressure will continue throughout the year. The Deputy Speakers, as I am sure you will agree, Madam Deputy Speaker, are experienced parliamentarians who have a mandate from the House and are an underused asset.

My third minor point touches on paragraph 144, which states:

“The overlap between F&S and Administration is unfortunate”.

It goes on to make the point that

“Finance can never be separated entirely from services”.

The Chairmen of both Committees are rightly praised for their work in this Parliament, but given that services and the money that pays for them can never be separated, I ask myself whether, in the longer term, we need to have two separate Committees of MPs, neither of which has an executive role, but both of which advise the Commission. That might be something to revisit.

The key question addressed by the report appears at the foot of paragraph 68, which states:

“Some Members argued that the Clerk...should be the senior post. Other Members argued for two separate posts...of equal status”.

Looking at the questions that the Committee asked, it was clear that both sides of the argument were held in the Committee. Skilful chairmanship and a willingness to compromise enabled the Committee to produce a unanimous report, for which the House is grateful.

The Committee’s proposals appear not in chapter 5, headed “Our proposals”, which contains three tentative suggestions, but in chapter 6. Eight words at the end of paragraph 156 encapsulate the skilful settlement negotiated by the Chair to achieve a unanimous report:

“The Director General would chair the Executive Committee.”

But on that Committee sits the Clerk, who is the line manager of the director general and the head of the House service. The Clerk remains the accounting officer,
is responsible for providing strategic leadership to the service overall, but he is a junior partner on the executive committee responsible for doing this. The House of Commons Library says that the executive committee’s role

“is to lead the House of Commons Service by setting its strategic aims, priorities, values and standards, in accordance with the decisions of the House of Commons Commission; approving business and financial plans, ensuring controls, managing risk, monitoring performance and making corporate policy decisions.”

Those are key responsibilities. Chairing it will mean leading the discussion, achieving a consensus, and, at times, possibly taking a different view from the Clerk.

I do not say that that cannot work; there may be other examples where a subordinate chairs a committee on which his boss sits. But my eye was caught by that because it sits a little uneasily with the injunctions at the beginning of the report about clarity. Paragraph 8:

“Governance must start with clarity”.

Paragraph 9:

“Governance…must deliver clear decision-making”.

Paragraph 14:

“There is normally a single senior executive—a single head—who then delegates specific responsibilities further down the organisation.”

Paragraph 16:

“those who are accountable”—the Clerk will remain accountable—

“must have the ability to manage that for which they are accountable, and therefore a single line of command, at executive level, is critically important.”

I understand why the Committee ended up where it did, and I am not saying that the proposal cannot work. Indeed, the report mentions other examples, such as the Olympic Delivery Authority. Key will be a determination to make it work. The fact that the Clerk will have a role to play in choosing the director general is very helpful. My hon. Friend the Member for Hereford and South Herefordshire summed it up when he said that success will depend on harmony.

That is the only part of the report that one needs to keep an eye on, and I understand why we arrived at that decision. Subject to that, I think this is a brilliant piece of work and I am grateful to the Committee and the Clerk. I am not saying that the proposal cannot work; there may be other examples where a subordinate chairs a committee on which his boss sits. But my eye was caught by that because it sits a little uneasily with the injunctions at the beginning of the report about clarity. Paragraph 8:

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3.20 pm

Sir Alan Haselhurst (Saffron Walden) (Con): I join all those who have contributed to the debate in thanking members of the Committee, particularly its Chair, and congratulating them on the quality of their work. I am astonished that the report was completed in the time that was taken without sacrificing quality and thoroughness. I had suspected, with my right hon. Friend the Member for Caithness, Sutherland and Easter Ross (John Thurso), that extensions might be needed, as has sometimes proved to be the case in the past, so I contribute to the unanimity of praise.

I welcome the direction of travel outlined by the Committee. I shall comment on one or two details in a moment. The Committee has provided an elegant solution to the immediate problem which triggered its being set up. I have come to the conclusion slowly and perhaps reluctantly over the years that it was time that we separated the responsibilities of the Clerk from those of the chief executive. We must put Parliament first. That is the core reason for our existence, but running this place has become an enormous business. We need someone of great skill and experience to take charge of the business side of the House of Commons.

The former Clerk, Sir Robert Rogers, still believes that the two posts could be combined, and I agree with him that whoever takes the job of the director general must very quickly understand the House of Commons. I have found over the past few years that there has been suspicion and sometimes anger among colleagues about what is happening around them. They sometimes feel that the position of Member of Parliament has been downgraded, that they do not have a chance to make their voice heard on particular matters, and that decisions are taken and they have to put up with them. That has not been the happiest of circumstances.

I warmly welcome the report because it has gone further than the initial task by offering a joined-up system of governance, which may help to overcome the difficulty that I have just described. On the basis of my experience over the past four and a half years, I believe we need a joined-up system between the professionals who serve us, and a joined-up system between the management side and Members and everyone else with an interest in this place.

I think of the Cromwell Green entrance, which is a saga in itself. It was designed with a capacity that quickly proved inadequate, and had more money spent on it to increase that capacity. It is approached by a ramp which is uncovered. The lack of capacity has meant that visitors to this place, a substantial proportion of whom are the electorate who put us here, have been kept waiting for inordinate lengths of time in all weathers. We are told, whether by Westminster city council or by English Heritage, that as things stand we may not cover that ramp—yet this is a sovereign Parliament. It is a ludicrous situation. Why was that not thought of from the very beginning and the construction done in such a way that there could have been a cover that would not offend English Heritage or others?

I think of the roof of Portcullis House, which is a much more recent construction. We were advised that those who planned it were looking to have a building that would last for 200 years. Unfortunately, they did not secure a guarantee that the glass roof would last anything like that length of time in service. That has, I am afraid, given rise to problems that should have been anticipated, with guarantees obtained. It is beautiful, but unfortunately it has shown some weaknesses.

The joining up between our managers and Members is important, without our getting into ridiculous situations of micro-management. If we have good professional people, at some point or other we have to respect their judgment and hope that the framework is sufficiently robust that we have a strong guarantee that that judgment is sound.

This is about more than ensuring that the arrangements—the mechanics—allow us to achieve sensible decision making. We have to accept that this is an extraordinarily difficult place to govern because there are so many different interests on the Estate to begin with. Members, understandably, see themselves as foremost. The hon. Member for Walsall North (Mr Winnick) referred to the status that having been elected to this place as a representative of the people gives a person as
something that surely has to carry some weight within the order of things in this building. But of course we respect the fact that the needs of our own personal staff helping us to do our work are different from those of the Members they serve. There is the huge parliamentary staff, at all the different levels, on whom we depend. Conflicting arrangements have to be thought about. Members cannot necessarily always say that everything must be called to their tune.

We also have to take account of the electorate. It is our policy to welcome the electorate here. Unlike in days of old when the Member of Parliament made an annual visit to his constituency to be fully briefed on what was going on before coming rapidly back to London, we are now welcoming tens of thousands—hundreds of thousands—of our electorate to Westminster. Unfortunately, that creates certain difficulties of access that do not appear to have been completely successfully thought through.

Beyond that, there are the general visitors. Apart from being an iconic palace and a world heritage site, we have the distinction of claiming to be one of the leading visitor attractions in London. People want to come here, and we should be flattered by that fact. Indeed, we should be flattered by the fact that people want to come to London. We therefore have to think how, without in any sense lessening the dignity of the place, we can facilitate the interests of the people who want to come and see what they regard as the mother of Parliaments at the very heart of representative democracy.

Mention has been made of the other place. I absolutely agree with the line of argument in the Committee’s report that we have to seek further co-operative measures and perhaps unify more of the services I have enjoyed a very cordial and constructive relationship with my opposite number, latterly the noble Lord Sewel. There are undoubtedly certain things that one can achieve for general convenience, although not everybody knows what they are. For example, Members of the House of Commons do not seem to realise that they are able to book a table in the Barry Room in the House of Lords if they are looking for an alternative type of meal to what was going on before coming rapidly back to London, which they might find in the Commons side of the building. We need to go further than that, and very realistic questions have been asked.

Bearing in mind all the different demands on the palace, we always have to think of security. It has been ramped up at various times in the past few years, which can create considerable difficulties in satisfying the free movement and protection of Members and those who work here, while at the same time allowing us to give freedom of access to our constituents and visitors in general. Some very difficult management decisions have to be taken, and I suspect that, if we are going to square the circle, it is inevitable that more expenditure will be involved.

I have the odd quibble. There has been absolutely no collusion between me and my right hon. Friend the Member for Caithness, Sutherland and Easter Ross (John Thurso), but I agree with the two particular points I am slightly surprised he pinched the analogy that I was going to use. More thought might have been given to the determination of roles for the other two proposed Commons commissioners.

Sir Alan Haselhurst: I do not dispute the fact that they have equal status; it is just that it is possible that they are not going to get equal remuneration. The portfolios could end up being different from those the hon. Lady has just instanced; my right hon. Friend the Member for Caithness, Sutherland and Easter Ross, for example, made some suggestions. All I said was that the issue might be given further thought. I certainly do not disagree with the general set-up.

Finally, we must recognise that a huge gap has to be bridged. There is a lack of understanding among many different groups of people about what can be done and what is available in the House. It sometimes takes years for a Member to realise what things can be done and how to do them. Decisions are not communicated very effectively, and we have not found the best ways of communicating them.

If our communications within the House are poor, those outside it are lamentable because we are not exactly assisted by the press. They are willing to put out
stories that are good to read, but do not necessarily bear any resemblance to accuracy. I find it extremely irritating that what they give as facts are simply untrue, yet are repeated and repeated in a way that denigrates this place.

I am proud that we give our work force the opportunity to have meals and refreshments that are to some extent subsidised, because that practice is commonplace in many other institutions, both private and public. To be sneered at because there is a cost to the public purse is to diminish Parliament and all those who work here with great dedication.

Mr Winnick: To the extent that we caused the expenses scandal, we inflicted a collective punishment on ourselves. Can the right hon. Gentleman point to a period when this place was not the subject of derision in the media? We all know the sketches written by Charles Dickens and by others before him. As the media would argue, it is part of their job to have a go at us.

Madam Deputy Speaker (Dame Dawn Primarolo): Order. That matter goes a little wide of the Committee's report, and I am conscious that other Members want to speak, so tempting though Mr Winnick's proposition is, Sir Alan, I hope that you will return to your speech and not respond to it.

Sir Alan Haselhurst: Madam Deputy Speaker, that shows I was too generous in giving way to the hon. Gentleman. I could have dismissed his comment in a sentence, but in view of what you have said, I will not even do that.

What I am trying to get at is that if we can establish a system of decision making and management in this place, we can have greater confidence in the decisions that are taken and be more robust in describing them to the outside world. We should be proud of this place, and if we think that we are doing the right things, that is part of our job to have a go at us.

Secondly, there was vagueness about the relative responsibilities of the House of Commons Commission and the Management Board. There were severe disjunctures and problems in the communication between various bodies. For instance, the Commission and the Management Board did not appear to share agendas, and there were no clear reports back on the implementation of Commission decisions on strategy. There was the extraordinary position of the external, non-executive members contributing to what should have been an executive role, rather than one at a strategic tier, which is the Commission. The same issue was replicated in the communications between the two Houses. Many of us found it extraordinary that the deal of careful consideration of what we were told by Members of the House, those outside it who have expertise to share and members of staff. What we considered was based not on the personality and the running of this place, but on where there was potential dysfunction in the governance structures and what we concluded was based on the person who we thought would be the winner. I would like to think that our views and recommendations were informed by a great deal of careful consideration of what we were told by Members of the House, those outside it who have expertise to share and members of staff. What we considered was based not on the personality and the running of this place, but on where there was potential dysfunction in the governance structures and what we concluded was based on the person who we thought would be the winner. I would like to think that our views and recommendations were informed by a great deal of careful consideration of what we were told by Members of the House, those outside it who have expertise to share and members of staff. 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House of Commons Commission and the House Committee in another place did not have regular meetings to discuss how we could run the Palace of Westminster in the most effective way.

Then there is the role of the House of Commons Commissioners. I do not have any particular criticisms of the current Commission, although I have voiced criticisms on many occasions in the past of that shadowy body and some of the decisions that were made on our behalf in previous Parliaments. Those decisions contributed in large part to some of the reputational difficulties that the House has had in recent years. I am still appalled when I read in the newspapers that “MPs have decided” something. I think to myself, “No I haven’t. As a Member of Parliament, I haven’t decided anything of the sort.” The Commission may have taken the decision, but it has not yet been reported to me, and there is no clear mechanism for reporting it to me unless I happen to find it out by talking to a Doorkeeper or somebody else. Nor is there a clear mechanism for raising it with my right hon. Friend the Member for Caithness, Sutherland and Easter Ross (John Thurso) or somebody else on the Floor of the House. There is an issue of accountability and visibility there.

Effective evidence was given to us that the Commons Commissioners having clear portfolio roles would be a good thing. My right hon. Friend assisted us greatly in our thinking on that, and I am convinced that it is the case. I look forward to each of the four Commissioners being available when we have Question Time in the House, so that they can answer for their portfolio responsibilities. They must also recognise that Members will stop them outside the House and ask them about their responsibilities. That is the right way of doing things. When I have a difficulty, too often I lumber the poor old Serjeant at Arms with my concerns, because he is there, he is visible and I know I will get an answer. That should not be how things work.

I hope that the Commissioners will be visible and that not only will we have regular reports and a clear strategy, implemented by a strong executive board focused on the role that we have given it, but we will close some of the gaps that are currently filled, for want of anything better, by the Speaker taking decisions. That is not to criticise the decisions that Mr Speaker takes, but simply to criticise the vagueness that leads to too many decisions in the House relying on the quiddities of the incumbent rather than on any clear strategy, procedure or policy. I hope that what we have suggested, if it finds favour today—it sounds as though it will—will strengthen each of the areas that I have mentioned.

I close with two points, the first of which is about the relationship with the other place. I have been told on countless occasions over the years that we have to be careful about how we approach the House of Lords on the subject of shared services, because the Lords are jealous with their services and will shout us down if we try to do anything. Of course they will shout us down if we appear simply to say, ”We know best, and we want to take over what the House of Lords does”, and if we do not have proper regard for the fact that it is a separate legislative Chamber with its own procedures. However, I was hugely impressed by the openness and readiness of the Members of the House of Lords to whom we spoke to entertain much greater co-operation. Of course, we already have a fair amount, as the comments of the right hon. Member for Saffron Walden (Sir Alan Haselhurst) showed, but we can take it much further.

I make it plain that it will not be me who does that, because I will be gone. I am bequeathing my opinions to my successors, in the same way as I invited the Leader of the House to do. However, it seems to me that the ways of working that will be necessary to achieve restoration and renewal may well lead to the view that we need, more than anything else other than our legislative function, a common Palace of Westminster service that does much of what we do at the moment but in a more effective and efficient way, answerable to both Houses equally but with combined executive responsibilities.

Finally, I am afraid I must voice a difference of opinion from my right hon. Friend the Member for North West Hampshire (Sir George Young). As he and I know, we never part company—the only time I can remember us disagreeing was when discussing the voting system in the Lobby. I thought that the middle stream ought to be speeded up, possibly at the expense of people whose names begin with Y who currently have a much quicker passage through the Lobby, but he did not agree—I cannot think why. I always hoped that the Leader of the House might share my view on the issue.

I disagree slightly with my right hon. Friend about the way that business reaches the House. I know it is heresy to disagree with the Wright Committee on any particular, but I do not think it quite got things right. It looked forward to having a proper business of the House committee that incorporated the Executive and the Back Benches, but we do not have that. That is not a criticism of the Government because they have only legislative time available, but the issue needs to be addressed. At the moment, I do not think it is fully understood how little time the Government control, what the demands on the Backbench Business Committee are, and how often it is possible for business of the House to be squeezed out of the process and not given the prompt attention it requires. I would like the Procedure Committee to consider that issue, as suggested.

We have produced an interlocking series of suggestions that the House will be able to implement quickly. I am encouraged by what the Leader of the House said about the speed with which he proposes to address the issues raised, and I repeat what I said in an intervention: when the new Parliament sits, it is essential that it elects a Speaker and Deputy Speakers, and that the next thing it does is elect a House of Commons Commission. We must get the director general’s post in place and make the other necessary reforms to ensure that the system works effectively for Members and staff of the House, and those who wish to visit it. They are all important parts of the equation.

3.52 pm

Dr Julian Lewis (New Forest East) (Con): The whole House should be grateful to the hon. Member for Somerton and Frome (Mr Heath) for his work on the House of Commons administration, not least for the masterly way in which he summarised current concerns and controversies and how they have been resolved. He also briefly mentioned a slight dysfunction in co-ordination between the two Houses, and I will conclude my remarks with a small and rather sad recent example of that.
The hon. Gentleman said that there is a great difference between the atmosphere of this debate and the debate held on 10 September, and I agree. It is a measure of the successor be allowed, if the roles are separated, to overrule they have been in the past? Should the top procedural the two roles be combined by default in the future, as chief executive officer? The answer is equally no. Should a top procedural adviser be expected to be a top procedural adviser, too? The answer is clearly no. Should a top chief executive officer be expected to be a top chief executive officer, too? The answer is clearly no. Should those four questions have now been answered. Committee ask itself four questions. I think we will find that those four questions have now been answered. Should a top chief executive officer be expected to be a top procedural adviser, too? The answer is clearly no. Should a top procedural adviser be expected to be a top chief executive officer? The answer is equally no. Should the two roles be combined by default in the future, as they have been in the past? Should the top procedural adviser be allowed, if the roles are separated, to overrule the top chief executive officer on management matters, or vice versa on procedural matters? I think we have learnt that the answer to those two questions is no as well.

Jesse Norman: My hon. Friend is being typically clear and precise, but the answer to the first two questions is not quite as clear as he suggests. The Committee’s decision was that the roles could be combined by one person and had been combined by one person in the past—that is the evidence for it—but that now, for reasons of other commitments and the development of the House, they should be separated.

Dr Lewis: I am delighted at the result, even if I do not entirely endorse the reasoning. I wish to say a word of sympathy, if not appreciation, for the situation in which the House of Commons Commission found itself a few months ago. It was faced with either making a single appointment from a very limited pool of top procedural advisers who would become, by default, the director general of the House of Commons—as if by some magical process of osmosis during their rise up the learnt ladder of becoming a top procedural adviser they had somehow imbibed the skills needed to be a top chief executive officer or director general—or, alternatively, if it wished to go outside that very limited pool of possible candidates, it had to decide whether it was appropriate for a top manager to sit in the Clerk’s chair without having imbibed, by a reverse magical process of osmosis, the skills required to be a top procedural adviser. That was precisely why the message went out loud and clear, on 10 September last year, that we needed to send for the most marvellous negotiating and reconciliation skills of the right hon. Member for Blackburn, to decide once and for all whether the two functions should be separated.

Jesse Norman: Will my hon. Friend give way?

Dr Lewis: In just a moment, but I want to make one more point. I know my hon. Friend is concerned with the constitutional aspects of this matter, but I am concerned with another aspect. The new arrangement will not work unless the individuals who occupy the two posts—I am glad to see the hon. Member for Walsall North (Mr Winnick) indicating his approval—have their respective roles clearly in their minds. If either of them tries to play games of superior status, the new system will not work. We can construct the best system in the world, but if the people who occupy the top posts are not minded to make it work, it will not be a success.

Jesse Norman: My hon. Friend shares my view that harmony at the top of the new arrangement will be vital. None the less, there is a very clear arrangement. The Clerk is top dog. The director general reports to the Clerk. The director general has clearly delineated responsibilities: the managerial delivery side. That is the unified structure that has been created and will hopefully be agreed.

The training of the Clerks—I have no interest in revisiting this, and we have generally taken the view in the debate that we will not do so—has not been ignored in previous years, although the Committee came to the view that it could be strengthened. The training of the Clerks has so far enabled the Clerk Assistant to run a department that is roughly 40% of the whole. These people do not arrive at their jobs by some mystical process; there is some structure of responsibility and training by which they achieve their posts. The Committee has decided that that needs to be extended, providing a further rationale for the separation.

Dr Lewis: My hon. Friend is fighting a gallant rearguard action for the old guard, but if the degree of management skill imbibed previously led to this spectacular spaghetti junction of an organogram of the existing system, there was something deficient in the in-house management training. Any Committee that comes up, by contrast, with something as clear and sensible as the new—

Madam Deputy Speaker (Dame Dawn Primarolo): Order. The hon. Gentleman has been in the House a very long time, so he knows that holding up bits of paper and shaking them around adds nothing to the debate. I am sure he can convey in words his frustration at the organisational structure he is waving around on a bit of paper.

Dr Lewis: I am absolutely reproved, Madam Deputy Speaker. I was thinking for a moment that those ground-level cameras that have periodically appeared here might still be in action, but I see that I wasted my ingenuity.

Madam Deputy Speaker: I am sure the hon. Gentleman is not suggesting that he was playing to the cameras. I hope that he was speaking to the House clearly, making very incisive points about this report.

Dr Lewis: Absolutely, Madam Deputy Speaker, but I always care to project my message in as many dimensions in the 21st century as are routinely offered to me.
It is a measure of the success of this Committee that at least two members of my party who were greatly exercised a few months ago about every aspect to do with the appointment of the next Clerk are sufficiently satisfied that they have not felt it necessary to attend or contribute to today’s debate. I presume that their satisfaction has been reflected in the sentiments expressed from both sides of the House.

Mr Winnick: The hon. Gentleman and I have emphasised the need for the two senior individuals occupying these two senior positions to work together; otherwise a turf war will result, with all the implications that that would have. Does he agree that, despite the difficulties of pre-confirmation and post-confirmation hearings, it would nevertheless be useful if the director general at least, if not the new Clerk, appeared before Members, presumably in the Public Administration Committee, where questioning along the lines we have mentioned could take place?

Dr Lewis: Yes, I heard that suggestion during the hon. Gentleman’s speech, and I was very impressed with it. I think it will provide an opportunity for the new director general to show his or her ability to stand fast in the face of what might be an over-powering atmosphere of tradition that might otherwise be used to divert him or her from the necessary serious determination that he or she will have to apply to fulfil the job in the future. I welcome the hon. Gentleman’s suggestion, and I hope it is carried forward.

It is a pity that we have had to go through this roundabout route to get to the obvious conclusion that should have been apparent when it was raised long ago—that these two posts should be separated. It is a pity that that could not be agreed before the House of Commons Commission found itself in the position of either having to choose someone who was good at procedure but did not necessarily have the top management skills or to choose someone who was in exactly the reverse position. It has been a long haul and it has taken a roundabout route, but, thanks to the good work of the Committee, we have reached the sensible destination that should have been apparent at the outset.

The hon. Member for Somerton and Frome made the point that there is clearly work still to be done in the Palace of Westminster when Members in one House do not liaise terribly well with Members, or counterpart Committees, in the other House. This is a time of anniversaries, and it is with sadness that I note that 17 February this year will be the 100th anniversary of the first committee meeting of the Palace of Westminster rifle club, because it appears that its rifle range in the basement must close as a result—and this is the part that is relevant to the debate—of the determination of the Administration and Works Committee in the other place that important fire safety equipment must be sited there.

That is an example of the dysfunctionality to which the hon. Gentleman referred. The club has been going for 100 years and has members in both Houses, but Members of the House of Commons were not allowed to give any evidence to the Committee that made the decision in the other place. We were referred to a Committee of this House, although the decision was already cut and dried in the House of Lords.

However, the demise—it must be presumed—of that 100-year-old club gives me an opportunity to pay tribute to a member of the Clerk’s Department, Mr Gary Howard. For some two decades, he gave up his lunch hour—his own time—to ensuring that the range was always manned, and that that great facility, sadly soon to be no more, was available to Members and staff of both Houses.

Mr Straw: I thank all 14 right hon. and hon. Members who contributed to this very interesting debate. I particularly thank the members of the Committee—which I had the privilege to chair—and the Leader and Deputy Leader of the House.

Before I respond to a few of the points that have been raised, I want to underline the tribute that the Leader of the House paid to his predecessor Leon Brittan, whose passing we heard about earlier this afternoon. I was privileged to be in the House when Leon Brittan was a Member. He was, of course, a member of an opposite party. However, I remember him as a highly intelligent individual, a very good Minister and a very good constituency Member, but also as someone who showed great courtesy and kindness—not least to the new Member for Blackburn, and to many of my colleagues on the Opposition Benches. I send my personal sympathy to his widow, Diana, and to his wider family, and, if I may, I do so on behalf of the Opposition as well.

Sir Oliver Heald: I had only just heard the news when the right hon. Gentleman delivered it. Let me say for my part that Leon Brittan gave me a great deal of advice and support when I was first embarking on a political career. He was a very kind man, and he gave me so much support. I echo the sentiments expressed by the right hon. Gentleman.

Mr Straw: It is odd, but I last met him and his wife in an airport lounge when we were whiling away about three hours as we waited for a late plane. I cannot remember which airport it was, but I do remember that the conversation was very entertaining.

Let me now deal with some of the points that have been made today. My hon. Friend the Member for Walsall North (Mr Winnick) raised the issue—which was also raised by the hon. Member for New Forest East (Dr Lewis)—of whether there should be a pre-confirmation hearing, perhaps before the Public Accounts Committee, in respect of the Commission’s decision on whom to appoint as Clerk and as director general. I can see from where the analogy arises, but it will ultimately be a matter for the Commission and then the House when I am not a Member of it. I think the House should have second, third and fourth thoughts about this, because there is a profound difference between this House, via a relevant Committee, holding pre-confirmation hearings in respect of posts that are adjudicators of other institutions—the Comptroller and Auditor General and the ombudsmen, and perhaps, which I would like to see, future appointments for Her Majesty’s chief inspector of prisons and for the probation service—and this post, which is internal to the House, and where one Committee of the House will already have made a decision.
However, one way of meeting the sentiment reflected by my hon. Friend and the hon. Gentleman would be to consider the suggestion from the hon. Member for Hereford and South Herefordshire (Jesse Norman), which is that in place of having the recommendation for the Clerk to go to the Palace via No. 10, it should be done on a Loyal Address—in other words, directly. Were there to be another near train-wreck of an appointment—if I may put it delicately in that way—there would be an opportunity for the House, by the process of it having to come before the House, to have second thoughts. In most cases, of course, it would go off without any question. I have had these conversations privately with the hon. Gentleman.

I used to have to sign loads of warrants addressed to Her Majesty for judicial and ecclesiastical appointments which then had to go off to No. 10. In the end I managed to persuade this House that we could bypass No. 10 because I think the Prime Minister of the day—I will not say which one it was—thought he had other, rather more pressing matters on his plate than signing a great pile of warrants, and I could see his point. I think the House ought to consider that.

Mr Winnick: I have listened very carefully to my right hon. Friend, and no doubt what he has suggested will be given due consideration. May I simply say to him that years ago—certainly when we came into the House and before—the very idea that anyone wishing to be Speaker should be subject to hustings would have been absolutely unthinkable? Would it be out of the question for the two most senior positions to also be subject to some sort of sessions at which Members generally would be able to question them?

Mr Straw rose—

Madam Deputy Speaker (Dame Dawn Primarolo): Order. Forgive me, but we are debating whether to agree to the specific set of proposals before us. We are not in the process of gathering more up, interesting though they are, before we make a decision on the report before us. I would be very grateful if the right hon. Member for Blackburn (Mr Straw) could, in his brief reply, focus specifically on the points that have been made that are relevant to the report before us now—and, as we all know, there will be further discussion in the time to come.

Mr Straw: Thank you—I have got your point, Madam Deputy Speaker.

The right hon. Member for North West Hampshire (Sir George Young) and the hon. Member for New Forest East both raised the issue of the relationship between the Clerk and the director general. We thought about this a great deal, and I say to both of them that even in institutions where the wiring diagram is very clear and there are clear lines of authority—the military or a grand corporation—there will be some areas of ambiguity, and we will find that the actual power structure is a bit different from that in the wiring diagram.

Let me explain why we took evidence from the former Lord Chief Justice, Lord Judge. I have had experience of dealing directly with the judiciary, of course. The Lord Chief Justice and the judiciary have to be totally independent of the Executive, but the administration of the court service is in the hands of Her Majesty’s Courts Service, which is run by a combination of members of the judiciary and people appointed, effectively, by the Secretary of State for Justice. We looked at those analogies and I think this structure will work. It will work a great deal better, if I may say so, than a split structure involving a Clerk and a chief executive who are wholly separate. I came at this issue rather neutrally, but, having thought about it, it will also work a great deal better than the chief executive/director general being over the Clerk but having no direct knowledge of our primary purpose, which is to run a legislature.

Yes, there is some ambiguity. I am not being Pollyanna-ish about this, but with good will, clarity of expectation on the part of those taking on the jobs, and the clarity we have put into the job descriptions, this structure should work. If there are any specific arguments, the Commission is there to sort them out.

The right hon. Member for Saffron Walden (Sir Alan Haselhurst) made some points about the portfolio appointments, which I think were answered well by my hon. Friend the Member for Walsall South (Valerie Vaz). These four portfolio appointments will be busy ones and will make a big difference to the accountability and transparency of the House administration to Members of the House.

I think I have dealt with all the key points that were raised. The issue of getting items on the Order Paper relating to House business is slightly separate from our considerations, and I will not go down that route. I repeat my thanks to all members of the House of Commons Governance Committee, to all those Members who have contributed today, and to the House. I commend the report and the motion to the House.

Question put and agreed to.

Resolved,

That this House welcomes the report of the House of Commons Governance Committee; notes the priority it has given to agreeing a package of proposals which can both significantly improve the governance of the House and be capable of attracting support from Members on all sides of the House, in a timely manner and well before the House is dissolved; agrees to the recommendations in Chapters 6 and 7, with the proviso that, without changing the party balance of the Commission as proposed in the report, the recommendations relating to the composition of the Commission be implemented so as to allow the Chairs of both the new Finance Governance Committee and the Administration Committee to be elected to these positions rather than appointed to them by the Commission; and encourages the appropriate bodies in both Houses of Parliament to address the Committee’s remaining conclusions and recommendations.

Business without Debate

SPEAKER’S COMMITTEE FOR THE INDEPENDENT PARLIAMENTARY STANDARDS AUTHORITY

Motion made, and Question put forthwith (Order, 7 January, and Standing Order No. 118(6)).

That in pursuance of paragraph 2A of Schedule 3 to the Parliamentary Standards Act 2009, as amended, Mr Kenneth Baty be appointed as lay member of the Speaker’s Committee for the Independent Parliamentary Standards Authority, for a period of four years from 26 January 2015.—(Mr Wallace.)

Question agreed to.
Timber Framed Houses

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

4.17 pm

Sir Andrew Stunell (Hazel Grove) (LD): I am very pleased indeed to have the opportunity to bring this matter to the House. I raised it during the Christmas Adjournment debate, when I dropped a heavy hint, and I am absolutely delighted that I have the opportunity to speak on it today.

Before getting into the detail, perhaps I should declare not so much an interest as a certain amount of knowledge. For 20 years, I worked in the building industry, designing and supervising the erection of buildings, including timber framed homes, so I have some practical, on-site experience. I was also for two years the Minister in charge of building regulations, and I am absolutely delighted that the Under-Secretary of State for Communities and Local Government, my hon. Friend the Member for Bristol West (Stephen Williams), is at the Dispatch Box today, carrying on that work.

I am here today not because of either of those experiences, but because I am representing some very concerned residents in my constituency who live in Kennett Drive, Bredbury. Kennett Drive is an estate of new homes that was built 10 or 11 years ago, consisting of two and three-storey houses in blocks and terraces.

In June last year, a fire broke out in an empty home that was having what is called hot work carried out in it. This involved workmen using blowtorches and other hot equipment. The fire took hold and subsequently spread not only through that house but through the two adjacent ones, and the whole block of three homes was burned to the ground. The fire was attended by the Greater Manchester fire and rescue service. I am sorry to report that one firefighter was injured, although fortunately not seriously. There was no loss of life.

The matter of real concern is the way in which the fire spread from home to home. We are aware, of course, that fires break out in homes. House fires are by no means unknown, but it is extremely unusual for a fire in a modern-built home to spread rapidly to the neighbouring properties. The residents of Kennett Drive are understandably concerned about the rapid spread of the fire and they are asking legitimate questions. They want to know whether this is something that could happen to their home, and whether there is something wrong on the estate that could lead to more problems.

The homes are of timber frame construction. From the outside, they look like conventional brick-built houses, but they are not. The outer skin of the building is indeed brick, but behind that is a cavity, and behind that something called a vapour barrier. This is material that hangs down behind the cavity and, as the name suggests, prevents vapour from penetrating the building. Behind the vapour barrier is the timber frame, which forms the actual structure of the house. On the inside of the timber frame is the plasterboard that we see when we stand inside the rooms—so from the inside we see plaster and from the outside we see brick, but between the two are the timber frame and the vapour barrier.

The risk involved in using timber construction methods has been recognised, and is accounted for in building regulations with measures intended to prevent fires from spreading. A compellingly named method known as fire stopping is used. It normally involves placing vertical and horizontal barriers within the cavity, so that if a fire gets into the space it cannot spread either sideways or upwards. It is clear that something went wrong in this case, and it is worth considering whose job it was to get it right. The primary responsibility lies with the contractor who built the houses. The contractor has a responsibility to build them according to the design it has been given, and to ensure that the buildings conform to the regulations and are finished off properly. A secondary, but important, responsibility rests with the inspection authority that approves the design and casts an eye over the construction. On this occasion, it was a regulatory body known as the National House Building Council. It is the NHBC that offers the much quoted 10-year guarantee, which is offered on homes whose construction it has supervised.

So, what went wrong, and could it happen again? I have had a meeting with the Greater Manchester fire and rescue service and talked extensively to its fire investigation officer. Indeed, I checked at the beginning of this week to ensure that the information he originally gave me was still in date, and it seemed that it was. The fire investigation officer has received reports from those who were on site at the time, and he believes that the fire originated as a result of a workman using a hot tool or flame and accidentally setting fire to part of the timberwork. He has also noted that the fire-stopping rules were not fully observed, particularly those relating to the horizontal barriers that were supposed to prevent the upward spread of flame. In at least one case, those barriers are believed to have been missing, which meant that instead of having a barrier, a chimney had effectively been created.

Another important factor was that the vapour barrier was flammable. In other words, in the presence of flames and heat, the barrier burns. The fire officer showed me a graphic video of what happens when a sample of that material comes into contact with fire. The material is capable of sustaining fire and burning. In effect, it is like a wick going up the cavity, all the way to the top.

The officer also showed me information from Greater Manchester fire service on the fires that it has tackled inside the area and elsewhere. There is a common set of circumstances that lead to fires in timber frame buildings, particularly residential buildings. First, there is the hot work problem, which seems to have been the case on this particular occasion. In any situation where there is a pipe, particularly a metal pipe, penetrating the wall, problems can arise. If heat is applied to one end of the pipe, it will transfer along the pipe and can quite easily set fire to the timber on the far side. Several of the fires that were brought to my attention by the fire service were caused by quite small things, such as cutting holes in the plasterboard to put in an electric socket. To most people that sounds like a simple DIY job, but it is not if they finish up by breaking through the fire protection of the timber frame, because then there is risk.

Before I draw several points to the Minister's attention, let me just say that I have spoken to the NHBC, corresponded with its chief executive and met its senior surveyor, Mr Bamford, who not only visited me in my constituency office but inspected the site of the fire. The NHBC fully accepts that it was the regulating authority,
It also points out that the homes are more than 10 years old and therefore just out of guarantee, but it is not flinching from taking what responsibility it needs to take. Representatives from the authority have a meeting with the fire service later this month to look at and assess the evidence. I am pressing them strongly to carry out a survey of other homes in Kennett Drive so that it can be established whether the missing horizontal fire barriers were a one-off omission or commonplace on that estate.

I do not think that the Kennett Drive fires will be a one-off. Last year, something approaching 60,000 timber framed homes were erected in England. I suggest that since Kennett Drive was built 11 years ago, there must be at least 1 million similar timber framed homes, and that is probably a serious underestimate.

I thank the Minister for the letter he sent me, because I have been in correspondence with him as well. I am pleased to hear that he has commissioned some work from the Building Research Establishment, and I hope that he may be able to say a word or two about that. I also have some questions and some asks. I want him to join me and raise the profile of the fire risk in timber framed homes. I hope that he will alert the regulatory bodies to the problem, especially the NHBC, the LAB—local government building control officers. The risk of the fire stopping going wrong is severe, and the need to ensure that it does not is acute.

I want the Minister to agree to change the building regulations to prohibit the use of flammable vapour barriers in cavities where there is a timber framed construction. Ensuring that we do not put flammable wicks in cavities in timber framed buildings strikes me as being a very sensible first aid move. I also want him to ask BRE to take quick action to ensure that there is always fire stopping at the top of the cavity. It is all a bit technical, but the fact of the matter is that the fire will spread up the cavity until it stops. If it is not stopped by anything, it goes into the roof space and burns along the roofs. The evidence from Kennett Drive and elsewhere suggests that once the fire gets into the roof space, you’ve had it, so where the wall and the roof space meet is a crucial point.

Three households were burned out in my constituency in a fire that should have been impossible, and that would have been impossible if the fire-stopping had been effective and if the vapour barrier had been non-flammable. Perhaps it was a one-off, but Greater Manchester fire and rescue service says that it is not and has the videos to prove it. I am delighted that the Minister is already on the case, but I urge him to join me in getting contractors and regulators to understand the importance of proper supervision and workmanship in the first place. I want him to prohibit the use of flammable vapour barriers and I would like him to do that immediately. I want him to join me in warning the building industry and the DIY trade of the added risks of fire when alterations are done and plasterboard is cut open when people are not paying attention to the consequences. I look forward to hearing what the Minister has to say.

4.31 pm

The Parliamentary Under-Secretary of State for Communities and Local Government (Stephen Williams): I congratulate my right hon. Friend the Member for Hazel Grove (Sir Andrew Stunell) on securing the debate and raising the issues on behalf of his constituents in Kennett Drive. I was aware that he brought some professional knowledge to his ministerial experience in the Department from 2010 to 2012, but I did not realise that it was so extensive and deep. I have learned something about my colleague this afternoon.

Fire safety, quite rightly, continues to be a priority for the Government. We have a continuing success story with regard to reducing not only fires but deaths and injuries from fires. The number of fires attended has fallen by 64% over the past decade and the latest fire statistics report that in 2013-14 there were 275 fire fatalities, 14 fewer than in 2012-13. Accidental fire deaths in the home in England, which account for three fifths of all fire fatalities, have decreased by 36% in the past decade.

The Government continue to demonstrate our commitment to fire safety through the Department’s Fire Kills campaign, which promotes a wide range of fire safety messages to encourage fire safety behaviour in the home. The campaign’s primary focus is promoting the installation of smoke alarms, as a person is at least four times more likely to die in a fire in the home if they do not have a working smoke alarm. The latest English housing survey, published last July, reported that the proportion of households with a working smoke alarm is 88%, up from 76% 12 years before. In 2011, Fire Kills collaborated with the UK Timber Frame Association, now the Structural Timber Association, on the “Living in a modern timber frame home” publication to educate the owners of such homes on the specific fire precautions they should take.

My right hon. Friend does not need this made clear to him, but I should make it clear for the benefit of anyone reading or listening to the debate that the building regulations are primarily concerned with ensuring that buildings are safe, sustainable and accessible. The building regulations are not about promoting, or banning, types of material or types of construction. Timber framed construction is a popular means of building new houses. It is also viewed by many to be more sustainable than some other forms of construction. However, I am aware there have been concerns about the fire performance of timber framed buildings. These first came into the spotlight in 2007 after a number of large construction site fires. In 2010, the Government took steps to address those concerns by working with the industry and the Health and Safety Executive. It was recognised that a large timber frame being erected near to existing occupied buildings could present a significant risk, and the HSE updated its guidance and the industry developed safer working practices as a result. On 29 October 2014, the HSE issued an open letter reminding the industry of its responsibilities and has recently prosecuted a firm of architects for safety failings in the design of a new timber framed care home in Hemlington near Middlesbrough.

Building regulations set out a range of provisions designed to protect people from a fire, including alarms, escape routes, measures to prevent fire spread and facilities to support the fire and rescue service. Controlling fire spread requires that buildings are properly designed and constructed. This can sometimes go wrong, but building control bodies are there to try to spot errors. However, as my right hon. Friend will know, they cannot always find all of them. As he said, the ultimate
responsibility rests with the builder to ensure that they are complying with the building regulations.

Fire statistics show that there is some evidence that fire spread is more common in timber framed buildings than in traditionally constructed masonry buildings. However, the number of deaths and injuries, which is primarily what we should be concerned about, is no different. The Department reviewed the available statistics in 2012. An analysis of fires in buildings of timber framed construction in England from 2009-10 to 2011-12 was published in December 2012. The report found that “Fires in dwellings of timber frame construction experienced on average more damage than dwellings of no special construction.”

In the last week, no doubt partly prompted by my right hon. Friend's correspondence, officials have visited the latest statistics and confirmed that the trend is unchanged:

“Fires in dwellings of timber framed construction experienced on average more damage than those of no special construction. Of the 253 fires in timber framed dwellings in the last five years, 21% of these resulted in an area of heat and flame damage of over 100m², compared to 12% (of the 6,603) for dwellings of no special construction.”

That shows that it would be wrong to say that problems exist only in timber framed buildings. However, there is a statistically significant difference in the proportion of fires that result.

Sir Andrew Stunell: I really appreciate the information that my hon. Friend is giving us. If his figure of 100 square metres, which is 1,000 square feet, is correct, that is about the size of a traditional house, so we are talking about a house that is completely burnt out. If I have got my figures right, that suggests that we have quite a problem.

Stephen Williams: I thank my right hon. Friend for bringing the statistics to life. No doubt he can think more quickly on his feet because he is more used to analysing such statistics than I am.

We have, of course, looked at the issue. For the most part, fire spread in timber buildings is within the construction. My right hon. Friend gave a good description of what a timber-framed building would look like to the layman. This presents challenges to firefighters trying to extinguish the fire, but it is much less of a problem for people who are trying to escape.

What are we doing? Poor building practice and its impacts on fire spread are not limited to the timber frame industry. A fire in any building presents a serious hazard to its occupants and challenges for firefighters. Preventing this type of error is not simply a case of changing a regulation; it is about working with the industry and experts to find the best ways of doing things and sharing that information as widely as possible. As my right hon. Friend acknowledged, the Government have commissioned the Building Research Establishment to explore the potential to develop better, publishable guidance, examine current practice and explore and assess alternative options. That is one part of a programme of research and analysis relating to fire protection in new buildings.

Sir Andrew Stunell: I am very pleased to hear that. Will the BRE look at the issue of flammable vapour barriers? That seems to me an important first step. If my hon. Friend cannot confirm that, perhaps I can encourage him to prompt the BRE to do so.

On a separate matter, I understand that building regulations in regard to fire are designed to avoid loss of life, but my constituents and the residents of Kennett Drive are not very reassured by the knowledge that although their life will be saved, their house will be destroyed.

Stephen Williams: My right hon. Friend makes entirely reasonable and understandable points. Whether property is damaged by fire or by flooding, it is an incredibly distressing experience. Although residents have escaped with their life, their possessions, photographs and everything that is personal to their family may well have been lost. I would not want to make light of that.

Let me describe the further measures that we are about to put in place, which I hope will reassure my right hon. Friend. The BRE research is due to be completed this year and we hope it will help to improve the quality of fire protection work for all types of building. As he knows, this stems from part B of the building regulations. The Government have a rolling programme of reviewing different parts of the building regulations, some of which he will have presided over and some of which I have been presiding over. We are committed to reviewing part B. When we do that, we will certainly look at the issue of the prohibition of combustible vapour barriers that he raised.

I can reassure my right hon. Friend and the House that we are fully up to speed with an analysis of the issues and are committed to highlighting the risk to the public. Once we have the research from the BRE, we will consider changes to part B. No doubt my right hon. Friend's well informed suggestions, which he made in the debate and which he will no doubt follow up in writing, will form an important part of that evidence and allow us to conduct a thorough and meaningful review of part B of the building regulations which, if necessary, will further improve the safety of timber framed buildings and the confidence of people who live and work in them.

Question put and agreed to.

4.42 pm

House adjourned.
Westminster Hall

Thursday 22 January 2015

[Mr James Gray in the Chair]

Green Deal


Motion made, and Question proposed, That the sitting be now adjourned.—(Mr Wallace.)

1.30 pm

Mr Tim Yeo (South Suffolk) (Con): I welcome you to the Chair, Mr Gray. It is a great pleasure to speak under your chairmanship, and I will endeavour to stay within order. I also welcome my hon. Friend the Member for Wyre and Preston North (Mr Wallace), who will reply to the debate. I have had an apology from the Under-Secretary of State for Energy and Climate Change, my hon. Friend the Member for Hastings and Rye (Amber Rudd), who is out of London today, but I know that my hon. Friend the Member for Wyre and Preston North will be a more than adequate substitute.

My Committee is delighted to have secured this debate. The green deal links directly to the last Westminster Hall debate that we had on one of our reports, just before Christmas, in which we discussed the latest findings of the Intergovernmental Panel on Climate Change. Promoting energy efficiency through schemes such as the green deal is a good way to respond to the challenge of climate change.

I much regret that two of the hon. Members who serve on my Committee and who took part in that debate are not present today, although I am sure they have good reasons for not being here. During that debate, they both questioned the scientific conclusions of the Intergovernmental Panel on Climate Change about the extent to which climate change is taking place. In the context of this debate on the green deal, I would have welcomed their comments on last Friday’s joint announcement from NASA and the US National Oceanic and Atmospheric Administration, which confirmed that 2014 was the warmest year on record, and that 14 of the 15 warmest years on record have occurred since the turn of the century. Only the most determined flat earthers could now continue to claim that there is a pause in the trend towards higher temperatures.

The conclusion of the NASA director, Gavin Schmidt, was unequivocal:

“This is the latest in a series of warm years, in a series of warm decades. While the ranking of individual years can be affected by chaotic weather patterns, the long-term trends are attributable to drivers of climate change that right now are dominated by human emissions of greenhouse gases.”

One cannot be much plainer than that, though doubtless my right hon. Friend Lord Lawson, and some other members of the upper House, particularly his henchmen in the Global Warming Policy Foundation, will dismiss NASA as yet another part of the global conspiracy, which apparently exists, of grant-seeking academics and left-leaning politicians who have invented the evidence that climate change is a clear and immediate threat to the conditions of climate stability, which have made it possible for the human species to enjoy phenomenal and possibly unprecedented success—very recently in the context of a planet with a 4-billion year history on which humans have been present for less than 0.001% of the time.

I want to assure my hon. Friend the Member for Wyre and Preston North that the Committee’s comments on the green deal are intended in an entirely constructive manner. The green deal was an ambitious policy, vauling in its aims. It had and still has my full support and that of my Committee. Increasing the energy efficiency of UK households addresses all three aims of energy policy. It improves security, cuts energy bills and reduces greenhouse gas emissions. It particularly helps the fuel-poor to make their homes warmer and more comfortable, and it improves public health as well. So, energy efficiency is the true “no regrets” policy. The Committee fully supports the Government’s efforts to call quits on cold homes and to stop wasting heat through buildings that are inadequately insulated and inefficiently constructed.

Although we acknowledge that putting a completely new framework in place can take time, the green deal and the energy companies obligation are far from achieving the level of activity seen under previous energy efficiency schemes, so we have to ask: how can the green deal be made to work better? That was why the Committee started a watching brief when the green deal was launched two years ago.

The idea of the green deal is admirably simple. It is intended to help people to make energy efficiency improvements at no up-front cost. The installation costs are attached to the property’s electricity meter and are repaid in instalments through the electricity bill. Who could argue with the golden rule that says that nobody will repay more than they are saving?

My Committee published its first report on this subject in May 2013, and it highlighted areas for concern, particularly about public awareness, access to the green deal, and value for money. Even by the time we published the second report, which is the subject of our debate this afternoon, only 4,000 green deals were in progress. The Committee understands that the green deal plans are only the means to an end, but, in advance, hopes for the green deal were very high. It was promoted as a revolutionary finance mechanism that would empower consumers to make the changes that they needed to their homes.

Of course, we are delighted to see the faster rate of take-up of green deal plans in recent months, but, even as of Christmas, there were less than 9,000 green deal plans in progress nationwide. That makes it impossible to avoid the conclusion that this is a very disappointing outcome in relation to the original hopes—and expectations—for the scope of the green deal.

Our report concluded that the green deal could be improved. We identified three types of barriers that needed to be addressed. First, there are financial barriers. For example, the cost of the interest rate charged is too high. Households that can pass the standard credit checks can obtain cheaper loans elsewhere. Secondly, there are communications barriers. Regrettably, there has been quite widespread mistrust of the scheme. That is partly due to a lack of good communication, and it
has been exacerbated by some instances of mis-selling by rogue traders. It has not been helped by a lack of clarity in some of the Government’s statements, and it certainly has not been helped by a shortage in some parts of the country of green deal providers.

Thirdly, we identified behavioural barriers. The attachment of the green deal loan to the property is a difficult concept for many people. They see it as a potential burden—an obstacle—if at some future date they want to sell their home. In light of these identified difficulties, my Committee has suggested three ways in which the green deal could be made more attractive. Above all, we want to see the take-up rate of the green deal substantially increased.

First, we urged the Department of Energy and Climate Change to make the finance package more appealing. We recognise that a subsidised interest rate is not appropriate, but we suggest that the way in which the golden rule is calculated could be reviewed. Perhaps the assumptions in those calculations are too cautious. We also suggested that other incentives should be explored. I have long advocated more radical incentives to kick-start the process of investment in energy efficiency in our built environment. As we all know, in the UK we have a high proportion of older properties.

Interesting evidence was produced by the Committee on Climate Change about changes in the habits of new car buyers. In response to quite modest incentives and differentials in the road tax or vehicle excise duty charged on different types of vehicle, there was a surprisingly large shift towards the purchase of low-consumption vehicles. Even though the cost of running a car might be £2,000 or £3,000 a year, or even £4,000 or £5,000 a year, buyers who think that they can save £200 or £300 a year on the vehicle excise duty are surprisingly influenced by the extent of that saving.

That, to me, suggests a psychology of people liking the idea of putting one over on the taxman—they think they will get a break and they want to get the biggest advantage possible out of it. Therefore, perhaps for a limited period, we should offer incentives that would allow people to get a discount on their council tax or, on commercial premises, a discount on the business rate, if they invest in a way that improves the energy efficiency rating of the property concerned by a certain amount. That might strike a chord with many people and we could see much more investment going into energy efficiency.

Furthermore, the moment at which people move into a new home is the most likely time when they will make improvements and are willing to spend some money on making changes and renovating a property. That is another opportunity. If we were to offer buyers or occupiers some rebate on stamp duty—notwithstanding the considerable improvements that have just been made to it—and they improved the energy rating of their property by a certain amount, perhaps in the first year of occupation, we might again find that that would strike a chord with people.

We need to get people talking about energy efficiency. Most people pay far more attention to advice from a friend, neighbour or family member than they do to anything said in Westminster Hall. If people realised the extent to which they can save money and make their homes warmer and more comfortable through energy efficiency investment, the word will start to spread on the ground. To get the process started, in addition to tweaking the green deal arrangements, I urge the Government—we are probably talking about the new Government after May—to look carefully at the enormous potential of introducing more radical incentives.

The second set of improvements that my Committee urged DECC to make was to streamline the green deal process and to make it quicker—‘Green Deal in a day’.

At the moment people are deterred by the complexity and length of time involved. We suggested that a centralised go-to website for all energy efficiency measures would be helpful, so that people do not have to search around for different sources of information about what they can do. The third set of improvements that we urged on DECC was to improve access to the green deal, to be more proactive in identifying those households that are most in need and, alongside that, to continue expanding the network of green deal providers. In our view, all such measures would help to achieve a clearer, more consistent and more credible policy.

In conclusion, the Committee supports the Government’s vision for a green deal brand. We agree that a choice of initiatives is needed, which is why we have recommended prioritising communication and restoring trust. We acknowledge the positive changes already made by DECC and the efforts made to engage consumers more effectively. The green deal is truly a ‘no regrets’ policy that can make homes warmer and more comfortable, while also saving money, cutting consumer bills and, crucially, cutting greenhouse gas emissions, but we believe that the Government should be even bolder. They should continue to promote the green deal through long-term planning. Quick fixes will not make much difference.

I look forward to my hon. Friend’s comments when he responds to the debate.
We in the Labour party believe that we have solutions to the problems of the green deal, which I will take about briefly towards the end of my remarks, but I first want to highlight some of the Select Committee’s other recommendations, to which the Government should pay real attention. The report pulls no punches. Recommendation 1 described the green deal as a failure and urged the Government to deal with the barriers that prevent even adequate take-up. The Committee’s opinions are shared by the shadow Ministers. The most disappointing element of the Government response was the complete unwillingness to accept what the Committee and many others are saying.

Recommendation 5 is of great significance, and I will be interested to hear what the Minister has to say. The green deal and the energy companies obligation should dovetail and be complementary, but we have seen the complete opposite and I do not think that the Government know how to rectify that. Again, I was disappointed by the Government response, which was to claim that the green deal home improvement fund was part of the solution to the problem. I hope that the Minister can clarify how that judgment was reached, given the farce that followed the sudden closure of the first round in July and the numerous complaints that have followed. The fund is simply not a long-term solution, but is instead the Government throwing money at the problem.

The attractiveness of the green deal is also criticised in the report, with a key point made in recommendation 7: “Unless the package is made more attractive to a wider group of consumers, Green Deal finance is likely to remain unappealing to many.”

Again rather disappointingly, the Government response points to the green deal home improvement fund as an answer. I fail to see how a short-term measure will provide a solution. I would prefer some long-term thinking by the Government, which has been sorely lacking so far. The green deal home improvement fund is not and never will be a long-term sustainable policy.

Finally, of all the excellent recommendations in the report, I will touch on recommendation 11: better targeting of energy efficiency measures on those who need help the most, primarily the fuel-poor. I share the Committee’s view that the Government should be doing more, and I was heartened to see tacit agreement in the Government response. However, their actions towards the fuel-poor do not match up. The affordable warmth element, which is explicitly aimed at those most in need, was scandalously cut by the Government in 2013 for political reasons. It cannot be stressed enough to the Minister that the best way to get household bills down and, crucially, keep them down is to prioritise energy efficiency and insulate people’s homes. The Government sought to do the opposite, which is quite frankly unforgivable.

I am aware that it is all too easy to criticise the green deal, and the Government have only themselves to blame for that, but we in the shadow energy team have put our money where our mouth is, and in November last year launched our energy efficiency green paper, setting out proposals that we believe would solve the issues that the green deal and energy efficiency in general have been struggling with on this Government’s watch. Our policy has five key points relevant to the discussion today.

First, we would provide half a million personalised home energy reports a year, which would detail how households could save money on their energy bills through insulation and energy efficiency. I think many would agree that levels of public knowledge about energy efficiency and the products available, such as heating controls, are very low, but we can easily give the public that information and it will help.

Secondly, we would administer free energy efficiency improvements for 200,000 households in or at risk of fuel poverty every year, with an ambition to upgrade all such homes and end the scandal of cold homes within 15 years. This chimes with the report’s recommendation that more should be done to target those most in need. It should save the average household around £270 a year and provide a much needed boost given the failings of the ECO, especially following the disastrous changes to it in the 2013 autumn statement.

Thirdly, for those able to pay, we would replace the flop that is the green deal with a much less bureaucratic system. Most important, during the next Parliament we would offer up to 1 million interest-free loans to cover the costs of energy efficiency improvements—something that, as the report highlights, DECC is unwilling even to consider. For the private rented sector, which was singled out in the report, there would be a new target to upgrade properties to a minimum of EPC band C by 2027, which is far more ambitious than anything the Government have committed to.

We have also promised that energy efficiency will be designated as a national infrastructure priority under Labour’s proposed national infrastructure commission, giving energy efficiency the importance it has lacked under this Government. Finally, we would put in place a long-term, streamlined strategy to support investment in energy efficiency in the non-domestic sector.

The Committee’s report delivers some stinging criticism of the green deal—all of it warranted. I sincerely hope the Minister will take on board many of the points raised today. The report’s conclusions accurately sum up where DECC has failed on both the green deal and energy efficiency as a whole. It is clear to me that the only hope for a pay-as-you-save model and for energy efficiency as a whole is a Labour Government after the election.

1.53 pm

Mr Ben Wallace (Wyre and Preston North) (Con): I am delighted to serve under your chairmanship today, Mr Gray, and to be given a run-out as energy Whip on the subject of the green deal. The subject is close to my heart, as I represent a seat up in north Lancashire, where it is often cold. I am used to the cold, but that means that heating houses efficiently and ensuring the best value for money are important to me.

I thank the Energy and Climate Change Committee for giving the Government the opportunity to respond to the report and some of its criticisms and suggestions. I also thank its Chair, my hon. Friend the Member for South Suffolk (Mr Yeo), for presenting those to us today. I read the current and previous reports on the subject, as well as the Government responses to them, and a few things stuck out for me that I would like to address.

The first thing to strike me about the report was that it did not feel as though the Committee disagreed with the concept of the green deal—the idea that Government
should try to use incentives and grants to induce millions of people across the country to be more efficient in using energy to heat their homes. The overall policy aim of the green deal has been welcomed so far; a lot of the criticism has been based on the delivery rather than the concept.

I am sure that the Committee understands that the green deal is not just about finance, but I thought one mistake it made in the report was putting front and centre the idea that the green deal is a finance delivery mechanism. The Committee needs to recognise that the individual nature of people’s homes means that there is no silver bullet for or instant way of fixing the problems. Many of the issues identified in the report would affect dozens of Government schemes across the whole policy spectrum and the whole of Whitehall, because of the gap between the theory of a policy and its actual roll-out. No plan of any Government—if Labour is successful at the election and the hon. Member for Sunderland Central (Julie Elliott) is in government next year, she will recognise this—solves delivery in all circumstances. Governments have to adapt to what they see on the ground. The Government have recognised that fact, and in annex A of our response to the Committee’s report we list many of the changes we have made to the green deal as it has developed.

It is also important to realise that in this sector there is always a natural rivalry of priorities between fuel poverty and carbon reduction. That idea came out both in the Committee’s inquiry and as we have rolled out the green deal. However, I am concerned that the Committee focused too much on the green deal as a finance scheme rather than on our overall ambition to reduce carbon emissions and cut energy waste. Paragraph 8 on page 6 of the report opens:

“The Green Deal is a financing mechanism.”

That is perhaps where we disagree most with the observations in the report. The finance is a means to an end. It is about us trying to deliver schemes and mechanisms to make sure that we improve energy efficiency.

We should not forget that private sector finance is a highly mature and competitive work place and area for products. Our scheme will not always be able to provide the best financial offer every day, as doing so depends on circumstances not under our control, such as energy prices and other demands. Over the long term, we are confident that green deal financing will provide the best option, but at certain stages that will not always prove to be the case. We are getting there, though. During the Committee’s inquiry and subsequently, the Green Deal Finance Company has taken quite strong steps to streamline the process, cutting out some additional parts of the application that people felt—and the Committee agreed—had caused delays. That will make a significant difference.

Leaving aside the issues about the finance mechanism, the Committee raised some valid points that the Government need to keep on top of, including communication, behavioural challenges and the complexity of the process. On communication, it is a challenge for all Government schemes to make sure that they match the message to what people are thinking all the time. The good step we took of making sure we put more focus on working alongside local authorities has been a real success, and we have seen an increase in uptake.

Councils such as Leeds and Nottinghamshire have started to make a real difference to the roll-out by getting across a strong message that it is in people’s own interests to cut energy bills, use less carbon and heat their houses efficiently.

It is not that easy to get people to change their behaviour. It does not happen overnight; it takes time—indeed, it takes a long time for Governments to change many things. My only message to the Opposition Front-Bench team is that we all go through the manifesto process and make brave statements, but changing the public’s behaviour will always be easier said than done. I am sure that if, this time next year, I am sitting in opposition to the hon. Member for Sunderland Central and asking, “Where is the first roll-out for 75,000-odd homes?” she will quote me back to myself on that point. Things are changing, though, and we are getting to a better place. The more expensive things are now being done. The low-hanging fruit is, to some extent, on track now and we have to get on to dealing with some of the more difficult areas.

We need to look at uptake, which has improved significantly in the past few months and hopefully will go from strength to strength. The demand for green deal plans has more than doubled since the start of 2014, and at the end of October we had a record-breaking week in which 570 plan applications, worth £2.2 million, were made. In comparison, there was an average of 190 applications per week in the first part of 2014. Raising consumers’ awareness of how they can improve their homes is an important foundation of our approach. By December 2014, some 445,800 green deal assessments had been carried out and a large number of people are now aware of what they need to do to improve their home’s energy efficiency. The next challenge is to get them into a plan.

The energy company obligation has been effective and has delivered the majority of the homes improved. We made important changes to the ECO to reduce consumers’ energy bills. We announced a further £540 million to be spent on energy efficiency over three years, and we announced an increase in that figure by £100 million last October. That investment enabled us to establish the successful green deal home improvement fund to incentivise households to install energy efficiency measures through cashback offers. Our green deal communities programme is working with 96 local authorities to get a better understanding of how to deliver efficiency measures on a street-by-street basis and how to integrate home energy efficiency improvements with other aspects of local authority activity.

Stakeholders and the Committee’s reports inform us that we are on the way to seeing better traction for the green deal. I am convinced that the figures prove that we are increasing our roll-out. People get what the green deal is and are able to access the finance they want, so I am confident that, as we go from strength to strength, the green deal will be accepted across the board.

The Committee report contains valuable steers, and I will tell the Under-Secretary of State for Energy and Climate Change, my hon. Friend the Member for Hastings and Rye (Amber Rudd), to take them on board. Those important and valid points were meant in the spirit of constructive criticism, as the Chair of the Committee said, and our response accepts that. We will work to...
improve our communications and ease of access to enable the green deal to change people’s behaviour across the board.

I do not need to be reminded that there is an election coming up shortly. Energy efficiency is bound to be a high priority for the incoming Government, whatever their political persuasion, because is the most effective way to reduce carbon emissions and manage our energy demand. It is also good for societies not to waste resources. Whatever the carbon emission challenges are, we must be efficient. The Government have delivered a significant number of improvements to homes, and the innovative ideas to make Government support go further that we have implemented have attracted interest from other countries.

It would be tempting to ask the Labour party to tell the electorate what it is offering, but this debate is about the Committee’s report. However, the electorate must understand that those things will have to be paid for. The Government cannot intervene and encourage people for free, and offering 1 million interest-free loans will cost a lot.

**Julie Elliott:** May I advise the Select Committee that our proposals will not cost a penny more than what the Government are already spending in this area?

**Mr Wallace:** We will have to take the hon. Lady’s statement at face value, but given the previous Government’s track record on managing the economy and their books, I ask only that the electorate look closely at the figures that are produced.

The Opposition should reflect on the difference between roll-out and theory. I remember sometime in 2009 receiving 32 light bulbs at random from my energy supplier, because that was the way it was meeting the rather fudged, bizarre obligations placed on them by the previous Government. I think I still have them—the Labour party can have them back if it wants; it was probably the only contribution it made. We are confident that the green deal will go from strength to strength. The graphs, charts and the uptake show that we are moving in the right direction.

2.4 pm

**Mr Yeo:** I thank my hon. Friend for his reply and for his close study of the two reports that my Committee produced on this subject in the past couple of years. He is absolutely right that the Committee continues strongly to support, without reservation, the concept of the green deal. I assure him that our concerns about its progress are motivated by our wish to see it succeed.

We share the aim of eliminating energy waste. It is a scandal that millions of buildings in this country are still so energy inefficient that a large amount of energy is wasted. A consistent thread running through all our reports is our concern to ensure that the UK achieves the challenging targets we have set for cutting greenhouse gas emissions. Energy efficiency has an enormous part to play in achieving those targets. Our criticisms derive from our disappointment and frustration about the relatively slow progress of the green deal so far. Even the most ardent defender of the coalition’s policy—as my hon. Friend the Minister knows, there are few more ardent defenders of the coalition than me—would not claim that the high hopes about the green deal have yet been fulfilled.

As my hon. Friend the Minister said, progress is much better than it was this time last year. There has been an encouraging acceleration, from a relatively low base, of the take-up of green deal plans and enquiries. I cannot predict what my Committee will do in the next Parliament, because I will not be a member of it, but I would be very surprised indeed if it did not want to continue the watching brief that it adopted towards the green deal in this Parliament. In conclusion, I hope that this time next year another debate will take place on this subject, and that the Minister will be able to report on further substantial progress.

**Mr James Gray (in the Chair):** Order. We come to the next debate. I ask those who took part in the previous debate, including my hon. Friend the Member for South Suffolk (Mr Yeo)—I was his special adviser many years ago when he was a Minister in the Department for the Environment; he has served with distinction for many years—to leave the Chamber quickly and quietly.
Crime Reduction Policies

Sir Alan Beith (Berwick-upon-Tweed) (LD): It is a pleasure to serve under your chairmanship, Mr Gray, even if it is somewhat earlier than anticipated—such was the degree of consensus about the green deal in the preceding debate.

What are the most effective ways to keep our constituents safe from crime, and how can we spent taxpayers’ money cost-effectively to achieve that objective? The Justice Committee sought to answer those questions and keep them under review, while challenging the traditional media and political debate about who can sound toughest on crime, which tends to cast no light on the matter.

The Committee’s major initiative in the previous Parliament was a substantial report entitled “Cutting crime: the case for justice reinvestment”, published in January 2010. In this Parliament, we sought to follow up that work. I am pleased to have the opportunity to discuss the Committee’s inquiry on crime reduction, which led to the production of two reports.

The first report was an interim one addressing the Transforming Rehabilitation reforms, which have been the subject of several debates here and in the main Chamber. Today, I want to focus predominantly on our broader inquiry, entitled “Crime reduction policies: a co-ordinated approach?” There is a question mark at the end because we wanted to assess the extent to which there is a truly co-ordinated approach to policies and programmes for reducing crime and reoffending.

In all those reports, including the report in the last Parliament, we have been greatly assisted by our staff, especially senior Committee specialist Gemma Buckland. Witnesses, including experts, the judiciary, social work professionals, victims and ex-offenders have also been invaluable. In all those categories, we have learned a great deal from those who have been willing to give evidence to us and to receive us in their institutions, prisons, courts and various other places.

We must assume that the objective of reducing crime is shared by politicians of all parties, as well as the general public. Overall, we are all pleased to find falling rates of crime across the criminal justice system. We are not convinced that that can, in practice, be attributed mainly to the success of any particular national crime reduction policy or local policy—indeed, it follows a pattern right across western Europe. All sorts of explanations have been put forward, ranging from better vehicle security to the removal of lead in petrol, and a whole variety of others in between. There is still considerable academic uncertainty and disagreement about some of the causes, but multiple factors are at play and there is a great deal more work to be done.

That welcome reduction does not alter the fact that in our courts, prisons and on community sentences, we see a lot of people who not only commit crimes, but go back to committing more crimes when they have completed their sentences. We want the fall in crime to continue and we want to deal with the persistently high rates of reoffending. We are still in need of a supportive framework that will get to the heart of the deep-seated challenges of reducing crime and levels of victimisation. We think the Government should seize this opportunity and address two key areas that are in need of reform or development: local partnership and preventive initiatives.

On local partnership, which I think has been one of the most significant developments in recent years in tackling crime, there have been significant changes in the landscape since 2010—since our previous report—including the introduction of police and crime commissioners and the transfer of public health responsibilities to local authorities, which reflects an ongoing broader and welcome shift of power from Whitehall to local communities. That has resulted in an assortment of local accountability structures, but our evidence highlighted the clear benefits of collective ownership, pooled funding and joint priorities, all of which have been facilitated by that approach. However, there remains a considerable way to go before health can be considered a fully integral part of the crime reduction picture.

The current situation, where all local agencies are accountable but there is no single statutory leader, risks confusion and abdication of responsibility. We were genuinely worried that the number of changes taking place and the climate of financial austerity would make local partnership working much more difficult, and that it would reduce. The picture we have so far shows that that has not happened, and that institutional change and severe financial pressures have been coped with remarkably well in many local partnerships.

We are watching the situation carefully, but thanks to the good will of all involved, we have not noticed people being taken away from the table, if I may put it that way, of joint and shared activity. We did not find evidence that funding cuts had resulted in any renunciation of the commitment to work together. Indeed, local government representatives regarded further joint working as more essential, given the ongoing financial restraint.

Of course, some major elements are not around the table and not part of the process—most obviously, courts and prisons. We believe that a prison system that effectively rehabilitates a smaller number of offenders, while other offenders are rehabilitated through robust community sentences, has the potential to bring about a bigger reduction in crime. The through-the-gate resettlement support envisaged under the Transforming Rehabilitation programme might go some way to achieving that, but it is not at all clear that there is capacity in the prison system sufficiently to facilitate it. Seeing courts as purely instrumental institutions misses an opportunity for encouraging greater innovation, and we believe that there is the potential to make broader systemic savings.

Mr Ellyn Llwyd (Dwyfor Meirionnydd) (PC): Does the Chair of the Justice Committee agree with me that integral to all that is the need for proper, extensive drug rehabilitation out in the community? That seems to be a missing link, bearing in mind that 65% of all acquisitive crime—theft, in particular—is carried out by people with drug problems.

Sir Alan Beith: The right hon. Gentleman is absolutely right; I agree with him and will say a little more about the issue. It always strikes me very forcefully that if a
judge or magistrate is presiding over a case and sentencing, and decides that an offender really needs a significant drug rehabilitation programme as part of a supervision programme, that judge or magistrate has to find out whether it is available. If custody is the answer, however, a van will come along, take the prisoner away and it will be somebody else’s problem to find somewhere to put them, but the sentence will be carried out. That is a mismatch within the system, and it also reflects the weakness of drug rehabilitation provision in the community at large. Had that been accessible, it might have prevented that person from getting involved in the drug-related crime in the first place.

When we were in the United States, both for the previous parliamentary inquiry and the present one, we saw instances of problem-solving courts playing a much more central part in the rehabilitation of offenders. They were adapting their procedures, particularly when dealing with drug offenders, to use the collective will, both of the professionals and of all those who were coming before the court, to motivate people to get over the drug problems that were causing their acquisitive crime. It was fascinating to watch a court in Texas, for example. Those who had successfully met the conditions of their sentence were coming up before the judge and the other ex-offenders were sitting in the court applauding the success of the person who had, as it were, qualified to stay outside prison, because of the way in which they had carried out the conditions of their sentence.

I referred earlier to preventive initiatives. We are concerned by the Government’s approach to preventive measures on such things as health and substance misuse. The abuse of alcohol and drugs, as the right hon. Member for Dwyfor Meirionnydd (Mr Llwyd) said, are significant in many crimes, but their manifestations often have other root causes. The Government’s approach, which is still focused largely on the activities of the Home Office and the Ministry of Justice, may over-emphasise the extent to which measures taken within the criminal justice system can tackle those problems, when a much broader spread of measures is needed involving a wider range of institutions.

It is very striking—we have come across evidence of this—to see the extent to which the criminal justice system is used as a gateway to mental health, drug or alcohol treatment. We come across ex-offenders who have committed further offences because they know that they can get either, in the most basic sense, a bed for the night in prison, or treatment, which they are having difficulty getting outside the criminal justice system. The solutions to some of those problems lie beyond the criminal justice system and the direct responsibilities of even the Minister who will answer this debate. His response might be that he straddles two Departments, which is helpful in this context, but maybe he needs to take two or three more Government Departments under his wing to achieve the co-ordination that we think is necessary.

The Minister for Policing, Criminal Justice and Victims (Mike Penning): I will not make a bid to take on more Departments; I have had five in the past four-and-a-half years, which is probably enough for anybody. However, on drug addiction and the effects on crime and the community, very often, as I am sure the Committee saw in the evidence, the issue is not just drugs, but drink and drugs. There are often mental health issues and conditions as well, and there may be learning difficulties.

It is absolutely right that I serve on several committees in Government, where this issue is discussed across Government. I know that it is difficult for the Select Committee to have seen that, but the work is going on in Government. To be fair, it started under the previous Administration; we have accelerated it and pushed it on. This cannot be taken for granted, but the major issue is what the right hon. Member for Berwick-upon-Tweed (Sir Alan Beith) is saying.

Sir Alan Beith: I am delighted that the Minister is so clearly aware of the point that I am trying to make and is endeavouring to do something about it. I wish him well in continuing to move in that direction.

A lot can be done to support people in the system to address health problems associated with their offending, but the funding of mental health services generally is crucial to that. The inadequacy of those services costs the police, the courts, probation, prisons and victims of crime a very high price. That should be an urgent cross-departmental priority of the Government as part of their national crime action plan.

I welcome the priority that my right hon. Friend the Deputy Prime Minister has given to mental health and the way in which he has tried to lift it up the political agenda and the Government’s agenda. I also welcome the work on crisis intervention, including addressing the use of police cells as a place of safety—so clearly an inadequate response to that problem—and the ongoing work to improve liaison and diversion services within the criminal justice system. I welcome the presence of mental health nurses in many police stations now and encourage the development of that. Those are very welcome initiatives. We have waited quite a while for them and we really want a network of those services. At the moment, there are a limited number of pilots, with some more due to commence shortly.

However, we know from the implementation of the Transforming Rehabilitation programme that when the Government really want to, they can get on with something and make progress quite quickly. That programme of redesigning the probation service, whatever view we take of it—whether we are for or against it—has been carried forward very expeditiously. Governments can get things done when they are determined to do so, and we would like to see some of that determination in the area that I have just described.

Another good example of where what the Government have been trying to do is in line with what we have been asking them to do, although it needs to be built on, is the Troubled Families programme, in which the Government have invested heavily. Part of the motivation is that an estimated £9 billion a year is spent on the costs arising from families with those problems—an average of £75,000 per family each year.

Of the £9 billion, only £1 billion is spent on efforts to solve the problems that are getting the family members into all kinds of trouble and difficulty, so we very much welcome the Troubled Families programme. It is an illustration of preventive investment upstream, where the amounts of funding are, against the total picture, relatively small. For example, only £17.5 million has
been dedicated to extending family-nurse partnerships, which we also saw working successfully in America; £10 million was given to enhance support to local authorities to tackle gang violence; and extending liaison and diversion services is costing £25 million.

With regard to the Transforming Rehabilitation programme, we were pleased to find that the purpose of achieving crime reduction was central to what the Government were trying to do. Achieving supervision for the less-than-12-months prisoners is an objective that has eluded previous Governments. This Government are determined to do it. They have chosen a route that is controversial even among members of the Select Committee, but we recognised what the Government were trying to do.

We had a number of concerns and we are still watching to see how those are addressed and how successfully. Some have been successfully addressed. We feared that there might be areas without bidders, but that has not proved to be the case. There was confusion about what would happen if a bidder dropped out or failed to meet its contracted requirements. It is now clear that the national probation service has to step in if that happens.

We had concerns about whether perverse incentives would be created in the way payment by results was structured, but it is too soon to know for certain whether that has been sufficiently mitigated. We had too little financial information to know for certain whether the goal of under-12-months supervision could be achieved within the total budget. That was central to what the Government were doing.

Partnership crime reduction activity must continue to build in strength as resources are diminished. As a Committee, we stress that new providers of probation need to be incentivised to reinvest part of any cost savings into further reoffending reduction initiatives, and to consolidate the partnership commitment to reducing crime more broadly. It is important that the Transforming Rehabilitation reforms do not frustrate partnership approaches. The new providers must get involved in the partnership structure, and the national probation service, being now a national service, must also be structured in a way that enables it to participate at local level. We do not want it to become a distant bureaucracy.

The most important conclusion that we draw is that the Government should focus their efforts in seeking to address the wider question of how they prioritise their activity as a whole on the reduction of crime. In our predecessor Committee’s report, we said that a rigorous assessment was required of where taxpayers’ money could most effectively be spent in cutting crime. We did not feel that that exercise had ever been done. That ought to be a serious question for the Treasury. It is supposed to be the Treasury’s job to look at whether Departments are providing value for money. That is the question that it should be asking of the criminal justice system.

If we compare the investment in drug and alcohol treatment, mental health schemes and early intervention activity with some of the annual costs of inaction, it is pretty difficult to justify. Annually, violent crime, 44% of which is alcohol-related, costs almost £30 billion. Nearly one tenth of that is costs to the national health service. Crime perpetrated by people who had conduct problems in childhood costs about £60 billion; drug-related crime costs £14 billion; and the annual budget for the whole of prisons and probation is £4 billion.

We believe that what is required is a longer-term strategic approach that recognises more explicitly that the criminal justice system is only one limited part of the system through which taxpayers’ money is spent to keep our constituents safe from crime. That safety question is important, too. We are in a position in which prison is the default option for society expressing its disapproval of criminal behaviour. That is not a very good way of deciding how to spend the money efficiently; it is a way for people to look as though they have taken something seriously, without having had proper regard to whether it will prevent the person from reoffending.

Many of my colleagues in the House were puzzled that we went to Texas, which they thought of as a place where right-wing Republicans merely executed any prisoner who came into their sight. What we actually found was that right-wing Republicans and centre-left Democrats had agreed that they were wasting the taxpayers’ dollar, because they were spending more and more money creating more and more prison places to deal ineffectively with people whom they could deal with better through the kinds of initiative that I have described. So they changed the policy and we are seeing good results. That seemed to me a good example of a society looking at how it is spending its money to keep people safe and working out whether it is really achieving that objective.

In this country, we want to get away from a mere “predict and provide” approach to the criminal justice system. It is time that politicians and the media stopped using the length of prison sentences as the sole measure of the seriousness with which we treat crime, because that traps us into using expensive custody to lock up not only those who have to be locked up for a considerable time for public safety, but those who would be much less likely to reoffend if they received effective treatment, which could be provided less expensively outside the hotel envelope, if I may call it that, of the prison system.

The Justice Committee has members from four political parties and with a wide range of political outlooks, but we share a determination to make our criminal justice system more effective in protecting our constituents and breaking the intergenerational cycle of crime. What enables us to produce what are usually unanimous reports—in fact, invariably unanimous reports—is the fact that we look objectively at the evidence of what works, and develop our ideas from that starting point.

We are in an election year—the election is getting closer—and however many things we disagree about, it is important that we come through the period without engaging in a sterile contest over who can sound toughest on crime; rather, we need a realistic debate about how we can best protect our constituents. I hope that those on both Front Benches will indicate their willingness to maintain that level of debate about how we can make our criminal justice system effective in keeping our constituents safe, at reasonable cost.

2.28 pm

Mr Elfyn Llwyd (Dwyfor Meirionnydd) (PC): It is a pleasure to serve under your chairmanship, Mr Gray. I am always very pleased to see my right hon. Friend the Member for Berwick-upon-Tweed (Sir Alan Beith), but...
today I was absolutely delighted when he walked through the door, because for some time previously I had thought that I was opening the debate with a speech that was not tailored for opening such a debate. I agree with everything he said. I would not say that there is unanimity—there are different views in the Committee—but the views that the right hon. Gentleman has expressed are all, I think, shared by the Committee. They are deeply held as well.

It is a great pleasure to speak in today’s debate on our report, “Crime reduction policies: a co-ordinated approach?” It has been a great privilege for me to have served on the Justice Committee during this Parliament. If I may say so, it is one of the most fulfilling experiences that I have had during my tenure in this place.

Our report, which was published in June 2014, was critical because this Government seem to have failed to invest adequate time in reviewing where money should be spent to tackle the problem of reoffending. We drew attention to the fact that the prison population remains stubbornly high, and inadequate funds, it seems to us, are being directed towards early intervention schemes such as family nurse partnerships and the troubled families programme. We also noted the correlation between the underfunding of mental health services in the community and higher offending rates. We made the case for introducing radical new forms of intervention into the court process, similar to the measures that we saw in Texas, to which my right hon. Friend alluded, such as addiction recovery courts, which we believe would deliver huge savings in the medium and longer term.

I talk briefly about our experience in Texas. Some members of the Committee, including me, wondered why we were visiting what we considered to be a rather inglorious and illiberal penal system, but what we found there was absolutely astonishing. To quote from the report:

“Texas has long been regarded as a state with some of the ‘toughest’—

and, I might add, the most illiberal—

“criminal justice policies in the US. In 2007, its prison population was projected to grow by more than 14,000 people over a five-year period, costing taxpayers an additional $523 million for the construction and operation of new prison facilities. With bipartisan leadership, policymakers identified and enacted alternative strategies in an attempt both to increase public safety and avert the projected growth in the prison population at a net saving to the state as they would cost only $240m. These included investing in: parole and probation policies; expanding the capacity of community-based treatment programmes and residential drug and alcohol treatment facilities; expanding drug courts and other specialist courts to place offenders who committed minor crimes in treatment programmes; and expanding the nurse-family partnerships programme (an evidence-based, community maternal health initiative, referred to in the UK as family nurse partnerships, that serves low-income children and families. At the same time funding was authorised for the construction of three new prisons which could proceed only if the new policies and programs were not effective. This has not been necessary. Furthermore, one prison has since been closed and the legislature has authorised the closure of two more. Texas now has the lowest crime rate since 1968.”

That is quite a testimony about the experience of Texas, from which we can readily learn.

It is fair to say that there is scepticism, to put it mildly, among members of the Committee about the changes to the probation service, and I will come to that in a second or two. As the Minister knows, we are also concerned about the evaluation of crime reduction policies. We asked the Ministry to clarify how the Transforming Rehabilitation reforms would be evaluated, and how the evidence of success, or indeed failure, of differing approaches would be used to inform policy. I think that that is an entirely reasonable question to ask, but it is still something that challenges the Government. I am not making a political point against the current Government—successive Governments have not dealt with this very well—but that approach is widely used in the United States and the experience there is that it leads to money being better spent in the longer term.

The work of the Washington State Institute for Public Policy shows what could be achieved by taking such an approach. The institute identifies, on the basis of cost-benefit analysis, how best to invest money to reduce crime, and there has indeed been a sharp decline in crime and imprisonment in Washington state. In the report, we recommended, as our expert witnesses told us, “that there should be an independent and authoritative body to evaluate evidence on the effectiveness of crime reduction policies.”

I do not know how that might be done, but we have experts in our universities who study such things. Perhaps it would be useful to have a pilot study involving one or two experts in one or two universities to track what is happening and to see how money can be best spent, especially in these rather austere times. Those data could help us to plan better in the medium and longer term. At the moment, some prisons are being closed, and some prison officers are being made redundant, only to be re-employed within three or four months to do the same job again, perhaps in another part of the UK. With the greatest respect, I do not think that that is a good policy. It underlines the absence of a think-tank that could work out how to spend money in the criminal justice system to achieve the best outcome.

I share the feelings that my right hon. Friend expressed in his closing remarks about the tabloid drumbeat. It is difficult for Members from the larger parties to discuss penal policy without having to look over their shoulder. I am in the happy position of not having to look over my shoulder, and I do not read the Daily Mirror or the Daily Mail anyway, but that is by the bye. If a party considers something that appears to be rather benign, suddenly, according to the tabloids, it has become soft on crime, but members of the Committee and many others know that some criminals are more fearful of a medium-term or longer-term community penalty, if it is properly structured, than they are of going to prison for nine or 10 months. That is a fact. We also know that in the case of community penalties, the reoffending rate is lower and the likelihood of rehabilitation is higher. For some reason, however, community penalties are considered by the tabloids as being soft on crime, and therefore they are anathema to any practitioner. That is absolute nonsense. In my view, it is time that all political parties came together and said, “We will go for what works and forget about what the tabloids will say.” The tabloids speak largely from a position of ignorance, in any event.

As I have mentioned, the Democrats and the Republicans got together in Texas. They were able to put aside yah-boo politics on penal policy, even though I imagine there would have been plenty of that, considering the nature of the previous penal policy in Texas. If they
were able to do that, I do not see why we cannot put aside the need to shout the loudest and to be the most beastly towards people who offend for whatever reason.

I want to focus on two aspects of the report: the Government's plans for the future of the probation service, which I believe to be badly thought out; and the reforms to our prison estate, with reference in passing to the proposed Titan prison in north Wales. I should say that I will speak with my party political hat on, and not everything I say will represent the views of the Justice Committee.

As we know, the probation service performed excellently until the rehabilitation reforms were introduced. The Ministry of Justice seemed to be determined to carve up the service and put pieces of it out to tender, and that, in essence, is what Transforming Rehabilitation has done. I cannot understand why a service that had won a gold medal for excellence a couple of years earlier had to be fixed; clearly, to use the vernacular, it was not broke. I understand the rationale for ensuring that the under-12-month cohort are properly looked after and rehabilitated—I do not think that anyone in this Chamber or elsewhere, would argue with that—but it seems to me that the common-sense approach would have been to extend the remit of the fully qualified, professional, gold award-winning probation service to do the work in the first place. That would have avoided all the carving up, bids, tenders and community rehabilitation companies—all the changes that were not necessary and could well damage the delivery of probation services.

As we know, in June the 35 probation trusts were abolished and 21 community rehabilitation companies were set up alongside the new National Probation Service. The latter will supervise offenders deemed to pose a high or very high risk to society, which is likely to be about 30% of all probation cases. The remaining 70% will be outsourced to the CRCs—private companies. Quite apart from the rather shambolic way in which the Transforming Rehabilitation agenda has been put into practice, it is frankly dangerous for the Ministry of Justice to divide up cases by relying on such a changeable factor as risk.

I speak from some 30 years’ experience of the criminal law as both a solicitor and a member of the Bar when I say that any probation officer, as well as any police officer or criminal practitioner, worth his or her salt would be able to tell Members that the level of risk posed by any individual to themselves or others can change day by day and be affected by a range of issues. Risk is volatile by nature, and I worry about how untrained individuals working for community rehabilitation companies will manage to recognise when risk escalates, sometimes very quickly indeed.

Speaking of risk, the Ministry of Justice has been aware for months of the risks posed by its untested proposals to communities throughout England and Wales. The internal risk register for the new plans, which was leaked to the press but not published by the MOJ, warned that there was a risk of more than 80% that the plans would lead to "an unacceptable drop in operational performance"; as well as, crucially, "delivery failures." Perhaps the most perverse element of the plans is that private sector companies might be handed a bizarre incentive to allow reoffending to increase among the cohort that they supervise so as to increase their profits—that might be idle speculation, but I will throw it in anyway.

Strangely, prior to the introduction of the reforms, Ministry of Justice figures showed that all 35 probation trusts were hitting all their targets with "good" or "excellent" performance levels. Again, I wonder why change is needed if it was just a matter of extending the remit. The reoffending rates for all adult offenders on probation supervision were the lowest they had been since 2007-08. As I mentioned earlier, in October 2011 the probation service was awarded the British Quality Foundation gold medal for excellence—no mean feat.

It is frustrating and wrong that in this instance the MOJ has put dogma before common sense. I know that the argument will be that in these austere times the money was not there to extend the remit of the probation service, but at some point we will find out how much these changes have cost. I would be prepared to bet that the cost of putting all these services out to tender, dealing with all the CRCs, forming national probation groups, changing offices and premises, getting rid of and re-engaging staff and all the rest of it, dwarfs the cost of extending the remit of the professional probation service to deal with the under-12-month cohort—but time will tell.

The National Association of Probation Officers recently challenged the Ministry of Justice by judicial review, but that did not lead to any substantial rethink on the part of the MOJ, which leaves the probation service in much the same position as it was in before the challenge. However, substantial problems have been reported to many of us, calling into question the ability of the new CRCs to meet the huge demands of the job. Examples have come to my attention of delays in the production of court reports, information not being communicated to the courts, problems with the compatibility of National Probation Service and CRC IT systems, and very low morale among staff. Case loads are erratic, and there is even talk that private bidders will look to increase again the number of offenders who are tagged. There is concern that rehabilitation programmes and other interventions will be slashed because they will not be seen as “cost-effective” options for the CRCs.

For example, Warwickshire and West Mercia CRC wrote to the National Probation Service and magistrates at the end of December to draw attention to the fact that there is a serious shortage of staff in CRCs who have been able to deliver the Building Better Relationships programme for domestic violence offenders. The letter says:

“This has been further compounded by a couple of staff resignations of the very few trained tutors in the CRC...we continue to experience staffing problems across the CRC to meet a growing waiting list.”

The letter concludes by saying that, as a result of that shortage, CRC staff will be returning some cases to court, owing to their having insufficient time to complete the BBR programme. The letter implores magistrates to reserve the BBR programme for defendants who are at "high risk or very high risk of harm".

The situation is made worse by the directive that went out to magistrates courts telling them to order stand-down reports, which should be produced on the day of request. If CRCs are understaffed, it will be a massive task for
anyone to do the work, let alone to get it right. The problems resulting from getting it wrong would be very serious indeed.

I hope I am wrong, but I am afraid that the changes will have a serious impact not only on reoffending but, crucially, on public safety. A number of CRCs have been forced to cancel or postpone the delivery of sex offender programmes. Furthermore, I understand that domestic violence cases are being allocated to unqualified probation officers, owing to a lack of trained staff in the CRCs. Conversely, in some regions, the National Probation Service is no longer sending representatives to multi-agency risk assessment conferences, which focus on crucial information sharing among professionals. Rehabilitation is being damaged seriously as a result of the reforms.

In July, when the Secretary of State gave evidence to the Select Committee, several Members pressed him on the need for the Government to revise their timetable in the light of the problems I have described. His response was characteristically lackadaisical: he said that they were merely “teething problems” that would “inevitably arise”. I do not think that any of the problems were inevitable. As the Select Committee’s report makes clear, the reforms must be managed very carefully if we are not to see further detriment.

Turning to the prison estate, in the past year there has been a 27% increase in serious assaults in prison, and assaults by prisoners on officers have risen by 12%. In 2013, 1,588 incidents occurred, with 2,843 prisoner-on-officer incidents in the same period. 289 of them classed as serious. The increase in assaults has correlated with a reduction in the number of prison staff across the estate: it can surely be no coincidence that violence is rising when in 2000 there was one officer for every 2.9 prisoners and by the end of 2013 there was one officer for every 4.8 prisoners. Having been in several prisons as a professional, I have experience, and have found very low morale, which combines with overcrowding to create a heady, potent and dangerous mixture. I caution that we are now in a difficult position in the prison estate. Prisons can be dangerous places, and the Government must consider how they can reduce crime and violence within prisons.

I have long argued that north Wales needed a local prison. Imagine my dismay, having campaigned for nearly 20 years, when it was announced that the prison that will be built in north Wales is not in fact designed to service that area at all, but will rather be a Titan prison, designed to benefit our friends on the other side of the border. I say that for simple reasons: the Wrexham prison will cater, for the most part, for category C adult males, which excludes all adult male category A and B prisoners from north and mid-Wales. Juvenile and female prisoners will not be accommodated either.

Experts suggest that the Wrexham prison will hold only about 500 Welsh prisoners out of 2,000 inmates in total. Therefore, three quarters of the prison’s population will come from the north-west of England. We all know that keeping prisoners close to their context, home environment and family is key to a good rehabilitative programme. I am afraid that that is not the case here, as those who come from north-west England will be further away from their loved ones, contexts and families. Again, I hope that I am wrong, but I think that rehabilitation will be more difficult for them than it would have been if they were held more locally.

To make matters worse, 58% of cells in the new prison will be designed to hold two prisoners. That is contrary to the UN standard minimum rules for the treatment of prisoners, which uphold the principle that the level of cell sharing is a key measure of decency. I have questioned Ministers about it, and am still unhappy about the decision. It is worth pointing out that our prison system in England and Wales has never met that criterion.

It is generally accepted that Titan prisons of that scale are difficult to manage, are located farther away from the communities from which inmates come, and do not have a positive impact on inmates, leading to higher rates of reoffending. To refer back to the Texas experience, Titan prisons do not rehabilitate; they merely perpetuate a revolving-door scenario that is of no use to anyone. It is no use to the community, the individual or the state or country that spends money on it; it is pointless. If Texas sees fit to close such prisons, why on earth are we building them?

Once again, cost reduction has been prioritised over common sense. In its December 2013 report “Managing the Prison Estate”, the National Audit Office stated: “Understandably… the estate strategy’s focus is cost reduction and this has limited how far it can address quality and performance. Consequently, the Agency’s decision-making has sometimes traded good quality and performance for greater savings. For example, it closed some high-performing prisons before new prisons were performing well”.

The report goes on:

“Making cost savings was the main impetus behind the Agency’s estate strategy.”

I am afraid that that is a statement on the MOJ’s priorities. I understand the need to consider how every penny is spent, but I think that the current policies are short-sighted about prisons, and definitely so about probation. I hope that I am wrong, but I think the impact on reoffending and rehabilitation will be far from positive.

I know that I sound very downbeat, but I thought we should consider those two points. The Minister has read the report, and the right hon. Member for Berwick-upon-Tweed has given a good account of the other matters that concerned the Committee, but I considered it appropriate to tackle those two issues. Knowing the Minister, I am sure that he will respond in kind in due course.

2.54 pm

Mr Andy Slaughter (Hammersmith) (Lab): It is a pleasure to serve under your chairmanship, Mr Gray. I normally start Thursday afternoon debates by saying that we make up in quality for what we lack in quantity. At one stage, it looked as though it was going to be me and the Minister, which would have tested that view to destruction, but fortunately we were joined by the Chair of the Select Committee, the right hon. Member for Berwick-upon-Tweed (Sir Alan Beith), and the right hon. Member for Dwyfor Meirionnydd (Mr Llwyd), so we can be assured of a forensic and testing debate, but also, I hope, a well-informed one. I commend both of them on their speeches, made on the back of their report.

We welcome the aims of the report, which are to “to examine the nature and effectiveness of crime reduction policies”
under this Government. It is an authoritative report, and the Opposition are studying it carefully with a view to implementing parts of it if we have the opportunity later this year. Although I welcome the hard work put into the report by the Committee, after reading the Government’s response, I fear that a lot of it might be falling on deaf ears at the moment.

We know that the current Lord Chancellor has a way with words, but yesterday he excelled himself when he suggested that his lack of legal training enables him to “take a dispassionate view” of matters. That undermines the legal profession and writes off genuine concerns about the effect of his legislation as mere self-interest. That is not helpful. Probation workers, lawyers, prison officers and magistrates are all let down when this Government take that sort of attitude, and particularly by the Lord Chancellor’s approach.

Ministry of Justice policies over the past four years have not been well evidenced and are guilty of a distinctly short-termist approach. The Government were warned repeatedly that their probation reforms were rushed and concerned more with structure than with outcomes. If probation is in a state of crisis, our prisons are in a state of crisis, as we have heard. The quality of prison provision has deteriorated rapidly under the current Justice Secretary.

I note that page 14 of the Committee report points out that reoffending was falling in 2010 but has flattened under the current Government. Page 6 of the report says that we are still lacking a “lack of rigorous assessment of where taxpayers’ money can be most effectively spent in cutting crime”.

That is quite an indictment: after almost five years of coalition Government, the Government still cannot define where they are spending public money. They could not even tell MPs how much the Transforming Rehabilitation plans would cost when they asked Members to vote it through the House.

As the report notes, the Secretary of State published no modelling or projections to support his claim that Transforming Rehabilitation would save money. That raises obvious concerns that savings will not be made and the Government will therefore not be able to afford to fund probation for offenders serving under 12 months. Those changes—that is, the creation of the community rehabilitation companies—were not driven by cost-effectiveness but by what the Secretary of State called his gut instinct to privatise the service and see what happened next.

We agree with the Select Committee that crime reduction needs to be a cross-departmental priority, but by the time someone reaches the criminal justice system, it is already too late, in many ways: somebody has already been a victim of crime. Our approach, through the victims taskforce, will be to recast the criminal justice system as a criminal justice service fit for victims. A lot of good work is going on; I pay tribute to the work done by my hon. Friend the Member for Barnsley Central (Dan Jarvis) and Sir Keir Starmer, alongside the shadow Lord Chancellor and Baroness Lawrence.

The previous Labour Government were building strong cross-departmental practice in work on female offending prior to 2010. That included working with women at risk of offending, to prevent crime before it happened. Unfortunately, as the Committee noted in its previous report on Corston, the current Government disbanded the cross-departmental structures working in this area, which I am afraid is evidence of more short-termism.

We have pledged to appoint a Minister with responsibility for mental health in the Ministry of Justice, to join up the health and criminal justice agendas. We agree with the Committee that it is important for probation to be represented on health and wellbeing boards, and we look forward to the Minister’s response to the Committee’s recommendation that that representation should be statutory.

Labour welcomes the work being done on liaison and diversion. The intention to divert offenders with mental health or substance misuse problems into treatment, or to ensure correct support through the criminal justice system, is laudable, and it is supported by Members from all parties. I hope that the Minister can give us an update on the roll-out of liaison and diversion services.

I will move on, briefly, to Transforming Rehabilitation. The Transforming Rehabilitation plans were rushed through and they were based on no evidence of what works to reduce crime. The Government did not test them to check if they worked at all before rolling them out; I think one of the first acts of the Justice Secretary was to cancel the piloting. Now probation services are firefighting and having to deal with additional strains on the system caused by the rushed fragmentation of the service, rather than focusing on reducing crime. As one witness, who is quoted on page 36 of the report, said of every time that providers change: “We have…to take a few steps back and start again.”

Furthermore, despite the Justice Secretary arguing that the point of all this activity was to allow for supervision of offenders serving less than 12 months, the sell-off has been rushed through and there is still no certainty about how the increased supervision will work.

Later, I will refer to the views of the Magistrates’ Association, but one thing that I picked up from yesterday’s meeting of the all-party group on the magistracy is that there is a lack of clarity as to exactly when the new proposals will start. I do not know whether the Minister can confirm the start date today. What we were told yesterday was that offenders sentenced from February onwards will be subject to the new regime when they come out of custody. If we are talking about very short sentences, that could be in February itself, although it seems unlikely that we will see the results of this policy before the general election.

The successful bidders for the community rehabilitation companies are due to take over on 1 February and contracts are about to start. Labour has expressed numerous concerns about the various “sweetheart deals” and “poison pill” aspects of the contracts. Frankly, it is ludicrous that Ministers have tied the hands of future Governments to multibillion-pound contracts for a decade or more. There was no testing or piloting to see if this system would work. It means that every IT problem and failure in communication is now being dealt with on a national scale.

What is even more concerning is that the fragmentation of the service has built new problems into the system, as the Justice Secretary was warned it would. The chief
are increasingly violent places. Also, rehabilitative work surprised by the rise in the prison population. The Government had to instruct already overcrowded prisons to take in even more prisoners, because they fall. In fact, in the week that the report was published, 1,258 earlier this month, I received a petition from prisoners in Wormwood Scrubs, protesting about the population of the prison increased by 8%, from 1,170 to 1,258. The outgoing chief inspector’s report revealed that the prison system was under “strain” and that the chief inspector found that the overall prison system was “activity outcomes were poor and falling; too many prisoners were allowed out of their cells for only two hours each day; more than 40% of prisoners were locked up during the working day, with nothing to do; there were too few activity places, sufficient for only half the population; and administrative failures meant that many prisoners attending learning and skills activities were not paid for long periods. And yet, during the same short period the population of the prison increased by 8%, from 1,170 to 1,258. Earlier this month, I received a petition from prisoners in Wormwood Scrubs, protesting about the fact that the excellent art and design department is to be closed. The “rehabilitation revolution” that the Government promised is proving as illusory as their being the greenest in history. The report showed that Wormwood Scrubs had declined significantly in almost every aspect. It was not safe enough, with 22% of prisoners saying they felt unsafe at the time of the inspection; over a third of prisoners reported victimisation by staff; there were five suicides in 2013 alone; almost half the prisoners surveyed said they had felt unsafe at some point during their time in the prison; only one in 10 prisoners said that they had been helped to prepare for release; during the previous three months, more than a fifth of prisoners had been released without a suitable address; many prisoners were allowed out of their cells for only two hours each day; more than 40% of prisoners were locked up during the working day, with nothing to do; there were too few activity places, sufficient for only half the population; and administrative failures meant that many prisoners attending learning and skills activities were not paid for long periods. And yet, during the same short period the population of the prison increased by 8%, from 1,170 to 1,258. Earlier this month, I received a petition from prisoners in Wormwood Scrubs, protesting about the fact that the excellent art and design department is to be closed. The “rehabilitation revolution” that the Government promised is proving as illusory as their being the greenest Government or building the big society, or, in the case of the Liberal Democrats, abolishing tuition fees. Page 45 of the Committee’s report shows how the chief inspector found that the overall prison system was under “strain” and that “activity outcomes were poor and falling; too many prisoners spent too long locked in their cells, and evening association was increasingly curtailed” and “there were too few activity places”. Tragically, since that report was published, things have got much worse. Page 21 refers to “prison population projections” that suggested the population was going to fall. In fact, in the week that the report was published, the Government had to instruct already overcrowded prisons to take in even more prisoners, because they had closed prisons—17. I think—and were taken by surprise by the rise in the prison population.

The Justice Secretary’s prisons are not doing enough to challenge criminal behaviour; in fact, prisons themselves are increasingly violent places. Also, rehabilitative work is being cancelled because there are not enough staff to safely unlock prisoners and escort them to rehabilitation programmes.

Sir Alan Beith: If we are to deal with the kind of problems that the hon. Gentleman described, which exist in many of our prisons, does he accept the Committee’s general contention that we ought to use prison only for those whom it is essential to lock up for significant periods, and that we should make more use of robust community sentences rather than continuing to increase the prison population?

Mr Slaughter: Sentencing has to be appropriate. I entirely agree with the right hon. Gentleman that there is a need to ensure the safety of the public. That is what indeterminate sentences for public protection were designed to do. In some respects they worked, but unfortunately in others they did not work. It is a continuing problem for all Governments, and it is the No. 1 priority; that has to be where we start for less serious offences, it is the job of the Government to set sentencing policy, but it is the job of the courts to ensure that in each individual case sentencing is appropriate. Regarding prison numbers, the problem that we have had over the last four years is not so much the number of people in prison as the fact that prison closures, including the closures of successful prisons that were achieving rehabilitation, have been driven by a financial agenda.

That was done by a Government of whom the right hon. Gentleman is a supporter, so none of us can entirely wash our hands of responsibility. However, the objective—I think it will be shared by all of us—must be to bring down offending rates and to increase rehabilitation. That is achieved through a combination of what happens in prisons and what happens outside, but the lesson from the Select Committee’s report is that neither is working at the moment, because of the short-term solutions and, particularly in the last year, the cuts in the number of prison staff, some of whom are now being re-recruited.

Whatever the Government’s genuine intention, and I am sure that Ministers share our genuine intention to increase rehabilitation and decrease reoffending, they must have known that, after the cuts they made in October 2013 to prison resources, that was simply impossible to achieve.

Finally, I will say a few words about courts. There is a section in the report on the Courts Service, and there has been an interesting response from the Magistrates’ Association. The Minister was unable to attend a meeting of the all-party group on the magistracy yesterday due to other commitments, but we had an interesting discussion, although he would have been no more cheered by it than by what he has heard today about the Prison Service and the probation service.

Increasingly, the Courts Service is not functioning, and that is partly due to a lack of staff, ranging from ushers, who ensure the smooth running of the courts day to day, to justices’ clerks, who supervise the entire court system. Furthermore, up to one in five defendants in magistrates courts are not represented, because of cuts in legal aid, and more such cuts are planned.
[Mr Slaughter]

However, the issue that concerned the magistrates most was what they regarded as the Government’s lack of respect. We have seen that in the cuts in training, in the attempts to cut remuneration and, most of all, in the issue of increasing responsibility, with magistrates having to take on serious amounts of work without, effectively, being allowed to run their own courts.

I was very interested in the section in the report on problem-solving courts. In terms of the ability of magistrates—not just district judges, but lay magistrates—to be involved in, and take charge of, that process, one observation the magistrates make is that there is not even a magistrates representative on HM Courts and Tribunals Service, despite the fact that they are its largest customer.

Leaving aside the financial constraints, there is a need to ensure that we use the skills that are there in the court system, and particularly those of magistrates, who give their time for nothing, who have a huge reservoir of expertise and who are hugely committed to all the principles the report deals with in terms of improving the criminal justice system. Increasingly, however, they are simply used as a convenient tool to get through the substantive work load.

We take the report seriously, and we applaud the Committee’s work in scrutinising the court, probation and prison reforms. On page 39 of the report the Committee expresses the concern—we have heard it again today—that, when choosing their language, Ministers should bear in mind the “gulf between hard line rhetoric and the practical policies”.

I cannot imagine who the Committee had in mind—not the Minister here today, who is always very emollient. Notwithstanding the fact that we are approaching a general election, if those involved took a slightly less bombastic, heated approach and had a slightly more measured discussion of the key issues, as evidenced in the Report—I use the word “evidenced” advisedly—that would not only improve the level of debate, but increase the extent to which we achieve the aims we all share.

Mr Graham Brady (in the Chair): It may assist Members if I explain that, due to earlier uncertainty about the time the debate was expected to begin, I propose to call the hon. Member for Hayes and Harlington before we move to the Minister’s response.

3.13 pm

John McDonnell (Hayes and Harlington) (Lab): Thank you, Mr Brady. May I apologise to other Members? I was happily working away elsewhere, thinking that large numbers of people would be debating the green deal—in fact, I thought that that debate might overrun—and I was advised that this debate would start at about 3 o’clock. I am grateful for your flexibility.

I came to the Committee during the last stages of its consideration of the report, and I was available for only the last couple of sessions, so I congratulate those Members who were involved in preparing the report. As I have said before, certainly in the Committee, this is the first such Committee I have served on in the 17 years I have been in the House—I cannot think why—and it has been a real challenge. It has been interesting to see not just how a Select Committee works, but how this whole area is examined by Parliament and opened to democratic accountability. The report is a good example of what a Select Committee can do and how it can create an agenda that the Government then have to address.

I want to deal with two issues, which are raised in the sections of the report on access to mental health treatment and access to drug and alcohol misuse treatment. I want to do that in the context of the figures we now have on deaths in custody, which are extremely worrying. In other debates, I have been more than angry about the various reform proposals the Government have implemented and the way they have impacted on staff in the system—in the judicial system and in prison. I do not want to go over those issues again; I have put my views on the record with real anger, because I felt that the impact of the reforms was detrimental to all those operating in the system.

Let me turn, however, to the two issues I want to raise. In the press this morning, we seem to have the latest figures—I believe the Government will announce them next week—for deaths in prison. The figures, which come from the Howard League for Penal Reform, confirm that last year saw 82 prison suicides—the highest number in our prison system for seven years. Ministers, including the Secretary of State, have expressed concern about that, but we now need to put emergency measures in place to address the problem.

Of the 82 prisoners who took their lives last year, 14 were young people between the ages of 18 and 24. It looks from the figures that the highest numbers of deaths occurred at the biggest prisons. Four people took their lives at Wandsworth prison, in south London. The jail holds 1,633 prisoners, but it was designed for 943. Four people took their lives at Elmley, in Kent, which holds 1,231 prisoners, but which was built for 943. There were 235 deaths in prisons in 2014, with more than 120 people dying from natural causes, and a further 24 deaths yet to be classified. There were also two alleged murders, one in Cardiff and another in Altcourse prison.

I am concerned about the suicides, because they might well relate to the concerns in the report about access to mental health treatment and supervision, and we have to examine that area with some concern. However, I am also concerned about the non-self-inflicted deaths. Obviously, some people will naturally come to the end of their lives, but I am anxious that those numbers have also increased.

There seems to be a steady increase in non-self-inflicted deaths; that may just reflect the increase in the overall prison population, but it is nevertheless significant. The number of deaths has gone from 52 in 2001 to 109 in 2014. That is a doubling, and there has also been a doubling in the prison population, so the figures may well simply be a reflection of the increase in the prison population. However, my concern in 2001 was that the number was too high, and we should address these issues to reduce the number of non-self-inflicted deaths.

Mr Llwyd: I fully agree with what the hon. Gentleman says about suicides, but perhaps I can offer an explanation, and I mean to be helpful. The number of non-self-inflicted deaths could reflect the fact that the largest increase in the prison population is in the over-65 cohort, because of historical sex abuse and so on.
John McDonnell: I understand that as it applies to recent years, but there has been a steady increase from 2007 onwards, although the numbers peaked at 12.3 in 2013. That might be because of the ageing prison population, but I would like more information.

Mike Penning: This is such an important point—and we have plenty of time, so I do not necessarily apologise for interrupting. Long before I took my present job, I visited my local prison regularly—and I have visited many others since getting this job. The one thing that prison officers tell me week in, week out, is that the age of the prison population is rising. I have asked for some analysis. It is something that we need to look at seriously.

If the age of the prison population is going up, the way we look after prisoners who have the medical conditions that people get later in life is very important. For example, the incidence of Alzheimer’s and dementia has gone up in the general population, and that is replicated in prisons.

John McDonnell: That brings me to the Select Committee’s consideration of the need for a strategy for older people in prison. The Government need to have a greater sense of urgency about developing that and addressing the present issues. If we can expect such a level of problems, we must make sure a strategy for older prisoners is developed. The Government seem to have resisted that, almost semantically, in some respects—it seems that we have policies, but the Government refuse to accept that that is a strategy. I have never been completely sure why.

The Howard League for Penal Reform has made its views clear, and they largely reflect my own. Frances Crook says:

“Hard-pressed prison staff have to save lives by cutting people down almost every day and without this the death toll would be even higher”.

She continues:

“It is evident that people are dying as a direct result of the cuts to the number of staff, particularly more experienced staff, in every prison. The government has chosen to allow the prison population to increase whilst it cuts staff, and that has led to an increase in people dying by suicide”.

That is the view of the Howard League, and the Prison Officers Association expressed the same view to the Committee. Its concern is that with the reduction in staff numbers, many experienced staff were lost. I understand that the Government are now wisely recruiting staff in significant numbers and, in addition, are putting some of the staff who have gone into a reserve army. That needs to be increased, drawing back in some of the staff who have gone into a reserve army. Furthermore, in relation to drugs in particular:

“The Government have chosen to allow the prison population to increase whilst it cuts staff, and that has led to an increase in people dying by suicide”.

That was the view of the Howard League, and the Prison Officers Association expressed the same view to the Committee. Its concern is that with the reduction in staff numbers, many experienced staff were lost. I understand that the Government are now wisely recruiting staff in significant numbers and, in addition, are putting some of the staff who have gone into a reserve army. That needs to be increased, drawing back in some of the staff who have gone into a reserve army. That needs to be increased, drawing back in some of the staff who have gone into a reserve army.

The Secretary of State has said that there is no evidence directly linking staff levels to suicides, but sometimes there is a blindingly obvious issue: when people are locked in their cells for long periods, as is now happening, and there is a lack of staff who could take them towards purposeful and creative activity, they can dwell on their problems and that can exacerbate mental health problems. Unfortunately that sometimes leads to suicide.

Drug services were covered in the report. The news this week told us that the Ministry of Justice has announced that in the year up to March 2011 there were 3,700 drug seizures, and in 2013-14 the number increased to 4,500. That might be a celebration of the increased efforts being made in prison to police drugs, but it also reflects the prison drugs problem, and the need for greater investment in treatment as well as detection.

I am a member of the drugs and alcohol group formed under Lord Ramsbotham’s chairmanship. We met yesterday to consider some recent figures and statistics on drugs, in prison and elsewhere, and investment in treatment. We concur largely with the views of Her Majesty’s chief inspector of prisons, who said:

“Prisons continued to focus on recovery working, which was appropriate, usually with active peer support and service user engagement.”

However, a quarter of inspected prisons “were not focused enough on the needs of prisoners with alcohol problems”.

Furthermore, in relation to drugs in particular:

“In a minority of services, recovery working was undermined by enforced reduction or inflexible prescribing”.

The report stated:

“Prison substance misuse services offered psychosocial support to prisoners and clinical management of opiate substitution therapy. However, full psychosocial support was not available in a quarter of services and prisoners’ needs were not met.”

Also:

“Clinical management in most prisons was flexible and catered to individual need. However, some options were limited by the refusal of the prison or SMS provider to prescribe buprenorphine, which was contrary to national guidance.”

There is thus still inconsistency in services, and the statistics are pretty stark. Sixty-four per cent. of prisoners have reported using drugs, and 22% alcohol, and “90% of adult prisoners had at least one of the following five mental health or behavioural disorders (personality disorder; psychosis, neurosis, and alcohol misuse and drug dependence).”

Fourteen per cent. of prisoners in England and Wales said that they developed a substance misuse problem in prison, and 31% said that “illegal drugs are easy or very easy to access in their prison”.

It just goes on and on.

A particular concern raised in recent evidence to the Committee related to what are described as legal highs. Specifically, “Spice” and “Black Mamba” were cited as cause for concern; 37% of the adult male establishments inspected, and particularly local prisons and category D jails, had a specific problem with those drugs. Detection of drugs in prison has increased, as I mentioned, and the figures this week are significantly improved, but the overall issue continues. As to alcohol, 17% of prisoners in England and Wales say that it is very easy to obtain in prison, and there has been an 84% increase in the number of prisoners who have been returned to closed prisons in the past three years because of drugs or alcohol. One in four absconders from prison who were still lawfully at large had been convicted for a drug offence.

The issue is what is happening to prevent people from entering the prison system as a result of drug or mental health problems, and what support there is for them if they do enter it. The cross-party drug and alcohol group has been working with DrugScope. In a recent report, it identified the problem of the increased purity of some drugs now available, and the price drop, which has increased the crisis on the streets.
Mike Penning:

I sympathise with the hon. Member for Hayes and Harlington (John McDonnell). Member for Hayes and Harlington manage to stay off a Select Committee for 17 years? I need to get some training from him, because clearly I was in the wrong queue when I arrived at the House.

The Government and the Department have responded to the Committee, so I will respond in general to comments made today. At the same time, I will try to have a slightly more positive look at some of the things we are doing. We have heard about the doom and gloom in some understandable contributions by hon. Members who have deep-seated views in this area, which I fully respect and understand.

There is a tiny bit of politics to mention. The shadow Minister, the hon. Member for Hammersmith (Mr Slaughter), said that whoever comes into government would be entrapped by contracts. I remember when I was a Transport Minister in 2010, the National Audit Office saying that I had inherited a £1.7 billion overspend on a private finance initiative on the M25. So we have to be careful that we do not have selective memory loss as to what happened with previous Administrations, compared with where we are now.

I know that the reforms, particularly of probation, were unpopular with certain Committee members and certain parties in the House. I respect that view. I do not think we were ever going to convince certain Committee members about it when we put the word “privatisation” in. We were obviously going to have a difficult time when using that word. However, the measures have gone through this House and through the other place, so we will see. Obviously, we will do everything we possibly can to ensure that they work.

The 12-month cohort is massively important but was untouched in previous Administrations of both sides. I am not being party political about that: that is probably the last thing I would be in responding, as anybody who knows me would say. I am not a lawyer. Does that make me a bad person? I am not from the legal profession. I do a lot of this, as the Secretary of State does, from gut feeling. A lot of my personal views will come into what I will say today and those views are also part of the policy.

I should like to mention a couple of examples from the report and particularly a couple of comments by the Committee Chair. It is obviously better that we prevent people from committing crime in the first place. We do everything we can, throughout our education system and with non-governmental organisations and the voluntary sector, to prevent them from committing crime in the first place. That is the best way to have a lower prison population and less people on probation and in our courts. That is absolutely where we would all like to be.

We are doing a lot of work, and a lot of good work is going on out there, to make sure that happens.

When a crime is committed there is always a victim. Very often, we feel that the public forget that, as do

3.30 pm

The Minister for Policing, Criminal Justice and Victims (Mike Penning): I thought at first that I was going to serve under the chairmanship of my hon. Friend the Member for North Wiltshire (Mr Gray), but I am pleased to serve under your chairmanship, Mr Brady.
some of the national newspapers that the right hon. Member for Dwyfor Meirionnydd (Mr Llwyd) mentioned. Sometimes that victim does not even know they are a victim, interestingly enough. Then there is a cost and there are implications, including a cost for the person who has perpetrated that crime, because something is coming down the line.

I have every sympathy with people who say that we need to do everything we can, and use as many different schemes as possible—some really exciting schemes have been out there for many years and new ones are coming forward—to prevent a person from going into a custodial sentence. We need to make sure—the Secretary of State has already announced this—that we do not hold people on bail for extortionate lengths of time, so that they do not get the stigma and do not face issues relating to that. I think that 28 days, with obvious exceptions, will be needed.

Cautions have been around for a long time, but did not have an enormously good reputation. I chair the Victims’ Advisory Panel and one of the biggest things they talk to me about is cautions. They say that the police give lots of cautions and it is like a slap on the wrist, and that it means people can commit another offence and get another caution. One of the most exciting things that is going on at the moment—it is being piloted in West Yorkshire, Staffordshire and Leicestershire—is deferred prosecutions. There are two sorts of deferred prosecution. For a really minor offence—for trivial things—basically victims come in with the police to say, “This is what we would like them to do in the community, to make recompense for what they have done.” However, if they do not do that, there are further sanctions. The next level is a deferred prosecution.

In both cases, the person has to indicate that they are guilty—they have to admit the offence—which is often the hardest thing. Of course, that has to be done under caution. However, once they have admitted that offence a set of measures is put in place and, if that person breaks those, the consequence will be that they will go into the criminal justice system. Those measures may involve going on to a drug and drink awareness or rehabilitation course, a fine or community work. That is done not by the front-line police officers, but by the back-room staff. That individual knows that if they break the community agreement they will go into the criminal justice system. We are starting to see this being taken much more seriously by the person who has perpetrated the crime and by victims themselves, who feel that there is some natural justice within the system.

The secondary part of this is that people cannot have a deferred prosecution within two years for a similar crime, so there cannot be a rollover situation.

Mr Llwyd: Deferred prosecution is an excellent idea. Is this a pilot and when will it be evaluated and, hopefully, rolled out elsewhere? I think it is a good idea to concentrate on this aspect.

Mike Penning: These are 12-month pilots at the moment in the three constabularies that I mentioned. There is involvement from local government, either county-wide or in some cases with a unitary authority, and from the Crown Prosecution Service regarding those who break the terms of a deferred prosecution. The police are also involved, as are a lot of NGOs and the voluntary sector, and the NHS. We are about four months into this 12-month pilot and some interim work will be coming forward. However, it is interesting that chief constables and police and crime commissioners are saying to me, “Can we join this now?” because the anecdotal evidence is coming through.

Of course, I am a Conservative politician and am perceived to be, even though I have never been asked on the doorstep whether I am right, centre-left or centre-right, or whatever. I am passionate about this, because it brings an old-fashioned term back into the justice system for the victim: “natural justice”. They can see—it is tangible—that a person will pay back while still in the community and, even if they break that, they have had every chance. It gets offenders on to the drug or alcohol rehabilitation schemes—sometimes both together. I do not know whether the hon. Member for Hayes and Harlington was in the Chamber when I made an intervention on the Chair of the Select Committee, but I said that these are complex areas. There are people with learning difficulties, mental health conditions and alcohol addiction. We have all seen that when we visit the different projects in our communities, and it is difficult.

I remember visiting an excellent charity in my constituency—Members have probably all heard of it—called Druglink when I was first elected. I said, “You have been funded to tackle the drug rehabilitation side, but surely you have a twin problem here, because I know from the community I grew up in that drink is as big a problem.” Druglink said, “Absolutely, but we are not funded to deal with drink. You are the first person to come and raise that point.” It is important that we have a joined-up process, and the deferred prosecutions are an enormously positive thing.

We are having this debate on an opportune day, because the national crime statistics have been released and they show that crime is down again—by 25% over this Parliament and by 11% in the past year—in nearly every area of the country. As the Police Minister, I praise the work that the police are doing in the 43 authorities I am responsible for. They do a fantastic job, day in, day out, with most of it unseen by the public. The public see their bobbies and their police community support officers, but we all know that that is a tiny proportion of the work that the police do on our behalf every day.

I fully accept, as does the Secretary of State, that the rehabilitation of our courts, how they are structured and the whole of that area need to be looked at. Why do we have a magistrates court 400 yards from a Crown court? That does not make sense. I know that the Committee is particularly interested in the need to join up the IT in the criminal justice system.

I am involved in the replacement of the Airwave product, although I will not be the Minister who takes the decision on that, no matter who the Government are, because Airwave is based in my constituency. I thought it would be improper for me to take that decision, so I asked to be removed from that. Airwave is the police comms system—it is not a radio system, but a comms system, because we have to move data through it as fast as we can. We need to have the camera data that PCs have at the scene of an incident—I will come on to body-worn cameras in a second, because a lot is changing there—spread through a comms system. We
need a streamlined communications and IT system that
takes the data through the courts, into probation and
out the other side. That platform, which is being worked
on at the moment, will be vitally important. Government
IT programmes are always difficult to talk about. I have
been there; I was a shadow Health Minister when Spine
was being discussed.

I will touch on some of the equipment and technology
that is coming into front-line policing and which will
transform certain areas of the criminal justice system. I
will give two examples, one of which I have already
mentioned. First, we are undertaking serious pilots of
body-worn cameras. In legislative terms, we will need to
move very fast on them, no matter who is in Government.
That technology is out there and is protecting our
officers. There are real signs that when people realise
that a police officer is wearing a camera, their aggressive
attitude to the officer completely changes. A gentleman
has rightly gone to prison for a very long time for
attacking an officer, and that conviction was largely
based on the video evidence of a lady police officer in
Hampshire, who was wearing her camera when she
arrested the man for a domestic violence incident. He
was handcuffed and was under the influence of drugs,
and just like that he grabbed her by the throat and
pushed her to the ground. She became unconscious
after the fourth hit of her head on the kerb. He smashed
her head on the ground another five times. The video
evidence not only helped convict that gentleman, but
helped secure the length of sentence that I think all of
us here in the Chamber would agree he deserves.

We need, however, to see how we can take the technology
forward. For instance, there is the evidence around
statements. Kent police want to take a statement at the
scene of an incident on camera and use that as evidence
going forward. We should be able to do that, but we
cannot under current legislation, and we are going to
see whether we can change that. One reason why they
are looking at doing that is simply because when people
see, even when they are sitting with their lawyers and
representatives, what they were doing the night before,
it becomes—I am sorry to use strange language in the
Chamber—a no-brainer. In such situations, the solicitor
leans over to the client and says, “You are going to say
you did not do it, but there it is. Now we need to move
on.” The technology will transform what happens in
every space.

We have to look carefully to ensure that when such
evidence is used in court, it is used in the correct way
and is not ruled inadmissible for technical reasons when
the evidence is there. To give an example—the gentleman
is serving 18 years, so I am sure he will not mind me
commenting on the fact that he was found guilty—in
another piece of footage I have seen, the police were
called to a house. The neighbours had heard a lady
screaming, and not for the first time. When the police
knocked, a gentleman in his mid-50s opened the door
and was asked whether his wife was in. He used every
excuse in the book not to let them in. When he eventually
did let them in, the police found his wife who had been
pushed all the way to the other end of the house. She
was unrecognisable. They could not see her eyes or her
lips. She was petrified and did not want her husband
prosecuted, until she saw the video of what she looked
like when the police arrived. She said, “Enough”, gave
evidence against him and he went to prison. That is how
we can use technology in a positive way to get people to
come forward.

Mr Slaughter: The Minister is making an interesting
speech and we probably all applaud what he is saying,
particularly on the increased use of technology, but two
things are running through my mind. Are the Government
now regretting their privatisation—or abolition—of the
Forensic Science Service? It was one of the greatest mistakes
that the Government made when it comes to ensuring
that serious criminals are brought to justice.

Secondly, the Minister mentioned the crime figures
released today. There has been a long-term decline,
particularly in high-volume crime, but he is talking
specifically about some serious violent crimes, and the
numbers of such crimes are up. In particular, the number
of sexual offences is up, but we are seeing a lower level
of rape prosecutions. Will he address those points?

Mike Penning: I welcome the shadow Minister’s
intervention. I know it will sound strange, but I welcome
the reporting of more rapes and sexual assaults. If we
asked any of the 43 chief constables or PCCs around
the country whether there has been an increase in sexual
assaults or rapes, they would say that there has not. It is
about people having the confidence to report such
crimes to the police and other authorities so that the
perpetrators can be caught. In addition, 25% of the
sexual assault allegations are historical. It is important
that people now have that confidence—they clearly did
not in the past, which is a real shame. Those people are
male, and female, which is also important, because male
rape is serious and is probably one of the most unreported
crimes in the country. That is one reason why we gave
the first ever funding to male rape centres in England
and Wales.

I do not agree with the first point that the hon.
Gentleman made, which was on the Forensic Science
Service. I know I cannot use props in the Chamber, but
in my pocket I have the second piece of kit that I will
refer to today—I am happy to show it to any Member after
the debate—which will end up being called a “drugalyser”,
although that is a trade mark. It is a roadside drug-testing
kit for our police, so that they can arrest at the roadside
based on a test, not an assessment.

I can speak from experience on this matter, as can the
hon. Member for Poplar and Limehouse (Jim Fitzpatrick),
to whom I have shown this piece of kit—he is also a
former fireman. I attended so many incidents over the
years I was a fireman where we knew someone was on
something. We assumed it was drink, and they were
breathalysed; they passed the breathalyser test—sometimes
only just, but they did pass—but the officer still felt that
the person was impaired way beyond the level given by
the breathalyser, and the assumption was that the person
was under the influence of drugs of some description.
It could have been an illegal drug or a legal high, although
legal highs did not exist so much when I was in the fire
service, or it could have been a prescribed drug at a level
at which they should not have been driving.

In our manifesto commitment at the previous election
we proposed to introduce roadside drug-testing equipment.
I was pleased, just before Christmas, to announce type
approval for that piece of kit. It looks like a small
pregnancy-testing kit. If an officer does a breathalyser test and the person is under the legal limit, the officer will test them for drugs. The officer asks the person to open their mouth, dabs the piece of kit on their tongue—it is a saliva test—and gets a result within six minutes. I did one the other day at the Home Office laboratories, and within four and a half minutes the kit gave an indication. I was not personally tested, but we did a test—\[ Interruption. \] I did offer, but my civil servant said no, although I would be more than happy to line up with colleagues to take the test. I know I am digging a hole here, so I will stop.

Chief officers are now buying the kit. I have suggested that they buy them on a national basis. It is entirely up to them how they buy them, but they will want to push the price down. The kit is type approved and the legislation will be on the statute book I think on 3 March, so the police will be able to use it at the roadside. Every police officer I have spoken to, including a lot of the bobbies here who have worked on traffic over the years, have come up to me and, first, asked to see it—no one has actually seen it before—and secondly, say, “What fantastic news for us,” because it takes away the risk of wrongful arrest and gives them the confidence to say, “I know you’ve got something in your system. I know that’s why you were in this accident. I know that’s why you hurt this person. Let’s move on.”

Technology is moving on fast. I have been asked to try some of the new technology. The Select Committee’s report talks about the use of out-of-prison methodologies for people who, for instance, have been involved in a drink-induced incident and have to stay off drink and away from drinking establishments. How do we prove that they have not been drinking? We can do a urine test or a blood test, but that can be difficult. Technology has come up with a non-invasive bracelet—there is no penetration of the skin—that can record alcohol levels in the bloodstream over a period of time, and the information can be downloaded. That will then allow much more confidence in those sorts of determinations, and I think it will make individuals more aware of how much alcohol they have in their system. Such technology is not hundreds of years away; it is around now, and we are looking to type approve that so that we can use that equipment.

I raise that, because such developments make me wonder: could a drugalyser that tests saliva be used in prisons? That is an obvious place to use one. On the subject of prisons and drugs, I was at the Mount prison just outside my constituency—a lot of the officers live in my constituency. Traditionally it has been a north London category C prison. I have been trying to get prisoners from my constituency moved there, closer to their families, for many years, but it has always been difficult, not least because they have to have 18 months left before they can go there. The Mount prison is now going to be a training and rehabilitation prison—one of the 89—and numbers will go up. The building work is taking place at the moment. This will be transformative for the people in my part of the world and in north London. We are going to provide training and skills and they will be released closer to their home. Prisoners have said to me, “I get released, I get given a little bit of money, but I am miles away from home.” Or they say, “I don’t want to go home. How do I start a new life elsewhere?” We can work together on that as we form different units.

Lastly, the report rightly states that we need to break down the silos of different institutions, different parts of Government and different parts of local government, and bring them together to see what they can do together, rather than individually. This has been particularly difficult in the area of domestic violence. Domestic violence tends not to be a one-off. The assessment of risk for someone in such an environment tends to get done, but who takes responsibility?

I was truly amazed when I went to see Project 360 in Leicestershire. If the Select Committee would like to visit, we could arrange it. I sat in a room not only with people from the police, probation and the local government antisocial crime unit, but people from adult care services, the mental health unit, and lastly someone from the university of Bedford, I think—I apologise if I have got that wrong or missed someone out—all meeting to assess whether the scheme was working. The Chair of the Select Committee has seen the Government response: we are not going to have a fully independent panel. However, there will be an evidence base from some of the great universities, so that, as the right hon. Member for Dwyfor Meirionnydd mentioned, we have the evidence so say what has and has not worked. At the moment, it is all anecdotal—as the shadow Minister said, it is gut instinct—but we will have the evidence.

We will not be able to get an evidence base for every single thing, but if we are going to spend money—the Chair of the Select Committee is absolutely right—we have to make sure that we get best value. The Treasury is all over us daily about that. That is absolutely right and proper, because it is taxpayers’ money. If we can show that it is not just us saying it, but this is actually what is going on—I am perhaps stretching it here—some of the scepticism about the use of the private sector or the voluntary groups that are massively involved in the probation changes might dissolve, and we might win over some colleagues on the Committee.

Absolutely the last thing I will touch on is mental health, because what is going on in government at the moment is exciting. No matter who wins the next election, I pray that the next Government push things forward. Throughout my life, I have been desperately worried about people such as ex-servicemen coming home with post-traumatic stress, for example. My generation of servicemen coming home included Simon Weston, who came back from the Falklands, and some of my closest friends. There were guys and girls at school who we all knew had real problems; they needed help and it was not there. All those years on, we are now starting to get somewhere.

The triage is done in different ways in different parts of the country—some paid for by the police and crime commissioners, some jointly funded by the mental health trusts and the police. There is no doubt in my mind that we are absolutely in the right territory of ensuring that people with mental health conditions and people with learning difficulties—sadly, the public often do not know the difference—get to a point of safety that is not a prison cell. A prison or police cell is not a place of safety.

The police have been the first resort for too many years. We have to turn the thing on its head and look at it through the other end of the telescope, so that the police are the place of last resort. I am simply thrilled that 17-year-olds and younger will not be held in police
cells overnight, whether they have a mental health condition or not. There will be real pressure on local authorities to ensure that they have those places of security. It will be crucial for the young people to get the support that they need.

I have seen the triage working. I was in a large custody suite in Stoke only the other day, where two mental health professionals were embedded. Coming into a custody suite can be among the most difficult things for someone with a mental health condition, so we want to be able to move things on. Also recently, I was in Holborn with the Metropolitan police. A man had assaulted his girlfriend. She told the police as we went in the door that he was schizophrenic and had almost certainly not been taking his drugs. So we knew straight away.

I asked the sergeant, “Traditionally, what would have happened?” He said, “We would have arrested him, taken him back and only then called in the mental health professionals.” In this case, the man was taken to an accident and emergency unit that the police knew had mental health professionals attached—not all A and Es do, and it is dangerous to take people who need such care and attention to an A and E where there might not be the necessary expertise. Frankly, they will be back out in two hours’ time and the whole cycle will start again.

The people who are most vulnerable in our community need to be looked after. The report highlights some of the real difficulties and pressures in the criminal justice system. I am generally pleased, although we can always pick on bits, or, in any positive story, find the negative one—the shadow Minister, the hon. Member for Hammersmith (Mr Slaughter), found the negative story today in the crime figures. I do not think the figures are negative because I am proud of people who have the confidence to come forward and say that they have been assaulted, wanting the person to be prosecuted. At the end of the day, everyone in the House has a job of work to do, a job that needs a lot of scrutiny and a lot of compassion. All too often, the compassion is missing.

4.1 pm

Sir Alan Beith: I thank the Minister and hon. Members for taking part in the debate. I particularly appreciate the fact, Mr Brady, that you allowed the hon. Member for Hayes and Harlington (John McDonnell) to join the proceedings, because although he has been a Committee member for only a short time, he has proved an extremely valuable one. It is striking that people with quite different views on some fundamental political questions can get together in the Justice Committee and find a great deal to agree on, including a great many valuable changes and reforms that could be made. We are not agreeing because we think that everything can be kept as it is; we are agreeing because we can see ways forward that will make a real difference.

The Minister is open to much of that, but as he was describing his excitement at the possibility of a testing system for drugs, I was thinking, “Yes, but how much better it would be if we had services in place that meant that those people had never got tied up with drugs in the first place?” That is the message I want to leave with the House: there are so many things that we could do to make our society safer if we spent more money right at the beginning of people’s lives and their career towards crime, rather than waiting until later and spending it on locking them up and feeding and housing them in prison.

Question put and agreed to.

4.2 pm

Sitting adjourned.
Written Statements

Thursday 22 January 2015

BUSINESS, INNOVATION AND SKILLS

National Minimum Wage

The Parliamentary Under-Secretary of State for Business, Innovation and Skills (Jo Swinson): Today I publish the response document to a public consultation on the draft consolidated national minimum wage (NMW) regulations.

The NMW regulations, which set out the detailed NMW rules, came into force on 1 April 1999 and have since been amended over twenty times. As a red tape challenge measure, the Government consolidated the regulations to make them easier to understand and their order more logical. As part of this process, they did not open policy decisions behind the detailed rules.

The majority of respondents to the consultation welcomed the consolidation of these regulations but expressed that even further clarity would be welcome. The Government will therefore review the guidance during 2015, including the provision of more practical examples.

The response to the consultation is available online at: http://www.parliament.uk/writtenstatements

[HCWS214]

Ordnance Survey: Change in Operating Model

The Minister for Business and Enterprise (Matthew Hancock): I am today announcing the Government’s intention to change Ordnance Survey from a trading fund to a Government company at the end of the financial year.

The change is operational in nature, and is aimed at improving Ordnance Survey’s day-to-day efficiency and performance. It will provide the organisation with a more appropriate platform from which to operate, and one which provides greater individual and collective responsibility for performance.

Ordnance Survey will remain under 100% public ownership with the data remaining Crown property, with ultimate accountability for the organisation staying with the Department for Business, Innovation and Skills.

Further to this change, in the coming weeks I will also be setting out more details on how Ordnance Survey will be building on its existing extensive support for the Government’s open data policy and on some senior appointments which will further strengthen the management team.

Ordnance Survey exists in a fast moving and developing global market. There has been rapid technology change in the capture and provision of mapping data, and increasingly sophisticated demands from customers who require data and associated services - including from government. To operate effectively, Ordnance Survey needs to function in an increasingly agile and flexible manner to continue to provide the high level of data provision and services to all customers in the UK and abroad, in a cost effective way, open and free where possible. Company status will provide that.

Mapping data and services are critical in underpinning many business and public sector functions as well as being increasingly used by individuals in new technology. Ordnance Survey sits at the heart of the UK’s geospatial sector. Under the new model, the quality, integrity and open availability of data will be fully maintained, and in future, improved. Existing customers, partners and suppliers will benefit from working with an improved organisation more aligned to their commercial, technological and business needs.

The relationship with Government will be articulated through the shareholder framework agreement alongside the company articles of association. The change will be subject to final ministerial approval of these governance matters.

Ordnance Survey will also continue to publish a statement of its public task, to subscribe to the information fair trader scheme and comply with the relevant public sector information regulations, including freedom of information legislation, and make as much data as possible openly available to a wide audience of users.

[HCWS215]

ENVIRONMENT, FOOD AND RURAL AFFAIRS

Agriculture and Fisheries Council

The Secretary of State for Environment, Food and Rural Affairs (Elizabeth Truss): The next Agriculture and Fisheries Council will be on 26 January in Brussels. My hon. Friend the Under-Secretary of State for Environment, Food and Rural Affairs (George Eustice) will represent the UK. Richard Lochhead MSP and Rebecca Evans AM will also attend.

There are both agriculture and fisheries items on this month’s agenda.

On fisheries, there will be a presentation by the Commission followed by an exchange of views on the proposal for a regulation establishing a multi-annual plan for the stocks of cod, herring and sprat in the Baltic sea and the fisheries exploiting those stocks. On agriculture, the Commission will provide information on the Russian ban on EU agricultural products.

There are currently two Any Other Business items:

Landing obligation
The future of the sugar sector

[HCWS217]

FOREIGN AND COMMONWEALTH OFFICE

Consular Assistance: Murder And Manslaughter

The Minister for Europe (Mr David Lidington): The Foreign and Commonwealth Office provides consular support to bereaved families and friends in approximately
70 cases of murder and manslaughter annually. It is essential that the support provided by my officials at this most tragic and difficult of times is as good as it can be and for that reason my hon. Friend the Member for Boston and Skegness (Mark Simmonds) then a Foreign Office Minister announced that there would be a review of consular policy in this area, *Official Report*, 27 January 2014; Vol. 574, c 20WS.

That review is now complete and I am today placing a copy in the Library of the House. The review sets out our commitments to improving the service we provide. This will include setting up a new and specialist Access to Justice unit within our consular directorate, focused on these cases, as well as a renewed focus on consistency and clearer communication.

The review was based on feedback from bereaved families and friends and those who work to support them, including parliamentarians, the Foreign and Commonwealth Office’s partners and its own consular staff. It is important to note that many people praised the service provided by caseworkers in London and teams at our overseas posts, in particular the high level of empathy that consular staff had shown. The Foreign Affairs committee also concluded in November last year that the Foreign and Commonwealth Office “should rightly be proud” of the work of consular staff.

Nonetheless, there are areas where we can make improvements and new ways in which we can provide support and these are identified in this review. I will be taking a close interest in its implementation and in the work of the new unit and I have given instructions that there should be an update on progress by June 2015. I hope that through this work those sadly affected by murder and manslaughter overseas will receive the consistently excellent support that they need and that consular staff aim to provide.

The review document can be viewed at: [http://www.parliament.uk/writtenstatements](http://www.parliament.uk/writtenstatements) [HCWS218]

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**Parole Board for England and Wales**

The Parliamentary Under-Secretary of State for Justice (Andrew Selous): My noble Friend the Minister of State for civil justice and legal policy, Lord Faulks QC, has made the following written ministerial statement.

On 18 November 2013 the triennial review of the Parole Board for England and Wales was announced in Parliament. I am pleased to announce the conclusion of the review and publication of the report today.

The review has concluded that there is a continuing role for the Parole Board and that it should continue as an executive non-departmental public body. The Parole Board has been assessed as having a ‘good’ overall rating for the standards of corporate governance and the recommendations from the review relate to three areas i) roles and responsibilities ii) communication and iii) conduct and propriety, where it has been identified that improvements can be made in order to more closely follow good practice for public bodies.

The triennial review has been carried out with the participation of a wide range of stakeholders and users, in addition to the Parole Board itself. The launch of the review was publicised on my Department’s website and stakeholders were invited to contribute through a call for evidence and through meetings. In addition to the project board which oversaw the review, a critical friends group challenged the evidence used to make conclusions. An independent peer reviewer also challenged the evidence for stage 2 of the review.

I am grateful to all who contributed to this triennial review. The final report will be placed in the Libraries of both Houses. The report will also be available at: [http://consult.justice.gov.uk/digital-communications/parole-board-triennial-review](http://consult.justice.gov.uk/digital-communications/parole-board-triennial-review).

It is also available online at: [http://www.parliament.uk/writtenstatements](http://www.parliament.uk/writtenstatements) [HCWS216]
## ORAL ANSWERS

Thursday 22 January 2015

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