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The House met at half-past Eleven o'clock

PRAYERS

[Mr Speaker *in the Chair*]

Oral Answers to Questions

BUSINESS, INNOVATION AND SKILLS

The Secretary of State was asked—

SMEs: Competitiveness

1. **Rishi Sunak** (Richmond (Yorks)) (Con): What steps he is taking to help small and medium-sized businesses become more competitive. [904085]

The Secretary of State for Business, Innovation and Skills and President of the Board of Trade (Sajid Javid): Britain is one of the top 10 places in the world in which to start and run a business. We are boosting skills, boosting productivity, raising the quantity and quality of apprenticeships in England, cutting tax and regulations and building stronger trading links with emerging markets.

Rishi Sunak: My rural North Yorkshire constituency is home to many businesses with strong local roots but global aspirations. May I ask the Secretary of State what his Government are doing to help small and medium-sized companies become exporters?

Sajid Javid: My hon. Friend is a distinguished entrepreneur and speaks with a great deal of experience, and I take what he says very seriously. I can reassure him that my Department is first in leading cross-Whitehall work on exports. UK Trade & Investment is one of those entities that connects UK businesses to export opportunities around the world. Indeed, the UK export hub is continuing to travel across the country, meeting first-time exporters face to face. It has already visited Yorkshire, and, indeed, it is in Yorkshire today.

Chris Leslie (Nottingham East) (Lab/Co-op): How on earth are small and medium-sized businesses going to be competitive if, in 100 days' time, they find that their access to those level playing field markets will be firmly thrown away and that that door will be shut in their face? What will the Secretary of State do to be much more vocal in highlighting the phenomenal risk to our businesses if we end up losing access to some of those important markets?

Sajid Javid: The hon. Gentleman is right to raise that issue. There are many risks with that decision. It is my personal belief that the uncertainty that could be created will be bad for business and bad for jobs and growth. However, there is a lot that the Government have done and will continue to do to support businesses. For example, they have cut the corporation tax rate, which I hope that he welcomes.

Mr David Nuttall (Bury North) (Con): I have yet to speak to a businessman from a small or medium-sized enterprise who has said that what they want is more regulation, either from this place or the European Union. Does not my right hon. Friend agree that the thing that would most help small and medium-sized enterprises become more competitive both in this country and around the world is for this country to leave the European Union?

Sajid Javid: I think that my hon. Friend is right to raise the issue of red tape regulation, as it can strangle businesses. That is why we are proud that, in the previous Government, we made a £10 billion cut in red tape for businesses and we are committed to make a further £10 billion cut, which I know that he welcomes.

Rachael Maskell (York Central) (Lab/Co-op): Small and medium-sized enterprises in York are struggling to be competitive. With the cuts to local authorities, business rates are soaring 11%, and that is on top of the additional costs that SMEs are paying. I will, if I may, ask a question on behalf of Frank Wood, chair of York Retail Forum, who says, "Do you want the high street without any shops?"

Sajid Javid: I think that what Frank would want is a high street full of customers. That means making sure that our economy remains strong. Our economy grew faster than any other G7 country last year, and that was because of our long-term plan, of which we will hear more tomorrow from the Chancellor.

Geoffrey Clifton-Brown (The Cotswolds) (Con): Is it not vital that my right hon. Friend's target of 100,000 new businesses exporting by 2020 is met by lighting that spark in small and medium-sized businesses to export for the first time and, above all, to keep exporting?

Sajid Javid: My hon. Friend is absolutely right. Not enough British businesses export. More than double the number of businesses export in Germany compared with that in the UK, so we can do more and that is at the heart of the Government's strategy.

Hannah Bardell (Livingston) (SNP): I am sure that the Minister will agree that a big part of helping small and medium-sized businesses become more competitive is ensuring that there is access to a skilled workforce. In National Apprenticeship Week, the Young Women's Trust has shown that some employment sectors are hardly welcoming any young women. Fewer than 2% of construction apprentices and 4% of engineering apprentices are female. Will the Minister tell me what his Department is doing to encourage more young women into apprenticeships?

Sajid Javid: The hon. Lady raises an important issue. We want all people, and that means more and more women, to benefit from our apprenticeship programmes in England, Scotland and elsewhere. In the past few years, we have tripled the number of women in England who take up apprenticeships in engineering, and that is something that Scotland can look at as well to see how we achieved that. I also think that trying to get more women to think about these subjects should start at a much earlier age. We should not point the finger just at

colleges and others; we should start at a much earlier age to try to encourage women to look at lots of different careers.

Hannah Bardell: The Minister will be aware, I am sure, of the great work that the Scottish Government and our Education Minister, Cabinet Secretary Angela Constance, have been doing, but I would suggest that he also needs to work very specifically on the issue of pay for women apprentices. Their male counterparts can be paid as much as 21% more an hour, so what steps are the Minister and his Government taking to ensure that good apprenticeships offer fair and equitable pay for all?

Sajid Javid: I am sure the hon. Lady will welcome the fact that under this Government the gender pay gap has fallen to its lowest since records began. Of course there is still much more to do, and at the heart of that is the fact that we will always require a strong economy, so I hope she will support tomorrow's Budget.

Exports

2. **Callum McCaig** (Aberdeen South) (SNP): What steps he is taking to help businesses increase their exports. [904086]

Sajid Javid: We are mobilising the whole of Government to improve the UK's export performance. A refocused UKTI will be at the centre of a co-ordinated approach and relevant Departments will share their expertise to get British businesses exporting.

Callum McCaig: I thank the Secretary of State for that answer, but the reality is that the UK export story is one of declining market share in the global market. Does the Secretary of State agree with the assessment of the British Chambers of Commerce, and will he accept its calls for urgent and practical support for UK businesses to export?

Sajid Javid: What I do accept is that more needs to be done to get British businesses exporting. That includes the work of UKTI, but it also means that all Government Departments have a role to play. For example, UKTI works with the Great British Food Unit, an operation started by DEFRA. So I think a lot of Government can get behind exports by working more closely together.

Richard Fuller (Bedford) (Con): If the UK left the single market, my understanding is that the highest tariff that could be applied on UK manufactured goods would be the World Trade Organisation's simple average most-favoured nation applied tariff, which for non-agricultural products is 4.19%. Can my right hon. Friend write to me to confirm that is correct, and to provide a factual context for the so-called risks of leaving the European Union? Can he also write to me to confirm that that number is lower than the annual fluctuation in the euro/sterling exchange rate for each of the last three years?

Sajid Javid: In answer to my hon. Friend's first question, of course I can check that tariff and write to him. He raises an important point about trade, and he has clearly raised the issue of tariffs, but he will be aware that there are lots of non-tariff barriers as well, particularly for services. It is important to look at those too.

Alex Cunningham (Stockton North) (Lab): The Secretary of State's word will do little for the 40 skilled staff of the Metabrasive steel foundry in Stillington in my constituency, which will close in May. So will he listen to the Materials Processing Institute and back its proposals for a materials catapult, which will provide productivity and innovation benefits for the production of metals, ceramics and other materials and promote our competitiveness and exports?

Sajid Javid: I am sorry to hear that that firm in the hon. Gentleman's constituency may close. We should do everything we can to try and protect jobs like that, and certainly research has an important role to play. We are looking very carefully at that proposal and he will hear more shortly.

Amanda Milling (Cannock Chase) (Con): Spartan Global Services in Cannock exports refurbished computers to businesses across the globe. Can my right hon. Friend outline what is being done to reduce barriers to exporting, and to encourage more businesses like Spartan to take up the opportunities that exports offer?

Sajid Javid: My hon. Friend has raised this issue before, and I know that many companies in her constituency could do a lot more if we had fewer barriers. One suggestion is that we should get on with the Transatlantic Trade and Investment Partnership deal between the EU and the US. That would be the world's largest free trade agreement. It would be worth some £400 to each household, and it would certainly help companies like the one in her constituency export more to one of the world's largest markets.

Ms Margaret Ritchie (South Down) (SDLP): Will the Secretary of State have immediate discussions with his Cabinet colleague in the Department for Environment, Food and Rural Affairs regarding the need to ensure the export of pork from both Britain and Northern Ireland to Taiwan, which has been awaited since August 2015?

Sajid Javid: That is a very important issue. Food and drink is our biggest manufacturing industry, but a lot more can be done in terms of exports. I know that my right hon. Friend the Secretary of State for Environment, Food and Rural Affairs has taken this very seriously, and I will particularly look into the issue the hon. Lady has raised about Taiwan.

Mr Nigel Evans (Ribble Valley) (Con): We have a massive trade deficit with the European Union but the balance is positive with the rest of the world. We have just celebrated Commonwealth Day. A relatively small amount of our trade is with the Commonwealth. As my right hon. Friend is refocusing his Department, will he embark on project Commonwealth so that we can export far more of our goods to our cousins abroad?

Sajid Javid: My hon. Friend is right about trying to do more with the Commonwealth. The links are strong and there has been a focus for many years on some countries, such as India. We have seen a big increase in exports and tourism, but there is always more we can do, so it is right to raise the issue.

19. [904106] **Steven Paterson** (Stirling) (SNP): The deficit in trade goods was £123 billion in 2014 and manufacturing now accounts for only 8% of jobs in our economy. The SNP Scottish Government have boosted exports by 36% since 2007, and recently launched the manufacturing strategy for Scotland. What are the Minister and the UK Government doing to support manufacturing? *[Interruption.]*

Mr Speaker: A most extraordinary noise has just radiated around the Chamber. Is it a singing tie? That is very irregular. *[Interruption.]* No, it was not the Minister.

Sajid Javid: If I heard the hon. Gentleman correctly, he suggested that the SNP should get the credit for the rise in exports in Scotland. Scottish businesses have worked very hard to achieve that and I do not think anyone would credit the SNP with that. Where Government policy is important is in making sure that we have a stable, strong economy, and that is down to the economic plan that comes from Westminster.

Mr Speaker: I call Alison McGovern.

Alison McGovern (Wirral South) (Lab): I warn the Secretary of State not to be too gleeful about the long-term economic plan—

Mr Speaker: This is question 3.

Small Business: Lending Trends

3. **Alison McGovern:** What assessment he has made of trends in the level of lending to small businesses by (a) banks and (b) alternative finance institutions in the last five years. [904087]

The Secretary of State for Business, Innovation and Skills and President of the Board of Trade (Sajid Javid): I was about to get a warning. Maybe I will get it in a moment. The stock of bank lending to small businesses fell after the financial crisis but is now recovering, with four consecutive quarters of positive lending. Peer-to-peer business lending is becoming increasingly important as an alternative to bank finance. It has grown from £20 million in 2011 to nearly £1.5 billion in 2015.

Alison McGovern: I am sorry, Mr. Speaker. Given the Secretary of State's proximity to the Chancellor, perhaps he does not need a warning. Perhaps he has already given a warning about the Budget, as he probably knows that in the north-west we have seen just half the business investment in SMEs that is being seen in London. Clearly, something has gone wrong with the long-term economic plan if we are not seeing rebalancing, so what conversation have the Secretary of State and his Ministers had with the Treasury about its attack on other financial institutions—for example, building societies?

Sajid Javid: The hon. Lady is right to raise the importance of credit throughout every region of the UK for everyone who thinks a vibrant growing economy is important. We talk regularly with the Treasury about these issues—for example, about the work we do through the British Business Bank, which has provided more than £2.4 billion of financing over the past four years, helping some 40,000 businesses, many of them in the north-west.

Andrew Bridgen (North West Leicestershire) (Con): When people take the decision to start their own business, it is on the back of a great idea or they have skills which are useful, but for most people turning a great idea or skills into a business requires expert advice. What steps is the Secretary of State taking to ensure that that advice is available to potential entrepreneurs?

Sajid Javid: First, I know my hon. Friend speaks with experience. He is a very successful businessman and no doubt he has talked to many businesses about this. One of the ways we try to help is through the growth hubs. We have made sure that every local enterprise partnership in England has a growth hub and we have increased the financing that goes into that, so locally tailored advice is available to local companies.

Broadband

4. **Stephen Metcalfe** (South Basildon and East Thurrock) (Con): What discussions he has had with the Secretary of State for Culture, Media and Sport on improving access to broadband for businesses. [904088]

Mr Speaker: I call Minister Ed Vaizey.

The Minister for Culture and the Digital Economy (Mr Edward Vaizey): Thank you, Mr Speaker, for that lovely introduction. As you have been so kind and welcoming to me, I would like to tell you that 4 million homes now have superfast broadband. I have regular discussions with the Secretary of State for Culture, Media and Sport to maintain and secure the UK's place as a world leader in broadband.

Mr Speaker: I am glad that the Minister thinks it is lovely simply to have his name announced.

Stephen Metcalfe: Although I welcome the progress the Government are making on rolling out broadband, it is clear that many businesses are not happy with the service that they are receiving from BT. What discussions is my hon. Friend having with BT to ensure that it is delivering for businesses across the country and specifically in Basildon and Thurrock?

Mr Vaizey: I do not want to labour the point, Mr Speaker, but I do not think you understand fully the effect your words have on me—you have absolutely made my day. However, in answer to the question, let me say that the Secretary of State recently announced that we will have a review of business broadband, because we do understand how important broadband is for businesses. Ofcom has also recently published its digital communications review, which will impose minimum quality requirements on Openreach that are much tougher than currently exist.

Chi Onwurah (Newcastle upon Tyne Central) (Lab): The Government claim to champion the critical contribution that small businesses make to our economy, but Ofcom's latest figures, which the Minister did not mention, show that half of small businesses in business parks cannot get 10 megabits of broadband, a quarter

cannot get 5 megabits and one in 10 cannot even get 2 megabits. My local chamber of commerce tells me of businesses where staff have to go home if they want to send an email. Responding to me in a debate last week, the Minister said that the Government's broadband roll-out had been "an unadulterated success". If that is success, what would failure look like?

Mr Vaizey: Failure—*[Interruption.]* As usual, my hon. Friends have anticipated my answer: there, on the Labour Benches, is the picture of failure. We have had to write off £50 million from the failed Labour scheme to deliver broadband in South Yorkshire. If a Labour Government had been elected, they would be two years behind us in the roll-out of superfast broadband; they had a target of 2017 to get to 90%—we have already reached it.

Balance of Trade: Services

5. **Richard Graham** (Gloucester) (Con): What estimate he has made of the UK's balance of trade in services. [904089]

The Secretary of State for Business, Innovation and Skills and President of the Board of Trade (Sajid Javid): The balance of trade in services has increased from a surplus of £54.3 billion in 2010 to a surplus of £88.7 billion in 2015.

Richard Graham: The Secretary of State's answer highlights the fact that, while exports in goods are vital, especially to manufacturing cities such as Gloucester, our surplus in services might be more vulnerable if we leave Europe. What assessment has he made of sectors such as insurance and investment managers, whose businesses are passported across Europe, and other service sectors, such as advertisers, accountants, animators, designers and film producers?

Sajid Javid: My hon. Friend speaks with experience: he is a distinguished former pension fund manager—a very important service that the UK industry provides. He is right that the EU's financial services passport means that financial services firms authorised in the UK can provide their services across the EU, without the need for further authorisations. That is, of course, a significant benefit that they receive. Services represent almost 80% of our economy, and access to the world's largest single market helps them to create thousands of British jobs.

Mr Barry Sheerman (Huddersfield) (Lab/Co-op): The Secretary of State must know that however good the growth in services exported from this country is—and we all applaud it—it must go hand in hand with an increase in manufacturing. Is he not worried that Syngenta—one of our leading agritech companies—will be taken over by ChemChina, backed by the Chinese Government? What will that do for our competitiveness and our supply chains? Why will he not meet a cross-party group of MPs that has begged to meet him?

Sajid Javid: Of course the hon. Gentleman is right about the importance of manufacturing in our economy, which is why it has increased in terms of output, employment and value since 2010. The company he mentions, Syngenta, has itself said that there should be no change in its footprint in terms of employment—in fact, we expect that to increase. Also, when it comes to foreign investment in British industry, I see that as a vote of confidence. Since companies such as Jaguar Land Rover have received foreign investment, employment has gone up threefold, and that is great for British manufacturing.

Mr Philip Hollobone (Kettering) (Con): Our strong performance in services is still not enough to offset the difficulties we are having with our trade with the European Union, with which we now have an annual trade deficit of £62 billion. Given that non-EU trade exports have increased by 30% since 2010, is not it clear that the best future for this country is to be outside the European Union, so that we can negotiate free trade agreements with China, India, Brazil, the Commonwealth and the rest of the world?

Sajid Javid: I agree with my hon. Friend that it is clear that trade agreements can lead to more trade with those countries and reduce any other barriers. Through the EU we have access to over 50 trade agreements at the moment, whereas other countries such as the US or China have 14-odd trade agreements. I agree that we need to focus a lot more on trade, but the trade agreements to which we have access today are very valuable in terms of global trade, not just with the EU.

George Kerevan (East Lothian) (SNP): Is the Secretary of State aware that productivity in our flagship service industry—financial services—has fallen behind similar productivity in the United States, in France, and even in Italy? Can he explain that? Is it something to do with the regulations that his Government have imposed on financial services?

Sajid Javid: I am not sure whether it is to do with regulations, because all the other markets that the hon. Gentleman mentions have also had to look at regulations after the financial crisis. However, he rightly highlights a general productivity problem across British industry in all sectors, where we are some 25 points behind with our G7 competitors. That is why we have a productivity plan, working with industry to turn that around.

Consumer Protection

6. **Rehman Chishti** (Gillingham and Rainham) (Con): What steps he is taking to protect consumers from faulty and unsafe products. [904091]

The Minister for Skills (Nick Boles): Last year we passed the Consumer Rights Act 2015, which established a defined period of 30 days in which consumers can reject faulty goods after purchase, ending the possibility of consumers becoming trapped in a cycle of recurring faults.

Rehman Chishti: My constituent Mr Clive Davison has raised a concern about the delay in having his faulty Hotpoint tumble dryer fixed. There is real concern about this, given the risk of fire with these products. What are the Government doing to ensure that consumers like my constituent receive speedy assistance?

Nick Boles: I understand that this risk was assessed as low; nevertheless, it is very important that the company deal with it. My hon. Friend's local trading standards service has informed us that it is satisfied that the company is taking this matter seriously. I am sure that the company will want to pay particular attention to this constituent since his case has been raised in the House of Commons.

Mark Durkan (Foyle) (SDLP): The Minister referred to the Consumer Rights Act. When the Bill that became that Act was going through the House, I tabled a number of amendments to address the issue of unsafe and faulty electrical goods, and the then Minister gave a series of assurances and arguments that now appear to be hollow when we see the campaigning work by Electrical Safety First and by the *Daily Mirror*. We were told that the issue would be kept under review—is it under review?

Nick Boles: Absolutely. I will make sure that I have a conversation with the hon. Gentleman to understand what continuing concerns he has and to make sure that we address them.

Yvonne Fovargue (Makerfield) (Lab): Today is World Consumer Rights Day. The Consumer Rights Act was trumpeted as bringing a new era of simplified, clearer consumer laws. However, most trading standards services have cut their staff by at least 40% since 2010. How can consumers enforce these new rights, and how can rogue traders be brought to justice, in the light of these cuts?

Nick Boles: I am afraid that it is rather typical of the Opposition to assume that unless there is public money, and public money that is always growing, it is impossible to enforce rights. Trading standards services are merely one of the enforcement mechanisms for consumer rights. Consumers can enforce their own rights, as established by the Consumer Rights Act, and trading standards services are working more efficiently across the country.

Prompt Payment

7. **Debbie Abrahams** (Oldham East and Saddleworth) (Lab): What steps his Department is taking to help small businesses receive prompt payment from their customers. [904092]

The Minister for Small Business, Industry and Enterprise (Anna Soubry): Of course, we know that for small businesses late payment is a serious problem and continues to be so. That is why we are creating the small business commissioner, whose fundamental guiding principle will be to tackle this problem, because we want to change the culture. It is good to see that some of the larger companies have already changed their late payment policies quite significantly in favour of smaller businesses, in some instances reducing the period to 14 days, especially for micro-businesses. From October, larger companies will be under a duty to report their payment policies.

Debbie Abrahams: We welcome the creation of a small business commissioner as part of the Enterprise Bill, but given that last year's National Audit Office report showed that four Departments were failing to meet the Government's payment deadlines, why were public sector contracts not included?

Anna Soubry: I have particularly asked that we have a full look at how we ensure that in all Government contracts, at all levels, late payment is not a problem and that sub-contractors, in particular, do not breach our very clear rules about late payment and the terms and conditions that it is only right and fair to have in all contracts, particularly Government ones. It is not enough to say it; they should be doing it as well.

Brexit: Exports

8. **Ian C. Lucas** (Wrexham) (Lab): If he will make an assessment of the potential effect of the UK leaving the EU on exports from its (a) aerospace and (b) automotive sectors. [904093]

The Minister for Small Business, Industry and Enterprise (Anna Soubry): It is absolutely the case that our country will be stronger, safer and better off remaining in the European Union. United Kingdom automotive industry exports to the EU were worth £15 billion in 2014, while aerospace exports to the EU amounted to £5.8 billion. Our membership allows us to continue to attract international investment to the United Kingdom, as well as to work with all the countries in the EU through the various agreements that we have with other countries throughout the world.

Ian C. Lucas: Toyota UK and Airbus UK are two anchor companies heading huge supply chains in north-east Wales that employ tens of thousands of people. Does the Minister agree that it would be absolute madness to throw those anchors away by risking leaving the European Union, and placing jobs in Wales and the rest of the UK at risk?

Anna Soubry: It is a pleasure to agree with the hon. Gentleman, who might now become my hon. Friend on this matter. We are undoubtedly, as I have said, better remaining a member of the European Union, not just for the sake of the larger companies but because, as he rightly identifies, the effects extend all the way through the supply chains, which often encompass the smaller companies. I encourage him to urge the leader of the Labour party to make sure that it puts its full weight behind the "stronger in" campaign. He would be better off doing that than engaging with CND rallies.

Gavin Robinson (Belfast East) (DUP): The right hon. Lady knows that planes have the great ability to cross borders without pesky border controls. I have found her to be a champion for Bombardier and the C Series in my constituency, so will she confirm that she will continue the discussions with UK Trade & Investment and secure sales for the C Series aircraft, irrespective of what happens on 23 June?

Anna Soubry: Of course. It was a great pleasure to come to the hon. Gentleman's constituency and specifically to see Bombardier's excellent C Series plane and the construction of its wings. I am delighted to say that I am doing everything I can—indeed, we all are—to make sure that UKTI is properly used by all industries, especially the one that he represents, to increase sales, including those of the C Series plane. It is an excellent plane.

Kevin Brennan (Cardiff West) (Lab): Since 1995, Europe's share of commercial aviation manufacturing has risen from 16% to 57% of the world market because of the co-operation between France, Germany, Spain and the United Kingdom. Would the Minister not be better off having a word with some of her own colleagues than worrying about the Labour party, which is united in its support for remaining in the European Union? Does not that statistic provide a practical and potent example, which she can use with her Back Benchers and supporters, of why it is absolutely in the UK's long-term interest to remain in the European Union?

Anna Soubry: As I have already said, we are indeed stronger, safer and better off in the European Union. I am delighted that the leader of my party, the Prime Minister, is leading the campaign for us to remain in the European Union. If I may say so, I was told only yesterday that the majority of Conservative MPs support the Prime Minister in "stronger in". However, I will make the point yet again that, unfortunately, the leader of the Labour party is failing in his duty to play a full part. He goes on CND rallies instead of supporting Trident, for example, and instead of getting out there and supporting "stronger in".

Regional Growth: Midlands

9. **Craig Tracey** (North Warwickshire) (Con): What steps he has taken to promote regional growth in the Midlands. [904095]

10. **Karl McCartney** (Lincoln) (Con): What recent steps he has taken to promote regional growth in the Midlands. [904097]

The Secretary of State for Business, Innovation and Skills and President of the Board of Trade (Sajid Javid): I continue to promote the long-term economic plan for the midlands engine, which aims to add an extra £34 billion and 300,000 jobs to the midlands economy by 2030. Just last week, I opened a new factory and also an innovation centre in the midlands.

Craig Tracey: In national apprenticeship week, we can all welcome the creation of over 2.6 million apprenticeships since May 2010, including 500,000 in the midlands and 5,140 in my constituency of North Warwickshire. Will the Secretary of State join me in welcoming a report published today by Universities UK? It shows the potential for new degree apprenticeships to help to meet the needs of employers in my constituency and across the whole country, and to encourage more universities to deliver these important degree apprenticeship courses.

Sajid Javid: Yes, I will. Let me congratulate my hon. Friend on the hard work he has already put in during his short time in his new role. He will know that there has been an increase of 137% in apprenticeship starts in his constituency in the past five years. He is absolutely right to raise the importance of degree apprenticeships, because he knows this is about quality, not just quantity. I welcome the report from Universities UK today on this issue, because we will do everything we can to support more degree apprenticeships.

Karl McCartney: My constituents in Lincoln, along with the people of Lincolnshire, are grateful for the Government's investment so far in diverse areas such as our transport infrastructure and apprenticeships, which are delivering clear business benefits. Will my right hon. Friend advise me whether I should be hoping for any further investments, like those that he and I have previously discussed with our right hon. Friend the Chancellor of the Exchequer, in the Budget tomorrow?

Sajid Javid: My hon. Friend is an incredibly powerful advocate for the people of Lincoln. His energy is legendary: he is like the Duracell bunny. Let me congratulate him on the success he has already achieved on behalf of his constituents in securing local investment. Like him, we are all waiting to see what the Budget holds.

Mr Speaker: I think that was intended as a tribute. It will doubtless be communicated by the hon. Gentleman to the good burghers of Lincoln the length and breadth of his constituency.

Laser Pens

11. **Oliver Dowden** (Hertsmere) (Con): What progress his Department is making on regulating the sale of laser pens. [904098]

The Minister for Small Business, Industry and Enterprise (Anna Soubry): It was a great pleasure to meet my hon. Friend yesterday to discuss his campaign, which I completely and fully support. We had already begun to look at this very important problem to see whether we need to change the legislation. As a result of the meeting, as my hon. Friend knows, I have undertaken to contact trading standards officers, and the primary authority in particular. We need to look at what is in effect the illegal sale of these pens to children. Laser pens have a role but should be bought by those who intend to use them for perfectly proper purposes. The idea of selling them to children seems perverse. We are doing other things, including looking at how we can change some of the EU directives and regulations.

Oliver Dowden: As the Minister knows, I told her about the case of a seven-year-old boy in my constituency who was almost blinded last year by a laser pen he had purchased at a Christmas fair. The problem is that laser pens are very dangerous but are being marketed to children as toys. Will the Minister further update the House on what the Government are doing to stop this form of marketing?

Anna Soubry: I cannot see how that can possibly be legal—actually, I am of the view that it must be illegal—which is why we are contacting trading standards officers and also, of course, the police. I know that my hon. Friend has already contacted his local trading standards officers, who in turn have contacted the police, and an investigation is taking place. As a result, I am confident that the message will be put out so that we can stop the import of laser pens, which is another reason I want to work with the European Union. I cannot see how on earth it can be right that it is legal to sell these pens as toys, because they are clearly not.

Apprenticeships

12. **Stephen Timms** (East Ham) (Lab): What recent assessment his Department has made of trends in apprenticeship completion rates. [904099]

The Minister for Skills (Nick Boles): As we raise the standard of apprenticeships by making them longer and more testing, it is not surprising that there has been a slight drop, to 69%, in success rates. That is why we are ensuring that 20% of the payment to trainee providers is paid only on completion.

Stephen Timms: There has been a drop. The Minister knows my concern that achieving his quantitative apprenticeship target might be done at the expense of quality, and there is a falling completion figure, as he said. There seems to be a particular problem in London in this respect. Does he have any further proposals for improving the position on apprenticeship completions?

Nick Boles: I think that the right hon. Gentleman, who is a very consistent champion not just of apprenticeships but of high-quality apprenticeships, should in some sense actually be encouraged. The steps we are taking—to insist, first, that an apprenticeship must last a minimum of 12 months, and secondly, that the training content of the apprenticeship is relatively rigorous—are flushing out poor-quality training provision, which is having a temporary effect on completion rates. As he knows, we propose to put employers in charge of the money. They will commission the training provision, and they will have a very strong interest in ensuring that as many apprentices as possible complete the programme.

Michael Tomlinson (Mid Dorset and North Poole) (Con): With 19,800 higher apprenticeship starts in the past year—an increase of more than 115%, which includes nearly 3,600 in my constituency—may I congratulate the Government on what they have done so far, and urge the Minister to go further and faster?

Nick Boles: I agree with my hon. Friend, because although that figure is encouraging, it is a tiny percentage of the total number of apprenticeship starts every year. We want more higher apprenticeships and more degree apprenticeships—as championed by the Secretary of State—so that people see that they can start an apprenticeship at any level and go anywhere.

21. [904108] **Karin Smyth** (Bristol South) (Lab): What assessment has the Minister made of the potential impact of post-19 loans on the take-up and completion of training options?

Nick Boles: We are delighted that we have been able to extend the availability of those loans, which secure the same level of subsidy as general student loans. They are now available not just to people over 24, as before, but to those over 19, and at levels 3 and above for any programme of study. We believe that that is a real opportunity for people to invest in their own skills development and futures.

Mr Gordon Marsden (Blackpool South) (Lab): May I associate myself with the Secretary of State's advocacy of national apprenticeship week, which of course the Labour Government started? It is worrying to learn that the number of people who completed apprenticeships in London last year, compared with the number who started them, is only 50%. Across England, similar statistics show that only 52% of people completed their apprenticeships, which is a drop of 6% on the previous year. The latest number of apprenticeships started in leisure, travel and tourism is down by 40% on 2010, and as the *Financial Times* told us, and as we heard today, only 4% of female apprentices take up engineering. Does the Minister agree that women—50% of the population—and the service sector must be crucial elements for his 3 million apprenticeship target? How will he have the muscle to achieve that, given the 23% cut in apprentice service staffing in the past nine months alone, and with more cuts to come?

Nick Boles: I think the Opposition will find that they are on a hiding to nothing if they try consistently to pick holes in and talk down the apprenticeship programme, which is dramatically successful and dramatically popular. Of course some people will not complete their apprenticeship, because an apprenticeship is not just a training programme; it is a job, and sometimes employers will decide that someone is not suited to continuing in that job. We want standards to go up and we want more numbers. Frankly, it would be good to have a bit of support from the Opposition for a programme that they claim to have invented.

BIS Office: St Paul's Place, Sheffield

13. **Paul Blomfield** (Sheffield Central) (Lab): What plans his Department has for the form of the consultation on its decision to close its office in St Paul's Place, Sheffield. [904100]

The Minister for Universities and Science (Joseph Johnson): The Department for Business, Innovation and Skills is consulting for 90 days with staff and trade unions, including on firm proposals to move policy directorate roles to London, potentially resulting in the closure of the Sheffield office. BIS is also consulting on how it can avoid making redundancies, and no decisions will be taken before the end of the consultation on 2 May.

Paul Blomfield: I thank the Minister for confirming that no decision will be taken on the closure of the office before the end of the 90-day consultation. The chief executive of Sheffield Council has written to the permanent secretary to point out that moving 247 jobs from Sheffield to London will add around £2.5 million to the annual operating costs of the Department, and he has offered to work with him to consider alternatives. Will the Department take up that offer before a final decision is made?

Joseph Johnson: The Department is in consultation with staff, trade unions and local authorities. The savings from those changes will result in £350 million across the spending review period, or 30% to 40% of such budgets. That important saving comes from the consolidation of 80 sites in seven centres of excellence.

Broadband

15. **Paula Sherriff** (Dewsbury) (Lab): What assessment he has made of the adequacy of coverage and quality of broadband provision for SMEs. [904102]

The Minister for Culture and the Digital Economy (Mr Edward Vaizey): I will carry on from where I left off, and explain that broadband for business is going well, and we anticipate that about 80% of businesses will have access to it by the end of 2017. We have passed our 90% target for broadband for the UK as a whole.

Paula Sherriff: I thank the Minister for his response, but my constituent in Upper Denby is struggling to run a business with broadband speeds of no more than 1.8 megabits. He is not due to get superfast broadband until July 2017 at the earliest. Broadband in 2016 is a necessity, not a luxury. Will the Minister make a commitment to escalate the superfast broadband programme, so that businesses in my constituency can operate on a level playing field with their competitors?

Mr Vaizey: The hon. Lady makes an excellent point and I am pleased that her constituency will achieve levels of 96% broadband coverage. The point she makes, which I would like to emphasise to the Opposition spokeswoman, the hon. Member for Newcastle upon Tyne Central (Chi Onwurah), is why we have brought forward Labour's target by two years. We have achieved by the end of 2015 what Labour planned to achieve by the end of 2017.

Cat Smith (Lancaster and Fleetwood) (Lab): Many of my rural and farming constituents are looking to diversify, and are setting up their own businesses and working from home. Frustrated with the wait for BT to deliver superfast broadband, many have been left in the position of digging their own trenches and working with Broadband 4 the Rural North to deliver superfast broadband so that they can run their businesses. What message does the Minister have for my constituents who have been left in this situation?

Mr Vaizey: My message to the hon. Lady, as opposed to her constituents, is that people have to make up their mind. One moment I am being berated because BT has a monopoly and now I am being berated because people are choosing a different provider. Broadband 4 the Rural North is a fantastic community broadband programme. We encourage lots of competition for BT and I am pleased that B4RN is thriving and providing an excellent service to her constituents.

Topical Questions

T1. [904075] **Lucy Allan** (Telford) (Con): If he will make a statement on his departmental responsibilities.

The Secretary of State for Business, Innovation and Skills and President of the Board of Trade (Sajid Javid): It is a busy week for the Department. We are in the middle of British Science Week, which will see millions of people attend thousands of events across the country. Yesterday, I helped to launch National Apprenticeship Week and met some remarkable young people learning the skills needed to do the jobs of tomorrow. Tomorrow, of course, is Budget day. We will hear from the Chancellor about our long-term plan to make Britain the best place in the world to start and to grow a business.

Lucy Allan: The Secretary of State will remember the several visits he made to my constituency, so he will be delighted to know that on Thursday this week the Telford International Centre is hosting a national apprenticeships show, including local employers Capgemini, Stadco and Juniper Training. Telford has had a dramatic fall in youth unemployment. Will he join me in congratulating Telford businesses, colleges and the many other people who have helped youngsters to get the first step on their career ladder?

Sajid Javid: I am pleased to see my hon. Friend is wearing an apprenticeship badge today to mark this important week. I recall fondly a number of visits to Telford and meeting local businesses. I join her in warmly congratulating those local businesses, colleges and training providers on the work they have done to boost apprenticeships, which are up 120% over five years in her constituency. That means thousands of young people being helped to achieve their full potential.

Ms Angela Eagle (Wallasey) (Lab): It is National Apprenticeship Week, British Science Week, Global Consumer Day—and the Ides of March. Today, the CBI has released a survey showing that 80% of its members support the case that staying in the EU is best for jobs, growth and investment. They are right, are they not, Secretary of State?

Sajid Javid: The best outcome of the referendum for business, jobs and growth in Britain is that we remain. That provides us with the opportunities we need. The uncertainty of a leave vote would be the enemy of jobs and growth.

Ms Eagle: I thank the right hon. Gentleman for that response. It was not heard brilliantly on parts of his Back Benches. Is his lukewarm response for remaining not now irritating both sides of his divided party and damaging the Government's case to remain in the EU? When the Prime Minister launched the Conservatives' "in for Britain" campaign, the Business Secretary conveniently had a prior engagement, announcing that:

"with a heavy heart and no enthusiasm, I will be voting for the UK to remain a member of the European Union."

He asserted that he would remain a "Brussels basher", but is he not really increasingly seen in his own party as a Brexit betrayer? With 100 days to go to the EU referendum, does the overwhelming case for remaining in the EU not deserve a Business Secretary who can campaign with his heart as well as his head?

Sajid Javid: It is a shame that that is the best the hon. Lady can come up with. One would think she would want to make a positive case. I think she should focus on speaking to her own boss and asking him about the contribution he wants to make to this debate.

T3. [904077] **Andrea Jenkyns** (Morley and Outwood) (Con): I was a comprehensive school girl who left school at 16, so social mobility is very important to me, and I am pleased to be involved in the new inquiry by the all-party parliamentary group on social mobility

into getting people from diverse backgrounds into top professions. Will my hon. Friend tell me what steps the Government are taking to ensure that more people, regardless of their background, can secure further education or employment?

The Parliamentary Under-Secretary of State for Life Sciences (George Freeman): I am delighted to have the opportunity to set out the Government's support for our apprenticeship programme. We have committed to doubling spending on it and to see the number of apprenticeships rise to 3 million this year. They are a crucial platform for providing opportunity and social mobility in areas too often left behind in the past.

T2. [904076] **Diana Johnson** (Kingston upon Hull North) (Lab): Small care home providers in my constituency are telling me that their businesses will not be viable from April because they face the living wage increase but no chance of an increase in fees from Hull City Council. Given Hull's low council tax base, even the 2% social care levy will not close the funding gap. What advice can Ministers give to these small but valuable businesses in my constituency?

The Minister for Skills (Nick Boles): I have had a number of meetings with various providers of social care. I do not entirely accept the hon. Lady's assessment that the increase in council tax specifically to create extra funding for social care will not be able to address the higher costs resulting from the national living wage. I note that, in a week when we had a significant increase in the national minimum wage and a month before the national living wage comes in, the Opposition are attempting to say that these interventions will actually be damaging for the people they represent, rather than substantially boosting their incomes.

T8. [904084] **Craig Tracey** (North Warwickshire) (Con): Like many in the House, I welcome the Chancellor's moves to develop a northern powerhouse, but my constituents are also interested in the Secretary of State's work to drive forward the midlands engine. Will he assure me that tomorrow's Budget will contain welcome news for my constituents and people across the west midlands?

Sajid Javid: I can reassure my hon. Friend that the Government are absolutely committed to a long-term economic plan for the midlands engine, and he will know that I was involved in the launch of the midlands engine prospectus. We are looking for a £34 billion increase in the local economy and 300,000 jobs by 2030, which will benefit his constituents as well as mine.

T4. [904078] **Greg Mulholland** (Leeds North West) (LD): I welcome the Minister's reiteration last Wednesday of her and the Department's view that they will abide by the will of the House of Commons regarding the pubs code, which currently includes an outrageous measure whereby tenants have to surrender the length of their lease for the market rent only option. To ensure that she abides by the will of the House, will she see that that measure is taken out at the final stage of drafting?

The Minister for Small Business, Industry and Enterprise (Anna Soubry): As I have said before, I will undertake to be true to all we promised we would do when this matter was considered last year during the passage of the Small Business, Enterprise and Employment Bill, and that is what we will do. I hope that the hon. Gentleman might now adopt the words of the British Institute of Innkeeping, which has welcomed the appointment of Mr Paul Newby as the Pubs Code Adjudicator, saying he has fantastic integrity and that he will be both feared and respected by pub companies. It sounds to me like a job well done.

David Rutley (Macclesfield) (Con): Given the large number of young people interested in becoming self-employed or setting up their own business, will my right hon. Friend tell the House what steps are being taken to help the next generation of entrepreneurs achieve their ambitions?

Anna Soubry: I am grateful to my hon. Friend for that question, because as he will know we have had a real look at how the self-employed work and the sorts of changes that might be made to improve their conditions and to ensure greater fairness with those who are not self-employed. As somebody who was self-employed for many years, I am fully aware of this issue. We are looking at the excellent report that has been produced and seeing how we can encourage more people to start up their own business and, if they are self-employed, ensure they get a better deal.

T5. [904081] **Gavin Newlands** (Paisley and Renfrewshire North) (SNP): In February, the Cabinet Office announced its intention to insert a new clause into grant agreements for charities. Many universities, including my local University of the West of Scotland, are worried that that will prevent them from being able to advise Government, Parliament and political parties. Will the Minister confirm whether universities will be exempt from any new clause, and if so, what form the exemption might take?

The Minister for Universities and Science (Joseph Johnson): We are discussing with Cabinet colleagues exactly how we might treat universities with respect to that proposal.

Andrew Griffiths (Burton) (Con): The Secretary of State will know that the beer and pub industry in the west midlands employs 86,000 people in 5,000 pubs, has 124 breweries and contributes £1.3 billion in tax. Given his support for the brewing industry when he was in the Treasury, when he led the call for the duty cut, will he outline what his Department is doing to support the beer and pub industry—and will he pick up the phone to the Chancellor and ask him for another cut?

Sajid Javid: My hon. Friend has been an excellent advocate of that industry, helping it to grow and create thousands of jobs. He will have just heard from the Minister for Small Business, Industry and Enterprise, my right hon. Friend the Member for Broxtowe (Anna Soubry) about the Pubs Code Adjudicator, which I think is a very positive development. I have heard my hon. Friend loud and clear on the desire for a further cut, and I know he has made his representations to the Chancellor. When I was Economic Secretary to the Treasury, I recall getting a beer named after me—Sajid's Choice, which was a fine brew—so there are many reasons to cut beer duty.

T6. [904082] **Jim McMahon** (Oldham West and Royton) (Lab): As Government spend on small and medium-sized businesses topped £2.1 billion last year, I wrote to the Government to ask how much was spent in the north-west and particularly in Oldham. With an average UK spend of £188 per head of population, why does the north-west get just £29 per head of population and Oldham, at the heart of the northern powerhouse, just £15?

Anna Soubry: I am happy to discuss the figures with the hon. Gentleman, but as we know, we have a Chancellor and indeed a Government who are absolutely committed to the northern powerhouse, with hand and with heart—and that is what we continue to do.

Tom Pursglove (Corby) (Con): As Ministers know, the steel industry is a very important employer in Corby, and with the final pre-Budget discussions taking place, would Ministers impress on the Chancellor that a business rates holiday for the industry would be very welcome news?

Anna Soubry: We will always continue to fight for our steel industry. My right hon. Friend the Secretary of State and I understand the need to look at business rates and particularly plant and machinery, and we continue to put these important arguments forward. Whether or not we will be successful, we can only know tomorrow.

T7. [904083] **Anna Turley** (Redcar) (Lab/Co-op): Last week, I met a large number of companies that are currently involved in securing and maintaining the former SSI site in my constituency. They expressed extreme and urgent concern about the environmental situation on the site, particularly in view of the hazardous waste, which they believe is affecting the environment. Will the Minister commit to an immediate and urgent environmental review of the site, ahead of the implementation of the mayoral development corporation?

Anna Soubry: I am always keen to make sure we do the right thing by the site. I shall be revisiting Redcar on 21 March, as I promised to do, six months on from the unfortunate closure. The hon. Lady makes a good point. I am keen to ensure that we have this mayoral development company, but it must not be a white elephant. If we need to take decisions now to secure a proper future for it, we will do that.

Martin Vickers (Cleethorpes) (Con): Businesses in my constituency are continually telling me that their plans for expansion are hampered by excessive and over-regulation, much of which emanates from the European Commission. Will the Minister give an assurance that the Government will always fight on behalf of businesses rather than regulators?

George Freeman: My hon. Friend is a doughty campaigner for small businesses, and I am delighted that in the last Parliament we reduced the cost of regulation on small businesses by £10 billion. Furthermore, we are committed to turbo-charge our deregulation initiative: it is not just one in, one out; it is one in, three out.

Owen Thompson (Midlothian) (SNP): A recent report from PricewaterhouseCoopers highlighted innovation as a key driver of growth across the global economy. It also found that UK companies were less innovative and less focused on innovation as a driver for growth than the global average. With UK gross domestic product growth revised down by OECD and the IMF, is it not time that the Minister paid greater attention to supporting innovation in our economy?

Joseph Johnson: Since 2010, the UK has risen from 14th to second place in the global innovation index, behind only Switzerland. We continue to support innovation in this country through Innovate UK and our expanding Catapult network.

Kit Malthouse (North West Hampshire) (Con): The most promising sector in the British economy at the moment is life sciences, yet historically start-ups in this sector have had difficulty attracting venture capital. Will the Minister update us on progress he is making on getting this vital resource into this vital sector?

George Freeman: That gives me a chance to congratulate my hon. Friend on his leadership as deputy Mayor of the MedCity initiative in London. The life sciences sector is growing fast. Last year, we hit a 17-year financing high, with more than £1.7 billion raised for early-stage companies. The challenge now is to make sure that those emerging businesses grow into substantial global companies, which is where my focus lies.

Mr Iain Wright (Hartlepool) (Lab): I welcome National Apprenticeship Week, which gives us a great opportunity to praise all apprentices, and to promote apprenticeships as a means of securing training skills and jobs for the future.

In a statement on apprentices last Thursday, the Minister of State said:

"We do not expect all companies that pay the levy to use up all the money in their digital accounts".—[*Official Report*, 10 March 2016; Vol. 607, c. 454.]

What does that mean in practice? Can large and small companies take up any unspent levy? What estimate have the Government made of the number of companies involved, and of the proportion and value of the levy that will not be used by larger firms?

Nick Boles: As ever, the Chair of the Select Committee has asked some penetratingly good questions, but I fear that I must ask him to wait until tomorrow, when he will hear more, as he will during the next few weeks.

Michelle Donelan (Chippenham) (Con): Does the Minister agree that we need to give more training support to small businesses to encourage them to hire women who are re-entering the labour market after significant career breaks post-children?

Sajid Javid: I absolutely agree with my hon. Friend. We are focusing strongly on the issue, and we are working on it with the Women and Equalities Minister. We want to ensure that women have the same opportunities as men to re-enter the work force, and we will treat that as a big priority.

Dr Lisa Cameron (East Kilbride, Strathaven and Lesmahagow) (SNP): The Government have pledged to halve the disability employment gap. What is the Minister doing to ensure that disabled people have access to apprenticeship opportunities and can fulfil their potential?

Nick Boles: It gives me great pleasure to be able to agree entirely with the hon. Lady. This is incredibly important. The current rate of participation in apprenticeships is not too bad—I think it is about 8.8%—but we can always do more. We need to ensure that the requirements for the qualifications, particularly in English and maths, that some people have to acquire as part of their apprenticeships do not discriminate against those who are disabled.

Neil Carmichael (Stroud) (Con): Does the Secretary of State agree that, given that Conservatives In is keen to promote the economic case for our remaining in the European Union, it is excellent news that the CBI has said that 80% of its members support the EU?

Anna Soubry: Absolutely. It is incredibly important that an organisation of the CBI's standing is backing the Stronger In campaign. Indeed, we hear an increasing number of voices from business standing up for British companies, and not just saying how bad it will look if we leave—pointing out that what Brexit offers is very little and very confusing—but making the positive case for our staying in a reformed European Union, which is in our better interests.

David Simpson (Upper Bann) (DUP): Further to an earlier question, the Minister will know that we have many young entrepreneurs with innovative ideas in our universities throughout the United Kingdom. What more can the Government do to encourage them to stay in this country and produce their goods?

Joseph Johnson: We continue to support innovation all over the country. Scotland is doing particularly well at present, with an 11% share of Innovate UK's budget. Its population and GDP shares are both 8%, so it is punching above its weight, and I hope it will continue to do so.

Michael Ellis (Northampton North) (Con): What is my hon. Friend doing to deal with the appalling anti-Semitism at the Oxford University Labour club? We are now also hearing about an anti-Semitic play being performed at York University. Those are both appalling examples of disgraceful, blatant and rabid anti-Semitism.

Joseph Johnson: I have, of course discussed the matter with the Vice-Chancellor of Oxford University, and also with the chief executive of the Higher Education Funding Council for England. Anti-Semitism has no place in our universities, or anywhere else in our society. Last November, we asked Universities UK to lead a review of harassment and hate crime in higher education; the Union of Jewish Students is represented on that body. We expect university leaders to deal with anti-Semitism without hesitation, taking disciplinary action and involving the police whenever that is necessary.

Conor McGinn (St Helens North) (Lab): In this glorious week of the Cheltenham festival and St Patrick's Day, will the Secretary of State join me in paying tribute to the Irish business community in Britain, and to all who work to promote trade between our two countries? Will he also acknowledge, and pay tribute to, the fact that the relationship has been cultivated within the European Union—and long may that continue?

George Freeman: On behalf of the Secretary of State, it is a great pleasure for me, as the son of a national hunt jockey who had a winner at Cheltenham, to join the hon. Gentleman in congratulating the Irish racing industry on what it does for the global economy and indeed for the UK economy.

Mr Speaker: Last but not least, Mr Alan Mak.

Mr Alan Mak (Havant) (Con): Havant is a national centre for aerospace and engineering excellence. Will the Minister join me in congratulating everyone involved in the ExoMars space programme?

Joseph Johnson: I certainly will. The UK space industry is indeed booming, with average growth rates of 8% over the past eight years. The ExoMars rover has been built in Stevenage, and I look forward to seeing the results from the Mars methane sniffer once it has completed its seven-month journey to Mars. I would like to tell the House that this morning I received an update from the UK Space Agency to say that a signal has now been received at mission control, so we can safely say that the launch has been a success.

Syria: Russian Redeployment and the Peace Process

12.35 pm

Hilary Benn (Leeds Central) (Lab) *(Urgent Question):* To ask the Secretary of State for Foreign and Commonwealth Affairs if he will make a statement on the announcement by Russia that it is redeploying the main part of its force from Syria, and on the implications of this for the peace process.

The Secretary of State for Foreign and Commonwealth Affairs (Mr Philip Hammond): We have, of course, seen the media reports of a Russian withdrawal of forces, including a report this morning that the first group of Russian planes has left the Hmeimim air base to return to Russia. However, I should tell the House that, as far as I have been able to determine, none of the members of the International Syria Support Group had any advance notice of this Russian announcement, and we have yet to see any detailed plans behind Russia's announcement yesterday.

We do not yet have any independent evidence to verify Russia's claims that military withdrawals have already begun. We are monitoring developments closely, and it will be important to judge Russia by its actions. It is worth remembering that Russia announced a withdrawal of forces in Ukraine which later turned out merely to be a routine rotation of forces. If this announcement represents a genuine decision by Russia to continue to de-escalate the military conflict, to ensure compliance with the cessation of hostilities and to encourage the Syrian regime to participate in peace negotiations in good faith, it will be welcome.

Now is the time for all parties to focus on the political negotiations, which resumed in Geneva yesterday. Only a political transition away from Assad's rule to a Government representative of all Syrians will deliver the peace Syrians so desperately need and so ardently desire and give us a Government in Damascus able to focus on defeating terrorism and rebuilding Syria. There can be no peace in Syria while Assad remains in power. Russia has unique influence to help to make the negotiations succeed, and we sincerely hope that it will use it.

Since it came into force on 27 February, the cessation of hostilities has resulted in a significant reduction in violence in Syria. However, there have been a significant number of reports of violations, including the continued use of barrel bombs, which we have been discussing with our partners in the ISSG ceasefire taskforce in Geneva. We have serious concerns that the Assad regime has been using the cessation of hostilities to pursue its military objectives and that it is not serious about political negotiations. Swift action to address these violations is therefore vital to reduce the violence and show the Syrian people, including the Syrian opposition, that both Russia and the Assad regime are abiding by the terms of the cessation of hostilities. Failure to do so threatens the prospects for continued political negotiations.

We look to Russia, as guarantor for the regime and its backers, to use its unique influence to ensure compliance and to make clear to the Assad regime its expectation that it must negotiate in good faith. After investing so much in Assad, Mr Putin must show the world that he can exercise control over his protégé. At the same time, we call for complete and unfettered humanitarian access across Syria and an end to all violations of international humanitarian law, in accordance with UN Security Council resolution 2254.

We are relieved that desperately needed aid convoys are now arriving in some besieged areas of Syria, including some of those named in the International Syria Support Group agreement of 11 February in Munich. It is imperative that that continues and, in particular, that access is provided to Darayya, which has not yet seen any deliveries. The Assad regime must lift all sieges and grant full and sustained humanitarian access across Syria.

No one will be more delighted than I if, after five months of relentless bombing, Russia is genuinely winding down its military support to the brutal Assad regime, but, as in all matters relating to Russia, it is the actions, rather than the words, that count. We shall be watching carefully over coming days to see whether the announcement's potential promise turns into reality.

Hilary Benn: I am grateful to the Foreign Secretary for that reply. The conflict in Syria has now raged for five years. Half the population have fled their homes. Neighbouring countries have borne the brunt of the refugee crisis. According to the Syrian Observatory for Human Rights, over 360,000 people have lost their lives, mostly at the hands of President Assad, and Russian airstrikes have killed 1,700 civilians in the past six months alone.

Yesterday's announcement of the withdrawal of Russian forces will be cautiously welcomed by all of us, but I agree with the Foreign Secretary that it needs to be carried through, in particular if it is going to support the ceasefire and de-escalate tensions. The Foreign Secretary has told the House that he has received no direct information about the likely timescale and extent of the withdrawal, but will he comment on the statement attributed to a Russian Defence Minister, who said that Russian forces will continue to attack so-called terrorists, a term which Russia has used in the past to cover airstrikes on the Syrian opposition? Will the Foreign Secretary tell us what discussions, if any, he has had with Foreign Minister Lavrov about this?

How might the withdrawal of Russian aircraft change the type of missions that the RAF and others in the anti-Daesh coalition are undertaking in Syria? Given the Foreign Secretary's latest assessment of the ceasefire, the extent to which it is holding and the violations to which he referred, what action are the British Government and other Governments proposing to take? Does he agree that a full withdrawal would improve opposition forces' confidence in the ceasefire and help to ensure their full participation in the peace process?

Given the continuing concerns expressed by the International Committee of the Red Cross and others, what will be the impact of both the ceasefire and any withdrawal on the international community's ability safely to provide the humanitarian aid to which the Foreign Secretary referred, in particular to the towns and areas that have been besieged? With the UN commission of inquiry on Syria due to report this week to the United Nations Human Rights Council on potential war crimes committed by all sides, what prospect does

he see for any suspected war crimes being referred to the International Criminal Court by the UN Security Council, given that Syria is not a signatory to the Rome statute?

Finally, what recent discussions has the Foreign Secretary had with other members of the ISSG and Staffan de Mistura about the prospects for the latest round of peace talks taking place in Geneva? Does he agree that both Russia and Syria need to ensure that all the issues are on the table if the Syrian people are to see peace and stability finally return to their war-torn country?

Mr Hammond: I am grateful to the right hon. Gentleman. As he rightly says, it is now five years since this terrible civil war began, and he correctly set out the scale of attrition that the Syrian people have faced over that time. He referred to the remarks attributed to Defence Minister Shoygu that Russia would continue to attack terrorists. As the right hon. Gentleman said, that is exactly the formula used by the Russians in the past when attacking the moderate opposition. They have always asserted that they conduct airstrikes against terrorists only, so it is not terribly reassuring that, a few hours after the announcement of the withdrawal of their military forces, their Defence Minister is saying that they will continue to attack terrorists.

The right hon. Gentleman asked about discussions with Foreign Minister Lavrov. I have had no such discussions since the announcement was made, although I have spoken to American colleagues to assess what information they have. The UK mission in Syria will not change as a result of withdrawal of Russian forces; UK airstrikes are exclusively targeted against Daesh, primarily in the east of the country, and will continue to be so targeted.

The right hon. Gentleman asked about the latest assessment of the ceasefire. We held a meeting in Paris on Sunday, in which we reviewed the situation on the ground. The reality is that, after a lull in the level of airstrikes immediately after the beginning of the cessation of hostilities, they have grown steadily. On 10 March, we assessed that Russian airstrikes were at the same level as they were before the cessation of hostilities, but there is evidence that the Russians had redirected the focus of their airstrikes so that they were more convincingly targeted against Daesh and al-Nusra targets than had previously been the case. If Russia carries out a full withdrawal of its forces—and I do not think even the Russian announcement is suggesting that would take place—that will certainly change the balance of power and military advantage on the ground in a very significant way.

It is not the Russians who have been impeding access for humanitarian aid, but the Syrian regime, and so the question is about how much leverage the Russians have over the regime and how much of that leverage they are prepared to exercise. One could speculate about whether this announcement is, in fact, an exercise by Russia in reminding the regime of its position as a client, operating at Russia's will.

On the ICC, there are two major impediments. The first, as the right hon. Gentleman rightly says, is that Syria is not a signatory to the ICC convention. The second is that Russia holds a veto in the Security Council. Therefore, although we all seek to bring those responsible for the terrible crimes that have been committed in Syria to justice, I would advise him not to hold his breath just for the moment.

Finally, on ISSG discussions, the ISSG has not met in ISSG format recently, but we have had opportunities to talk to Staffan de Mistura about the agenda for the peace talks in Geneva. We are very satisfied with the sensible approach he is taking, which recognises that, to put it bluntly, as soon as we get to the difficult subjects, the talks may run into extreme difficulty, and which therefore seeks to begin by discussing some less controversial subjects to try at least to generate some momentum before we come to the more difficult issues. I have to say again that the sticking point is transition. We are clear, and resolutions of the ISSG are clear, that the way forward has to be through a transitional regime, which moves us from the current position with Assad in power to a new position with Assad out of power. The Russians, the Syrian regime and the Iranians still do not accept that principle, and unless and until it is accepted, the talks going on in Geneva may linger for a while but they will not ultimately be able to make significant progress.

Crispin Blunt (Reigate) (Con): The Foreign Secretary refers to Russia sending a message to Assad. Does he agree that this is potentially helpful as far as the peace process is concerned by ensuring that Assad does not overplay his hand in the peace talks? Does the Foreign Secretary also agree that the actual threat to the peace process comes from across the border in Turkey, which is no longer led by a constructive and rational partner in the process? The actions of President Erdogan should be giving all of us the gravest concern as he presides over a disintegrating democracy and a war on part of his own people.

Mr Hammond: It is possible that the Russian announcement is intended as a message to the Assad regime to say, "Don't overplay your hand. Get to the negotiating table and engage." It is also possible that it is intended as a message to the moderate opposition to do what is expected of them, because it has not been that easy to persuade them to attend the Geneva talks when Russian bombs have still been raining down on their positions. That is all positive, but unfortunately none of us knows what the intent of Mr Putin is when he carries out any action, which is why he is a very difficult partner in any situation such as this.

On the question of Turkey, I will just say this to my hon. Friend: Turkey remains an important NATO ally and a vital security partner for the UK. When we look at events in Turkey, we can refer, as he did, to recent legislative changes and actions of the Administration, but we should also acknowledge the terrible challenge that the Turkish people are facing from terrorism, with multiple deaths from the attack in Ankara on Sunday, hundreds of security force members killed over the past nine months, and many civilians—more than 100—also killed. We must understand the challenge that Turkey faces, and I assert, as we do in relation to every country, the right of the Turkish people and the Turkish Government to defend themselves when they face that kind of terrorist attack.

Alex Salmond (Gordon) (SNP): It is almost five years to the day since the uprising against Assad. Hundreds of thousands of people have been killed, 11 million people displaced, and 80% of Syria's children damaged by the civil conflict. When the House debated these issues two weeks ago, there was a huge amount of

[Alex Salmond]

scepticism across the Chamber about the ceasefire. There have been significant breaches, but it has resulted in a huge diminution of violence. It is the only ceasefire we have. Following on from the question from the Chairman of the Select Committee, the hon. Member for Reigate (Crispin Blunt), is not the most credible explanation for the Russian announcement that it will pressurise the Assad regime into taking a more flexible attitude in the peace talks? If that is the case, instead of having the caveats first and then the welcome, would it not be better if the Foreign Secretary had the welcome and then the caveats, since it is not only the only ceasefire we have; it is the only peace process we have.

Mr Hammond: I think that we all start out with hope and we end up with experience. In dealing with Russia, putting the caveat first is probably always sensible. That is a credible interpretation of what Mr Putin has done, but, unfortunately, unlike with almost every other party with which we work in these situations, we have no insight at all into Russia's strategy, Russia's thinking and Russia's tactics, so we are left guessing. Here we are, 24 hours later, none of us, including the Americans, with whom Russia apparently craves a bilateral partnership over Syria, has any real insight into what the purpose of this move is.

Sir Alan Duncan (Rutland and Melton) (Con): May I invite my right hon. Friend to admit that we have probably been unwise to have become hooked on the rather simplistic notion that the removal of Bashar al-Assad is a prerequisite for any solution at all in Syria? Is it not the case that, even with this change in Russian tactics, any progress towards peace is bound to retain many messy elements within it? Where does the Foreign Secretary think that his supposed Government for all the Syrian people—be it transitional or long-term—will come from?

Mr Hammond: I cannot agree with my right hon. Friend. We assess that the removal of Bashar al-Assad is an absolutely essential prerequisite for peace. That is not just a moral judgment that someone who has presided over the displacement of 12 million of their own people, barrel-bombed them, poison-gassed them, and killed 360,000 of them should be removed from any power; it is also a pragmatic judgment that we want a reconciliation between the different factions within Syria. The truth is that those fighting against the regime are not going to lay down their arms unless and until they are given an assurance that Bashar al-Assad will not be part of the future in Syria. Of course, my right hon. Friend is right that it will be messy, and that there will be many stumbling blocks along the way, but it is possible to envisage a transition that will see the infrastructure of the state remain in place, but with Bashar al-Assad replaced with another figure, possibly from within the Alawite minority community, as head of a transitional Administration.

Mr Ben Bradshaw (Exeter) (Lab): The Foreign Secretary is quite right to treat this Russian announcement, along with all Russian announcements, with extreme caution. However, if this move does turn out to be positive, will that not vindicate both the robust approach that Britain and the European Union have taken towards President Putin, and the decision taken by this House to extend the highly successful RAF mission in Iraq to Syria?

Mr Hammond: Yes, I am quite convinced that President Putin recognises only strength; he does not do shades of grey. Everything is black and white. You are either standing up to him or you have caved in in front of him. The action that the European Union took in imposing sanctions against Russia over Ukraine surprised the Russians; they did not expect that the European Union would be able to establish unanimity to do that. It surprised them even more that we have managed to renew those sanctions twice, and we are coming up to the point where we will renew them again. It has also surprised the Russians that the coalition has held together in respect of the battle against Daesh. Therefore, doing what we know is right, sticking to our guns, working with the Russians where they are prepared to align with our objectives and being clear about our requirement of the Russians to comply with their obligations under international law is the right way in which to proceed. I do not think that seeking concessions to or favours from Mr Putin is a way forward; it simply does not work like that with him.

Wendy Morton (Aldridge-Brownhills) (Con): In these very early days of the ceasefire and the talks in Geneva, does my right hon. Friend agree that, in cautiously welcoming this reported withdrawal of Russian troops, we should not lose sight of the need for the ongoing humanitarian aid to be delivered to those who need it in Syria and the region, and for securing a peaceful long-term political solution to the problem?

Mr Hammond: My hon. Friend is absolutely right. There are two reasons why the humanitarian aid must go on being delivered and getting into parts that it has not yet reached. The first and obvious reason is that people on the ground desperately need it, but, secondly, it is to enable the opposition who are at Geneva to stay there and carry on talking. They find it very difficult to maintain their legitimacy and credibility with their supporters on the ground if no humanitarian aid is getting through and regime bombs and Russian bombs are still falling on them.

Ms Gisela Stuart (Birmingham, Edgbaston) (Lab): The Foreign Secretary said that he has not talked to Mr Lavrov. Is that because Mr Lavrov is refusing to take his call, or that he has not yet tried? If it is the latter, why not?

Mr Hammond: Again, experience is the answer. I have not tried to make the call, and I am in no doubt that I could predict quite confidently the outcome of such a call to Foreign Minister Lavrov. I have had many conversations with him over the course of our regular meetings at Syria-related events, none of which has been fruitful.

Richard Benyon (Newbury) (Con): It is depressing to calculate the sum total of human misery that has resulted from Russia's intervention in this bloody civil war, which has gone from vetoing attempts by countries to get an early resolution to Assad and a transition Government in place through to, as one non-governmental

organisation put it to me, the bombing of a hospital four times by Russian planes. May I re-emphasise what my right hon. Friend says by asking him to treat with huge caution this move and to hold Russia responsible for any war crimes that it commits in the future?

Mr Hammond: My hon. Friend reminds us of an important fact. If somebody who has gone into another country, bombed civilian populations and destroyed hospitals and schools then decides, five months later, that they have done enough, let us not give them too much praise. It is a bit like that question, "Did he stop beating his wife?" The fact that the Russians are there in the first place is something that we must continually protest about, and we certainly should not give them any credit for simply withdrawing from those illegal activities.

Ms Tasmina Ahmed-Sheikh (Ochil and South Perthshire) (SNP): Despite Russia's announcement, many countries remain committed to military action in Syria. In the past five years, we have seen an escalation in the humanitarian crisis in Syria and the wider region, and the refugee crisis across Europe. Will the Secretary of State therefore tell the House what proportion of Government spending relating to the crisis has been spent on military action as compared with the provision of humanitarian aid and the building of a long-term peace solution for the people of Syria?

Mr Hammond: I cannot give the hon. Lady the precise figures, but we have contributed over £1.1 billion of humanitarian aid to Syria and the neighbouring countries to support displaced persons and refugees. Our military operation, which has been running in Syria since the vote in this House a mere three months ago, has so far cost a tiny fraction of that. I do not want to mislead the House by giving a figure, but I am certain it will only be in double figures of millions.

Tom Tugendhat (Tonbridge and Malling) (Con): Given Russia's history over the past 30 years of changing horses at the last moment in order to seek a different outcome, would my right hon. Friend now be advising President Assad to double his bodyguard?

Mr Hammond: The relationship between President Assad and President Putin is a subject of great speculation among colleagues on the International Syria Support Group circuit, but I am clear that the situation is the same as it has always been. I have said this in the House before. President Putin could have ended all this years ago by a single phone call to President Assad, offering him some fraternal advice about his future health and wellbeing.

Derek Twigg (Halton) (Lab): I agree with the Foreign Secretary that we should be cautious about these latest developments, but does he believe that Assad is now in a stronger position than he was six months ago?

Mr Hammond: In military terms, certainly. The Russian intervention has prevented the collapse of regime forces, has restored morale among regime forces, has allowed the regime to take ground, consolidate positions, move forces around in a strategically significant way, and has damaged and demoralised opposition groups. There is no doubt at all about that. If there is a genuine withdrawal of Russian air cover, the question is how long that improvement can be sustained, because we know that the Syrian regime forces are fundamentally hollowed out after five years of civil war, and without the Russians there to stiffen their spine it is not clear how long they will be able to maintain the initiative.

Mr Jonathan Djanogly (Huntingdon) (Con): Assuming that the Russian withdrawal does take place—I understand there is no certainty in that—will UK and US air forces take over Russian targets against Daesh with the intention of ensuring that there is no reduction in the intensity of action against Daesh as a result of Russian withdrawal?

Mr Hammond: I do not think I can comment at the Dispatch Box on what will drive US and UK targeting decisions, but I can say this. The Russian air force operates largely within a part of Syria that is heavily protected by the Syrian integrated air defence system. The Russians can fly there because they are operating in what is for them a permissive environment, not least because Russian technicians control the Syrian air defence system. It would not be the same for US, UK and other coalition partners. I do not think there can be an assumption that western members of the coalition will be able to take over all the targeting activity against Daesh that is currently being carried out by the Russians.

Tom Brake (Carshalton and Wallington) (LD): While I acknowledge that Assad is principally to blame for the starvation of his own citizens, and therefore the departure of the Russians is unlikely to have much effect on humanitarian aid, does the Foreign Secretary envisage there being any new humanitarian aid initiatives to ensure that aid reaches the parts of Syria that are currently being starved?

Mr Hammond: The humanitarian aid is there. It is ready to move; it is in trucks. The World Food Programme has the resource it needs. The food, the medical supplies and so on are ready to go in. The issue is simply access. Principally, that is to do with regime obstruction. In some places it has been overcome; in others it is still a problem. UN people are working day and night on the ground to try to resolve it, but it is a case of literally progressing through one checkpoint and then trying to negotiate the next.

Mark Pritchard (The Wrekin) (Con): Following on from the question by my hon. Friend the Member for Huntingdon (Mr Djanogly), the Kremlin says that the Russian presence in Syria is to counter terrorism, although there are no terrorist groups with fighter jets. Is it not the case that if Russia is serious about de-escalating the situation in Syria and moving towards a peaceful and political solution, it will also withdraw its surface-to-air missiles—the S-400 system?

Mr Hammond: Our understanding is that the S-400 system was probably deployed to protect Russian installations and was part of the protective bubble that the Russians put around their installations in Syria—their air bases and naval port. We will obviously have to wait to see the extent, if any, of the withdrawal that has been announced and whether it includes those weapons.

Jo Cox (Batley and Spen) (Lab): In seeking further clarity on this deeply cynical announcement, can the Secretary of State or his US allies clarify whether the Russian Government have set out any conditions linked to their withdrawal that would negatively impact on the political negotiations? Given the tens of thousands of incredibly vulnerable Syrians who exist up and down the country, is it not time to think again about a NATO-backed no-bombing zone, particularly along the border with Turkey, to protect civilians?

Mr Hammond: As far as we are aware from the Russian statement, there is no conditionality attached to it. Just as the Russian intervention was a unilateral action, announced by Russia, so the withdrawal is a unilateral action—no negotiations or conditionality.

The hon. Lady asks me about no-bombing zones. The problem with a no-bombing zone is the same, essentially, as the one I identified for my hon. Friend the Member for Huntingdon (Mr Djanogly). Syria has a very capable ground-to-air integrated defence system, which makes it difficult for anybody's air force, in a non-permissive environment, to enforce a no-bombing zone. It is not impossible that, with the use of stand-off weapons, some kind of no-bombing zone around the borders of Syria would be enforceable, but it would involve complex issues. It has been raised; it has been discussed; but so far volunteers to police a no-bombing zone have not been rushing forward.

Daniel Kawczynski (Shrewsbury and Atcham) (Con): The Foreign Secretary mentioned Iran. He knows that the two regional powers, Iran and Saudi Arabia, have vastly contradictory views of Syria, especially on the future of President Assad. Will he use his good offices to ensure that those two countries get around the table to negotiate, as we saw in Vienna, because until there is greater dialogue between those two regional powers, the tensions that we have witnessed over the past five years will continue?

Mr Hammond: My hon. Friend is right that Iran and Saudi Arabia have fundamentally different views about the future trajectory of Syria, but they are both part of the ISSG. They did both come to the table in Vienna and sit there for two days, or whatever it was, and talk to each other, and they are both still showing up to regular ISSG meetings. It does not mean they agree with each other once they get there, but it is progress that they are at least sitting around the same table.

Nick Thomas-Symonds (Torfaen) (Lab): The Foreign Secretary mentioned the humanitarian convoys on the ground in Syria. More of them are getting through, but it is nowhere near the continuous and unimpeded access that both international law and the United Nations need. What is his assessment of how this latest Russian announcement will provide further opportunities to put pressure on the Syrian regime to allow more humanitarian aid through?

Mr Hammond: As I said, even if the Russians do withdraw forces, I do not think that will have a direct impact on the ability to get humanitarian supplies into the country. Obviously, the thing that will most assist in that is a continuation of cessation of hostilities. What happens on the ground next depends on how any Russian withdrawal takes place, over what time period, and how the regime responds to that. The cynic may suggest that the Syrian regime has used the last two weeks to prepare for this moment; although we did not know it was coming, perhaps the Syrian regime did and perhaps it is prepared for it.

Helen Whately (Faversham and Mid Kent) (Con): The intervention by Russia in Syria was a surprise to the west, and this withdrawal, if it is genuine, is also a surprise. Russia's interventions have been unhelpful but influential. Can my right hon. Friend advise me what steps we can take and are taking with our allies to stop Russia setting the agenda in Syria?

Mr Hammond: That is a good question and a very difficult one to answer. All the western partners in this enterprise play by the rules of the international system and are transparent about their intentions. We had a debate in this Parliament—a discussion that went on for a couple of years before we got to the point of deciding to engage in airstrikes in Syria. The entire world knew about the debate in the UK and where the fault lines were in that debate. Unfortunately, Russia is a state in which all power is concentrated in the hands of one man. There is not even a politburo any more, just a single man. Decisions are made apparently arbitrarily, without any advance signalling and, as we are now seeing, can be unmade just as quickly. That is not a recipe for enhancing stability and predictability on the international scene. It makes the world a more dangerous place, not a less dangerous place.

Mark Durkan (Foyle) (SDLP): The Foreign Secretary is right not to seek to spin Putin's announcement, but to wait for sound evidence. If, however, it does serve to recondition some of Assad's assumptions about the negotiations, and if it also means that elements in the opposition feel a bit more encouraged about the worth of their purpose in the negotiations, should we not take the opportunity to make the dialogue more inclusive, not least in respect of women? I note that the UN special envoy met the women's advisory group at the weekend.

Mr Hammond: Yes, our intention is that the dialogue should be inclusive, representative of all faith groups and all ethnicities within Syria, and also representative of civil society including, of course, women. We should not forget that before this horror started, Syria was, bizarrely, one of the most "liberal" countries in the middle east in terms of tolerance of religious minorities, tolerance of secular behaviour, and the role of women and their participation in society, the professions and employment. We would certainly need to get back to that as Syria re-normalises in the future.

Alec Shelbrooke (Elmet and Rothwell) (Con): Does my right hon. Friend agree that one of the greatest problems we face is that we have no idea of the military resource that Russia put into Syria, and therefore have no way of understanding whether it has withdrawn or not? Does my right hon. Friend agree that the western allies must take this into consideration when moving forward in the next weeks and months?

Mr Hammond: I am not sure that I entirely agree with my hon. Friend. I think we have quite a reasonable assessment of the military resource that Russia has in Syria and we will be able to now monitor whether that resource is being genuinely withdrawn or simply rotated.

Mr Philip Hollobone (Kettering) (Con): Given that Daesh has not been the main focus of Russian airstrikes, to what extent does my right hon. Friend think the Russians would advocate a partition of Syria?

Mr Hammond: It is a subject of speculation whether the immediate objective of the Assad regime and of the Russians is to carve out some kind of Alawite mini-state in the north-west of Syria, but as I have said several times, because we have no dialogue on these things, and because Russia is completely untransparent about its motives and its plans, we can only speculate.

Rehman Chishti (Gillingham and Rainham) (Con): For any peaceful transition in Syria, along with the Russian withdrawal, Iran would need to withdraw its militias, military personnel and military advisers who have been supporting the brutal Assad regime. Do we have any news on that? I declare my interest, as recorded in the register.

Mr Hammond: Our views are that my hon. Friend is right. Clearly, for a sustainable peace in Syria, the Shi'a militias and their Iranian sponsors and advisers will have to be stood down, just as the Russians will have to withdraw their forces. But we have no indication yet that we are going to see a matching announcement from Tehran, announcing the withdrawal of Iranian-backed forces from Syria.

Kevin Foster (Torbay) (Con): Given the experience in Crimea and the eastern Ukraine when forces that looked like Russian forces, were armed like Russian forces and behaved like Russian forces arrived but were disavowed, what confidence do we have that this will be a genuine withdrawal and that we will not see forces carrying a Russian flag disappear, only to be replaced on the ground by forces that look suspiciously like them?

Mr Hammond: I cannot rule that out, but what we are primarily talking about here is air forces, and that trick is a little more difficult to perform in the case of advanced strike aircraft. We cannot rule out the possibility of Russian-sponsored irregular forces playing some future role in the conflict.

Points of Order

1.16 pm

Andrew Griffiths (Burton) (Con): On a point of order, Mr Speaker.

Mr Speaker: Before we come to points of order, I need to make a short statement which I hope will help the House in the matter to come.

Owing to a printing error an incorrect version of the programme motion has been printed on the Order Paper. A corrigendum will be in the Vote Office and online shortly. The significant difference is that two days are proposed for consideration and Third Reading, rather than the one day referred to incorrectly on the Order Paper. The motion will be moved in the correct form after Second Reading. My understanding is that two days were wanted by all parties, so there should be rejoicing about this matter.

Mr David Davis (Haltemprice and Howden) (Con): Further to that point of order, Mr Speaker.

Mr Speaker: It was not a point of order, it was a statement, but the right hon. Gentleman usually has points of order before breakfast, before lunch and before dinner, so I am happy to hear his point of order.

Mr Davis: Between lunch and tea, now. In your statement, Mr Speaker, you said that two days had been agreed by all parties, but that was actually agreed by those on the Front Benches. Many of us believe that this enormous constitutional Bill balancing privacy and security requires four days on the Floor of the House, as there are at least a dozen major topics in the Bill that need to be dealt with and we will not be able to do so in Committee. Can you advise us as Back Benchers, not Front Benchers, how on earth we get this Bill debated properly?

Mr Speaker: That is a fair point. I am not sure that it is a point of order, but the right hon. Gentleman knows me well enough to know that I respect his sincerity on these matters. What is wanted by Front Benchers is not necessarily the same as what is wanted by Back Benchers, as he has just demonstrated. I have no control over the programme motion. That is a matter for the House. All I can say is that if there is very strong cross-party feeling, I have a sense that Ministers will inevitably be on the receiving end of it. I do not have the list in front of me, but in so far as the right hon. Gentleman is subtly in the process of advertising his own interest in being called to speak, I think his effort has been successful.

Andrew Griffiths: On a point of order, Mr Speaker. A few moments ago in Business questions, amid all the excitement of hearing what the Government are doing to support the pubs and brewing industry, I inadvertently forgot to draw the attention of the House to my entry in the Register of Members' Financial Interests. Can the Chair explain to me how I can get that on the record and rectify the mistake?

Mr Speaker: As the hon. Gentleman knows, he has found his own salvation and we are deeply indebted to him, as is the House.

Paul Flynn (Newport West) (Lab): On a point of order, Mr Speaker. On 8 March my hon. Friend the Member for Birmingham, Yardley (Jess Phillips) made a powerful speech in the Chamber which you described as "moving". The most striking part of that speech was when she read out a list of the names of women who have died in the past year as a result of domestic violence. In 2009, after lists of those who had fallen in Iraq and Afghanistan had been read in this Chamber, a prohibition was introduced from the Chair so that Members would no longer be allowed to read out lists of the fallen. We are now in the strange position where it is permissible to read out the names of those who have died as a result of domestic violence, but it is prohibited to read out the names of those who have fallen in the service of this country. Will you reflect on this and perhaps introduce a rule that would allow Members to make the speeches that they desire to make, rather than those limited by conditions laid down from the Chair?

Mr Speaker: I thank the hon. Gentleman for his point of order and, indeed, for his characteristic courtesy in giving me advance notice of it. I appreciate that he feels that there is inconsistency between the latitude allowed by the Chair to the hon. Member for Birmingham, Yardley (Jess Phillips) in the debate to mark International Women's Day on 8 March and earlier rulings from the Chair on his own attempts to read out the names of members of the armed forces who had died in operations overseas. These are matters of judgment for the Chair, and my immediate response to him—I am happy to reflect upon it further—is that they are best approached on a case-by-case basis. My concern is that there should be reasonableness and balance in these matters. I do not think the House would receive it well if list reading became a very regular phenomenon or, indeed, if I may say so, a repetitive campaign tool. However, I simply say to the hon. Gentleman that it is open to Members to seek my thoughts in advance on these matters if they have such an intention in mind. I will, if I may, leave it there for today. I appreciate his sincerity, and I hope he appreciates mine.

Multinational Enterprises (Financial Transparency)

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

1.21 pm

Caroline Flint (Don Valley) (Lab): I beg to move,

That leave be given to bring in a Bill to require certain multinational enterprises to include, within their annual financial reporting, specified information prepared in accordance with the Organisation for Economic Cooperation and Development's requirements for Country-by-Country reporting; and for connected purposes.

I thank you, Mr Speaker, for the opportunity to present this modest Bill, which seeks to move with the grain of Government policy in tackling tax avoidance, but which takes that policy one step further—one small step for this House, but a huge step forward for those who believe in tax justice, fairness and transparency in the UK and globally.

My Bill will ensure that important information about large companies' revenues and tax planning is published via Companies House—information that, by UK law, such companies have to provide to Her Majesty's Revenue and Customs from 1 January this year. I am delighted that it has received cross-party support and is being backed by the Tax Justice Network, Fair Tax Mark, Oxfam, Christian Aid, the Catholic Agency for Overseas Development and ActionAid.

We all share concerns at the way in which multinational companies shift profits to low-tax dominions, sometimes even when the number of their employees there is zero. The headlines caused by the recent Google tax deal reflected public consternation. How could a company with thousands of UK employees, five offices and a new £1 billion headquarters to be built near King's Cross, and whose UK business is second only to its US business in terms of revenues, pay only £130 million in tax after six years' investigation into a tax period of 10 years? We should bear it in mind that its global revenues for 2015 were $74 billion. I and my colleagues on the Public Accounts Committee questioned Google and HMRC, but we are still unclear whether the £130 million represented a good deal.

I do understand the need to protect tax privacy, especially when it comes to individuals, but we live in a world where multinationals use transfer pricing and shell companies to shift profits from one country to another, usually to a low or no-tax country. Is not it extraordinary that, in 2010, Bermuda had total reported corporate profits equivalent to 1,643% of its GDP? Could that be because Bermuda has a zero rate of corporation tax? Is not it extraordinary that Google sales staff in the UK sell an advert to a company in the UK, yet the transaction is confirmed online via Ireland, where the prevailing corporate tax rate is 12.5%, as opposed to 20% in the UK? The problem is not confined to Google or even to online businesses. What coffee chains, oil companies, drinks companies and pharmaceuticals all have in common is that they are multinationals.

The impact of the entirely lawful manipulation of different countries' tax rules is that countries find their corporate tax base is undermined and profits are shifted, not through any real economic activity, but through

arbitrary internal charges between different units of the same company. As the OECD has rightly pointed out in its work on base erosion and profit shifting, that creates unfair competition, providing a competitive advantage over, say, a domestic UK rival paying 20% tax on its profits.

It is such strange arrangements that enabled Facebook to pay just £4,327 in corporation tax in 2014—the same year it paid £35 million in bonuses to UK-based staff. That is a very strange form of performance pay. AstraZeneca paid no UK corporation tax in 2014-15, yet

"2014 was a remarkable year for AstraZeneca",

according to its chief executive officer—it did, after all, have full-year revenues of more than $26 billion. I could also mention Vodafone and British American Tobacco—the list of corporate giants with light UK tax bills goes on.

It is because of that that I fully support the Chancellor's legislation to require financial reporting to HMRC from UK-based multinationals with revenues in excess of approximately £600 million, and from the UK units of such companies, where the parent company is based in a country that does not yet agree to country-by-country reporting. Such reporting, in accordance with OECD guidelines, would require multinationals to show, for each tax jurisdiction in which they do business, their revenue, their profit before income tax and the income tax paid and accrued, as well as their total employment, capital, retained earnings and tangible assets. They will also be required to identify each entity in the group that is doing business in a particular tax jurisdiction and to provide an indication of the business activities in a selection of broad areas that each entity is engaged in.

The Government's proposals would make about 400 companies share information on some or all of their activity worldwide, but we can do more. By requiring the information to be published, not only will HMRC see the bigger picture, but so will we. Publication is one way to persuade these companies to come clean and to explain their tax planning, but also to restore their tarnished reputations. I believe it would deter them from using tax havens and shell companies.

Publication would also send a strong signal to developing countries, which are often short-changed by corporates that have huge undertakings there, but that pay little or no tax to support their developing economies. Charities say that developing countries lose more in potential revenue each year because of corporate tax dodging than the amount given annually in overseas aid by all the richer countries. That made me stop and think about how much more we could do through measures such as my Bill to enable developing countries to prosper and be more self-sufficient. Aid is vital for poorer nations, but it is just as important that we provide a hand up, not just a handout, and that will not happen unless we force these companies to come clean.

I wrote to the Chancellor last week seeking support for my Bill, and who knows, I may be on to a winner when the Budget is announced tomorrow. In my letter, I reminded him that this Bill is in keeping with his own sentiments, given that he told an international meeting of Finance Ministers in February:

"I think we should be moving to more public country-by-country reporting. This is something which the UK will seek to promote internationally".

I agree with the Chancellor, but I say to him: why wait? The tide is turning against secrecy, with business-led organisations such as Fair Tax Mark encouraging firms to be open about their taxes and not to use tax havens. In tomorrow's Budget, or in the Finance Bill that follows, the Government can adopt this measure and be at the front of the pack— leading and setting a new standard in multinational financial transparency.

We all want successful companies in the UK, as do our constituents, but we want them to pay fair tax. Too many multinational companies seem to be choosing the tax they want to pay, using complicated international arrangements, rather than paying the tax they should pay.

The winners from public reporting are the Government, HMRC, businesses and taxpayers already paying fair taxes, and developing countries that are losing out. Multinationals should see this not as a threat, but as an opportunity to restore the reputation of their brand. They can be winners too.

My Bill has received support from right hon. and hon. Members across the House. I am also delighted to have received support from 10 of my colleagues, reflecting all the political parties, on the Public Accounts Committee. Members from separate five parties—Labour, Conservative, Liberal Democrat, Scottish National party, and Social Democratic and Labour party—have agreed to sponsor the Bill, and I thank them for that.

It is time for multinational corporations to come clean and play fair with Governments and the public—and we can start with the UK. In the interests of social justice, fairness, and yes, good business, I commend the Bill to the House.

Question put and agreed to.

Ordered,

That Caroline Flint, Meg Hillier, Karin Smyth, Mrs Anne-Marie Trevelyan, John Pugh, Nigel Mills, Dame Margaret Hodge, Stephen Kinnock, Catherine McKinnell, Jeremy Lefroy, Dr Philippa Whitford and Mark Durkan present the Bill.

Caroline Flint accordingly presented the Bill.

Bill read the First time; to be read a Second time on Friday 22 April and to be printed (Bill 152).

Mr Speaker: We come now to the Second Reading of the Investigatory Powers Bill.

Sir Edward Leigh (Gainsborough) (Con): On a point of order, Mr Speaker.

Mr Speaker: Oh, very well.

Sir Edward Leigh: Have you, Mr Speaker, received a communication from the Government about the interception of communications of Members of Parliament? Under this Bill, if the Government decide to intercept the communications of Members of Parliament, they have to consult the Prime Minister. Is it not wise that we should consider your being consulted as well, because your primary duty is to ensure the independence of this Parliament and of Members of Parliament, and their freedom to hold the Government to account? It is surely not right that one part of the Executive should decide to intercept communications with MPs and the head of that Executive should authorise it.

Mr Speaker: I am very grateful to the hon. Gentleman for his point of order. No one should be judge in his or her own cause. As he knows, I am here merely to serve. It is very good of the hon. Gentleman, who has always shown great faith in me, to volunteer me for an enhanced role, but modesty prohibits me, frankly, from saying that that role should be mine; others can be the judge of that. However, I note the substantive point that he has made. At least as importantly, I feel sure that the Home Secretary, not least because she is sitting not very far away from him, will have heard what he has to say. I have a sense that if she does not respond to his point, he will probably make it again, and quite probably again, and conceivably again after that.

Investigatory Powers Bill

[Relevant documents: Report of the Joint Committee on the Draft Investigatory Powers Bill (HC 651); Intelligence and Security Committee of Parliament Report on the draft Investigatory Powers Bill (HC 795); Third Report from the Science and Technology Committee, Investigatory Powers Bill: technology issues (HC 573); and Investigatory Powers Bill: Government Response to Pre-Legislative Scrutiny (Cm 9219).]

Second Reading

1.31 pm

The Secretary of State for the Home Department (Mrs Theresa May): I beg to move, That the Bill be now read a Second time.

Before I begin, I am sure that right hon. and hon. Members will be aware of the death of a prison officer who was attacked 10 days ago in east Belfast. I am sure that the whole House will wish to send its deepest sympathies to his family, friends and colleagues at this time.

The Government are committed to updating and consolidating our country's investigatory powers in a clear and comprehensive new law that will stand the test of time. Over the past two years, there has been detailed analysis of those investigatory powers through three independent reviews; consultation with law enforcement, the security and intelligence agencies, civil liberties groups, and industry; and now, following the publication of the draft Bill last autumn, scrutiny by a Joint Committee of both Houses of Parliament, the Intelligence and Security Committee, and the Science and Technology Committee. I would like to place on record my gratitude to the Chairs of those Committees—Lord Murphy of Torfaen, my right hon. and learned Friend the Member for Beaconsfield (Mr Grieve), and my hon. Friend the Member for Oxford West and Abingdon (Nicola Blackwood)—for the invaluable work that they, and their members, have undertaken over recent months. Their thorough scrutiny has helped to shape and improve the Bill, which today reflects the majority of their recommendations.

The revised Bill is clearer, with tighter technical definitions and strict codes of practice. It includes stronger privacy safeguards, bolstering protections for lawyers and journalists' sources; it explicitly prevents our agencies from asking foreign intelligence agencies to intercept the communications of a person in the UK on their behalf unless they have a warrant approved by a Secretary of State and a judicial commissioner; it reduces the amount of time within which urgent warrants must be reviewed by a judicial commissioner, cutting it from five days to three; and it strengthens the powers of the new Investigatory Powers Commissioner. Alongside the introduction of the Bill, we published six draft codes of practice in order that they could be reviewed by the House.

Sir Edward Leigh (Gainsborough) (Con): Under this Bill, the current system of three oversight commissioners is to be reduced to one commissioner. Given that there have been miscarriages of justice in the past, not least with the Maguire seven and the Guildford four, can the

Secretary of State convince the House that it is in the interests of freedom and democracy that we reduce the number of commissioners from three to one?

Mrs May: Although one person will oversee the Investigatory Powers Commission as the Investigatory Powers Commissioner, they will have under them a number of judicial commissioners who will have extensive experience and will undertake certain tasks—first, on the new process of the double-lock authorisation for warrantry that we are introducing. They will also undertake the inspection and review of the operation of the agencies in the same way that the three commissioners have done so far. Far from reducing oversight, this Bill will enhance the oversight that is available.

The pre-legislative scrutiny that the Bill has undergone builds on the previous work of the Intelligence and Security Committee in its "Privacy and Security" report; the independent inquiry into surveillance practices by a panel convened by the Royal United Services Institute; and the review of investigatory powers carried out by David Anderson QC, the independent reviewer of terrorism legislation. All three reviews made it clear that legislation relating to interception and communications data needed to be consolidated and made subject to clear and robust privacy safeguards. Taken together, the scrutiny that this Bill has received may well be without precedent. Three authoritative reports informed the Bill's drafting, three influential Committees of Parliament then scrutinised that draft, and now the Bill proceeds to full and proper consideration by both Houses of Parliament.

The Bill will provide world-leading legislation setting out in detail the powers available to the police and the security and intelligence services to gather and access communications and communications data. It will provide unparalleled openness and transparency about our investigatory powers, create the strongest safeguards, and establish a rigorous oversight regime.

As the House is aware, the Data Retention and Investigatory Powers Act 2014, which the Bill is intended to replace, contains a sunset clause requiring us to pass legislation by the end of 2016. That is the timetable set by Parliament, and the grave threats we face make it imperative that we do so. Today terrorists and criminals are operating online with a reach and scale that never existed before. They are exploiting the technological benefits of the modern age for their own twisted ends, and they will continue to do so for as long as it gives them a perceived advantage. We must ensure that those charged with keeping us safe are able to keep pace. The Bill will provide the police and the security intelligence agencies with the powers they need, set against important new privacy protections and safeguards. It will ensure that they can continue in their tremendous work, which so often goes unreported and unrecognised, to protect the people of this country from those who mean us harm.

I turn now to the contents of the Bill. In its scrutiny of the draft Bill, the Intelligence and Security Committee quite rightly concluded that

"privacy protections should form the backbone"

of legislation in this most sensitive area. That is indeed the case, and privacy is hardwired into the Bill. It strictly limits the public authorities that can use investigatory powers, imposes high thresholds for the use of the most intrusive powers, and sets out in more detail than ever before the safeguards that apply to material obtained under these powers. The Bill starts with a presumption of privacy, and it asserts the privacy of a communication. Part 1 provides for an offence of unlawful interception, so that phone tapping without a warrant will be punishable by a custodial sentence, a fine, or both. It creates a new offence of knowingly or recklessly obtaining communications data without lawful authorisation, so misuse of those powers by the police or other public authorities will lead to severe penalties. It abolishes other powers to obtain communications data. Subject to limited exceptions, such as court orders, public authorities will in future be able to obtain communications data only through the powers in the Bill, with all the accompanying safeguards.

Christian Matheson (City of Chester) (Lab): We know that internet service providers and telecoms companies are vulnerable to hacking, and that some newspapers are not averse to passing brown envelopes to their sources in order to obtain information. Is the Home Secretary satisfied that the provisions in the legislation will prevent such hacking and such unauthorised, and perhaps salacious, access to individuals' personal information?

Mrs May: As I have just said, the Bill sets out new, enhanced safeguards and oversight arrangements for the investigatory powers that are available to the authorities. As the hon. Gentleman will be aware, inappropriate access to information that is held has been the subject of court cases recently. It is entirely right that if information is being accessed in a criminal fashion, that should be dealt with in the appropriate way. I have just set out that there are new offences in the Bill to deal with the question of people obtaining, knowingly or recklessly, communications data without lawful authorisation.

Mark Pritchard (The Wrekin) (Con): The Home Secretary knows that I am a supporter of the Bill, but does she share some of my concerns about international human rights law, emerging European privacy law and the collaboration with partners such as the United States on its domestic data and privacy laws vis-à-vis Apple and the FBI? If the Bill becomes an Act of Parliament, does she foresee any problems internationally or with collaborators?

Mrs May: My hon. Friend raises an important point. Many internet service providers, for example, offer services here but they are predominantly based in other countries. That is why the Government have been progressing, and continue to progress, discussions with the United States' authorities about the whole question of the circumstances under which warrants issued lawfully in the United Kingdom can be exercised in the United States. We have always asserted territorial jurisdiction of those warrants under the Regulation of Investigatory Powers Act 2000. In fact, the previous Labour Government, who introduced RIPA, also established that territorial jurisdiction. It has never been tested, but we are putting that discussion with the United States into place.

Chris Philp (Croydon South) (Con): The Home Secretary recently met my constituent Barry Bednar, whose 14-year-old son Breck was groomed online and, tragically, murdered.

[Chris Philp]

Could she explain to the House how the provisions in the Bill will help to prevent a repetition of Breck's tragic murder?

Mrs May: My hon. Friend has represented his constituents very well in that matter, and it was an absolutely tragic case. I know the enormous distress that has been caused to Breck's parents, not just by the initial grooming of their son and its sad consequences, but by other actions that have taken place since in relation to the case. What we are doing in this legislation is important, because it will ensure that the authorities, the agencies, law enforcement and the police will have the powers to enable them better to investigate incidents such as that which led to Breck's sad death.

Part 1 of the Bill responds to recommendations by David Anderson and others by restricting the use of powers outside the legislation to undertake equipment interference. Where the police or the security and intelligence agencies wish to interfere with a computer or a smartphone to obtain vital evidence and intelligence, a warrant under the Bill will be required. As I have indicated, the Bill also responds to the recommendations of the Intelligence and Security Committee and places a statutory bar on the making of requests, in the absence of a warrant, to other countries to intercept the communications of a person in the UK. There can be no suggestion that the security and intelligence agencies could use their international relationships to avoid the safeguards in the Bill. In answer to a couple of questions earlier I referred to the territorial jurisdiction of the Bill. For the avoidance of doubt, I clarify that I meant, of course, the extraterritorial jurisdiction of the Bill.

The House will know that interception—the obtaining of the contents of a communication, by, for example, listening to a telephone call or reading the contents of an email—is one of the most sensitive and intrusive capabilities available to law enforcement and to the security and intelligence agencies. It is also one of the most valuable, and over the past decade, interception in some form has played a part in every top-priority MI5 investigation. The Bill restricts that power to only a handful of agencies and allows for warrants to be issued only where they are necessary and proportionate for the prevention or detection of serious crime, in the interests of national security or in the interests of the economic wellbeing of the United Kingdom, where that is linked to national security.

Authorising warrants is one of the most important means by which I, the Foreign Secretary and the Northern Ireland Secretary hold law enforcement and the security and intelligence agencies to account for their actions. In turn, we are accountable to the House and, through its elected representatives, to the public.

Part 2 of the Bill will introduce an important new safeguard. As now, a Secretary of State will need to be satisfied that activity is necessary and proportionate before a warrant can be issued, but, in future, it will not be possible to issue a warrant until the decision to issue it has been formally approved by a judicial commissioner. That will place a double lock on the authorisation of warrants. It will preserve that vital element of democratic accountability, but it will, for the first time, introduce independent judicial authorisation.

Mr Dominic Grieve (Beaconsfield) (Con): The Home Secretary may have seen the letter in *The Guardian* today from a large number of lawyers who suggested that the legislation was intended to give

"generalised access to electronic communications contents".

Does she agree that that is the very thing that the Bill does not do, and that the double-lock mechanism is there as an assurance that that will not happen?

Mrs May: My right hon. and learned Friend is absolutely right. The point about the Bill is that it makes it possible to intercept communications only under that dual authority—the double-lock that has been put into place—and it is not the case that the authorities are looking for generalised access to the contents of communications. I thank him for bringing that to the attention of the House.

Mr David Davis (Haltemprice and Howden) (Con): As the Home Secretary says, this is an extremely important power but also a very sensitive one. As I understand it, she exercises it about 2,500 times a year, or about 10 times in each working day. Given that they are so sensitive, how long does she take, typically, over one of those decisions?

Mrs May: It is impossible to put a time on it, because each decision differs. The amount of information that is available, the type of case that one is looking at and the extent to which it refers to a matter that is already being considered vary. The amount of time I give to each case is the amount of time necessary to make the right judgment.

Mr David Lammy (Tottenham) (Lab): I am grateful to the Secretary of State, and I recognise the sensitivity of these matters. She will know that there have been cases in which police misconduct is alleged and intercept has been used, and subsequently it has been very hard to use that evidence in front of a jury, particularly in a coroner's court. Does she envisage any change in that? Is she minded to put that in the legislation?

Mrs May: The right hon. Gentleman has raised a very important point. He will be aware of one particular case in recent years in which the admissibility of evidence at inquest has been an issue. That is not a matter that we are putting in the Bill. It was explored when the closed material proceedings were brought into legislation through certain cases. We are looking actively at whether there are other means by which we can ensure that the appropriate information is available when such cases are being considered.

Mr Kenneth Clarke (Rushcliffe) (Con): As someone who has also signed thousands of those warrants, with the benefit of hindsight I welcome the judicial commissioner having a look as well. I congratulate my right hon. Friend on making that significant change. Does she recall that the Bill will give the judicial commissioner the power to act only in the same way as a judge might act in a case of judicial review, which means overruling her only if she is behaving in a completely unreasonable way? Does she think that that is necessary, and does she not accept that if a judicial commissioner disagrees with her, there might be some value in at least having a

discussion that covers broader principles of judgment and is not simply based on the fact that she is behaving in a way in which no reasonable man or woman would?

Mrs May: With a degree of prescience, my right hon. and learned Friend refers to the very next issue that I will address in my speech. I was going to point out that I know some right hon. and hon. Members have scrutinised the language in the Bill and have raised exactly that issue. I want to be absolutely clear: under the Bill, it will be for the judicial commissioner to decide the nature and extent of the scrutiny that he or she wishes to apply. Crucially, I can reassure right hon. and hon. Members that commissioners will have access to all the material put to the Secretary of State. The judicial commissioner will look not just at the process, but at the necessity and proportionality of the proposed warrant.

Stella Creasy (Walthamstow) (Lab/Co-op): Will the Home Secretary give way?

Mrs May: If I may, I want to make a little more progress.

Mr Kenneth Clarke: Will my right hon. Friend allow me to ask a supplementary question?

Mrs May: It is more than my life's worth not to give way to a former Home Secretary.

Mr Clarke: Times have no doubt changed, but the information in individual cases is sometimes very simple and limited, because the case is thought to be so obvious. Will the judicial commissioner have the ability to ask for more information that has not gone before the Home Secretary if he or she wishes to know a bit more about the case and check what has been put before the Home Secretary?

Mrs May: I have to say to my right hon. and learned Friend that that will not be the case. The point is that it is important that the Secretary of State and the judicial commissioner make decisions on the basis of the same information being available to both of them. If the judicial commissioner decides that there is not enough information available, he or she would presumably refuse the warrant. It would be open to the Secretary of State to appeal to the Investigatory Powers Commissioner to look at the warrant again, or if the warrant is refused in such a circumstance, the Secretary of State might themselves say, "Take the warrant back, put in more information and resubmit it."

Stella Creasy: Will the Home Secretary give way?

Joanna Cherry (Edinburgh South West) (SNP): Will the Home Secretary give way?

Mrs May: I give way to the Scottish National party spokesman.

Joanna Cherry: On a point of clarification relating to the intervention by the right hon. and learned Member for Beaconsfield (Mr Grieve) about the letter to *The Guardian* signed by over 200 senior lawyers, is the right hon. Lady aware that the letter takes issue with bulk interception warrants and bulk equipment interference warrants, which even the Intelligence and Security Committee says should be removed from the Bill?

Mrs May: I will come on to talk about the bulk warrants, but it was clear from the Committee reports that the powers in the Bill are necessary. The ISC raised a question about the bulk equipment interception warrants, but, following that, the Government have produced further information on all bulk cases. We published some case studies and examples of how the powers would be used alongside the redrafted Bill.

Stella Creasy *rose—*

Mrs May: I will give way to the hon. Lady, who has been persistent.

Stella Creasy: May I take the Home Secretary to the other end of the telescope, as it were, on this matter? One of the concerns people have about a general access point is not about the warrants, but about the notion that, especially online, we can separate contact and content data. The idea is to allow access to contact data, but that will inevitably be blurred with content data online. Does she accept that there is a challenge in separating contact and content data, which could give rise to some people's concerns about general access to information? Looking at somebody's internet correspondence is not the same as looking at a record of their phone calls.

Mrs May: I know that that issue was raised when the draft Data Communications Bill was considered and has been raised in relation to the internet connection records power in this Bill, but such a separation is absolutely possible. We have talked at length with companies about being able to separate, for internet connection records, the websites that a particular device has accessed from the content of whatever has been looked at. It is very important for me to make it clear that when we talk about ICRs, we are talking not about looking at people's web-browsing history, but about looking simply at the initial point of contact.

In relation to the authorisation process, which we have discussed in relation to the questions asked by my right hon. and learned Friend the Member for Rushcliffe (Mr Clarke), I welcome the Joint Committee's clear endorsement of the double lock regime and, specifically, the language of the Bill on that point. Right hon. and hon. Members who think that the senior judiciary will simply rubber-stamp Government decisions have clearly never dealt with British judges.

In the case of urgent warrants, the provisions have been tightened in response to the pre-legislative scrutiny.

Simon Hoare (North Dorset) (Con): Will my right hon. Friend give way?

Mrs May: I will make a little more progress, but my hon. Friend may be able to catch my eye later.

In truly urgent circumstances, such as a fast-moving kidnap investigation, a warrant can still come into force as soon as the Secretary of State has authorised it, but that decision will need to be approved by a judicial commissioner within three working days. If the

[Mrs May]

commissioner disagrees with the Secretary of State's decision, the commissioner can order that all material gathered under the urgent warrant must be destroyed.

Furthermore, the Bill provides considerable additional safeguards for the communications of parliamentarians and lawyers. In any case, where it is proposed to intercept a parliamentarian's communications, the Prime Minister would also be consulted, in line with the Wilson doctrine. Equally, the deliberate interception of legally privileged communications can be authorised only in exceptional and compelling circumstances, such as where it is necessary to prevent the loss of life.

Sir Edward Leigh: Will the Home Secretary give way?

Mrs May: I had an idea that my hon. Friend would intervene.

Sir Edward Leigh: Of course Members of Parliament should not be above the law, and the Procedure Committee has ensured that a Member of Parliament who is arrested is treated exactly like a member of the public. We all recognise that, but in some of the most dodgy regimes—ours is not, of course, one of them—Governments do intercept the communications of Members of Parliament. Surely, just so that we can be absolutely reassured, we need the extra safeguard of having you, Mr Speaker, look at such an interception as well. Why not?

Mrs May: I heard my hon. Friend's earlier exchange with you, Mr Speaker. Two important extra safeguards have been put in this legislation: the first, which is stated in the Bill, is that the Prime Minister will be consulted, but there is also the double lock authorisation. In future, a warrant to intercept anybody—including Members of Parliament, should that be the case—will be subject not just to the determination of a democratically elected individual, but to the independent decision of the judiciary, through the judicial commissioners. That important safeguard has been put into the Bill.

Simon Hoare: The Home Secretary is right to point to the patchy relationship between the judiciary and Governments of all colours. I think the Bill strikes absolutely the right balance. It is absolutely imperative that somebody who is democratically accountable both to this House and to the country has almost the first say on whether such things are done. It is perfectly right for a properly trained judge to have an overview of the process, but it would have been a retrograde step to lose the democratic accountability and the link to decision making in this place.

Mrs May: I thank my hon. Friend for his comments. It is important that we have the balance right. Many people have said, "Just have judicial authorisation", and some people still believe that the authorisation should be made by the Secretary of State. By having both, we do not lose democratic accountability, but we add the independent judicial authorisation.

Tom Tugendhat (Tonbridge and Malling) (Con): Will the Home Secretary give way?

Mrs May: I will make some progress, if I may, but my hon. Friend may very well try again.

I want to turn to communications data—the who, when, where and how of a communication that provide the communication's context, but not its content. Such communications data are vital to investigations carried out by the police and the security and intelligence agencies. They have been used in 95% of organised crime prosecutions by the Crown Prosecution Service. They are used to investigate, understand and disrupt terrorist plots. They have played a part in the investigation of some of the most serious crime cases in recent times. They can tie suspects and victims to a crime scene, prove or disprove alibis, and help to locate a missing child or adult.

Parts 3 and 4 of the Bill will preserve that power for the police and the security and intelligence agencies, but also provide strong privacy safeguards. Requests for communications data will require the approval of an independent designated senior officer and will be subject to consultation with communications data experts. In addition, requests for communications data by local authorities will also require authorisation by a magistrate, and requests by any public authority, including the security and intelligence agencies, to identify a journalist's source will require the authorisation of a judicial commissioner.

I have outlined how communications data are vital in providing investigative leads and for pursuing suspects, but where communications take place using social media or communications apps, it does not make sense that those communications are currently out of reach. For example, in respect of online child sexual exploitation, the absence of such records often makes it impossible to identify abusers. As I have said, such an approach defies logic and ignores the realities of today's digital age. The only new power in the Bill is the ability to require communications service providers to retain internet connection records, when served with a notice issued by the Secretary of State, and after consultation with the provider in question.

To reiterate, internet connection records do not provide access to a person's full web browsing history. An internet connection record is a record of what internet services a device or person has connected to, not every web page they have visited. I am pleased that the Joint Committee agreed with the Government on the necessity of that power, and concluded that

"on balance, there is a case for Internet Connection Records as an important tool for law enforcement."

Indeed, the Committee went further and said that law enforcement should be able to access those records for a wider range of investigative purposes, and the Bill reflects the Committee's recommendations.

Mr David Hanson (Delyn) (Lab): The Home Secretary is right to say that about the Joint Committee, but it also wanted greater clarity about those internet connection records. It also wanted to ensure—I would welcome her assurance on this—that the capability existed for the retention of those records, and it asked whose cost that would be.

Mrs May: We have clarified definitions in the Bill, and that point was made not only by the Joint Scrutiny Committee but by the Science and Technology Committee.

In considering this issue we have spent—and continue to spend—a long time discussing the technicalities of this issue with companies that could be subject to such notices, because companies operate in different ways. I reiterate that the Government will reimburse in full the reasonable operational costs that companies will be subject to in relation to this matter.

Mr Hanson: That is important, and I support the Home Secretary's objective in this case. She will know that the Bill contains a figure of around £180 million for that cost. Is she satisfied—the providers were not—that that figure will cover the costs of the implementation of such a scheme?

Mrs May: The right hon. Gentleman raised that issue with me when I gave evidence to the Joint Scrutiny Committee, and was concerned about the cost. We have discussed in detail with companies the technical arrangements for access to internet connection records, and we have assured ourselves of the feasibility of that. As is currently the case for such matters, the Government will be prepared to reimburse those costs.

Nicola Blackwood (Oxford West and Abingdon) (Con): The Home Secretary is generous in giving way. We welcome the improvements to the Bill, but I hope she received my letter today detailing the outstanding concerns of the Science and Technology Committee. In particular, we feel that technology capability notices remain a key area of uncertainty regarding encryption, and despite the commitments made at the Dispatch Box, we must have long-term certainty for the tech sector on reimbursement of costs. Those questions will be central to delivering a coherent piece of technical legislation that is fit for a fast-moving area of our economy, and it must be dealt with as quickly as possible as the Bill proceeds through the House.

Mrs May: I reiterate the point that I made previously and again just now: 100% of the compliance costs will be met by the Government. My hon. Friend asks me to provide a long-term commitment for that, and we are clear about that in the Bill. As she will be aware, it is not possible for one Government to bind the hands of any future Government in such areas, but we have been clear about that issue in the Bill and I have been clear in my remarks today.

Alongside the draft code of practice, I have published—at the Joint Committee's request—a comparison of the differences between the proposals in the Bill and those set out by Denmark in recent years. I have also held further discussions with UK and US communications service providers on the proposals in the Bill, and we will continue to work closely with them as we implement this new power. As a guarantee of that, we have included a commitment that the Home Secretary will report to Parliament on how the Bill is operating within six years of Royal Assent. If Parliament agrees, it is our intention that a Joint Committee of both Houses will be formed five years after the Bill receives Royal Assent, specifically to undertake a review of the new legislation and to inform the Home Secretary's report.

Part 5 of the Bill deals with equipment interference—for example, the acquisition of communications or information directly from devices such as computers or smartphones. By bringing existing powers into the Bill, we have responded to recommendations made by David Anderson, QC, and by the Intelligence and Security Committee. The Bill places those powers on a clear statutory footing, and makes their use subject to the issue of warrants that must be approved by a judicial commissioner.

Hon. Members will be aware that not only are those powers already available to law enforcement bodies, but they are vital to so much of their work to prosecute serious criminals. In exceptional circumstances, that capability is also used to deal with threat-to-life situations that fall short of serious crime, most typically to identify missing persons. For example, we all expect that when a child goes missing and the parents know the password to their social media account, the police should be able to use that password to search for vital clues. The Bill preserves capabilities that are already available to law enforcement, and makes it clear that they can be used to save lives. Nevertheless, these are intrusive powers and their use must be strictly limited. In future, all equipment interference warrants will require the approval of a judicial commissioner.

The draft code of practice, which I published alongside the Bill, constrains the use by law enforcement of more novel or advanced techniques that hon. Members might reasonably expect to be the preserve of the National Crime Agency and similar bodies. Equipment interference warrants may only be served on communications service providers with the personal agreement of the Secretary of State.

Alongside the draft codes of practice, and in response to recommendations of the Intelligence and Security Committee, we published a comprehensive public case setting out how bulk powers—for interception, communications data and equipment interference—are used, and why they are more necessary than ever before. There are, of course, limits to how much can be said about those most sensitive bulk capabilities without handing an advantage to criminals and those who mean us harm. For that reason, the security and intelligence agencies have provided further, classified detail about the use of those powers to the Intelligence and Security Committee.

As the publicly published case for bulk powers makes clear, such powers are vital to the effective working of the agencies. They have played a significant part in every major counter-terrorism investigation over the past decade, including in each of the seven terrorist plots disrupted since November 2014. They have been essential to detecting more than 95% of cyber-attacks against people and businesses in the UK identified by GCHQ over the past six months, and they enabled more than 90% of the UK's targeted military operations during the campaign in the south of Afghanistan.

Part 6 of the Bill places these powers on a clearer statutory footing and makes them subject to robust and consistent safeguards. In future, bulk warrants will need to be authorised under the double lock regime that I have described. Furthermore, the examination of any data obtained under a bulk warrant will need to be for an operational purpose that has been approved by a Secretary of State and an independent judge.

Joanna Cherry: Other hon. Members have mentioned protection for the communications of parliamentarians. Does the Home Secretary agree that the provision in the

[Joanna Cherry]

Bill does not protect parliamentarians from having their communications to and from constituents scooped up by bulk collection provisions, or with communications data or internet connection records, which could lead to whistleblowers being identified?

Mrs May: I could give a variety of responses to those points. The hon. and learned Lady must be aware that certain bulk powers are predominantly those for foreign usage, rather than in relation to the United Kingdom. With bulk powers, where there is any interaction with individuals in the UK, the double lock authorisation is still necessary to ensure that the examination of the information is subject to the same sort of tests regarding necessity and proportionality.

Part 7 applies those safeguards to the retention and use of bulk personal datasets. Such information is already used by the security and intelligence agencies to keep us safe, and may be acquired under existing powers. However, the Bill introduces powerful new privacy protections so that the personal data of innocent people are always subject to strong robust safeguards, irrespective of how they were acquired.

I said that privacy safeguards are at the heart of this Bill, and the guarantor that those safeguards will be effective and adhered to—both in substance and in spirit—will be the new Investigatory Powers Commissioner, or IPC. Created under part 8 of the Bill, the commissioner, who will hold or have held high judicial office, will oversee a world-leading new oversight body, bringing together the existing responsibilities of the Interception of Communications Commissioner, the Intelligence Services Commissioner and the Chief Surveillance Commissioner. The new Investigatory Powers Commissioner will be provided with an enhanced budget and a dedicated staff of commissioners and inspectors, as well as technical experts and independent legal advisers. They will have access to the staff and systems of the agencies, and will have a remit to provide Parliament and the public with meaningful assurance about how the powers in the Bill are being used. When a person has suffered as a result of a serious error in how the powers in the Bill are used, the IPC will have a new power to inform the victim without the need to consult the Investigatory Powers Tribunal, which will itself stand ready to hear any claim and will have the power to quash warrants, award compensation or take any other remedial action it feels appropriate.

I turn now to part 9 of the Bill and clause 217, which provides for requests to be made to communications service providers to maintain permanent technical capabilities to give effect to warrants, and, in connection with that, to maintain the ability to provide copies of communications in an intelligible form. Let me be clear: this provision only maintains the status quo. It allows law enforcement and the security and intelligence agencies to ask companies to remove encryption that they have applied or that has been applied on their behalf. It would not—and under the Bill could not—be used to ask companies to do anything it is not reasonably practicable for them to do.

Finally, alongside the Bill, we have taken forward the recommendation made by Sir Nigel Sheinwald to develop an international framework to ensure that companies can disclose data, a point I made in response to my hon. Friend the Member for The Wrekin (Mark Pritchard). We are in formal negotiations with the United States Government and are making good progress. The provisions in the Bill are drafted to accommodate any such agreement. Any company co-operating with its obligations through an international agreement will not be subject to enforcement action through the courts.

The Bill provides unparalleled transparency on our most intrusive investigatory powers, robust safeguards and an unprecedented oversight regime, but it will also provide our law enforcement and intelligence agencies with the powers they need to keep us safe. Because of its importance, our proposals have been subject to unprecedented levels of scrutiny, which has resulted in a Bill that really does protect both privacy and security—it is truly world-leading. I look forward to the revised Bill now receiving full and careful consideration by both Houses. I commend it to the House.

2.12 pm

Andy Burnham (Leigh) (Lab): I echo the condolences the Home Secretary rightly paid to the family of the police officer in Northern Ireland who lost his life in the course of his duties. They are in our thoughts today.

Let me start with the principle on which I think there is broad agreement. From the Government Benches to the Opposition Benches, from Liberty to the security services, there is a consensus that the country needs to update its laws in this crucial area, and that, if the police and security services are to be given new powers, there must be broad agreement that those powers be balanced with much stronger safeguards for the public than have previously existed. That, it seems to me, is a good platform from which to start.

The Bill is commonly seen through the prism of terrorism, but, as the Home Secretary said, it is about much more. The parents of a young child who had gone missing would want the police to have full and urgent access to all the information they need to bring them to safety. The Bill is about the ability to locate missing children or vulnerable adults. It is about reducing risks to children from predatory activities online. It is about preventing extremists of any kind creating fear and hatred in our communities, and it is about defending the liberties we all enjoy each and every day. Despite that, the truth is that we are some way from finding a consensus on the form the proposed legislation should take.

Three months after I was elected to this House, two planes flew into the World Trade Centre in New York, with highly traumatic consequences. In the 15 years since, we have all been engaged on a frantic search. What is the right balance between individual privacy and collective security in the digital age? As of yet, we have not managed to find it. The arguments in the previous Parliament over the forerunner to this Bill loom over our debate today, as does the current stand-off in the United States between Apple and the FBI. I would say that that is an unhelpful backdrop to this debate. It suggests that privacy and security concerns are irreconcilable: a question of either/or, choosing one over the other. I do not believe that is the case. We all share an interest in maximising both our individual privacy on the one hand and our collective security on the other. As a House of Commons, our goal should be to give our constituents both.

Finding that point of balance between the two should be our task over the next nine months. As the Home Secretary knows, I have offered to play a constructive part in achieving that. The simple fact is that Britain needs a new law in this area. Outright opposition, which some are proposing tonight, risks sinking the Bill and leaving the interim laws in place. To go along with that would be to abdicate our responsibility to the police, security services and, most importantly, the public. I am not prepared to do that. Just as importantly, it would leave the public with much weaker safeguards in place and I am not prepared to do that either.

Mr Alan Mak (Havant) (Con): The shadow Home Secretary rightly says that the Bill will help us to fight terrorism. Will he join me in welcoming the new powers to fight cybercrime and financial crime, and will he join me in the Lobby tonight to vote for it?

Andy Burnham: I will not be joining the hon. Gentleman in the Lobby tonight, because I do not believe, as I will come on to explain, that the Bill is acceptable in its current form. As he will have heard me say in my opening remarks, I am in broad agreement with the Government's objectives. I am not seeking to play politics with the Bill or to drag it down. I hope he will find some assurance in those words.

Simon Hoare: The right hon. Gentleman's position, I am afraid, does not sound particularly persuasive or tenable, certainly to those outside this place. I just wonder what message it sends from his party, supposedly a Government in waiting. Instead of trying to thrash out the detail in Committee and on Report, by abstaining this evening the message will be very clear about what the Labour party actually thinks on this important issue.

Andy Burnham: I disagree entirely. As I said, we will not oppose the Bill because we will be responsible. I have recognised that the country needs a new law. I have also said, as I will come on to explain, that the Bill is not yet worthy of support. There are significant weaknesses in the Bill. I am sorry, but I am not prepared to go through the Lobby tonight and give the hon. Gentleman and his Government a blank cheque. I want to hold the Government to account. I want to see changes in the Bill to strengthen the Bill. When they listen, they will earn our support. That is entirely appropriate and responsible for an Opposition party to do.

The higher the consensus we can establish behind the Bill, the more we will create the right climate in the country for its introduction. As the Home Secretary said, it could create a template to be copied around the world, advancing the cause of human rights in the 21st century. The prize is great and that is why I am asking those on the Opposition Benches to work constructively towards it.

I repeat today that I do not think our mission is helped by misrepresentation. In my view, it is lazy to label the Bill as a snoopers' charter or a plan for mass surveillance. In fact, it is worse than lazy: it is insulting to people who work in the police and in the security services. It implies that they choose to do the jobs they do because they are busybodies who like to spy on the public, rather than serve the public. I do not accept that characterisation of those people. It is unfair and it diminishes the difficult work they do to keep us safe.

Suella Fernandes (Fareham) (Con): Does the right hon. Gentleman agree that the three independent reviewers all agree that our services categorically do not carry out mass surveillance and work within the boundaries of legislation?

Andy Burnham: I agree with the hon. Lady. The idea that they have the time to do that is fanciful. They are going straight to the people they need to be concerned about on our behalf, and that is why I reject the characterisation that is often placed on this proposed legislation.

Catherine West (Hornsey and Wood Green) (Lab): What does my right hon. Friend make of the comments from the UN's special rapporteur on privacy, Joseph Cannataci, who last week criticised the Bill, saying that authorising bulk interception would legitimise mass surveillance?

Andy Burnham: We need to explore the plans in detail. As I said, I do not accept that the Bill is a plan for mass surveillance, but we need to work hard over the next nine months to take those concerns away.

That said, there are well-founded concerns about the Bill. As we just heard, there is a genuine worry that providing for the accumulation of large amounts of personal data presents risks to people's privacy and online security. More specifically, there is a worry that investigatory powers can be abused and have been abused in the past. In recent years, there have been revelations about how bereaved families, justice campaigners, environmental campaigners, journalists and trade unionists have been subject to inappropriate police investigation. What justification could there ever have been for the Metropolitan police to put the noble Baroness Lawrence and her family under surveillance? It has not been proven but I know that the Hillsborough families strongly suspect that the same was done to them.

Mark Spencer (Sherwood) (Con): A lot of this debate has been about looking at people's files, but does the right hon. Gentleman recognise that this should be about victims, including child victims, of crime? Has he had any representations from charities representing victims of crime and children's charities?

Andy Burnham: I have had such representations, as the Government have, which is why I said the Bill was about much more than terrorism; it is about giving the police and the security services the tools they need to keep us safe in the 21st century. That is why I am not playing politics with the Bill or adopting a knee-jerk oppositionist approach; I am taking quite a careful and considered approach. That said, the Government have not yet done enough to earn my support.

Steve Brine (Winchester) (Con): I have a lot of respect for the right hon. Gentleman, as he knows, and I would like to congratulate him on what he said about rejecting the conspiracy theories about this being a snoopers' charter—it was deeply responsible of him to say that—but surely the Second Reading of a Bill is when we agree or

[Steve Brine]

disagree with the principle of a Bill. He has said he agrees with the principle of the Bill, and there are many behind him—perhaps not behind him in the Chamber right now, but they are in the Labour party—who agree with that. Surely, therefore, the opportunity today is to vote for the principle of the Bill on Second Reading, after which we can scrutinise it upstairs and back on the Floor of the House on Report. The right thing to do, therefore, is to support the Government tonight.

Andy Burnham: I will let the hon. Gentleman form his own view on the right parliamentary tactics for the Opposition, but I will be deciding that position, and I do not think I would be serving the public simply by giving the Government a blank cheque this evening. It is my job—*[Interruption.]* Wait a second!—to hold them to account on behalf of the public and to get the most I can to protect the public as best we can through the Bill. I am approaching that job, as part of Her Majesty's Opposition, with the utmost seriousness.

Alongside bereaved families, there have been cases of journalists claiming that material was inappropriately seized from them, most recently in connection with the "plebgate" affair. Last year, a former senior police officer-turned-whistleblower came to an event in Parliament and said that he and a colleague had been involved in supplying information that led to the blacklisting of construction workers. I would refer those who claim that these fears are exaggerated to the biggest unresolved case of this kind—the 1972 national building workers' strike and the convictions of 24 pickets, known as the Shrewsbury 24. It is widely believed that their prosecution was politically orchestrated, with the help of the police and security services.

Steve Rotheram (Liverpool, Walton) (Lab) *rose—*

Andy Burnham: I give way to my hon. Friend, who knows a great deal about this matter and has championed those still fighting for justice.

Steve Rotheram: My right hon. Friend mentions the case of the Shrewsbury pickets, which is a stark example of the misuse and abuse of state power. Does he agree, therefore, that it is essential that the Bill contains the strongest possible safeguards specifically to ensure that great, historic injustices, such as the politically motivated incarceration of pickets in 1972, can never happen again?

Andy Burnham: My hon. Friend puts it very well, which is why fears about such legislation run deep on the Labour Benches. We know the truth about what happened, even though it is not widely known yet by the public, because we have seen the documents. I have here a memo from the security services sent at the time to a senior Foreign Office official—I am glad that the Foreign Secretary is winding up tonight, because this concerns his Department. It is headed "Secret" and talks about the preparation of a television programme that went out and the trial of the Shrewsbury pickets, and it says, at the top:

"We had a discreet but considerable hand in this programme".

That is from the security services, so why would people on the Labour Benches not fear handing over more power to the police and security services without there being adequate safeguards?

Mark Pritchard *rose—*

Andy Burnham: It happened close to the hon. Gentleman's constituency, so I will give way.

Mr Speaker: Order. Just before the hon. Member for The Wrekin (Mark Pritchard) intervenes, I advise the House that, although everything is being done perfectly properly, and the Home Secretary and the right hon. Gentleman have been generous in giving way, 48 Back Benchers wish to contribute. Those who have or seek the Floor might wish to take account of that point. I call Mark Pritchard.

Mark Pritchard: I will be brief, Mr Speaker.

The shadow Home Secretary is quite right to point out that abuses, where they have taken place, are absolutely wrong, but does he also recognise that the Bill contains a new offence of misusing communications data, which is something he should welcome?

Andy Burnham: I will come to that very point, but these are not historical matters, because the convictions I just referred to still stand. I pay tribute to the Government, because they have a good record on this, but we need to go further to give the full truth about some of the darkest chapters in our country's past, so that we can learn from them and then build the right safeguards into the Bill. The Bill will fail unless it entirely rules out the possibility that abuses of the kind I have mentioned could ever happen again. That is the clear test I am setting for the Bill.

That is also why I welcome the principle of the Bill. It leaves behind us the murky world of policing in the '70s, '80s and '90s, and holds out the possibility of creating a modern and open framework that makes our services more accountable while containing much improved safeguards for ordinary people. The Bill makes progress towards that goal, but it is far from there yet. It is clear that the Home Secretary has been in listening mode and responded to the reports of the three parliamentary Committees, but of the 122 recommendations in the three reports, the Government have reflected less than half in the revised Bill. She will need to be prepared to listen more and make further significant changes to the Bill if she is to achieve her goal of getting it on to the statute book by December.

I want to take the House through six specific concerns that we have with the Bill. The first is on privacy. As I said, people have a right to maximise their personal privacy, and given people's worries about the misuse of personal data, the Intelligence and Security Committee was surely right to recommend that privacy considerations be at the heart of the Bill. A presumption of privacy would set the right context and provide the basis from which the exceptional powers are drawn. It would be the right foundation for the whole Bill: respect for privacy and clarity that any intrusions into it require serious justification. The Home Secretary said that privacy protection was hardwired into the Bill. I find it hard to accept that statement. I see the changes on this point as more cosmetic; they have not directly answered the Committee's concerns. I therefore ask the Government to reflect further on this matter and to include a much stronger overarching privacy requirement, as recommended by the Committee, covering all the separate powers outlined in the Bill.

Also on privacy, we do not yet believe that the Government have gone far enough to protect the role of sensitive professions. The Committee noted that the safeguards for certain professions must be applied consistently across the Bill, no matter which investigatory power is being used to obtain the information, but it is hard to see how that is achieved at the moment. On MPs and other elected representatives, the Bill codifies the Wilson doctrine, but there is a question about why it stops short of requiring the Prime Minister to approve a warrant and requires only that he be consulted. The Bill could be strengthened in that regard. On legal privilege, the Law Society has said that, although it is pleased to see that the Government have acknowledged legal professional privilege, it needs more adequate protection, and it believes that that should be in the Bill, not just the codes that go with it.

Mr David Davis: On the Wilson doctrine, the wording of the Bill, as I understand it, relates to communications between Members of Parliament and constituents. That does not cover the whole Wilson doctrine, which covers communications between Members of Parliament and whistleblowers, between Members of Parliament and each other, and between Members of Parliament and campaigning organisations. They should all be protected. Does the right hon. Gentleman agree?

Andy Burnham: I do agree with the right hon. Gentleman. I was making the point that the provisions need to be strengthened in respect of prime ministerial approval, but also in the way that he describes to give our constituents that extra trust, so that if they come to speak to us in our surgeries, they can be sure that they are speaking to us and nobody else.

Sir Edward Leigh: If there is a matter of acute public concern and a whistleblower is making himself a real nuisance to the Government, and communicates that to his Member of Parliament, should one member of the Government, the Home Secretary, ultimately authorise it, with it then being referred to the Prime Minister, who might also be affected by the decision? He would effectively be judge in his own court and surely it is at least arguable that some other scrutiny should be involved.

Mrs May: The judge.

Andy Burnham: I think the Home Secretary has indicated that there would be, because her decision would be subject to the double lock, including judicial approval. My point is, why should the Prime Minister be only consulted by the Home Secretary as part of that process? It seems to me that there is a role for the Prime Minister finally to approve any such warrant, and I believe the Bill could be strengthened in that regard.

There is also the question of journalists. The National Union of Journalists believes that the Bill weakens existing provisions. Clause 68, which makes the only reference to journalists in the entire Bill, sets out a judicial process for the revelation of a source. Its concern is that journalists are wide open to other powers in the Bill. Given the degree of trust people need to raise concerns via the political, legal or media route, and given the importance of that to democracy, I think the Government need to do further work in this area to win the trust and support of those crucial professions.

Our second area of concern relates to the thresholds for use of the powers. The Bill creates a range of powers that vary in intrusiveness, from use of communications data and internet connection records at one end to intercept, equipment interference and bulk powers at the other end. There is a real concern that the thresholds for them are either too low or too vague.

Let us take internet connection records. The Home Secretary has previously described ICRs as "the modern equivalent" of the "itemised phone bill", and the Government intend them to be made available on the same basis—that is, for the detection or prevention of any crime. The Joint Committee noted, however, that this is not a helpful description or comparison. ICRs will reveal much more about somebody than an itemised phone bill. They are closer to an itinerary, revealing places that people have visited.

The question for the House is this: is it acceptable for this level of personal information to be accessed in connection with any crime—antisocial behaviour or motoring offences, for instance? I do not believe it is, and I think a higher hurdle is needed. This is a critical point that the Government will need to answer if they are to secure wider public support for their Bill. People have legitimate fears that if ICRs become the common currency in law enforcement, much more information will be circulating about them, with the potential for it to be misused.

The Government need to tell us more about why they need this new power and they need to set a stricter test for its use—in connection with the prevention or detection of more serious crime or a serious incident such as a missing person, for instance. That is what I think the hurdle should be: serious crime rather than any crime, and I would welcome hearing the Home Secretary's response on that point.

At the other end of the scale, the justification for using the most intrusive powers in the Bill is on grounds of "national security" or, as the Home Secretary said, "economic well-being". While I understand the need for operational flexibility, there is a long-standing concern that those tests are far too broad. There is a feeling that "national security" has been used to cover a multitude of sins in the past. Let us remember that official papers from the domestic building workers' strike in English market towns in 1972 are still being withheld on grounds of "national security"! How on earth could that possibly be justified?

Tom Tugendhat: The right hon. Gentleman is bringing up a point that relates to proportionality, but it strikes me as odd that he has rammed it home so strongly when the Bill itself mentions proportionality and the oversight of the Information Commissioner includes looking at proportionality. The right hon. Gentleman is going on and on about it, but it is actually in the Bill.

Andy Burnham: I do not believe it is. I put it to the hon. Gentleman that national security is a very broad term that is not defined in the Bill. The Joint Committee encouraged the Government to define it in order to give people greater security. As I have just said, activities have been carried out in the past under the banner of national security that I think he would struggle to justify as such.

[Andy Burnham]

The problem with the "economic well-being" test is that it potentially opens up a much wider range of activities to the most intrusive powers. The Bill states that matters of economic well-being must be only "relevant" to national security, not directly connected to it, as the Home Secretary seems to imply. This raises the issue of what extra activities the Government want to cover under this banner that are not covered by national security. A cyber-attack on the City of London has been mentioned, but surely that would already be covered by national security provisions.

Let me put two suggestions to the Home Secretary. First, I suggest that she accept the Joint Committee's invitation to define "national security" more explicitly. Alongside terrorism and serious crime, it could include attacks on the country's critical or commercial infrastructure. Secondly, if she were to do that, the economic well-being test could be dropped altogether. That would build reassurance among Opposition Members that there could be no targeting in future of law-abiding trades unionists, as we have seen happening in the past.

The third area of concern is with ICRs themselves—both their content and their use.

Sir Edward Garnier (Harborough) (Con): Is the right hon. Gentleman seriously suggesting that a judicial commissioner would permit a politically motivated interception on a trade union?

Andy Burnham: I would gladly share with the right hon. and learned Gentleman some of the papers I have about the historic injustices that we have seen in this country—*[Interruption.]* But it is relevant, because those convictions still stand to this day. I said earlier—I do not know whether he was in his place—that revelations have been made that information supplied to blacklist people in the construction industry came from the police and the security services. I welcome the move to codify all this in law so that those abuses cannot happen again, but I hope that he will understand that Labour Members want to leave nothing to doubt. Why should the most intrusive warrants be used on the test of economic well-being? What does that mean? Are we not entitled to say that national security alone can justify intrusion on people's privacy in that way?

Mrs May: I have been listening carefully to the response of the right hon. Gentleman to my right hon. and learned Friend the Member for Harborough (Sir Edward Garnier). Let me press him on the point that my right hon. and learned Friend raised, because it is very important. We are inserting the judicial authorisation of warrants. I did not think—I said this in my speech—that any Member should question the independence of the judiciary. It seems, however, that he is doing just that. Will he now confirm that he is not questioning that?

Andy Burnham: I am not doing that in any way, shape or form. It is wrong for the Home Secretary to stand there and imply that I was. What I am talking about is the grounds on which her Bill gives the police and the security services the ability to apply for warrants. *[Interruption.]* Conservative Members should listen: I am saying to the Home Secretary and to them that those grounds should be as tightly defined as possible, and I do not think it helps if she is proposing that they can be brought forward on grounds of "general economic well-being". In the past, her party has taken a different view from ours, and this opens up a much wider range of potential activities that could be subject to the most intrusive warrants. That point is both fair and, if I may say so, well made.

Dr Andrew Murrison (South West Wiltshire) (Con): My question to the right hon. Gentleman is this: why did it not occur to him on 4 November. On that date, he stood there and said:

> "Having listened carefully to what the Home Secretary has said today, I believe that she has responded to legitimate concerns and broadly got that…balance right."—[*Official Report*, 4 November 2015; Vol. 601, c. 974.]

What has changed in the interim?

Andy Burnham: Has the hon. Gentleman been listening? I began by saying the very same thing and said that we would work with the Government to get it right, but surely I am entitled, am I not, to raise specific concerns about the wording in the Bill—in this case, wording about "economic well-being", which I believe opens up a large range of activities that could fit under that banner. I am saying to Government Members that if they want my help, they should help us get that definition right to reassure the public.

Angela Rayner (Ashton-under-Lyne) (Lab): Millions of trade unionists, and many of my constituents, are genuinely concerned about the stretch of these powers. The two Front Benchers are being very decent at the moment in trying to introduce safeguards, but it is important for my right hon. Friend to scrutinise the legislation as he is currently doing, so that people can have confidence in it in the long term.

Andy Burnham: My hon. Friend has put it very well. It is a fact that trade unionists and other campaigners have been subject, over time, to inappropriate use of investigatory powers. If the Conservatives do not understand that, they need to go away and look into the issues. They need to get at the full truth about Orgreave and Shrewsbury, so that they can understand why some people who do not share their political views on life have a different feeling about legislation of this kind. If they did go away and do that, they would probably find that they could reassure people, and that there would be more public support for the Bill.

Tom Tugendhat *rose—*

Andy Burnham: I am going to make some more progress now.

As I understand it, the intention of the authorities in building internet connection records is to list domains visited, but not uniform resource locators. There would not be a web-browsing history, as the Home Secretary said. The ICRs would show the "front doors" of sites that had been visited online, but not where people went when they were inside. That will give some reassurance to people who fear something more extensive, but the definition of ICRs in clause 54 remains extremely vague and broad. I see nothing that would prevent them from becoming much more detailed and intrusive over time,

as technology evolves. The draft code of practice gives an illustration of what would be included, but it does not build confidence, as it acknowledges that information may vary from provider to provider.

It would help everyone if the Government set out a much stricter definition of what can and cannot be included in ICRs, and, in particular, specified that they can include domains but not URLs. The current confusion about ICRs is unhelpful and clouds the debate about the Bill. It needs to be cleared up.

As for the use of ICRs, schedule 4 sets out far too broad a range of public bodies that will be able to access them. It seems to me that the net has been cast much too widely. Is it really necessary for the Food Standards Agency and the Gambling Commission to have powers to access an individual's internet connection record? I will be testing the Government on that. If there were a suspicion of serious criminality in respect of the food chain or a betting syndicate, surely it would be better to refer it to the police at that point. I must say to the Home Secretary that we shall want to see a much reduced list before this part of the Bill becomes acceptable to us.

Mr Nick Clegg (Sheffield, Hallam) (LD): Does the right hon. Gentleman agree that not only are ICRs poorly and very broadly defined, but, even in the context of a narrow definition, the Government would still be proposing that every website or domain visited by every citizen in the country, every minute of every day, should be retained and stored for 12 months? Does he agree that that principle, whatever the definition, constitutes a very extensive power for the Government?

Andy Burnham: I do agree. If such information were published, it would reveal far more about someone than an itemised phone bill. The Home Secretary began this whole process by saying that they were the same, and that this was simply the modern equivalent. It is not. It would reveal a great deal about someone.

The reassurance that I would hope to give is that it is not necessary to limit the information, but it is necessary to raise the threshold allowing the records to be accessed, in order to make this a test of serious crime rather than any crime. At present, the Bill refers to "any crime", but I do not think it acceptable for the kind of information to which the right hon. Gentleman referred to be available in the context of lower-level offences. I hope that he may be able to support me on that point.

Our fourth area of concern relates to bulk powers. It is a fact that criminals and terrorists, operating both here and overseas, may use a variety of means to conceal their tracks and make it hard for the authorities to penetrate closed or encrypted communications networks. I accept the broad argument advanced by the authorities that power to extract information in bulk form can provide the only way of identifying those who pose a risk to the public, but the greater use of some of those bulk powers takes investigatory work into new territory. The routine gathering of large quantities of information from ordinary people presents significant privacy concerns, and points to a need for the warrants to be as targeted as possible. The operational case for the individual bulk powers was published by the Government alongside the Bill, but it is fair to say that the detail has failed to convince everyone. It is still for the Government to convince people that the powers are needed.

Lucy Frazer (South East Cambridgeshire) (Con): I am sorry to backtrack slightly, but I have just looked up the provision relating to "economic well-being", which is fairly qualified. Clause 18(2) ties economic well-being to

"the interests of national security".

However, it also states that a warrant will be necessary

"in the interests of the economic well-being of the United Kingdom so far as those interests are also relevant to the interests of national security".

That provision is further qualified by subsection (5), which states that a warrant will be issued only

"if it is considered necessary…for the purpose of gathering evidence for use in…legal proceedings."

Subsection (4) refers to

"information relating to the acts or intentions of persons outside the British Islands."

It is clear that the position is extremely limited.

Let me add that, as a barrister who has presented a number of cases to judges, I believe that judges who look at legislation every day are perfectly adequate to the task of considering these principles.

Andy Burnham: I thank the hon. and learned Lady for the law tutorial. Her point may be one for Committee rather than Second Reading. However, I did refer to it earlier. The Bill uses the word "relevant"; it does not use the words "directly linked to national security". She pulls a face, but I am sure that I speak for every Labour Member when I say that there is no room for ambiguity when it comes to these matters. The Government must be absolutely clear about what they mean. We have seen trade unionists targeted in the past on the basis of similar justifications, and we will not allow it to happen again.

Tom Tugendhat: The right hon. Gentleman wants the Home Secretary to draft a law that envisages every new provision, every change in technology, every change in crime and every change in threat over the next 50 or 100 years. The Home Secretary cannot do that and nor can the right hon. Gentleman, which is why the Home Secretary has instead introduced a system of oversight, proportionality and judicial checks and balances, in order to provide the flexibility that is necessary for our nation to have security in a changing world.

Andy Burnham: I disagree. I am making a legitimate point about which we feel strongly. I am saying that the most intrusive powers in the Bill should be strictly limited to national security. The hon. Gentleman has a different view, but I believe that serious crime and national security should be the strictly limited grounds on which the most intrusive warrants are applied for. I hope that he will approach the issue in a spirit similar to the one in which I have approached it: I hope that he will look into the concern that I have raised in more detail and try to understand why Labour Members feel so strongly about it.

Joanna Cherry: The hon. and learned Member for South East Cambridgeshire (Lucy Frazer) talked about barristers presenting cases to judges. Does the right hon. Gentleman agree that, given the double-lock model in the Bill, there will be no barristers arguing the case before the judicial commissioner? That is exactly the

[Joanna Cherry]

point. There will be no gainsayer and no proposer; there will simply be a judicial review, an exercise carried out by the judicial commissioner on his or her own.

Andy Burnham: That is an important point, which I shall come to in a moment.

I was talking about bulk powers. Important concerns were raised by the Intelligence and Security Committee about scope, oversight and the more generic class warrants, and I do not believe that they have been adequately answered. One of the Joint Committee's recommendations was that the Government should establish an independent review of all the bulk powers in the Bill. Given the complexity and sensitivity of the issue, I think that the House would benefit from that, so my specific ask is for the Home Secretary to commission such a review, to be concluded in time for Report and Third Reading.

Our fifth concern is about judicial oversight, and relates to one of our earliest demands in respect of the Bill. The Government have given significant ground in this area, and, as the Home Secretary said, the Bill is stronger as a result. However, we believe that it could be stronger still. It currently says that, when deciding whether to approve a decision to issue a warrant, a judicial commissioner must apply

"the same principles as would be applied by a court on an application for judicial review."

The point has just been made by the hon. and learned Member for Edinburgh South West (Joanna Cherry).

I have previously shared with the Home Secretary my fear that that could mean a narrower test, taking account of only the process and reasonableness of the Home Secretary's decision rather than the actual merits and substance of an application. I was listening carefully to what she said at the Dispatch Box earlier, and I thought I heard her provide reassurance that a much broader consideration could be provided by a judicial commissioner. I hope that that is the case, and if it is, why not delete the judicial review clause from the Bill? That would make it absolutely clear this is not just a double lock but an equal lock, in which the judicial commissioner has the same ability look at the entire merits of the case.

Our sixth and final concern relates to the misuse of the powers. I accept the concerns of the Police Federation that there need to be safeguards for the collection of data in a lawful manner, but I also agree with its view that the Bill needs to make it clearer that an overarching criminal offence is created for the deliberate misuse of any of the powers. That should relate to the obtaining of data and to any use to which those data are subsequently put. Both should be a criminal offence. That would provide an extra safeguard for the public.

I have set out six substantive issues that must be addressed. Given the seriousness of these concerns, people have questioned why we are not voting with the Government tonight—*[Interruption.]* We are voting neither with them nor against them. The simple answer is that we need new legislation but the Bill is not yet good enough. That is why we have set these tests. Simply to block this legislation would in my view be irresponsible. It would leave the police and security services in limbo and, as communications migrate online, that would make their job harder. We must give them the tools they need to do the job. If we did not put new legislation on the statute book, we would leave the public exposed to greater risk because they would not have the safeguards that are in the Bill.

However, let me be clear that there is no blank cheque here for the Government. We will not be voting for the Bill tonight because it is some way from being good enough, and if the Government fail to respond adequately to the concerns I have raised, I give notice to them that we will withdraw our support for the timetabling of the Bill. It is as simple as that. The public interest lies in getting this right and in not sacrificing quality to meet the deadline. The time has come for the House to lay politics aside and to find a point of balance between privacy and security in the digital age that can command broad public support.

We on these Benches have worked hard to uncover the truth about some of the dark chapters in our country's past precisely so that we can learn from them and make this country fairer for those coming after us. I want a Bill that helps the authorities to do their job but protects ordinary people from intrusion and abuse by those in positions of power. I also want Britain to be a country that gives its people individual privacy and collective security. Our shared goal should be a Bill that enhances our privacy, security and democracy and—with goodwill and give and take on both sides—I believe that that is within our grasp.

Several hon. Members *rose—*

Mr Speaker: Order. In the light of the extensive interest in this debate, we shall need to begin with a limit of eight minutes on Back-Bench speeches, though I give notice to the House that that limit will almost inevitably have to fall. I begin by calling the Chair of the Intelligence and Security Committee of the House, the right hon. and learned Member for Beaconsfield (Mr Grieve).

2.53 pm

Mr Dominic Grieve (Beaconsfield) (Con): I am grateful for the opportunity to participate in this debate. I want to summarise the views of the Intelligence and Security Committee on the Bill. The Committee has published two reports on the matter. In addition, the Government and the agencies have provided us with further evidence since we published the second report, and I want to update the House on that.

The present Committee and its predecessor are satisfied that the Government are justified in coming to Parliament to seek in broad terms the powers that the Bill contains. None of the categories of powers in the Bill—including the principle of having powers of bulk collection of data, which has given rise to controversy in recent years—is unnecessary or disproportionate to what we need to protect ourselves. In that context, I go back to what I said in my intervention on the Home Secretary, which was that certain individuals in this debate are labouring under a false understanding of what the legislation is really about. We also welcome the fact that the Government have sought in the Bill to provide much greater transparency than previously existed. It has been frequently said, but it is worth repeating, that the Regulation of Investigatory Powers Act 2000 was often incomprehensible, and that is precisely what we need to get away from.

The basic problem is that, by its very nature, the operational detail of the secret work done by the agencies cannot be revealed without damaging or endangering their capabilities. Assurances are therefore needed that the extensive powers and capabilities that they undoubtedly have are taken on trust in so far as any potential for misuse is concerned. That is why the Intelligence and Security Committee was set up and the various commissioners appointed. It is noteworthy that, apart from a few exceptions based on mistake rather than on malicious intent, all those bodies have consistently given the investigatory powers used by the agencies a clean bill of health. From my own experience not only as Chairman of the ISC but as Attorney General, I believe that the agencies operate to high ethical standards and are scrupulous in confining the use of their powers and capabilities to legitimate purposes. I think that that is in their DNA. A previous head of GCHQ, Sir Iain Lobban, has said that if he had asked his staff to do something unethical, they would simply have refused.

However, such an environment produces its own problem. For those of us within the bubble, our experience of the nature of the agencies' role risks making us complacent about the legitimate concerns of those outside that bubble. The fact that a particular power might never, to our knowledge, have been misused does not mean that we should disregard the possibility of creating transparent safeguards for its use, if this can be done without interfering with operational capability. We also have to accept the possibility that times might change and standards slip. It is important that we should provide safeguards against such slippage.

It is with that in mind that I turn to our response to the Bill. The recommendations made in our report were intended to improve the legislation by trying to provide greater clarity and transparency and increased safeguards where we thought it would be possible to do so. We are pleased that the Government responded to nine of our 22 recommendations, including three key ones. We particularly welcome the revisions made to increase safeguards relating to legal professional privilege, although I have noted the comments that were made earlier today and I suspect that this matter can be looked at still further in Committee.

A number of our recommendations were not accepted. We were disappointed that the Bill does not include a clear statement on overarching privacy protections. We accept that the Bill has safeguards, but they come across as slightly piecemeal. This seems to be a missed opportunity to provide the necessary level of public reassurance, even if the practical consequence would not make a vast amount of difference. The same point arises in relation to putting all powers relating to investigatory powers operations in one place. The Government have chosen to leave some powers elsewhere, even though we thought it would have been helpful to put them all in the Bill.

I turn now to the three most significant issues. The first was our concern that the authorisation procedures for the examination of communications data were inconsistent in respect of safeguards for those in the United Kingdom. There are different routes for obtaining such material. Generally speaking, law enforcement agencies will access such material via a specific request to a communications service provider, which is subject to senior officer authorisation, but it could also be obtained via GCHQ bulk interception capabilities as a by-product. In those circumstances, although there are many safeguards relating to examining content, the same safeguards do not exist in respect of the data on their own. We thought that that was inconsistent and might be changed. The Government have helpfully responded by pointing out that this could make the burden too onerous for senior officers. We believe, however, that that matter could be addressed and we hope that it will be looked at again during the passage of the Bill.

Mr Steve Baker (Wycombe) (Con): Does my right hon. and learned Friend think that this matter could be addressed by increasing the independence of judicial oversight, so that judges would be much more able to refuse a warrant? Might that not also increase public acceptance of these measures?

Mr Grieve: This is an area that does not currently have warrantry. It is an area in which there is specific authorisation, and that is what we have been looking for. However, we will listen carefully to what the Government have to say about the practical problems that that might pose.

The second issue concerns the agencies' use of equipment interference. Our concerns focused on the way in which the use of this capability is authorised, rather than on the need for it, which is clear to us. In particular, we were not initially provided with evidence that explained the need for a bulk power, as opposed to a targeted thematic one. That is why we reported in the way we did. Following publication of our report, we received additional evidence from the agencies as to why they need bulk equipment interference warrants to remain in the Bill and they actually made a persuasive case. More importantly, the Committee was reassured that information obtained by such means will be treated in exactly the same way, with exactly the same controls, as data acquired under a bulk interception warrant. The Committee is therefore broadly content that there is a valid case for the power to remain in the Bill, but, just as with bulk interception warrants, we want to see the safeguards and controls in detail and hope to do so in the near future.

The third issue is that the Committee expressed concern about the process for authorising the obtaining of bulk personal datasets. It is undoubtedly necessary and proportionate that agencies should have the power to obtain them, because they can be vital to their work in helping to identify subjects of interest, but they largely contain private information on large numbers of people of no relevant or legitimate interest to the agencies at all.

Catherine West: Does the right hon. and learned Gentleman accept that there is a question mark over which agencies can then access such information? I have received many emails with concerns about the net having been cast too wide in respect of agencies such as the Food Standards Agency, the Gambling Commission and others, and that the information could be misused. That is the kind of perception that people care about out there.

Mr Grieve: I understand the hon. Lady's concern, which can be looked at. From what the Committee saw, we do not think that that problem should arise with the agencies that do have access, but I am sure the Home Secretary will want to respond in due course.

[Mr Grieve]

Intrusiveness needs to be fully considered as part of the authorisation process, which was why the Committee recommended that that could be done far better if class-based authorisations were removed from the Bill and a requirement made that Ministers should authorise the obtaining and periodic retention of each dataset. The Government came back and suggested that that would be too onerous for Ministers, but we suggested that the recommendation could be met through increasing the role of commissioners in renewing orders and amending the duration of authorisations, which could be longer than at present. Our point was that it was right that Ministers were constantly sighted as to what datasets were being obtained and we were anxious that that might not always happen under the current form of authorisation.

The Committee also raised several more minor concerns that are set out in our report and can be returned to on Report if they cannot be resolved in Committee. Given the time available, I apologise that I cannot go through them all here. However, we are pleased that urgent warrants must now be approved within three days rather than the five days originally proposed. The same can be said of the clause 134, which provides for retrospective oversight when UK material has been inadvertently collected through its maker coming into the country.

There were, however, two further matters of concern. We were troubled that we have not yet seen the actual list of operational purposes that must underpin any draft bulk warrant, which goes to the heart of the legislation. We have seen examples that appear entirely valid, but we hope and expect a full list to be supplied to us before the Bill has completed its passage so that we can reassure the House. We also remain of the view that the Committee should be able to refer any concern about the use of an investigatory power to the Investigatory Powers Tribunal on behalf of Parliament. That would help to provide reassurance that there was a mechanism other than private complaint.

The Bill is capable of further improvement, but the Government have listened and I will certainly be supporting the Government on Second Reading. The Bill is undoubtedly necessary on the grounds of national security and is well intentioned. I trust that during its passage we will also be able to ensure that it fulfils the equally important role of being seen as an upholder of our freedom and liberty.

3.4 pm

Joanna Cherry (Edinburgh South West) (SNP): Before I begin my speech, on behalf of the Scottish National Party I want to associate myself with the comments of the Home Secretary and shadow Home Secretary regarding the death of the prison officer in Northern Ireland and extend my party's heartfelt condolences and sympathies to his family, colleagues and friends.

The SNP joins the MPs from all parties in the House who have grave concerns about many aspects of the Bill. We do not doubt that that the law needs a thorough overhaul and welcome attempts to consolidate a number of statutes in order to have a modern, comprehensive law. We also recognise that the security services and police require adequate powers to fight terrorism and serious crime. However, such powers must always be shown to be necessary, proportionate and in accordance with the law. In particular, powers must not impinge unduly on the right to privacy or the security of private data. We feel that many of the Bill's powers do not currently pass those tests. For that reason, the SNP cannot give its full support to the Bill in its current form. We intend to join others in the House to ensure that the Bill is as extensively amended as possible. We shall be abstaining today, but if the Bill is not amended to our satisfaction, we reserve the right to vote against it at a later stage.

The Bill is a rushed job that comes on the back of a draft Bill that lacked clarity and did not go far enough to protect civil liberties. In recent weeks, three parliamentary Committees have expressed significant misgivings about many aspects of the draft Bill and made extensive recommendations for its revisal. The Bill was published barely two weeks after the ink was dry on the last of those three reports, leaving insufficient time for the Government to go back to the drawing board to deal adequately with the concerns expressed by the three Committees. Like others in the House, SNP Members were concerned to read last week that the United Nations special rapporteur on the right to privacy concluded that some of the Bill's proposals fail the benchmarks set in recent judgments of the European Court of Justice and the European Court of Human Rights. *[Interruption.]* Government Members may scoff, but I invite them to read his report as it contains a careful exploration of recent case law and should not be dismissed lightly.

The benchmarks suggest that surveillance should be targeted by means of warrants that are focused, specific and based on reasonable suspicion. Under the Bill, however, targeted interception warrants may apply to groups of persons or more than one organisation or premises. Bulk interception warrants lack specificity and lack any requirement for reasonable suspicion, giving licence for speculative surveillance. The shadow Home Secretary questioned whether we should be using the term "mass surveillance" in relation to this Bill, and I wonder whether it would be more accurate to say that aspects of the Bill permit "suspicionless surveillance", which leads to civil liberties concerns. Another aspect of the Bill that concerns us is that an actual threat to national security is not required.

The powers to retain internet connection records and the bulk powers go beyond what is currently authorised in other western democracies and thus could set a dangerous precedent and a bad example internationally. The only other western democracy to authorise the retention of material similar to internet connection records was Denmark, which subsequently abandoned its experiment having found that it did not yield significant benefits for law enforcement. I see the Home Secretary looking at me and I am sure that she will argue that her proposed scheme differs from Denmark's, but the devil is in the detail, which we will need to consider closely in Committee. The USA is rolling back from bulk data collection having found it to be unconstitutional in some cases and of questionable value in fighting terrorism. It is for this Government to justify why they alone are required to go so much further than other Governments in western democracies. Such operational cases as have been produced are anecdotal and hypothetical and do not constitute independent evaluation of the utility of bulk powers.

Lucy Frazer: If the hon. and learned Lady thinks that international comparisons are important, does she agree that the judicial authorisation procedure proposed by the Home Secretary goes further than in other European examples, such as Germany, the Netherlands and France?

Joanna Cherry: We need to compare apples with apples and oranges with oranges. A more correct comparison is with jurisdictions such as Canada and America, the systems of which are more similar to ours than the continental European jurisdictions that the hon. and learned Lady describes, but I will come back to that when I get to authorisation.

I am sure everyone in this House wants to get the balance right between protecting civil liberties, and giving the security services and the police the necessary and proportionate powers to fight serious crime and terrorism. However, we in the Scottish National party believe that the Government's attempt has not got that important balance right and we are looking forward to working with other parliamentarians to try to get it right. We are worried that the Government are not giving sufficient time for the consideration of this enormous Bill. The 14 Home Office documents relating to the Bill that were released to Parliament on 1 March, including the Bill itself, extend to 1,182 pages, which is almost treble the amount of material released with the draft Bill last November. There is a suspicion that the amount of material being released in large tranches, coupled with relatively short timescales within which to consider and amend proposals, is an indication that the Government do not really want proper parliamentary scrutiny of this. We are determined to do our best to make sure that sufficient parliamentary scrutiny is provided.

Mrs May: Let me be absolutely clear about this. I have been in this House long enough to see Bills go through the House where parliamentarians have complained when the Government have failed to bring codes of practice that should sit alongside the Bill to the House at the very first stage of the debate. This Government have brought those codes of practice to the House more than several days before Second Reading, precisely so that Members of this House have an opportunity to see them and consider them alongside the Bill.

Joanna Cherry: But the Home Secretary misunderstands my complaint—it is not about the fact that the material has been produced. My complaint is that the material has been produced with a timescale following thereon that is not sufficient for us to scrutinise it properly. I must make something crystal clear before I go any further: the SNP will not be morally blackmailed or bullied by Conservative Members into blind support for a Bill of dubious legality in some respects, which seeks powers that go beyond those of other western democracies. We are not going to tolerate any suggestion that by seeking proper scrutiny of the Bill and full justification for the far-reaching powers sought, we are being soft on terrorism and serious crime. I would associate myself with the other main Opposition party in that respect.

Let me give hon. Members an example of why they can be assured that the SNP is not soft on terrorism or serious crime. We have been in government in Scotland for nine years and we have shown ourselves to be a responsible Government. Although issues of national security are reserved, we have always co-operated closely with the UK Government, for example, when Glasgow airport was attacked by terrorists in 2007. Our record in fighting crime in Scotland is second to none. The Scottish Government have got recorded crime down to a 41-year low and we are committed to a progressive justice policy. We will not, therefore, stand accused of being "soft" on serious crime or terrorism, because that is simply not a fair statement to make.

In the coming years, we confidently expect to be devising the security policy of an independent Scotland, and it will be a responsible security policy that will not only seek to work closely with near neighbours on these islands, but will look to international models from other democracies and strive to take proper cognisance of international human rights norms and the rule of law. That is all we are about in our opposition and in our scrutiny of this Bill.

Our concerns about the Bill are not just our concerns. They are shared by: the parties sitting around me; many Conservative Members sitting opposite me; many of the members of three parliamentary Committees; non-governmental organisations; the technical sector; eminent legal commentators—more than 200 senior lawyers signed that letter in *The Guardian* today; communications service providers; and the UN special rapporteur on the right to privacy. *[Interruption.]* I hear somebody shout confidently from the Government Benches that the 200 lawyers who signed that letter are wrong. I suggest that he or she—I think it was probably a he—looks at the list of those who signed it and perhaps accords them a bit more respect; there is room for a difference of opinion here.

Sammy Wilson (East Antrim) (DUP): For clarification, so that the hon. and learned Lady is not seen to be speaking for my party, may I ask whether she accepts that the balances in the Bill that the Secretary of State has outlined are, by and large, supported by people in Northern Ireland, simply because we have gone through the experience of terrorism and know how important such safeguards are for the general public?

Joanna Cherry: I always listen carefully to what the hon. Gentleman and his colleagues have to say because, as he says, they have experienced terrorism—indeed, they are, sadly, still experiencing it as a result of the tragic news we heard today. I apologise if I in any way included him in a sweeping statement, but I do not agree with him that the Government have got the balance right, and that is the whole purpose of my speech today.

The point I am seeking to make is that it is the job of a responsible Opposition not only to oppose responsibly and to scrutinise, but to articulate and inform public concerns. The public are concerned about this, and there is greater public knowledge about this Bill than perhaps there was last time around. A survey commissioned by Open-Xchange found that only 12% of the public believe that the Home Secretary has adequately explained the impact of the Bill to the UK public and presented a balanced argument for its introduction. I suspect that it is possibly a little unfair, pinning it all on the Home Secretary, because it is the responsibility of all of us in this House to inform our constituents about this Bill and where it is going.

Simon Hoare: Will the hon. and learned Lady give way?

Joanna Cherry: I hope the hon. Gentleman will not mind if I make some progress for the time being and possibly give way later. I mentioned the letter to *The Guardian*. I am conscious that the right hon. and learned Member for Beaconsfield (Mr Grieve), the former Attorney General, has expressed his view on the matter. I would always accord that the respect it deserves, but I respectfully disagree with him. The letter to *The Guardian* from the lawyers today was focused initially on the problem of bulk intercept. Even the Interception of Communications Commissioner's Office, the independent watchdog, has said that bulk intercept provides "generalised initial interception", and that is the issue here—it is the generality, and the lack of focus and specificity, that the lawyers are worried about.

Mr Grieve: I should emphasise that I take the letter seriously, because I regard it as a serious matter. If what was happening was what was set out in the first objection by those writing it, it would be a very serious matter indeed: the House would be sanctioning a system by which there was generalised access to electronic communications, in bulk. The point at issue is that that is not what actually goes on at all. Not only that, but if one looks at the Bill, one sees that it is clear that that should not be able to go on and that we will prevent it from happening if there is any possible risk of it. We have been round this issue on many occasions, and this is why there is a difficulty of communication and understanding on something that is fundamental to the way in which the agencies go about this work.

Joanna Cherry: I can only reiterate that I and many others, including more than 200 lawyers who signed this letter, disagree with the right hon. and learned Gentleman on this occasion and about this point. One thing that this issue illustrates is the importance of having very focused language in Bills dealing with such major matters of constitutional importance, rather than having vague language, which is not properly understood and which can on a later day be twisted by those it suits, to expand to cover powers that were not envisaged at the time. We are all well aware that that has happened in the past.

We should not dismiss too lightly the importance of the notion of the rule of law overarching this Bill. If the Government really want this legislation to be world-leading, they cannot have legislation that potentially violates international standards. As things stand, the UK is still bound by the jurisdiction of the European Court of Justice; there were no proposals to withdraw from the charter of fundamental rights in the agreement negotiated by the Prime Minister over Europe last month. We are still awaiting proposals for the repeal of the Human Rights Act, but the Government have recently been moving to reassure us that we will not be withdrawing as a signatory from the Council of Europe. We are therefore still going to be bound by the Court in Luxembourg and the Court in Strasbourg. Many distinguished lawyers believe that if this Bill is not significantly amended, the law of the UK will be on a collision course with those European Courts. I remind the Government that an unamended Bill could result in unnecessary and expensive litigation. It could require Parliament to revise the law all over again at some point in the future. That should not happen, provided that we ensure that the law meets international standards. *[Interruption.]* I hear Government Members shouting at me, "Which parts?" I will come to that when I get into the meat of my speech. *[Interruption.]* I suggest that they read the report that has come from the UN rapporteur on the right to privacy, and consider the law here. They may prefer to follow in the footsteps of Russia, which last December passed a law allowing its constitutional court to decide whether to comply with international human rights courts, but I would suggest that, on these matters at the very least, Russia is perhaps not the best role model for the United Kingdom.

I want to challenge the premise that the more privacy we sacrifice, the more security we gain, because that is not backed up by the evidence. Indeed, some of this House's Committees have heard evidence that swamping analysts with data can impede investigation, because they are unable to find the crucial needles in the haystack of information before them. We should be looking at how to achieve security in a really intelligent way, not blanket data retention and suspicionless surveillance.

The Home Office responded to the Intelligence and Security Committee's recommendations by simply adding one word to the start of the Bill so that the first part now refers to "privacy". It has not, however, added any detail relating to any overarching principles of privacy. Its response to the ISC seems somewhat cynical.

I have indicated that the SNP is concerned about a number of aspects of the Bill. Time does not permit me to tackle all of them, but I am concerned about four in particular. I will endeavour to keep my comments to a minimum, bearing in mind that I speak on behalf of the third party in the House.

Our first issue with the Bill is the legal thresholds for surveillance; the second is the authorisation process, which the shadow Home Secretary has already talked about; the third is the provision for the collection of internet connection records; and the fourth is bulk powers, which I have already mentioned.

On the legal thresholds for surveillance, the Government essentially want to re-legislate on RIPA's three broad statutory grounds. The SNP is not alone in its concern that those grounds are unnecessarily broad and vague and dangerously undefined. The Joint Committee on the draft Bill recommended that it should include definitions of national security and economic wellbeing, but that has not been done. The ISC recommended that economic wellbeing should be subsumed within a national security definition, finding it "unnecessarily confusing and complicated". Those recommendations have been dismissed and the core purposes for which extraordinary powers can be used remain undefined and dangerously flexible.

On the authorisation of warrants, we welcome the move towards greater judicial involvement, and we acknowledge the fact that the Government have moved considerably towards the double lock. However, I agree with the shadow Home Secretary, because we also want an equal lock. Judicial review is not the same as judicial authorisation. Judicial review creates the illusion of judicial control over surveillance, and it does not achieve enough movement away from the status quo.

I want to give some concrete examples of that. The case law of the United Kingdom Supreme Court shows that, in civil proceedings that do not relate to deprivation

of liberty, a less intensive standard of judicial review is applied—more Wednesbury reasonableness than strict necessity and proportionality—and that is why many fear that that is what will happen if the Bill is passed unamended. There will be little or no scope for review on the merits.

Suella Fernandes: Will the hon. and learned Lady accept that she is simply wrong? In their evidence to the Joint Committee, of which I was a member, Sir Stanley Burnton, senior judicial commissioner, and Lord Judge, senior surveillance commissioner, were clear that the Wednesbury unreasonableness standards had no place in this context. The wording of the Bill is clear, importing a clear judicial review standard involving necessity and proportionality.

Joanna Cherry: The hon. Lady will no doubt be unsurprised to hear that I do not accept that I am wrong. She is cherry-picking her way through the evidence that was heard. There was evidence contrary to the position that she has stated. I accept that there is a debate about this point, but I take the side that the review of judicial review principles does not go far enough. Why not go as far as other countries? Why not have one stage of judicial authorisation? That is the norm in comparable jurisdictions, by which I mean the United States, Australia and Canada. Judicial authorisation would help us, because it would encourage co-operation from US technology firms.

On a practical note, a two-stage process—whereby the issue goes to a Minister first and then to a judicial commissioner—risks delay. There is a huge volume of surveillance warrants, and it looks like there will be an awful lot more as a result of this Bill. It is unsuitable for a small number of Cabinet Ministers to deal with them.

I want to deal with another false premise that is often used to justify ministerial involvement in the issuance of warrants. Some people seek to argue that Ministers are democratically or politically accountable to this House on the issue of surveillance warrants, but that is a misconceived argument. Ministers are not really democratically accountable for their role in issuing warrants, because, first, the disclosure of the existence of a warrant has been criminalised and it will remain as such under the Bill. Secondly, all of us know—even those such as me who have been in this House for only nine months—that requests for information concerning such matters in this House are routinely parried with claims about national security. I do not accept that Ministers are practically, politically or democratically accountable to this House on the issuance of warrants. To return to the jurisprudence of the Strasbourg Courts, they have made it very clear that it is important to have effective supervision by an independent judiciary. We query whether the double lock mechanism meets that test.

We agree with many others that the case for collecting internet connection records, including the claimed benefit for law enforcement, is flawed. That is not just my say-so: there are many concerns across the industry. People who understand the technicalities far better than I do have explained the problem to me. I again associate myself with what the shadow Home Secretary said: the internet is not like the telephone system. An internet connection record cannot be compared to a telephone bill. The phone system consists of a set of records relating to when A calls B. If we collect phone system records, we will see at what time A called B and the duration of the call. As I understand it, the internet is more like a mailbox that collects packets of information and then takes them from A to B.

To take a rather middle-aged example, if somebody uses the Facebook messenger service, all the internet connection record will show is that he or she has connected to Facebook messenger. It will not show with whom he or she then communicated, because that occurs at a higher or lower level or in another unreachable packet. The internet connection record will not show the when, where and who that the Government say they want, and which they already get from phone records.

What the internet connection records will show is a detailed record of all of the internet connections of every person in the United Kingdom. There would be a 12-month log of websites visited, communication software used, system updates downloaded, desktop widgets, every mobile app used and logs of any other devices connected to the internet. I am advised that that includes baby monitors, games consoles, digital cameras and e-book readers. That is fantastically intrusive. As has been said, many public authorities will have access to these internet connection records, including Her Majesty's Revenue and Customs, and the Department for Work and Pensions, and it will be access without a warrant. Do we really want to go that far? There is no other "Five Eyes" country that has gone as far. David Anderson QC said:

> "Such obligations were not considered politically conceivable by my interlocutors in Germany, Canada or the US"

and therefore, he said, "a high degree of caution" should be in order.

Finally, let me turn to bulk powers. I have already made the point that even the Interception of Communications Commissioner's Office says that bulk provides at the outset generalised initial intercept. We became aware of these bulk interception programmes only when they were disclosed by Edward Snowden in June 2013—whatever Members think about those disclosures and whether they were appropriate, that is how we became aware of the matter. This House has never before debated or voted on bulk powers, so we are being asked to do something very novel and very challenging, and we must do it properly.

The power to conduct mass interception has been inferred from the vaguely worded power in section 8(4) of RIPA, which illustrates the danger of vaguely worded legislation. Targeting bulk warrants at a telecommunications system or at entire populations rather than at specific individuals is a radical departure from both the common law and human rights law, yet that is the approach that will be maintained in this Bill. In many respects, that is the most worrying part of the Bill. Indeed, it is the part of the Bill about which the UN special rapporteur on privacy is most concerned. Let me read what he said, because it is very respectful of the tradition of the United Kingdom and it makes some very good points. He said:

> "It would appear that the serious and possibly unintended consequences of legitimising bulk interception and bulk hacking are not being fully appreciated by the UK Government. Bearing in mind the huge influence that UK legislation still has in over 25% of the UN's member states that still form part of the Commonwealth, as well as its proud tradition as a democracy

[Joanna Cherry]

which was one of the founders of leading regional human rights bodies such as the Council of Europe, the SRP encourages the UK Government to take this golden opportunity to set a good example and step back from taking disproportionate measures which may have negative ramifications far beyond the shores of the UK. More specifically, the SRP invites the UK Government to show greater commitment to protecting the fundamental right to privacy of its own citizens and those of others and also to desist from setting a bad example to other states by continuing to propose measures, especially bulk interception and bulk hacking, which prima facie fail the standards of several UK parliamentary Committees, run counter to the most recent judgements of the European Court of Justice and the European Court of Human Rights, and undermine the spirit of the very right to privacy."

The rapporteur is appealing to the better tradition in this country, and saying that we should look at this Bill very carefully. He is suggesting not that we should throw it out, but that we scrutinise it very carefully, bearing in mind how far it intends to go in comparison with other countries and with existing international case law.

Andy Burnham: The hon. and learned Lady has made a very good speech this afternoon. Government Members should be working a little harder to reach out and build consensus. Before she finishes, may I invite her to say whether she will be supporting our call in Committee and on Report to make internet connection records accessible only through a warrant based on serious crime, not any crime, to give protection, and also for a clear definition of national security?

Joanna Cherry: Those are both issues on which we will work with the Labour party. I have already indicated that we intend to attempt to amend the Bill extensively in Committee. We are very concerned about internet connection records. We query whether their retention is necessary or appropriate at all, but we will look seriously at proposals put forward by other parties and will work with them.

The SNP is in favour of targeted surveillance. We welcome the double lock on judicial authorisation as an improvement, but it does not go far enough. Our concern is, quite clearly, that many of the powers sought in this Bill are of dubious legality and go further than other western democracies without sufficient justification. It is for that reason that we cannot give this Bill, in its current form, our full support. We will work with others to attempt to amend it extensively. Today, we shall abstain, but if the Bill is not amended to our satisfaction, we reserve the right to vote it down at a later stage.

3.33 pm

Mr Kenneth Clarke (Rushcliffe) (Con): That is one of the most combative and partisan speeches in support of an abstention on the Second Reading of a Bill that I have heard from a Member of this House for a very long time. I urge the hon. and learned Member for Edinburgh South West (Joanna Cherry) and her Scottish National party colleagues to calm down a bit and accept that everyone is in agreement that this is a huge and comprehensive Bill. Its terms are often quite obscure, and it is not light reading to try to analyse it. I think we are all agreed that some issues need to be addressed in Committee and at later stages. Despite her excellently combative speech—I have nothing against partisan politics on the right occasions—it would be useful to accept that there is almost a consensus in this House about the principles that we should be adopting. As I think the standards of liberal democracy in this country at the moment are not too bad, we need legislation that enshrines them for the future, in case even wilder protest groups eventually get elected to the House, so that we stick to those principles.

The principles are, I think, that we wish to give the strongest possible support to our intelligence and policing authorities to defend the national interest and to defend our citizens. There are very real dangers in the modern world and we must not be left behind. When our intelligence and police services are dealing with terrorists, or serious organised crime—drug trafficking, human trafficking and so on—or child abuse, as people have said, I want them to be as tough as anybody else's intelligence and police services. I want them to be as effective as they possibly can be and as successful in avoiding risk; that is essential.

Spies—the intelligence services—have had to do slightly odd things ever since they first emerged on the scene, ever since they started steaming open envelopes and started intercepting telephone calls. We must not be left behind by technology, and we must not be left behind by modern society. The spies have to act in the same way towards the internet as they have been acting towards envelopes in the post for the past 200 years. I hope we are all agreed on that. I hope we also accept that this poses a dilemma for a liberal democracy like our own, because we have to do this as well and as toughly as anybody else in the world, and to the highest technical standards, without compromising our underlying values. The reason we want such actions to be so effective is that we have, we hope, the highest standards of human rights and the highest regard for the rule of law and democratic accountability, but perhaps the thing we have neglected the most in recent times as the pace of events has speeded up is privacy—the privacy of the individual. We have recent examples—although not in this area—of the abuse of privacy by the press and others, of which we are only too well aware. I think our citizens expect that their privacy should be intruded on only in the right cases.

The real heart of the test of getting the balance right—we all talk about getting the balance right—is the proportionality of very intrusive powers, which should only ever be used when the national interest is threatened and our security is at stake. That should be—

Sir Edward Leigh *rose—*

Mr Clarke: I will give way just once.

Sir Edward Leigh: I am sorry I am worrying on about this issue, but my right hon. and learned Friend has been Home Secretary. Let us suppose that there is a matter of national security and acute political crisis, and a Home Secretary feels it is necessary to authorise some snooping, for want of a better word—I am sorry to use that word—on a Member of Parliament's communications with a constituent who has raised these issues. The Home Secretary said when I intervened earlier, "Don't worry; the judge will authorise it or review it, and the Prime Minister will consider it too."

Judges are very responsible, but they do not really understand these acute political sensitivities. Should not somebody else, like the Speaker, have some sort of oversight to protect these very valuable communications between Members of Parliament and their constituents?

Mr Clarke: I do not think I am persuaded, although I do not totally reject my hon. Friend's case. I was about to say that we must realise there are dangers in a democratic society if we are not constantly vigilant against some future Administration—although none that I have experienced, either in opposition or in government—abusing this. There are western democracies —I think some things have happened in America at times that we would not approve of here—where political opponents, political rivals, have found the intelligence services and other sources of information used against them. *[Interruption.]* My right hon. Friend the Member for Haltemprice and Howden (Mr Davis) recklessly suggests France. A Frenchman might not agree, but it would not surprise me if that were the case. In modern politics, the temptation to do that is actually quite strong.

The other reason for insisting that this legislation is as tight as we can make it is that it is all too easy to get accustomed to these things. I was Home Secretary, and Home Secretaries are overwhelmed with applications for warrants. In the middle of the night, doing a red box—contrary to popular belief, I was conscientious about my red boxes—there is very little time to make decisions. There are vast numbers of applications. I used to make a point of challenging one or two just to find out more detail than I had been given.

The volume hitting my right hon. Friend the Home Secretary is massive, compared with that which I experienced. That shows that there is a danger. In the intervening 20 years, the world has changed so profoundly that I suspect she has vastly more of these cases to consider than I had, and I suspect some of them involve much more difficult matters of judgment than most of the ones that I faced. Even in those days, when I suspect we were less concerned about these things, I found some pretty surprising applications being made if I went into what they were about. It is too easy even for the best people in the intelligence service—

Hannah Bardell (Livingston) (SNP): Will the right hon. and learned Gentleman give way?

Mr Clarke: No. Others want to get in and I do not think I will get any more injury time. I apologise.

It is too easy for those in the intelligence and police services to get used to such power. It is too tempting to use it against people who are causing trouble by making complaints or leaks. There have been examples of that, and that is what this Bill is about.

My right hon. Friend the Home Secretary has brought forward a Bill that makes the biggest advance that I can remember for a generation, introducing the principle of judicial involvement and judicial oversight, for which I have the greatest possible respect. It is a quite dramatic change. We have also strengthened the powers of the Intelligence and Security Committee, and I hope my right hon. and learned Friend the Member for Beaconsfield (Mr Grieve), the former Attorney General, will make the fullest use of them. That Committee is always faced with the problem that it cannot debate in public most of what is ever done or heard in private. We have to rely on having the right people to hold to account those concerned.

We need to get the Bill right. Most of the points are not the big, wide, partisan points that I was talking about a moment ago. They are in the detail—the devil is in the detail—and there are some quite important points that we should still question. It is true that there is a vast amount of activity under the general title of economic wellbeing. I have known some very odd things to happen under that heading. National security can easily be conflated with the policy of the Government of the day. I do not know quite how we get the definition right, but it is no good just dismissing that point.

Most of my points are Committee points and several have been raised already. I did not know that Igor Judge had given his opinion to the Select Committee that the Wednesbury test of reasonableness was not appropriate. He is an old opponent of mine in the courts, and an old friend of mine for most of his life. I am an out-of-date and extinct lawyer and he is a very distinguished and very recent lawyer. Presumably, if the judge thinks the Home Secretary is not following the legal principles, he can overrule an application.

Questions of judgment and proportionality are the most important of all and worry me most. The one Committee point that I shall raise, and the one I feel most strongly about, was raised by the shadow Home Secretary. I am worried by part 3. The whole debate is conducted on the basis that we should all lie fearful in our beds and that the Bill is designed to deal with terrorism, jihadists, child abusers and human traffickers. Actually, vast numbers of people are getting powers. Part 3 gives all kinds of curious public bodies—every local authority, county and district, where one official can get the approval of one magistrate—access to huge amounts of information. Too much is already available. I doubt the wisdom of that. I think we will find other points that should be corrected during the progress of the Bill through this House.

3.43 pm

Mr Nick Clegg (Sheffield, Hallam) (LD): I associate myself with the remarks by the Home Secretary and others, and join in sending heartfelt condolences to the family and friends of the prison officer who tragically lost his life in Northern Ireland.

I shall start with the positive. Of course, my colleagues and I acknowledge that this Bill represents progress in some important respects. It is far more comprehensive than any previous piece of legislation and now covers all the powers that were previously unavowed. It contains important improvements in oversight and accountability, and compared with its predecessor, RIPA, it is easier to understand. However, as the Home Secretary, who alas has just departed, will know, she and I discussed the Bill yesterday. I am not a supporter of it, not for technical reasons but for reasons of principle, which I will come to. We feel that her Department has not responded in full to the criticisms of the three parliamentary Committees and that the Bill is, therefore, not yet in a fit state.

There are many problems, but I would like to highlight two in particular. First, as the former Attorney General, the right hon. and learned Member for Beaconsfield (Mr Grieve), said, the Intelligence and Security Committee

[Mr Nick Clegg]

was heavily critical of the way in which privacy protections were articulated in the draft Bill. In responding to the ISC's request for a new part dedicated wholly to privacy, the Government have in effect done little more than change one word in a title. They have demonstrated precisely the point that the Committee made when it described the privacy protections in the Bill as an "add-on".

I share the Committee's concerns. The powers authorised by this Bill are formidable and capable of misuse. In the absence of a written constitution, it is only the subjective tests of necessity and proportionality that stand in the way of that misuse. The Bill should be far, far more explicit than it currently is that these powers are the exception from standing principles of privacy and must never become the norm.

The Home Office appears, unfortunately, to be institutionally insensitive to the importance that should be attached to privacy. A Department that cared about privacy would offer more than a one-word response to the ISC. A Department that cared about privacy would not have quietly shelved the privacy and civil liberties board, which this House voted to establish just last year. A Department that cared about privacy would have examined more proportionate alternatives to storing every click on every device of every citizen, instead of leaping to the most intrusive solution available.

Mark Spencer: What would the right hon. Gentleman say about privacy when it came to a victim of child abuse who was unable to find the perpetrator because of some of the restrictions he wants to put in the Bill?

Mr Clegg: As I know from my time in government, one of the greatest tools in going after precisely the perpetrators of such heinous crimes is matching the devices they use to them through IP addresses. That is why we passed legislation—the unfortunately acronymed DRIPA—which is being challenged in court by other Members of this House right now. It is also why, as I will explain in a minute, there are much more effective ways of achieving that objective than having a great dragnet, which is being advocated in the Bill.

Internet connection records, or ICRs, are my principal concern. We have been here so many times before—in 2008, 2009 and 2012. I cannot think of another proposal in Whitehall that has been so consistently championed, not, I should stress, by the police and the intelligence services, whose punctiliousness, scrupulousness and expertise I admire as much as anyone else, but by the Home Office, despite its failing to convince successive Governments. That is not the way that policy ought to be made.

The Home Secretary said that ICRs are significantly different from weblogs. The only differences that I can see are the exclusion of third-party data, welcome though that is, and the addition of some restrictions on the purposes for which the data can be accessed, although I note that some of those restrictions have now been relaxed again in clause 54 of the new Bill.

In terms of collection and retention, the scheme is the same—the name might be different, but the scheme is the same. Service providers will be required to keep records of every communication that takes place on their networks, and of potentially every click and swipe where there is an exchange of data between someone's device and a remote server, for 12 months. It is the equivalent to someone in the days of steaming open letters keeping every front cover of every envelope from across the whole country stored in some great warehouse somewhere for 12 full months. It did not happen then, and it should not happen now.

The implication of this is very big indeed: it is that the Government believe, as a matter of principle, that every innocent act of communication online must leave a trace for future possible interrogation by the state. No other country in the world feels the need to do this, apart from Russia. Denmark tried something similar, as was referred to earlier, but abandoned it because the authorities were drowning, of course, in useless data, as they would have drowned in useless envelopes many years ago if they had tried this then. Australia considered it, but the police themselves said it was disproportionate. Many European countries, interestingly, have recently gone exactly the other way, relinquishing data retention powers following the ruling of the European Court of Justice in the so-called Digital Rights Ireland case in 2014.

At the request of David Anderson, QC, the Home Office has produced a so-called operational case for internet connection records, which we can all read. I would suggest that students of politics and government would do well to study that document, which is a model exercise in retro-fitting evidence to a predetermined policy. Naturally, it sets out how these data could be useful to the police and intelligence agencies. What it does not do, but should do, is to start from the operational need, where a lack of data is obstructing criminal investigations, and explore different options for meeting that need, while balancing the twin requirements of security and privacy.

It is simply false to claim that this dragnet approach is the only way to provide the Government with better tools to go after criminals and terrorists online. For example, as I said earlier, we could incentivise companies to move to the new industry standard for IP addresses at a much faster rate. That might sound terribly technical, but it is important, because our doing so would, at a stroke, go a long way towards solving the key problem of how to tie IP addresses on individual devices to suspects, which is one of the principal purposes of this Bill.

During my time in government, I saw very little sign that the Home Office had devoted any serious consideration to alternatives to ICRs. As the operational case illustrates, that is because this is not a case of evidence-based policy but of policy-based evidence. On top of that, we still do not know how it will actually work and how it would be defined. The Internet Service Providers Association states in its briefing for this debate:

"In its attempt to future-proof the Bill, the Home Office has opted to define many of the key areas in such a way that our members"—

these are the experts—

"still find it difficult to understand what the implications would be for them."

The costs of ICRs are also unclear. The Government's estimate is just over £170 million over 10 years, but the Internet Service Providers Association says that it does "not recognise" that figure, and BT has said that it believes the costs will be significantly higher.

Internet connection records are at the heart of this Bill. They are not just a technicality: they are principally at the heart of what information is stored on all of us for long periods by the Government in our name. This dragnet approach will put us completely out of step with the international community, there are practical problems with the proposal, and the terms used in the Bill are still unclear. That is why I urge Members in all parts of the House to properly scrutinise this far-reaching and poorly evidenced proposal, and to withhold parliamentary consent for such a sweeping power until the questions that I and others have raised are properly addressed.

3.52 pm

Sir Edward Garnier (Harborough) (Con): Any Bill that fundamentally affects the relationship between the citizen and the state is bound to be controversial. This Bill is no exception, even though much of what it does is to consolidate in one statute powers to interfere in the citizen's private life and communications that are presently to be found in existing statutes. Although article 8 of the European convention on human rights permits interference with the rights protected by it if

"in accordance with the law and…necessary in a democratic society in the interests of national security"

and so on, Parliament has a particular duty to examine closely legislation of this sort to ensure that the Government and the security and law enforcement agencies are not asking for too much and that we are not supinely giving them too much. We find the words "necessity" and "proportionality" frequently in this Bill, and that is not an accident.

Today's debate is not new. Much of what will be said today will have been said in the debates on the 20th-century and early-21st-century legislation that is to be consolidated into this Bill. As technology has advanced we have had to adapt our laws, first, to cope with the ability of those who wish to do us harm to do so more quickly and effectively, and, secondly, to ensure that technology is not used by the state improperly to interfere with the citizen, just because it can.

As long ago as the 14th century, Parliament outlawed eavesdropping under the Justices of the Peace Act 1361. In essence, for the past 600 years or so, the intrusion into the private lives of others by use of illegal listening devices, be it the human ear or electric surveillance machinery, has been a topic of public debate. No one doubts that our law enforcement agencies and the security services need to be able to detect and prosecute serious crime, and to counter terrorist and other threats to the country and our fellow citizens. The threat to our country and its interests is, I am sure, as serious today as it has been since the second world war, and the capacity of the criminal underworld or our national enemies to transfer money, to traffic people for enslavement or sex or to move drugs, weapons and explosives has been greatly enhanced by the internet and other forms of electronic telecommunication. Whereas in 1361, the dark, a disguise and the speed of a horse were all that the King's men had to contend with, so much of what we have to contend with now is unseen, unheard, instantaneous and undetectable. It is getting more and more difficult to stay ahead of the criminal gangs and terrorists who have access to the most sophisticated of communication systems, which can be operated from an iPhone anywhere in the world.

Nusrat Ghani (Wealden) (Con): Does my right hon. and learned Friend agree that to help our police and security services to transfer what they do in the physical world, they need the powers to do that work in the digital world, and that without the Bill we are asking our security services to do their job with one hand tied behind their back?

Sir Edward Garnier: I agree with that.

I do not have time in this Second Reading debate to do more than state that, as a matter of principle, I wholeheartedly support the aims and policy behind the Bill. The proposals to enable the state to intercept others' communications or to interfere with equipment in a way that would, without this legislation or the laws it replaces, be unlawful, are sensible. The requirement for the Secretary of State to issue warrants that have to be approved by judicial commissioners, and other protections against the state's misbehaviour with regard to the collection and retention of communications data, are rightly in the Bill. The ability to acquire bulk data is necessary. The checks and balances governing the police, and the internal supervision arrangements referred to in schedule 4, are right, subject to further consideration of the seniority of the officers involved. All that and more is justified and defensible in the interests of protecting us from harm.

That said, there is no room for complacency or any suggestion that the Bill is the perfect answer to a difficult set of problems, which are most obviously defined as the border between public protection and freedom on the one hand, and excessive state power on the other. In my time as a Law Officer I had, from time to time, to deal with the security services and the law enforcement agencies. I hope that I will not be accused of undue naiveté, but my experience of them in government was that they were scrupulous to obey the will of Parliament and the law. I was impressed by the fact that, from the top down, there was a genuine desire to do only what was right and to seek clarification where the law was complicated or capable of being misconstrued, so that they did not stray across the line between what was possible and what was lawful.

Based on my experience, I am sure that those entrusted with the type of work described in the Bill will conduct themselves within the law and that, if errors are made, it will not be for want of trying to keep on the right side of the law. The number of intercepts warranted every year by a Secretary of State may not be large in comparison with the billions of emails sent, mobile telephone calls made and internet searches carried out every year. It may be—I am guessing—that the three Secretaries of State will collectively issue fewer than 5,000 each year. If the law is to be obeyed, however, every warrant must be considered by the Secretary of State or a Scottish Government Minister. The Foreign Secretary, the Defence Secretary and the Home Secretary will have to give every application for a warrant from an intercepting authority the time and the close attention that it deserves.

Of course, I believe what the Home Secretary said in her response to the intervention from my right hon. Friend the Member for Haltemprice and Howden (Mr Davis), and no doubt she will never take shortcuts. The current holders of those offices are hard-working Ministers, who are capable of reading a closely argued and complicated brief late at night after a long day of

[Sir Edward Garnier]

other work in their Departments, in Parliament or travelling here or overseas. Even if I have overestimated the number of applications for warrants that they will receive each year, I am reasonably sure that they will consider several every day. That is much reinforced by what my right hon. and learned Friend the Member for Rushcliffe (Mr Clarke) had to say a moment or so ago.

This should not be a tick-box exercise. Although I accept that some applications will be more straightforward than others, I do not expect that even in the easier cases, it will be a question of skim-reading the application and initialling it. Each application must be fully argued on paper on its own facts and considered personally by the Secretary of State. I hope that no submission to the Secretary of State will merely recite the wording of clauses 17 and 18; I hope that all submissions will go into detail about why the warrant is necessary, not least because they will have to be carefully reviewed by a judicial commissioner. That is all the truer in urgent cases when a judicial review follows the issuing of the warrant, or in cases involving legal privilege under clause 25.

My concerns about the practicalities of all this are added to when one considers this point, which was also made by my right hon. and learned Friend. Authorisations under part 3 of the Bill are likely to be numbered in the many hundreds of thousands every year and will be made by what, to my eye, look like middle-ranking police officers and other officials. As one can see from schedule 4, those officials are inspectors and superintendents, majors and lieutenant colonels, and civil servants of that rank. As I learned yesterday, some of them will be part-timers. I need to be assured that the necessity or expedience of every case will not outweigh the need for formality and proper scrutiny of every such application. If we are to have complete confidence in the vetting system, I urge Ministers on the Front Bench and the rest of the Government to think very carefully about those aspects of the process.

Finally, clause 222 requires the Secretary of State to prepare a report on the operation of the Act five and a half years after the Bill has been passed. In any view, that is too long. I suggest that it should be done after two years. If the Government refuse to reduce the period, I hope that my right hon. and learned Friend the Member for Beaconsfield (Mr Grieve) and the ISC—as well as Mr David Anderson, the independent reviewer, who produced an invaluable report last summer—will want to do so themselves.

4 pm

Stella Creasy (Walthamstow) (Lab/Co-op): A comment often made to explain why political events go on for so long is that, although everything that needs to be said has been said, not everybody has yet said it. In the spirit of trying to offer something different to this debate, I want to speak as a member of the Science and Technology Committee, which we might call Parliament's geek squad, and raise a third set of concerns about the Bill as it currently stands.

Members have already talked about proportionality and people's concerns about the balance between security and liberty, about the challenges of extra-jurisdictional legislation and whether, in a global world, we can pass national laws that make sense. I want to add concerns about the technical aspects of the Bill and, frankly, about whether it will work. Is this legislation designed for digital natives who are comfortable with the modern world, or has it in fact been designed by what we might call digital refugees—people who run away from the reality of the modern technical advances with which we are trying to deal?

All of us have had the experience of trying to explain to a person aged under 20 that, no, we could not google our homework when we were at school. Many of us may have jumpers that are older than the internet, which has fundamentally changed our lives. In this country, a third of all divorces contain a reference to Facebook, a technology that came into our lives only in 2007, but has fundamentally transformed that most personal of relationships. When we come to thinking about legislation that takes account of modern technologies and the ways in which they change, such legislation must be based on an understanding of those technologies and of the consequences of such changes to the law.

With that in mind, it was when the Committee looked at the question of surveillance, especially internet connection records, that concerns arose. Concerns arose in particular about the idea that, as the right hon. Member for Sheffield, Hallam (Mr Clegg) said, a dragnet could be used to bring together internet connection records for every single member of the British population for 12 months, and about what that might entail.

There is a fundamental challenge at the heart of the Bill about the idea that it is possible to separate somebody's contact data from their content data. Many internet companies have made that point and said that they are concerned about such a definition. As yet, the legislation has not completely grappled with that definition. The Bill makes a distinction between identifying IP addresses and being able to know whom people have contacted, and what it calls anything else that

"might reasonably be considered to be the meaning…of the communication".

That definition makes sense when we are talking about phone records, but the legislation has to cope with the world to come, not the world that has gone. If I send a message through Outlook, others do not need to know the content of the message to know that it is a request for a meeting. When we talk about knowing which websites people have visited, that of course brings with it content analogies: if I visit the Refuge website or the Alcohol Concern website, that is contact data, but because it is online contact, by its very nature it carries content information.

I very much welcome the shadow Home Secretary's comments about our needing to challenge such definitions. We need a much tighter definition of what it means to have an internet connection record and of what information is held as part of that record. All three of the Committees that have looked at the legislation have called for that. However, to date, we have not heard from the Government an understanding that in the modern world the distinction between content and contact is not viable. The distinction between entity and events, and everything else, must be much tighter in the Bill. If it is not, the question of who can access that information bleeds into the question of who can access the meaning of those content combinations.

Such questions will become starker as the internet develops, and particularly with the internet of things—I see that a few digital refugees on the Government Benches, and perhaps even some Labour Members, are querying what the internet of things is. It is the growing number of physical objects that are connected online. This Christmas I was given a coffeemaker that I can set off using my mobile phone, and it is wonderful to sit in bed and order several cups of coffee. So far, we have online airbags in cars, online burglar alarms, and some Members might even set their home electricity online. All those forms of contact are created through online mediums. We will soon have pacemakers that are electronically set up. People will be able to access their bank accounts in the same way. All such contact is potentially information that could be created in an internet communication record. It could also be useful in an investigation.

Kevin Hollinrake (Thirsk and Malton) (Con): With the internet connection record, we are looking for a past history for a future crime. If someone is investigating a child abuser or a terrorist, is it not relevant to see their past records and whether they have accessed sites with relevant material? We would be able to see that from contact information.

Stella Creasy: I am not quite sure about the hon. Gentleman's point because no one is suggesting that we would not want to access such information. My point is that, from a technical perspective, separating contact data from content data is much more difficult than the Home Secretary suggests. That means that we need more honesty about the powers we are proposing that our police and investigatory authorities should have.

For example, if someone can get information about my use of an electricity meter, they might want to look at the contact between me and that meter. If I were accessing it a lot, they might wonder what I was doing in my home that required so much heat. Drug enforcement agencies might look at such contact patterns, and inevitably that brings with it content about what someone is doing. That does not mean that we do not need methods to access that information; it means that one thing missing from this debate to date is an honesty about the technological complications that will come with this Bill, and we must address those concerns.

The Minister for Security (Mr John Hayes): Perhaps I can reassure the hon. Lady. The Home Secretary emphasised that we continue to have discussions with the providers for exactly the reasons she has described. It is essential that they can do what we oblige them to do, and we are determined to put those mechanisms in place. The right hon. Member for Sheffield, Hallam (Mr Clegg) gave the game away because he said that repeatedly, over time, security services and the police have requested the ability to carry out such work, for the simple reason that they need to do that in order to protect us all.

Stella Creasy: I am grateful to the Minister for acknowledging that the idea that one can always separate contact from content data is not viable. We need a much more honest debate about who will be able to access that information and under what circumstances. I hope that that will be discussed in Committee, because as the Bill is currently drafted, we cannot justify to our constituents the fact that their content data may be accessed—however inadvertently—because of the nature of technology. We must address that.

Let me move on to the question of honesty about encryption. A lot of technology companies and the technology industry in our economy are concerned about how the Bill may affect encryption. The Bill gives the Secretary of State the power to serve technical capability notices, and to require companies to remove their electronic protection. Again, it is not yet clear what that means, what protection exists in terms of encryption technologies, and what that might mean for other consumers of services. That is a real concern for many.

We know that encryption is a vital part of security for services. Constituents will mention "Ashley Madison" and "TalkTalk", or they may be aware of hospitals that did not have security measures in place and had their systems hacked. We are talking about whether the Government will require those companies to bring in those backdoor opportunities for accessing information. We need much stronger scrutiny of the Bill and of what the encryption process means, not least because removing some of the encryption requirements would create a security risk. The Government are making that choice in return for the ability to do some of the things they are talking about doing, and we need to be honest with the public about that.

There is also a question relating to the security of data. In 2009, the Conservatives made great play of turning back the "surveillance state", but it seems to me that they are seeking to privatise the databases they told us they did not want to see developed. The Bill asks companies to hold the data, but the security of that data is not clear. We know that having to hold everybody's internet records for a whole year will be a honeypot to hackers. That will be a massive security risk unless security processes are in place—even if data are held by private companies. The fact that the Government have not clarified who will pay for that security, what a reasonable cost is and how to resolve disputes about what a reasonable cost will be, leaves open a gap that not just hackers but consumers will be deeply interested in. The Government must be much clearer about how they will make sure they protect consumers from having their information hacked as a result of requiring companies to gather data.

There are similar concerns about bulk interference and encryption data, but my central point is this: there are questions about the proportionality and the judicial extent of the Bill and working overseas, but there are also concerns about technology. We have to be able to answer questions on all three issues to be satisfied that the Bill is appropriate for the 21st century. I hope those issues will be addressed by amendments in Committee. I believe that many members of the Science and Technology Committee share concerns about whether our technology industry is comfortable with the proposed legislation.

For the Government to fail to act on any one of those questions will compromise the others. If we do not get the technology right and do not work with our overseas partners, we will not keep anybody safe. We could, in fact, create more problems. I hope Ministers will listen to those concerns and I hope they will recognise the spirit of what they said in 2009 about the importance of rolling back the surveillance state. I also hope they will be digital natives, not digital refugees. I will not support the Bill on Third Reading if they do not change it.

4.11 pm

Mr Owen Paterson (North Shropshire) (Con): It is a pleasure to follow the hon. Member for Walthamstow (Stella Creasy) and her interesting comments.

The Home Secretary and the shadow Home Secretary both, quite correctly, began by paying tribute to the prison officer from Northern Ireland who died today after a cowardly attack on 4 March. We should remember article 2 of the European convention on human rights:

"Everyone's right to life shall be protected by law."

I respect the hideous difficulties Ministers have had in drafting the Bill, bringing together the conflicts between liberty and security. I fully understand that there are calls for improved scrutiny associated with greater powers. However, we must take great care to avoid damaging the effectiveness of operational decision making which protects our citizens. Effective operations rely on the capacity for operational agility in the face of ruthless and innovative opponents. After a decision has been made, I am firmly in favour of a more rigorous and rapid review process.

First, I would like to state that I regarded signing warrants as a key responsibility when I took over as Secretary of State for Northern Ireland. Sadly, there were elements in the republican community who would not accept the settlement we had inherited from the previous Labour Government and were determined to pursue their aims by terrorism. We rapidly reequipped various agencies at considerable public expense. I was fully aware that our security services, facing a deterioration in the security situation and a raised threat level, could operate efficiently only if decisions were made rapidly from the top. I made clear that I was always to be disturbed at any time if an urgent decision was required. The vast majority of warrants were signed in an orderly manner, in regular slots built into my diary; those slots were a priority. I was occasionally woken up very early in the morning and asked to make an extremely urgent decision. I am deeply concerned that the proposal to have a dual lock, involving endorsement by a commissioner, will bring an element of delay and confusion to effective operational decisions. I understand that there are calls for more accountability and scrutiny of these vital but necessarily confidential decisions, but I believe very strongly that only a democratically elected Secretary of State, who is ultimately accountable to the House of Commons, should make such decisions.

Tom Tugendhat: Does my right hon. Friend agree that the definition of "urgent" needs to be one for a Minister, not a judge, and that therefore there should be no possibility of later applications for judicial review of what is urgent?

Mr Paterson: Yes, I entirely agree that the whole decision should be in the hands of the democratically elected Secretary of State, responsible here, but by all means let there be the most rigorous and rapid review afterwards by a learned judge.

Andy Burnham: I am listening to the right hon. Gentleman's remarks, and I did similar things as a Minister, but is it not the case that a politician's mind will always turn to the question, "What if I don't sign this?", and the public embarrassment that might come from not signing? Is not the further judicial check a helpful double lock so that a politician need not worry that a failure to agree might lead to public embarrassment?

Mr Paterson: No, I think the politician's personal feelings are wholly irrelevant. They are responsible to the public and the House and have to report on those decisions, and it is they who should be exclusively responsible for these very difficult, subjective decisions.

During my time, I had real respect for the thoroughness with which warrants were prepared, but on occasion I refused them, and there was a clear decision-making procedure. I was also acutely aware that my decisions would be subject to review after the event, and I respected the review process. As shadow Secretary of State, I spent three years visiting Northern Ireland every week, and I built up a level of knowledge that was really useful when I took over as Secretary of State. Some decisions had to be made in imperfect conditions with imperfect information. That is the nature of working with intelligence to protect the public. A decision sometimes required a personal judgment about what was in the public interest, not just a legal interpretation.

Alex Chalk (Cheltenham) (Con): Does my right hon. Friend agree that the point made by the hon. and learned Member for Edinburgh South West (Joanna Cherry) was a fair one: it is very difficult for the House properly to scrutinise what was the thought process and evidence base because so much of it will be considered in the national interest and so will not be transparent to us in the Chamber?

Mr Paterson: No, I was fully aware that I had to come regularly to the House to answer questions and that I could be called before the Select Committee. There were various methods by which the House could scrutinise my decisions.

The key thing is that the public demand for more scrutiny, which I fully appreciate, should not interfere with operational agility and thereby put the public at risk. The current system works and could, with amendments, offer much greater scrutiny. I am in favour of a more rigorous and rapid review process. The proposal in the Bill is that a warrant could be issued in emergencies but would be reviewed within three days. This could be made applicable to all warrants, and I would welcome that, but other practical and operational issues do not appear to have been considered.

It is not clear in the Bill what the procedure would be should a commissioner refuse a decision by the Secretary of State. There is potential for even further delay and confusion in clause 21(5), under which the Secretary of State may go to the Investigatory Powers Commissioner. Under the current arrangement, it is quite clear who is responsible: the Secretary of State, accountable to Parliament. Under the proposed system, with possible delays and divided decision making, it is not clear who is ultimately responsible should something go horribly wrong, with devastating consequences for the public. Should a terrorist operation be tragically successful because of delay and differences of opinion under the proposed dual lock, who would be legally responsible? Who would the relatives hold to account and potentially sue? The Secretary of State will be accountable to the

House of Commons, but to whom will the judicial commissioners and the Investigatory Powers Commissioner ultimately be accountable?

The impossible position in which distinguished lawyers will be placed is highlighted in clause 196(5) and (6). Lawyers and judges are trained to interpret the law meticulously, but these subsections require very subjective political decisions. Subsection (5) provides:

"In exercising functions under this Act, a Judicial Commissioner must not act in a way…contrary to the public interest or prejudicial to…(a) national security, (b) the prevention or detection of serious crime, or (c) the economic well-being of the United Kingdom."

Subsection (6) reads:

"A Judicial Commissioner must, in particular, ensure that the Commissioner does not…(a) jeopardise the success of an intelligence or security operation or a law enforcement operation, (b) compromise the safety or security of those involved, or (c) unduly impede the operational effectiveness of an intelligence service, a police force, a government department or Her Majesty's forces."

No law book can possibly guide a distinguished lawyer on these questions, which ultimately require a political judgment. In order for these criteria to be met, the Secretary of State should clearly be accountable here, in order to guarantee our security services' operational agility and the ability to react swiftly and at short notice.

According to the principle of the separation of powers, it is clear that lawyers should not make operational executive decisions that might require some personal judgment. Montesquieu himself said:

"When the legislative and executive powers are united in the same person, or in the same body of magistrates, there can be no liberty…Again, there is no liberty, if the judiciary power be not separated from the legislative and executive".

Lawyers should be brought in after the decision, in order to review the process by which the decision was arrived at. The Bill effectively brings judges into the Executive, giving them the difficult role of being both scrutineers and Executive decision makers. These roles require very different skills, and according to the separation of powers, they should be kept separate for good reason.

The further important deep flaw in the Bill applies particularly to Northern Ireland. It was illustrated in a high-profile case last October when members of the notorious Duffy family were accused of a number of terrorist offences arising out of a security services surveillance operation. The trial collapsed when the judge ordered disclosure of the tracking devices, and the case has been strongly made that as a result of this trial's collapse, the public are at risk because of a judge's insistence on total transparency procedure. In practical terms, this is unworkable in the current circumstances in Northern Ireland. The demand for transparent disclosure of the technology used, as required by this judge, would have compromised the methodology that keeps the public safe. It would also have educated terrorists on how to avoid detection in the future.

I am concerned, too, about clause 194(3)(e), which requires the Prime Minister to consult the First Minister and deputy First Minister before appointing an Investigatory Powers Commissioner or a judicial commissioner. I was the first Secretary of State for Northern Ireland to have responsibility, following the devolution of justice and policing to local politicians, and it was always clearly understood that the Secretary of State maintained responsibility for matters of national security; the Police Service of Northern Ireland and the security services reported to him on those matters.

I draw the attention of Ministers to the wise words of the Joint Committee, when it said:

"We are aware that particular sensitivities around these issues may apply in Northern Ireland. The Government will need to reflect on these sensitivities as this legislation progresses."

That can be found in paragraph 419. Will the Government please commit to that?

Sadly, very few Members of either the House of Commons or the House of Lords have direct experience of this issue. Law-abiding British citizens are under threat from dangerous terrorists every day. I am acutely aware that deaths and injuries have been prevented not just thanks to the supreme professionalism of our security services, but thanks to the current swift decision-making process, which gives them critical operational agility. It will be tragic if this is lost because so few Members of Parliament understand the very real benefits of the current process. I am therefore opposed to the dual lock proposals in the Bill, and I hope they will be removed in Committee. The signing of warrants should remain the exclusive responsibility of the Secretary of State, accountable to Parliament, and the review process by distinguished members of the judiciary should be carried out sooner, more frequently and more thoroughly after the decision has been made.

4.22 pm

Mr David Winnick (Walsall North) (Lab): I shall come on in a few moments to some of the points raised by the right hon. Member for North Shropshire (Mr Paterson). Let me say, however, that I am deeply disappointed with the Bill, which does not even attempt a broad consensus outside this place on the balance between measures to protect the country from terrorism and those protecting the privacy at the same time of the overwhelming majority of citizens. I am not one of those who in any way minimises the continuing threats from terrorism. I well remember the atrocities of 7/7 and I know, as we all do, what happened over the weekend on the Ivory Coast, when a five-year-old lad was put to death by the terrorists. The boy was begging for his life, but it was no use. I am as aware as anyone of the murderous nature of the terrorist threats we face, and have no desire to minimise it in any way whatever.

One would have hoped that, with existing legislation due to lapse, any new measure would be of a different kind from what we have today—less severe and less comprehensive in many respects than some of the Bill's clauses, which in my view are bound to be controversial and will remain so if the Bill becomes law.

The right hon. Member for North Shropshire was not happy about the judicial process involved, but I take the opposite view. If these measures are indeed going to be brought in, all the more reason for some judicial involvement. That would make it better than it otherwise would be. My criticism—again, it is very different from his—relates to the extent to which the judicial commissioners are likely to be able to probe the case for the warrant that the Home Secretary wants to be issued. It seems more likely to me that a judicial commissioner will merely have to be satisfied that all the necessary processes have been pursued. To what extent would a commissioner dealing with a case in which a warrant had been applied for be able to hear counter-arguments?

[Mr David Winnick]

If I were asked what I considered to be the most objectionable aspect of the Bill, and why I could never vote for it in any circumstances, I would cite clauses 78 and 79, which require the retention of communication data—and internet connection records of all kinds—for up to 12 months. Let us be perfectly clear about that. Let us have no illusions about it. Is it really desirable to retain, for that period, information relating to those who are not suspected of any criminal activity, and who, needless to say, constitute the overwhelming majority? Does anyone really believe that that will help the fight against terrorism? It could rather be argued that, by its very nature and given its controversial aspects, it is likely to be more counterproductive than helpful. If those clauses do not undermine privacy, I can only say that the very word "privacy" loses all meaning. Notwithstanding all the denials from Ministers, I would describe this as snooping on a massive scale, although we have been reassured that the actual content will not be looked at.

Mention has been made of the powers that will be given to what are described as "relevant public authorities"—not just the security authorities—to obtain communication data. My right hon. Friend the Member for Leigh (Andy Burnham) and other Labour Members have rightly pointed out that that could be used against trade unions. The 10 purposes for which data can be required include "public safety", "financial stability" and

"the economic well-being of the United Kingdom".

All those purposes could be used against trade unions in industrial relations cases. Labour Members should be, and are, very much on their guard, and I trust that those provisions will be examined in great detail in Committee.

The Joint Committee made some helpful recommendations relating to bulk personal dataset warrants, which, if put into effect, will improve the Bill. Following the Edward Snowden revelations, about which there was a great deal of fuss, the United States Senate took steps to restrict the collection of bulk communications except when there was a reasonable suspicion of association with international terrorism. The Bill is, essentially, doing the reverse—and the United States would have been unlikely to take measures to restrict those communications had it not been for Edward Snowden's revelations.

Bill Binney, a former technical director of the United States National Security Agency—presumably he is not one of the usual suspects, and should know what he is talking about—has argued in articles, and in a letter published in *The Times* on 1 March, that bulk collection simply does not work. Scanning every single person's communications, he says, simply overloads the scanner with data and false targets. What is really needed—and this is pretty obvious—is an emphasis on target suspects and their social networks.

We are being told today that the Bill is absolutely essential, and that if we want to combat terrorism, the way to do it is to pass this legislation. I am reminded, however, that following 7/7, we were told that it was absolutely essential to have 90 days, and later 42 days, of pre-charge detention and that unless we passed legislation to that effect, the country would be greatly threatened. Those of us who opposed it were accused of undermining security. Today, no one on either Front Bench would dream of recommending 90 or 42 days of pre-charge detention.

So this is just a warning that we should be very careful about giving away powers that it would be very difficult to take back. I said at the beginning of my speech that I was not persuaded that this legislation was justified. I think it is wrong and disproportionate, and I hope that if it is to become law, it will be substantially amended.

4.30 pm

Mr David Davis (Haltemprice and Howden) (Con): When I was listening to my right hon. and learned Friend the Member for Rushcliffe (Mr Clarke) talking earlier about steaming open letters, I was reminded of the fact that, in 1929, the then American Secretary of State, Henry Stimson, shut down the State Department's code breaking department with the words:

"Gentlemen do not read other gentlemen's mail."

That was quaint even then, and the action was quickly reversed. Today, everybody recognises the vital importance of targeted surveillance of dangerous criminals of all sorts.

I think everyone in this House wants to see our intelligence agencies and police forces equipped with effective measures that will help them to do their job. I do not think that there is any difference between us on that issue. However, the presentation of this Bill has required the Home Office publicly to avow a vast range of surveillance powers that to date have existed in secret. These powers seem to be rather greater than those used by our allies—certainly greater than those used by America or Germany. Some of them would have been struck down as unconstitutional in both those countries.

What seems to have happened is that these powers have been developed over the past 20 years using a vast thicket of existing legislation, largely without the knowledge of Parliament. Many of the agencies' current capabilities were never considered when the legislation that underpins them was created. I can say with absolute certainty that that is true of the Intelligence Services Act 1994, which as a Minister I took through Parliament. It was never envisaged, for example, that that legislation would provide for the acquisition of bulk personal datasets.

I could give the House many further examples, but time is short so I shall give a single example of how, with the best of intentions, the creep of surveillance has happened. It relates to the erosion of legal privilege. Until the late 1990s, when an intercept or bug was recording a criminal suspect, the bug was turned off the moment the suspect started talking to his lawyer. That is what used to happen; the position was absolutely clear. Then in 2000, the Regulation of Investigatory Powers Act was introduced. RIPA was silent on legal privilege. It was simply not mentioned in the Act at all. However, the Government of the day chose to interpret that silence as acquiescence that RIPA did allow for the surveillance of privileged communications. So we went from a situation in which recording equipment was switched off in those circumstances to one in which privileged conversations were recorded and kept in a separate, red-flagged database. That was how it worked.

This matter eventually came out in 2009, when two Law Lords, Lord Phillips and Lord Neuberger, expressed their incredulity that the Government had in effect been "sanctioning illegal surveillance". At least in those initial stages, however, the illegally collected information was red-flagged and kept from being allowed to pervert the judicial process. Then, either during or before 2014, the rules were changed to allow the Government lawyers to see the intercepts. This is extremely dangerous to the operation of justice. It could destroy equality of arms, which in turn could undermine perfectly proper cases against terrorists, leading to their being freed on the basis of an improper prosecution.

That single example of the actions of the agencies and the Home Office is important in its own right, but I cite it here as a demonstration of what has been happening over the past 20 years. Owing to the difficulty of the counter-terrorism task and the opportunities afforded by technology, the agencies in particular, but also the police and other organisations, have quite understandably sought to extend their powers, using, in this case, the silence of RIPA to erode legal privilege. We have seen that again and again. We saw it in the Intelligence Services Act 1994, which I mentioned, and in the Telecommunications Act of, ironically, 1984, which followed the decision to privatise British Telecom. That is why this Bill must be drafted incredibly precisely and carefully.

As it stands, the language in the Bill is designed to confuse. My right hon. and learned Friend the Member for Rushcliffe, a previous Home Secretary, and I were talking about this and both of us had trouble understanding its 250 pages. That must be put right and that is why I am concerned about the Report stage. There are many other significant flaws in the Bill that must be put right, such as the lack of sufficient privacy protections, the collection of ill-defined bulk personal datasets, wide and too-easy access to retained communications data, the prime ministerial appointment of judicial commissioners—it goes on and on. I have about a dozen items here, but I do not intend to go through them all.

In my final couple of minutes, I want to touch on the bulk capabilities. The House should be under no misapprehension as to how broad and potent the powers are, even though the Chairman of ISC, my right hon. and learned Friend the Member for Beaconsfield (Mr Grieve), is quite right to say that the agencies do try to be as economical as they can in using them. The powers allow for the interception of vast quantities of foreign and domestic communications and the acquisition of the entire nation's phone and internet records, and permit industrial-scale exploitation of phones and computers. The fundamental question is whether those powers are effective.

In the US, the bulk collection of citizens' data has been heavily curbed as it was considered to be

"not essential to preventing terrorist attacks".

Most damningly, the American President's privacy and civil liberties oversight board said that it was

"aware of no instance in which the"

NSA's bulk records programme

"directly contributed to the discovery of a previously unknown terrorist plot or the disruption of a terrorist attack."

There are genuine concerns that the collect-it-all approach actually makes things worse, which goes back to the point about Bill Binney referred to by the hon. Member for Walsall North (Mr Winnick). I say this to the House and to the ISC: the Senate intelligence committee, the ISC's more powerful equivalent in the US, was initially persuaded that bulk data collection had prevented over 50 terrorist attacks. The staff of the Senate judiciary committee then went through the claims one by one and found only one case, and it was not a terrorist attack but an $8,000 money laundering case. That is how useful the powers were and that is why they have been curbed.

This Bill, or something like it, is absolutely necessary. It replaces 66-plus other statutory mechanisms, so, in the interests of transparency, we need something to put in their place, but it grants sweeping powers with insufficient safeguards and not enough consideration of privacy. I ask all parts of the House to press for more time on Report to allow for reasonable amendments to the legislation that will put in place a world-standard law.

I will finish on this point. Other countries, in particular the most unpleasant ones, are always happy to use Britain as an example for something that they should not be doing. That is why I opposed 90-day detention and many other illiberal things that too many Governments have done.

Mr Deputy Speaker (Mr Lindsay Hoyle): Order. One more speaker will have eight minutes. Then, in order to accommodate all those standing, we will need to drop to a four-minute limit.

4.39 pm

Mr David Hanson (Delyn) (Lab): I wanted to contribute to today's debate, because, like several other hon. Members in the Chamber, I served for four months on the Joint Committee on the draft Investigatory Powers Bill, which considered the Bill in some detail. They may be four months of my life that I will never get back, but scrutinising the Bill was certainly a worthwhile experience. The Joint Committee was appointed by the House in October and met from 25 November under the chairmanship of my noble Friend Lord Murphy of Torfaen. I pay tribute to him and to the Clerks of the Committee for the way in which they stewarded its deliberations. We had 54 witnesses and nine evidence sessions. We met in public and in private to scrutinise the Bill, in recess and out of recess, when the Commons was sitting. We received 148 submissions and more than 1,500 pages of evidence. We visited GCHQ and the Metropolitan police, and we gave detailed, fair, cross-party consideration to a difficult subject to bring forward proposals on. Our conclusions were relatively unanimous.

The first conclusion was that we need to modernise the current legislation, including that which expires on 31 December. There is therefore a clear need for this Bill, in order to modernise RIPA, the terrorism Acts, the Police and Criminal Evidence Act 1984 and other legislation to hand. We have to look at, and we ensured that we did look at, not only the issue of privacy, but the issue of security, both of which were central to our concerns. Although we welcomed consideration of the report, we did make 86 recommendations. If people want to read about this, as I am sure they will, they will see that our report contains 157 comments and recommendations in the summary and conclusions to improve the Bill and make it stronger, and to address some of the concerns that people raised.

[Mr David Hanson]

I wish to draw the House's attention, first and foremost, to our first recommendation, which states:

"Resolving the tension between privacy and effective law enforcement in this area is no easy task. The Home Office has now come forward with a draft Bill which seeks to consolidate in a clear and transparent way the law enabling all intrusive capabilities. The Committee, together with the many witnesses who gave evidence to us, was unanimous on the desirability of having a new Bill."

The Labour party members, the Conservative members, the SNP member, the Liberal member, Lord Strasburger, the bishops and the independent members were unanimous on the need for a new Bill.

The question is: why do we need this Bill? I believe we need it for several reasons. First and foremost, we need it to tackle terrorism, strong and serious organised crime, paedophilia and organised crime across the board. If we look at the annexes to the reports presented to us as part of our evidence from, among others, David Anderson, we will see cases where terrorism has been stopped by activities dealt with under this Bill. For example, in 2010, an airline worker in the UK who had access to airline capability was stopped as a result of access to bulk data. We have information on GCHQ intelligence uncovering networks of extremists who had travelled to Pakistan and then been stopped as a result of the acquisition of bulk data. We have GCHQ evidence on bulk data that have tracked down men who have been abusing hundreds of children across the world and are now in UK prisons because of the powers dealt with in this legislation. We have information on criminal investigations into UK-based crime groups that were supplying class A drugs from south America, where intercept evidence provided intelligence on their modus operandi and they have subsequently been put in prison, resulting in fewer drugs on our streets. We have evidence, and we took such evidence in the Committee, about criminal investigations into London-based gangs, money laundering and dark web activities.

I took some of the previous legislation in this area through as the then Minister for Policing, Crime and Counter-Terrorism under the Labour Government, but things have changed since then. Six years ago, I did not use Twitter, I never had Facebook, and I did not have WhatsApp or the Fitbit that I have on my chest today—now I can talk to my family using them. We have not got the information material now to be able to keep up with the technology, which has advanced. If we look at the type of activity being covered by these Bills, we will see that terrorism is pretty low on the list, at only 1%. Other offences are crucial, such as those relating to vulnerable or missing persons, as well as drug offences, homicide and financial offences, and they cover a large bulk of the amount of work done to date. As I have said, the Joint Committee made 86 recommendations and the Government accepted 46 of them. I hope that we can look in Committee at 20 other recommendations that the Joint Committee made. To do that, this House needs to pass this Bill. I support the decision by my Front-Bench colleagues and the SNP to abstain, but, given that there are Conservative, Labour, SNP and, indeed, Liberal Members who support the Joint Committee's report, I hope there will not be a vote today and that we will let the Bill go through and then deal with the key issues that my right hon. Friend the Member for Leigh (Andy Burnham) has mentioned, which are important to the Labour party. I hope we will also look at the 20 or so Joint Committee recommendations that have not yet been adopted by the Government.

The key issues include those mentioned by the right hon. Member for Haltemprice and Howden (Mr Davis) with regard to the definition of internet records. They also include targeting warrants for equipment; recommending and removing emergency procedures; recommending further safeguards for the sharing of information with overseas agencies; and more support and recommendations for strengthening the protection the Bill affords to journalistic material.

Andy Burnham: I am listening very carefully to my right hon. Gentleman and I agree entirely with everything he has said. Before he finishes, will he say a little more about the Committee's recommendation on the definition of national security? The Committee raised that as a concern and the term has been used to cover a multitude of activities. Does he agree that it would be better for the Government to provide a clear definition of national security in the Bill and to drop the justification of economic wellbeing for the more intrusive warrants?

Mr Hanson: I cannot speak for the Committee as a whole, but my right hon. Friend makes a very important point. We asked, "What is national security?", and the answer we got was, "What the Government deem it to be." Perhaps it is time to make a definition.

My right hon. Friend said that the Labour party would set important challenges. If he looks at the 20 cross-party recommendations that have not been accepted—I am sure that he and the Government will do so—he will see that we have the ability, here and now, to make real and effective changes that would improve the Bill further. The key one is that relating to the definition of internet records and, as I asked the Home Secretary earlier, their deliverability. I genuinely do not have a great problem with the principle of defining an internet record or with the question of how we store it and eventually track individuals who have committed crimes or who could commit crimes in the future. The key point, however, is that we do not yet have a definition, nor do we have clarity on how the Government will fund and manage the storage of internet records.

I hope that the Bill Committee members will look at the written evidence received from Vodafone, TalkTalk and EE. They are very clear that they can use the budget set by the Government over 10 years to develop and manage the storage of internet records. We need a better, more effective way to deal with the issue.

I hope that there will not be a vote. If there is one, I will abstain—it is not my job to support the Government's Bills through the Commons—but I really hope that the Bill will make it to the statute book in due course, after meeting the strong challenges set by my right hon. Friend and the cross-party Joint Committee. If that happens, the Bill will be used appropriately to stop paedophilia, organised crime and drug trafficking, to prevent terrorism, and to protect our citizens, which is the first duty of this House. That is what we should aim to do this evening.

Several hon. Members *rose—*

Mr Deputy Speaker (Mr Lindsay Hoyle): Order. I call Victoria Prentis, who has four minutes.

4.48 pm

Victoria Prentis (Banbury) (Con): Frankly, I struggled with the intricacies of RIPA and the other relevant legislation in my many years as a Government lawyer. I was, therefore, pleased and, indeed, excited to hear that previously almost impenetrable legislation was going to be consolidated into a new, easy to understand Bill, fit for the modern age.

When I read the draft Bill, I had concerns. I felt that greater judicial oversight was needed and that specialist groups, such as lawyers, journalists and, indeed, Members of this House, needed further protection. I read the Committee reports with interest and I was very much heartened to read the new Bill, which was produced following a large amount of scrutiny.

I feel that the double lock is a safe one. Assessing applications does and will undoubtedly take up a great deal of the Home Secretary's time, but it is time well spent. It means that she is up to date with the details of real investigations in a way that few of her counterparts abroad can ever hope to be. It keeps her finger on the pulse. These are both political and judicial decisions; the fact that bulk warrants will come into force only once they have been authorised by the Secretary of State and approved by the Judicial Commissioner seems to be the very best of both worlds. Effectively, we are talking about judicial review with bells and whistles on, as Lord Judge informed the Committee, in every single case.

I was also pleased to read about the new protections afforded to those who provide information to sensitive persons—I hesitate to call lawyers and politicians sensitive, but perhaps those who provide us with information may be so described. The exemption is specially related to journalist sources.

I have been surprised by the openness of the Department in publishing the supporting material for this Bill. It is brave—I use that word as a long-term civil servant—of the Government to have published codes of practice complete with examples, and indeed the operational case for assessing internet connection records. It means that we can have a really informed debate today. I have presented cases where the security services, the police and the Ministry of Defence have analysed very large quantities of data. Although not very technically able myself, I did have to learn a certain amount about the search engines, which were designed to interrogate this material. I was reassured and, in turn, was able to reassure judges and Queen's Bench Masters that the material on which important decisions were made was as complete as possible. The ability to collect bulk data is essential. The new Bill will help to ensure that there is no credibility gap in the balance between keeping us safe and protecting our rights to privacy. As important as pinpointing what information Government can obtain is deciding what can be done with it once it is gathered. This is where the important ethical debate should focus.

Last week the Justice Committee was fortunate to interview the President of the Citizens Crime Commission of New York City. He told us about new techniques to reduce crime by interrogating openly available material. Discussions now need to focus on whether we should interrogate social media to decide on a person's propensity to commit crime or have drug addiction problems in the future.

I hope that the new IP commissioner will be a strong voice in the debates that lie ahead, and that he will be able to add a sensible and independent viewpoint to both the media and this House. Getting the balance right will always be a challenge, but I welcome the transparent approach of the Home Secretary and her team in presenting us with the Bill in its current form.

4.52 pm

Diana Johnson (Kingston upon Hull North) (Lab): If we are to take the public with us on this important Bill, we need to be clear about what we want to achieve, and we need to be very precise in our language. We need a law enforcement framework that is fit for the 21st century, that matches technological advancement and that deals with the way that criminals have very effectively exploited technology. When we are tackling cases of terrorism or child abuse, we need to leave the public in no doubt as to whose side we are on. I want a law that is fit for purpose, is not outdated and is future-proofed as far as it can be.

I specifically want to talk about child abuse and the role that this legislation can play in trying to tackle online child abuse, which we have seen so much of in recent years. I also want to register my concerns about privacy. I know that the Committees that considered the draft legislation raised a number of issues, including privacy, the need to be very clear about privacy in the drafting, and the fact that some of the drafting is not as clear as it could be.

On child abuse, we know that, unfortunately, paedophiles have very quickly exploited the internet for disseminating and distributing child abuse images. We know that there are about 50,000 people in the UK who are accessing these abusive images each year. I am disappointed to say that, when the Child Exploitation and Online Protection Centre disappeared and was subsumed into the National Crime Agency, the number of paedophiles being identified and prosecuted in the UK started to fall, when we know that there is a rise in the number of people looking at these child abuse images. In fact, in Operation Notarise, it was found that between 20,000 and 30,000 suspects were looking at these images, but only 745 people were arrested. That is simply not good enough.

I was very disappointed to read a quote from the Minister for Policing, Fire, Criminal Justice and Victims, the right hon. Member for Hemel Hempstead (Mike Penning), who said, agreeing with what the head of the National Crime Agency had said:

"it is unrealistic to say that we will be able to go after, prosecute and convict in every single case"—

of child abuse. He said that the head of the NCA's

"honesty was refreshing."

Well, I do not think arresting less than 5% of suspected abusers is something that we should be proud of. As my right hon. Friend the Member for Normanton, Pontefract and Castleford (Yvette Cooper) said, if we can arrest 111,000 people suspected of drug offences a year, we should be able to arrest 25,000 people suspected of looking at child abuse images.

It is clear to me that part of the problem around why we are not making those arrests is the limitations in the legislation that we are working with. I want to see

[Diana Johnson]

people like Myles Bradbury, the doctor who was abusing his young patients, and Gareth Williams, the teacher who was abusing his pupils, brought to book far more quickly. We need an updated framework, we need to be able to identify offenders, and we need to update the warrant procedure and the investigation procedures. If we are to do that, the public need to be reassured that there is clear drafting. At the moment, it is easy to see what traditional surveillance looks like—tapping a telephone or following someone in the street—but it is much harder for the public to understand how we map surveillance on to online communications. We need clarity about the status of Twitter, Facebook and Instagram.

If we do all that, it should be possible to produce a workable system with all the necessary safeguards of privacy and fundamental liberties—a system that protects the innocent as much as it protects the vulnerable, and which only those from whom society needs protection need fear.

4.56 pm

Victoria Atkins (Louth and Horncastle) (Con): Like the right hon. Member for Delyn (Mr Hanson) and others in the Chamber, I had the privilege of serving on the Joint Committee. Against that background, I have no doubt that the Bill will help the security services and the police to keep our nation safe while preserving our civil liberties. That alone is reason enough for the Bill.

But the Bill serves another purpose—one that is just as important to our constituents as national security—and that is to help the police and law enforcement officers to catch the most dangerous and serious criminals. These powers will be used to stop the very worst of humanity—those who commit unspeakable acts against children, those who run their criminal networks in our streets with violence and fear, guns and knives, and those who seek to undermine our civil society by stealing from the state and from our families. This is the reality of the crimes our police officers have to investigate. The Bill will help to prevent crime, and to protect the victims of crime from people who mean us harm.

If I may, I will try to bring these powers to life in the Chamber. In my previous career I used to prosecute criminals, and I am very familiar with the law enforcement powers in the Bill because all of them, with the exception of ICRs, already exist and have been used for many years.

One example was a case involving an organised crime gang who, with the mafia, used to run the counterfeit cigarette market in the north of England. Over six months, that conspiracy involved the import of millions of dodgy cigarettes and the evasion of over £10 million in duty. The case relied on digital evidence to prove the involvement of 11 defendants. We used mobile phone records and cell site data to build a map of the six months, showing, for example, when defendants drove from the port to HQ to distribute the cigarettes to couriers and further afield. The map was so detailed that we could point to a single call and suggest to the jury that that was the call to the gang to say, "The load is here. Come and get it." That is an example of communications data. It is used in 95% of organised crime cases and 100% of counter-terrorism cases.

There was another piece of compelling evidence that caused real difficulties for the leader of the gang, and that was a microphone in his car. When the tape was played to the jury, the conversations revealed plans, not to import cigarettes but to import drugs. Criminals diversify, just as legitimate businesses do. That is equipment interference. It is vital in the modern age and has been for some time, but this case was five years ago. I used it deliberately, because we now use our phones in a very different way and so do criminals. If that case were investigated now, a major part of the prosecution case—the communications between defendants—might well be a black hole because of the changes in the way that criminals communicate. How many paedophiles, gangsters, drug lords, gun runners and terrorists are to escape justice while some critics of this Bill—not here, I accept—try to divert our attention with misleading claims of a "snoopers charter"?

Finally, I end as I began, with the Joint Committee. This was a Committee of all parties and none—Conservative, Labour, Liberal Democrat, the SNP and Cross Benchers. It was unanimous in its support in principle for the Bill. I therefore have no hesitation in advising the Chamber that the Bill is necessary, proportionate and just.

5 pm

Steve McCabe (Birmingham, Selly Oak) (Lab): I want to make it clear that I believe that our police and security services must have the necessary powers to protect us from terrorists and to disrupt, prevent and apprehend organised criminals, and that it is necessary to equip them with the proper legal powers to intercept communications and acquire information about the activities of those who would do us harm.

I am aware that in the west midlands there is a threat to our way of life. I was shocked to see figures from the National Police Chiefs Council which claimed that more than 400 children had been referred to a de-radicalisation programme over the past four years, and I am conscious of reports that the ringleader of the horrific Paris attacks, Abdelhamid Abaaoud, visited Birmingham just months before spearheading the carnage in Paris, so I do not underestimate the risks. Under normal conditions I would come to the House to defend the Government and support their aims, but if it were not for the seriousness of these matters, I query whether this deficient Bill deserves a Second Reading today.

I do not accept that in a liberal democratic society we can let any Government have carte blanche to instigate surveillance powers across whole communities of innocent people. Where we permit the extensive use of surveillance, it must be subject to the strictest scrutiny and controls; otherwise, what is our purpose? The Bill before us does not have anything like enough safeguards and it is drawn far too wide. Unless it is substantially modified, I would be doing a disservice to the people who elected me if I did not challenge it.

I agree with the Intelligence and Security Committee report that

"privacy protections should form the backbone of the draft legislation".

It is an insult to the British people that the Government think that inserting the word "privacy" into the title of part 1 addresses such a fundamental concern. The Bill

gives the Home Secretary powers to issue national security or technical capability notices requiring the recipients to take such steps as the Home Secretary considers necessary. This is, in effect, Parliament writing a blank cheque. Measures such as national security notices should be limited to emergencies. They should not be capable of being used on fishing expeditions.

On internet connection records, I agree with David Anderson that a "compelling operational case" should be made. As a result of the proposals in the Bill, the UK will be the only country in the world to have a policy of capturing and recording every citizen's internet use. We will be the envy of states such as North Korea, China and Iran. The Government are planning to have a full record of an individual's contact history, whether that individual is under suspicion or not. The idea that agencies will be allowed to combine information from a variety of sources—everything from our Nectar card to our library card and medical records—is intolerable.

We need substantial changes to this Bill so that the genuine powers that the police and security services need to protect us are available in legal form, and our civil liberties are recognised in law and cannot be misused.

5.4 pm

Michael Tomlinson (Mid Dorset and North Poole) (Con): It is a pleasure to follow the hon. Member for Birmingham, Selly Oak (Steve McCabe), although I disagree with his analysis and with what he says about the Bill being a blank cheque and about the provisions being ones that North Korea or China would welcome.

I also disagree with the many comments characterising the Bill as a snoopers charter, and I agree with my hon. Friend the Member for Louth and Horncastle (Victoria Atkins) and the shadow Home Secretary, the right hon. Member for Leigh (Andy Burnham), that it is an insult to those who work so hard to provide for our safety to characterise it in that way.

Some have accused the Government of bringing the Bill before the House too quickly; indeed, the hon. and learned Member for Edinburgh South West (Joanna Cherry) said it was a "rushed job". Again, I disagree. There has been extensive prelegislative scrutiny of the Bill, and there will be further opportunity to scrutinise it during its later stages.

I will focus on one aspect: the authorisation under parts 2, 5, 6 and 7. On that, I agree with much of what my right hon. Friend the Member for North Shropshire (Mr Paterson) said. Essentially, the choice is whether authorisation should come from the Secretary of State, the judiciary or a combination of the two. One initial recommendation was that the Secretary of State's authorisation should be replaced by judicial authorisation. That suggestion would replace a practice several centuries in the making, and I disagree with it.

It was said that judicial authorisation would improve public confidence in the system. I have great respect for the judiciary—as a lawyer, I have to say that, but it also happens to be true. However, I regret that it is thought that handing these powers from the Executive to the judiciary would improve public confidence, and I regret that this place and politicians are held in such low esteem. My firm view is that we should not pass the buck just because these decisions are difficult and may be unpopular, for that would risk making politicians yet more unpopular.

It has been said that Ministers are not accountable, but I disagree: they are accountable to Parliament, Select Committees and the electorate. That contrasts with judges, who, however well respected—and, of course, they are—are not elected and not accountable. This decision is an Executive decision, and as such it should certainly involve the Secretary of State. If the proposal had been that the judiciary alone would make these decisions, I would be rising to speak against the Bill. As it is, the double lock—authorisation from the Secretary of State, but with a check from the judiciary—means that I can support the proposals.

Kevin Foster (Torbay) (Con): Does my hon. Friend agree that, given the nature of these powers, no Secretary of State—certainly, no Home Secretary—would come to the House and say, "I didn't know," if there had been a controversy about their usage and about a warrant?

Michael Tomlinson: As always, my hon. Friend makes an insightful point, and I am grateful for his intervention. As drafted, however, the double lock is a sensible compromise, which perhaps strikes the right balance. In the broader context of the Bill, and as set out, the test in the Bill is just, necessary and proportionate, and I will be supporting it this evening.

5.9 pm

Gavin Robinson (Belfast East) (DUP): It is an honour to follow the hon. Member for Mid Dorset and North Poole (Michael Tomlinson). While we as a party share some of the misgivings that have been raised in this debate, we would be supportive of this Bill receiving its Second Reading.

As the elected representative for Belfast East, I cannot, in all good conscience, stand here and have an abstract discussion about the threat of terrorism. Terrorism hit home in my constituency a week ago last Friday, and sadly the tragic consequences materialised today. When Adrian Ismay left his home a week ago last Friday, he did so as a diligent and dedicated public servant. He was on his way to his place of work as a prison officer. He had served the Northern Ireland Prison Service for 28 years. He worked in Hydebank young offenders centre. He emulated all that is good about our society in Northern Ireland, and his service was dedicated to bringing our society together, but that is a long way from the motives of those who planted a booby-trap bomb under his car. The esteem in which he was held in Hydebank is best described by the inmates he had direct contact with, who issued a condemnation of and expressed their abject horror at the atrocity that was brought to his home and to his car last Friday.

The right hon. Member for North Shropshire (Mr Paterson) raised a number of serious concerns that we share about the implications when we tackle terrorism head-on in Northern Ireland. I share those concerns, and as a representative of my party on home affairs and justice, I wrote to the Joint Committee on a confidential basis to raise some of them.

An individual was mentioned earlier—Colin Duffy. Colin Duffy is a monster. Colin Duffy has terrorised society in Northern Ireland for over three decades. He

[Gavin Robinson]

was convicted of murdering a UDR soldier in Northern Ireland—a conviction that was subsequently quashed. He was arrested and charged with the offence that took place when two serving members of the armed forces—two sappers—in Massereene barracks had pizza the night before they went off on a tour of duty. He was arrested for the murder of two serving police officers in Northern Ireland, but was subsequently released. When he was arrested less than a year ago for directing terrorism under the banner of the New IRA—an organisation with no ideology but blood thirst and the wish to destroy society in Northern Ireland—he was released because the judge was prepared to order the security services to reveal the nature of the way in which he was brought before the courts. He still walks our streets today, but Mr Ismay does not.

I support this Government today, as I will always support this Government when they stand against terrorism. If we can do anything, it is to have a rational, sensible discussion. That is not to suggest that these threats are abstract or that people are not dying on our streets in the United Kingdom today—hopefully not—but that the threat remains for the months and the years to come. We must be resolute in this House in recognising the dangers not only in London and Great Britain but in Northern Ireland. If we can do anything to honour the memory of Adrian Ismay, it is to make sure that this Government, and our security services, are equipped with all the powers they need to bring people like Colin Duffy and his cohorts to justice.

5.13 pm

Kelly Tolhurst (Rochester and Strood) (Con): There is nothing more important than the safety of our country and the people who reside in it. I believe that the Bill before us today is an important step forward with regard to securing a clear framework to further enable our security and intelligence agencies to do just that. I welcome the introduction of the Bill and its allowing us to have this debate. I am pleased that the draft Bill was scrutinised by Committees of this House, with the Government making safeguards clearer and stronger.

It remains important that the agencies tasked with protecting us are able to do so in the developing digital world. I understand why some would express concerns over data collection and how those data would be used, and it is right that those questions are asked and explored. However, in today's digital world, now more than ever, our children are vulnerable to criminals, who target and exploit them by digital means. It has been reported that, in 2012, 50,000 members of the British public accessed indecent images of children over the internet. Only last year in my constituency, we saw a head teacher sent to jail for accessing images of that kind.

Protecting our children and bringing the people who abuse them to justice is of paramount importance to me. I have seen at first hand the lifelong damage caused to children who have been abused and exploited. If the Bill enables our police forces to detect and stop abusers, that is enough for me. Last week, I was part of a panel that heard evidence in relation to the Barnardo's inquiry into harmful sexual behaviour. We heard evidence from the National Police Chiefs Council lead for child protection and child abuse investigations, who informed us that there were 70,000 allegations of abuse in 2015, an 80% increase on 2012. More worryingly, on the current trajectory, allegations would rise to 200,000 by 2020.

Ultimately, the chief constable said that the Investigatory Powers Bill would give the police essential powers to combat internet grooming and the dissemination of indecent images of children. That is made more important by the fact that only a very small number of cases—one in eight—are reported by victims. It is therefore crucial that more is done to arm authorities to identify more abuse and bring more offenders to justice. For example, of more than 600 criminals covered by an interception warrant, over 300 were accessing online communications services. The powers in the Bill would mean 300 trackable communications, leading to 300 paedophiles being prosecuted.

It is clear to me that the direction and focus provided by the Bill can only bring positive results when it comes to preventing online child abuse. Last week, the Barnardo's inquiry also informed me that many child abuse offenders are not using the most sophisticated methods to search and share illicit material, or to conduct internet grooming. A large percentage of such offenders use social media and messenger services, and many use chatrooms. The Bill will require service providers to record those communications when a notice is served. That will make the job of prosecuting abusers that much easier, because it will not involve going through the current request process.

Because of the rise in mobile and internet technologies that were unavailable 15 years ago, it is a sad fact that one of the biggest challenges before us today is that the abuse of children is increasing. We need to allow our police forces to utilise the powers outlined in the Bill if we are to keep our children safe from sexual abuse. That is why I encourage the House to join me in supporting the Bill today.

5.17 pm

Anne McLaughlin (Glasgow North East) (SNP): As Members have heard, on the three main aims of the Bill, the SNP agrees with the Government. Laudable as those aims are, however, they are certainly not always in concert with the effects of the Bill. In the words of the Internet Services Providers Association, ISPA—not to be confused with the Independent Parliamentary Standards Authority, IPSA—

"there is a disconnect between what can be found on the face of the Bill and what the Government says the Bill will be used for. Given that the Bill is highly intrusive, the Government must put all of its intentions for how it plans to use the powers on to the face of the Bill. Reliance on speeches and…documents, such as codes of practice, to make clear what the Bill explicitly intends is unsatisfactory."

The SNP and I have a number of other concerns, as my hon. and learned Friend the Member for Edinburgh South West (Joanna Cherry) so eloquently laid out. As the SNP's civil liberties spokesperson, I have received a large volume of emails on the matter. I want to focus on the concerns most frequently raised with me by civil liberties campaigners and my constituents. Time is very tight, so I have to chop my speech to pieces. I will try to be specific and to speak even more quickly than I am doing now.

One concern is that the Bill legalises practices that have been introduced without any parliamentary scrutiny, and it uses the fact that they are already happening as

some kind of justification for their efficacy, legality or morality. We should be wary of legitimising steps taken by state agencies without our knowledge or consent, before we have had a full debate on whether we consent to those powers. I refer, of course, to the bulk powers in the Bill. It is not good enough to say, "We have not had any major disasters so far." That is the cowboy builder's approach to our liberties. It is equivalent to saying, "Keep your fingers crossed and hope that the roof does not cave in," and it is not good enough.

Like many civil liberties campaigners, I appreciate the fact that targeted interception with appropriate oversight plays a vital role in keeping our constituents safe. Nobody has a monopoly on that—we all want to be safe, and we all want to feel safe—but the key issue is targeting. The majority of the case studies that were provided, and experience of terrorist attacks elsewhere, show that, by and large, individuals involved in such attacks attract attention from the authorities in advance of the attacks.

Simon Hoare: Will the hon. Lady give way?

Anne McLaughlin: I am speaking as fast as I can; I cannot possibly give way. I am very sorry.

Such leads must be followed up in a targeted manner, and we must protect our much valued civil liberties and the freedoms for which, so we are told, Britain is famed.

I find it disturbing and somewhat frightening that the Home Secretary has refused to accept the recommendation, by one of the three parliamentary Committees that have detailed their concerns, to exclude from the Bill the use of surveillance powers for the economic wellbeing of the UK. From the passion and determination with which British politicians of all hues fought to keep Scotland in the UK, and if we accept, as I do, that they did so not just for Scotland's own good, it is clear that they believed that our independence would have an adverse impact on the UK economy. Notwithstanding the fact that I do not necessarily agree with that premise, I am interested to know whether all independence campaigners are vulnerable under this legislation.

Mike Wood (Dudley South) (Con): Will the hon. Lady give way?

Anne McLaughlin: No.

As Members may have heard, the First Minister of Scotland has recently announced a new initiative, starting this summer, to argue for independence, so it is best that we know.

Campaigners have rightly been somewhat alarmed to read clause 1(3), in which the Government tell us that some of the protections enjoyed by citizens of the UK—indeed, the only protections explicitly named in the Bill—exist

"by virtue of the Human Rights Act 1998".

The Government are not only pushing the Bill through hastily and to a tight timetable, but asking us to accept protections in a piece of legislation that they are doing their utmost to scrap. We want a Bill that we can fully support. For us, we do not yet have such a Bill.

5.21 pm

Steve Brine (Winchester) (Con): My thoughts on this legislation can best be summed up in three ways: first, it is about time; secondly, it is very much a Bill of our time; and thirdly, I of course wish it was not needed at all. The measures contained in the Bill should have been on the statute book in the previous Parliament, of which I was a Member, but history records why they were not.

I say it is a Bill of our time. Sadly, the bad guys have always wanted to do us harm. In the internet age, it of course gets harder to deal with them—it requires us as a society to ask ourselves even tougher questions about the compromises required—but that does not mean we can bury our heads in the sand. Whether or not this Parliament acts, the world will continue to be a dangerous place and our many enemies will continue to use the very latest technology to try to get at us. We cannot stop the world because we want to get off.

It seems to me that the opponents of the Bill break in one of two ways, or perhaps both—that we have rushed to get to this point, and that insufficient safeguards are in place for the powers granted. As a youngish researcher, I worked on the Regulation of Investigatory Powers Bill 16 years ago. I remember the claims that it was rushed, was not needed and, above all, would usher in some Orwellian nightmare. I did not believe that then, and I do not believe it now. The intention to bring forward this legislation was set out clearly in our successful manifesto last year.

Simon Hoare: My hon. Friend makes the very important point that this legislation was in our manifesto. Given the slightly academic approach to law enforcement taken by our friends in the other place, does he share my hope that, because the Bill is a manifesto commitment, they will not seek to hold it up, given its urgency?

Steve Brine: I think the other place will enjoy being described as taking an academic approach. Yes, this very clear security measure was in our manifesto, and I think that message will clearly go along the corridor.

As the Home Secretary said, the Bill follows no fewer than three reports, published last year, which concluded that the law in this area was not fit for purpose and needed reform. We have heard much about the Anderson report today. We have had the ISC report and we have heard from its Chairman, my right hon. and learned Friend the Member for Beaconsfield (Mr Grieve). We have also had the RUSI independent surveillance review. Further to all that, the draft Bill was subject to pre-legislative scrutiny by three parliamentary Committees, which made some 86 recommendations about how it might be improved.

As we have heard, the Government have accepted many of the recommendations. There has also been a general election. I know that the Minister for Security and his team have done a huge body of work in bringing the proposals—Bill-ready, as they now are—before the House today, so I think it is some stretch to say that the measures have been rushed before us. Furthermore, I think our constituents should be reassured that, after all of that, we have a better Bill. It has been stress-tested by all the work I have mentioned, and we have the lengthy process of parliamentary scrutiny ahead of us.

[Steve Brine]

The Government say that the only new capability provided for in the Bill is the ability to require retention of internet connection records. That is certainly the area that has most caught the media's attention. Oversight for the operation of the surveillance powers in the Bill is also reformed compared with the legislation—RIPA—that it supersedes. The new double lock means that, for the first time, the commissioners will bring an element of judicial oversight to the process of issuing warrants. I am happy with that, but I want to hear more from the Government about the practicalities of those oversight arrangements, and to be sure that the judicial commissioner will not merely look at the decision-making process that a Minister has gone through, thereby undermining the significance of the authorisation procedure.

I have no issue with Britain's spy agencies and those parts of the police that investigate serious crime having these powers. I think that they have earned the right to be trusted, and I take the Home Secretary at her word when she says that they have foiled serious terrorist plots in the UK since November 2014. I do, however, have concerns that these powers will end up also being used for trivial purposes by those in our town halls and local constabularies who may think that they are in an episode of "Spooks". I know that that is not the intention of the Bill, which seeks to keep us safe and equip the spooks to do their job in the 21st century—as I am sure the Minister will reiterate when he winds up the debate—but I do not want this Bill to become its own public relations disaster due to a mission creep that was never intended in its drafting.

Time is short, so in conclusion, there will always be strong emotions about a Bill such as this. Some will believe that we are presiding over an increasingly all-seeing state that reaches into our lives too much, and others will think that these measures do not go far enough. Many of our constituents will take the view that, if someone has nothing to hide, they have nothing to fear, and I have some sympathy with that. The truth is probably somewhere in between. As I said at the start of my remarks, I wish that a Bill such as this were not necessary, but it is, and a wealth of evidence suggests that the law in this area needs urgent revision. The bottom line is that we as a society give something away in return for our freedom, safety and security. That is a choice we make as an elected House of Commons and as elected representatives. There is always a compromise between liberty and security. It is unhelpful to present this issue as being all one way or all the other way. On balance, having looked at the evidence, read the Bill and talked to Ministers, I think that it contains the right combination of measures, and I will support it tonight.

5.26 pm

Stuart C. McDonald (Cumbernauld, Kilsyth and Kirkintilloch East) (SNP): I pay tribute to my colleagues in the Joint Committee who have scrutinised this Bill for their sterling work, and I particularly thank our Chair, Lord Murphy, and the Clerks and experts who did such a fantastic job in supporting us. Most importantly, I thank those who provided written and oral evidence to the Committee, including all those who work so hard to protect us from terrorism and serious crime. They made our understanding of these issues much clearer, even if resolving them remains incredibly difficult.

The issues are many and varied. A number of hon. Members have focused on the right balance between security and privacy, which is fundamental to the Bill, but there are also other issues. By attempting to plug one gap in security, do we create a different problem elsewhere? That issue arises in relation to hacking and encryption. Why should we put future-proofing ahead of clearly defined powers and responsibilities? What precedent does the Bill set for other countries? There are also more practical questions, such as whether everything the Bill proposes can be done—that issue arises for internet connection records. We must assess the implications of the Bill for important freedoms and protections, including its effect on journalism, and its influence on relationships between lawyers and clients, and between whistleblowers, constituents and their MPs. What are the implications for UK tech businesses?

Despite those questions, there is undoubtedly need for legislation—no one in the House is denying that—because, as various reports have pointed out, the existing scattered miscellany of provisions across various obscure statutes undermines the rule of law. We must also remember that we are here in part thanks to Edward Snowden's revelations, and the breakdown in trust that followed between the public and business on one hand, and intelligence agencies and law enforcement on the other. As we know, MPs—never mind the public—had no idea of extent of the capabilities that services and agencies were using.

Peter Kyle (Hove) (Lab): Does the hon. Gentleman accept that public trust is undermined when laws that are designed for serious crimes are used for minor crimes and things such as antisocial behaviour? Does he agree with the shadow Home Secretary, who called for a proportionality clause to be included in the Bill to ensure that that does not happen in practice?

Stuart C. McDonald: I have severe difficulties with some of the provisions on internet connection records in the Bill. There are tests of proportionality in the Bill, but the shadow Home Secretary was proposing a different threshold for the types of crime for which we could use internet connect records, and we will consider that proposal with an open mind.

The context informs the tests and standards we need to apply to the Bill, so we can restore the trust the hon. Gentleman talks about. First, the Bill must comply with and support the rule of law by clearly defining the investigatory powers that public institutions have available, and the limits and safeguards that apply. Of course, it must itself be consistent with the law, including international human rights law and the right to privacy.

Secondly, there must be strong oversight of the use of these invasive powers and a body that can independently scrutinise the work of the organisations using them. Going further, that body must also have the powers and expertise necessary for ensuring that the powers are not being exceeded or abused. The ability to look under the bonnet, as some of the witnesses to our Committee described it, and see what is really going on is the only way we can avoid another Snowden incident in future.

Thirdly, there is a need for the Government to shoulder responsibility for justifying each and every one of the invasive powers sought and avowed. Parliament should not give an inch without being properly persuaded of

their absolute necessity. This is the first time Parliament has debated many of them. Some, as has been said, go further than our European neighbours or even our "Five Eyes" colleagues.

In the time available, I will focus on the second of those areas of concern, the oversight and limits on powers. The introduction of judicial oversight is, to my mind, very welcome. I do not want to re-tread the debate about whether judicial review is the appropriate standard. The minutes of the Joint Committee will record that I voted to remove that test so that a general merits test was instead what was applied. My view, for what it is worth, is that if we are going for a double lock, it should be a proper double lock with two proper bolts of equal strength. The Bill Committee will form its own view on that.

I welcome the fact that the Government have made some attempt to respond to recommendations, strengthening the oversight role of judicial commissioners through the use of an in-house legal adviser, appointment of counsel and access to technical expertise, and through their ability to communicate with the tribunal directly, and to hear from whistleblowers. However, other recommendations have been rejected, including significant proposals to make the tribunal more transparent, broader rights of appeal and public hearings. The Bill Committee will want to push further on issues such as the appointments process and the process for agreeing the commission's budget.

Very significant question marks still remain with regard to legal privilege and the protection of journalistic sources. Much more scrutiny work is required in this area. I also remain utterly dissatisfied with the Government's response to one important criticism of the ability to significantly modify warrants without judicial oversight, something that risks running a coach and horses through judicial protections. I accept the principle of the Bill, but there is still a lot of work to be done to persuade me to vote for it.

5.32 pm

Will Quince (Colchester) (Con): The primary duty of any Government is the security of its people. Above all, we need to ensure that those tasked with keeping us safe have the powers to do so. I congratulate the Secretary of State for listening to concerns about the draft Bill and taking steps to improve it before bringing it to Parliament. It is a better Bill than before. However, I am afraid I still have some concerns that prevent me from wholeheartedly supporting it.

First, everyone in this House wants the police and security services to have the necessary powers to intercept communications data, but the Bill goes further than that. It extends those powers to public and local authorities. Clause 64 states that a designated senior officer may grant an authorisation for obtaining telephone data to detect or prevent crime and disorder. A designated senior officer is defined as anyone at a local council with the

"position of director, head of service or service manager".

I would suggest that there are no circumstances under which the head of waste services at my local council should be able to authorise an application for telephone data to prevent crime or disorder.

The Bill should not give councils these powers in the first place. We have seen what happens when we extend these sorts of powers to local councils: they abuse them. We all remember examples of local authorities using terrorism legislation to rummage through residents' bins or to spy on local paperboys. If local councils need to investigate crimes and require telephone data, my response is simple: go and speak to the police. These are very serious powers, which is why I urge Ministers to restrict them to the police and the security services.

Victoria Atkins: Local authorities will not have the powers to deal with internet connection records. Indeed, the powers of local authorities are very much restricted, following the very legitimate concerns voiced several years ago about exactly the things my hon. Friend describes.

Will Quince: I take my hon. Friend's point about internet data, but local authorities will have the powers in relation to telecommunication data. That is still very much in the Bill.

My second concern is around the modification of warrants. Clause 30 allows the Secretary of State to add, remove or change the names of people, organisations or premises to a warrant already issued. We are told this is for situations where the same target uses different names—in other words, the use of aliases. For example, the same individual may be known as Mr Smith with O2 and Mr Clark with Vodafone. That must be made clear in the Bill. These modifications should apply only to adding, removing or altering aliases of existing targets on warrants; the Bill should not permit changing names to investigate a completely different person.

My third and final problem concerns situations where a judicial commissioner refuses an urgent modification. The Bill says that where a commissioner refuses an urgent warrant, they can require that the information collected through that warrant be destroyed or restrict how it is used, but it does not make clear the commissioner's powers when they refuse an urgent modification of a warrant. When the commissioner refuses urgent modifications to a warrant, I would like the Bill to allow them to require that any material obtained under the modified provisions of the warrant be destroyed or that restrictions be put on its use. In some instances, judicial commissioners are not required to review or approve modifications made to warrants at all. The Government should agree that all modifications require the approval of a judicial commissioner.

Despite those concerns, I will vote with the Government today. In order that we be kept safe, we need a Bill that confirms the powers of our police and security services, but we have only one chance to get the Bill right, so I hope that amendments can be made on Report.

5.36 pm

Stephen Hammond (Wimbledon) (Con): In the four hours I have been fortunate to listen to this debate, I have observed common purpose on two things: first, our existing, piecemeal framework of legislation around regulatory powers is outdated and not fit for purpose; and secondly, there is a widely accepted view across the House that we must do something about the changing nature of crime and the risk of terror. We, as Members of Parliament, particularly those of us who are not

[Stephen Hammond]

lawyers, must consider whether the Bill makes our constituents safer and strikes the right balance between security and civil liberties. The need for this revised Bill is obvious, so I will be delighted to support the Government this evening.

I want to raise an issue I have spoken about in the Chamber a number of times before. Investigatory powers are clearly essential in the fight against terrorism and, as many have said, paedophilia, but they are also essential in the fight against economic cybercrime, which is what I want to touch on now. Overall, crime in the UK has been falling, but behind that has been an ever-increasing threat from cybercrime. Some 12% of European internet users have had their social media, email or payment systems hacked, and 7% have been victims of credit card or banking fraud online. Recently, we have seen sensitive data stolen from companies and the targeting of private payment systems and financial institutions' websites. Often, these are denial-of-service attacks.

The Opposition need to rethink their comments about economic wellbeing. My hon. and learned Friend the Member for South East Cambridgeshire (Lucy Frazer) was right in her intervention on the shadow Home Secretary. Interference in a banking system might cause difficulties for one or many of our constituents, and although it might not be as directly injurious to them as a bomb, surely a threat to our banking system and people's personal financial security is a threat to them and more generally to our national security.

I think the Government have got the balance right in clause 18(2)(c) and 18(4). It is essential to consider economic wellbeing as a matter of national security. Moreover, like others, I am a student of the country's infrastructure systems. Far too many people will not think that a small or large-scale attack on power or communications networks carries the same disruption or national security implications as a bomb and the appalling injury it could do, but the potential ramifications of such an attack are as injurious to our national security. I therefore think that the Government have got the balance right.

I say to one or two of the Bill's opponents, particularly those concerned about bulk data collection powers, that I hope they share my contention that economic well-being is wrapped up with national security. The bulk powers have been exactly those that have been used by the security services in the last six months to identify 95% of the cyber-attacks on people and businesses. That shows why these bulk powers are necessary. I hope that all Members will support the Government and the Bill.

5.40 pm

Edward Argar (Charnwood) (Con): Today we debate what is possibly one of the most important pieces of legislation this Session—or possibly even this Parliament. I rise as a non-lawyer amid what could be described as a "brief" or even a "fee" of lawyers, so I shall seek to focus on the broader issues. This Bill goes to the heart of our duty to protect the security of our country and our constituents. A delicate balance is always to be struck between security and individual privacy and liberty. The Bill serves to protect the security of this country in the face of a changing scale and type of threat—both terrorist and criminal.

James Berry (Kingston and Surbiton) (Con): Does my hon. Friend agree with the evidence we heard from the National Society for the Prevention of Cruelty to Children in Committee showing that the Bill is important for tackling online child abuse and for tracking children who have gone missing and are at serious risk of harm?

Edward Argar: My hon. Friend is absolutely right, and that is exactly the sort of criminality that the Bill will make it easier for the forces of law and order to tackle.

The Bill also serves in tandem to protect the privacy of the individual. That threat, domestic or foreign, seeks to find a safe place in which to operate in the darker recesses of the internet, using modern communications technology to escape justice. My right hon. Friend the Member for Haltemprice and Howden (Mr Davis) rightly said that the legislation he took through Parliament as a Minister in the past did not provide for these sort of powers. He is right, but the problem is that the nature of the threat and the technology used have moved on significantly since then. Our duty is to ensure that our security forces, whose often silent toils to keep us safe we should all respect and pay tribute to, have the powers they need to keep up with that change and the reality of the modern world and to pursue those who wish us harm wherever they seek to hide—on the web, or outside it.

As my hon. Friend the Member for Louth and Horncastle (Victoria Atkins), a distinguished lawyer, has said, many powers in the Bill already exist in other legislation, and the additional powers provided by this legislation such as for ICRs and greater bulk collection of data are, I believe, appropriate and reasonable, and they come connected with strong safeguards.

This Bill strengthens the protections for citizens and privacy and overhauls the complex, even byzantine, existing regime governing investigatory powers, modernising and clarifying that framework. Importantly, it includes provision for judicial involvement alongside the Home Secretary's authorisations. I personally have great faith in this Home Secretary and in her judgment as well as her accountability to this House. However, the double lock of judicial involvement provides an important compromise and further reassurance for those who genuinely and sincerely have expressed concerns.

Taken as a whole, what is set out in this Bill will provide for one of the most transparent and rigorous sets of safeguards and oversight regimes in the world. I believe it is the right approach, but I also set great store by what my right hon. Friend the Member for North Shropshire (Mr Paterson), a former distinguished Northern Ireland Secretary with first-hand experience, has said; I hope that the Minister will be able to offer some reassurance on the points my right hon. Friend raised and confirm that the envisaged system will still be sufficiently operationally agile.

I agree with the shadow Home Secretary, whom I have always regarded as a thoughtful and decent man, that finding the right balance between security and privacy is the key and that that balance is never an easy one to strike, which makes it absolutely right for this House to scrutinise what is proposed by using its fullest powers. I believe that the pre-legislative scrutiny and the scrutiny process through which we are taking the Bill through the House are absolutely fit for purpose in

doing so. I am afraid that I cannot agree with the shadow Home Secretary's conclusions. I am convinced that the Bill strikes the right balance between security and privacy and that what is proposed is right, necessary, proportionate and will help to ensure that those who keep us safe have all the tools they need to do that in this modern age.

5.44 pm

Scott Mann (North Cornwall) (Con): I know that there are strong feelings about the Bill on both sides of the House, but for me, it pits two fundamental issues against each other: privacy and security. Although the United Kingdom has no constitution, it is the leading light in laying down the main principles of democracy: such fundamental principles as "innocent until proved guilty", trial by jury, freedom of expression, freedom of speech, and the right to privacy. Meanwhile, we have some of the best and most sophisticated intelligence agencies, which keep us safe and work around the clock with our world partners to tackle global crime and terrorism.

Along with their responsibility for maintaining our fundamental democratic rights, the Government have a responsibility to keep their citizens safe. Over time, the principles by which we live have evolved. In 1967, for instance, the House rightly passed the Sexual Offences Act, which decriminalised homosexuality and allowed thousands of people to openly express their love for others of the same gender. Likewise, in recent years we have seen a revolution in technology and the ability to communicate by many means: by telephone, letter, email or text message, and through the use of mobile phones, tablets, radios, computers, cameras, or pen and paper.

Even decades ago, when members of the public did not have computers or mobile phones, the right to privacy was under scrutiny as security agencies tapped telephone lines and secretly opened mail. For years the police have been able to look at people's phone records. Just as that new form of technology had to be monitored so that criminals and terrorists could be caught, today's emerging technologies, including encryption, should be monitored effectively. To those who oppose the extension of these powers from telephones to the internet, I say this: why should the internet be the one part of people's lives that is off limits to surveillance? The security services must have the same ability to catch criminals and terrorists—through modern forms of communication—as they did 50 years ago.

Over the decades, we have seen a degree of balance, but in the background we have always had a Government who wish to keep us safe, and who use highly trained people and advanced technologies to identify threats in order to protect the freedoms by which we live. As the present Government address the increasing threat that we face, it is imperative that we continue to afford our citizens the same level of privacy and freedom that they have always had, and for the sake of which millions have people have put their lives on the line. I am therefore very pleased that the Government worked so constructively with campaign groups when drawing up the Bill.

In 2015, three reports concluded that the law was unfit for purpose. First, the Anderson report recommended that judges authorise communication intercept requests, and also recommended the creation of an intelligence commissioner. Secondly, the Intelligence and Security Committee's report concluded that the legal framework within existing laws had developed "piecemeal" and was "unnecessarily complicated". Its key recommendation was for a new Act of Parliament that would strengthen privacy protections and improve transparency. Thirdly, the report of the independent surveillance review by the Royal United Services Institute also concluded that new legislation was needed, and that warrants relating to national security that were signed by Secretaries of State should be subject to judicial review.

The Bill addresses the recommendations and concerns contained in those three reports. It keeps the principles of our democracy at the heart of its mission to stop criminals, terrorists, child traffickers and abusers, and, ultimately, to save lives. That is why I shall support it this evening.

5.48 pm

Dr Andrew Murrison (South West Wiltshire) (Con): Let me begin by thanking an enlightened and beneficent Whips Office for appointing me to the Joint Committee that considered the draft Bill. The Whips may have come to regret that, but I thank them nevertheless.

The Bill is largely an avowal of current practice. A blueprint for some "Nineteen Eighty-Four" dystopia it most certainly is not. However, it does improve transparency, oversight and authorisation. It does give our agencies the tools that they need to do their job, in an age when the number of terrorists may not be increasing in absolute terms, but the nature of that terrorism, and the number of tools available to the terrorists, most certainly are. Thanks to the Intelligence and Security Committee and the Joint Committee on which I had the privilege to serve, the Bill has been improved a great deal.

It is extraordinary that the right hon. Member for Leigh (Andy Burnham) should have flip-flopped since 4 November. I remember his speech well, and I remember thinking, "What a good speech! What a statesmanlike contribution!" Now, however, we have completely the reverse. The right hon. Gentleman is not in his place at the moment, but he is a decent man and I am sure that he will live to regret his abstention this evening. Since that time, we have had the introduction of the double lock, the nature and use of which have been clarified in Committee, certainly to my satisfaction. That would deal precisely with the sort of abuses that the right hon. Gentleman correctly cited in his speech.

Clause 222 will institute post-legislative scrutiny, which is extremely important. None of us can see what the situation five years hence is going to look like, although I think we can all guess that technology will occupy an entirely different space at that point. It is inevitable that we will have to review the legislation formally in five years' time, and I am grateful that the Bill has been amended accordingly.

There has been much debate about internet connection records. Those who say we do not need them must understand what the consequences of that would be. I accept that hard cases make for bad law, but when the National Centre for Missing and Exploited Children tells us that 862 of the 6,025 cases referred to it could not be progressed without a measure to retain ICRs, we have to think about that. Those who are saying that we do not need such a measure should reflect on what that would mean for all our constituents.

[Dr Andrew Murrison]

There has also been much talk about bulk powers—some of it informed, some of it rather less so. This is already covered by existing legislation, and the case for these provisions has been reinforced in an operational case that was recently published alongside the draft Bill and in the code of practice for bulk powers. I tried in Committee to get the Home Secretary to give me an idea of what she had in mind when she was talking about personal datasets. I failed completely. Indeed, the Chairman of the Intelligence and Security Committee also appears to have failed to clarify the meaning of "operational purposes". I admit my defeat, but this matter lies at the core of our discussions today and I hope that some clarity will be shed on it. For example, are we talking about Care.data or are we simply talking about telephone directories? It is important to know this.

I am satisfied that the Bill has been significantly improved through pre-legislative scrutiny. Few Bills that I can recall have had quite so much scrutiny. I look forward to the remaining rough edges being knocked off in Committee and in the other place, and I will most certainly be supporting it tonight.

5.52 pm

Mark Spencer (Sherwood) (Con): I shall be as quick as possible because I know that others want to speak. Anybody who has teenagers living in their house understands that the world has moved on. My children hardly ever call each other on the telephone. They use different forms of communication such as WhatsApp and Snapchat to communicate with each other. We need to understand that the world has moved on, and we need to move on as well. It is make-your-mind-up time, and one thing that is absolutely clear to me is that we cannot abstain our way to a safer society. We are going to have to make difficult decisions in order to get the balance right between people's privacy and identifying those who would do us harm.

My only concern about the Bill is whether it goes far enough. My constituents understand that you are either on one side or the other. You are either backing the police and the security forces or you are backing those who would do us harm. You are either backing the victims of crime and those who have been abused or you are backing the scumbags who perpetrate those crimes. I say to colleagues in the House today: you have to make your mind up whether you are backing the right side or the wrong side, and whether you will go into the right Lobby tonight or simply sit on your hands and hope that the world gets better. In my experience, the Tinkerbell method of closing your eyes and hoping things get better while other people do it for you does not work. So I say to colleagues: come into the right Lobby, back this legislation and let's make sure that we are on the right side with those people who need our support and help.

The balance is pretty good in this Bill. We have judicial oversight in some of the legislation, and it is important that we give people the confidence that we have the balance just about right. Personally, I would go further, but I understand that not all colleagues would.

Criminals work in networks, through which people who want to abuse children, for example, can communicate with others who are sympathetic to their ways. It is often the case that if the authorities pick up someone who is smuggling tobacco, we find out that they also engage with people who are running guns, dealing in prostitution and doing terrible things across criminal networks. We need to identify who those people are and who they are talking to, so that we can shut the networks down and keep our constituents safe. I will be delighted to support the Government in the Lobby tonight and hope that my constituents will be safer both in their beds and when going about their daily life once the legislation has been passed.

5.55 pm

Rebecca Harris (Castle Point) (Con): I am delighted that we are finally bringing forward this long-overdue Bill. Cases such as Apple's dispute with the FBI underline how modern criminals can hide behind modern technology. Criminals and terrorists are international and depend on international networks and systems. I could recite a list of the hideous terrorist atrocities that have happened throughout the world over the past year, but only today we heard of the tragic death of Adrian Ismay, the prison officer who was attacked in Belfast 10 days ago. Since the debate began, the news has been reporting armed raids in Brussels relating to last year's Paris attacks, so we are doing current and vital work today. Such criminal acts do not simply happen and are rarely the work of individuals; they are highly organised events planned by groups, and we need to be able to uncover those networks.

The Bill is about not only terrorist activity, but all kinds of crime, such as serious and organised crime, child abduction, people smuggling and, most horrible of all, child pornography, which, horrendously, is the fastest-growing form of online business. One can now even arrange child abuse to order online. I have seen at first hand the work of the police who are trying to tackle online child pornography and it is tough, horrible, but necessary work. We must not allow their hands to be tied as a result of some wrong-headed, neurotic anxiety about data retention.

The UK is lucky to be protected by the finest, most-principled security services in the world. Their job is to conduct themselves in private to protect all the freedoms that we take for granted most of the time, yet enormous public damage was done when a previous attempt to update investigatory powers legislation was dubbed the snoopers charter. It was a gross distortion of the legislation's aims to imply that the British Government were somehow trying to spy on their own citizens. It was just straightforward political scaremongering.

Joanna Cherry: Will the hon. Lady acknowledge that Opposition Members have been careful today not to use "snoopers charter" and have tried to be measured in their important criticisms?

Rebecca Harris: I absolutely appreciate that. I was not pointing my finger at any political party in particular, but some campaign groups outside the House may have used the term.

Many constituents, perfectly ordinary, good, law-abiding people, have written to me in the genuine, albeit absurd, belief that there is—or will be—some vast room full of security personnel trawling through their Facebook profiles and the pictures of their grandchildren and their cats.

As legislators, we cannot just reassure people that we would need a security service the size of the population of China to do that and simply cannot afford it, even if we had the inclination, so I am glad that the Bill clearly sets out the four key purposes that data retention and investigatory powers cover. I hope that that will reassure those who have been worried and frightened. I also appreciate the benefits of the double lock, the extra judicial oversight of which will also reassure the public, although I would like to be reassured myself that that oversight will not hamper the investigative abilities of our security services and police. There are many wonderful hon. and learned Members here today but, as I sometimes hear, lawyers can often have very different views on tiny subjects when the straightforward common sense of my constituents would know exactly when we needed to regulate on something. I wish to be reassured that we are confident that we will not over-burden the process of warrantry, to the extent that security services personnel may feel that perhaps it is a little too much effort to go down that route, given that time may be of the essence and they will need to act with speed.

We all know that we are targets for international terrorists, and that the things they hate and target us for are our freedoms, democracy and liberty. We must therefore make it clear that this Bill ensures we protect those freedoms and is in no way any form of attack on them.

6 pm

Alex Chalk (Cheltenham) (Con): Striking the right balance between liberty and security is one of the most difficult judgments we have to make as a society. Anyone who has prosecuted and defended in our criminal courts—I see several here—well understands the tension that exists between the need to protect the public from harm and preserving our precious individual freedoms. This is therefore an immensely difficult issue, and if we get it wrong, the consequences are indeed serious. But the fact that we are able to approach this Bill in a calm atmosphere, and not against a backdrop of the panic and emotion of a recent outrage, is in no small part due to the constituents of mine working at GCHQ. Their quiet, brilliant work saves lives. They avoid the limelight and do not seek our thanks, but we owe them a profound debt of gratitude.

It would be a great mistake for calmness to give way to complacency, as serious plots are thwarted with alarming regularity. Before I came to this place, I was part of the team that prosecuted five young British jihadis who had travelled from Birmingham to Dewsbury intending to detonate an improvised explosive device filled with nails at a public rally. Had the plot succeeded, the potential for carnage would have been horrifying, and I have no doubt that we would be experiencing the repercussions today.

In my experience, the people in the intelligence agencies I have met, both as a barrister prosecuting terrorism offences and since my election, are scrupulous about remaining within the law. That means we have a covenant with them. We must provide them with a piece of legislation that gives them the tools to keep us safe, but we also owe it to them to create a framework containing the safeguards needed to command public confidence—nothing less than that will do. I believe that this Bill gets that balance broadly right and it deserves a Second Reading. That judgment has been possible because the Government have listened carefully and responded in appropriate detail to the legitimate concerns raised by the Joint Committee on the Draft Investigatory Powers Bill, the Intelligence and Security Committee and the Science and Technology Committee. However, valid points have been raised today, for example on whether we ought further to limit the pool of agencies to which ICRs can be available, and on the threshold for the type and seriousness of criminality that ought to trigger their use. Those legitimate points have been properly raised, but they can be raised in Committee.

I do not have the time to examine more than a fraction of what this Bill contains, but I wish to say a few words about bulk powers. The bulk data powers in the Bill are not new. The law today has long allowed the security and intelligence agencies to acquire bulk data under RIPA and so on. Those powers underpin a significant proportion of what our security services already do.

Joanna Cherry: Does the hon. Gentleman accept that at the time the Act he has just mentioned was passed, bulk powers were not in people's contemplation? Therefore, although that Act may have been retrospectively interpreted to cover bulk powers, they have never before been debated or voted on by this House.

Alex Chalk: The hon. and learned Lady is absolutely right about that, but what is important about this Bill is that it shines a light on precisely those powers: it clarifies and consolidates them; it unifies them into a single document; and, crucially, it strengthens the safeguards that govern the security and intelligence agencies' use of them. That is precisely why this legislation is so important. Crucially, in future, warrants for bulk powers will need to be authorised by a Secretary of State and approved by a judicial commissioner, which means we can be satisfied that those powers will be issued only where it is both necessary and proportionate to do so. Each warrant must be clearly justified and balance intrusions into privacy against the expected intelligence benefits.

There is so much to say, but time is limited. The upshot is that this Bill is not the finished article, but it forms the basis of a strong piece of law. I believe it can have as positive an impact as the Police and Criminal Evidence Act 1984, by updating and clarifying the law for those having to apply the relevant powers, while strengthening safeguards for those who are subject to them. If we get the detail right, I believe this Bill has the potential to become world-leading legislation. We should give this Bill a Second Reading.

6.5 pm

David Warburton (Somerton and Frome) (Con): Speaking as one of the few non-lawyers present, I must admit to having been moved by the powerful speech by the hon. Member for Belfast East (Gavin Robinson), who is no longer in his place, about attacks in his constituency.

We instinctively baulk at the idea of expanding the powers of the state in this area, but the question is not whether we should expand them; if we are to maintain the same level of security as technology develops, we have to expand our capabilities. I am pretty confident that no Government Member would be keen to extend the powers of the state as a philosophical end in itself.

[David Warburton]

The question is how and to what degree we maintain the equilibrium with regard to technology as it keeps diversifying and threats as they keep growing.

I shared the unease of some colleagues on both sides of the House about the original Bill, but I am reassured by the Government's reaction and the subsequent changes. The Bill now offers a far clearer commitment to privacy, and I welcome in particular the additional protection it offers journalists, the limits on powers over bulk personal datasets, and the time limit on the examination of personal information extracted from databases.

We must, however, decide where the line should be drawn. The appalling events in Paris last year show clearly that our intelligence services face an enormous challenge in securing the absolute safety of the public while using incomplete and fragmented information. Terrorism is the simplest form of barbarism, but it is being conducted through modern means. If police and intelligence services are to be effective, they must adapt to that modern landscape.

As we have heard, the judicial double lock is a valuable safeguard in providing a check on the powers of the Executive. The Bill provides unprecedented detail about what those powers are and how they are exercised and overseen.

However uneasy we may feel about internet connection records or thematic warrants, that does not compare to the infinitely greater unease we ought to feel about our intelligence agencies being unable to use those tools to keep us safe. In a democratic country with such a tradition of liberty, such measures are always proposed reluctantly, but when the asymmetry between the state and the threats it faces is more apparent than ever, the arguments are pretty convincing.

The creator of England's first systematic intelligence services, Sir Francis Walsingham—it was some time ago—wrote:

"There is nothing more dangerous than security."

Today, unfortunately, that is more true than ever. With that in mind, I accept the clarity, effectiveness and necessity of this Bill.

6.8 pm

John Glen (Salisbury) (Con): I strongly support the principles behind the Bill, and I accept the provision for ICRs and the progress made towards achieving a balance between politicians and judges having oversight.

In the few minutes I have available, I want to focus on issues relating to technology. The Bill needs to be robust enough to deal both with technology as it actually is and with how rogue actors can use it. The principle of the security services having the right to intercept communications and to obtain relevant communications data, subject to the safeguards in the Bill, is absolutely vital. As a consequence, certain technical obligations must be placed on telecommunications operators to enable that to occur. In particular, clause 218(4) allows the Secretary of State to issue a notice to a communications provider, creating an obligation to remove

"electronic protection applied by or on behalf of that person to any communications or data".

My concern is that the Bill must distinguish sufficiently between two very different ways of removing electronic protection. One is technically called an instance break, which is where one instance of a communication is accessed and decrypted. Not all communications of that type are decrypted. If we want to access another communication, we have to do the process again. The second is technically called a class break, which is where removal of electronic protection is not at the individual level, but at the level of the data encryption system itself. This is the problematic form of backdoors, where a platform or protocol has an inbuilt vulnerability that should, in theory, be known only by software engineers. Once we have the generic override, it can be applied to any communication that uses that platform or protocol.

We must acknowledge the increasing technological sophistication of the individuals who threaten our security, and that is obviously why the Government are introducing this Bill. Given that, we cannot realistically expect the inbuilt vulnerabilities in data encryption to remain secret only to those who create them. My concern is that, sooner or later, we should expect those vulnerabilities to be maliciously exploited by the same groups that we are trying to fight. Those measures intended to increase security would pose a greater security risk if exploited, as malign forces could then access a whole set of encrypted communications, not just one instance.

The distinction between an instance and a class break has long been recognised by the industry and is technically clear cut. It is usually much less financially costly to build in a backdoor, but much more dangerous to the integrity of a communications system. The Bill as it stands takes account of the financial cost of complying with a notice, but not the wider security implications. I hope that the Minister will seriously consider explicitly ruling out any obligation to create inbuilt vulnerabilities in software or communications systems and to require the Secretary of State to have regard to the preservation of electronic protection as a whole when she authorises the removal of it in one instance.

For this Bill to work, it must take seriously technology as it actually is, not as we hope that it might be. Creating backdoors may be cost-effective, but could create even greater vulnerabilities in our communications infrastructure and present a critical danger to national security. I support this Bill in its principles and its safeguards, but I hope that this listening posture of the Government will continue so that we can absolutely ensure that we get it right.

6.12 pm

Matt Warman (Boston and Skegness) (Con): We have today heard much talk about this Bill being rushed. I have had the privilege—that is one word for it—of serving on not one but two Committees looking at this Bill. I am talking about the Joint Committee and the Science and Technology Committee. I can assure the House that neither of those Committees felt that it ran short of time when it came to scrutinising this Bill. Who knows? I might get lucky and find myself on the Bill Committee to scrutinise it yet further. Importantly, the level of pre-legislative scrutiny that this Bill has undergone is extensive and will be followed by the standard level of scrutiny that all Bills face in Parliament.

I wish to talk briefly about two specific points. The first is on internet connection records. We have heard today that they are not equivalent to a mobile phone

record. I would accept that point but for the fact that the internet connection record clearly is, in many ways, the modern way in which we are able to track what sort of surveillance is necessary. If we were looking at the lives of people around 10 or 20 years ago, we might simply have used the telephone. The way that we all live our lives today is through our mobile phones, through the internet, so the level of surveillance is a modern equivalent, proportionate response if we look at it through the lens of modern life. It is a marginal difference to move from the phone record, with which we have become so comfortable, to ICRs. That is why the Joint Committee was comfortable with the concept of ICRs, although I accept that there was not total unanimity on that point.

The second point relating to the ICR is that it is not a dragnet, despite what we heard from the Liberal Democrats, because it still requires approval from a judge or the state for any of this information to be accessed. I believe it is irresponsible to call it a dragnet, and I praise both the Labour party and the SNP for avoiding phrases such as "snoopers charter". Secondly, I would praise the Government for not asking for keys to encrypted communication—for making explicitly clear the point that we are not asking Apple to build in a backdoor to everybody's iMessages, and we are not asking for major technology companies to do things that they say "protect" their users.

However, I would raise a final point, which I think is more important. The Bill is an acceptable, to me, and sensible way of living with the modern world of encryption, but it does not address the modern world in which we live that says it is sensible for every citizen to have access to weapons-grade encryption. I fear that if it is accepted that there are dark spaces where the state simply cannot ever go, we are not having the debate in Parliament and in the nation that says it is not sensible for citizens to be perpetually suspicious of the role of the state in their lives, when in fact the state is that which may best keep us safe, rather than that which we should seek privacy from in every possible circumstance.

6.16 pm

Lucy Frazer (South East Cambridgeshire) (Con): Every day we compromise our right to privacy. Consciously or not, we are increasingly willing to share aspects of our everyday life with others. I will take just three examples.

The first is Google. Google's online terms of service expressly state that it analyses content, including emails, to provide personally relevant product features. Secondly, by having location services enabled on our phones, we are allowing a third party to record and keep track of where we have been, for how long and how often. Thirdly, we are privately recording each other. According to a recent estimate, in one day in Manchester a person is likely to be caught on CCTV 100 times, in circumstances in which 1.7 million of the 1.85 million surveillance cameras are privately owned.

We are therefore already exercising choice, limiting our own privacy, and we do so willingly, simply to maximise convenience and to allow us to use a free service. There is a saying, well known in security circles, that unless you are one of a very small group of people, Tesco already knows a great deal more about you than MI5 ever will.

The question I have is this: when we are happy to share such information with international corporations, which have expressly stated that they will share our data with third parties, why do we push back at the prospect of the intelligence, police and crime agencies collecting data to improve the security of our nation and to protect our citizens, and especially when it is proposed that these powers be exercised with clear safeguards, transparency and judicial oversight?

I have had the privilege of working as a barrister. I have been fortunate to act for the National Crime Agency and HMRC, to bring those allegedly involved in money laundering to justice and to recover tax, and I am acutely aware of the need for investigation and evidence when calling to account those who are adept at covering their tracks.

I have read the detailed and thorough report that David Anderson prepared as part of his initial review, and I should also declare that I was fortunate to be his pupil when starting out as a barrister. [Hon. Members: "Ah."] "A Question of Trust" highlights the importance of communications data in every aspect of security and crime detection and prevention. In his report, David Anderson stated that in 26 recent cases of terrorist activity, where 17 resulted in a conviction, 23 could not have been pursued without communications data, and in 11 cases the conviction depended on the data. That compares to Germany where, at the time of the report, data retention arrangements were not in operation. There, 377 suspects were identified, seven could be investigated and no arrests were made.

The right to privacy is not an absolute right. As individuals we choose daily to trade it in for our own convenience, but even lawmakers in the field of human rights have recognised that it is circumscribed. Even in article 8(2) of the European convention on human rights, which protects the right in generic terms, the right is qualified in the interests of national security and the public interest. The price of freedom is constant vigilance, because freedom is not anarchy.

6.20 pm

Simon Hoare (North Dorset) (Con): I support the Bill, having not had the privilege of ever being a lawyer. Occasionally, that is quite useful as it brings an element of common sense to the debate. I support the Bill because I believe it is balanced, proportionate and needed. It has a subtle nuance of equilibrium between the rights and the powers, between the state and the law enforcement agencies and the rights of individuals. I say that not because of any ovine tendency, but because I happen to believe that it is true.

We have listened this afternoon to the Opposition parties in glorious abstention. Their absence from most of the debate underscores the lack of seriousness with which they take national security. They have sat slightly like the vestal virgins, positioning themselves as the guardians of the flame of some cherished civil liberty, often dancing on the head of a legal pin, where this test has not quite been met or that hurdle has not quite been covered. We will wait and see what happens on Report.

I speak as a father, a husband, a son—somebody, I hope, with common sense, who believes that at the heart of the Bill is the Government's sincere intention to deliver what they were elected to do—that is, to strive

[Simon Hoare]

and to put in place mechanisms to defeat and frustrate terrorism, to protect our children and our young people, to try to address the problems of drug and people trafficking. Listening to the Labour Opposition, in years gone by, they probably would have complained that the magi had been intercepted and that Herod was allowed the slaughter of the first-born as a result.

Nusrat Ghani: Perhaps we should reflect on the view of experts. When David Anderson gave evidence to the Home Affairs Committee, on which I have the privilege to sit, he said, "My view is that if the police and the intelligence agencies can prove that they need those powers to do their job of keeping us safe, then the powers need to be there."

Simon Hoare: My hon. Friend is right. Those of us who took part last summer in the debate on the Anderson report, which was a very thoughtful cross-party debate, would have drawn a huge amount of comfort from what David Anderson said.

The Home Secretary and the Foreign Secretary have come to the right conclusion with the dual lock, a judge and specially trained commissioners. Their training, experience and understanding of the issues will need to be demonstrated so that the House and the public can have confidence in their judgment. It is crucial that Ministers of the Crown, accountable to this place and the electorate, will take those decisions and then be peer-reviewed by the judiciary.

The business of government, as we all know, can often be difficult, and we have people doing good work in difficult circumstances in our name. I am convinced that they do it to the highest of standards and to the zenith of professional integrity, but with the sole focus which is underscored in every line of the Bill—that the first duty of Government is the security of the realm. The nation at last should know that the Government take that seriously. The glorious principle but fairly impotent abstentions of the Opposition parties speak volumes.

Several hon. Members *rose—*

Mr Speaker: Order. In seeking to accommodate remaining colleagues, I am afraid it is necessary now to reduce the time limit on Back-Bench speeches to three minutes with immediate effect.

6.24 pm

Mr Alan Mak (Havant) (Con): I welcome the Bill because the consolidated and updated powers can be used to tackle a wide range of threats, both new and old. However, my remarks will focus on a new, growing and specific threat: economic cybercrime carried out over the internet.

The internet is an enormous economic and commercial opportunity for our country, but it has also become a means of carrying out economic attack and espionage and of causing harm. That is why the National Security Council was right to categorise cyber-attacks as a tier 1 threat to national security, and why the Chancellor was right to say in his speech to GCHQ last year that the starting point for the House must be that every British company and every British computer network is at risk. Cybercrime is not simply something that happens to other countries at other times; from the City of London to the towns, cities and villages represented in this House, the threat is real and growing, and the Bill provides this country with the vital tools it needs to protect our economy from that growing threat.

The Centre for Economics and Business Research estimates that cybercrime costs the British economy £34 billion per year, including £18 billion from lost revenue. Cybercrime includes a broad range of offences, from phishing for personal and financial information; to industrial espionage, where businesses' intellectual property is stolen; to the disruption of this country's critical national infrastructure, such as our banks and defence facilities.

The threats come from a wide range of actors: hostile nation states, cross-border crime syndicates, company insiders and so-called hacktivists. Those threats are growing and very real, and the Bill therefore gives the police and our security services the vital tools they need to fight back in the digital age, from intercepting data to interfering with computer equipment.

I want to give the House just one example of a recent cyber-attack to show the scale these attacks can reach. Last year, Carphone Warehouse was the victim of one of Britain's biggest ever attacks on a business. The personal details of up to 2.4 million customers, including bank details and dates of birth, were accessed by hackers. Some 90,000 customers had their credit card details accessed. The powers in the Bill will help to prevent and detect similar episodes in the future, keeping our economy secure.

At the heart of the fight against modern economic cybercrime is the asymmetry between attack and defence. It is simply much easier and cheaper to attack a business network than to defend it, and that asymmetry is growing. A few years ago, mounting a cyber-attack meant having all the skills at every stage of the attack, but in the last few years it has become possible for all the elements of the attack to be deployed more easily. The barriers to entry for attackers are coming down, and the workload of the defenders is going up. We need to give our police and security services the tools they need to fight back in the digital age and to keep our economy secure and strong. That is what the Bill does, and that is why it deserves the support of the whole House.

6.27 pm

Byron Davies (Gower) (Con): This significant Bill has the potential to overhaul the framework that governs the use of surveillance by the intelligence, security and law enforcement agencies in obtaining the content of communications data, and it will clearly continue to garner much serious and forensic debate.

Members will clearly have their own stance on the Bill, given their knowledge of certain areas. In that vein, I would like to look at it, not as a lawyer, but as somebody who provided plenty of business to lawyers—as a former Metropolitan police counter-terrorism officer and National Crime Squad officer. I will therefore look at the issue from an organised crime and operational law enforcement perspective.

The legislation governing much of the framework on the powers of the security, intelligence and law enforcement agencies to intercept communications—the Regulation

of Investigatory Powers Act 2000—is no longer fit for purpose. I have spent many an hour burning the midnight oil trying to construct applications under the Act, and it is not easy.

When the Act was created, broadband internet barely existed; now, we have iPhones, which were a real game-changer for law enforcement, because people could access the internet almost anywhere. Indeed, end-to-end encryption is now so widespread that it is coming to a point—indeed, it may even be at a point—where some criminals are untouchable. That simply cannot be allowed to continue.

If I do nothing else in my three minutes, I should say that equipment interference is a key part of the Bill. There are hardly any investigations into major crimes that do not require equipment interference—it is that crucial to building up a pattern of criminality, determining links between people and organisations and providing key evidence to investigate and prosecute crime. Many cases I was personally involved with used equipment interference, including cases involving major currency counterfeiting, drugs importation and firearms importation. Many of the criminals involved in such cases are not caught in a matter of days; it takes months and years to build a picture of their movements and associates, and the Bill will support that.

In 1829, one of the joint commissioners of the Metropolitan police, Sir Richard Mayne, said:

"The primary object of an efficient police is the prevention of crime"

and the detention and arrest of offenders. With that in mind, we must give law enforcement agencies the tools to do their job. There is an operational need for changes to the law. The three reviews have clearly stated that law enforcement agencies need powers to access communications and data about communications.

There has been no Paris in this country, I am pleased to say. British law enforcement is renowned as the best at intelligence gathering. If, God forbid, something did happen here, Opposition Members would be the first to ask the Government why they did not do anything. This is an opportunity to do it tonight.

6.30 pm

Tom Tugendhat (Tonbridge and Malling) (Con): This debate is very much about striking a balance between privacy and security, as I understand very well. Indeed, my father wrote the book on privacy, and it is now in its third edition—if anybody would like it, it is selling for about £200. However, I have spent much of my life working on the latter.

Security is very much at the heart of what I hope our Government are bringing to the nation—not just economic security but national security. This Bill goes a long way towards achieving that. I am extremely pleased, however, that it is grounded not just in that principle but in the principle of proportionality. Indeed, proportionality is mentioned 54 times in this Bill; it is very much at its heart. I am sorry that the right hon. Member for Leigh (Andy Burnham) missed that point.

The question of proportionality relates to the bulk data powers, which are about not simply collecting data on targets but protection. One of the points that has largely been missed, although my hon. Friend the Member for Cheltenham (Alex Chalk) raised it strongly, is that our agencies do much more than just look after our security in the offensive sense—they also look after it defensively. GCHQ has done a huge amount to protect our country from cybercrime. Indeed, 95% of all cyber-attacks in the United Kingdom have been defended against on the basis of bulk data.

In an important speech at the Massachusetts Institute of Technology only last week, the head of GCHQ, Mr Robert Hannigan, commented on the need to provide proper encryption to our society in order to allow the free economic trade that we have enjoyed for so long. He also clearly stated that he was not in favour of "backdoors", which were mentioned by my hon. Friend the Member for Salisbury (John Glen), because they are not a protection but a threat. He said:

"I am not in favour of banning encryption just to avoid doubt. Nor am I asking for mandatory backdoors. I am puzzled by the caricatures in the current debate, where almost every attempt to tackle the misuse of encryption by criminals and terrorists is seen as a 'backdoor'. It is an over-used metaphor, or at least mis-applied in many cases, and I think it illustrates the confusion of the ethical debate in what is a highly-charged and technically complex area."

Having used the powers in the former investigatory powers Acts for operations in Afghanistan targeting those who were placing bombs to try to kill fellow British servicemen, I am glad that this Bill is updating those provisions. I am also glad to see that the former Director of Public Prosecutions, who has wide experience in this field, will respond for the Opposition. His experience does credit to this House, and I am delighted to see him here.

If I may be allowed just one minor criticism, it is that the word "urgent" must be tightened. The Secretary of State must be the sole decider of what is an urgent request and an urgent need, and not a judge later on, because only she or he can have that knowledge.

6.33 pm

Chris Philp (Croydon South) (Con): Clearly, when we grant the Government powers to infringe on our privacy, such powers must be deemed absolutely necessary. No case better shines a light on what may be considered necessary than one that arose in my constituency a short time ago. Barry Bednar's 14-year-old son was groomed online over the course of some months. He was lured to the flat of someone called Lewis Daynes, where he was brutally murdered. When speaking to Barry Bednar and the boy's mother, Lorin LaFave, it is very clear that powers such as these are absolutely necessary to protect young people like Breck from being groomed online, to help the authorities to investigate such offences, and to prevent further offences from taking place.

We always face a choice in these matters, and I choose to stand with victims like Breck. I choose to stand with Breck's mother and father in doing everything we can to prevent, to investigate, and to catch the perpetrators of crimes like these. If the price I have to pay for that is that my internet browsing history gets stored or the authorities have certain powers to intercept my communications, then I am very happy to pay it in order to protect young men and women like Breck Bednar. That is why I will support Second Reading of the Bill. I thank the Home Secretary for taking the time to meet Barry Bednar and Lorin LaFave about two

[Chris Philp]

weeks ago. They were very grateful for the time that she took to listen to their concerns, and I want to put on record my thanks to her for doing that.

Since the shadow Home Secretary is now in his place, I will take the opportunity to respond briefly to a point that he raised in his speech. He made great play of the question of economic wellbeing, which concerned him. He mentioned an example from 1972, and the fact that he had to go back as far as 1972 to find an example tells us something. I draw his attention to clause 18(4), which I believe addresses his concern. It states that the test of economic wellbeing can be applied only to interception requests that are not in the United Kingdom. The concerns that he raised about the conduct of trade unions and so on would not apply because the test relates only to matters outside the United Kingdom. I hope that that gives him the reassurance that he requires.

I believe that the Bill is proportionate and reasonable. I am comforted by the judicial oversight that is in place, and I will most certainly support the Bill in the Division Lobby this evening.

6.36 pm

Kevin Foster (Torbay) (Con): It is a great pleasure to follow my hon. Friend the Member for Croydon South (Chris Philp). This type of Bill is always difficult in a democratic Parliament, where our wish for freedom in a democracy clashes with our need for security and to prevent harm from being done to us. At times this afternoon, the debate took me back to the seminars that I used to sit through at Warwick University, where we would sit around and discuss a moot point. This debate is not about a moot point, however, as my hon. Friend has just pointed out and as the hon. Member for Belfast East (Gavin Robinson) movingly said in his contribution. It is about real issues, real people and real threats to our communities with real outcomes, depending on what legislation we finally put in place, so it is not just a philosophical debate.

The alteration of our investigatory powers legislation is long overdue. My right hon. Friend the Member for Haltemprice and Howden (Mr Davis) pointed out that 66 pieces of legislation govern this area, and some elements of surveillance and investigatory powers in the Bill are, shall we say, being avowed in legislation for the first time. They are happening, but they are now being brought into the legal framework. For me, it is right that the Bill is being introduced.

Interestingly, we have had talk this afternoon about the amount of time that we have been given to debate the matter, but it has been over an hour since we last heard from an Opposition Member. That tells us that when time is available for contributions, Her Majesty's Official Opposition do not use it.

To focus on the key point, I am reassured by the judicial oversight provided by the Bill, combined with the Secretary of State's responsibilities on warrants. After a controversial use of the new powers, no Secretary of State would be able to come to Parliament and say, "I knew nothing about it." Likewise, a warrant could not be issued if it was not proportionate, because of the need for judicial oversight. Given how strongly our judiciary has stood up to the Executive over the years on the use of certain powers, I do not see any reason why in this instance, the judiciary would suddenly feel compelled to give in.

A lot of the views expressed in the debate have been about details, but this is Second Reading, not Report or Third Reading. Those stages and, crucially, the Bill Committee, are yet to come. All the arguments I have heard this afternoon from hon. Members, including the Home Secretary, have been about giving the Bill a Second Reading. That will only happen if Members vote for it, rather than sitting on their hands in this Chamber.

I welcome the introduction of the Bill. There is more work to be done on it, but that is why we should give it a Second Reading, and I will certainly vote for that to happen.

6.39 pm

Mike Wood (Dudley South) (Con): I was opposed to the 2000 Act, and I had concerns about the 2014 Act. If our starting point is whether changes would make things easier or harder for some hypothetical despotic regime, both Acts clearly shifted the powers of the state and gave the security services significant new powers without providing corresponding safeguards to protect the rights and freedoms of the individual. However, with three independent reviews, three parliamentary Committees during the pre-legislative scrutiny stage and Ministers who have clearly been prepared to listen and to make changes, this Bill is far better than any previous ones.

I still have concerns about shifting the balance between individuals and the state, but I am satisfied that the proposals will introduce powers that are proportionate to the risks faced. They will bring greater transparency to the system and the process. The powers will be controlled by more effective authorisation mechanisms and independent oversight. The proposals are proportionate because, as is widely recognised, the future is increasingly digital, and we have a responsibility to respond as such.

The internet is a fantastic opportunity and it opens incredible doors—even though I think as myself as tech savvy, I find it dispiriting to see that my five-year-old son can use my iPad better than I can—but it also, of course, opens doors for those who would do us harm in relation to both national security and some of the most vulnerable members of our community.

We often hear about the precautionary principle: the idea that where there is even a small risk of great harm, it is appropriate to take whatever action might avoid it. In this case, the risk is not small or hypothetical—unfortunately, with paedophilia and child sexual exploitation, we see the risk week after week—and the Bill could help to tackle that risk. We know not just that the risk of international terrorism is significant, but that if the security services do not have the powers to tackle those threats, it is absolutely certain that we will be victims. That is why I will support the Bill this evening.

6.42 pm

Suella Fernandes (Fareham) (Con): I am not sure what the collective noun is for lawyers.

Simon Hoare: A pain.

Suella Fernandes: It may be a pain, a chorus, a dazzle or an appeal. Whatever it is, I rise to join that group and its collective voice in favour of the Bill.

Although the Bill's opponents brand it a snoopers charter and criticise the lack of safeguards, I disagree with them. Like several hon. Members in the Chamber today, I had the privilege of sitting on the Joint Committee, and I heard at first hand the evidence of professionals on the front line. I am convinced that they exercise their powers judiciously and carefully, and I have faith that they will apply ethical standards when it comes to employing those powers. As the shadow Home Secretary said, GCHQ has neither the resources for nor the interest in carrying out mass surveillance of innocent people.

On safeguards, warranting has traditionally been the sole concern of the Executive. To echo the sentiments of my right hon. Friend the Member for North Shropshire (Mr Paterson), warranting is an inherently political process. When Ministers take a decision on granting a warrant, they take into account issues of national security, diplomatic relationships and the wider context. Frankly, such factors would not be relevant to a narrow legal and judicial analysis.

The Bill incorporates judicial review as the test to which warrants are subject. As my hon. Friend the Member for Tonbridge and Malling (Tom Tugendhat) set out, judicial review incorporates a test of proportionality. That test—I speak with 10 years' experience as a barrister specialising in judicial review in administrative law—involves four stages: first, looking at the objective in mind; secondly, assessing whether the means are directly connected to the objective; thirdly, asking whether an alternative is available; and lastly, carefully balancing intrusion against privacy. The choice is clear: do we trust our skilled professionals, or do we further disable them and let the terrorists and those who seek to destroy our society wreak havoc in this world?

6.44 pm

Keir Starmer (Holborn and St Pancras) (Lab): I pay tribute to all contributions made during this debate. Anyone who has been involved in real time in a criminal investigation knows how vital it is for the police and our security and intelligence services to have access to communications and personal data. If a child goes missing, or a planned terrorist plot is uncovered, and a suspect appears on the radar for the first time, then knowing who he is, who he has been in contact with, and when, are vital clues.

The police, and the security and intelligence services, must be able to look back as well as forward. I know that because when I was Director of Public Prosecutions, I worked with the relevant agencies in real time on real cases that involved some of the most serious and grotesque crimes, and I shared the anxiety of tracking down individuals before they committed unspeakable crimes. For me, that has always made a compelling case for retaining some communications and personal data. Whether that is done by a retention notice from the Secretary of State or through the use of bulk powers, we cannot target suspects until we know that they exist and what they have been up to.

Whether we like it or not, we need the power and capability to park data and allow access to it at some later stage on strict terms. However, that is not, and should never be, the end of the story. The fact that a few individuals with experience trust such an exercise is not enough for the general public. Retaining communications and personal data is highly intrusive, and accessing that data at a later stage even more so—the clearest examples of that are bulk intercept powers and equipment interference capabilities.

There have been a number of exchanges this afternoon about the words "mass surveillance", and I do not intend to embark on that. At best, such powers could be described as "suspicionless mass retention", but that does not mean that they cannot be justified, or that they cannot be used. It does mean, however, that the concerns raised across the House deserve careful consideration.

The terms on which we park data, what we allow to be parked and in what circumstances, and the terms in which those data can later be accessed matter in a modern democracy, and that puts the right to privacy in central place. Such powers must be set out in clear terms in law, and they must be necessary and proportionate. That first requirement that powers and capabilities be set out in law is not a legalistic tick-box exercise. In the wake of the Snowden revelations, it is clear that some investigatory powers in the UK have been and are being used more widely than was previously known, and without the safeguards in the Bill. If that is to be avoided in future, tightly drawn definitions of all powers and capabilities are needed in the Bill.

In that respect, I fear that the Government are moving in the wrong direction. The pre-scrutiny committees pointed to powers that they said were too broad and lacked clarity. Some of those powers have now been put into codes of practice, and there is nothing wrong with such codes of practice being available at this stage—we called for that, it is good to have them, and I applaud the Home Secretary for putting them before the House. However, there is a big difference between defining a power in a code of practice and defining it in statute. Even where powers are defined in the Bill, there is ambiguity.

A lot of the discussion this afternoon has been about internet connection records, and I urge Members to look again at clause 54, which is extremely vague and broad. As my hon. Friend the Member for Walthamstow (Stella Creasy) powerfully said, the distinction between content and contact is not as easy to make as it first appears. The necessity test in relation to some of the powers has also not yet fully been made. Of particular concern are the bulk powers, which allow the security and intelligence agencies to collect large volumes of data, including communications data and contact.

Operational cases have been published. So far, they have failed to convince. They need to be independently assessed. The Home Secretary indicated that the information has been given to the Intelligence and Security Committee, and we await the outcome of that. I do not suggest they cannot be justified, but it is important for the public at large that they are justified.

On proportionality, the principle is that the most intrusive powers should be reserved for the most serious cases. There must be clear safeguards to prevent the temptations of using them for lesser offences. There can be no doubt that when a young child goes missing or the intelligence suggests a suspected terrorist attack, access to data held by the police—and, where necessary, the

[Keir Starmer]

security and intelligence services—should be rapid and reliable. However, that does not justify routine resort to intrusive measures in other, less serious cases.

A lot of concern has been expressed about internet connection records. A rule that should be applied in investigatory powers cases is that the wider the set of data collected, the more careful the threshold should be and the higher the point of access. Even if the case can be made for internet connection records, that is a very, very wide dataset. This requires the threshold for access to be reconsidered and I invite the Government to consider the really serious matter of the threshold for access for internet connection records.

A fit-for-purpose 21st-century surveillance law is a prize worth fighting for and Labour will work with the Government to achieve it. For that to happen, however, the Government need to allow sufficient time for scrutiny, and, equally importantly, to shift position on a number of key issues. It is as simple as that.

6.52 pm

The Secretary of State for Foreign and Commonwealth Affairs (Mr Philip Hammond): This has been a good debate and I pay tribute to all contributors. We have heard a great deal of detail from a lot of very knowledgeable people. I am only grateful, Mr Speaker, that I do not have to pick up the bill at standard hourly rates for all the lawyers who have contributed to our debate tonight.

Amid all the admirable attention to detail, we must never lose sight of what this is all about: the first duty of Government is to keep us safe from serious crime, terrorism and hostile foreign powers. The Bill sets out a new framework for the use and oversight of investigatory powers by the law enforcement and security and intelligence agencies—not just those required to counter threats here at home but those supporting the vital outward-facing work of GCHQ and the Secret Intelligence Service, the two agencies for which I am responsible. I pay tribute tonight to the work of the secret intelligence agencies, the police, the National Crime Agency and all the other bodies that together do such a fantastic job of keeping us safe.

The purpose of the Bill is threefold: to bring together in one place all the powers already available to the agencies to obtain communications and data about communications; to equip us for a digital age by introducing a new power relating to the retention of internet connection records; and to overhaul the way the use of these powers is authorised and overseen. Our delivery of those three objectives has been underpinned by three principles: that the powers available to the agencies are necessary to tackle the serious threats we face; that they are proportionate, balancing the need to tackle threats with the rights to privacy of law-abiding people; and that they are subject to proper and effective authorisation and oversight.

To those who say that the Bill is rushed and that we have rushed into this without due consideration, I say, with the greatest respect, that that is nonsense. Our approach has been informed by the recommendations of no fewer than three independent reviews and three Committees, which scrutinised the draft proposals in detail. Indeed, few measures ever brought before the House can have been subject to such a high degree of pre-legislative scrutiny. I want to place on the record once again my and the Home Secretary's thanks to all those involved, because their work has undoubtedly improved the Bill.

The introduction of judicial authorisation in the warrant-issuing process as part of the overarching architecture will reassure the public. I want to be clear—because concerns have been raised tonight—that the judicial commissioners will be able to consider proportionality and necessity as they exercise their double-lock function. I want to reassure hon. Members who raised this point that we are confident that this additional layer of protection can be introduced without undermining the effectiveness of the system.

This is a Second Reading debate. It is clear from remarks tonight that there is widespread acceptance across the House, including from both Opposition Front Benches, of the need for legislation, but both raised a series of points—several recurring themes arose in the debate—all of which are perfectly proper issues to raise in Committee, when a proper, detailed justification of each of the proposals in the Bill can be made and scrutinised. I am confident that all reasonable concerns and fears can be allayed as the Bill progresses.

It is important to be clear that, apart from internet connection records, all the powers in the Bill are already in use by our agencies and police forces, as they keep us remarkably safe from the myriad threats we face. Any attempt to curtail those powers, which they already have and are currently using, would make us less safe. That is something that we, on this side of the House, are simply not prepared to contemplate. I was hoping to address some of the key issues raised during the debate, but I am afraid that time does not allow it. All the issues raised, however, will be fully and exhaustively addressed in Committee.

The Bill is about backing our police and intelligence agencies with the powers they need to keep the British people safe. It is about allowing them to adapt to changing technology and the ways in which criminals and terrorists use it, but it is also about ensuring that all this is done in a proportionate way and with proper authorisation and oversight so that the British people can have absolute confidence that the powers are being appropriately used and that their privacy is being properly protected.

The Bill delivers all those objectives. The powers set out are necessary to tackle the serious threats we face, and they are proportionate, carefully balancing the need to tackle threats with people's right to privacy. The Bill provides for a level of oversight and scrutiny that will be world leading, with the introduction of judicial oversight and the double lock—the biggest change in this area since Government avowed the very existence of the intelligence and security agencies over 20 years ago.

For too long, technological change has been moving the dial in favour of the criminal and the terrorist. The Bill is an important step in the fight back. I urge colleagues on both sides of the House to join us in taking the battle to the terrorists and the organised criminals by backing the Bill tonight.

Question put, That the Bill be now read a Second time.

The House divided: Ayes 281, Noes 15.

Division No. 220] **[6.59 pm**

AYES

Afriyie, Adam
Aldous, Peter
Allan, Lucy
Allen, Heidi
Amess, Sir David
Andrew, Stuart
Ansell, Caroline
Argar, Edward
Atkins, Victoria
Bacon, Mr Richard
Baker, Mr Steve
Baldwin, Harriett
Barclay, Stephen
Barwell, Gavin
Bellingham, Sir Henry
Benyon, Richard
Beresford, Sir Paul
Berry, Jake
Berry, James
Bingham, Andrew
Blackman, Bob
Bone, Mr Peter
Bottomley, Sir Peter
Bradley, Karen
Brady, Mr Graham
Brazier, Mr Julian
Bridgen, Andrew
Brine, Steve
Brokenshire, rh James
Bruce, Fiona
Buckland, Robert
Burns, Conor
Burns, rh Sir Simon
Burt, rh Alistair
Cairns, Alun
Campbell, Mr Gregory
Carmichael, Neil
Cartlidge, James
Cash, Sir William
Caulfield, Maria
Chalk, Alex
Chishti, Rehman
Chope, Mr Christopher
Clark, rh Greg
Clarke, rh Mr Kenneth
Cleverly, James
Clifton-Brown, Geoffrey
Coffey, Dr Thérèse
Collins, Damian
Colvile, Oliver
Costa, Alberto
Cox, Mr Geoffrey
Crabb, rh Stephen
Davies, Byron
Davies, Glyn
Davies, Dr James
Davies, Mims
Djanogly, Mr Jonathan
Donaldson, rh Mr Jeffrey M.
Donelan, Michelle
Double, Steve
Doyle-Price, Jackie
Drax, Richard
Drummond, Mrs Flick
Duddridge, James
Duncan, rh Sir Alan
Dunne, Mr Philip
Elliott, Tom
Ellis, Michael
Ellison, Jane
Ellwood, Mr Tobias
Elphicke, Charlie
Eustice, George
Evans, Graham
Evans, Mr Nigel
Evennett, rh Mr David
Fabricant, Michael
Fallon, rh Michael
Fernandes, Suella
Field, rh Mark
Foster, Kevin
Fox, rh Dr Liam
Francois, rh Mr Mark
Frazer, Lucy
Freer, Mike
Fuller, Richard
Fysh, Marcus
Gale, Sir Roger
Garnier, rh Sir Edward
Garnier, Mark
Gauke, Mr David
Ghani, Nusrat
Gibb, Mr Nick
Gillan, rh Mrs Cheryl
Glen, John
Goodwill, Mr Robert
Graham, Richard
Grant, Mrs Helen
Grayling, rh Chris
Green, Chris
Green, rh Damian
Grieve, rh Mr Dominic
Gummer, Ben
Gyimah, Mr Sam
Halfon, rh Robert
Hall, Luke
Hammond, rh Mr Philip
Hammond, Stephen
Hancock, rh Matthew
Harper, rh Mr Mark
Harrington, Richard
Harris, Rebecca
Hart, Simon
Haselhurst, rh Sir Alan
Hayes, rh Mr John
Heald, Sir Oliver
Heappey, James
Heaton-Harris, Chris
Heaton-Jones, Peter
Henderson, Gordon
Herbert, rh Nick
Hermon, Lady
Hoare, Simon
Hollingbery, George
Hollinrake, Kevin
Hollobone, Mr Philip
Holloway, Mr Adam
Hopkins, Kris
Howell, John
Huddleston, Nigel
Jackson, Mr Stewart
James, Margot
Javid, rh Sajid
Jayawardena, Mr Ranil
Jenkin, Mr Bernard
Jenkyns, Andrea
Jenrick, Robert
Johnson, Boris
Johnson, Gareth
Johnson, Joseph
Jones, rh Mr David
Kawczynski, Daniel
Kinahan, Danny
Knight, rh Sir Greg
Knight, Julian
Kwarteng, Kwasi
Lancaster, Mark
Latham, Pauline
Leadsom, Andrea
Lee, Dr Phillip
Lefroy, Jeremy
Leigh, Sir Edward
Leslie, Charlotte
Letwin, rh Mr Oliver
Lewis, Brandon
Lilley, rh Mr Peter
Lopresti, Jack
Lord, Jonathan
Loughton, Tim
Mackinlay, Craig
Main, Mrs Anne
Mak, Mr Alan
Malthouse, Kit
Mann, Scott
Mathias, Dr Tania
May, rh Mrs Theresa
Maynard, Paul
McCartney, Jason
McCartney, Karl
McLoughlin, rh Mr Patrick
Menzies, Mark
Merriman, Huw
Metcalfe, Stephen
Miller, rh Mrs Maria
Milling, Amanda
Mills, Nigel
Milton, rh Anne
Mitchell, rh Mr Andrew
Mordaunt, Penny
Morgan, rh Nicky
Morris, Anne Marie
Morris, David
Morris, James
Morton, Wendy
Mundell, rh David
Murray, Mrs Sheryll
Murrison, Dr Andrew
Nokes, Caroline
Nuttall, Mr David
Offord, Dr Matthew
Opperman, Guy
Paisley, Ian
Parish, Neil
Patel, rh Priti
Paterson, rh Mr Owen
Pawsey, Mark
Penning, rh Mike
Penrose, John
Percy, Andrew
Perry, Claire
Phillips, Stephen
Philp, Chris
Pincher, Christopher
Poulter, Dr Daniel
Pow, Rebecca
Prentis, Victoria
Prisk, Mr Mark
Pritchard, Mark
Pursglove, Tom
Quin, Jeremy
Quince, Will
Raab, Mr Dominic
Redwood, rh John
Rees-Mogg, Mr Jacob
Robinson, Gavin
Robinson, Mary
Rosindell, Andrew
Rudd, rh Amber
Rutley, David
Sandbach, Antoinette
Scully, Paul
Selous, Andrew
Shannon, Jim
Shapps, rh Grant
Shelbrooke, Alec
Simpson, David
Simpson, rh Mr Keith
Skidmore, Chris
Smith, Chloe
Smith, Henry
Smith, Julian
Smith, Royston
Solloway, Amanda
Soubry, rh Anna
Spelman, rh Mrs Caroline
Spencer, Mark
Stephenson, Andrew
Stevenson, John
Stewart, Iain
Stewart, Rory
Streeter, Mr Gary
Stride, Mel
Stuart, Graham
Sturdy, Julian
Sunak, Rishi
Swayne, rh Mr Desmond
Swire, rh Mr Hugo
Syms, Mr Robert
Thomas, Derek
Throup, Maggie
Timpson, Edward
Tolhurst, Kelly
Tomlinson, Justin
Tomlinson, Michael
Tracey, Craig
Tredinnick, David
Trevelyan, Mrs Anne-Marie
Tugendhat, Tom
Turner, Mr Andrew
Vaizey, Mr Edward
Vara, Mr Shailesh
Vickers, Martin
Walker, Mr Charles
Walker, Mr Robin
Wallace, Mr Ben
Warburton, David
Warman, Matt
Watkinson, Dame Angela
Wharton, James
Whately, Helen
White, Chris
Whittaker, Craig
Whittingdale, rh Mr John
Wiggin, Bill
Williams, Craig
Williamson, rh Gavin
Wilson, Mr Rob
Wilson, Sammy
Wollaston, Dr Sarah
Wood, Mike
Wragg, William

Tellers for the Ayes: **Sarah Newton and Simon Kirby**

NOES

Brake, rh Tom
Carmichael, rh Mr Alistair
Clegg, rh Mr Nick
Edwards, Jonathan
Farron, Tim
Lamb, rh Norman
Lucas, Caroline
Mulholland, Greg
Pugh, John
Saville Roberts, Liz
Skinner, Mr Dennis
Thomson, Michelle
Williams, Hywel
Williams, Mr Mark
Winnick, Mr David

Tellers for the Noes: **Ms Margaret Ritchie and Mark Durkan**

Question accordingly agreed to.

Bill read a Second time.

Mr Speaker: I remind the House that the programme motion in the Order Paper was published in error, a fact of which I informed the House some hours ago. The correct motion has been available from the Vote Office. I invite the Home Secretary to move the amended programme motion.

INVESTIGATORY POWERS BILL (PROGRAMME)

Motion made, and Question put forthwith (Standing Order No. 83A(7)),

That the following provisions shall apply to the Investigatory Powers Bill:

Committal

(1) The Bill shall be committed to a Public Bill Committee.

Proceedings in Public Bill Committee

(2) Proceedings in the Public Bill Committee shall (so far as not previously concluded) be brought to a conclusion on Thursday 5 May 2016.

(3) The Public Bill Committee shall have leave to sit twice on the first day on which it meets.

Proceedings on Consideration and up to and including Third Reading

(4) Proceedings on Consideration and up to and including Third Reading shall be taken in two days in accordance with the following provisions of this Order.

(5) Proceedings on Consideration and any proceedings in legislative grand committee shall (so far as not previously concluded) be brought to a conclusion one hour before the moment of interruption on the second day.

(6) Proceedings on Third Reading shall (so far as not previously concluded) be brought to a conclusion at the moment of interruption on the second day.

(7) Standing Order No. 83B (Programming committees) shall not apply to proceedings on Consideration and up to and including Third Reading.

Other proceedings

(7) Any other proceedings on the Bill (including any proceedings on consideration of Lords Amendments or on any further messages from the Lords) may be programmed.—*(Mrs May.)*

Question agreed to.

INVESTIGATORY POWERS BILL (MONEY)

Queen's recommendation signified.

Motion made, and Question put forthwith (Standing Order No. 52(1)(a)),

That, for the purposes of any Act resulting from the Investigatory Powers Bill, it is expedient to authorise the payment out of money provided by Parliament of:

(1) any expenditure incurred by the Secretary of State under the Act;

(2) any other expenditure incurred by a Minister of the Crown or government department by virtue of the Act;

(3) any remuneration and allowances payable under the Act to the Judicial Commissioners; and

(4) any increase attributable to the Act in the sums payable by virtue of any other Act out of money so provided.—*(Guy Opperman.)*

Question agreed to.

INVESTIGATORY POWERS BILL (WAYS AND MEANS)

Motion made, and Question put forthwith (Standing Order No. 52(1)(a)),

That, for the purposes of any Act resulting from the Investigatory Powers Bill, it is expedient to authorise:

(1) provision about taxation in connection with transfer schemes; and

(2) the payment of sums into the Consolidated Fund.—*(Guy Opperman.)*

Question agreed to.

DEFERRED DIVISIONS

Motion made, and Question put forthwith (Standing Order No. 41A(3)),

That at this day's sitting, Standing Order No. 41A (Deferred divisions) shall not apply to the Motion in the name of Secretary Theresa May relating to Investigatory Powers Bill Carry-over; and the Motion relating to the Prevention and Suppression of Terrorism.—*(Guy Opperman.)*

Question agreed to.

INVESTIGATORY POWERS BILL (CARRY-OVER)

Motion made, and Question put forthwith (Standing Order No. 80A(1)(a),

That if, at the conclusion of this Session of Parliament, proceedings on the Investigatory Powers Bill have not been completed, they shall be resumed in the next Session.—*(Guy Opperman.)*

Question agreed to.

Mr Speaker: Having got comfortably through that sequence—I am most grateful to the Whip on duty—we now come to the motion on prevention and suppression of terrorism and, dare I say it, to the alluring prospect of the motion being moved by the Minister for Security, the right hon. Member for South Holland and The Deepings (Mr Hayes).

Prevention and Suppression of Terrorism

7.13 pm

The Minister for Security (Mr John Hayes): I beg to move,

That the draft Terrorism Act 2000 (Proscribed Organisations) (Amendment) Order 2016, which was laid before this House on 22 February, be moved.

I am extremely grateful to you, Mr Speaker. Alluring though the prospect might be, and as you know, it is not my habit to disappoint the House or to abbreviate my remarks when further articulation of an argument is necessary—*[Interruption.]*

Mr Speaker: Order. I appreciate that Members are leaving the Chamber, but it would be appreciated if they could do so quickly and quietly. I am sure that the substantial numbers of Members who are staying will want to savour the speech by the Minister. At any rate, he deserves an attentive audience. Indeed, I am sure that he expects nothing less.

Mr Hayes: With your encouragement, Mr Speaker, I repeat that it is not my habit to disappoint the House or to be constrained by facts, believing as I do that it is a journey beyond the given in which men and women shine and soar. Nevertheless, I will be brief and factual tonight.

The International Sikh Youth Federation, a separatist movement committed to the creation of Khalistan, an independent Sikh state in the Punjab region of south Asia, was established in the 1980s. In the past, the ISYF's attacks included assassinations, bombings and kidnappings, mainly directed against Indian officials and interests. The ISYF has been proscribed as a terrorist organisation in the UK since March 2001. The decision to proscribe the ISYF was taken after extensive consideration and in the light of a full assessment of available information and at that time, as is necessary, was approved by Parliament. It is clear that the ISYF was certainly concerned with terrorism at that time.

Having reviewed, with other countries, what information is available about the current activities of the ISYF and after careful and appropriate consideration, the Home Secretary concluded that there is not sufficient evidence to support a reasonable belief that the ISYF is currently concerned with terrorism, as defined by section 3(5) of the Terrorism Act 2000. Under section 3 of the Act, the Home Secretary has the power to remove an organisation from the list of proscribed organisations if she believes that it no longer meets the statutory test for proscription. Accordingly, the Home Secretary has brought forward this draft order, which, if approved, will mean that being a member of or providing support to this organisation will cease to be a criminal offence on the day on which the order comes into force. The decision to de-proscribe the ISYF was taken after extensive consideration and in the light of a full assessment of all the available information. The House will naturally understand that it would not be appropriate for me to discuss the specific intelligence that informed the decision-making process.

The House would also expect me to make it clear that the Government do not condone any terrorist activity or terrorism apologists. De-proscription of a proscribed group should not be interpreted as condoning the previous activities of the group. As I said, the decision to proscribe was taken on the basis of the information available then, and we take this decision on the basis of up-to-date information. Groups that do not meet the threshold for proscription are not free to spread hatred, fund terrorist activity or incite violence as they please.

Andy Burnham (Leigh) (Lab): I am grateful to the Minister for giving way, but some of the things that he has said tonight will be disputed by some in the Sikh community. I do not want to get into a debate about the organisation's history, but the strong feeling in the Sikh community is that some decisions were based on diplomatic pressure from the Indian Government, rather than on the direct evidence of terrorism that he describes. I am not proving the case one way or the other, but can the Minister say without any contradiction that diplomatic pressure did not lead to the ban being maintained for so long?

Mr Hayes: I can say without equivocation, hesitation or obfuscation that a ban can apply only if there is compelling evidence to support it. Indeed, were there to be continuing compelling evidence, the ban would remain in place. When matters were reconsidered, it was clear that we could not make such a ban stand up against the criteria, which are appropriately tough, so we brought forward the draft order that we are briefly debating tonight. Pressure was certainly not put on me. Indeed, I received no overtures of the kind that he described. Had I done so, I can absolutely assure the right hon. Gentleman that my decision-making would not have been affected in any way.

Andy Burnham: I am grateful to the Minister for giving way again and I appreciate that he wants to get through his speech, but these are matters of great concern to many in the British Sikh community, so they will want to hear further answers from the Minister. He says that the Government changed their mind when the evidence was reconsidered, but that was only after they were taken all the way to the High Court and had resisted representatives of the Sikh community at every single stage. The Minister needs to remove any suggestion that the ban has been maintained for so long because of pressure from the Indian Government.

Mr Hayes: I did say, "without equivocation, hesitation or obfuscation." I do not know how I could put it more clearly that no such representations influenced any decision I made on these matters. Let me see whether I can create a synthesis between our positions, as I do appreciate that there are strong feelings about this matter. When proscription is put in place, it is done with the utmost seriousness, as these are serious matters. Banning the membership of any organisation in a free society is a very serious business indeed. Consequently, lifting such a proscription is also a serious matter, and it warrants the kind of consideration that has been given. The fact that these matters have to be brought to this Chamber at both stages is indicative of that seriousness. As the right hon. Gentleman knows, the threshold for proscription is common to both stages and applied under Governments of different colours—this was in place under Labour. It has not changed, so it is not as though the goalposts have been shifted and the criteria have altered. I can also assure him that absolute consistency applies; it

[Mr John Hayes]

might be argued that there had been a change of not only approach, but of the way we measure such things, and I can assure him that that has not happened either.

Keith Vaz (Leicester East) (Lab) *rose—*

Mr Hayes: I give way to the right hon. Gentleman, who chairs the Home Affairs Committee and is a great expert on all these matters.

Keith Vaz: I, of course, accept the Minister's assurances that the Indian Government did not put pressure on Ministers—it would be wrong for them to have done so—as he has come to the House and said so. Will he just clarify something for me? The independent reviewer of terrorism legislation suggested that there should be an automatic trigger; once proscription is put in place, there should be a time specified that would enable the matter to be reviewed, so that organisations that are proscribed and do change would not have to wait an inordinate time—an indefinite length of time—before their proscription is reconsidered. Do the Government now support that position?

Mr Hayes: The right hon. Gentleman is right to say that the independent reviewer did make such an argument, and I was familiar with it. There has also been a continuing argument in favour of an annual check on these matters—I understand that argument and we are never a closed-minded Government, as I know he will appreciate. That is not the situation that pertains at the moment or in respect of this organisation, and one could not make the case that the shadow Home Secretary made if it were. There was no fixed time limit nor a predetermined idea that this ban would last for only a particular time and would then be lifted. This decision was therefore purely based on a re-examination of the facts, rather than on any consideration of how long the organisation had been banned or whether there should be an end point.

Keith Vaz: The shadow Home Secretary raised this point because there are members of the community who have suggested that there has been pressure put on, and that indicates the problem with an indefinite period. If it was not indefinite but was reviewable, as the independent reviewer has suggested, there would not be these suspicions that others had put pressure on Ministers. The Minister has made it clear that no pressure has been put on him, but that does not stop these rumours persisting, because we are talking about an indefinite period.

Mr Hayes: The right hon. Gentleman has a charming idealism, which I rather admire. It is idealistic to suppose that because something continues for some time there is likely to be the kind of pressure that he has described, whereas if something happened more suddenly, that pressure would not be applied. Rather, I think a fixed timetable might act as pressure valve, adding a greater degree of argument, debate and perhaps even lobbying of the kind that is being suggested. I am not sure that the length of time and the character of the overtures that might be made to Ministers can really be reconciled in the way he is describing, but, as he knows, I admire his idealism.

I say to the right hon. Gentleman and the shadow Home Secretary that the Government continue to exercise the proscription power in a proportionate manner. There has been a great deal of debate about proportionality this afternoon. In that spirit, it is important that we recognise that proscription has implications for the circumstances and entitlements of individuals and groups of individuals. It is very important that we act strictly in accordance with the law, according to those strict thresholds and proportionately.

In conclusion, we believe that it is appropriate in these circumstances to remove the ISYF from the list of proscribed organisations. I hear what the shadow Home Secretary says. These are never easy decisions, and such decisions never attract unanimity in any community, but this Government are not a Government who do what is easy—they are a Government who do what is right. We think it is right that we remove the ISYF from the list of proscribed organisations in schedule 2 to the Terrorism Act 2000. Subject to the agreement of this House and the other place, the order will come into force on 18 March.

7.26 pm

Lyn Brown (West Ham) (Lab): We support the order. As I am sure everyone will agree, proscription is a weighty matter. National security is the foremost responsibility of any Government and, indeed, of any Opposition, and we must continue to ensure that we take national security matters very seriously indeed.

The Opposition recognise that proscription is a vital part of our national security powers, which enable us to tackle and disrupt terrorist groups, but we also have to accept that proscription is a draconian power, and with that power comes great responsibility.

Proscribing a group makes it illegal to belong to or support it any way. It is, in and of itself, a curtailment of freedom of association. It is also possible that those who have associated with a proscribed organisation will have their ability to travel or an application for citizenship disrupted. Given those civil liberties implications, any proscription order should be considered very carefully, and we also need to keep the status of proscribed groups under review.

The issue of de-proscription, however, has been fraught. It was first raised in the context of the People's Mujahedin of Iran and a judicial review launched against its continued proscription. In 2008, the Court of Appeal found in its favour and ruled that

"an organisation that has no capacity to carry on terrorist activities and is taking no steps to acquire such capacity or otherwise to promote or encourage terrorist activities cannot be said to be 'concerned in terrorism'".

Although the People's Mujahedin of Iran was subsequently de-proscribed, that has not been followed by the implementation of a proper procedure for considering other groups.

That issue was raised by the independent reviewer of terrorism, David Anderson QC, in his 2011 report and it has been highlighted repeatedly since. Indeed, it was subsequently part of the focus of an excellent Home Affairs Committee report in 2012. It has been raised by

many hon. Members, particularly my predecessor in this post, my hon. Friend the Member for Kingston upon Hull North (Diana Johnson), and my right hon. Friend the Member for Leicester East (Keith Vaz), the Chair of the Home Affairs Committee, who have both addressed it in several proscription debates over the past five years.

Unfortunately, the Government have not engaged with the issue. In 2012, the then Security Minister promised the Chair of the Home Affairs Committee a response "shortly". In 2013—a year later—the response had still not appeared. In another proscription debate, my right hon. Friend the Chair of the Home Affairs Committee made some prescient remarks about the lack of a proper de-proscription procedure. He said:

"That means, I am afraid, that the matter ends up not in this House, which is responsible for proscription, but in the courts…A Minister came before the House and said, 'We are de-proscribing the People's Mujahedeen, because they've gone to court and won their judicial review.'"—[*Official Report*, 10 July 2013; Vol. 566, c. 464.]

In response to that pressure, the Government did concede that 14 groups no longer met the statutory test for proscription and so proposed annual reviews to assess the status of proscribed groups, but no de-proscription orders followed. In 2014, the Government announced that they were scrapping annual reviews and replacing them with a system whereby groups could be de-proscribed.

At the same time, the Opposition raised concerns about how the system worked, because some groups had ceased to exist and it was not clear how any group could make such an application given that it was illegal to be a member of the said group.

Three members of the Sikh community applied on 4 February 2015 for the organisation to be de-proscribed, because it has not existed in the UK since March 2001 and is not concerned in terrorism. That application should have been dealt with within 90 days, but the response was not received until 31 July 2015, and when it came, it asserted that the Secretary of State maintained a reasonable belief that the International Sikh Youth Federation is concerned in terrorism. That was July last year.

The Home Secretary said in a later communication that there had been extensive consideration and a full assessment of available information. No reasons were given for the continued proscription. The applicants filed an appeal and gave as grounds the failure of the Government to give any reason for the refusal to de-proscribe, which was contrary to the rule of law, and asserted that the ISYF is not concerned in terrorism.

The Proscribed Organisations Appeal Commission directed the Home Secretary to provide reasons to support her position, but on the very day that the reasons and the evidence were due, the Home Secretary informed the commission that she would not defend the decision and would lay an order for de-proscription. The Home Secretary did not suggest that there was any change in the facts between 31 July and the day of the decision, which was just six months later.

The decision is particularly important given the special nature of proscription orders and the basis on which the Home Secretary makes her decision. Again, I want to go back to a contribution made to a previous proscription debate by my right hon. Friend the Member for Leicester East, the Chair of the Home Affairs Committee. He said:

"I can say that it is clear that when Ministers with the security portfolio come before the House to make a statement—some of it based on intelligence that cannot be shared with the House—the House always defers to them and accepts what they say."—[*Official Report*, 10 July 2013; Vol. 566, c. 462.]

My right hon. Friend was highlighting the wrong tradition of accepting security statements from Ministers in good faith.

If we are to take Ministers' statements on proscription in good faith, the House also needs to trust Ministers to act in the same good faith when it comes to de-proscription. I say gently to the Minister—and I hope that he sums up and comes back to me with some kind of answer—that I genuinely do not understand how this could have happened. I really think that he needs to give this House some kind of explanation as to how, in July 2015, the organisation was still being proscribed, but in December of that same year it was not.

This de-proscription of the International Sikh Youth Federation raises questions about the continued proscription of other groups, particularly the 14 groups that the Home Office has conceded may no longer meet the statutory tests. It risks undermining the confidence in this vital part of our security system. Can the Minister now confirm that the ISYF was one of the 14 groups identified as not meeting the "concerned in terrorism" test? Will funds frozen for the last 15 years belonging to the International Sikh Youth Federation now be unfrozen, and will the Home Secretary ensure that the International Sikh Youth Federation name is removed as soon as possible from lists issued by the United Nations and the EU on financial restrictions imposed following 9/11?

While I support today's order, I strongly urge the Minister to reflect on this case and the damage done, and to introduce a proper system for considering de-proscription that can restore confidence in the whole proscription process. In particular, I urge the Minister to reconsider the merits of the annual reviews of proscribed organisations, and reinstate them.

I want to highlight the argument made by the independent reviewer, David Anderson, QC, that annual reviews of proscription orders should mirror the requirements of the Terrorist Asset-Freezing etc. Act 2010—to review annually the necessity of continued asset freezes, which leads to the delisting of individuals on the initiative of the Treasury. Indeed, there is a strong argument that that is already a requirement of the Terrorism Act 2000. In a judgment from 2007, the Proscribed Organisations Appeal Commission, headed by High Court Judge Sir Harry Ognall, ruled:

"It cannot have been Parliament's intent that an organisation which the Secretary of State historically had reasonable grounds for believing was 'concerned in terrorism' but for which there are no reasonable grounds for believing that it is currently 'concerned in terrorism' should remain on Schedule 2 for any longer than absolutely necessary. As such, it is incumbent on the Secretary of State to consider at regular intervals whether or not the power under section 3(3)(b) should be exercised. We were told in the course of argument that the Secretary of State does in fact adopt this practice and that the period between such reviews was around twelve months. We have seen no documentary evidence of such reviews in this case, but it is certainly a practice that the Secretary of State should continue to adopt. It serves to underline our view that such practice is a proper reflection of the Secretary of State's statutory duty."

[Lyn Brown]

If the Minister does not agree with me that the Home Secretary's duty requires annual reviews, I should be really grateful if he explained in his summing-up how else he intends to meet this duty.

I have met representatives of the UK Sikh Federation and they have told me about the real difficulties that have affected former members of the ISYF, such as difficulties around naturalisation and international travel. Now that the ISYF has finally been de-proscribed I hope that the Sikhs in our communities can look forward to a new relationship with Government. Sikhs celebrated new year yesterday. It is certainly time for a new beginning. I wish them all a happy new year.

7.38 pm

Keith Vaz (Leicester East) (Lab): It is a pleasure to follow my hon. Friend the Member for West Ham (Lyn Brown), who gave an excellent speech, not least because she quoted so extensively from previous speeches that I gave to the House on proscription. She reminded the House that the issues we have raised on previous occasions are still current in the proscription debate. The Minister may have changed, but the issues remain.

The Government should be commended for raising this proscription. They will find that they have the support of the whole House. These are difficult issues for Ministers, requiring careful judgments to be made, with a great deal of thought. It is right that Ministers should think carefully before they come to the House. It is also right that the House should debate these issues at length, because when the orders are placed on organisations, they have serious implications for them. At the time when the order was imposed, the House would have been unanimous, if it had come before the House, in expressing its concern about the events that led to the proscription.

But as my hon. Friend the Member for West Ham said from the Front Bench, when a proscription order is in place, surely there should be a decent, honourable and understandable way by which organisations may apply for de-proscription. As she correctly said, in previous debates, in all of which the orders have been accepted by the House without dissent, Ministers said that they would come back to the House and to the Home Affairs Committee and indicate how they would look again at those organisations that had been proscribed.

That has not happened, and the Minister said today that he still has an open mind. I believe him when he says that. If his mind is open, I hope he will go back to the Home Secretary and other colleagues and say that the House believes that the time has come for us to remove the indefinite period that applies to proscribed organisations. The implications not just for the organisations but for the wider diaspora community are quite severe. That is the point that we want to make today.

We welcome what the Government are doing after a very long time. It is a concession because of the success of the application, rather than the Minister or the Home Secretary deciding that it is time that the International Sikh Youth Federation had its proscription lifted. That was done because the organisation itself made the application and followed the process through. It appealed and the Home Secretary did not contest it.

There are implications wider than the particular organisation. There are colleagues here from Ealing, Wolverhampton, West Ham and other places, including Scotland and Northern Ireland, where the Sikh community is represented. At every meeting that I have attended to do with the Sikh community, members of the community ask about the issue and feel that they have been discriminated against. There are 450,000 Sikhs living in the United Kingdom, and about 150 gurdwaras in the UK. In Leicester East alone we have 12,000 members of the Sikh community, who play a full part in the way our city operates and in civic life as doctors, nurses and teachers. We even have our own Sikh school which was granted by the Education Minister. Last night I spotted members of the Sikh community at the King Power stadium when Leicester beat Newcastle 1-0. They play a full part in the life of our city. Sikhs will welcome what the Government have done. Even though it is one organisation, because it has the word "Sikh" in its name, it affects other parts of the diaspora.

Finally, why do we not accept after all these years the wise words of David Anderson, the Government's own reviewer of counter-terrorism, who suggested that there ought to be a time limit on proscription? If there were a time limit, officials in the Minister's Department would be able to look at these cases more carefully. Of course, we accept the Minister's assurances that no outside force was able to influence him. He is a man of huge integrity and independence and nobody would be able to influence him from outside, but the rumours persist, and the best way to dispel them is to make sure that there is a robust, understandable and coherent method of dealing with de-proscription.

Some of the 7,000 members of the Tamil community in my constituency, for example, are concerned about the fact that the Liberation Tigers of Tamil Eelam is still proscribed. Even though that organisation was abolished and destroyed years ago, they still feel under a certain amount of pressure. It is time to review. I hope that when the Minister comes to reply, he will remind us how many organisations are currently proscribed and perhaps give us a timetable for when his open mind will deliver a result that the whole House can debate.

7.44 pm

Rob Marris (Wolverhampton South West) (Lab): There are dozens of Sikhs in the Public Gallery tonight. In honour of that, I will, if I may, say the Sikh incantation:

"Waheguru ji ka Khalsa, Waheguru ji ki Fateh".

Roughly translated, and I hope hon. Members will forgive my translation, that means: "Glory to the Khalsa"—the Sikh brotherhood and sisterhood—"Glory to God. The Khalsa belongs to God. God always prevails."

I am the chair of the all-party group for British Sikhs, but I must stress that I speak in a purely personal capacity to the House tonight. The issues we are discussing are very serious; they are taken very seriously by UK citizens, including hundreds of thousands of Sikhs. They are serious issues for our security, but proscription is also a serious issue for our liberty—for freedom of association and freedom of speech—which is curtailed by proscription, and, on occasions, that must be the right thing to do.

The ban on the International Sikh Youth Federation in the UK in March 2001 led to the organisation being banned in India in December that year and in Canada in July 2003. If the Minister is not going to wind up, I hope he can reply in writing later to some of the questions I will be firing at him—it is a slightly strange procedure we have tonight, with all due respect, Madam Deputy Speaker.

The first question I would like to ask is, will the Government—assuming this statutory instrument goes through, as I am sure it will—formally notify the Governments of Canada and India of the UK's decision to de-proscribe and of the reasons for it? To repeat a question that was asked earlier—it is an important question, and the Minister did answer it, but I am coming at it from a slightly different angle—have the Government had any communications with the Indian authorities on lifting the ban on the ISYF since the application to de-proscribe was made in February 2015? If there have been communications, when did they take place?

Because this issue touches on our freedoms, I would like to ask the Minister how many organisations such as the ISYF, which are proscribed, do not currently meet the statutory definition of being concerned in terrorism, which is the core part of the test. In 2013, the Home Office identified 14 proscribed organisations that in its assessment did not meet the statutory test of being concerned in terrorism. I do not know whether the ISYF was one of those 14, but if it was, I hope the Minister can explain why the ban—the proscription—was not lifted, at the latest, when the application for de-proscription was made in February 2015. If the ISYF was one of the 14 organisations the Government were saying did not meet the test any more, the Government should have given in immediately in February 2015, when three applicants made the application to de-proscribe.

What about the other 13 organisations? If the Home Office decided nearly three years ago that 14 proscribed organisations should no longer be proscribed, that further underlines the case, made so ably by my hon. Friend the Member for West Ham, for annual reviews of these proscriptions, because they are very serious—they are serious for our security, but they are also a serious infringement of our liberties.

It is for that reason that I am concerned that the statutory time limit for the Home Secretary to respond formally and legally to the application to de-proscribe is 90 days. It is regrettable that she appears to have taken almost twice as long to respond. That is not a technical point, because these statutory provisions exist to protect our hard-won liberties, yet the statutory provisions on the time limits, which I am sure would have been enforced had the applicants not met their 42-day time limit, appear to have been ignored with impunity by the Home Secretary. That is not just a technical matter because it relates to our freedoms.

To reinforce the point made very ably by my hon. Friend the Member for West Ham, I ask the Minister to explain what troubles many hon. Members and many of the large Sikh community: that is, why the Home Secretary thinks on 31 July 2015 that the ISYF did meet the criteria—as the Minister said, they are tough criteria, and that is good, because this is about our security—and should continue to be proscribed, but four and a half months later throws her hand in. In the first instance, she succeeds. She says, "This organisation should continue to be proscribed", and she wins. The three applicants then put in an appeal. Leaving aside the fact that the Home Office took longer than it should have done to respond to that appeal, in mid-December—I think it was 14 December—the Home Secretary said, "I'm not going to fight this appeal any more—I'm offering no evidence." Hence the measure before us tonight, because in the four-and-a-half month period between 31 July 2015 and 14 December 2015 the Home Secretary changed her mind.

In terms of our liberties and of respect for the large Sikh community, I think there should be an explanation for this. I appreciate that there are security concerns. If the Minister said, "I'm going to lay it all out before the House", I would be the first in a queue with 649 other MPs saying, "No, don't do that—this is about our security." However, there is room for him to give a little more explanation to the three applicants, on the grounds of civility, if nothing else. As far as I know, they are all here tonight in the Public Gallery—Amrik Singh Gill, Narinderjit Singh Thandi, and Dabinderjit Singh Sidhu. They deserve the civility of that explanation, because this proscription has directly and indirectly affected them.

What concerns me is that the Home Office's lifting of the proscription was awfully grudging. Somehow the balance tipped during the four-and-a-half period in the second half of last year. This month the Home Office put out a press statement saying: "The British Government has always been clear that the ISYF was a brutal terrorist organisation." That may be the case, but things seem to have changed very quickly in a short period. The explanatory memorandum on the statutory instrument says at paragraph 7.4:

> "An application was made to the Secretary of State for the deproscription of the International Sikh Youth Federation. The Secretary of State has now decided that there is insufficient information to conclude that the group remains concerned in terrorism."

It may have been involved in terrorism—I do not know. There are serious questions to be asked, and serious questions were asked in March 2001 when the proscription order went through this House. However, it was awfully grudging of the Home Office to say in December, "We're not going to provide any more evidence. We're just going to throw our hand in and not even fight it through the legal procedures any more."

The three applicants from the leadership of the Sikh Federation UK legally challenged the Home Secretary, risking a whole load of costs, which, I have to say to the Minister, I understand that they may not get back even though they have won their case. They persuaded the Home Secretary by the force of their argument to withdraw her appeal, because apparently the evidence she had in July was no longer there in December. That is very strange for an organisation that, by then, had not existed for over 14 years—

Madam Deputy Speaker (Mrs Eleanor Laing): Order. I appreciate that the hon. Gentleman is making a passionate speech and putting his points very well, but I urge him to be careful not to be repetitive.

Rob Marris: I thank you for that admonition, Madam Deputy Speaker.

[Rob Marris]

As I was saying, the leadership of the Sikh Federation UK legally challenged the Home Secretary and persuaded her to withdraw the appeal. The federation is widely recognised as a large and prominent Sikh organisation the UK, building democratic political engagement for the UK Sikh community. Many of its members would like a bit more information as to what suddenly changed, because it mystifies us.

When I talked to the federation again today, as I often do, it told me that it had written to, I think, every MP—certainly to many MPs—saying that the key outcome that it wanted was not only the additional information and explanation that I urged the Minister to provide, within the bounds of our national security, but a renewed and open relationship with the community, based on issues of particular importance to Sikhs living in the United Kingdom, so that we can all move forward. I hope that on behalf of the Home Secretary, the Minister will tonight make a commitment to the Sikh community and promise a fresh start for this fresh new year for Sikhs.

7.55 pm

Jim Shannon (Strangford) (DUP): I thank the Minister for his opening statement. The Democratic Unionist party supports the order. It is important to put on record our thanks to those in the police, the security services and the intelligence services who have done sterling and tireless work to keep us safe. We hope that that will continue.

I want to ask the Minister a couple of questions about proscription. As he knows, because our newspapers and other media are full of such stories, people use websites and social media, such as Twitter, to try to attract vulnerable young men, young women and young girls from all over the UK. In a speech that the then Minister for Security and Immigration, the right hon. Member for Old Bexley and Sidcup (James Brokenshire), made on 25 March last year, he outlined clearly the steps that had been taken to address the issue of social media being used to attract young people. Unfortunately, during the past year, we have seen a continuation of that attraction, and 700 people from the UK have travelled to support or fight for jihadist organisations in Syria and Iraq. Most of them have made the journey to join a proscribed organisation such as IS or Daesh. Around half of those who left the UK have since returned, according to the BBC.

The Minister indicated at that time that

"80,000 pieces of unlawful terrorist-related content that encourages or glorifies acts of terrorism"—[*Official Report*, 25 March 2015; Vol. 594, c. 1540.]

had been removed from social media, and that nine Twitter accounts and one Facebook account had been closed. We regularly see that. I ask this question genuinely and sincerely. I would love Facebook and Twitter accounts and other social media to be closed down so that we do not see stories in the Sunday papers about someone saying: "Be a bride to a Daesh killer and monster." The fact is that they try to glamorise the situation and make it attractive. Today we had occasion to speak to, and hear the accounts of, some of the Yazidi ethnic religious minorities and hear about the abuse that they went through at the hands of Daesh. There is no attraction in that. How do we stop that?

Although steps have been taken, people are still leaving, so more has to be done, particularly in tackling the lure of social media campaign videos. What are we doing to stop that? What has been done to address the problem directly? What has been done to tackle online groomers who are planted in the UK to encourage young men, and young women and girls in particular, to make the journey to Syria and Iraq? How do we protect vulnerable and impressionable young people from being targeted?

7.58 pm

Mr John Hayes: This short but exciting debate has fallen into three parts. First, we have had a wider debate about proscription more generally, and in particular about the process for proscribing and de-proscribing organisations. The current arrangement is, as has been said by the shadow Minister, a process of application. In this case, such an application was made and considered in the way in which I have described, which has led us to this outcome.

I am familiar with the argument that the right hon. Member for Leicester East (Keith Vaz), the Chair of the Home Affairs Committee, made about the possibility of annual reviews. That does not pertain at the moment, but I am aware that that was precisely the argument used by David Anderson, the independent reviewer. I can see the point that the right hon. Gentleman made. It is not where we are now, but I think a wider discussion about proscription might facilitate just such a conversation. That is a conversation that I am always prepared to have with him and with other hon. Members. He is right, as is the shadow Minister, to say that the seriousness of these matters means that they must be dealt with in a consistent and reasonably speedy way, as I said in my opening remarks.

To that end, I come to the second part of the trilogy, which concerns the issues raised by the hon. Member for Wolverhampton South West (Rob Marris). He dealt more particularly with the circumstances of the organisation. I am glad that he welcomed the de-proscription, as have other Members, and I know that it will be welcomed in the community. By the process I have set out, the de-proscription was completed in the timeframe he described. The application was received on 6 February 2015, as he said, but as he suggested, it was identified rather later, on 14 May, than might have been ideal. Following careful consideration by the Home Secretary, a decision to maintain the group's proscription was made in July. However, as the shadow Minister said, a subsequent appeal was lodged with the Proscribed Organisations Appeal Commission.

In December 2015, having undertaken a further review, with all the information available—including from other countries in which the International Sikh Youth Federation is present, and about the organisation's current activities—the Home Secretary concluded that there was not sufficient evidence reasonably to suppose that the ISYF was currently concerned in terrorism as defined by the Terrorism Act. I will not delay the House unduly, but if you will allow me to do so, Madam Deputy Speaker, I will place in the Library of the House the Act's precise definition of terrorism. I have that definition in front of me, but it goes on at some length.

Rob Marris: Will the Minister tell the House not the content of any such new information, but whether any new information bearing on the decision in relation to proscription or de-proscription came to light between 31 July and 14 December 2015?

Mr Hayes: There was certainly further consideration, as I have made very clear, and a further up-to-date review of the organisation's activities. Such matters are highly dynamic, as the hon. Gentleman will understand. As he says, I cannot go into the fine detail of the strategy. It is not our habit to give a running commentary on such matters, and I know he will respect that, as he said he would. It is certainly true that there was sufficient further consideration for us to conclude that we could not maintain the proscription. The Home Secretary has to consider various things—bits of information, pieces of intelligence and open source material—when determining whether a group is engaged in terrorism, as the hon. Gentleman will know. It would not be appropriate to discuss the specific material, but when I describe that variety of information, he will understand what happens when consideration is given to such matters.

The third part of our debate concerns the points made by the hon. Member for Strangford (Jim Shannon). He spoke more widely about the way in which terrorist organisations, including proscribed ones, continue to proselytise using social media. He drew attention to the information that was made available to the House. Rather than delay the House tonight, I will go the extra mile and set out, in a further note for the House, exactly what we are doing about what he described. Again, this matter is highly dynamic—it changes almost daily—and the House is warranted in asking for up-to-date information on precisely what steps we are taking to counter the activities that the hon. Gentleman set out. They are damaging and worrying, and they are very plainly part of what those who seek to do us harm are about these days: they are using every kind of method and means to proselytise their message and to radicalise people, and to do damage accordingly. I will set that out in a further note, which I will make available to the House.

Lyn Brown: May I quickly ask whether the funds for the International Sikh Youth Federation will be released, and whether the EU and the UN will be told that it has been taken off the list?

Mr Hayes: By way of variety and excitement I will deal with those points in reverse order. Those organisations will be notified, and we have obviously consulted member states that have a direct interest in this group. We will inform them of the de-proscription if parliamentary agreement is secured in this House and the other place, and we will formally notify the European Council if a decision to de-proscribe the ISYF is agreed by Parliament. I will look again at the asset freeze—the hon. Lady did not use that term, but that is what it is—and return to her with a specific answer. It is a complex matter, as she implied, so I will come back to her, rather than delay the House tonight.

Rob Marris *rose—*

Mr Hayes: I will give way to the hon. Gentleman briefly, but I do not want to detain him or others any longer than necessary.

Rob Marris: I asked the Minister a series of questions, and I hope that he will write to me about them afterwards.

Mr Hayes: Having known me for such a long time, the hon. Gentleman will know that I would not neglect to reply to him, given that he has invited me to. I will certainly write to him with those details. Moving ahead with appropriate speed, I commend this order to the House.

Question put and agreed to,

Resolved,

That the draft Terrorism Act 2000 (Proscribed Organisations) (Amendment) Order 2016, which was laid before this House on 22 February, be approved.

PETITION

Speed Limit in Southampton, Itchen

8.6 pm

Royston Smith (Southampton, Itchen) (Con): I rise to present a petition on behalf of 1,169 of my constituents who call on Southampton City Council to introduce 20-mile-an-hour speed limits in areas where residents request them.

The petition states:

The petition of residents of Southampton Itchen,

Declares that there should be a reduced speed limit in residential areas of 20 mph where local residents request it from their local authorities, in particular in Southampton Itchen; further that many residents fear someone will be seriously hurt or killed if action is not taken to reduce the speed limit; and further that the case for reducing the speed limit is even more serious on roads where there is no off-road parking and where cars cause blind spots and significantly increase the risk to pedestrians.

The petitioners therefore request that the House of Commons urges Southampton City Council to listen to the people of Southampton Itchen and implement a programme of 20 mph speed limits in residential areas where residents request them.

And the petitioners remain, etc.

[P001674]

Clydebank Blitz Anniversary

Motion made, and Question proposed, That this House do now adjourn.—*(Guy Opperman.)*

8.7 pm

Martin Docherty-Hughes (West Dunbartonshire) (SNP): Jane Adair, John Adair, William Adair, Mary Adams, Archibald Adamson, Hannah Ahern, Isobel Aird, Marion Aird, Tomina Aird, William Aird, Joseph Allan, Andrew Anderson, Esther Anderson, George Anderson, John Anderson, Thomas Anderson, Ellen Bainbridge, Thomas Bainbridge, John Barclay, Elizabeth Baxter, Annie Beaton, Rosetta Bell, Mary Bennett, Eric Betty, Maria Bicker, Walter Bilsland, Isabella Black, James Black, Caroline Blyth, Robert Blyth, Sarah Blyth, Georgina Borland, Jessie Borland, John Borland, James Bowles, Albert Bowman, Archibald Bowman, Hannah Bowman, Lilian Bowman, James Boyd, Bridget Boyle, Elizabeth Boyle, Isabell Boyle, Margaret Boyle, Mary Boyle, William Boyle, William Boyle, William Boyle, Catherine Bradley, James Brimer, Martin Brown, Rosina Brown, Euphemia Burns, Adam Busby, Daniel Busby, Anna Cahill, Elizabeth Cahill, Wilhelmina Cahill, Wilhelmina Cahill, Mary Cairns, Margaret Cameron, Agnes Campbell, Alexander Campbell, Annie Campbell, David Campbell, Ellen Campbell, Martha Campbell, Mary Campbell, Rose Campbell, Archibald Canning, Daniel Canning, Margaret Clarkson, Agnes Clason, Elizabeth Clason, Nellie Clason, Wallace Cochrane, George Coghill, Jonina Commiskie, Mary Cook, Isabella Cooper, Minnie Cooper, James Coutts, Michael Crerand, Jane Cryan, Patrick Cullen, Patrick Curren, Samuel Currie, Thomas Currie, William Daniels, Thomas Dean, Elizabeth Deans, Thomas Deans, Thomas Deans, Euphemia Dempster, Gilbert Dempster, Mary Dempster, Mary Dempster, Jean Dennis, Samuel Dennis, Samuel Dennis, Ian Dick, William Dick, Duncan Dinning, Jane Dinning, Janet Dinning, Edward Diver, Edward Diver, Edward Diver, Edward Diver, Hugh Diver, John Diver, John Diver, Margaret Diver, Mary Diver, Mary Diver, Adam Divers, James Divers, James Divers, Margaret Divers, Rose Docherty, Evelyn Doherty, Francis Doherty, Francis Doherty, John Doherty, Margaret Doherty, Mary Doherty, Mary Dolan, Thomas Dolan, Thomas Dolan, Edward Donaldson, Hugh Donnelly, Margaret Donnelly, Mary Donnelly, Maureen Donnelly, Roseleen Donnelly, Theresa Donnelly, Charles Doran, Isabella Doran, Mary Doran, Neil Dougall, Gladys Drummond, James Drummond, Ralph Drummond, Ralph Drummond, Elizabeth Duffy, Thomas Duncan, William Duncan, James Dunleavy, Andrew Dunn, Grace Dunn, Grace Dunn, John Dunn, Mary Dunn, Mary Dunn, John Dyer, James Findlay, John Findlay, Charles Finnen, John Flemming, John Forrsester, Margaret Forrsester, Christina Fotheringham, Janet France, Margaret Fraser, John Furmage, Delia Gallacher, Margaret Gallacher, Thomas Gallagher, Thomas Galloway, Duncan Gardener, William Geddes, John Gibson, Annie Gillies, Margaret Gillies, Matthew Girvan, Elizabeth Given, Archibald Graham, Andrew Graham, Peter Graham, John Gray, Madge Guiney, Sarah Guiney, Robert Haggarty, Thomas Hamilton, Samuel Harris, Hugh Hart, James Harvey, Charlotte Heggie, Elizabeth Heggie, George Henderson, Mary Henderson, Charles Henry, Elizabeth Henry, George Hislop, Marthesa Hislop, Alexander Howie, Jane Howie, Catherine Hughes, Charles Hughes, Michael Hughes, Sarah Hughes, James Hunter, Margaret Hunter, Mary Hunter, Sarah Hunter, William Hunter, Daniel Jobling, James Jobling, John Jobling, Mary Jobling, William Jobling, Annie Johnstone, Peter Johnstone, John Jolly, Doris Kelly, Hugh Kelly, James Kelly, Mary Kelly, Sarah Kelly, Ellen Kennedy, Hugh Kennedy, Annie Kernachan, Janet Kernachan, Richard Kernachan, Jean Kidd, Agnes Kilpatrick, Andrew Kilpatrick, Helen King, James Lawrie, James Lawrie, Evelyn Lee, James Lee, Kathleen Lee, Margaret Lee, Margaret Lee, John Lindsay, Margaret Lindsay, Violet Lindsay, Alexander Lochhead, Elizabeth Lochwood, Frederick Lochwood, Margaret Lochwood, Margaret Lochwood, Joseph Logan, Mary Loughlin, Elizabeth Lyon, William Lyons, Thomas Marlin, Josephine McAulay, Joseph McBride, Marina McClelland, Marion McClelland, Annie McClory, James McClory, John McClory, Mary McClory, Matthew McClory, Sarah McClory, Hugh McConnell, Mary McConnell, Mary McConnell, James McCormack, Brenda McDonald, Christina McDonald, James McDonald, Jessie McDonald, John McDonald, Malcom McDougall, Margaret McFadden, Michael McFadden, Thomas McFadden, Robert Macfarlane, Patrick McGeady, John McGeehan, John McGill, Mary McGill, Agnes MacGregor, William MacGregor, Kathleen McGuigan, Theresa McGuigan, Donald McIntosh, Agnes McIntyre, George Mack, James Mack, John Mack, Jane McKain, Jeanie McKain, Agnes McKay, Violet McKay, Agnes McKechnie, Allan McKechnie, Emma McKechnie, Michael McKechnie, William McKechnie, Margaret McKendrick, Robert McKendrick, Thomas McKendrick, Alexander McKenzie, Angus McKenzie, John McKenzie, Margaret McKenzie, Martha McKenzie, Mary McKenzie, Murdoch McKenzie, Robert McKenzie, John McKinlay, Marion McKinlay, William McKinlay, William McKinlay, John McLafferty, George McLaren, David McLean, Edith McLean, James McLean, Jeanie McLean, John McLean, Margaret McLean, Alexander McLennan, Norman McLennan, Edward McMillan, Patrick McMorrow, Sarah McMorrow, David McNamara, Janet McPherson, Winifred McQuillan, Alexander McRae, Edward McSherry, James McSherry, Lucy McSherry, Margaret McSherry, Mary McSherry, Mary McSherry, Matthew McSherry, Sheila McSherry, Margaret Malaugh, William Malcom, Peter Marks, Archibald Marshall, Johanna Marshall, Peter Marshall, Joseph Martin, Fredrick Massey, Thomas Martin, Agnes Mealyea, Elizabeth Miller, Archibald Miller, Eileen Miller, Mary Miller, Sheila Miller, Isabella Moore, George Morrison, Helen Morrison, Helen Morrison, John Morrison, Margaret Morrison, William Morrison, John Morton, Grace Mulheron, Rebecca Mullinger, William Mullinger, Annie Nisbet, James Nisbet, James Nisbet, John Nisbet, Helen Parke, Andrew Patterson, Susanna Peddie, Elizabeth Peden, Elizabeth Peden, Robert Peden, James Peoples, James Peoples, Janet Peoples, Samuel Pillar, George Porter, Samuel Porter, Elizabeth Quigg, Samuel Ramage, Margaret Rankin, Charlotte Reavey, Agnes Reid, Alastair Reid, Annie Reid, Rachel Reid, Catherine Richmond, Catherine Richmond, Christina Richmond, Douglas Richmond, Elizabeth Richmond, Janet Richmond, John Richmond, John Richmond, Margaret Richmond, Trevor Roberts, Annie Robertson, David Robertson, Henry Robertson, Margaret Robertson, Mary McAllister Robertson, Ann Rocks, Annie Rocks, Elizabeth Rocks, Francis Rocks, James Rocks, James Rocks, John Rocks, Joseph Rocks, Margaret Rocks, Patrick Rocks, Patrick Rocks, Theresa Rocks, Thomas Rocks, Thomas Rocks, Ian Russell, Margaret Russell, Peter Russell, Thomas Rosemary, Elizabeth Scott, Morag

Scott, Nathaniel Scott, Walter Scott, Emma Scrimshire, Sheila Semple, Kathleen Semple, Jeanie Sharp, Andrew Shaw, Isabella Shaw, William Shuter, Elizabeth Skinner, Joan Skinner, Joan Skinner, Margaret Skinner, Robert Skinner, Robert Skinner, Janet Slater, David Smart, Robert Smart, Susan Smart, John Spence, Cecil Stevens, James Stevens, Mary Stevenson, David Stewart, Elizabeth Stewart, Jane Strachan, Joseph Struthers, James Taylor, Margaret Thom, Rosemary Thomas, Russell Thomas, Christina Thomson, Margaret Thomson, Margaret Thomson, Williamina Thomson, John Toland, Helen Ventilla, Louis Ventilla, Michael Ventilla, Jessie Wade, Charles Waite, Annie Walker, Archibald Walker, John Walker, Catherine Walsh, Robert Wark, George Watson, George Watson, Isabella Watson, James Watson, Lillian Watson, Thomas West, Alfred Westbury, Alfred Westbury, Elizabeth Westbury, Samuel Westbury, Walter Westbury, Robert White, Jessie Williams, Annie Williamson, Catherine Williamson, James Williamson, Janetta Williamson, Archibald Wilson, David Wilson, Hugh Wood, John Wood, Margaret Wood, James Wood, Christina Wright, Dougald Wright, Maria Wright, Martha Wright, Marie Young.

An unfinished litany! Even now, in the community of Clydebank and across these islands, 75 years after the event, and with questions remaining about the official record, it is a litany that we believe could exceed 1,200—from a population of 48,000. It is now time, on the Floor of the House, to rectify a long silence and to correct the myths. The raids were supposedly a failure: that powerhouse of shipping, John Brown's, hardly touched and factories left nearly intact. The most ridiculous proposition still exists that the Luftwaffe mistook the Forth and Clyde canal for the Clyde itself and thus were drawn away from the shipyards. Are we really proposing that the elite Pathfinder squadron KG 100 of the Luftwaffe, which had flown across Europe, over hill and glen, on a bright moonlit night, could not tell the difference?

It has been proposed—and I agree—that the target was not Clydebank's industrial base, but her greatest asset: her people. So precise was the Luftwaffe's delivery, in a spread-out formation, that of the thousands of bombers, only two would be shot from the sky in an valiant attempt by the crew of the Polish naval destroyer, ORP Piorun, in the dock of the greatest shipyard on the Clyde, John Brown's.

Stephen Pound (Ealing North) (Lab): I found the service at noon today immensely moving. I am not one for greeting, and I have not a drop of Scottish blood in my body, but my eyes misted over as I heard about the heroism of those people. I realised that it was not just the ships that were made of steel in Clydebank. This debate is very much to the hon. Gentleman's credit. On the subject of the ORP Piorun and her gallant captain, Eugeniusz Plawski, would he not agree that it was an occasion when the very close familial links between Poland and Scotland were forged—in blood?

Martin Docherty-Hughes: I am grateful to the hon. Gentleman, who is an adopted Scotsman.

Stephen Pound: Steady!

Martin Docherty-Hughes: I know he knows my constituency, especially Clydebank, very well. The bonds forged with the Polish nation on those March evenings will be for ever in the memory of my community and the whole of Scotland.

At 9 pm on 13 March 1941, as the wireless introduced the nightly news, over 40 air-raid sirens gave the call to shelter. At that moment, on the western fringe, the small yet not insignificant town would be held in the sights of the Luftwaffe.

Jim Shannon (Strangford) (DUP): I commend the hon. Gentleman for bringing this debate to the House and for the service in St Mary's Crypt today. It was a very poignant occasion. I think that starting this debate with the names of all those people really focuses attention.

We in Northern Ireland share the pain that Clydebank has suffered when it comes to remembering the blitz. Belfast was second only to London in lives lost in the blitz. Does the hon. Gentleman agree that nationally—today's church service provides an example—we must ensure that the story of the blitz is remembered and commemorated so that future generations know the ultimate pain and sacrifice of war, and what extremism can lead to?

Martin Docherty-Hughes: I am grateful to the hon. Gentleman for his kind words, and I extend them to the people of Northern Ireland and particularly Belfast who suffered greatly. It was commendable when at the weekend I was joined by my close friend and colleague, the Member of the Scottish Parliament, Gil Paterson and we were indebted to the First Minister for being the first-ever Head of any Government to attend the mass grave of Clydebank.

Hannah Bardell (Livingston) (SNP): I join others in congratulating my hon. Friend on securing this debate. I grew up as a wee girl at my granny's knee, hearing stories of watching the blitz from Hillington where she worked at Rolls-Royce and lived in Pollok. I heard the stories of her returning to work the next day, not knowing where her friends were and then going to Clydebank and seeing the sheer destruction. Does he agree that it is so important to use the tools of this Parliament to remember those who were lost—not just in the blitz, but in other conflicts?

Martin Docherty-Hughes: I am grateful to my hon. Friend for that intervention, and I could not agree with her more. The community of Europe in which we now live needs to show unity in the face of fascism and oppression.

Mhairi Black (Paisley and Renfrewshire South) (SNP): I am grateful to my hon. Friend for giving way, especially given the fact that I am half a Bankie with my family coming from Whitecrook. I can remember my Granny Joe telling me stories about my Auntie Mary's friends who went to the cinema. When she went home, she discovered that her entire family had been bombed and killed, leaving her all on her own. Will my hon. Friend join me not only in paying tribute to those who lost their lives, but in giving praise where it is needed for all the people who have rebuilt Clydebank into the wonderful town it is today and which I am proud to call a second home?

Martin Docherty-Hughes: I am grateful to my hon. Friend. Who would have known that night that Shirley Temple would have saved nearly 1,000 lives? Today, two of the survivors who sheltered under the balcony of the

[Martin Docherty-Hughes]

La Scala cinema in Graham Avenue joined us in St Mary Undercroft and the Speaker's House. I am indebted to them; they are my aunts. Without their survival and the thousands who survived with them, Clydebank would not be the wonderful place it is today.

Several hon. Members *rose—*

Martin Docherty-Hughes: I want to make some progress.

That Luftwaffe formation, of which I spoke a few moments ago, travelled in formation from bases in Germany and occupied north Europe, passing Dundee and Aberdeen, following the moon towards its most westerly ever target on a clear crisp March evening not so dissimilar to that of Sunday past. It turned south, heading to bonnie and innocent Loch Lomond. At its base, the planes turned left across the mighty Vale of Leven and across ancient Dumbarton. Who would have known that they would rain a blitzkrieg of fire and devastation that in the first night alone lasted over nine hours?

Over the western village of Old Kilpatrick, the incendiaries began to fall and Dante's inferno was unleashed as high-explosive bomb after bomb set a fire of biblical proportions ablaze with the destruction of the Admiralty Oil Storage facility, then the great industrial complex of the largest sewing machine factory in the world and then one of the largest munitions complexes in the empire. With that mighty woodyard ablaze, the horror was then directed to the centre of a densely populated borough. Finally, those incendiaries generated a tryptic of fire with the whisky bond of Yoker in flames on the eastern boundary. The air was punctured by the drone of hundreds of planes, so low across the burgh that pilots and rear gunners were visible to the naked eye to those in Parkhall—leaving the swastika for ever in the minds of those who saw them.

The all-clear sounded after the seven hours of bombardment on the second day, 14 March, and the long march of exodus continued. It was a march of 40,000 souls—mothers, fathers, children, entire families, if they were the lucky ones—through the inferno and smoke to safety. They marched to Dumbarton and the Vale of Leven, and to refuge between the Clyde and the banks of Loch Lomond. They marched towards mother Glasgow, Lanarkshire and Renfrewshire. They sought shelter and refuge in the arms of strangers, in places from which many would not return: in Helensburgh, Renfrew, Stirling, Kilsyth, Denny, Paisley, Lanark, Hamilton, Motherwell, Airdrie and Coatbridge, to name but a few, and even in Ireland.

Brendan O'Hara (Argyll and Bute) (SNP): I congratulate my hon. Friend on securing the debate. He has told us that this is the first time the subject has been raised in the House, and I am sure that his constituents are enormously proud of him tonight. My neighbouring constituency includes Helensburgh and the village of Cardross, which took in hundreds of Bankies in the immediate aftermath. May I, on behalf of all of us, send sincere best wishes to the people of Clydebank, and wish them all the very best for the future? They should be assured of our continuing support, particularly on this occasion of the 75th anniversary.

Martin Docherty-Hughes: I am very grateful to my hon. Friend. I will be sure to take that message back to the entire community of West Dunbartonshire.

Never in the modern history of these islands has such an evacuation taken place, and it took place from no vast metropolis, but from a relatively modest burgh in the west of Scotland, home to 48,000 Bankies. It is now clear that, on the basis of evidence built up over seven and a half decades, we recognise the sacrifice and the loss that took place in Clydebank and across these islands. Even more, we recognise those who found the ability, through their suffering, to return to work, school and home, and to play their part in an allied victory over national socialism. I have felt no greater pride, ever, than I feel in representing them today.

8.27 pm

The Parliamentary Under-Secretary of State for Defence (Mr Julian Brazier): I congratulate the hon. Member for West Dunbartonshire (Martin Docherty-Hughes) on a truly remarkable speech. I apologise for having been unable to join him in the Crypt today. The Secretary of State for Scotland and the Minister for Defence Procurement, my hon. Friend the Member for Ludlow (Mr Dunne), were there, but unfortunately other duties prevented me from joining them.

The hon. Gentleman spoke with enormous passion. I believe that he is the grandson of someone who worked in the docks building the great Queen Mary, which brought three quarters of a million soldiers across the Atlantic to the continent during the war, in dozens of voyages. I cannot match his personal connections, but he has given us an opportunity to reflect. I am afraid that I must rely on the statistics that we have now, because at that stage people had things to do other than compile accurate statistics, but we believe that 528 people lost their lives—the hon. Gentleman read out their names—and that a further 600 were seriously injured.

It is very hard for most of us today to imagine what it must have been like to see the picture that the hon. Gentleman has so vividly painted. Eighty workers died in one shipyard shelter, and 15 members of one family—the Rocks, of No. 78 Jellicoe Street—were wiped out. Of those who were saved, three quarters—35,000 out of 47.000—found themselves homeless. Proportionally, Clydebank lost more people and more buildings than any other major community anywhere in the United Kingdom.

I think it important, however, to remember the other side of the story. First, let me say a word about the forces themselves. I am very pleased that the hon. Gentleman mentioned the heroism of those sons of Poland, but the Air Force was also engaged, including pilots from Glasgow's own Auxiliary Air Force 602 Squadron, which went on to do such distinguished service on the occasion of, for instance, the Normandy landings. I was privileged to visit the squadron today following its assuming a new role in Glasgow last year. Across the two nights, the RAF managed to shoot down 12 Luftwaffe aircraft including four bombers. Nor should we forget the work of the anti-aircraft gunners.

The most remarkable spirit was shown by the locals themselves, under the truly horrendous conditions that the hon. Gentleman described. They included Police

Constable Archibald Walker, who picked himself up after being knocked down by a blast that had demolished part of a two-storey tenement. He went again and again into the building to rescue survivors as the building threatened to collapse. He was quite rightly awarded the George medal.

There are so many other stories, half remembered, half recorded, of heroism. Isa McKenzie remembers an ARP lady standing near the entrance to her close and waiting for the whistle of a bomb before shouting "duck" and eventually giving the okay to rise. She never saw that lady again. And then there were the emergency services, many of them staffed by citizen volunteers as well as professionals.

Kirsten Oswald (East Renfrewshire) (SNP): In November at our Remembrance Day service I met a firefighter who told me that he and his colleagues had cycled from Barrhead to Clydebank to help to put out the fires. He is now the only one left, and I should like to let him know that we appreciate what he and his colleagues did.

Mr Brazier: Indeed. The hon. Lady is quite right.

The emergency services and the volunteers struggled against the growing fires and explosions. Some of the craters still had unexploded bombs in them. People were straining every sinew to save lives. One man, John Woodcock, was recovered alive from under the rubble eight days later. The Glasgow *Herald* reported at the time:

> "The cool, unwavering courage of the people is evident, and when the full story of their heroism in the face of the Luftwaffe is told, they will take their place alongside the citizens of London and Coventry."

In fact, their suffering was proportionately slightly higher.

Perhaps the greatest tribute of all should be paid to the way in which, despite their great suffering, the men and women of Greenock and Clyde went on to make an immense contribution to the war effort. One might have expected their spirit to be shattered. In reality, the events only stiffened their resolve. Not only did many who fled the raids soon return home, but in Clydebank just a few days after the blitz, five major firms reported that out of a force of 12,300—many of whom had been killed or wounded—around two thirds were already back in work.

Within weeks of the raids, the shipyards and ordnance factories were once again up to full production and their efforts were unceasing in the years that followed, despite further Luftwaffe attacks in subsequent months. By 1943, some five ships per week were being completed on the Clyde. We remember Winston Churchill saying that it was the battle of the Atlantic that really kept him awake at night. That was the one struggle that he really thought might result in our losing the war. It was those ships that helped to ensure that we won it.

Stephen Pound: The Minister is making some important points. Is he aware that a few months after taking part in the defence of Clydebank, Captain Eugeniusz Plawski and the ORP Piorun were part of the destroyer flotilla that was detached to hunt down and sink the Bismarck?

Mr Brazier: I was not aware of that, but it was one of the greatest privileges of my life to have had a school teacher who had been a naval reservist and a boffin who persuaded the Navy that a particular gizmo was too complicated for the Navy. He was therefore taken to sea as a naval instructor and was decorated for gallantry in that same action.

Like the hon. Member for West Dunbartonshire, I applaud the Clydebank blitz memorial group, the town and the entire community for their immense efforts in ensuring that the story is properly commemorated. Seventy-five years on, the story of what happened on the Clyde in 1941 deserves to be remembered not just in Scotland, not just here in the Commons, but across the UK. We would do a great disservice to our history if we only taught that we won the war because of great deeds by great men. *[Interruption.]* And women. Indeed, but it is unfortunately so easy to read history as just great deeds and great men. We won because of the heroism and fortitude of men and women like those people on the Clyde. They should remain an inspiration not just to their generation, not just to ours, but to all who follow. I congratulate the hon. Gentleman again on bringing this debate to the House.

Madam Deputy Speaker (Mrs Eleanor Laing): I commend the hon. Member for West Dunbartonshire (Martin Docherty-Hughes) for bringing to the House this evening such a moving debate and for having brought to the Crypt this morning such a moving service. Having heard first-hand accounts from members of my family about the Clydebank blitz, it is absolutely correct that it should at last be commemorated here in this House.

Question put and agreed to.

8.35 pm

House adjourned.

Westminster Hall

Tuesday 15 March 2016

[Mr Adrian Bailey *in the Chair*]

Engineering Skills: Design and Technology Education

9.30 am

Michelle Donelan (Chippenham) (Con): I beg to move,

That this House has considered engineering skills and design and technology education.

It is a great pleasure to serve under your chairmanship, Mr Bailey. I have called this debate because I believe that the future of engineering and design and technology education is central to the challenges facing our economy today. An under-skilled workforce limits a company's—and, in turn, the country's—growth prospects. If our labour supply does not match our jobs market, the result is simple: companies will either relocate or, potentially, close. That is a massive threat facing businesses in my constituency and our country.

We must be bold. We cannot just tinker around the edges and hope for the best—not if we want to fulfil the infamous long-term economic plan, support British businesses, boost productivity and give young people a fair shot in life by encouraging them to study subjects that are more likely to lead to employment. The UK is the 11th biggest manufacturer in the world. We are competitive in our ability to research and develop highly specialised technologies. However, to maintain our influence, we must focus on exports and address the UK's productivity crisis. Since 2013, the UK's productivity has been stagnating. That is simply unacceptable and needs addressing.

We have a severe shortage of engineers. According to the Institution of Engineering and Technology, the country will need almost 2 million more engineers in the next seven years. I repeat: 2 million. That is a flabbergasting figure. Each week, I visit businesses in my constituency, and time and again the same message is echoed: they are struggling to hire adequately skilled staff. Shockingly, some businesses are considering the possibility of relocating. The UK Commission for Employment and Skills estimates that companies are struggling to fill 43% of their STEM—science, technology, engineering and maths—vacancies because of the skills gap.

Kevin Foster (Torbay) (Con): I congratulate my hon. Friend on securing a debate about such an important topic. Does she agree that it is not just the commercial sector that is affected? The shortage of skills in the wider economy also has an impact on our military, who train people in STEM subjects; the Royal Navy has one engineer for every two it would like in some sectors, because of private sector companies desperately trying to recruit people with the skills in which it provides training.

Michelle Donelan: I thank my hon. Friend for that excellent point. The shortage of STEM skills is vast across a number of sectors, and we need to face that. In the military, the private sector and the public sector, it is a big problem facing us. Also on that point, there is a problem with the numbers of females and of people from socially deprived backgrounds in STEM. We must try to make the industry much more representative. The number of women in engineering is just 6%. Something needs to be done to address that.

A business in my constituency, Alford Technologies, summed the situation up well in an email to me. It said:

"Engineering is sadly underrated in the UK. Britain needs to do something to raise the profile of engineering, to make it something more people aspire to do. In order to stay at the forefront of the modern, technological world, the Government really needs to invest in encouraging the next generation of great engineers, designers and innovators."

Stephen Metcalfe (South Basildon and East Thurrock) (Con): I, too, congratulate my hon. Friend on securing this important debate. She says that the Government must do more to engage and promote engineering, but does she agree that there is also an important role for businesses to play? They should be getting out there, into primary and secondary schools, promoting their business and showing what they do behind what might appear to be closed doors to families and children, who often do not know what engineering means until it is too late.

Michelle Donelan: I thank my hon. Friend for that point, which I will touch on in a minute. I completely agree: the link between business, companies and education needs to be aligned much better. There is a big stigma and misconception about this sector, and the only way in which we can myth-bust is by introducing young people to real people in the industry, who will tell them what life is like in the job.

Lucy Frazer (South East Cambridgeshire) (Con): Does my hon. Friend accept that businesses are already doing a great deal in this area? In my constituency, Marshall does a great job of inspiring young people to go into engineering and aerospace, and yesterday I met representatives of TWI, a company just outside my constituency, which is doing the same. However, businesses need to do more and they need to do it at an early stage if they are to inspire young people at the ages of six, seven and eight to get involved in engineering.

Michelle Donelan: Yes. I thank my hon. and learned Friend. Again, I will touch on that point in a minute, but I totally agree. The problem is that there is inconsistency. A number of businesses and schools in my constituency are also doing an excellent job, but not every school is offering the same link with businesses and not every business is engaging as much as it could be.

John Howell (Henley) (Con): I am sorry to interrupt my hon. Friend; she is being intervened on a lot by hon. Friends, and I am sure that we are all providing her with excellent advice—I hope she will take it in that spirit.

I am the co-chair of the all-party group on design and innovation, so I have an interest in this area. Will my hon. Friend comment on the link that there should be between the sectors that she is talking about and education? We recently had a meeting with the Minister to discuss whether this subject could be included in the

[John Howell]

English baccalaureate. I understand the reluctance about that, but will my hon. Friend comment on the relationship with education generally?

Michelle Donelan: The main thrust of my speech is about the EBacc, so I will leave that point and my hon. Friend can eagerly anticipate what I will say in a few moments.

John Howell: Touché!

Michelle Donelan: Linking education with business can be done in a variety of ways. The most important way is to get businesses into schools to talk to children face to face. Only a certain amount of information can be had from books and the media, and if we continue to perpetuate stereotypes, we will not get anywhere. That is the reality.

To go back to my speech, we must support businesses such as Alford. We must inspire the next generation of thinkers and create an innovation-hungry economy. Britain needs more businesses making more things, designing more things, inventing more things and exporting more things. We must recognise that engineering and manufacturing are an important part—indeed, a vital part—of Britain's economic future.

What is the answer to all these problems? We need to improve our careers education system, starting at primary school age. Studies show that from age six children rule out careers. That is just perpetuating the stereotyping and the reluctance of girls to enter this industry. We need to strengthen further the links with local businesses and to increase the emphasis that we place on local labour market intelligence, so that we inform our young people about local opportunities and the best career choices and options are available to them.

John Glen (Salisbury) (Con): I am extremely grateful to my fellow Wiltshire MP from my home town of Chippenham for initiating this debate. Does she concur that one of the great opportunities in Wiltshire is provided by QinetiQ? That company provides thousands of apprenticeships in science and technology, and there is its initiative with the 5% Club to target high investment in apprenticeships, so that local people in Wiltshire can see the opportunities for apprenticeships in science and technology at age 18 locally. That is a good start on the journey that my hon. Friend will take us on this morning.

Michelle Donelan: I thank my hon. Friend, who is right. I know at first hand the work that that company is doing in Wiltshire, especially in the area of apprenticeships, which is vital for our economy and for giving young people the opportunity to experience these industries from a younger age. We need to run more schemes like that.

I believe that we need to go further and measure schools on destination reporting—reporting on what careers young people go into—so that we can better measure what is happening. However, this is really all quite simple. To make our economy more productive, we need to make our education system more productive. To put it another way, we need to wake up to the fact that we need to align the business sector and the education sector and ensure that they are working much more to support each other.

The Government have already done quite a lot in this area, and I do not want to overlook that. They have recognised the need to focus on STEM with initiatives such as STEMNET, providing £6.3 million a year to run a number of programmes. That includes more than 28,000 STEM ambassadors. The Big Bang Fair is another initiative that I have seen at first hand in Wiltshire, and Wiltshire College is doing an excellent job of celebrating STEM for young people in the UK. There is also the "Your Life" campaign, which is increasing the number of pupils taking on A-level physics and maths.

University technology colleges are another fantastic way to address the STEM shortage, and I am delighted that more than 55 UTCs will be open by 2017, catering for more than 33,000 students. A number of other initiatives focus on further education and university education, of which the most important is the removal of the cap on university places for STEM subjects. Those are all great initiatives, but we still face a huge skills gap that is threatening our economy.

I believe that the answer to addressing the skills gap lies in the new design and technology GCSE course. For too long, design, technology and engineering subjects have been misunderstood, stigmatised and stereotyped, which is quite ironic given that the skills shortage means that we are in dire need of encouraging more young people to pursue those careers. It is also ironic given that all those subjects give students the best shot at getting highly valued, highly paid jobs, and given the UK's productivity crisis. Those in the know—business leaders—see design and technology as an essential part of the UK's remaining a global leader in product design. If we are to plug the ever-growing skills gap and address our rather shameful productivity crisis, we must listen to business and act urgently.

Education is the key to addressing the skills shortage, and design and technology is a key part of that. Entries for the D and T GCSE have declined by 18% since 2010—a decline that, at 26% over the five-year period, is even more dramatic among girls. In addition, the recruitment of D and T teachers has hit an all-time low. Since 2010, their number has fallen by 2,300, and the number of teaching hours has fallen by 16%.

The Government are rightly pushing ahead on ensuring that education is vigorous and gives students the core skills they need for the workplace. It is vital that the Ebacc remains purely academic, ensuring that students leave education with the skills that they need to get on in life. I fully support that. However, the push towards the Ebacc in its current form threatens to undermine any progress being made to address the stigma associated with technology and engineering. I would like the vastly improved D and T GCSE to be included as an option of the science element of the Ebacc. There is huge support for that within the business community and the teaching community—not just in my constituency and not just in Wiltshire, but across the country. They are crying out for this change, and something needs to be done.

Figures vary, but estimates suggest that there are about 54,000 vacancies for the 1,200 graduate engineers each year. That is a brake on business and a drag on the economy. Let me be clear: I am asking not for a U-turn in the policy, but for a minor change to strengthen,

improve and safeguard the Ebacc given the scientific and academic nature of the new D and T GCSE. There will be no outcry from vocational subject pressure groups, such as art, music and religious education, as that is a totally different debate.

There is a precedent for the change in the example of computer science. In recognition of the changing economy, the former information and communications technology qualification was revamped as computer science to cater for the economic need for computer programmers and the shortfall in the digital industries. Yet the skills shortages in design, manufacturing and engineering are far vaster, so surely the case is much more pressing.

Without a technology and engineering element to the Ebacc, young people do not have the opportunity to taste those subjects and thus gain a greater insight into those careers. Yes, they can do the core subjects such as maths and science, which can lead them on to a university place or an apprenticeship in such fields, but why would they do that if they had never actually tasted D and T and had no real concept of what it means? In fact, they will not, as the evidence shows us. Between 2010 and 2015, the number of A-level entries for D and T fell by more than 24%, which indicates that the decline in the GCSE is having a further impact that is knocking on through the STEM pipeline.

The Government are committed to 3 million new apprenticeship schemes. Ensuring that D and T is part of the Ebacc will help towards that goal. A taster in a technical course will encourage people to go on to do a technical apprenticeship. I encourage the Minister to utilise the same foresight used with computer science by introducing the newly improved and very scientific D and T course as part of the Ebacc. Doing so would add to the image and value of the subject, and send out a message that D and T and engineering are science subjects that are core to the curriculum. After all, is not one of the key purposes of our education system to create the workforce of tomorrow?

Progress 8, in theory, measures students' progress across eight subjects: English; maths; three other Ebacc subjects, which can be science, computer science, geography, history or languages; and three further subjects, which can be from a range of the Ebacc subjects or any other highly approved art, academic or vocational qualification. However, many schools—schools are telling me this—are pushing their students towards the academic subjects. Many students are taking more than the expected minimum of five subjects, resulting in D and T being squeezed into a single or double option box to compete with the likes of photography or dance for a single place among the students' options. It would be tragic for the new, academically rigorous D and T GCSE still to be sidelined after all the work, time and money that has been invested in it.

Some will argue that the Ebacc is only five subjects from a GCSE programme of nine, but that does not really show an understanding of the situation we face. D and T is being marginalised. The brightest students overlook it because they do not perceive it as a scientific subject and because it does not have that Ebacc accreditation.

As a result of the hard work and commitment of the Minister, the James Dyson Foundation and the business community, the content of the new course, which will be launched in September 2017, is highly scientific and a vast improvement on the previous qualification. It encourages the innovation and creativity needed to boost UK productivity, and it is worthy of Ebacc status. The Minister has made some very good points, describing the new GCSE as "gold-standard", and said:

> "This is a rigorous qualification which will require students to have a sound grasp of maths and science, and which will undoubtedly stretch them to further develop the kind of knowledge and skills so sought after by employers and universities."

Well, I agree. D and T is the only subject in which students put their maths and physics knowledge to a practical test. It is the only subject that gives a window into engineering careers, and it is the obvious pipeline for engineering talent. That view is shared by Sir James Dyson; Dr Rhys Morgan, director of education at the Royal Academy of Engineering; Paul Jackson, the chief executive officer of EngineeringUK; the Design and Technology Association; and hundreds of businesses that have contacted me in the past few weeks. We must listen to the experts and take action. Including the course within the Ebacc would help to challenge perceptions of the subject, and boost recruitment and take-up. There is a 57% recruitment shortfall in trainee D and T teachers, who are concerned over the subject's future and status.

There are a number of other ways in which we can encourage young people to take engineering and D and T to safeguard the subject and their futures, and I do not deny that I have only really touched on one way today. I am sure that colleagues will go into further depth on other areas. I have focused on including the new D and T course within the Ebacc because I believe that it is crucial and very doable. The simple change is what business and the economy need. It would highlight that the Government understand the need to align the education system much more with the economy and to give our young the best opportunity in life.

We have a chance to include a new, robust and rigorous D and T course within the Ebacc as a science element, just as was done with computer science, to combat any negative perceptions and recognise the needs of the industry. It is unacceptable, at a time when we have such severe engineering shortages and a growing productivity crisis, that we are prioritising only the S and M, and not the T and E, of STEM. What is the point of all the programmes we have to encourage young people to consider a career in the sector if we are going to say that the new science-based D and T course is actually not really science? That is what this categorisation means—that it is not actually science—and it sends out the message that the subject is not important to the STEM agenda.

In conclusion, if we are to remain at the forefront of global product design, we must take action. Bolstering the D and T GCSE by its inclusion in the Ebacc is an important step to addressing the skills shortage, safeguarding the future of the subject, and supporting skills and businesses. As I said to the Prime Minister last month, the skills shortage is a ticking time bomb, and I urge the Minister to act now.

9.49 am

Jim Shannon (Strangford) (DUP): It is a pleasure to speak in this debate. I thank the hon. Member for Chippenham (Michelle Donelan) for setting the scene so well on a subject that is of interest to us all. It is nice

[Jim Shannon]

to see the Minister here, too. I look forward to his contribution. I also look forward to the speech of the shadow Minister. He and I celebrated Leicester City's win against Newcastle last night as we march on to premier league success, so we have more reasons for smiling this morning than we normally do. As a Leicester City supporter of some 46 years, I must say that we have been through hard times, so it is good to enjoy the good times, too. I digress; we are here to discuss an important issue.

I have spoken on this issue many times in the House, and I have tabled questions and early-day motions. The need for MPs—and Members of the Northern Ireland Assembly, as it is a devolved matter—to push for engineering skills and design and technology education has never been more important. When I first became a Member of Parliament in 2010, our unemployment rate was 5.4%; it is now down to 3.9%. To give credit where it is due, that is due to the Government's economic policy and to our Ministers in the Northern Ireland Assembly, who have collectively encouraged job creation. In proportion to our size, job creation in Northern Ireland has matched job creation in south-east England.

Job creation in Northern Ireland is important, but we need a skilled workforce and young people coming through to take advantage of the many good jobs that have been created. The country needs to look to the future and produce a workforce that will allow the jobs of the future to come to the United Kingdom of Great Britain and Northern Ireland and be part of a resurging manufacturing sector in the high-skilled economy that we are trying to create. We in Northern Ireland are keen to benefit from that, and we have seen some benefits. We have seen economic growth in the Province, with more jobs than ever, but the jobs that have come have too often not offered the quality career that aspiring young people want and need. The jobs of the future will be located in the STEM sectors of our economy, which can make a real contribution towards establishing a more balanced economy across the whole country and producing a more sustainable economy in a volatile global market.

We have to respond to the market. Of course, many people would say that the market is uncertain, as the Chancellor seems to be indicating—we will probably know more about that after tomorrow's Budget—which raises concern for the future. One reason why our economy was exposed during the recession was the lack of manufacturing jobs. We need to focus more on manufacturing. We cannot let all the manufacturing jobs go outside the United Kingdom. We cannot let other countries take advantage of lower workforce costs. We have to retain as much of our manufacturing base as we can.

When we talk about manufacturing jobs, of course, we have to take account of the fact that manufacturing is part of a global market, and it is near impossible to bring production line manufacturing jobs back to the United Kingdom. Simply, nations across the globe are undercutting us to such an extent that we would have to abolish the minimum wage even to try to compete, and we are not going to do that. We are going in the opposition direction, and the Prime Minister and the Government have committed to introducing the living wage, which is a welcome development. With that in mind, we must seek to bring in high-end manufacturing jobs—the jobs of the future of which I spoke—which require a highly skilled workforce. Such a workforce can only be achieved by investing properly in this field of education, and in apprenticeships, so that we can be globally competitive once again.

We debated International Women's Day last Tuesday, and a notable achievement of the push for STEM education in schools is that more than 40% of ambassadors in the STEM ambassador programme are women. In last night's debate on Commonwealth Day, the Minister of State, Foreign and Commonwealth Office, the right hon. Member for East Devon (Mr Swire) said that women were in very high places across the United Kingdom, as they should be. It was once a male-dominated industry with a male-dominated ethos and environment, but real change is now happening in the STEM sectors, and careers are open to all. I am encouraged by what the Northern Irish Minister for Employment and Learning, the Department for Employment and Learning and the Northern Ireland Assembly are doing. We have created a lot of apprenticeships for young people across the gender base. Many young girls are now taking up engineering as a job. The wage structure is such that new starters earn £30,000 to £35,000. Some people tell me that that is not a great wage, but it is a terrific wage for Northern Ireland. Such wages provide opportunity and keep our skill base at home. We want to see more of that.

I sit on the board of governors of Glastry College in my Strangford constituency. At our meeting last Thursday, the careers teacher had an opportunity to indicate some of the things that she was doing to ensure that young people at the school, and particularly young girls, saw engineering and the STEM industries as an opportunity. How do we do that? It is not just about the jobs; it is about pointing people in the right direction and bringing those two things together. In her introduction, the hon. Member for Chippenham mentioned "designer technology"—I wrote it down. That is what we need. We need to get our young people looking towards where those jobs are, which is important to me.

Shorts Bombardier has announced the bad news of job layoffs, but we are hopeful that that will make the company leaner, although maybe not meaner, and therefore more cost-effective, which will be a base from which the manufacturing base can hopefully bounce back. Last Thursday, the Minister for Skills announced more help for apprenticeships across the United Kingdom of Great Britain and Northern Ireland. We are all going to benefit—Scotland, Wales, Northern Ireland and England—and perhaps the Minister for Schools will comment on that. I know that it is not his Department, but there are great opportunities to do more.

Indeed, there have been commendable efforts and STEM initiatives, particularly in schools. We need to ensure that those initiatives translate into results and that there are real returns on our investment. The Government have invested some £15 million, and we need results not just for the sake of the economy but for our young people who need to grow up with the security of a top-class career and wage so that they can cement their position here in the United Kingdom.

Despite those efforts, results have been disappointing, and I have some statistics. GCSE entries for design and technology declined by 18% between 2011 and 2014-15.

The decline has been even more pronounced among girls, with entries falling by 26%, compared with 12% for boys over the same period. Will the Minister comment on that? Between 2011 and 2014-15, A-level entries for design and technology fell by 24%. Either the Government's efforts have not taken hold or we need to consider a different way of doing it. I always like to be constructive in debates, so that is not a criticism. It is about how we can do it better and how we can find solutions and improvement.

Efforts have also been made in Northern Ireland's higher education sector, where the Department for Employment and Learning has taken significant steps to focus on STEM and make changes in the further education sector, universities and colleges. In the 2015 autumn statement, the Government announced that from 2017-18, the equal and lower qualification fee exemption would be extended so that students wishing to take a part-time second degree in a wider range of STEM subjects would be eligible for tuition loans. Will the Minister comment on that?

In addition to supporting those in education, there has been some support for educators in the STEM sector. Trainee teachers in England with a first-class degree or a PhD in physics, chemistry, mathematics or computing are eligible for a bursary of £25,000, which is significant. The bursary for trainee teachers in physics with a first-class degree or a PhD will go up to £30,000 in 2016-17. Those are significant, positive changes to the bursary opportunities that are available.

Compared with November 2010, the number of design and technology teachers has fallen by 2,300, but the number of engineering teachers has risen by 100. Again, it seems that a change in education provision is needed. Have the Government made provision to ensure that there is a sufficient number of engineering teachers so that pupils can take advantage of that opportunity? The situation reflects decreased demand in schools, but it also prompts us to ask what point there is in incentives for teachers in the sector if we cannot even motivate students to take the subject.

There has been some success. In the year 2014-2015, there were 74,060 apprenticeship starts in the engineering and manufacturing technology sector. Absolutely significant steps forward have been taken if there are 74,000 apprenticeships in engineering and manufacturing. It is the highest figure of all comparable years since 2011; that is a big step. There has been some success, but unfortunately, lower figures in schools should raise alarm bells. I urge the Government to act on that, for the sake not just of the economy but of the future of our young people, who want quality long-term and sustainable careers.

I am in the second half of life. Although not everyone in this room is, those of us who are must prepare our young people to come forward—our children, our grandchildren and other people's children and grandchildren. Let us give them the job opportunities that we want for them. I want to see our young people stay in Northern Ireland; I certainly want them to stay within the United Kingdom of Great Britain and Northern Ireland. That means Scotland staying in the United Kingdom of Great Britain and Northern Ireland as well, by the way. *[Interruption.]* The hon. Members from the Scottish National party knew I was going to say that. It has been a pleasure to speak in this debate, and I thank the hon. Member for Chippenham for securing it and giving us a chance to participate.

Mr Adrian Bailey (in the Chair): Four people have indicated that they wish to speak. I want to call the Front-Bench spokespersons by half-past 10, so if subsequent speakers could confine their remarks to about seven minutes, I would be grateful. It will enable us to get everybody in.

10.1 am

Kelly Tolhurst (Rochester and Strood) (Con): Thank you for calling me to speak in this debate, Mr Bailey. I congratulate my hon. Friend the Member for Chippenham (Michelle Donelan) on securing this debate and on her detailed speech, which correctly highlighted the issues facing us.

I represent a constituency with a long, rich history of engineering. It has the dockyard, the Royal Engineers, Short Brothers, BAE Systems and now a growing digital and high-tech economy. The Royal Academy of Engineering has suggested, as my hon. Friend said, that there is an annual shortage of about 53,000 graduate engineers. We must encourage young people to get excited about a career in engineering and technology and to see the plethora of opportunities that are available if they choose engineering and design and technology as a career.

In my constituency, we are lucky enough to have an engineering and construction university technical college, which was opened in September. It gives 14 to 19-year-olds the opportunity to study those subjects, gaining academic qualifications and—this is also key—the skills required to go out into the workplace. We hear that employers value that very much, and it is what they look for in young people who study those subjects.

We particularly need to encourage girls, who are less likely to see engineering and design and technology as a route. Last week, on International Women's Day, I was lucky enough to have some young women from the UTC come up here to showcase some of the work that they had carried out since starting there in September. They are doing their bit locally as well by running a "UTCs are for girls" campaign, but they rightly point out that the necessary change must start earlier, in primary and secondary schools, so that young people are completely aware of the opportunities and excitement that engineering can bring. That can be achieved only by offering the opportunity to study those subjects at GCSE level and by giving pupils good-quality careers advice while they study.

This year, BAE Systems has offered 12 higher-level apprenticeships at its Rochester site in my constituency. BAE is doing exciting design and highly technical manufacturing work in my constituency, and some people there have not always been aware of that work. BAE reports that the young people who came through the doors were aware of those 12 higher-level apprenticeships only because they had been guided by their parents or had friends or relatives who worked at BAE Systems.

Our UTC reports that it also has concerns and challenges in recruiting staff for the technology subjects. It is proving increasingly difficult as schools phase out some of those subjects. It is absolutely right that we should be able to attract high-quality people into such roles within

[Kelly Tolhurst]

our schools to ensure that they create the excitement that our young people need when choosing further careers. Businesses are doing their bit. For example, BAE Systems has an early years working group, a team of volunteers working to drive encouragement for future generations to consider engineering careers. BAE has increased engagement with the community, and has launched a brochure to inspire the workforce of the future which has been shared and delivered across 360 educational establishments in Kent.

BAE Systems is working to encourage young people, particularly in my constituency, to consider a route to a long, exciting career, with opportunities not only to work in the UK by fulfilling jobs available currently and in the future, but to dream of travelling and working in other countries. We are lucky: we have an international history of sending young people abroad with quality skills. I hope that we continue to increase that.

It is important that we can fulfil the requirement for such skills in future, as my hon. Friend the Member for Chippenham has outlined. I support her call to re-include the design and technology GCSE in the EBacc. I was lucky enough to take the design and technology GSCE when I was at school, and I later became a marine surveyor. I had opportunities to travel all around the world, and I was not limited to one career option. I think we should focus on ensuring that we really understand what engineering means. Maybe that one word does not always highlight correctly what opportunities there are.

I know I am repeating myself, but it is important to labour this point. I would particularly like to mention careers advice. It is a challenge not just in my constituency but across the country. It is crucial that the teachers charged with teaching the young people in our schools can be educated on what opportunities and career choices there are in this field. It is not necessarily teachers' fault if they are not aware of some of the opportunities available. I would like much more focus on how we train and brief our teachers to understand what opportunities there are, so they can impart them to our young people and be part of the challenge of engaging with local businesses to drive the situation from a school perspective, not just by bringing businesses into schools.

Thank you for allowing me to speak in this debate, Mr Bailey. I welcome what the Government have already done to focus on STEM subjects. The issue is always on the agenda now; we are talking about it more and more often. That is absolutely right, and I wish that to continue.

10.9 am

Alan Brown (Kilmarnock and Loudoun) (SNP): It is a pleasure to serve under your chairmanship for the first time, Mr Bailey. Hopefully, from your perspective it will end up being a pleasure having to listen to me.

I thank the hon. Member for Chippenham (Michelle Donelan) for securing this debate on what can be quite a wide-ranging topic. I will try to cover a few key aspects.

Before becoming a Member of the House, I worked as a civil engineer for more than 20 years, so I am well aware how the skills gap and the gender gap have exercised the engineering industry over those years. When I first graduated, it was the time of the recession in the early 1990s, which made jobs really difficult to come by and also deflated the wages that were available. The result was a constant drip-feed of fresh talent into other sectors, including the financial sector. That meant that when there was an inevitable upturn, there was a big skills shortage. I am well aware of that, but I can also say that over the past 20-odd years there has been a big improvement in trying to close these gaps and to raise awareness about engineering as a career.

I speak about engineering from my perspective, but quite often it might differ from other people's perspectives about what constitutes an engineer. That can sometimes make it problematic to promote the concept of a career in engineering, because engineering is so wide-ranging. I recently visited some engineering workshops associated with the aerospace industry. Hands-on, high-quality manufacturing was in evidence, but again it was very different to what I saw as my career—latterly, I worked as a consultant, which is worlds away from that hands-on engineering environment. That in itself illustrates that there is no one-size-fits-all approach that can be conceived to fill the skills gaps across the broader engineering sector.

Having said that, it is clear that, fundamentally, what is required is the promotion of STEM subjects. STEM is an acronym that is widely used. However, as the hon. Member for Chippenham touched on, we really need to focus on the technology and engineering aspects of STEM; those aspects need to be more widely promoted and developed at school level.

I also served as a councillor for my local authority, East Ayrshire Council, which has introduced a STEM programme for primary children. Recently, I met Dr Peter Hughes, a former chief executive of Scottish Engineering. He said that East Ayrshire's approach to STEM subjects, both in primary schools and through its business enterprise initiative for secondary schools, is world-leading. That shows what can be done when there is a drive in a local area, and obviously it would be good if that best practice was shared across the country.

The local college in my area, Ayrshire College, also works with industry to develop courses that the industry requires to fill its gaps. One example of that is working with wind farm operators to develop turbine technician courses. That gives some engineering-related courses a less intense academic focus, and instead balances the knowledge and understanding that is required with hands-on working. In civil engineering, I have also noted a return to the technician-engineer route. For me, there is no doubt that that can attract those who otherwise would not want to do a four-year degree course. In relation to the turbine course, obviously the cuts to subsidies for the renewables industry will not allow this industry to continue to grow. That is a shame, because the industry was getting to a stage where it could forge really sustainable careers for people.

These education initiatives accord with the wider Scottish National party Government's determination to improve the take-up of STEM subjects in schools and to encourage a more diverse range of young people into STEM subjects and careers. Several initiatives underpin that. There has been a £1.5 million allocation to boost delivery of STEM subjects; there is a "Making Maths Count" initiative to drive up numeracy attainment; the Scottish Funding Council has provided funding for an

additional 1,200 STEM subject places over four years; there has been an Inspiring Teachers recruitment campaign; and only last month, part of a £12 million transition training fund for the oil and gas sector was set aside to allow individuals from the sector to retrain as teachers and hopefully inspire a new generation. The SNP has also set up the general £100m Attainment Scotland Fund.

Higher education in Scotland is still free, which we are proud of. Again, that compares with the previous coalition Government trebling tuition fees to £9,000 a year, and there is absolutely no doubt in my mind that those fees can be a barrier to people entering higher education, which of course can impact on the engineering sector as well.

There is another risk caused by the UK Government that I have identified, which is the cut of funding for research and innovation. The move from innovation grants towards innovation loans has been decried by Bivek Sharma, who is the head of small business accounting at KPMG. We really should not be de-incentivising the industry when it has been making large strides to promote innovation and forge better links with education establishments.

Another issue in Scotland is the loss of the post-study work visa, which was particularly useful in the civil engineering industry to fill the skill gaps. Again, I have encountered that: at the place I worked, we had graduates who came from all over the world, but they had studied in Scotland and they were able at that time to stay in Scotland in that working environment. Not only had they contributed to education establishments; they then had an opportunity to contribute to the wider society, pay taxes and learn their careers, so I urge the UK Government to rethink.

As a civil engineer, I am a member of the Institution of Civil Engineers, which has developed some fantastic initiatives over the years that aim to inspire the next generation. In Scotland, outreach activity reached more than 5,000 pupils in 2015 alone. That activity includes the Bridges to Schools programme, which is a hands-on activity for primary year 6 and 7 pupils, enabling them to build a 12-metre long cable bridge. They build the bridge, and then they are able to walk on it, understand the loading on it, and deconstruct it. It is about teamwork, promotion of engineering and letting them understand that wider career.

ICE in Scotland also organises the rapid response engineering challenge, which covers first and second year pupils. It also hosts careers evenings and targeted events to increase diversity in the industry and works with Skills Development Scotland and Young Scot to get out appropriate messages about engineering career paths.

As a younger engineer, I participated in classroom visits myself, but given that I have not even managed to persuade my two sons to enter engineering, I am not sure I was the best advocate to encourage others. Nevertheless, I certainly enjoyed doing that and it is great that other people continue to do it.

Across the UK, ICE also works closely with STEMNET, asking members to sign up with ICE as STEM ambassadors. STEMNET works with schools, colleges and STEM employers to enable young people to meet inspiring role models, understand the real-world applications of STEM subjects and experience hands-on activities. Obviously, the intention is to motivate and inspire the pupils, and to bring learning and career opportunities to life for them. There have been more than 30,000 trained STEM ambassadors, of whom more than 40% are female—

Mr Adrian Bailey (in the Chair): Order. If the hon. Gentleman could wind up, I would be very grateful, as it would enable other speakers to participate in the debate.

Alan Brown: More than 40% of the STEM ambassadors and more than 60% of them are under the age of 25.

To conclude, industry, education establishments and the Scottish Government are making inroads in promoting STEM subjects. I agree with the hon. Member for Chippenham: we need a way to measure the impact of engagement with pupils and its results in their careers.

10.17 am

Chris Green (Bolton West) (Con): It is a pleasure to serve under your chairmanship, Mr Bailey, and I congratulate my hon. Friend the Member for Chippenham (Michelle Donelan) on securing this important debate on the future of engineering skills, and of design and technology.

The UK has serious shortages in science, technology, engineering and mathematical skills. Although such shortages are not new, statistics show that many children choose not to study STEM subjects at a higher level. That is of concern to schools, universities, other training providers and especially employers. STEM subjects underpin many careers in technologically dependent sectors of the economy, including manufacturing and engineering. Almost 70% of research and development investment is in the manufacturing sector, and goods produced in this sector account for 44% of UK exports.

Engineering is also important for the northern powerhouse, which requires growth in manufacturing industry; alongside that growth, we also need to see the growth and development of the educational sector, to provide skills for such industries as they develop over time. Our modern economy needs the skills and abilities that STEM and design technology subjects bring. These subjects promote problem solving and practical skills, and are some of only a few subjects in the curriculum that develop hands-on skills.

Although the subjects can be challenging, there are plenty of opportunities on offer for motivated individuals to develop their abilities in real-world situations. Although we need people to do the academic subjects, so much of what we create not only has to achieve its basic function but must feel right. We need practical skills really to make a product, not just in terms of its performance function but in terms of feeling right when it is performing that function—for anything from creating to a sauce pan to creating all the components and elements that go into making a high-speed train, which, hopefully, will be discussed tomorrow by the Chancellor.

Pupils experience STEM directly through the curriculum, which means, as was highlighted earlier, that they mainly encounter only science and mathematics. However, many more career openings are on the engineering and technology side. Although it is important to enhance the prospects

[Chris Green]

of pupils by ensuring that they receive a core academic curriculum, with employers in technical and skilled occupations reporting a shortage we cannot afford to overlook subjects that lead to careers in technology-dependent sectors of our economy. Just as the hon. Member for Kilmarnock and Loudoun (Alan Brown) has a background in civil engineering, I worked for nearly 20 years in the mass spectrometry industry. An academic background is necessary, but hands-on skills are also key, because so much of what is learned then has to be applied by the hands.

Hon. Members might be aware of the Your Life campaign, which aims to increase the number of people studying science and mathematics at A-level. It is welcome news that since 2010 the number of young people studying for science and mathematics A-levels has increased by about 29,000, but there is still much more to be done in the other STEM subjects of design and technology, and engineering. Teachers and employers must boost pupils' understanding of the value of those subjects, including their relevance to the modern world and their transferability to a wide range of careers. Students should not be aiming for high grades irrespective of the subject they choose, just so the statistics look good. Subject options must be taken with career choices in mind and with the best possible careers advice.

Too much focus on the academic and not enough on skills and more practical applied learning will mean that the skills gap in the economy will increase. The future of the UK's economy requires a fundamental change in how pupils choose their subjects, as this leads to their future career paths—into higher education or apprenticeships, or directly into employment. I regularly hear from businesses in my constituency that they are concerned that children are regularly pushed down the university route and actively—not just tacitly—pushed away from the apprenticeship alternative. I ask the Minister directly to address the concern that schools encourage people to go down the academic route and discourage the apprenticeship side.

Our schools can do more to engage with local businesses—and that is key, as local businesses have a wealth of experience and present a wealth of opportunities locally. Children can be encouraged, when choosing their options, to think about what opportunities there are locally. Providing young people with the right incentives and the right information about the choices they make is vital for their future and for the future of the UK's economy.

10.23 am

Danny Kinahan (South Antrim) (UUP): I am glad to be speaking here today, Mr Bailey, and I congratulate the hon. Member for Chippenham (Michelle Donelan) on bringing forward the debate.

I wanted to speak in this debate because I had three years in Northern Ireland as vice-chair of the education committee—so a little bit of experience there—and I now chair the all-party parliamentary group on education here. I also worked for three years in the 1980s at Short Brothers, later Bombardier Aerospace, where I was definitely a square peg in a round hole. At university, I remember computer science coming at me for the first time as part of my business studies degree, and in those days—I am a little older than most here—it was about punching cards, stacking them into a machine and pressing the button that said "Run". I think it worked only once. So the message I would really like to hear is that we need to teach and train everyone in these skills—they certainly passed me by.

I feel that, particularly in Northern Ireland, we have lost our way in education by concentrating too much on certain skills. Because we are devolved and in danger of devolving further into northern powerhouses, midlands machines and all sorts of other things, we must ensure that we all work together, helping each other throughout education, and do not end up concentrating on our little areas.

There are schemes for sharing the skills that are there, such as Catapult, and that is the sort of thing I would like to see as we all work together. I want education to prepare pupils for jobs, life and employment. The all-party group will be doing a survey and an inquiry into future skills, and I hope that all hon. Members here and their colleagues will get involved in helping us to explore what those skills are and how we work at the issue so that people leave school ready for a job.

When I was at Stormont working on education, various statistics came at me. One was that the Chinese produce 76,000 engineers a year. We have to stay better than them, and keep our entrepreneurship better than theirs too. I was also told that 80% of jobs now include IT, and when we went down to our excellent science park in Belfast, we discovered that there is a shortfall of some 30,000 people in Northern Ireland being trained in those skills. That fits with all the other figures. We need to get more people involved, and I think that our approach is wrong.

I will be a little local. In Northern Ireland, we have had Sinn Féin running our education system for more than a decade. It is trying to get rid of the grammar schools, squeezing them from every angle. Grammars are our one chance of getting people to perfect certain skills and certain angles, so we have had to work hard to get changes in so that they all work together. Sinn Féin has tried to get rid of that concentration on high-level skills, to bring everything down to the lowest common denominator. That is where we have lost our way.

We need to get science teaching into primary schools—Sinn Féin cut that and moved it away. It also cut the funding to Sentinus, one of the major bodies involved in making STEM interesting to pupils, and then it cut a lot of the funding to STEM. We are going in the opposite direction, but we have some fantastic teachers—in fact, most of our teachers are good. A teacher at one of my local schools, Creavery, won the award for the best primary school science teacher of the year. We must keep working so that everyone gets interested.

We also have to work on careers and make them interesting. A few years ago, I met someone from Northern Ireland who had gone to China and produced a business skills course, which he sold to the Chinese but not to us. The course teaches everything from sourcing raw materials all the way through to working on them and producing the end product. No one ever taught me that sort of skill at school—how to understand the whole business of trade and creation—and that is the sort of thing we have to get into the teaching. We have to make the area interesting.

I sometimes wonder whether we could not have one big web portal, into which someone would stick the skill they were interested in. Say they put in "Art": it would lead them down to design and technology, to whether they were going to design pottery, paint paintings or do the interiors of houses or ships. Everything would open up. I have been to various air shows and seen the great big banks of screens about what industry is doing. That could all be on a web portal. Every single angle could be gone down and children and pupils could go, "Wow! That's what I want to do". That is what we should be doing. We should be lifting everyone's education so that they really want to move into the fields of science and technology. It did not work for me.

Jim Shannon: You've done all right.

Danny Kinahan: Thank you. But it could work for everyone. Some of us are art and some of us are history, but we can make things work for everyone. It all interlinks. If I have a message today, it is this: "Please promote and educate in STEM—all the sciences and technology—so that it really grips the students and pupils and makes them interested, so that they want to go out and work in those fields".

Mr Adrian Bailey (in the Chair): The Minister has been asked to respond to an enormous number of points, so I ask the Front-Bench spokespeople to ensure that he is given adequate time to do so. I would also, of course, like to bring in the mover of the motion, Michelle Donelan, for a couple of minutes at the end to sum up.

10.29 am

Carol Monaghan (Glasgow North West) (SNP): I congratulate the hon. Member for Chippenham (Michelle Donelan) on securing this important debate. It has been informative, with many valuable contributions, and there are clear messages coming through. The hon. Lady talked about the need to tailor the curriculum to what business requires and, when looking at school curricula, it is important to consider what we are trying to achieve as the end product.

As a physics teacher, I have been long aware of the growing need for specific professions within the workplace. Engineers, scientists and computer scientists have become key to economic success in this ever more digital world. There is a massive skills gap, and we should be taking positive steps to address it. The hon. Member for Strangford (Jim Shannon) talked about retaining the teachers we have and encouraging more people to take up a career in STEM teaching, and I agree; teachers are key to everything we are discussing this morning. If we cannot get teachers in, how can we possibly encourage our young people to take up these subjects? It is also important that we have an environment that is conducive to people moving into teaching. We need to look at what is happening in schools and the stresses and strains that have been put on teachers.

The hon. Member for South Antrim (Danny Kinahan) talked about working together to produce the best results, and that is important. We want a situation where our young people educated in engineering and science can travel not only throughout the UK but throughout the world. We are producing top-class engineers, but we are just not producing enough of them. We should be able to export these young people worldwide. He also mentioned grammar schools. I taught in a comprehensive school for most of my career, and I do not believe that grammar schools solve all the problems.

Schoolchildren's awareness of careers in industry has been mentioned, and we need to be careful about some of the language we use. We talk about industry, but for many children that word conjures up images of boiler suits, oil and probably fairly manky toilet facilities. If we are trying to encourage our young people, we need to be careful when we loosely talk about the engineer coming round to fix our central heating boiler or our satellite TV. Important though those workers are, I am pretty sure that most of them do not have a degree in engineering.

Kevin Foster: The hon. Lady is making an interesting and at some points amusing speech. Does she agree that part of the issue is that we perceive engineering in this country as someone fixing a washing machine? In other parts of Europe, "engineer" is a title in itself, almost like having a knighthood.

Carol Monaghan: Absolutely. We of course have chartered engineer status, but that does not filter through to children when they are thinking about careers. The stereotypes are damaging. The hon. Member for Strangford talked about the high-end jobs we have in the UK, but how do we raise awareness? A few weeks ago, I visited Clyde Space, an engineering and manufacturing plant in an office block in the centre of Glasgow that manufacturers satellites. It has a lovely open-plan area with computers down one side. Lots of young people were sitting at them, chatting and working away. They were in jeans and some even had make-up on. It is a relaxed, nice environment, and they are all engineers. We need to change our perception of what an engineer is.

The hon. Member for Rochester and Strood (Kelly Tolhurst) talked about raising awareness of STEM careers at a much earlier age, and that is important. My hon. Friend the Member for Kilmarnock and Loudoun (Alan Brown) talked about the STEM outreach in his local area. Things like that start getting children ready for other possible careers.

The hon. Member for Chippenham mentioned the subjects included in the EBacc, but what is the purpose of the EBacc? Is it an attempt at producing a gold-standard qualification, or is it simply for league tables? I spoke to the Minister for Schools last week about the composition of the EBacc—we are becoming great friends across the Chamber—and I talked about the science pillar, which retains the traditional subjects. Although the rhetoric about STEM is positive, such things as the composition of the EBacc should be driven by economic factors, not just by outdated views of what a gold-standard education should be. The hon. Member for Bolton West (Chris Green) talked about the importance of hands-on skills, problem solving and apprenticeships. Those are vital. Problem-solving skills developed at school can be used widely in society, and not just within an engineering situation.

The Scottish picture was touched on by my hon. Friend the Member for Kilmarnock and Loudoun. In response to him, I should say that my son is just about to embark on an engineering degree at university, so

[Carol Monaghan]

perhaps I was more persuasive. In Scotland, we have redesigned our curriculum not by making a list of the subjects we consider to be core but instead by starting at the end point: looking at what employers need and the skills our young people have to have. Our new curriculum requires children to study a broad general curriculum from age three. It must cover lots of curricular areas, including expressive arts, health and wellbeing, languages, maths, religious education, sciences, social studies and technologies. All those subjects must be covered to age 14, so children in Scotland are getting the exposure that many Members have talked about today. As young people approach their exams, they can choose which strands they wish to progress. Within the technologies curriculum, there are many different subjects—computing science, design and manufacture, design and technology, engineering and science, to name but a few—that allow them to specialise. The beauty of it is that all subject areas have equal status and the markers by which schools are judged encompass all curricular areas.

As our young people progress, they have far wider options in which they can choose to specialise. The hon. Member for South Antrim talked about his difficulties with some of those areas. Not everyone is born to be an engineer, but not everyone is born to be an expert in classics, either. Variety is what makes our society rich. We have a baccalaureate in Scotland, but it happens at a later stage. Students can do four different baccalaureates: languages; expressive arts; social sciences; and science, which includes design and manufacture and engineering science. Those qualifications at a late stage in secondary are meant to be cross-curricular and include a cross-curricular project.

In conclusion, I totally agree with the hon. Member for Chippenham and the point she raised about the importance of design and technology qualifications. We need to look at a curriculum that is driven by what industry requires, not by what politicians think is needed. We also need curricula that allow for personalisation and choice, so that young people can become experts in their areas of interest.

10.38 am

Nic Dakin (Scunthorpe) (Lab): It is a pleasure to serve under your chairmanship, Mr Bailey, I think for the first time. I start by congratulating the hon. Member for Chippenham (Michelle Donelan) on setting out her stall so well at the beginning of the debate. She reminded us that engineering and design and technology education are central to our future economic success and underlined the need for skills to match the requirements of our economy. She also talked interestingly about creating an "innovation-hungry economy". I liked that phrase; it inspired and encouraged me, and that is what we want for young people, is it not? She also spoke with passion and knowledge about the new, improved design and technology GCSE, which I think everyone in the Chamber would commend. It is an exciting move forward with a lot of potential. She also argued that, because it is exciting and has rigour and clear value, it should be given EBacc status. I will come to that later.

The hon. Member for Henley (John Howell) said that he had had words with the Minister about trying to elbow D and T into the EBacc. I can understand why the Minister has difficulties with that, but I will come to that later. The hon. Member for Strangford (Jim Shannon) spoke as always with passion and reminded us that design and technology are even more important than Leicester City's success this season. The hon. Member for Rochester and Strood (Kelly Tolhurst) highlighted the need for better careers information, advice and guidance, which is something I very much agree with. She also pointed to her personal experience of her own design and technology GCSE and the way in which that helped to prepare her for a career as a marine surveyor.

The hon. Member for Kilmarnock and Loudoun (Alan Brown) worked as an engineer and came out with the perceptive statement that the one-size-fits-all approach will not work in this area. That is at the heart of some of the difficulties that the Government are perhaps getting into with their EBacc approach. The hon. Member for Bolton West (Chris Green) reminded us that a modern economy needs hands-on skills as well as academic skills. I think that is very perceptive. The design and technology curriculum is particularly good at developing practical skills, which he told us were necessary whether making a saucepan or HS2. The hon. Member for South Antrim (Danny Kinahan) drew on his great experience in Northern Ireland and again underlined the importance of practical skills and careers education, among other things.

The hon. Member for Glasgow North West (Carol Monaghan) made a significant contribution to the debate by drawing on her experience as a physics teacher and underlined the fact that there is a massive skills gap that needs to be addressed. She drew attention to how the term "engineer" covers a wide range of disciplines. Frankly, we need the practical hands-on engineering skills of plumbers as well as the high-tech engineering skills of qualified chartered engineers. We need it all; that is why design and technology is so important in our curriculum. The hon. Lady concluded by emphasising the importance of the personalisation of learning, and I think she is correct. Learning that combines rigour and the interests of the learner as well as the destination of the economy is the very best sort of learning because that allows everybody to succeed.

If I glance back to 2010, the curriculum was in many ways in quite a good place. It was not perfect, but we had a highly personalised curriculum with a lot of rigour that was driving up performance and moving people forward. That did not mean it did not need to change, but there were a lot of strengths in that approach. I know that from my own experience in leading a sixth-form college at that time. We saw standards improving in local schools, often driven by curriculum innovation, so we saw the five A* to Cs rising, and a couple of years behind that we saw the five A* to Cs plus maths and English rising. Once someone has a sense of achievement and success, it drives aspiration not only for the youngsters in that community school, but for everybody around them. That is the spiral of success that we had in 2010. Hopefully, we can continue to move forward on that.

When the EBacc was introduced, the Education Committee, on which I served, raised concerns in a critical and challenging report. The concerns were around why a particular set of subjects were chosen. Why was ancient history more important than design and technology? Why was Latin more important than business studies? The evidence base was not clear. The examination of

what the world of work needs and what the world of education should supply was not there. I think we would all agree that a core curriculum is necessary, but the Government knew without asking anybody what the answer was, and, when probed, came up with the thought that the facilitating subjects of the Russell Group universities were the set of subjects that should determine the EBacc's central purpose. There is no logical reason why that should be so. Indeed, as somebody who has probably sent more students to Russell Group universities than anybody else here, I know that the Russell Group accept a wide range of subjects beyond those facilitating subjects.

To go down such a route is questionable. To extend the EBacc to 90% of students obviously constricts the timetable even more. Again, I know that from having done timetables in which a limited number of resources had to be managed. Concentrating resources on certain things means other things will not fit. So there are big challenges. I recently spoke to the leader of one of the highest performing multi-academy trusts. He said that they might not go down that road. He pointed to the former Labour Government's diploma activities as something else that they did not follow because, from their views on what is in the best interests of young people, it does not work, so there is a challenge there.

The Edge Foundation's submission to the EBacc consultation concluded:

> "Imposing an arbitrary set of qualifications on students is not supported by a solid evidence base. The 90% EBacc target is neither necessary nor desirable. It will harm, not help, large numbers of students, reduce the uptake of technical and creative subjects and limit choices open to students and their parents. It could exacerbate the country's growing skills gap, because fewer students will achieve passes in technical and creative subjects linked to the needs of the economy."

Let us hope that that is wrong, but it is a clarion call from the organisation. The Baker Dearing Educational Trust has been very much behind the movement towards greater skills development and so on.

The Labour party wants to see a broad and balanced curriculum. We welcome the steps towards measuring the progress that children make on progress 8 and attainment 8, because a broader range of subjects are provided. It is important that young people have a core knowledge of the curriculum, including English, maths and sciences. It is all well and good thinking about D and T and the EBacc, but the thing that undermines that the most is not having enough qualified teachers to teach it. Many contributions today have drawn attention to that. The key challenge is to ensure there are enough teachers to teach design and technology, yet at the moment the Government are not getting anywhere near the target they need to achieve this, with just 41% of the target being met, and they are also missing their targets in science and computing.

The fall in the numbers of students taking design and technology is a concern too, given the skills shortages in the economy. Design and technology and engineering are important for delivering the productive high-tech economy that we need to compete in an increasingly globalised world. Forecasts suggest that the UK will need more than a million new engineers and technicians in the next five years. The Conservative Government are failing to deliver the pipeline of talent that we require. It would be a challenge for anybody, so we all need to support the Government in meeting the challenge, but we need to check whether this direction is the right way to meet it.

From manufacturers and construction firms to digital industries and the CBI, businesses in Britain are increasingly warning about the skills shortages that our country is grappling with. I hope the Minister has time to answer the many questions that have been raised in the debate. He is courteous and able and always does his best in that regard.

10.48 am

The Minister for Schools (Mr Nick Gibb): It is a pleasure to serve under your chairmanship, Mr Bailey; I think it is the first time I have done so. I congratulate my hon. Friend the Member for Chippenham (Michelle Donelan) on securing this important debate during British science week. I pay tribute to her for her work on these issues on the Education Committee and elsewhere. I also congratulate her on the powerful and compelling speech that introduced the debate.

Science, technology, engineering and maths are vital subjects in our modern economy. Our manifesto included a commitment to make this country the best place in the world to study maths and STEM subjects in primary, secondary and further education. There is widespread demand for employees with an in-depth knowledge of STEM subjects, and those working in science and technology careers are paid, on average, 19% more than in other professions. Despite those attractive employment prospects, research from organisations such as the Confederation of British Industry shows that companies still have difficulties in recruiting people with technical and professional STEM backgrounds and qualifications.

My hon. Friend the Member for Rochester and Strood (Kelly Tolhurst) referred to the importance of careers advice. The Government have established the Careers & Enterprise Company, and we are also taking steps to improve the quality of careers advice through the development of a new careers strategy that will set out our vision for 2020 and the clear lines of accountability, through Ofsted and the new destination measures, for the quality of careers advice in schools.

We have recognised the importance of STEM subjects to young people's life chances, and we accept the plea of the hon. Member for South Antrim (Danny Kinahan) that we promote science and technology subjects at school. Our ambitious programme of reform is addressing the historical underperformance in STEM education. Our reforms to the curriculum and to qualifications mean that standards in public qualifications will match the expectations of the best education systems in the world.

We are also reforming vocational qualifications to introduce a small number of technical and professional routes, which will support students' progress from school into employment. Those routes will be valued by employers to ensure that more students progress into higher-level technical occupations in areas such as engineering. As the hon. Member for Scunthorpe (Nic Dakin) said, high-quality teaching is also essential to tackling the skills shortages, which is why the Government support schools to recruit top graduates into teaching.

Last year, the Prime Minister announced an additional package worth £67 million to recruit and train up to 17,500 maths and physics teachers. The Government

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run scholarships and offer bursaries to encourage high-quality maths and physics graduates to train as teachers. We also support schools and existing STEM teachers to improve the quality of teaching through Government-funded programmes such as maths hubs and the network of science learning partnerships.

More than 22,000 more young people are taking A-levels in STEM subjects this year compared with 2010, and the number of STEM apprenticeships is increasing. The percentage of apprentices starting in STEM-sector-related subject areas has increased by 64% since 2010, to more than 90,000. Over the same period, the number of women starting STEM-related apprenticeships has more than doubled to 8,000, and the number starting apprenticeships in engineering and manufacturing technologies has more than trebled to 5,100.

The hon. Member for Strangford (Jim Shannon) emphasised the importance of the apprenticeship programme. We are committed to reaching 3 million apprenticeship starts in England by 2020, an ambition that we are helping to fund to the tune of £2.5 billion with the apprenticeship levy. My hon. Friend the Member for Rochester and Strood highlighted the example of 12 higher-level apprenticeships at the BAE Systems site in Rochester.

My hon. Friend the Member for Bolton West (Chris Green) mentioned schools actively discouraging students from looking into the possibility of becoming an apprentice. The Education Act 2011, introduced by the coalition Government, says that schools should secure independent careers advice, and adds explicitly that that must include information on apprenticeships.

Another issue that the Government are tackling is the gender gap in STEM A-levels and careers. We should celebrate the fact that 12,000 more girls entered mathematics and science at A-level in 2015 than in 2010, but total entries in maths and science were still 36% higher for boys than for girls. The Secretary of State recently announced an ambition to tackle that unjustifiable gender gap by increasing the proportion of girls entering maths and science A-levels by 20% by 2020. My hon. Friend the Member for Chippenham referred to the STEMNET programme. There are now 32,000 STEM ambassador volunteers throughout the country who support their local schools with STEM careers advice, and 40% of them are female—a point also made by the hon. Member for Strangford.

My hon. Friend the Member for Chippenham welcomed the reforms made to the design and technology curriculum and associated qualifications. She is right that design and technology is a valuable subject that prepares young people for further technical study, and it remains compulsory in school from key stage 1 to key stage 3—from ages five to 14. The content of the previous design and technology qualifications did not include the knowledge and skills sought by leading engineering employers, so, as my hon. Friend said, we have worked closely with key organisations in the sector—including the Design and Technology Association, the James Dyson Foundation and the Royal Academy of Engineering—to align the qualification with high-tech industry practice. Industry leaders have been very supportive of our reforms.

The hon. Member for Scunthorpe criticised some of our approaches to design and technology. Under the last Labour Government, between 2007-08 and 2010, the numbers entering design and technology GCSE fell from 311,000 to 238,000. I am optimistic that our reforms to the content of the design and technology GCSE and A-level will result in a rise in the number of students who opt to study them. The decline started before we introduced the EBacc or the Progress 8 measure.

We continue to support design and technology teacher recruitment through bursaries of up to £12,000 and marketing campaigns that feature design and technology. Subject knowledge enhancement courses are available for candidates who need to refresh or boost their subject knowledge. We also provide a specific webpage on the "Get Into Teaching" website for potential design and technology trainee teachers.

My hon. Friend the Member for Chippenham expressed concerns about the impact of the recently introduced accountability measures—such as the EBacc and the Progress 8 measure—on the take-up of design and technology. I share her concern at the declining numbers that I just highlighted. In my view, that decline reflects the declining quality and status of the previous qualification. As I said, I am optimistic that we will see the numbers rise.

The EBacc combination of core academic GCSEs is an important performance measure and the Government are determined that every child should leave school fully literate and fluent in maths, with an understanding of the history and geography of the world they inhabit, its workings as revealed by the findings of science, and a grasp of a language other than their own. Biology, chemistry, physics, computer science—there is nothing old-fashioned in emphasising the importance of those subjects, which was the criticism levelled at us by the hon. Member for Glasgow North West (Carol Monaghan).

I have every hope that the combination of the revised design and technology qualifications and our focus on attracting new specialist teachers will restore the subject's focus. To give my hon. Friend the Member for Chippenham time to respond, I shall finish by saying that I am enormously grateful for her support for this agenda. She has raised some important issues, and I hope she is happy with the steps that the Government are taking to address them. Over the course of the Parliament, we will continue to build on the progress we have made on this issue.

10.58 am

Michelle Donelan: I thank all colleagues who participated in the debate. Together, we have stressed the importance of promoting the STEM sector and combatting the stereotypical image that has arisen so that we can tackle the skills gap. My hon. Friend the Member for Rochester and Strood (Kelly Tolhurst) summed it up when she said that we need to excite people about the industry. Today's discussion highlighted the fact that the focus needs to be on the T and E of STEM, not just on the S and M.

My hon. Friend the Member for Bolton West (Chris Green) talked about the need for practical skills and hands-on ability. I echo the comments made by the hon. Member for Glasgow North West (Carol Monaghan), who said that education should be led by industry, not

by politicians. That sums up the progress that we need to make in the sector. I am impressed that I managed to inspire the shadow Minister, the hon. Member for Scunthorpe (Nic Dakin).

I thank my hon. Friend the Minister for his response. I congratulate him on his work in the sector. It is easy to overlook the fact that he is one of the people who dramatically changed the design and technology course we have been discussing, so he understands its value and its long-term potential for progress. I agree with him about the importance of the academic rigour and core focus of the EBacc and stress that that is exactly why we need design and technology to be part of it. It is very much an academic subject, and we can send out that message to students and teachers throughout the country. I urge the Government to listen to businesses and to teachers and help to give students the best shot at life by looking again at making design and technology part of the EBacc.

Question put and agreed to.

Resolved,

That this House has considered engineering skills and design and technology education.

Sheppey Crossing: Safety

11 am

Gordon Henderson (Sittingbourne and Sheppey) (Con): I beg to move,

That this House has considered safety measures on the Sheppey Crossing.

I thought that the hon. Members leaving were here for my debate, but no doubt very few people have heard of the Sheppey crossing or know where it is.

Highways England has always maintained that the Sheppey crossing is safe and that there is nothing wrong with its design, but that view is simply not backed up by the facts. During the bridge's design and build phase, Mott MacDonald undertook a road safety audit on behalf of what was then the Highways Agency. Stage 2 of the audit highlighted a number of deficiencies. For instance, paragraph 3.1 pointed out that the gradient of the bridge is 6% greater than that recommended for all-purpose dual carriageways. It went on to say that,

"This gradient, combined with the comparatively tight horizontal radius, and reduced stopping sight distances, may result, for example, in a higher than expected rate of nose to tail type collisions."

Mott MacDonald recommended that the horizontal and vertical geometry be reviewed and that the stopping distance be maximised wherever possible. It also recommended that

"super elevation appropriate for the horizontal alignment"

be provided. That recommendation was rejected. An exception was made for the following reasons:

"The horizontal and vertical geometry has been reviewed however there is little opportunity to increase the stopping sight distance without significant amendments to the bridge. To maximise the stopping distance the alignment or bridge width would have to be changed."

Here is the important bit:

"Changes of this nature would require additional land within the environmentally sensitive marshes and substantially increase the cost of construction."

Despite the acknowledgement that the stopping sight distances should have been greater, it was decided that the recommendations of the audit would be ignored on the grounds of cost.

In paragraph 3.24, Mott MacDonald highlighted the inadequacies of the manual flat type signs used to warn motorists of hazards. The audit pointed out that those signs would

"present avoidable road safety hazards to both operatives and the travelling public."

Mott MacDonald recommended that the flat type signs be replaced by remotely controlled signs using rotating planks/prisms or fibre optics—in effect, a matrix warning system. That recommendation was also rejected on the following grounds:

"Consultations have taken place with Kent County Council and the police and it has been agreed that flap type warning signs will be used to advise of high winds."

I am not sure whether Kent County Council was happy with the flat type signs, but I know that the police were not. That was explained to me in an email I received from Dick Denyer, who was the Kent police traffic officer for the Swale area during the period in which the Sheppey crossing was built. He insists that

[Gordon Henderson]

throughout the consultation process he raised a number of concerns about the bridge's design with the Highways Agency and the contractors. In his email, he wrote the following:

"Right up until the 11th hour prior to the opening of the bridge I asked and campaigned for the following:...Low level fluorescent lights positioned along the inside of the concrete parapet so as not to contravene the RSPB objections."

They were never provided. There are no lights on the Sheppey crossing. He asked for

"A safe walkway for stranded motorists to get off the bridge."

There is no safe walkway on the bridge. Motorists have to sit in their car. He also asked for

"Emergency Telephones to be positioned at regular intervals on the bridge."

There are no emergency telephones on the Sheppey crossing. He campaigned for

"Matrix warning signs on the approach to the bridge from either side to warn of fog and set speed limits suited to the conditions."

There are two matrix warning signs, but they are manual ones. He said that there should be

"Gates at either side of the bridge."

There are no gates on the bridge in case of emergencies.

Mr Denyer went on to claim that he was stalled, ignored and fed misinformation, and that it was only in the month leading up to the opening of the bridge that it was admitted to him in meetings with the contractors and the Highways Agency that his requests were valid and that the bridge had serious safety shortcomings. However, the bridge construction was already considerably over budget, and there was no money left to make any of the alterations that Mr Denyer had requested, but he was told that they might be considered in the future.

Mott MacDonald's audit statement, which I cited earlier, is very important. It said that the gradient of the bridge,

"combined with the comparatively tight horizontal radius, and reduced stopping sight distances, may result, for example, in a higher than expected rate of nose to tail type collisions."

On 5 September 2013, there was a massive pile-up on the Sheppey crossing involving 150 vehicles in a succession of nose-to-tail collisions—the largest such accident in Britain's history. After that crash, I asked that a review be undertaken of safety on the bridge. The Highways Agency said in response that no review was necessary because the police had concluded that driver behaviour was the main contributory factor to the incident, and that they had not called into question any aspect of the bridge's design or operation. It went on to claim that that supported the view that the bridge, which opened in July 2006, was constructed in accordance with national highway design standards for roads and bridges and was intrinsically safe.

The most charitable way of describing that statement is that it is disingenuous. When I queried it, the police told me in a letter that,

"The parameters of the investigation did not cross over into the design or layout of the Sheppey Bridge in any way, but were focussed on the actions of the drivers involved."

In other words, there was no need for them to look at the design of the bridge, so it was disingenuous of the Highways Agency to say that the police said that the bridge was intrinsically safe. That is not the case.

In fact, since the bridge opened, there have been a number of other nose-to-tail accidents, including one on 1 July 2014, in which a mother and son were tragically killed. After that accident, I again asked for a review of safety on the crossing, but on that occasion I was told that we would have to wait until after the inquest into the two deaths. I accepted that; it was reasonable.

At the inquest, which has now been held, the coroner made the following telling comments in a report sent to the chief executive of Highways England:

"During the course of the investigation my inquiries revealed matters giving rise to concern. In my opinion there is a risk that future deaths will occur unless action is taken.

Accident data reveals that in addition to the collision subject of this inquest which resulted in two fatalities, there have been a number of rear end collisions on the Sheppey Bridge associated with stationary vehicles being struck, including a multiple vehicle collision in September 2013.

A review of the safety of the Sheppey Bridge published in February 2015 has concluded that a combination of the geometry of the bridge affecting the forward visibility to drivers and the high speeds of vehicles travelling over the bridge, which has a 70 mph limit, impacts on the safety of the bridge. The review recommended a reduction in the speed limit to 50 mph to mitigate the safety concerns.

The speed limit for the bridge remains at 70 mph."

The coroner went on to say:

"In my opinion urgent action should be taken to prevent future deaths and I believe your organisation has the power to take such action."

The action that Highways England took was to introduce a temporary 50 mph speed limit. That was eight months ago. The problem is that few drivers comply with the speed limit and, because of the absence of repeater speed signs on the bridge, it is not possible for the police to enforce it on the Sheppey crossing itself, which somewhat defeats the object of a temporary speed limit. I understand that Highways England has commissioned Arup to undertake a review of safety on the Sheppey crossing. I asked for such a report almost three years ago, so although I am pleased that something is now being done, it prompts the question of why a report was not commissioned when I first requested it.

In November 2014, following the two tragic deaths, I made a speech here in Westminster Hall, in which I pointed out that as a result of the 2013 pile-up, as a bare minimum, there should be proper matrix warning signs on the bridge. I also said that even more measures were needed, including average speed cameras to enforce the 70 mph speed limit; CCTV monitoring of the bridge to spot breakdowns sooner and to enable the police to close the bridge more quickly; and the installation of emergency telephones and refuge bays, so that people do not have to stay in their cars if they break down.

It is now 2016 and no safety measures have been introduced, except for an unenforceable 50 mph speed limit. That is unacceptable. I plead with the Minister to encourage Highways England to treat the matter with the urgency that my constituents deserve. If action is not taken quickly and there is another major pile-up or, God forbid, another tragic death, then Highways England will have blood on its collective hands.

11.13 am

The Parliamentary Under-Secretary of State for Transport (Andrew Jones): I congratulate my hon. Friend the Member for Sittingbourne and Sheppey (Gordon

Henderson) on securing the debate. It is probably most appropriate to start by saying that I am grateful that it gives me the opportunity to express my sincere condolences to the families of the two people killed on 1 July 2014 on the Sheppey crossing. I also wish for a full recovery for all those injured in the multi-vehicle accident in fog in September 2013.

My hon. Friend has articulated clearly his constituents' problems with the crossing. He also talked about how local people raised the issues during the planning and construction phase, including those with significant knowledge of the area from an emergency services perspective. I am sure that he is frustrated that the situation is where it is, but we cannot rewrite the past; we have to work to improve the future.

My hon. Friend met my predecessor to seek assurances on the safety of the Sheppey crossing, and I confirm that the Government take road safety very seriously. The target set for Highways England is to reduce the number of people killed or seriously injured on our road network to no more than 1,393 in a year by the end of 2020. That would be a 40% reduction on the 2005 to 2009 average baseline. As we all know, however, that is still too many people, and we will continue to put road safety at the heart of our decisions as we review the strategic road network.

I am most aware and have always been conscious that behind every statistic is a shattered family. That is why I am pleased that we were able to produce our road safety statement for this Parliament in December of last year, articulating a number of actions that we can take across the spectrum of road-safety issues to improve the situation.

To turn directly to the matter of the A249 Sheppey crossing, perhaps it would be helpful to go over some of its recent history. A road safety audit was undertaken after the road had been open for a year, and it concluded that the accident frequency was lower than the predicted national average. I acknowledge that Kent police have expressed concerns since the opening of the crossing and, in particular, have sought a permanent 50 mph speed limit. Following the multi-vehicle collision in September 2013, however, the Kent police's conclusion was that drivers had not adjusted their driving to take account of the fog. That happens all too frequently and is a constant source of concern for the network.

Following the tragic fatal accident on 1 July 2014, which sadly resulted in two deaths, as my hon. Friend said, an investigation was carried out by the consortium that operates the Sheppey crossing, in addition to the police investigation. A further study by the consortium reported its findings in February 2015, with the conclusion that no evidence was available to support the premise that inappropriate speed was a contributory factor to the fatal collision or any of the other collisions covered in the report, with the exception of the multiple collision in fog.

The report also concluded that the accident rate at the crossing was no higher than for other similar dual carriageways operated by Highways England.

Gordon Henderson: For the Sheppey crossing, I accept that the rate of collisions is lower than the national average, but does the Minister accept that the rate on the accident severity index is higher than the national average?

Andrew Jones: My hon. Friend rightly makes an important point. The worst multiple-vehicle collision on record in our country's history and an accident with two fatalities indicate the severity of the issues in the area.

The report identified a degree of non-compliance with the legal speed limit about one mile south of the collision. On 11 June last year, at a pre-inquest meeting, the coroner asked for urgent action to be taken by Highways England under regulation 28 of the Coroners (Investigations) Regulations 2013. Highways England responded and commissioned a road safety study. The initial study, published on 27 July last year, recommended that a temporary 50 mph speed limit should be imposed on the bridge and that it should be monitored. If the monitoring indicated that the speed limit was still being substantially exceeded, the use of average speed enforcement systems and other mitigation should be considered.

The 50 mph speed limit has since been imposed, and Highways England is monitoring the effects of the speed limit with average speed cameras that could be used to enforce the speed limit, but at the moment are not used for such enforcement—they are used for measurement, rather than for enforcement.

Gordon Henderson: With regard to the speed limit and the monitoring of it, the Minister might not be aware from his briefing that the speeds for July and August were monitored. The average speed on the Sheppey crossing—bearing in mind that it is meant to have a 70 mph speed limit anyway—dropped from 80.55 mph to 75.38 mph northbound and from 78.15 mph to 72.71 mph southbound. So even while the 50 mph speed limit has been in place, the average speed has still been higher than the permanent 70 mph speed limit.

Andrew Jones: I was aware of those data and my hon. Friend is correct that speeds are still very high in the area. When I read those data, I was struck by how far above the temporary speed limit the speeds were. He makes a fair point about speed on the crossing.

The average speed cameras will provide Highways England with better information on traffic flows and speed on the Sheppey crossing as they cover a more focused area than the normal journey monitoring system on the A249. With the benefit of such speed and flow data, Highways England and Kent Police will hold discussions about whether the cameras should be used to enforce the speed limit.

I recognise that this is not just a matter of safety: incidents on the crossing have a significant impact on the Isle of Sheppey, both from an economic perspective and on its residents' quality of life. My hon. Friend has made that point in discussions with me on several occasions prior to the debate.

Gordon Henderson: On the question of enforcement, even with average speed cameras the police cannot enforce the limit unless signs are in place. That is clear in D3.7.19—that is the reference that Highways England uses—which says:

"The police can only enforce speed limits where the speed limit signs are correctly placed",

and we cannot get those signs on the bridge. Unless there are proper average speed cameras and speed camera signs, which are not in place, the limit cannot be enforced.

Andrew Jones: My hon. Friend and I will be busy agreeing with each other on that point. I am aware of the restrictions in signage and lighting and of the environmental sensitivity of the crossing. I am also aware of the narrowness of the central reservation, the lack of refuges and the constrained nature of the site, which have restricted all the measures he mentioned.

Let me inform my hon. Friend and the House that Highways England recently held a workshop requested by its health and safety board, at which a number of actions were considered, including: removal of the temporary 50 mph speed limit currently in place; enforcement of the national 70 mph speed limit; enhanced road markings and signing; and setting a review period to monitor safety performance. Any permanent speed limit change would be subject to consultation with the police and would also require a statutory traffic regulation order. However, subject to the board's endorsement, Highways England will develop an action plan for delivering the works, which may span over several months.

Highways England is also carrying out a further study on the whole of the A249 to identify permanent and viable cost-effective safety measures to ensure that drivers recognise that the posted speed limit is there for a reason. The outcome of that study is due to be published in about a month's time—it is only four weeks away. I have not been able to see that report—it is not ready for publication—but it is clearly important. I suggest that, after it is published, my hon. Friend and I should read it and then meet to discuss its content. I would like to hear from him about local people's concerns and the acceptability of speed limits. He obviously knows the site, and I do not know it anything like as well, so I would be grateful to hear his views when we get to that point. Perhaps a follow-up of the debate will be such a meeting.

Subject to the recommendations of the study, Highways England will consider a rationalisation of the existing speed limits on the lengths of single carriageway. It will also continue to monitor traffic and speeds, as well as incidents, with a view to bringing forward other measures that may be required.

May I thank my hon. Friend for bringing this matter to the attention of the House? It is clearly a timely issue, given that we are only a few weeks from the publication date of that important report. He raised a number of points. First, he said that urgency is required in dealing with this matter, which is an important point. I am happy to confirm that that is exactly what will happen. Indeed, I have already raised the report and safety on the crossing with the chief executive of Highways England and will continue to do so as an action point from the debate.

Safety is at the heart of our work on road investment. As a Government, we are investing an unprecedented amount in our transport infrastructure and safety is at the heart of the decision-making process. It is one of the key elements that underpins our road investment strategy. I hope that my hon. Friend is reassured that action is being taken to make journeys better and safer for all. He has done a valuable job, speaking up on behalf of his constituents today about a difficult crossing that, as he articulated so clearly, has a chequered history in terms of safety. I look forward to working with him and with Highways England to improve the situation for all his constituents.

Question put and agreed to.

11.25 am

Sitting suspended.

Local Government: Ethical Procurement

[Mr Gary Streeter *in the Chair*]

2.30 pm

Richard Burden (Birmingham, Northfield) (Lab): I beg to move,

That this House has considered local government and ethical procurement.

I am grateful for the opportunity to have this debate. As I look around, I see right hon. and hon. Members with very different views on Israel and Palestine, and people who disagree about what incentives or pressure should apply to either side to secure equal rights, including the rights of statehood and the right to security for the peoples of both Palestine and Israel.

As chair of the Britain-Palestine all-party parliamentary group, I take a close interest in the situation in the middle east. However, this debate is not primarily about whether any of us takes this view or that view on how to bring peace there; I sought today's debate to hold Ministers to account and to require them to be clear about what their policy announcements mean and do not mean. This debate is also about the ability of those who are responsible in public institutions to exercise the judgments that they are appointed to exercise within the law when they make decisions. That could be in respect of how local authorities are accountable to their electorates for making decisions or of the ability of pensions trustees to make judgments in line with their fiduciary duties.

I welcome the Minister here today to answer questions about the procurement policy note issued by the Cabinet Office on 17 February entitled "Putting a stop to public procurement boycotts" and about the proposed changes to the rules governing the local government pension scheme's investments—for which I understand the Cabinet Office is also responsible, for some reason. I look to the Minister to answer what he will be asked clearly and without ambiguity. That is always important, but it is even more important on these matters because the Minister for the Cabinet Office and Paymaster General, the right hon. Member for West Suffolk (Matthew Hancock), has volunteered very little about them to the House. That is in stark contrast to the amount of publicity he has sought to generate for his proposals outside the House.

For where this all starts, we need to go back to the Conservative party conference last October. A press release was issued in which the right hon. Member for West Suffolk was quoted. It was headlined "Government to stop 'divisive' town hall boycotts and sanctions" and said that action was going to be taken against the

"growing spread of militant divestment campaigns against UK defence and Israeli firms."

However, that press release also contained a note to editors, as press releases often do, that suggested that a large number of the local authorities and public institutions that were apparently due to be targeted by the new rules had not resolved to divest from companies on the grounds that they were Israeli or of any other nationality. They had made or were in the course of making procurement or investment decisions on the basis of the behaviour of companies, irrespective of their nationality. In fact, the behaviour most frequently mentioned in the press release was financial involvement with illegal settlements in the west bank, about which local authorities and others were concerned.

I know that in October last year, collective Cabinet responsibility was perhaps expected rather more than it appears to be these days. However, it is rather surprising that the Minister for the Cabinet Office took such exception to public institutions seeking to avoid dealings with companies involved with illegal settlements, given that the Foreign Office's own website carries very different advice.

Jo Cox (Batley and Spen) (Lab): I congratulate my hon. Friend on securing this vital discussion. As he will be aware, the UK Trade & Investment website, which is sponsored by the Foreign Office, states:

"we do not encourage or offer support"

to firms that trade with illegal settlements. Does my hon. Friend agree that we find ourselves in a perverse situation? The Foreign Office is warning UK companies and private individuals against trading with the settlements, while the Department for Communities and Local Government and the Cabinet Office are threatening to make it illegal for public bodies to do so.

Richard Burden: My hon. Friend is absolutely right. It is worth quoting directly from that Foreign Office advice, which is there to this day. It says:

"Settlements are illegal under international law, constitute an obstacle to peace"

and "threaten" the "two-state solution". It goes on:

"There are therefore clear risks related to economic and financial activities in the settlements, and"—

as my hon. Friend just said—

"we do not encourage or offer support to such activity. Financial transactions, investments, purchases, procurements as well as other economic activities (including in services like tourism) in Israeli settlements or benefiting Israeli settlements, entail legal and economic risks stemming from the fact that the Israeli settlements, according to international law, are built on occupied land and are not recognised as a legitimate part of Israel's territory."

Imran Hussain (Bradford East) (Lab): It is a pleasure to serve under your chairmanship, Mr Streeter. I thank my hon. Friend for securing such an important debate. Does he agree that local authorities are in fact a branch of the state and therefore have a duty to observe our obligations under international human rights law?

Richard Burden: I understand what my hon. Friend says, but this is also about different public institutions making judgments in line with the law and their best belief of what the situation is. I hope that all public institutions would pay due regard to international law.

Andy Slaughter (Hammersmith) (Lab): Will my hon. Friend give way?

Richard Burden: Before giving way, I just want to finish this quote from the Foreign Office advice:

"This may result in disputed titles to the land, water, mineral or other natural resources which might be the subject of purchase or investment. EU citizens and businesses should also be aware of the potential reputational implications of getting involved in economic and financial activities in settlements, as well as possible

[Richard Burden]

abuses of the rights of individuals. Those contemplating any economic or financial involvement in settlements should seek appropriate legal advice."

Andy Slaughter: Following the point that my hon. Friend the Member for Bradford East (Imran Hussain) just made, the Foreign Office guidance also talks about

"possible violations of international humanitarian law and human rights law".

Indeed, the Foreign Office guidance is very clear, whereas the procurement policy note is very unclear. Does my hon. Friend the Member for Birmingham, Northfield (Richard Burden) agree that that may be intentional—that the actual aim is not to change the law, but to discourage and blackmail local authorities into not taking steps that may be perfectly legitimate and that the Foreign Office is encouraging them to take?

Richard Burden: The point that my hon. Friend makes is about the fear that a lot of people have about the agenda behind this procurement policy note.

Stephen Pound (Ealing North) (Lab): My hon. Friend is constructing a very powerful case. Does he agree that this is about not necessarily Israel but a much wider issue? It is about the freedom of people in local government to do as I and five of my fellow councillors—who all subsequently became MPs—did in the London Borough of Ealing in 1982, when we were quite happy to disinvest in Barclays. Will my hon. Friend remind me about what element of parliamentary scrutiny or involvement there was when the statement was made by the Minister for the Cabinet Office in February this year? I do not recall it being mentioned on the Floor of the House at all.

Richard Burden: My hon. Friend is quite right. Parliamentary scrutiny of this matter has come down to a number of us having to ask questions—to which we have had not very detailed replies, I have to say—and to this debate. We had to apply for a debate in Westminster Hall to get any parliamentary scrutiny of this matter at all.

Helen Goodman (Bishop Auckland) (Lab): I am grateful to my hon. Friend for securing this debate and for giving me an opportunity to ask him this question. I asked the Cabinet Office and a number of other Departments whether they had recently met people from the arms industry, the tobacco industry or, indeed, the Israeli embassy who may have lobbied for this measure. I am afraid that I did not get a substantive response from any of the Departments. Has my hon. Friend had any answers to questions such as that?

Richard Burden: I am afraid that my hon. Friend's experience rather mirrors mine and that of a number of other hon. Members.

Chloe Smith (Norwich North) (Con): This point is merely about the mechanics of parliamentary time. I simply wonder whether the hon. Gentleman knows how many procurement policy notes there have been in 2014, 2015 and 2016, and how many of those have merited parliamentary scrutiny in their own right.

Richard Burden: I have no idea about that, but if the hon. Lady thinks this is not a very significant public procurement note that merits parliamentary scrutiny, I wonder why the Minister for the Cabinet Office took the trouble of announcing it in a press conference with the Prime Minister of Israel on 17 February.

On 16 December, I asked the Secretary of State for International Development whether she agreed with the Foreign Office that it was perfectly reasonable for both public and private institutions to pay due regard to that Foreign Office advice when they make their own investment and procurement decisions. Her answer was unequivocal. She said:

"They should do that; that is good Foreign Office advice."—[*Official Report*, 16 December 2015; Vol. 603, c. 1534.]

So my first question to the Minister is this: were civil servants consulted at all before the press release was issued at the Conservative party conference? I am happy to give way to him if he has a reply.

The Parliamentary Secretary, Cabinet Office (John Penrose): I was planning to wait until the end and collect what I am sure will be a whole series of questions. Perhaps that will allow me to wrap them all up together in a series of responses.

Richard Burden: I am very happy for that to happen. I give the Minister notice that there will be six questions on which I am seeking answers.

Did Ministers really take the view that public institutions should not have the same rights and concerns as private institutions when it comes to good business practice and corporate social responsibility? What was it that Ministers were trying to outlaw? The public procurement note published on 17 February appears to suggest much less than the Conservative press release of October; it appears to say that institutions should not impose a blanket ban on contracts with companies on the basis of the nationality of the companies concerned, in line with existing EU and World Trade Organisation rules. We know that the WTO forbids the use of quantitative restrictions, such as a ban on imports—phrased in terms of products originating in the "territory" of another WTO member.

On 9 March, in answer to a question from my hon. Friend the Member for Hammersmith (Andy Slaughter) about whether the occupied territories could be considered part of Israel, the Under-Secretary of State for Foreign and Commonwealth Affairs, the hon. Member for Bournemouth East (Mr Ellwood), was absolutely clear:

"The World Trade Organisation does not define the territory of its members. The UK does not recognise Israeli sovereignty over the territories occupied by Israel in 1967. We therefore do not consider the Occupied Palestinian Territories to be part of Israel."

So my second question to the Minister is this: is there anything in this public procurement notice or that is intended by the Government that in any way changes that?

European Union rules are also mentioned in the public procurement notice. They allow public institutions, on a case-by-case basis, to exclude companies from tenders on the basis of their behaviour, specifically where grave misconduct may be involved. What could that mean? Let us turn again to the Government's own documents—to their 2013 national action plan on

implementing the UN guiding principles on human rights and business. An extract from that states that the UK Government

"are committed to ensuring that in UK Government procurement human rights related matters are reflected appropriately when purchasing goods, works and services. Under the public procurement rules public bodies may exclude tenderers from bidding for a contract opportunity in certain circumstances, including where there is information showing grave misconduct by a company in the course of its business or profession. Such misconduct might arise in cases where there are breaches of human rights."

My third question to the Minister is therefore this: does the February 2016 public procurement note in any way change or add to that advice?

My fourth question is about whether the Minister considers that a breach of the fourth Geneva convention is a breach of human rights. If he does, would the public procurement note restrict a public institution from resolving not to deal with a company that was involved in aiding and abetting breaches of that convention?

If the public procurement note is prompting these and more questions, so, too, are the changes that the Cabinet Office says it is going to introduce in relation to investment decisions of local government pension funds. So my fifth question is this: pension fund trustees are already covered by a fiduciary duty, but will the changes being introduced in any way fetter the judgments that they make in line with that fiduciary duty in relation to, say, not investing in fossil fuels, tobacco or the arms trade?

My sixth question logically follows from that: in order to be clear on these points, will the Minister outline what plans he has for parliamentary scrutiny of these changes to pension fund guidance? Specifically, will he commit to consulting on any draft guidance he intends to issue in respect of local government pension scheme investments before it is published and before Parliament, through whatever procedure, is asked to make any kind of decision on these changes?

Stephen Timms (East Ham) (Lab): My hon. Friend is setting out a clear set of questions, and he has made it clear that there is some ambiguity about precisely what the impact of the guidance note is. Is his reading of it that the kind of disinvestment by a local authority pension fund that was referred to earlier—Barclays and activities in South Africa—would be ruled out?

Richard Burden: I should say in answer to my right hon. Friend that I honestly do not know. That is the whole point—the Minister has to answer these questions. The wording of the Conservative party press release would certainly indicate to me that that kind of thing would be outlawed, but the Minister has to give specific answers today to these specific questions. That is important because it simply is not acceptable for councils, pension funds or other public institutions to feel threatened away from acting in line with their best judgments, in line with their duties, as a result of innuendo broadcast by the Cabinet Office Minister at the Conservative party conference—or indeed, broadcast more recently in Israel.

Stephen Pound: I am not entirely sure whether the Church of England is counted as an institution in this context, but does my hon. Friend realise that it would certainly be caught up in this guidance note?

Richard Burden: My hon. Friend is absolutely right about that; that could be a seventh question for the Minister.

The Minister no doubt spoke to his right hon. Friend the Minister for the Cabinet Office before this debate, so perhaps he knows why his right hon. Friend decided to launch this public procurement note not in a statement to the House or under any House procedure, but in a press conference alongside the Prime Minister of Israel. If the reason was that he wanted to make a point on the world stage about this Government's opposition to generalised boycotts of Israel, then okay—if he wants to make that point—but why did he apparently not feel any need to utter a word about other parts of Government policy, such as the fact that settlements in the occupied territories are illegal?

Why was there not a word about the fact that Israel had only recently withdrawn co-operation from an independent delegation of UK lawyers acting on a Foreign Office-supported project, which has found that Israel's treatment of Palestinian child prisoners breached article 76 of fourth Geneva convention and several articles of the UN convention on the rights of the child? Why did the right hon. Gentleman not find time to mention that in the first six weeks of 2016, over 400 Palestinians have been displaced from their homes? That is over half the total number of Palestinians displaced in the whole of 2015.

I suspect that the Minister for the Cabinet Office's apparent failure to say a word publicly about those things during his visit illustrates a rather strange set of priorities and a highly selective approach to UK policies on the Israel-Palestine question. He will have to answer for himself about his priorities and inconsistencies, but the Minister here today has an obligation to answer, on behalf of the Government, the specific questions about the procurement policy note and the changes they intend for local authority pension regulations. I have asked this Minister six specific questions and I ask him to do the House the courtesy of giving six clear and unambiguous answers to those questions today.

Several hon. Members *rose—*

Mr Gary Streeter (in the Chair): Order. Nine colleagues wish to catch my eye and have roughly 40 minutes in which to do so. Perhaps I could impose a voluntary restraint of four minutes each, and we will see how we get on.

2.50 pm

Chloe Smith (Norwich North) (Con): Thank you, Mr Speaker—I mean Mr Streeter—for calling me to speak. Aside from promoting you, I congratulate the hon. Member for Birmingham, Northfield (Richard Burden) on having secured this debate.

I will take as my starting point the wisdom that regularly emerges from the mouth of the hon. Member for Ealing North (Stephen Pound), for whom I have great respect. He said that the issue was not about any one country's policies but about local government powers. I believe that it is wrong for councils to attempt to use local government pension funds and procurement practices to make their own foreign policy.

[Chloe Smith]

First, it is wrong because foreign policy is reserved to Westminster as a matter for national Government. Having policy made in town halls can damage foreign relations, to the detriment of Britain's national and international security.

Tristram Hunt (Stoke-on-Trent Central) (Lab): Will the hon. Lady give way?

Chloe Smith: Perhaps the hon. Gentleman will be quick because I have only four minutes.

Tristram Hunt: Does that principle extend to banning city councils, for example, from giving the freedom of their cities to notable figures from abroad? Would that fall within her ban on a foreign policy for local government?

Chloe Smith: If the hon. Gentleman will wait for the rest of my speech, he will hear that I intend my contribution to be about council expenditure of taxpayers' money. I know that Labour Members are not so hot on the expenditure of taxpayers' money, but perhaps he will allow me to make the rest of my comments.

Mr Andrew Turner (Isle of Wight) (Con): Will my hon. Friend give way?

Chloe Smith: I am sorry, but I must continue because there is so little time left.

My second reason for believing that it is wrong for local government to make their own foreign policy is that local boycotts in and of themselves can damage integration and community cohesion. That is highly unfortunate.

Thirdly, to attempt to hold an item of foreign policy locally is likely to be unlawful. I do not know whether the hon. Gentleman found it impossible to read procurement policy note 01/16, but I took from it very clearly that EU and UK procurement legislation, backed up by the World Trade Organisation, can result in severe penalties against the contracting authority and the Government. That takes me on to my answer to the hon. Member for Stoke-on-Trent Central (Tristram Hunt). It is at the heart of this debate that we should not seek to put taxpayers' business rates or council tax at risk of substantial fines that could arise from unlawful treatment of suppliers. The Government are very clear in the note that they will always involve the relevant contracting authority in these proceedings, so there is nowhere to hide.

Finally, the other reason why such a policy is wrong is that it does not provide taxpayers with value for money. Procurement is quite simply for purposes other than political. It is the act of buying something because taxpayers need it, not because the council leader wants to wear a particular political pin badge that week. I want local taxpayers' money to be used for the goods and services that they need, and only for what they need.

I do not know whether the Labour party really thinks there is any money to spare after they left the cupboard bare, but until public finances are back in order, the job in hand is to get the best deal for taxpayers. What I want in local procurement is the best possible value for money from the total spend, which may amount to tens of billions of pounds; a strategic approach to procurement rather than political whim, which may be ultra vires; reduced procurement bureaucracy, such as the welcome removal of pre-qualification questionnaires for low-value contracts and standardisation for high-value procurements; sound commercial and contract management of that spend; accountability for the services or goods bought; wherever possible, local SMEs benefiting from spending decisions because that value stays in the community and can often provide huge innovation; and prompt payment to contractors. Why do I want those simple goals? Because when budgets are squeezed, local taxpayers should come first. Every public body should do better for the British economy and not be distracted elsewhere.

2.54 pm

Mr Clive Betts (Sheffield South East) (Lab): It is a pleasure to serve under your chairmanship, Mr Streeter. I congratulate my hon. Friend the Member for Birmingham, Northfield (Richard Burden) on securing this debate. I want to put on the record something that will appear in the Register of Members' Financial Interests when it next comes out. I recently visited the west bank and Jerusalem, the trip being sponsored by the UK branch of Fatah.

I want to emphasise some of the questions my hon. Friend asked. Does the guidance on pension investments and procurement change the law in any way? Does it in any way fetter local authorities' decisions on best value in procurement? That is not simply about cheapness. We are not going back to the compulsory competitive tendering days. The last Labour Government brought in best value, which takes account of social and environmental matters, as the Government have confirmed. Does it in any way fetter the discretion of pension trustees to exercise their fiduciary duties, which go far wider than the narrow responsibility for public sector pensions? Will the Government confirm that the guidance for private businesses on their engagement with the settlements, on goods from the settlements, and on trade with the settlements, applies to public bodies as well? Can we have clarity on that?

During the 1980s, some local authorities sought to sever links with firms that traded with South Africa. I think local authorities were right then and I think there is a lot of shame on the Conservative Benches about the action that the then Conservative Government took in defence of the apartheid regime.

There is a story about what happened. Shell took Leicester city council to court because it said that by refusing to allow it to compete for a tender, the council was losing out on a potentially cheaper contract. Shell won in court. Sheffield city council decided not to put Shell on the tender list for a contract because of its dealings with South Africa and justified that because it had wider responsibilities for good race relations and to take account of the views of its citizens. Shell did not take Sheffield city council to court because it was recognised that it had behaved legally in taking those views into account.

The Secretary of State has said that the actions of councils have caused community division. The Minister must say precisely what examples he has of that division. The Government have a responsibility not just for race

relations but, under the Equality Act 2010, for equality impact assessments and public sector equality. The Act requires public authorities to have regard to a number of equality considerations affecting race, and also religion.

The House of Commons Library has produced a good note, which says:

"A Minister must assess the risk and extent of any adverse impact and the ways in which such risk may be eliminated before the adoption of a proposed policy and not merely as a 'rearguard action'".

Have the Government done that? Where is the equality impact assessment? Do local authorities not have a duty to have regard to the effect on equality in their area in terms of both race and religion when considering whether to buy goods from the illegal Israeli settlements? Can the Minister explain what he thinks the effect will be on race relations in my constituency, which has a large number of people of Muslim faith from a background of Pakistan, Bangladesh, Yemen, Somalia and Somaliland? What would be the impact on them if they saw their council tax being used to buy goods from the illegal Israeli settlements? How could that possibly be good for community relations? That is where the division is in this argument and the Minister must come clean about the Government's objectives, how they assessed them and whether they think local authorities have the wider responsibility that I contend they have.

2.59 pm

Dr Matthew Offord (Hendon) (Con): It is a great pity that this has been promoted as a debate about local government when in reality it is just a thinly disguised attack against the legitimate and democratic state of Israel. Why has there been no discussion about the repression in other middle eastern nations such as Saudi Arabia and Iran? Why does the Boycott, Divestment and Sanctions organisation spend all its time demonising Israel and ignoring Hamas and Hezbollah as they pour rocket fire down on Israel? The premise of the debate has more to do with cheap political point scoring than with the lives of individuals. Palestinian workers would risk losing their jobs if such actions by BDS were successful and economic sanctions were directed against Israeli firms that employ them. *[Interruption.]*

Mr Gary Streeter (in the Chair): Order.

Dr Offord: Those Palestinian workers are paid on average three or four times more than they could earn elsewhere. About 500 Palestinians lost their jobs in October 2015, when international pressure from the BDS movement led to the closure of SodaStream's factory in Ma'ale Adumim. That demonstrates that the BDS movement only seeks to harm Israel, with little consideration of how its actions will affect the livelihood of Palestinians, even though Palestinians employed by Israeli companies enjoy substantially higher wages and improved living conditions than those employed elsewhere.

Mr Betts: Will the hon. Gentleman give way?

Dr Offord: No, I will not. Supporters of the movement claim to embrace the boycott tactic as a non-violent way to pressure Israel into negotiations. The campaign is clearly a biased effort to demonise Israel and place the entire onus for the conflict on one side—the Israelis.

Jo Cox: Will the hon. Gentleman give way?

Dr Offord: No. The BDS campaign rejects a two-state solution and denies the Jewish right to self-determination and statehood in favour of supporting the right of return for Palestinian refugees and their descendants.

Tristram Hunt: Will the hon. Gentleman give way?

Dr Offord: No. In fact, the BDS movement has an anti-Semitic foundation. *[Interruption.]* No. One of its co-founders is on record as rejecting the right of a Jewish state in Israel—[Hon. Members: "Give way!"] No.

Mr Gary Streeter (in the Chair): Order.

Dr Offord: Indeed, reports of anti-Semitic attacks being perpetrated in Europe can be directly linked with the hateful rhetoric espoused by many BDS campaigners, and BDS founder Omar Barghouti has repeatedly expressed his opposition to Israel's right to exist as a state of the Jewish people. But most telling of all is that the Palestinian Authority themselves do not support a boycott.

Andy Slaughter: On a point of order, Mr Streeter. *[Interruption.]*

Dr Offord: No.

Mr Gary Streeter (in the Chair): Order. A point of order from Andy Slaughter. Let us hope it is a point of order.

Andy Slaughter: The subject of this debate is local government and ethical procurement. We have got so far from that subject as to be ridiculous, in my opinion.

Mr Gary Streeter (in the Chair): If the hon. Member for Hendon (Dr Offord) was out of order, I would have called him out of order. It is actually the point that has been raised by the opening speaker, so I call Dr Matthew Offord.

Dr Offord: Thank you, Mr Streeter, for your wise words.

In December 2013, Mahmoud Abbas stated that, with the exception of settlement goods, the Palestinian Authority do not support a boycott on Israel. He said that

"we do not ask anyone to boycott Israel itself. We have relations with Israel, we have mutual recognition of Israel."

I and my constituents welcome the Government's announcement of new rules to curtail silly left-wing town halls and all publicly funded bodies from adopting politically motivated anti-Israel boycott and divestment campaigns.

Stephen Pound: Sorry.

Dr Offord: Apology accepted. The BDS movement says that having such interests makes companies "complicit in war crimes", as they help to entrench the occupation and settlements. If that was the case, why did not BDS and its supporters seek a ban on British goods and services when Tony Blair decided to invade Iraq? The simple

[Dr Offord]

reason is that British goods and services had no influence over British foreign policy, as indeed academics and universities and goods and services in Israel have no influence over Israeli foreign policy.

What Labour and the Scottish National party failed to achieve in the general election—a majority or coalition Government to decide foreign policy—we will not let them seek to achieve at local level. Such policy is made in this House. There is no place for that in town halls, whose duties are simply to deliver local services and not to make foreign policy.

Mr Gary Streeter (in the Chair): I call Owen Thompson —who is not present. I call John Mc Nally.

3.3 pm

John Mc Nally (Falkirk) (SNP): It is a pleasure to serve under your chairmanship, Mr Streeter. I particularly thank the hon. Member for Birmingham, Northfield (Richard Burden) for securing the debate. Like other hon. Members, I am quite curious as to why the Westminster Government want to censure local government authorities for making ethical decisions on where to invest their own pension funds.

Roger Mullin (Kirkcaldy and Cowdenbeath) (SNP): Does my hon. Friend agree that it is not possible to make any economic decisions that are devoid of ethical impact?

John Mc Nally: I thank my hon. Friend for that intervention. I agree with him: that is the reason why we are here today—to discuss the ethical decisions that have been made by local authorities. I shall proceed as fast as I can, Mr Streeter.

The whole thing strikes me as not good practice; indeed, it could be called bad practice. I would like the Minister to explain to me the reasons for that interference by the Government with the principles, with the decisions made by trustees on behalf of local communities, who appoint tried and trusted fund managers to look after the pension funds for them. The Government are quite breathtaking in their contradictions. The Chancellor of the Exchequer has stated that he wants to start northern powerhouses; he wants to give local people more say in what is happening in their local communities. Yet he is telling them, "Sorry, you're not going to get a say in what your pension funds do." That is an absolute shambles of a policy, and it sounds to me as if he just made it up as he went along—for what reason, I would love to know. It would not be right to deny pension funds the right to direct their fund managers on how they want their investments to work for them. It is that local authority's business. Local authorities alone are answerable to their communities in terms of how they want their funds to work for them.

Can the Minister explain to me and others why this policy differs from the one that I have just mentioned? The Government want to introduce powerhouses in the north of England to give people more powers, but now they are introducing this policy. I want to hear an answer on that. It sounds like an absolute and total contradiction. There is one rule for the Government and another rule for local authorities. That is absolutely and blatantly wrong.

We can compare the Westminster Government with the Scottish Government, who take a much more considered approach, with proper regard, respect and trust for the social and environmental investments made by pension fund managers on behalf of local authorities in Scotland. My local authority in Falkirk has £1.8 billion in its fund and at this moment might well be looking at investing with the Green Investment Bank. If that bank moves away from its original purpose—God forbid—of investing in green energy, surely an authority has the right to withdraw funding from that organisation; it will need to alter its investments accordingly. And the same is true for that pension fund with regard to international developments. That statement of investment principles must be honoured.

3.7 pm

Justin Madders (Ellesmere Port and Neston) (Lab): It is a pleasure to serve under your chairmanship, Mr Streeter. I start by declaring an interest: both I and my wife are members of the Cheshire local government pension fund.

I congratulate my hon. Friend the Member for Birmingham, Northfield (Richard Burden) on securing this extremely important and timely debate, but of course it should not have been left to members of the Opposition to drag the Minister into a debate to explain the Government's policy, so I hope that when he responds, he will, as my hon. Friend said, set out why he thought that it was appropriate to announce a change in policy in front of the media in another country rather than in this House, where proper scrutiny could have followed.

As well as the failure to follow any kind of proper process, I am extremely concerned by the tone that Ministers have adopted when addressing this issue. The Secretary of State for Communities and Local Government has accused councils of adopting policies that

"undermine good community relations, and harm the economic security of families by pushing up council tax."

Those are very serious allegations, but people will note that no specific examples have been given and no specific authority has been referred to. It is therefore a smear against local government as a whole. I challenge the Minister to name a single authority that has increased its council tax as a direct result of the issues that we are discussing today. If he cannot, he should urge the Secretary of State to retract that totally groundless comment and to start treating local politicians and public servants with the respect that they deserve.

Of course, when making such sweeping statements, the Minister ignores the fact that councils are having to increase council tax this year to address the damage that the Government have caused to local government and, in particular, the social care sector. The Secretary of State for Communities and Local Government has so far failed to claim that an explicit demand from the Chancellor to raise council tax, in violation of Conservative manifesto commitments, is harming the economic security of families. That is in stark contrast to the subject matter of this debate. It is only the latest in a series of announcements that set out what this Government really think about devolution, and the contempt with which they continue to treat local government. Their policy on devolution can now be summed up in one sentence:

"We will give you as much power as you want, as long as we get to choose what those powers are and exactly how they can be used."

The Government have so far discussed the changes only in terms of so-called boycotts, but there is understandable unease in the sector about the wider implications for ethical procurement, which is vital if councils are to use their purchasing power to deliver wider benefits to their communities and to honour their election pledges.

Local government procures around £12 billion a year of goods and services, much of it from the UK, but some from the global supply chain. Ethical procurement can produce tangible benefits. For example, in my local Labour council, Cheshire West and Chester, the new adult social care contracts adhere to Unison's ethical care charter, which stipulates that 80% of the workforce must be on contracted hours, not zero-hours contracts. In the domiciliary care contract, providers pay at least £7.68 per hour.

Tristram Hunt: My hon. Friend is making a very powerful speech, in contrast to Government Members. The point about local government is that democracy is not all focused in this place. Decisions about spending, representation and taxation can also be made at a local level. If we strip that out, it undermines the pluralism and democracy of this country.

Justin Madders: Absolutely. That is the central point of what I am trying to say today. Our local authority had all-out elections last May. Ethical procurement was one of the key parts of the manifesto commitment, and it has been delivered. I do not believe that any Member of this House would say that that is not a legitimate practice of the local authority. The council is now looking to see how it can use future procurements to encourage more employers in the area to improve the terms and conditions of their staff.

As a result of the Labour group's suggestions, the council has decided not to use companies involved in union blacklisting. That is a value judgment by the democratically elected councillors about who they want to do business with. I am struggling to see any rational basis for distinguishing between those sorts of decisions and choices and the sorts of decisions referred to in the draft regulations. That is the nub of the matter. If local government is to have genuine autonomy, there might be occasions when people say, "I do not agree with what you are doing, but I recognise your democratic right to exercise that choice." So I say to Ministers: resist the temptation to micromanage local government. Show us that the Government are genuine about devolution and withdraw the regulations.

3.11 pm

Andy Slaughter (Hammersmith) (Lab): I thank my hon. Friend the Member for Birmingham, Northfield (Richard Burden), who knows more about these matters than possibly any other Member of the House, certainly with regard to Israel and Palestine. He has probably enabled us all to stay within our four-minute limit because he has asked most of the relevant questions. I also thank my hon. Friend the Member for Sheffield South East (Mr Betts), who referred to my declaration in the Register of Members' Financial Interests. Last month, I was on a visit to the Occupied Palestinian Territories, funded by Medical Aid for Palestinians and organised by the Council for Arab-British Understanding.

When I arrived in Jerusalem, the first thing I got was a call from the BBC to ask me whether I wanted to comment on the arrival of the Minister for the Cabinet Office and Paymaster General, the right hon. Member for West Suffolk (Matthew Hancock), who was due to arrive in Tel Aviv the following day to make an announcement on local government procurement. I was a local authority council leader for quite a few years and I remember lots of procurement directives and announcements, particularly on the issue of compulsory competitive tendering in those dark days of the 1990s. I do not remember any of them being made from Tel Aviv.

I have a great deal of respect for the hon. Member for Norwich North (Chloe Smith), but she presented a rather thin argument—a thin but measured argument, as opposed to a thick and unmeasured argument, which we have also heard from the other side. The idea that, for instance, London—or any local authority, particularly in our great cities—should not be able to take a view on such matters is a thin and transparent argument, especially when the current Mayor of London spends half his life touring the world, quite rightly promoting British trade and matters of that kind. This is a thin and transparent argument, and it comes from the fact that this ridiculous advice note comes out of the Conservative party press notice, as my hon. Friend the Member for Birmingham, Northfield has said.

I will make just three points. First, there is a conflict between the established and well drafted Foreign and Commonwealth Office advice, which has been quoted extensively—it is very clear in its advice to businesses not to get involved in settlement trade—and the obscurity, lack of clarity and, indeed, disingenuous nature of the procurement policy note, which does not appear to say very much but hints at a great deal, mentioning things such as community cohesion and other matters of that kind, and also favouring national suppliers.

Secondly, there does not appear to be in that note—I hope the Minister will clarify this—any breach of the World Trade Organisation or European Union guidance, because there is no discrimination based on nationality, contrary to some of the almost hysterical things that we have heard today. The specific issue being dealt with in this debate and that the Minister is being asked about—it was the one dealt with in the answer to my question—relates to the Occupied Palestinian Territories. We all know that the occupation is unlawful under international law and that they are not recognised by the UK and many other countries as part of Israel.

This issue should not be conflated with BDS. Different people have different views on BDS. The fact that we have labelling guidance, which the Government have maintained, allows people to make individual choices. Some may argue that it is open to public bodies or others to make such choices if they want to, or for Members of Parliament to make statements in relation to such matters, but that is a different matter from illegal settlements. Illegal settlements should not be traded with, and if local authorities wish to make such a decision, that should be open.

[Andy Slaughter]

Let us remember what we are talking about here: theft of land, occupation, colonisation, and the arbitrary detention of many thousands of Palestinians. Those are crimes in international law as great as anything that happened in South Africa. They are not happening within one country; they are happening in somebody else's country. That is the reason why action needs to be taken, and it is perfectly reasonable that it is done in this way.

3.16 pm

Robert Jenrick (Newark) (Con): I was not intending to speak in this debate, but it has been very interesting to listen to and I would like to add a few brief remarks.

In respect of the comments made by the hon. Member for Birmingham, Northfield (Richard Burden) about the Minister and the press conference at which the announcement was made—or made at least the second time—in the presence of the Prime Minster of Israel, by coincidence I happened to be at that meeting. *[Interruption.]* Clearly, it was not by sheer coincidence. I was not with the Minister—was what I meant to say—but with a group of MPs and Members of the House of Lords. A cross-party group was sitting in the room, so there were many witnesses of all parties. The hon. Member for Birmingham, Northfield, who otherwise made a sensible case—I do not agree with it, but it was sensible—was wrong in that respect, because various points that he and those who feel strongly in support of the Palestinians would have wished to be raised were raised at that meeting by those present, including by the Under-Secretary of State for Foreign and Commonwealth Affairs, my hon. Friend the Member for Bournemouth East (Mr Ellwood). I recall important points about the peace process and specific asks about Gaza and fishing rights being raised, so that should be corrected for the record.

I want to make three brief points. First, the genesis of this debate is the BDS movement, and we should acknowledge that. There are differences of opinion. I think that BDS is unlikely to further the peace process. I personally believe that settlements are extremely unhelpful. I support the British Government's policy in objecting to them and trying to use any opportunity, such as that meeting with the Israeli Prime Minister, to try to change minds and to further that argument, but I do not think the BDS movement is at all likely to further that argument. In fact, it is likely to be totally counterproductive.

My second point builds on one from another hon. Member, which was in respect of community cohesion. That is a consideration for us as Members of Parliament. Indeed, if I were on a local council, I would like to bear that in mind, but it is worth recognising that the BDS movement has an impact on community cohesion, which is a negative one for many, particularly Israelis living in the United Kingdom and the Jewish community. Not everybody, clearly—that would be an outrageous oversimplification—but a number of those involved in the BDS movement are linked to intolerance and to anti-Semitic behaviour, and they make life extremely unpleasant for Jewish people living in our communities.

I checked on Twitter a few minutes before walking into this debate. One only has to type in "BDS" to see some very unpleasant tweets, including one that actually asked whether the Minister for the Cabinet Office and Paymaster General, my right hon. Friend the Member for West Suffolk (Matthew Hancock), was a Jew himself. It said, "Is Hancock an Ashkenazi name, because he would come up with a policy like this?" Such behaviour is totally intolerable and whatever side we on in this debate, we should recognise that and condemn it.

3.19 pm

Simon Danczuk (Rochdale) (Ind): It is a pleasure to serve under your chairmanship, Mr Streeter. I pay tribute to my hon. Friend the Member for Birmingham, Northfield (Richard Burden), who made a fantastic and important speech, as did my hon. Friend the Member for Sheffield South East (Mr Betts). He made a helpful speech. Both of those contrasted starkly with what I found to be one of the most disappointing speeches I have heard in the six years I have been in this place, from the hon. Member for Hendon (Dr Offord). I was disappointed with the content and the delivery.

I have four quick points to make; I will rattle through them as quickly as possible. First, I have concern about where the Minister for the Cabinet Office made the announcement, and I think the Minister should explain the situation. Secondly, ambiguity is an issue for me. The Government have said that the aim of the changes is to stop politically motivated boycott and divestment campaigns by town halls against UK defence companies and Israel. That is despite the Foreign Office advice already outlined—so I will not go into it—by my hon. Friend the Member for Birmingham, Northfield. There is no doubt that there is confusion, because in January the Government said they were opposed to the development of settlements in the west bank. In one breath the Government condemn the illegal settlements and in another they say that local authorities will face severe consequences should they choose to avoid investing in them. The entire advice needs to be cleared up, and perhaps the Minister will shed some light on it.

The third point I wanted to make is about the World Trade Organisation. The Government appear to suggest that local authorities could be in breach of rules, but in fact they cannot, so perhaps the Minister will provide clarity on that. Fourthly, and finally, I am concerned about local government being treated in such a way. The issue is about local democracy and the need for decisions to be made by elected members, rather than imposed by central Government.

3.21 pm

Naz Shah (Bradford West) (Lab): It is lovely to serve under your chairmanship again, Mr Streeter. I congratulate my hon. Friend the Member for Birmingham, Northfield (Richard Burden).

Spending is inherently political, as we can see when we think about the Chancellor, and austerity and its effect on communities. Watering down and limiting the impact of local democracy because of disagreement about Government policy is wrong. Only this week a constituent came to see me about divesting from the West Yorkshire pension fund. I will take that up on behalf of my constituent, and it is only fair that councils make their decisions ethically.

If we are to have a nanny state that tells councils where they can and cannot invest, where will the line be drawn for procurement? I am disheartened, because Conservative Members are trying to skew the debate and turn it into an anti-Israel debate. BDS is about upholding international law. Nobody in the House is saying we should boycott Israel; what we are saying is that councils and people should have a legitimate right to make decisions on procurement.

I will not be on the wrong side of history in this House. It was a shameful patch in our history when this House voted against sanctions on South Africa. That is not how I want to go down in history. I feel that we are moving towards governing in the shadows, with people making bigger and bigger decisions without bringing them to the House and without due democratic process. A smaller and smaller group of people is making decisions that affect bigger and bigger issues. That is surely not acceptable to the House.

To raise the matter of international law again, in 2004 the International Court of Justice ruled that all states have an obligation not to provide aid to Israeli violations of international law. The question is international law, not boycotts. I feel very disheartened that Conservative Members are trying to stifle debate by bringing up the issue of anti-Semitism, and that narrative is playing out while we are trying to have an honest conversation. That is all it is about. In local procurement, should we not go green or buy fair trade? We need to stop what is happening at some point, and here is where it must stop. We cannot endorse the change, and we cannot carry on with it. I certainly will not vote for it.

3.24 pm

Martyn Day (Linlithgow and East Falkirk) (SNP): I, too, should start with a declaration of interest, having recently visited Palestine, courtesy of Fatah UK.

I thank the hon. Member for Birmingham, Northfield (Richard Burden) for securing this timely debate. Thankfully, the latest procurement policy note not does not directly apply to Scotland, where procurement is devolved and the Scottish Government lead on related procurement regulations. Of course, both Scottish regulations and the regulations for the rest of the UK must adhere to the same set of underlying EU directives, and it is those that set out the limits on the situations in which authorities can exclude bidders from a procurement process.

The Scottish Government strongly discourage trade and investment with illegal settlements. Such decisions must be taken in compliance with procurement legislation. For a company to be excluded from competition, it has to have been convicted of a specific offence or committed an act of grave misconduct in the course of its business. One view, supported by the Scottish Government, is that where a company exploits assets in illegal Israeli settlements in occupied Palestine, it may be guilty of grave professional misconduct, and it may therefore be permissible to exclude it from a procurement process.

It must never be forgotten when engaging in such considerations that local government is always answerable to the interests and wishes of its local communities and electorates. I know from my own mailbag that many local residents in Linlithgow and East Falkirk feel very strongly about this issue. There is a general presumption that decisions taken in their interest should be ethical where possible, and there is particular outrage that the UK Government appear to favour promoting goods from the illegal Israeli settlements. I genuinely fear that if the UK Government's proposals effectively force local councils and other public bodies to invest unethically in areas such as the Israeli occupation or arms companies, where local opinion would have directed them otherwise, we will be at risk of serious democratic failings.

Rather than attacking local democracy, the Government should take steps to support it. An approach akin to that being taken in Scotland would be good, but at the very least a full clarification from Ministers regarding the recent guidance is essential.

3.26 pm

Richard Burgon (Leeds East) (Lab): I congratulate my hon. Friend the Member for Birmingham, Northfield (Richard Burden) on obtaining the debate, and I thank Martin Linton, the former Member of Parliament for Battersea, for the background work he has done. I declare an interest because I visited Jerusalem and the west bank recently with a Labour delegation funded by the excellent organisation Medical Aid for Palestinians, with which I am proud to be associated. As a Front Bencher, I do not want to speak for long, but I have a particular wish to speak because of my visit to Jerusalem and the west bank.

Like many Opposition Members, I was very concerned about the nature of the announcement that has been made. I was concerned that the Cabinet Office Minister announced the proposals not in the Commons—which was in recess—but at a press conference in Israel, with the Prime Minister of Israel, Benjamin Netanyahu. That announcement coincided with our delegation to illegally occupied Palestine.

People's attention has already been brought to the statement by the Secretary of State for Communities and Local Government:

> "Divisive policies undermine good community relations, and harm the economic security of families by pushing up council tax. We need to challenge and prevent the politics of division."

I wish to say something about divided communities, after our recent delegation to the illegally occupied territories of Palestine. The experience that we had in the west bank clarified why some councils might want to take some action on illegal settlements. The policies pursued by the Government of Israel in allowing illegal settlements to flourish are a physical and political barrier to peace and a two-state solution.

I want to draw my brief remarks to a conclusion by asking the Minister whether he has been to the west bank and seen the Israeli settlements. Does he agree with UK Government policy that settlements are illegal under international law? Does he see any contradiction in the local authority devolution agenda when they are freeing up policy on business rates while freezing powers on pension investment and procurement decisions? Government regulations threaten councils with "severe penalties" if they fail to reflect foreign policy, but why is it so wrong to impose a ban or boycott with respect to settlements that the Government deem to be illegal?

Peter Dowd (Bootle) (Lab): Does my hon. Friend agree that the point about sanctions and boycotts made by the hon. Member for Hendon (Dr Offord) was quite

[Peter Dowd]

ridiculous? On that basis, why do we boycott Iran, Syria, Russia, individuals, Afghanistan, Ukraine and Zimbabwe? It seems to be an illogical position to take that we should not have sanctions or boycotts.

Richard Burgon: I agree with my hon. Friend that we should make democratic choice the key part of this debate but, after hearing some contributions from Government Members, I think that they are not in favour of democratic choice in relation to this matter.

These proposals are a step too far. Britain has a clear position on settlements: they are illegal under international law, constitute an obstacle to peace and threaten to make a two-state solution impossible. This is about democracy, and the proposals are an affront to democracy, choice and local power, and the comments of the hon. Member for Hendon (Dr Offord) are an absolute disgrace.

Dr Offord: Which ones?

Richard Burgon: The hon. Gentleman's comments from a sedentary position and when he stood up to speak. His comments were an affront to local democracy.

Mr Gary Streeter (in the Chair): As we move towards the Front Bencher's speeches, may I thank you all for your co-operation in getting us through in time for the wind-ups?

3.30 pm

Tommy Sheppard (Edinburgh East) (SNP): I draw hon. Members attention to the Register of Members' Financial Interests, as I also had the fortune to go to the west bank on the Fatah UK trip that has been referred to.

When we saw that the topic for the debate was local government and procurement policy, we wondered whether it had much to do with Scotland. As my hon. Friend the Member for Linlithgow and East Falkirk (Martyn Day) noted, those matters are a matter for the Scottish Government—I shall return to that in a moment. However, it quickly became apparent—I think all parties understand this—that this is a debate not about local government, but about foreign policy. It is interesting that, rather than choosing an English town hall in which to make a pronouncement about the affairs of local authorities, the Minister for the Cabinet Office and Paymaster General, the right hon. Member for West Suffolk (Matthew Hancock) travelled to Tel Aviv to make an announcement alongside the Prime Minister of Israel, and chose to illustrate his announcement by referring to the impact of local authorities' actions on the settlements in the occupied territories.

Now, if we are to say—as some Government Members have suggested—that local councillors should not be having a foreign policy and should concern themselves with local matters, we might rightly ask ourselves, "What are the Ministers responsible for the UK civil service and English local authorities doing travelling to foreign countries to make pronouncements on foreign policy?" We need to understand whether this is actually a dispute among colleagues in the Cabinet and an attempt by some who disagree with the established position of the Foreign Office to undermine it, or whether it is a genuine confusion that has arisen. Perhaps the Minister will clarify the position in his response.

We should be absolutely clear that what is under discussion here is not the state of Israel, but the activities in the illegal settlements in the Occupied Palestinian Territories. Now, I know that the Israeli Government refute the fact that the settlements are illegal, but the UN Security Council, the General Assembly of the UN, the European Union, every NGO I can think of, and our own Government regard the settlements as illegal, so I hope that we can at least agree that engagement in those activities is unlawful.

I have witnessed these settlements, and I think that when some people refer to community settlements, they still believe that they are small, little, cutesy villages that are being developed. In fact, these are massive conurbations of thousands—sometimes tens of thousands—of people, with all the infrastructure we would expect from a modern city. Although many of the settlements have been built effectively as dormitories for people working inside Israel proper, it is clear that if they are to continue, they must develop their own economy and, therefore, the capacity to develop trade and production in those areas is vital for their survival.

We need to ask ourselves a question: is it the role of public agencies in the UK to assist in that illegal process or is it right and proper that they should do something about it? I think it is entirely proper that they should do something about it. The advice of the Scottish Government is consistent with that of the Foreign and Commonwealth Office, in saying that there is a general presumption against trade and investment in illegal settlements and telling local councils that they should make a decision on individual matters of procurement according to procurement legislation and take into account the circumstances that apply, but reminding them that when it comes to the term "gross misconduct", which colleagues have mentioned, it is entirely right and proper to regard the support for an international illegal operation as gross misconduct.

Looking at some of these contracts, people should be advised that they need to understand whether the contract will be secure—whether the agency or company with which they are contracting has the legal right to sign the contract, and to use the resources and occupy the lands and premises that they say they do. If a local authority is being prudent and making a careful judgment about that, it is acting in the interests of the people who elected it, and that is right and proper.

I have a minute or two left, so I want to say to the hon. Member for Hendon (Dr Offord) that in his speech, which I thought he galloped through with rather undue haste—it would have been better for him to have taken some interventions, because it might have demonstrated better confidence in his own arguments—he attempted, as others have, to suggest that this is an attack on Israel. It is not. I believe in the two-state solution. I would like to see a viable state of Palestine and a viable state of Israel, but I firmly believe that the actions of this right-wing Israeli Government and their refusal to take moves to end the military occupation are putting the prospects of a two-state solution in severe jeopardy.

Dr Offord: I am grateful to the hon. Gentleman for his contribution because he is consistent, unlike, unfortunately, the hon. Member for Stoke-on-Trent

Central (Tristram Hunt), who has hurriedly left the Chamber. Does the hon. Member for Edinburgh East (Tommy Sheppard) not agree that the disinvestment strategy promoted by the BDS would actually lead to ending the possibility of a two-state solution, which would mean that there would not be peace in the middle east?

Tommy Sheppard: No, I do not make that connection or draw that conclusion in the slightest. In fact, I have visited the area recently and spoken to many Palestinians who are involved. They are absolutely of one mind in telling us that they want us to call for disinvestment in the illegal settlements in the occupied territories. That is their position and it is incumbent on us to try to understand, respect and advocate that position if we can.

I have limited time, but I very much welcome the fact that we are having this debate, which the hon. Member for Birmingham, Northfield (Richard Burden) secured. I welcome the attendance and the level of contribution. I do think that it is time, following this discussion, that we sought a debate in the main Chamber and devoted rather more time not just to this issue, but to the underlying aspects behind it. It is incumbent on us to do that because the overriding impression that I brought back from my recent trip to the west bank was one of desperation and despair among people who really feel that the world has given up on them. We need to show them that we have not.

3.37 pm

Jonathan Ashworth (Leicester South) (Lab): It is a pleasure to serve under your chairmanship, Mr Streeter. I suppose I will start where the hon. Member for Edinburgh East (Tommy Sheppard) left off—why we are having this debate. Well, we are having the debate because my hon. Friend the Member for Birmingham, Northfield (Richard Burden) asked for it, and I congratulate him on that. He spoke with his typical eloquence and knowledge of the situation—eloquence and knowledge that I have been familiar with since I was a teenager listening to his speeches when he came to the Mechanics Institute in Manchester in the mid-'90s.

I have followed my hon. Friend's career closely ever since. I think I speak for everybody in thanking him for securing the debate, but the reality is that we should not be having the debate in this Chamber; we should be having it in the main Chamber—and not on the initiative of an Opposition Member through the usual processes and channels or as a result of the Backbench Business Committee; I wonder whether the hon. Member for Edinburgh East was hinting at that. We should be having this debate because the Minister for the Cabinet Office and Paymaster General, the right hon. Member for West Suffolk (Matthew Hancock), who announced the policy at the Conservative party conference and then again on a trip to Israel, should have given the House the courtesy of coming to the House, outlining his change in procurement policy and allowing hon. Members to question him.

I entirely appreciate the point made by the hon. Member for Norwich North (Chloe Smith), who said that there had been a number of changes to procurement policies over the years. I do not doubt that she is right: she is a former Cabinet Office Minister and is very experienced, but other experienced Members know that Members on both sides of the argument have sincerely held views and those experienced Members appreciate that the issues are sensitive. Given that, the Paymaster General should have come to this House to announce the shift in Government policy and allowed us all to question him.

The hon. Member for Newark (Robert Jenrick) was lucky enough to be on a delegation with the Paymaster General in Israel. At that time, the Paymaster General may well have been happy to answer questions about what the issue meant for Government policy and for the Palestinians. Well done! We are pleased that the hon. Gentleman got that opportunity, but everybody else in the House should have that opportunity, too. That is why Members on both sides of the Chamber will want to hear the Minister answer a number of questions; it is a pleasure to see him in his place. I will not take up too much time with my remarks, because I know that Members are anxious to hear the Minister's response. I want to give him ample opportunity to answer satisfactorily the questions of my hon. Friends and colleagues.

Robert Jenrick: When I came back from Israel, I assumed that there might be an urgent question in the House on the issue. Did the shadow Minister request an urgent question?

Jonathan Ashworth: It is not for me to criticise Mr Speaker and his team of Deputy Speakers on the selection of urgent questions. That is not in order—is it, Mr Streeter?

Mr Gary Streeter (in the Chair): Certainly not.

Jonathan Ashworth: But I have a suspicion that Members requested urgent questions.

Robert Jenrick: Did you?

Jonathan Ashworth: It is not in order to criticise Mr Speaker when he grants or does not grant an urgent question, so far as I am aware.

Christopher Pincher (Tamworth) (Con): Would that be a no?

Jonathan Ashworth: The hon. Gentleman makes his usual witty sedentary contribution, but let us get back to the substance of the issue.

As my hon. Friend the Member for Hammersmith (Andy Slaughter) said, there has been a conflation in what the Government are hinting at about our relations with Israel. They seem to be suggesting that we need to clarify the rules on procurement because, according to them as far as we can tell, the procurement rules are not clear and we need better guidance on whether local authorities are allowed to procure and not be in contravention of the various World Trade Organisation rules. Is it the view of the Cabinet Office that the guidelines were vague and that proceedings were taken to the WTO about local authorities making decisions in contravention of those guidelines? How many proceedings have been taken?

[Jonathan Ashworth]

The reality is that this is more about politics. When the Minister for the Cabinet Office and Paymaster General announced the policy at the Conservative party conference, he said that it would

"prevent…playground politics undermining our international security."

Yet, as my hon. Friend the Member for Birmingham, Northfield highlighted, in the briefings, the editors' notes and the suggestions to the newspapers, and so on, councils such as Leicester City Council and Tower Hamlets Borough Council were being highlighted. Those councils were not making decisions about Israel as a nation; they were responding to the illegal settlements in the occupied west bank. It was not about the nation of Israel; it was about illegal settlements, which the Government recognise and accept are illegal settlements.

When the Paymaster General says that this is "playground politics" and that he is taking the decision in order not to undermine international security, why, as Members have said, does guidance on the FCO website talk of the risks of trade with the illegal settlements? The guidance discourages such trade, as the hon. Member for Edinburgh East said. What discussions has the Minister for the Cabinet Office had with the relevant Foreign Office Ministers on this matter? If he really believes that this is undermining international security, how does he sleep at night when he sees that guidance on the FCO's website?

As the hon. Members for Falkirk (John Mc Nally) and for Edinburgh East, our colleagues from north of the border, told us, the Scottish Government, in procurement notices of last year, or two years ago,

"strongly discourages trade and investment from illegal settlements".

Is the Minister for the Cabinet Office saying that the Scottish Government are undermining international security? Is that really the view of the Paymaster General? Is this not about democracy at local level, as various Opposition colleagues have said, including my hon. Friends the Members for Ellesmere Port and Neston (Justin Madders) and for Leeds East (Richard Burgon)? Is it not ironic that all this comes from the Government who talk of and celebrate localism and from a Prime Minister who told us:

"When one-size-fits-all solutions are dispensed from the centre, it's not surprising they…fail local communities"?

In 2009, the Prime Minister told us that

"We're going to trust local authorities".

How are these decisions trusting of local authorities?

Is it not right that local councils should make such decisions and be accountable to the people who elect them? Leicester City Council, the area I represent, made its decisions in 2014—the Government always quote Leicester City Council in the newspapers—and the councillors who put those decisions to the council chamber stood for election in 2015. They were re-elected with people knowing about those decisions on trade with illegal settlements in the west bank, not trade with Israel. *[Interruption.]* The right hon. Member for Rutland and Melton (Sir Alan Duncan) knows Leicester well.

Mark Durkan (Foyle) (SDLP): My hon. Friend is right; the issue is not just about the content and the context of the decision made by the Minister for the Cabinet Office. The Government seem to be saying that it is completely out of order for local government to have any regard to ethical or valid policy considerations when it comes to procurement or supply. Yet when we passed the Modern Slavery Bill in the last Parliament, this House improved the Bill and the Government, against their first position, accepted the need to include responsibility for supply chains and procurement in the Bill. How can we legislate for that in the private sector and then abolish it for local government?

Jonathan Ashworth: My hon. Friend makes a good point, and I look forward to the Minister's response. I will speed up, because I know that people want to put points to the Minister and want him to answer. Will he tell us what "severe penalties" he has in mind for local authorities if they do not follow through on the regulations? Given the scepticism about what the regulations actually mean, will he answer my hon. Friend the Member for Sheffield South East (Mr Betts) and tell us whether the guidance actually changes the law in any way? Will he answer the six questions put to him by my hon. Friend the Member for Birmingham, Northfield?

Will the Minister confirm that the guidance is simply restating existing law that states that public bodies cannot refuse to award contracts to companies purely because of their nationality? Will he confirm whether the Government think it is still lawful for public bodies to refuse to award contracts to companies for reasons other than nationality, such as their human rights record, compliance with international law or connection with trade such as the arms trade or fossil fuels?

The Paymaster General talked about "playground politics." Well, there are many in this House who take these issues extremely seriously and who have sincerely held views on both sides of the argument. When the Paymaster General talks about playground politics, perhaps he should look a little closer to home.

3.47 pm

The Parliamentary Secretary, Cabinet Office (John Penrose): It is always good to have your sure hand guiding our proceedings, Mr Streeter. I start by joining the chorus of congratulations to the hon. Member for Birmingham, Northfield (Richard Burden) on securing this debate. He is right that this is an important issue. He is also right to say what it is about and what it is not about, and to acknowledge that there are sincerely held views on both sides of the broader issue. He is right to put that point up front and pay it due respect. I echo those points.

As the hon. Gentleman has asked some distinct questions, and other questions have embroidered around them, I will try to address those questions as I go through my speech. I am sure he will pick me up if I do not. I will try to make sure that he has a minute or so at the end to sum up.

Sir Alan Duncan (Rutland and Melton) (Con): Will the Minister give way?

John Penrose: Briefly, but I will then have to make progress.

Sir Alan Duncan: At the beginning of his comments, will the Minister clarify an important point of fact, which is the kernel of this issue? Will the Government's

proposed procurement rules permit a local authority to adopt a policy against investment in, or purchase from, Israeli settlements in the Palestinian west bank?

John Penrose: The answer is that it depends; I am sorry to be a little indistinct. I will come on to the details. I hope to give my right hon. Friend a proper answer, rather than just a straightforward yes or no, because there are situations where councils will be able to and situations where they will not.

The overarching principles behind public procurement are twofold. First, public sector procurers are required to seek the very best value for money for the taxpayer. Secondly, public procurement must be delivered through fair and open competition. Public sector procurers have to follow detailed procedural rules laid down in the Public Contracts Regulations 2015, which implement the Government's domestic procurement policy and wider EU and international rules, including the EU procurement directives and the WTO Government procurement agreement; a number of right hon. and hon. Members have referred to the GPA in this debate.

Under those obligations, our contracting authorities are required to treat all suppliers equally, regardless of their geographic origin. The regulations have recently been updated and modernised, but the basic principles are long-standing and have been in place for many decades. Any breach of the rules puts public authorities and the Government themselves at risk of breaching all sorts of laws. Serious remedies are available to aggrieved suppliers through the courts for breaches of those rules, including damages, fines and what lawyers call "ineffectiveness", which basically means contract cancellation.

A number of colleagues have mentioned that ethical procurement has a much wider meaning than we have focused on here. We could talk about it in relation to arms firms, defence industry investment or investment in the tobacco industry. However, we have focused, perhaps understandably, on a specific example. The point is that "ethical procurement" is not a defined term—it means different things. There are many examples of how procurers take ethical considerations into account. For example, the rules allow authorities to exclude suppliers that have breached certain international social, environmental or labour laws. In addition, we already ensure that prime contractors behave ethically towards their subcontractors—for example, by requiring 30-day payment terms. That applies through supply chains, as the hon. Member for Foyle (Mark Durkan) said.

The Public Services (Social Value) Act 2012, which came into effect in 2013, placed a requirement on commissioners to consider the economic, environmental and social benefits of their approaches to procurement before the process starts.

Sir Alan Duncan: In that case, is there anything in the Minister's list that includes the illegal origin of the products to be bought?

John Penrose: The point is that although we are clear that the settlements themselves are absolutely illegal—I am happy to clarify the Government's foreign policy—that does not necessarily mean that activities undertaken by firms that happen to be based there are themselves automatically illegal. A separate, case-by-case decision must be made about whether each potential supplier satisfies the rules. I will give more detail about that as I go, if I can.

We have flexibilities in our procurement rules. Some things are explicitly ruled out—

Mr Betts: Will the Minister give way?

John Penrose: I am running out of time. I will give way very briefly, and then I will have to make progress.

Mr Betts: We are back to the point about how to distinguish between one activity of an organisation and another when deciding whether to have a relationship with it. To go back to banks, for example, it was rightly decided not to have any dealings with Barclays back in the 1980s because of its particular link with South Africa. One could not distinguish between the money it lent to South African firms and the money that it lent to other firms. How then does the Minister distinguish between the activities of financial organisations now and their treatment of the settlements?

John Penrose: I am explaining how the law is, rather than how the hon. Gentleman might like it to be. As I said, we are clear that the settlements themselves are illegal, but a firm based or trading within one of those settlements may be operating in an entirely whiter-than-white, above-board fashion in how it treats its suppliers, staff and customers. Therefore, I suggest, one cannot assume that absolutely everything done in a particular place is implicitly wrong.

There are flexibilities in our procurement rules. Some things are explicitly ruled out. Discrimination is absolutely ruled out as a matter of law and policy. The problem with boycotts in public procurement is that they may often stray over the line from acceptable ethical procurement within the rules that I have described to become an act of discrimination. The principles of non-discrimination and equal treatment underpin the UK's whole approach to public procurement policy—we have heard examples of that from other speeches already—and are mandatory under UK, EU and World Trade Organisation procurement rules.

Moreover, public policy that includes decisions on whether to impose Government sanctions on other countries is a matter reserved for central Government. We are devolving a great deal down to local government and other Parliaments within the UK, but foreign policy, particularly sanctions against other countries, is a matter still reserved for central Government. It is therefore the Government's position that discriminating against any supplier based on geographic location is unacceptable unless formal, legal sanctions, embargoes or restrictions have been put in place by the UK Government here.

Despite those long-standing rules, we have been concerned to learn that some authorities have decided to impose local-level procurement boycotts, which is why on 17 February, as we have heard, the Government published guidance to remind authorities of their obligations in that respect. I hasten to add that it is not an Israel-specific policy, nor is it focused on the Israeli settlements, in line with the initial remarks of the hon. Member for Birmingham, Northfield. It is general guidance about procurement principles, so it does not address directly or in detail any questions about procuring from Israel

[John Penrose]

or the illegal settlements. The Minister for the Cabinet Office highlighted the guidance when visiting some technology companies during his trip to Israel to reassure them that the UK Government marketplace is open to overseas bidders, despite what they might have read elsewhere.

Of course, the WTO Government procurement agreement has its limitations. It applies only to countries that have signed up to it. Israel is a party to it, so it clearly applies to Israeli suppliers, whereas the Government do not recognise the illegal settlements as part of Israel.

Imran Hussain: I should have declared an interest earlier: I recently visited the west bank with colleagues and Medical Aid for Palestine. I am grateful to the Minister for his somewhat grey explanation of certain areas, but can he help me with this point, with which I am sure other hon. Members will agree? He has accepted that the settlements are illegal. On what basis, legal or otherwise, is he asserting that the businesses operating within those illegal settlements are operating legally? Can he explain that to me, please?

John Penrose: I believe I already have. Although it is difficult, it is entirely possible for a settlement to be illegal while the businesses operating within it are entirely within the law, treating their staff, suppliers and customers properly and so on. It is possible for both those things to happen at once.

Andy Slaughter: Will the Minister give way?

John Penrose: I must make progress. In spite of those flexibilities, local authorities must still be careful not to make discriminatory policies even where they believe that the GPA does not apply. The rules also provide mechanisms to protect authorities from dealing with risky suppliers.

To answer the question asked by my right hon. Friend the Member for Rutland and Melton (Sir Alan Duncan), I should say that authorities can take into account the legal and economic risks of dealing with particular suppliers. The rules include various grounds on which individual suppliers can be excluded from bidding, such as where the company is guilty of criminal offences, corruption or grave professional misconduct or in breach of environmental, social or labour laws and so forth. This is a key point: the rules must be applied on a case-by-case basis, company by company, rather than on the basis of an entire geographical area, as a blanket ban or boycott would inevitably do—that would make them discriminatory.

Local authorities have significant flexibilities and can exercise pretty wide discretion within the rules—I hope that I am answering my right hon. Friend's question—but the rules themselves are clearly necessary to protect them by ensuring that they do not take actions that could land them and us in court. Nobody wants to waste public money on costly court cases.

I am running out of time, so I will stop to allow the hon. Member for Birmingham, Northfield time to respond, but I emphasise that on foreign policy, we have clearly not changed our approach to the Palestinian occupied territories or to settlements around the pre-1967 boundaries of Israel. With that, although there are many other things that I would have liked the opportunity to address, I want to leave the hon. Gentleman a chance to respond. I will sit down and leave the floor to him.

3.58 pm

Richard Burden: I always thought that public procurement notes were meant to clarify procurement rules, but the Minister has just demonstrated the art of muddying them through his explanation of this procurement note. He said that the note is not Israel-specific; it just happens that the Minister for the Cabinet Office announced it in a Conservative party conference press release that was almost entirely devoted to the situation in the middle east, and then announced the public procurement note itself in Israel.

If settlements are illegal, I fail to see how trade with those settlements and co-operation with businesses involved in aiding and abetting illegality is not itself illegal. That is what the Foreign Office advice to business is about. I know that the Minister has had a problem today; for some time now, we have been trying to work out which Minister would reply to this debate. I get the impression that this is a parcel that has been passed from pillar to post.

John Penrose: We are a flexible team.

Richard Burden: Eminently flexible—with flexible rules as well, by the sound of it. My six questions have not been answered to my satisfaction, nor have the questions asked by other hon. Members. I ask the Minister to answer in writing.

Motion lapsed (Standing Order No. 10(6)).

Housebuilding: King's Hill, Coventry

[Mark Pritchard *in the Chair*]

4 pm

Mr Jim Cunningham (Coventry South) (Lab): I beg to move,

That this House has considered proposals for house-building on King's Hill, Coventry.

Obviously you and I have known each other for a long time, Mr Pritchard, and this is probably the first time that I have taken part in an Adjournment debate that you are chairing. I know you will chair it in a very fair manner, as you always do. If I can start, Mr Chairman—*[Interruption.]*

Mark Pritchard (in the Chair): Order. Members are not to use mobile phones in Westminster Hall and certainly not when other Members are trying to speak in a debate on behalf of their constituents. It is completely unacceptable.

Mr Cunningham: The King's Hill area of Coventry is obviously causing quite a stir in Coventry at the moment, to say the least. In fact, at the moment the city council is debating a motion in relation to King's Hill. The Conservative opposition put that motion down and what they are effectively saying is that King's Hill should not be sold until the proper infrastructure is put in place. Many people will interpret that differently, although it is not for me to interpret what the Conservative motion means.

Having said that, let me take the opportunity to thank Mr Speaker for granting this debate. Over the years, I have tried to secure debates on this matter, so I thank him for granting this debate. I also welcome the Minister to the debate, because he is the Minister responsible and that demonstrates that at least the Government are showing some respect to this debate and about what happens in King's Hill. I hope he will agree with some of the points I raise today.

The King's Hill area is located just outside the city boundaries of Coventry, between Finham and Kenilworth, to the south of Coventry. It is designated as a green-belt area—I hope the Minister will pay special attention to that point. The proposals are for thousands of homes on this land; it is my objection to these proposals that I will outline today. For many years, I have spoken in defence of the area and, in particular, about its beauty and history. I have probably been campaigning for it to retain its present status for a good five or six years, so I have not come late to this issue; I have been involved with it for a very long time.

Over the years, Coventry City Council has come to know my views about King's Hill. Only recently, I had some correspondence with the council about its plans for the area. My view is that the council should think again about selling the land to Warwick District Council. Essentially, that is where I differ from what the Conservative motion in the council seems to be suggesting. King's Hill needs to remain free from development. These sentiments are not just my own; they have been echoed by local residents and by anybody who takes an interest in the history and environment of Coventry. I am disappointed that these plans have been allowed to progress; I am equally disappointed that I now must take my opposition to them to the Commons and to the Minister who is responding to this debate.

I will now detail my concerns about these plans. First, King's Hill is green-belt land, and that is not a designation applied to land without reason. The land around King's Hill is of environmental importance, as I have said, but it is also important historically. In addition, it helps to define the city boundaries of Coventry. Most importantly, it is a welcome patch of countryside on the edge of a city that over the years has lost a lot of its green space.

My next concern is about the proximity of the proposed development to Coventry itself. It is a large development of 4,000 homes. I am not opposed to the growth of Coventry, but the current situation makes no sense and is a reflection of poorly thought-out plans, which would increase the pressure on Coventry council tax payers. These plans would deprive them of green space. Coventry residents would lose out on every level with these plans and the council could find itself further overstretched. It is already suffering as a result of huge budget cuts by central Government; I have yet to see anything to suggest that that will not be the case. I believe that the alternative brownfield sites in Coventry and Warwickshire would help to resolve the housing problems.

I will now briefly detail some other aspects of the plan. A small percentage of the land at King's Hill is owned by Coventry City Council and that would be sold to Warwick District Council if the development plans are approved. It amounts to 190 acres of the 665-acre site, or roughly 28% of the land, but only around half of those 190 acres could be developed because of Wainbody Wood and plots that are subject to agreed long leases. That makes Coventry City Council's holding roughly 15% of the site.

The decision to sell the land is ultimately the responsibility of the council, and I have already urged it to reconsider its decision and not sell that land. I will not hide my preference that the land should not be used for development, especially when the council tax from it will be sent to Warwickshire and while it is green-belt land.

However, that is only part of the story. Over two thirds of the land located at the King's Hill site is owned not by Coventry City Council, but by Warwick District Council, which will give or refuse the planning permission for development. Even if Coventry Council land was not sold, over two thirds of the site would still be developed if Warwick District Council gave its approval, causing the same problems that I have already described.

These plans must be viewed as a whole; to divide them up into who-owns-what misses the point. The point is to object to the plans in principle to save King's Hill, and that is why I have called on Warwick District Council to scrap these development proposals. If Warwick District Council refused planning permission, then the rug would be pulled out from beneath the entire plan.

I want to prevent all large-scale development on the King's Hill site and not just on part of it. There is a national shortage of housing and more homes need to be built in Coventry and Warwickshire, but poorly thought-out proposals are not the answer. There are alternative sites that should be used instead of King's Hill. They are better placed to deal with the impact of such large developments and they already have the necessary infrastructure in place to deal with thousands

[Mr Jim Cunningham]

of new homes. Using those sites would be more beneficial to Coventry and Warwickshire—they are sites where council tax would be used to provide services to the residents who pay it—and these sites are not designated as green-belt land.

I have to question whether the green-belt safeguards are fit for purpose, and I also question whether Warwick District Council has fully considered the wider impact of these proposals, which aim to hit Government quotas on housing.

In conclusion, this planning decision belongs to Warwick District Council, but it will impact directly on the people of Coventry. I urge Warwick District Council to take on board the views of local residents and other stakeholders; to explore the impact of these proposals on the local area; and to speak with Coventry City Council about the issue of council tax, which I believe would be used to subsidise the development. The best option for Warwick District Council is to reconsider these proposals and to refuse planning permission for this development—an action that would stop it completely.

4.9 pm

The Minister for Housing and Planning (Brandon Lewis): It is a pleasure to serve under your chairmanship, Mr Pritchard.

I congratulate the hon. Member for Coventry South (Mr Cunningham) on securing the debate. I appreciate that he has concerns about the proposals for development in the King's Hill area, and that the issue is of considerable importance to him and the local communities he represents.

I understand the hon. Gentleman's concerns about the proposals, in particular about their impact on surrounding areas. There is a fundamental disagreement between us, however. He may not have registered the fact that the Government have reformed the planning system over the past year. He noted that local authorities are looking to match housing numbers, under housing requirements, to Government quotas, but we have got rid of those quotas. The previous Labour Government had centrally run quotas through the regional spatial strategies, but there are no Government quotas or targets for housing now. The process is worked out entirely locally. The hon. Gentleman might, therefore, want to speak to his local authority to get a full understanding of that.

I note that Warwick District Council is proposing modifications to its local plan. It is right that the process is locally led. I am sure that the hon. Gentleman will appreciate that, as a Minister with a quasi-judicial role in the planning system, I cannot comment on the detail of specific proposals or on specific local plans, but I can give more general feedback on some of the issues he has raised. Our policy rightly asks that

"local planning authorities should use their evidence base to ensure that their Local Plan meets the full, objectively assessed needs for market and affordable housing in the housing market area, as far as is consistent with the policies set out in the National Planning Policy framework."

So the numbers are worked out by the local authority based on local need—they are locally derived.

The local plans play a key role in building the houses we need. As the hon. Gentleman said, there is a need to build more houses—we have not done enough house building for the past 40 years—and we have ensured that local plans will have some ease in the future by asking an independent group of experts to look at how we can streamline and improve the process of producing them. I look forward to seeing their recommendations soon. I have also made clear, publicly, our determination to intervene where local plans have not been produced by early 2017, and that will help to speed up the production of the plans. The Housing and Planning Bill also makes it clear that we are sharpening the Secretary of State's powers to intervene in local plans, and the hon. Gentleman might be interested to know that we have recently issued a consultation document to consider the criteria we will use in that intervention process.

The national planning policy framework—the NPPF—makes it clear that the purpose of planning is to deliver sustainable development, but that is not development at any cost or development anywhere. National policy sets out that planning must take account of the different roles and characters of different areas, recognise the intrinsic character and beauty of the countryside, and take into account all the benefits that an area has. In respect of the historic environment, for example, local planning authorities should set out in their local plans a positive strategy for its conservation and enjoyment. Similarly, in preparing plans to meet development needs, the aim should be to minimise adverse effects on the local and natural environment.

Local plans do far more than set housing numbers; they establish areas that it is necessary to protect and set out how development will be supported by appropriate infrastructure. The NPPF emphasises that development must be sustainable and that local authorities have a responsibility to make plans to provide the necessary infrastructure to meet the needs generated by new development. Our planning guidance also underscores the importance of ensuring that infrastructure is provided to support new development and notes how infrastructure constraints should be considered when assessing the suitability of sites for development. Local authorities can use section 106 agreements and community infrastructure levies to guarantee that, and we are carrying out some reviews to ensure that we keep the process as streamlined and efficient as possible.

Mr Jim Cunningham: Can the Minister tell me exactly how the infrastructure levy would work?

Brandon Lewis: A community infrastructure levy is much more transparent than a section 106 agreement. Once a local area has adopted such a levy, any developer looking to build there knows what the cost will be. It has that information up front; the cost is pre-set by the local authority. When the developer builds, it pays the money to the local authority, and the latter spends it on infrastructure as it sees fit. The difference with a section 106 agreement is that it is negotiated on a site-by-site basis, and there is no transparency or up-front knowledge. There is a negotiation that can often take a very, very long time, and we will speed that up with the Housing and Planning Bill. Also, whatever is agreed in a section 106 agreement is normally site-specific, whereas the community infrastructure levy is money that the council itself can use how and where it sees fit.

There is also a duty to co-operate, which requires local planning authorities to make every effort to secure co-operation on strategic cross-boundary matters before they submit their local plans for examination. We expect local planning authorities to explore all available options for delivering their planning within their planning area. It is only when that is not possible that they should approach other authorities with whom it would be sensible to work through a cross-boundary strategic planning process. Ultimately, working with neighbouring councils and working together across parties and across boundaries can enable development needs that cannot wholly be met within one area to be covered. That can be an important way forward and it can beneficial for the authorities, if they work together cohesively. The requirements of the duty provide a clear approach to enable local authorities to discuss strategic planning issues with their neighbouring authorities, to achieve positive outcomes.

The hon. Gentleman also mentioned the green belt. We are clear—and the NPPF makes it clear—that the green belt is a legitimate constraint on development. In the Chamber, my hon. Friends have often talked about how the green belt is important to our country, and I think that you, Mr Chairman, may have also commented on it.

Mark Pritchard (in the Chair): Order. I am grateful for the Minister's compliment but, for the record, while I am in the Chair I am completely neutral on all things, including the green belt.

Brandon Lewis: Well noted, Chairman. I take your comments on board, as obviously the record will.

I am sure that the hon. Gentleman will have heard this, and if he looks back at the record, he will see that we have regularly made the point that the green belt is a legitimate constraint. It is an important part of the country's infrastructure and the Government attach the highest importance to its protection. In fact, over the past few years we have increased it. The NPPF makes it clear that green belt boundaries should be established in local plans and can be altered only in exceptional circumstances, using the local plan's process of consultation and independent examination. The Government do not specify what constitutes exceptional circumstances, as it is for each local authority to determine that and how much weight to attach to those circumstances.

When I visit local areas, I hear widespread support for the fact that we need to build more houses—the hon. Gentleman touched on that in his remarks—but areas often swiftly follow that with concerns about where the houses will be built. It is a credit to local authorities that they are grabbing the baton and doing the right thing to ensure there are the homes they need for their communities. I congratulate those that are taking clear leadership, making what can sometimes be tough decisions to deliver the housing that their local areas need.

We have given local councils the responsibility of planning to meet their own needs locally and working with local residents and neighbouring communities and authorities to meet the needs across the housing market areas. How communities have informed the strategy in a local plan will be an important consideration in the examination of that plan.

With Warwick District Council currently consulting on its proposed modifications to the submitted plan, I am sure that the hon. Gentleman and his constituents will continue to make strong representations to the council on the proposals and that he will express his views, as he has done today.

Mr Jim Cunningham: May I reassure the Minister that I am certainly taking the matter up with Warwick District Council? I have written to it, raising my objections. It has not yet responded, but I am sure it will at some point.

Brandon Lewis: I am glad that the hon. Gentleman has done that. That is the right place to pick up the discussion and debate; it is right to make the case locally. Ultimately, we have devolved powers to local authorities, and we trust them and local people to make the right decisions for their areas and to provide the housing for their areas in the future. I have absolute faith that they will continue to do a good job in delivering that. After all, a record number of homes—more than 253,000—have been given planning permission over the last 12-month recording period. That is a really good step forward. Also, approval of development from local people has roughly doubled since 2010 because of our trusting local people to work out what is right for them in building the homes that we need in the places we need them and with the tenures we need, in a locally driven way, and that is certainly the way to continue.

Question put and agreed to.

Mark Pritchard (in the Chair): We could proceed early to the next debate, which will give it additional time, but out of courtesy we need to wait for the shadow Minister. As soon as the shadow Minister turns up, we will proceed straight away to the debate.

4.20 pm

Sitting suspended.

Transport Infrastructure: Lancashire

4.30 pm

Seema Kennedy (South Ribble) (Con): I beg to move,

That this House has considered transport infrastructure in Lancashire.

It is a pleasure to serve under your chairmanship, Mr Pritchard.

The Government have quite rightly made a commitment to rebalancing the nation's economy. For many years, under Governments of different political persuasions, our economy has been too focused and over-reliant on the service sector and too focused on London and the south-east. Of course, that was not always the case. We in Lancashire are very proud of our place in the nation's industrial history. I pay tribute to the Friends of Real Lancashire for promoting the historical borders of real Lancashire—I am pleased to see the hon. Member for Southport (John Pugh) present—which boasted the two great northern cities of Manchester and Liverpool. Those two conurbations have changed beyond all recognition in the past half century and are forging ahead. Within its current borders, Lancashire also has a role to play in the important task of balancing the economy and strengthening our industrial base. I, for one, do not want to see Lancashire lose out at the expense of our larger urban neighbours—and certainly not to those "white rose" residents to the east.

The Lancashire city deal was signed by Preston City Council, South Ribble Borough Council and Lancashire County Council in September 2013. It is the second biggest city deal outside London and promises to create 17,000 homes and 20,000 jobs over its first decade. It is crucial to the whole county, and I pay tribute to all those involved in its preparation, particularly Councillor Margaret Smith, the visionary leader of South Ribble Borough Council. Some important pieces of road infrastructure were started immediately under the auspices of the city deal, including the Broughton bypass and the M55 junction. At this point I must pay tribute to my hon. Friend the Member for Morecambe and Lunesdale (David Morris), who worked so persistently on securing that infrastructure over the previous Parliament. The Preston western distributor road will improve access to the BAE site at Warton. In my constituency, work on the A582 is ongoing, with much of it already finished. The Penwortham bypass, for which people have been hoping for 30 or 40 years, will be finished by 2019-20. That will take a great deal of pressure off the A59 and will be a key connecting route between the motorway and local roads—a welcome development.

The key piece of infrastructure that has not yet been built but would link all the roads in the city deal region is the proposed new Ribble bridge. The most westerly and most recent bridge over the Ribble was completed more than 30 years ago. It links what is now the city of Preston with access routes to Penwortham, Leyland and the villages of west Lancashire. It becomes extremely clogged up at rush hour, and there have been terrible congestion problems when accidents or breakdowns have occurred on the bridge itself. The city deal makes provision for scoping works for the bridge. Indeed, the infrastructure plan states that it will

"define the general alignment and connections to a new bridge crossing of the River Ribble linking with the Preston Western Distributor".

The local enterprise partnership's report, "Lancashire as part of an Interconnected and Productive Northern Powerhouse", envisages the bridge as the final link in the ring road.

There are compelling economic reasons for building the new bridge. It will complete the ring road and help to connect the two parts of the Lancashire enterprise zone at Samlesbury and Warton. It will pave the way for many more homes to be built. It is an important piece of infrastructure for not only the western part of Lancashire but the whole county and wider region. The "Central Lancashire Highways and Transport Masterplan" proposes that the bridge should be built post 2026, but that is another decade into the future and a good six or seven years after the Penwortham bypass will be finished. The delivery of the other road schemes has been accelerated through the city deal. Can the Minister say whether it is possible for the bridge to be assessed as a nationally significant infrastructure project and the build time brought forward from 2026?

David Morris (Morecambe and Lunesdale) (Con): It is no big secret that Lancashire County Council has upwards of £430 million in reserves. Does my hon. Friend agree that releasing some of those reserves would speed up the process and facilitate the bridge being built quicker?

Seema Kennedy: Lancashire County Council is aware of the great desire for the bridge in the area. I have been having ongoing discussions with the council, and that is one of the things about which I have spoken to its representatives.

The Ribble bridge is clearly a regionally significant piece of transport infrastructure. I shall now touch on a project that, although much smaller, would bring enormous benefits to two villages in my constituency, if it were completed. For those who do not know South Ribble, the western part of the constituency comprises the flood plain of the Ribble. Thirty-two per cent. of land in the constituency is grade 1 and 9% is grade 2 agricultural land, making it the seventh highest-ranked constituency in England in terms of the proportion of such land within its boundaries. Hundreds of people are involved in the vegetable and salad industry, which is growing and reckoned to be worth hundreds of millions of pounds to the area.

During the winter there is the traditional farming of brassicas and potatoes, as well as some salads under glass. Such work has been going on for centuries. The vegetables used to be carried on small wagons or tractors, but of course this growing industry is now year round. Foods such as prepared vegetables and stuffed mushrooms —hard-pressed Members of Parliament might be familiar with such comestibles—are assembled. Salads, which of course cannot be grown in our country during the winter, are imported from Spain and Portugal and brought to the pack houses, where they are packed for the British consumer. The two small villages of Tarleton and Hesketh Bank in my constituency are now overrun with gargantuan heavy goods vehicles from Spain and Portugal that bring salads to the growers and take the assembled bagged items to the supermarkets.

Supermarkets demand a 24-hour service, which means that the HGV drivers cannot avoid peak times such as rush hour or school runs. The main B road through the

two villages sees domestic and commuter traffic competing with large tractors—they are much bigger than they used to be—and HGVs. Road surfaces and pavements are under constant stress. There have been several near misses in which HGVs have overturned. It is only by the grace of God that nobody has been killed in one of these accidents. The solution to the traffic tribulation in Tarleton and Hesketh Bank is the proposed Green Lane link, which would take traffic out of the main roads through the villages and on to the A59. The link is in the West Lancashire highways and transport masterplan.

At this point I should pay particular tribute to Tarleton and North Meols parish councils, which commissioned an excellent report outlining the safety and environmental benefits that the Green Lane link would bring to those villages. I am happy to provide a copy of the report to the Minister. I must also mention a tireless local champion of the link, County Councillor Malcolm Barron, who has assisted me greatly over the past two years in understanding not only the safety and environmental imperative for the link but its absolute economic necessity in supporting our local agricultural industry.

I want to speak briefly about rail links in Lancashire. The north-south links have improved greatly in the more than 20 years that I have regularly been using the line between Euston and Preston. There is one service that takes only two hours, compared with three hours in the early 1990s. I politely suggest to the Minister that Preston is the natural next staging point for HS2. We would be happy to begin the works in the north, rather than the south.

The Library briefing tells me that by 2033 the journey time should be a mere 77 minutes using HS2, which will be another boost for investment. However, before that can happen, Preston station, which currently has only six platforms, will need considerable modernisation and expansion. I will be grateful if the Minister can expand on any plans to do such work. Although north-south connections are improving, the links between Lancashire towns and Manchester are still poor.

Chris Green (Bolton West) (Con): The electrification of the rail line between Manchester and Preston is very welcome, but does my hon. Friend share my concerns about the one-year delay? The line is very congested at the moment, so we need additional carriages and services on the track over the coming year until the electrification process is finished and the upgrades are completed.

Seema Kennedy: I thank my hon. Friend, who is from Bolton in the real Lancashire—the extended Lancashire area—for that intervention. Many of us have spent a bone-shaking hour travelling from Preston to Manchester. I understand that there were complications in the tunnelling works at Farnworth. The sooner the situation is improved, the better.

Such rail links result in more people taking to their cars. The A59 used to be the main road between Liverpool and York. It is my constituency's main artery. In days gone by, there were two branch lines—one from Preston to Southport, and the other from Preston to Ormskirk. The first line was sadly completely dismantled and built over, but the second is intact. I pay tribute to the Ormskirk, Preston and Southport Travellers' Association for helping me with my research.

At the moment, my constituents in Rufford and Croston who wish to carry on to Liverpool have to take a diesel train to Ormskirk and then get on an electric train to continue their journey because the line is broken. That train line also goes through the village of Midge Hall, whose station was closed in the 1960s. At Midge Hall, one witnesses a scene straight out of "Thomas the Tank Engine": the driver gets off the train and exchanges a token to drive down the rest of the line. Although it is picturesque, it is inefficient, prolongs the journey time and persuades more of my constituents into their cars. There are compelling reasons to reopen the Midge Hall station. It is estimated that if it were reopened, 80% of Leyland residents—Leyland is a town that will expand as a result of the city deal—would be within walking distance of a railway station.

Although I have concentrated my comments on schemes in my constituency, they are relevant to the surrounding areas and the whole of Lancashire. Connectivity is crucial to the idea of the northern powerhouse—the notion that northern towns and cities can conglomerate to compete with London. If that is missing in Lancashire, we will be left out of what I believe can be a great northern renaissance.

4.43 pm

John Pugh (Southport) (LD): I congratulate the hon. Member for South Ribble (Seema Kennedy) on securing this debate. I often travel through her constituency, paying particular attention to the speed cameras in Penwortham that regularly trap an awful lot of my constituents.

The hon. Lady and I represent the same corner of Lancs. I am tempted to call it a forgotten corner because its priorities are masked by the greater priorities of and the vocabulary surrounding the city regions—Manchester, Liverpool and so on, which are part of the northern powerhouse. Laudable though such a city-focused agenda is, it risks neglecting the periphery—the areas that are not plum centre in the city regions.

I question the use of the word "periphery" in referring to this area, particularly when it is applied to the hon. Lady's constituency and mine. A recent report pointed out that, although there are a number of thriving city regions in Lancashire—the triangle of Manchester, Liverpool and Preston—their connectivity has an important missing piece, which is a good direct rail link between Preston and Liverpool. Such a link would go through Southport, of course. It is a relatively small part of Lancashire, and its omission is to be regretted. That certainly was not the case before Beeching.

Why has that area been omitted? I have an explanation, which I hope the Minister will take in the spirit in which it is intended. There are several transport authorities in the area. Manchester has a very big, powerful one—the Transport for Greater Manchester Committee; Liverpool has the Merseytravel Committee; and then there is Lancashire, which is the problem. It is a two-tier system, and Lancashire is a very diffuse authority—it is broken and fragmented with many priorities lying elsewhere—so things get strangely omitted.

Take, for example, the Burscough curves, which I have spoken about in Westminster Hall previously. Outside the hon. Lady's constituency and mine, there are two stations in the thriving and expanding town of Burscough

[John Pugh]

that are literally half a mile apart. They could be joined together by a piece of track, and there is certainly the capacity to do that. That proposal, which is supported by the Ormkirk, Preston and Southport Travellers Association, the organisation that the hon. Lady said helped her prepare for the debate, would link Manchester with Wigan, Bolton and Preston, and connect the Merseyrail network to the wider rail network. It would be an easy, very quick win and could be funded from the tea money from Crossrail or another big project. If those stations were anywhere but that particular corner of the north west, it would have been done. Were they in London, it would have been done 50 or 60 years ago, but it has not happened. It is a project that could be completed for a very small sum of money. It is, incidentally, going to be looked into as a feasibility prospect by the new franchiser for the northern franchise, Arriva.

There has been a lot of rhetoric about connectivity in connection with the northern powerhouse, but my constituency is very unfortunate because it will lose a connection to Manchester airport and the south Manchester business district, where many of my constituents are employed; yet paradoxically we are in the city region. There is clear evidence that the city regions of Manchester and Liverpool will be worse connected. The bit that will be worst connected is the northernmost tip of the Merseyside city region. *[Interruption.]* The Minister is looking at his map carefully—it is Southport.

I have another example of how things can be overlooked. There was an electrification taskforce, which the Minister served very creditably and chaired. Using objective evidence, it came up with a number of proposals, and I was delighted to see that one of them was electrification of the Southport line. It is hard to fathom what will come out of that report. I am very unsure about what action will be taken on it.

Not a lot happens in that area, although there is a lot that could be done, which would benefit communities and be relatively low-cost, compared with some of the larger projects that seem to please the Government more. Part of the problem is that the boundaries of the various transport regions are not situated in a way that helps either the hon. Lady's constituency or mine. We are at the intersection of a number of different transport authority areas. Part of the problem is that, particularly in Lancashire, we are grappling with a two-tier system. The priorities identified by the districts are not necessarily priorities for the transport authorities.

There is a forgotten Lancashire. This area is forgotten in the vocabulary and rhetoric surrounding the city regions. I suspect that there are forgotten areas of many counties right across the country. I am grateful to the hon. Lady for giving me the opportunity to ensure that this forgotten area is forefront in the Minister's mind, if only for the fleeting 10 minutes that he takes to reply.

4.49 pm

Paul Maynard (Blackpool North and Cleveleys) (Con): It is a pleasure to serve under your chairmanship, Mr Pritchard.

I congratulate my hon. Friend the Member for South Ribble (Seema Kennedy) on securing the debate. I have never been known to miss an opportunity to talk about transport in Lancashire and, if she set us all the challenge of how often we can use the phrase "northern powerhouse" in the course of the hour, I will try to beat her.

In recent weeks, I have had multiple calls to visit the constabulary headquarters in Preston, because I am on the police parliamentary scheme, and I am delighted to hear that Penwortham will get a bypass, because I have become acquainted with the long traffic jam that snakes through it at peak hours. I would be even more delighted about the Ribble bridge, if that ever comes about, because it would speed my journey still more. However, I am conscious of wanting to avoid, even if only for the Minister's sake, my personal wish list for Blackpool—we have only 40 minutes until the end of the debate and that would not be long enough for me to go through every bus shelter, pothole and road improvement that can possibly be dreamed up.

The point I want to draw on was made by my hon. Friend and the hon. Member for Southport (John Pugh): Liverpool and Manchester are forging ahead, but I am not quite certain that Lancashire has yet seen the train arrive in the station, let alone boarded it or even known its destination. A fortnight ago, we received a glossy and colourful brochure from the county council. Such brochures always worry me, because the content rarely matches the presentation. It was the council's transport infrastructure plan and full of wonderful projects, all of which I am sure are good in and of themselves, but I still cannot get to the bottom of how in Lancashire transport projects are assessed against each other—and I have been an MP for six years.

I have scoured the documents for benefit-cost ratios and I have submitted freedom of information requests to the local enterprise partnership, to the county council and, frankly, to anyone who moves and breathes in Lancashire, trying to work out how they assess the worthiness of all those competing projects. In six years, answer I have none. The Department for Transport has developed many tools that allow projects to be appraised, but Lancashire does not seem to be able to get its act together.

I recognise that benefit-cost ratios are not the answer to everything. We cannot compare the BCR for High Speed 2 with that for a local road in my area, but we can compare apples with apples. In a county with so many different road schemes, for example, it strikes me that the tool deployed by the county council is to listen to who is shouting loudest, and then to ensure that everyone gets something, just so no MP shouts too loudly when they deign to come down to Westminster to brief us. That, to me, is not a transport strategy, but a back-covering strategy, which does nothing for systematic economic development.

I urge the Minister to use his response to explain, if possible, how he sees the systematic appraisal of schemes flowing from Transport for the North down to that local level. The first ever oral question I asked as a Member of Parliament was when we were going to get something such as Transport for the North, so the Minister deserves great credit for bringing that organisation to fruition. It will make a positive difference, but it needs to exert pressure on that median level in Lancashire, when the projects to run with are being selected—frankly, they cannot all get prizes, so not everyone will get what they want. It should not be about who shouts loudest.

John Pugh: I concur with the hon. Gentleman's views about Transport for the North, but is not the danger that the best prepared local authorities—by that I mean Manchester and Liverpool—knowing what they are going to do, will have disproportionate influence compared with other areas?

Paul Maynard: I thank the hon. Gentleman for that, because that is largely my point—Lancashire risks being left behind. Equally, the challenge of devolution is that the responsibility of local government in Lancashire is not to get left behind. It is hard for central Government to yank Lancashire into line; they need to enthuse and equip Lancashire, certainly, but the onus is on local government to ensure that it is playing its part.

I also want to touch briefly on another aspect of public transport infrastructure in Lancashire. The last time that I faced the Minister, it was on this point—I wanted to give him some good news for once, which is that thanks to his personal intervention, I suspect, Lancashire County Council performed a U-turn. My constituents who are residents of Cleveleys, who had lost their free access to the trams, have had it restored to them. Everyone in the Fylde is absolutely delighted. Now, of course, we have the bun fight about who claims the credit. I hope that the shadow Minister, the hon. Member for Cambridge (Daniel Zeichner), will forgive me if I make a slightly partisan point, which I do not normally like to do in Westminster Hall, because it is often better to be edified here. It amuses me, however, to see the Labour party seeking to claim credit for the U-turn on a decision that it originally implemented.

Labour does not want to say that the price of the U-turn appears to have been a decimation of local bus services. My constituents might have had their NoWcard restored for use on the trams, but they do not have many buses left to get on. That is a real concern in Lancashire and, frankly, I am disappointed that more Members are not present to shout about it—not least because the county council itself does not seem to have a clue what is happening.

Every month, we get a helpful email with a little leaflet attached as a PDF document, announcing this month's bus changes. It was a fascinating read this month, because it was saying, "We don't really know what's going on." I read it and I had no idea what was going on; they have no idea what is going on. I have involved the county council's chief executive. She has forwarded my email on somewhere deep into the bureaucracy of the county council and denies all knowledge of it—no one in Lancashire seems to have a clue about what is going on, least of all the date on which the precious NoWcard will be released to all my constituents. I urge the Minister to try and persuade Lancashire to ensure that we, the representatives of the people of Lancashire, understand exactly what buses will run on 1 April, because at the moment no one has a clue.

Finally, I re-emphasise that we could all come here with long lists of desirable transport projects. I am grateful that the A585 will be improved at some future date—I hope that 2019 will be the start date—and for some of the other investments, not least the electrification of the main line into Blackpool. I could spend a whole separate debate discussing rail services from Blackpool, but I will spare hon. Members. However, I also urge that when we are comparing apples with apples, the new, devolved transport authorities need to ensure that they present further information to allow us to compare the relative benefits of different projects, all of which are highly appealing, but need to be judged against each other, like for like. That would aid the decision-making process and might also help to clarify what exactly Lancashire thinks its economic strategy might be in the future.

4.57 pm

Daniel Zeichner (Cambridge) (Lab): It is a pleasure to serve under your chairmanship, Mr Pritchard.

I congratulate the hon. Member for South Ribble (Seema Kennedy). She made a series of detailed points well, and I am sure that the Minister was listening closely. The hon. Lady also referred to city deals and, as a Member with a city deal in my part of the world, I cannot help but reflect that they are sometimes similar to the candyfloss that I used to buy on Blackpool seafront when I was at the Labour party conference—they look magnificent and sound wonderful, but a bit further down the line they can seem a touch insubstantial. That is a word of caution.

Seema Kennedy: I thank the hon. Gentleman for attending, because shadow Ministers do not always have to come to 60-minute debates. I appreciate that. As I said in my speech, however, in the first three years of the Lancashire city deal, substantial infrastructure projects have already taken place and are making a real on-the-ground difference to road times. So our city deal is going very well.

Mark Pritchard (in the Chair): I do not like to correct the hon. Lady, because she is rarely wrong, but shadow Ministers do have to attend 60-minute debates; they do not have to attend 30-minute debates. I just to ensure that we get that on the record. They may attend whatever debate they wish.

Daniel Zeichner: Thank you, Mr Pritchard. I am here very happily.

I have also listened closely to the other contributions to the debate, and I have consulted colleagues who know a little more about Lancashire than I do—I come from the east of England. I have heard worries from colleagues about cuts to bus services, as we have heard this afternoon, and about old recycled trains trundling along through east Lancashire. I must say that I have also heard talk of Chorley being given insufficient mention in transport plans, but my source will have to remain anonymous.

In January this year, the Lancashire enterprise partnership argued that connectivity, in Lancashire as elsewhere, is fundamental to maximising our growth potential. Sadly, however, Lancashire's average economic performance is more than 20% below the national average, in terms of gross value added per resident. Clearly, in order to unlock and harness the economic power of Lancashire, we need far greater and more efficient delivery of promised projects to improve transport connectivity in the region than we have had so far—delivery, not just announcements.

The Secretary of State for Transport told us last week:

"I do not think I need to encourage the Chancellor on infrastructure spending. I have been incredibly successful in securing funding for infrastructure from the Chancellor, who certainly gets the importance

[Daniel Zeichner]

of infrastructure investment, not least in the north. Indeed, it is his policy to pursue the northern powerhouse and to take forward transport for the north. That will have a transformative effect on transport between our northern cities and is something other parts of the country are looking to follow."—[*Official Report*, 10 March 2016; Vol. 607, c. 424.]

The rhetoric is good, but the record is not so good. Despite the claims, the Government have a poor record on transport infrastructure. In 2010, they cut a huge £4 billion from the strategic road network, which created major uncertainty and saw existing schemes scrapped and delayed. Road maintenance budgets have fallen in real terms and we discovered recently that the much vaunted permanent pothole fund is yet to fill a pothole. We have bus passes preserved, but in too many cases there are no buses on which to use them, and manifesto promises to electrify key rail lines have been broken. Those are hardly the actions of a Government that certainly gets the importance of infrastructure investment.

Indeed, Britain is lagging behind other countries when it comes to delivering major projects. Embarrassingly, we are now 28th in the World Economic Forum rankings for infrastructure quality. We should be trailblazing for transport infrastructure, not trailing behind. The Government's sluggish delivery of infrastructure projects in Lancashire aptly illustrates that failure.

In December 2014, nine new schemes to improve major roads in the north-west were announced, worth around £800 million. However, just one of those schemes has an updated cost estimate and that cost is careering out of control. Latest estimates on the Highways England website suggest that the M6 junction 19 improvements will cost between £192 million and £274 million, but in the "Road investment strategy: investment plan", they were estimated to cost between just £25 million and £50 million. That single scheme is now projected to cost ten times as much as initially predicted.

What of the other eight schemes? When my hon. Friend the Member for Birmingham, Northfield (Richard Burden) asked a question last week requesting the latest cost estimates for schemes announced in 2014, the question—as so often—was ducked. Will the Minister give us an update on the delivery and projected cost of those schemes now? We worry that those announcements were little more than part of a pre-election stunt. Also, the numbers keep changing. A £15.2 billion road investment strategy was announced in December 2014, yet in the Office of Road and Rail's first "Highways England Monitor", a different figure of £11 billion emerged. We suggest that the Government have been announcing those road plans since July 2013 and we need some action to accompany the announcements.

Transport Focus has identified that, in the north-west, car and van drivers' top priorities for major road improvements are improved quality of road surfaces, safer design and upkeep of roads and better management of roadworks. While in both 2013 and 2015 the Government committed £6 billion

"to resurface 80% of the SRN and keep our network in top condition",

it was reported last month that Highways England will not meet that target. Will the Minister now tell us where the billions have vanished and which projects have had to be scrapped?

On rail, too, Lancashire and the north-west is being let down. Labour supports the extension of high-speed rail services. The Secretary of State for Transport has said of HS2:

"When we start the service from Birmingham, it will be possible to link with conventional rail routes, rather as high-speed trains currently run from St Pancras to Ashford and then beyond. I hope that the northern parts of the United Kingdom will be served by HS2 straightaway."—[*Official Report*, 28 January 2016; Vol. 605, c. 394.]

Indeed, Lancashire local enterprise partnership is planning to modernise Preston station as part of its HS2 growth strategy in order to accommodate HS2 trains and to reduce journey times between Preston and London from the current 128 minutes to 77 minutes by 2033 after phase 2 of HS2 is complete, but, unfortunately, we are still waiting for Ministers to confirm the route and the station locations for HS2 north of Birmingham. We were told that the route for phase 2 of HS2 would be confirmed by the end of 2014, but the target has now been deferred for at least another two years. That lack of certainty is damaging for residents, damaging for potential investment and damaging for the Government's credibility when they profess their commitment to HS2 in the north.

We are full of questions today and we have some more. How can Lancashire and other areas in the north-west plan to benefit from HS2 when its route and station locations have not yet been confirmed? Why has that confirmation been kicked into the long grass and why are the Government letting down the north by dragging their heels?

John Pugh: Does the hon. Gentleman accept that for many people who live in Lancashire—I know he does not, so he cannot be expected to know this—HS2 is a distant dream? The improvements they would most like are some easing in getting by train from, say, Preston to Liverpool, or anywhere in east Lancashire from the coast.

Daniel Zeichner: While I recognise that it may seem like a distant dream, as far as we are concerned it is certainly an improvement on the current situation and that is why we will continue to support it.

The Government also paused the trans-Pennine electrification last year; pausing seems to be a characteristic of this Government when what we actually need is fast-forward. Furthermore, after recommencing in September, completion of the whole Manchester to Leeds and York corridor was pushed back from 2019 to 2022. Transport infrastructure improvements in the north, including in Lancashire and the wider north-west, have too often been characterised by dithering and delay. There is still no official estimate of the cost of the trans-Pennine electrification outside of the initial funding commitment of £300 million and the £92 million that has been spent so far on contracts.

In addition to delays in infrastructural improvement, Lancashire has also suffered severe cuts to its funding from central Government. Lancashire County Council has had to reduce funding of bus services from £7 million to £2 million to make £85 million in budget savings next year. The hon. Member for Blackpool North and Cleveleys (Paul Maynard) has already referred to bus issues, but I have said it before and I will say it again: the Government

are devolving cuts, not power. They are putting local authorities in impossible positions and keeping their own hands clean.

Paul Maynard: As the shadow Front-Bench spokesman, might the hon. Gentleman be able to help me by encouraging his colleagues in Lancashire to explain to us what the £400 million in reserves at county hall are being kept back for? When it will rain to such an extent that we will need the rainy day fund? That is our key question to the Labour party.

Daniel Zeichner: Ah, reserves—they are always quoted on all sides as the answer to every question. Of course it is for every authority to decide responsibly how to use its resources appropriately, and I do not think that Government Members can really deny that there has been a squeeze on resources.

Lancashire County Council has said that in the next five years it will need to make savings of £262 million on top of those agreed in previous budgets. It describes that as

"an unprecedented financial challenge due to continued cuts in Government funding, rising costs and increasing demand for key services."

It states that by April 2018 it will not have sufficient financial resources to meet its statutory obligations even if it does not deliver any of the non-statutory services.

In the comprehensive spending review, the Government announced a reduction of 24% in central Government funding for local government over the spending review period. The Local Government Association tells us:

"Even if councils stopped filling in potholes, maintaining parks, closed all children's centres, libraries, museums, leisure centres and turned off every street light, they will not have saved enough money to plug the financial black hole they face by 2020."

In conclusion, those cuts alongside the uncosted deferment of major transport infrastructure projects is preventing Lancashire—and other areas—from reaching its full potential. Lancashire is rightly ambitious to unlock the potential for economic growth, but that will happen only when the Government move from their current practice of recycling announcements and actually start to deliver.

5.7 pm

The Parliamentary Under-Secretary of State for Transport (Andrew Jones): It is a pleasure to serve under your chairmanship, Mr Pritchard. May I start by congratulating my hon. Friend the Member for South Ribble (Seema Kennedy) on securing the debate? I will be replying as one of those rascally white rose-types just from the east, but we will move on from that.

I am sure everyone is aware that last week we saw the publication of "The Northern Transport Strategy: Spring 2016 Report". The importance of the transport infrastructure of the north is therefore right at the front of our minds. We have been working closely with our partners at Transport for the North, and that is our first annual update of the northern transport strategy, which was originally set out a year ago.

The report outlines the significant progress that the Government and our partners have made in laying the foundation for transformative transport projects right across the north of England. It sets out the next steps for projects, which include major improvements to the north's road networks, better connecting the northern regions by rail and enhancing the passenger experience of travelling across the north using smart and integrated ticketing technologies. This is therefore a proper milestone in the Government's plans as we build for Britain's future, making the biggest investment in transport infrastructure in generations, starting with that £13 billion committed for transport infrastructure in the north over this Parliament and then looking into the future with the work that Transport for the North is undertaking. All of that investment will help to create a northern powerhouse, which is, as my hon. Friend the Member for South Ribble explained, critical for rebalancing our country's economy. It will enable the north to pool its strengths and become greater than the sum of its parts. We are working closely with Transport for the North to deliver improvements in the short term and are making progress on longer-term projects, all of which benefit the north as a whole.

There have been a number of questions from Members in the course of this debate. I am now surrounded by papers with the detailed answers. I will get to all of them, but I will first outline some of our thinking and the progress we have made. Following the extension of Transport for the North to include all the areas in the north, Lancashire has become an integral part of TfN and its importance to the northern powerhouse is fully recognised. The northern powerhouse without Lancashire is unimaginable.

Lancashire has a £25 billion economy—one of the largest in the north of England. It has more than 40,000 businesses employing more than 670,000 people. Its key strengths of advanced manufacturing, aerospace and automotive are well known, but it also has a strong tradition in energy, higher education, professional and business services and logistics. Lancashire also has Britain's most famous and largest seaside resort, which my hon. Friend the Member for Blackpool North and Cleveleys (Paul Maynard) frequently mentions, although he did not do so today. Lancashire's four enterprise zones are also at the forefront of propelling Lancashire's future growth as part of the northern powerhouse.

We cannot create the northern powerhouse unless we have good transport and connectivity at its heart; those are key to Lancashire's future growth. The M6 and west coast main line are vital north-south arteries. The M65 and M55 support key growth corridors both east and west, and the proximity of the great northern conurbations of Leeds, Manchester and Liverpool to much of Lancashire's population mean that improved connectivity can further strengthen Lancashire's growth. We have recognised the importance of Lancashire's transport infrastructure and are investing in it on a scale not seen in that part of the world for some time.

On the strategic road network, we have delivered a number of key improvements, such as unblocking pinch points at junction 32 of the M6 and junction 1 of the M55, at the A585 at Windy Harbour and at junction 5 of the M65. Our road investment strategy includes a commitment to significant further investment on the A585 to improve connectivity to Fleetwood and the Hillhouse enterprise zone and to the construction of what is sometimes called the "missing" junction 2 on the M55 linking to the Preston western distributor

[Andrew Jones]

road, which we are funding through the Preston city deal and the Lancashire growth deal. The route strategy process, which will inform RIS2—our second road investment strategy—will commence in the near future, enabling Highways England to work with local partners to determine future investment priorities for the strategic road network in Lancashire.

Many colleagues have mentioned rail, and it is therefore appropriate to highlight how we are significantly improving rail in Lancashire through investment. As of last year, electric services are operating between Preston and Liverpool, and we are currently upgrading the line between Preston and Manchester to deliver faster, more frequent and less crowded journeys for passengers by December 2017. We are building the foundations for better journeys across the north.

The Farnworth tunnel, which was mentioned earlier, is a significant project. Network Rail has enlarged the railway tunnel in order to accommodate the new wires that will soon be installed for electrification of the line. The tunnel boring machine used by Network Rail was made in Oldham and is larger than the machines used to build Crossrail. Around 120 people worked on the project 24/7, moving 30,000 tonnes of material from a 270-metre long tunnel. I wanted to go and see it, but I am afraid to say that the Secretary of State, who has an interest in tunnelling, decided that that would be his particular priority. That progress is a sign of our commitment to the people of the north. We are already well under way with works on the line from Manchester to Blackpool via Chorley, due to be completed to Preston in December 2017 and to Blackpool by spring 2018.

If I may, I will take a moment to update Members on an issue that is very important to me in transport: accessibility. At Leyland station, which my hon. Friend the Member for South Ribble mentioned, we have spent £4.5 million—including more than £200,000 of third-party funding—to provide an accessible route into the station and to each platform with a new footbridge and three lifts. Network Rail started on site last summer and the work will complete in July. The footbridge is already in public use, while work continues to complete the new lifts. That will be a significant change for the people using the station. I have looked at pictures of the work in progress, and it looks fantastic.

At a local level, we have provided funding via the regional growth fund for Lancashire to reopen the Todmorden curve. The reinstatement of that 500-metre curve through local funding and the regional growth fund has enabled the reintroduction of direct rail services between Burnley and Manchester city centre for the first time in 40 years, significantly reducing journey times. I have checked the passenger usage, and we have already seen passenger numbers grow significantly as a result of that new service. We have also supported upgrades between Blackburn and Bolton, which will support more regular services to Greater Manchester.

John Pugh: I am interested in what the Minister says about the Todmorden curve, because it shows that small-scale curve reinstallation—as I outlined in the case of Burscough—can pay dividends. He mentioned his commitment to connectivity, which I think we all share. As part of that commitment, will he look into the mooted change to the Southport to Manchester line? Under those new arrangements, my residents will lose any chance of getting to south Manchester and the airport; we are actually losing connectivity, rather than gaining it. That has not been finally decided, but will he look into what is happening?

Andrew Jones: I will indeed look into the matter that the hon. Gentleman raises, as well as all other matters that colleagues have raised. I am aware of the issue of the Burscough curves because he has explained them to me on previous occasions. As a comparison, we used the local growth fund to reinstate the Halton curve elsewhere in the Liverpool city region, as he knows. That key project shows that where local areas prioritise, we are able to provide support. I simply urge the hon. Gentleman to ensure that his LEP continues to prioritise rail investment, including that particular project.

Lancashire will benefit significantly from our plans for HS2. Phase 2a to Crewe, which will bring the project forward by six years, will result in the benefits from classic compatible services arriving in Lancashire by 2027. The completion of phase 2 will bring journey times between London and Preston down from the current 128 minutes to 77 minutes by 2033. HS2 is not being delayed, as the shadow Minister said. We are doing all we can to accelerate HS2, and later this year we will announce the potential routes from Birmingham up into Manchester and Leeds. HS2 is a critical part of rebalancing our economy.

We are supporting a significant investment programme in Lancashire's local transport infrastructure through the city deal process, which vitally puts Lancashire partners at the forefront of determining the transport investment that they need to grow and support the Lancashire economy. The Preston, South Ribble and Lancashire city deal, which is key to the constituency of my hon. Friend the Member for South Ribble, was signed in 2013 and is worth more than £430 million to the local economy. The road infrastructure that the deal will deliver, including the Preston western distributor and the Broughton bypass, will support significant housing growth and the advanced manufacturing enterprise zone and will make Preston one of the most commercially dynamic locations in the UK.

The Lancashire growth deal, signed in 2014, is supporting a truly significant investment programme, with a local growth fund of more than £250 million allocated to the LEP to deliver its programme. That programme includes 14 local transport schemes that will see new roads in and around Preston and to St Anne's; key maintenance projects in Burnley and Blackpool; rail improvements in Blackburn; a new tramway in Blackpool; cycling networks in east Lancashire; and improvements to the M65 growth corridor.

We are funding schemes that have been on the waiting list for years. For example, work started in January on a bypass for Broughton after years of plans that had all come to nothing. Perhaps the best example is the Heysham link road, linking the port of Heysham to junction 34 of the M6 and providing congestion relief to the centre of Lancashire. After 60 years of waiting, it should open later this year, following £111 million of support from the Government towards the total £123 million cost. I hope that time allows me to mention the near £32 million

that we have invested in the Pennine Reach bus scheme for east Lancashire, significantly improving east-west bus linkages in the area.

Looking ahead, Transport for Lancashire, on behalf of the LEP, has produced its strategic transport prospectus setting out the transport infrastructure that it believes is needed to deliver Lancashire's potential. My hon. Friend the Member for Blackpool North and Cleveleys had some reservations about the nature of that document, and particularly its print type—it is a very glossy document—but I think we should welcome the idea that local areas are taking responsibility, showing aspiration for those areas and determining what they need. That is at the heart of what Transport for the North is all about.

The document helpfully sets out interventions that have a potentially pan-northern impact and are therefore of particular interest to Transport for the North, as well as key local schemes, such as the South Ribble crossing, which are vital to local growth. I urge Lancashire partners to take full advantage of the opportunities provided by Transport for the North, devolution and growth deals to move their proposals forward.

We are seeing a significant change in the way that we handle transport. My hon. Friend mentioned that he had called for Transport for the North a long time before it was actually created. We are seeing a partnership that has brought together 29 partners locally to determine what they think is required. Transport for the North will be running the franchises on our rail network in the north, in partnership with the Department for Transport. It is from the north, for the north. We will have better decisions when they are taken as near as possible to where a service is delivered. This is a significant development in transport. The Bill to put it on a statutory basis received Royal Assent at the end of January, and we are working towards Transport for the North being set up on a statutory basis within a year.

I have been asked many questions, which I shall try to answer as quickly as I can. Let me start with those asked my hon. Friend. How are schemes appraised? All schemes appraised and promoted by the LEP should be assessed in accordance with its assurance framework. That has to be WebTAG compliant and all results should be published—he is looking sceptical. If he would like any kind of technical briefing on the WebTAG process, I am happy for that to be arranged for him—he should just let me know afterwards.

My hon. Friend highlighted the importance of bus services, and I agree; bus services are critical for local areas. However, we have managed to retain the BSOG—the bus service operators grant—in the spending review programme, in recognition of the importance that we place on protecting buses. They are absolutely vital to our network.

I turn to the points raised the hon. Member for Southport (John Pugh). I am aware that areas away from our core cities feel that they may get a slighter deal from Transport for the North and devolution. People in other parts of the north have raised that issue. I simply say that it has appointed an independent chair—independent from the local authorities—ex-CBI president, John Cridland. We have discussed this issue, and Transport for the North is acutely aware of it and is determined that it should not happen or even be seen to happen. The Government are giving it £50 million over the course of this Parliament so that it can do its job and work with all its partners, including Lancashire, to ensure that all projects are developed in an integrated manner.

Let me address some of the concerns raised by my hon. Friend the Member for South Ribble. The development of the new South Ribble crossing project is certainly an issue for Lancashire County Council. It is a local scheme. The LEP's strategic transport prospectus identifies it as a key project. The county council says that it is examining how it could be accelerated and funded. A £12 billion local growth fund was announced in the spending review, including £475 million for large local majors, and this is the sort of scheme that could be considered a large local major. I suggest that she picks that matter up on a local basis.

We recognise the importance of HS2. It is worth continuing to highlight how much people in the north, in my estimate—not everybody, but certainly the overwhelming majority—welcome the arrival of HS2 and are impatient for it to happen. I am sure that they are pleased that we will be able to take HS2 up to Crewe six years earlier than planned. That will speed up services to Lancashire sooner. The greater connectivity that it will provide, and the greater capacity that it will inject into our network will be a great help in allowing more services, and therefore, more benefits to flow from it.

My hon. Friend the Member for Bolton West (Chris Green) mentioned additional carriages at Bolton. As I am sure he is aware, the rail franchises included significant upgrades to the rolling stock—both the TransPennine and Northern franchises—and our new franchises start only on the first of next month, so passengers will start to see the benefits flow through in the not-too-distant future.

I cannot ignore some of the questions from the shadow Minister. The new franchises that I just mentioned will deliver new-build trains—more than 500 carriages, in fact, across the north, and that will create room for 40,000 more passengers across the region as a whole.

Potholes were also mentioned, and I should highlight that we have announced a £6 billion fund for local road maintenance up to 2021. Allocations have been given to local councils. I have the information if colleagues wish to know the allocation for their particular area. The point is that we have been able to provide some clarity for the years ahead, so that local councils can plan appropriately.

If the shadow Minister does not mind me saying so, there was a slightly churlish element to his comments. The impatience for transport delivery is obviously fair—we are all impatient. I could perhaps highlight that, after 10 miles of electrification were delivered in 13 years of Labour government, all the good schemes that we have referred to have been welcomed in the north. We need to remember that many of the councils in the north are run by the Labour party, and what we hear locally from Labour and what we hear nationally from Labour are utterly disconnected.

The idea that the transport inheritance that this Government took on from the Labour party is strong is, I am afraid, not borne out by facts. The shadow Minister mentioned the World Economic Forum's infrastructure league table. During the Labour years, our performance fell from seventh to 33rd in that league table. It was a

[Andrew Jones]

shocking record, and we are now recovering that position. The Labour party has a poor record and it should start to get behind the programme, as some of its local members have.

I hope that I have managed to convince Members that this is not a forgotten corner of the north—very far from it. It clearly has strong and powerful advocates who have developed a good reputation for championing it already. It is not a forgotten corner; it is a key part of our northern powerhouse. We cannot deliver a strong northern powerhouse without a strong Lancashire—and I say that as a proud Yorkshireman.

Transport is at the heart of what we are delivering. That is clear across all the modes of transport that we have been talking about today—bus, road and rail. We have not talked about aviation connections, but many residents of Lancashire will be using the growth that we are seeing and the improved access into Manchester airport. We have a strong record, as we work with partners to transform transport in the north of England.

5.28 pm

Seema Kennedy: I thank the Minister, the shadow Minister and hon. Members on both sides of the House for their excellent contributions today, particularly those from the wider real Lancashire area. We in the red rose county are proud of our industrial heritage. However, we do not want to stay in the past; we want to forge ahead and be part of a strong northern renaissance. Good transport infrastructure is key to that, and I am grateful that we have had an opportunity to debate road, rail, potholes and buses so fully—*[Interruption.]* And trams, of course—I had forgotten about trams. I did not touch on aviation but, for most of our residents, it is their daily commute that will be key to their success in the future.

Question put and agreed to.

Resolved,

That this House has considered transport infrastructure in Lancashire.

5.29 pm

Sitting adjourned.

Written Statements

Tuesday 15 March 2016

ENERGY AND CLIMATE CHANGE

Ministerial Correction

The Minister of State, Department of Energy and Climate Change (Andrea Leadsom): An error has been identified in the statement I made as part of the Westminster Hall Debate on Swansea Tidal Lagoon on Tuesday 8 March 2016.

The statement was:

> "As I say, the make-up of the committee is being discussed right now, and I will certainly take that point away. I am quite sure that there will be someone from Wales on it, but I cannot say for certain because we have not got the names of individual members yet. I am grateful to the hon. Lady for making that point."

It should have been:

> "As I say, we are discussing right now the details of the review. We intend that the review will be led by an independent reviewer, supported by a Secretariat of civil servants seconded into the review. We will ensure that Welsh interests are represented within the review."

[HCWS620]

WALES

Localism

The Secretary of State for Wales (Stephen Crabb): I am pleased to inform the House that the Government have agreed a city deal with local authorities in the Cardiff capital region and the Welsh Government. This agreement is another significant step in the Government's ambition to rebalance the economy and empower our cities as engines of economic and civic renewal.

The Chancellor opened negotiations with Cardiff a year ago, at the March Budget in 2015. The Cardiff capital region city deal is a transformational opportunity and something that both the UK and Welsh Governments and local authorities alike have worked together to deliver.

The city deal includes:

> £1.2 billion investment in the Cardiff capital region's infrastructure through a 20-year investment fund. A key priority for investment will be the delivery of the south-east Wales metro, including the valley lines electrification programme.
>
> The creation of a non-statutory regional transport authority to co-ordinate transport planning and investment, in partnership with the Welsh Government.
>
> The development of capabilities in compound semiconductor applications. The UK Government will invest £50 million to establish a new catapult centre in Wales. The CCR will also prioritise investment in research and development, and provide support for high-value, innovative businesses.
>
> The Cardiff capital region skills and employment board will be created—building on existing arrangements—to ensure skills and employment provision is responsive to the needs of local businesses and communities. The CCR and the Welsh Government will work with Department of Work and Pensions to co-design the future employment support from 2017 for people with a health condition or disability and/or long-term unemployed.
>
> The Welsh Government and the Cardiff capital region commit to a new partnership approach to housing development and regeneration. This will ensure the delivery of sustainable communities, through the use and reuse of property and sites.

Both the UK and Welsh Government are contributing £500 million to the CCR investment fund respectively. The 10 local authorities in the Cardiff capital region will contribute a minimum of £120 million over the 20-year period of the fund. In addition, over £100 million from the European regional development fund has been committed to delivering the city deal.

Over its lifetime, local partners expect the city deal to deliver up to 25,000 new jobs and leverage an additional £4 billion of private sector investment.

The city deal will develop stronger and more effective leadership and governance across the region through a Cardiff capital region cabinet, enabling the 10 local authority leaders to join up decision-making, pool resources, and work closely with business.

The Government welcome and support co-operation between businesses and local government. As part of the city deal, a Cardiff capital region business organisation will be established to ensure that there is a single voice for business to work with local authority leaders.

This agreement marks the next step in an ongoing process to devolve funding, responsibilities and powers from central and devolved Governments to the Cardiff capital region. I look forward to continuing to hold discussions with the capital region and the Welsh Government in the future, to build upon today's agreements.

Copies of the agreement will be placed in the Libraries of both Houses.

[HCWS621]

Petition

Tuesday 15 March 2016

PRESENTED PETITION

Petition presented to the House but not read on the Floor

Homelessness in Corby

The petition of residents of the UK,

Declares that there were 35 homeless men and women living on the streets of Corby during the winter of 2014-2015; further that they are without a home through no fault of their own; further that the work of local charities, churches and other organisations does not suffice to ease their situation; and further that an online petition on this matter was signed by 677 individuals.

The petitioners therefore request that the House of Commons urges the Government to put pressure on Corby Borough Council to provide adequate housing for Corby's homeless people.

And the petitioners remain, etc.

[P001681]

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