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HOUSE OF COMMONS
OFFICIAL REPORT

PARLIAMENTARY
DEBATES
(HANSARD)

Monday 23 May 2022

HER MAJESTY'S GOVERNMENT

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OFFICIAL REPORT

IN THE THIRD SESSION OF THE FIFTY-EIGHTH PARLIAMENT OF THE
UNITED KINGDOM OF GREAT BRITAIN AND NORTHERN IRELAND
[WHICH OPENED 17 DECEMBER 2019]

SEVENTY-FIRST YEAR OF THE REIGN OF HER MAJESTY QUEEN ELIZABETH II

SIXTH SERIES

VOLUME 715

SECOND VOLUME OF SESSION 2022-2023

House of Commons

Monday 23 May 2022

The House met at half-past Two o'clock

PRAYERS

[MR SPEAKER *in the Chair*]

Speaker's Statement

2.33 pm

Mr Speaker: Before we start today's proceedings, I have a short statement to make. Members will recall that, in response to the House's order for production of documents relating to the appointment of Lord Lebedev to the House of Lords, the Government made a ministerial statement and published an accompanying document. That statement made certain assertions about the House's powers to call for papers which were not correct. In order to ensure that there is a clear and shared understanding of those powers, I have today written to the Paymaster General to explain the position. That letter has been placed in the Library and copies are available in the Vote Office. I now consider that matter closed.

Oral Answers to Questions

EDUCATION

The Secretary of State was asked—

Low-Performing Areas: Education Funding

1. **Scott Benton** (Blackpool South) (Con): What steps his Department is taking to increase funding for education in low-performing areas. [900160]

9. **Julie Marson** (Hertford and Stortford) (Con): What steps his Department is taking to invest in education in low-performing areas [900168]

13. **Paul Holmes** (Eastleigh) (Con): What steps his Department is taking to invest in education in low-performing areas. [900172]

23. **Nick Fletcher** (Don Valley) (Con): What steps his Department is taking to invest in education in low-performing areas. [900182]

The Secretary of State for Education (Nadhim Zahawi): I am sure that the whole House will join me in sending our well wishes to the Minister for Higher and Further Education, my right hon. Friend the Member for Chippenham (Michelle Donelan), as she is fighting covid and, I am sure, will defeat it.

To help all pupils to achieve their potential, I have increased core schools funding by £4 billion, which is a 7% increase in cash terms per pupil this year, in 2022-23; and I have directed—flexed—£2.6 billion of that funding towards low prior attainment children through the national funding formula.

Scott Benton: The additional funding that schools in Blackpool receive through our status as an opportunity area and an education investment area will make a real difference on the ground. However, headteachers often raise with me the problem of digital exclusion when pupils are at home due to a lack of IT equipment, which obviously puts pupils from lower-income families at a comparative disadvantage. What steps is my right hon. Friend taking to ensure that pupils from low-income backgrounds do not lose out due to digital exclusion?

Nadhim Zahawi: I am grateful to my hon. Friend for his excellent question. I am working to ensure that every school has access to high-speed broadband connectivity by 2025. Priority schools in education improvement areas will be able to access our £150 million programme to upgrade their internal network infrastructure. During the pandemic, as my hon. Friend highlighted from his

teachers' point of view, many children did not have access to technology for learning at home, so we provided devices, wi-fi and data to disadvantaged students to support digital inclusion at home.

Julie Marson: I am supporting my Bishop's Stortford constituents' "Turn on the Subtitles" campaign to improve children's literacy across the board, but particularly in low-performing areas. Raj Chande, the director of Nesta's "A Fairer Start" mission, said that the campaign's evidence is compelling, and it has Nesta's seal of approval—an important endorsement. Therefore, what plans does my right hon. Friend have to invest in the campaign by reviewing its mass of evidence, and will he encourage parents and children to turn on the subtitles?

Nadhim Zahawi: I have set out in the White Paper that we share the commitment to raising literacy standards, as I am sure the whole House does, and we want to ensure that all children can read fluently and with that understanding. I thank Henry Warren and Oli Barrett MBE for their commitment to improving literacy levels, and they have championed that campaign. It is a choice for parents and guardians whether their child watches television and whether they do so with the subtitles on, but it certainly makes a difference in the Zahawi household.

Paul Holmes: Does the Secretary of State agree that as well as funding, data and transparency matter so that we can monitor things, act quickly and see that the plans that we have announced are working to improve schools right across Eastleigh?

Nadhim Zahawi: I never tire of saying that data and transparency are our greatest allies in improving educational outcomes. We are absolutely focused on delivering against the ambitious targets that we have set for skills, schools and families, and on holding ourselves in the Department against them. Sharing our plans and performance data is a key lever to drive rapid improvement through the complex system that we oversee in education. I have committed to publishing a delivery plan setting out what we will achieve and a performance dashboard showing progress, and I want teachers and school leaders to do the same on behaviour, absenteeism and, of course, standards.

Nick Fletcher: Does the Minister agree that the future of children's education in the now city of Doncaster has never been brighter due to the excellent steps taken by this Government, the fantastic schools in Don Valley and the roll-out of my role models project on the ground, which shows young people all the career opportunities? With that in mind, will the Minister agree to come to Don Valley and see for himself the good work that is being done?

Nadhim Zahawi: My hon. Friend is certainly a role model in how he has celebrated Doncaster becoming a city. I am delighted that the role models project is connecting schools in Don Valley to local professionals; it is inspiring and informative for young people to hear about the career journeys of role models and to learn about all the excellent career opportunities available to them in Doncaster. I look forward to joining my hon. Friend and seeing the project for myself.

Catherine West (Hornsey and Wood Green) (Lab): Does the Secretary of State agree that any increases in funding for schools should be spent on teaching and learning, not on propping up failing energy companies? In an average primary school, £30,000 more—the cost of a teacher—is being spent on energy. What is the Secretary of State going to do about it? Will he include nurseries and early years settings in his assessment?

Nadhim Zahawi: The 7% increase on last year, in cash terms, that we secured at the spending review for this year includes significant additional funding that allows us headroom, but the hon. Lady is right to highlight the point. Energy represents about 1.4% to 1.5% of schools' budgets, but because of the energy spike, schools that are out of contract have seen that proportion increase to 7%, 8% or 9%. We are keeping a close eye on the matter. The one message that I would like the hon. Lady and every other hon. Member to take away to their schools is to get in touch with us if they are close to coming out of contract, because we can really help.

Andrew Gwynne (Denton and Reddish) (Lab): May I take the chance to congratulate Stockport children's services on their "good" Ofsted rating?

I am really concerned at the lack of progress in educational attainment, particularly at secondary level, in schools in parts of my constituency across Stockport and Tameside. What action is the Secretary of State taking to ensure that all parents have the choice of schools with good performance and that children have the opportunities that a good education can bring?

Nadhim Zahawi: I know that the hon. Gentleman and I share the same passion in what we want for every child. I do not believe that children in Stockport are less talented than children in South Kensington; they have just not had the same opportunity of a great teacher in every classroom in every school. I am determined to deliver that through the White Paper.

I join the hon. Gentleman in celebrating the inspection result for Stockport children's services; they have done a phenomenal job. I hope that he will be in the Chamber for the statement by the Children and Families Minister—the Under-Secretary of State, my hon. Friend the Member for Colchester (Will Quince)—about Josh MacAlister's very important review, which has been published today.

Jamie Stone (Caithness, Sutherland and Easter Ross) (LD): You will understand, Mr Speaker, how disturbed I was to learn that Highland Council schools have been ranked as the worst in the whole of Scotland for numeracy and literacy among P1, P4 and P7 pupils. These children are our future. We used to be proud of Scottish education. Will the Government share their best practice with the Scottish Government so that this scandal is sorted out?

Nadhim Zahawi: That is concerning, I have to say, because although education is devolved, we care about the whole United Kingdom. I am very happy to share our work through the education White Paper and the education Bill, and what we are doing on skills, with T-levels and the lifelong learning entitlement. I worry that Scottish children are being let down. It feels as if Scotland is in freefall down the league tables of the programme for international student assessment.

Mr Speaker: We now come to the shadow Minister.

Mr Toby Perkins (Chesterfield) (Lab): I am more interested in the Government's record on academic inequality than in their rhetoric. The annual review of education by the Institute for Fiscal Studies reveals that since 2010, the most deprived secondary schools have suffered a 14% cut in spending, while for the most affluent schools the figure is just 9%. The new national funding formula makes the disparity worse. The Government's 10 years of further education cuts also fell harder on poorer students. We all know that the Government stand against aspiration for deprived children and are increasing inequality, as those figures show. Why do they not at least have the courage to admit it?

Nadhim Zahawi: The hon. Gentleman makes some powerful points, but they are completely misguided. He speaks with great passion, but without looking at the evidence before us. The past 12 years demonstrate that schools have been on an improvement journey. When we came into office, only two thirds of schools could achieve a good or outstanding rating; the figure is now 86%. My predecessors' work on skills has taken investment in the skills agenda up to £3.8 billion. When we talk to teachers and school leaders around the country, they know that the White Paper will deliver great outcomes for every child. We have set our ambitions high for children all over the country; we know how to get there, and we will deliver.

Mr Speaker: I call the Scottish National party spokesperson, Carol Monaghan.

Carol Monaghan (Glasgow North West) (SNP): I was sorry to hear about the Minister for Higher and Further Education, the right hon. Member for Chippenham (Michelle Donelan), and I wish her a speedy recovery.

I am sure that Members on both sides of the House will join me in wishing all the young people throughout the United Kingdom who are currently sitting their national exams the best of success.

The Secretary of State has praised private schools, including Eton, for building free schools in places such as Oldham, which, according to him, need that investment in education. Can he confirm that it is now Government policy to rely on private school investment where Government funds have been lacking?

Nadhim Zahawi: I completely agree with the hon. Lady that we should send our congratulations to the brilliant teachers who have delivered the 650,000 pupils who have taken their key stage 2 standard assessment tests this month. Students began taking their A-levels and GCSEs last Monday, and 3 million individual test scripts have been returned for marking. That is a great achievement after two years of being stuck with covid.

The hon. Lady asked about funding. This Government will be putting £56.5 billion into our school system. We have a plan, which is well evidenced, for delivering a great school with a great teacher for every classroom in the country. Scotland has no plan, and is in freefall in the international league tables.

SEND Review: Further Education

2. **Tom Hunt** (Ipswich) (Con): What steps he is taking through his Department's SEND review to support SEND students in further education. [900161]

The Parliamentary Under-Secretary of State for Education (Alex Burghart): We are consulting on a wide range of proposals in our SEND and alternative provision Green Paper to benefit young people with special educational needs and disabilities in further education. They include new national SEND standards delivered through new local SEND partnerships and local inclusion plans. We will also set out clear guidance for timely, effective, high-quality transition into further education, higher education, employment or adult social care for young people with SEND.

Tom Hunt: The Minister visited Suffolk New College recently with me. I went back shortly afterwards to see the inclusion team there. I appreciate that work on the SEND Green Paper is ongoing and has a clear focus on primary and secondary schools, but will the Minister assure me that there will also be a big focus on 16 to 18 FE? The work that Suffolk New College does in preparing these individuals for the world of work is crucial. Sam, who I saw and who had very little confidence, is now leading a whole team at the Chefs' Whites restaurant there, and will be manning restaurants all over Ipswich. Will the Minister ensure that, when it comes to funding and Ofsted inspections, inclusion should be a requirement for every FE college?

Alex Burghart: I thoroughly enjoyed my trip to Suffolk New College, and seeing some of the excellent work that it is doing in respect of a range of issues. I saw just how much the young people in that area are benefiting from their hard work. As my hon. Friend knows, we are engaging widely with a huge number of stakeholders to ensure that we get our consultation right, and I hope very much that Suffolk New College will bring its expertise to that process.

Marsha De Cordova (Battersea) (Lab): Children with vision impairment require high-quality specialist support to access education and learn skills. I wrote to the Minister outlining concerns about the SEND review's failure to include anything about the roles and responsibilities of local authority vision impairment specialist education services. According to research conducted by the Royal National Institute of Blind People, more than 60% of local authorities in England have reported a decrease or freeze in full-time specialist VI teaching support. We cannot have a two-tier system. Will the Minister agree to meet me to ensure that proposed local inclusion plans include protected high needs funding for local authorities to deliver specialist VI education services?

Alex Burghart: I know that the hon. Lady has a great deal of expertise in this regard. We are very keen to ensure, through the SEND review, that children and young people have the right support in the right place at the right time. I strongly encourage the hon. Lady to take part in that consultation, and the Minister responsible has agreed to meet her.

Mark Eastwood (Dewsbury) (Con): The announcement in the levelling up White Paper that Kirklees has been allocated £100 million of extra funds as an education investment area is welcome news for Dewsbury. Will the Minister explain what that extra funding will mean for further education students and children with special educational needs and disabilities?

Alex Burghart: It is great to hear how our education investment areas are starting to change the game in areas of great need across the country, including my hon. Friend's. This is aimed at building a stronger schools system that works to improve outcomes for all pupils, including those with SEND. Our investment will mean improved teacher retention, more pupils in stronger trusts that can offer SEND support effectively, and better connectivity so that schools can use new technology to support learning needs.

Chris Bryant (Rhondda) (Lab): Will the Government expressly include acquired brain injury in the SEND review? A lot of youngsters who are affected by it, particularly those from poorer backgrounds, who are four times more likely to have a major brain injury in their teenage years. Everybody gathers round for a few days after the event, but a year later they can be suffering from neurocognitive stall, have terrible fatigue and find it really difficult to get back into the educational system because the support is not there.

Alex Burghart: The hon. Gentleman has been a powerful champion in this House for that cause, and I am pleased to say that the Under-Secretary of State for Education, my hon. Friend the Member for Colchester—the city of Colchester—(Will Quince) will meet him to discuss this.

Political Impartiality in Schools

3. **Gareth Bacon** (Orpington) (Con): What steps his Department is taking to help ensure political impartiality in schools. [900162]

The Secretary of State for Education (Nadhim Zahawi): The law is clear that schools must remain politically impartial. I know that colleagues on all sides of the House relish going into schools for hustings during elections. Children need to learn about the yellow team, the blue team, the red team and the green team, but I recognise that some issues can be challenging to deal with, so my Department has recently published clear, comprehensive guidance to help teachers tackle sensitive issues in the classroom in a politically impartial way.

Gareth Bacon: In April this year, members of the National Education Union claimed that it was somehow impossible to teach history in a balanced manner. Does my right hon. Friend share my concern that some children are at risk of being indoctrinated by political activists masquerading as teachers? Will he bring forward powers in the new Schools Bill to strike off those who repeatedly fail to comply with impartiality guidelines?

Nadhim Zahawi: Our knowledge-rich history curriculum requires teaching methods of historical inquiry. We should be teaching children how to think, not what to think, including how evidence is used rigorously to make historical claims and discerning how and why contrasting

arguments and interpretations of the past have been constructed. Our guidance supports this, and schools already have powers to take disciplinary action where teachers repeatedly breach their legal duties.

Condition Improvement Fund

4. **Mr Richard Holden** (North West Durham) (Con): What recent steps his Department has taken to ensure that condition improvement fund allocations reflect the needs of schools and pupils. [900163]

The Minister for School Standards (Mr Robin Walker): The condition improvement fund addresses significant condition issues in eligible academies, voluntary-aided schools and sixth form colleges. Applications are carefully assessed on condition need, the quality of the project plan and value for money in order to prioritise the most urgent works. We announced the funding of more than 1,400 projects in the last round, including 10 in County Durham.

Mr Holden: Leadgate Primary School and Consett Junior School in my constituency hit some of the core criteria outlined in the plan, but at the top of County Durham's list is Villa Real special school, which does not meet the normal criteria, given that it is less than 25 years old. However, there is a real need for expanded special needs provision in County Durham, and that school has serious structural issues. Can the Minister reassure me that that school will be looked at properly, even though it does not fit the traditional criteria?

Mr Walker: I recognise that my hon. Friend is a great champion of his schools. I believe that this is a local authority-maintained school. Local authorities receive condition allocations to improve their school buildings. Instead of the school applying to the condition improvement fund, Durham County Council will receive £6.6 million for the 2022-23 year. We have also announced £1.4 billion of investment for the financial years 2022-23 and 2023-24 to improve existing high needs provision, of which Durham will receive £11.2 million.

Mr Speaker: I call shadow Minister Stephen Morgan.

Stephen Morgan (Portsmouth South) (Lab): The reality is that the schools estate is crumbling after 12 years of Tory negligence. In 2019, the Government's own survey revealed that one in six schools required urgent repairs, and the Minister's own Department is warning that some school sites present a risk to life. Millions of children are learning in buildings that are not fit for purpose, so can he tell us whether he has had any success in securing funding from the Chancellor and whether he is confident that every school building in England is safe for the children who learn in it?

Mr Walker: The safety of pupils and staff is paramount. We have one of the largest condition data collection programmes in Europe, which helps us to assess and manage risk across the estate. Through our programmes, we prioritise buildings where there is a risk to health and safety. We have invested more than £13 billion since 2015 in improving the condition of school buildings and facilities, which includes £1.8 billion committed this year. In addition, our new school rebuilding programme

will transform the learning environment at 500 schools over the next decade and will prioritise evidence of severe need and safety issues.

Alternative Student Finance: Muslim Students

5. **Stephen Timms** (East Ham) (Lab): What progress his Department has made on developing an alternative student finance product for Muslim students. [900164]

The Secretary of State for Education (Nadhim Zahawi): We remain committed to delivering alternative student finance, and we are currently considering if and how it can be delivered as part of the lifelong loan entitlement.

Stephen Timms: It is estimated that 4,000 Muslim students a year do not go into higher education because there is no finance available that is compatible with their faith. David Cameron promised to fix this nine years ago. A good deal of work was done, but it seems to have run into the sand in the past few years. I am grateful to the Secretary of State for reaffirming the Government's commitment to delivering on David Cameron's promise, but can he give us an indication of how much longer Muslim students will have to wait?

Nadhim Zahawi: We will provide a further update on alternative student finance as part of our response to the LLE consultation, which closed earlier this month.

Student Loan Interest Payments

6. **Simon Baynes** (Clwyd South) (Con): What steps his Department is taking to limit student loan interest payments. [900165]

The Secretary of State for Education (Nadhim Zahawi): Monthly student loan repayments are based on income, not interest rates, meaning that no one will see their monthly repayment increase due to interest rates. From September, we have reformed the student loan system so that new borrowers will not repay more in real terms than they originally borrowed—that is fair.

Simon Baynes: The level of student loan interest rates is of great importance to students, past and present, in my constituency, half of which is in the new city of Wrexham. Will my right hon. Friend provide further detail on how we can apply a sustainable downward pressure to student loan interest rates in future?

Nadhim Zahawi: That is an important question, and I fully recognise the concerns of students and their parents about increasing interest rates. I am looking actively at how we can mitigate that, and we will be setting it out shortly. I emphasise again that no one's monthly repayment will increase due to higher interest rates, which is an important point to make when people's budgets are tight.

Mr Speaker: The House will be in shock that Question 7 has been withdrawn.

Violence Against Women on University Campuses

8. **Fleur Anderson** (Putney) (Lab): What steps he is taking to help prevent violence against women on university campuses. [900167]

The Secretary of State for Education (Nadhim Zahawi): Violence against women is unacceptable, and we must pursue a zero-tolerance culture. I have written to the Office for Students to make clear my view that it should make tackling sexual misconduct a binding condition of universities' registration. I have also launched a pledge that commits universities to not using non-disclosure agreements to silence victims of sexual harassment. Fifty-three providers have so far made the pledge, and we expect many more to follow.

Fleur Anderson: We are far from zero tolerance at the moment. As a parent of two daughters who have attended or are attending two different universities, I have seen that universities are not safe spaces. Research shows that between two thirds and three quarters of female students, and 70% of female university and college staff, have experienced sexual violence.

The president of the University of Roehampton's students union has been in regular contact with me about incidents there and about how the local police's hands are tied because sexual harassment is not a crime, so they cannot take action. There are many factors. Will the Secretary of State go further and commission a review of sexual violence on campuses across our country and take more action to make our campuses safe?

Nadhim Zahawi: Universities UK published a report a couple of years ago assessing the sector's progress on tackling gender-based violence, harassment and hate crime. It showed some progress had been made, but only 72% of responding institutions had developed or improved the recording of data on harassment. I need them to go much further, and we will keep everything on the table. I am determined that we get to where the hon. Lady and I both want to get. I am the father of a nine-year-old girl who will one day go to college or, I hope, take a degree apprenticeship. A zero-tolerance culture must be delivered.

Freedom of Speech in Education

10. **Sir John Hayes** (South Holland and The Deepings) (Con): What progress he has made on helping to protect freedom of speech in education. [900169]

The Secretary of State for Education (Nadhim Zahawi): The Government maintain our commitment to the protection of free speech and academic freedom in universities with the reintroduction of the Higher Education (Freedom of Speech) Bill following the Queen's Speech on 10 May.

Sir John Hayes: As the Secretary of State says, it is right and just that we are in the vanguard of the fight for free speech. As the Bill that will ensure that progresses through the House, the backdrop against which we debate it is disturbing, with universities continuing to use the Equality Act 2010 to elevate the fear of disturbance or distress above the ability of free speech to inspire, enthral and move the academic agenda forward. The case of Dr Sarkar at the University of Oxford is a recent sad example, but it is by no means exceptional. Will the Secretary of State, before the Bill reaches the statute book, conduct a review of free speech policies at universities, and, if necessary, issue fresh guidance to ensure that academics and students in those universities can speak freely? *[Interruption.]*

Nadhim Zahawi: I shall attempt to be pithy, Mr Speaker.

The Government and I are clear that issues such as antisemitism are abhorrent, but universities and students' unions must balance their legal duties, including freedom of speech and tackling harassment. The Bill will place duties directly on students' unions to secure freedom of speech for staff, students and visiting speakers. No one should fear expressing lawful views.

Early Years Services and Childcare

11. Mohammad Yasin (Bedford) (Lab): What steps he is taking to reform early years services and childcare provision. [900170]

The Parliamentary Under-Secretary of State for Education (Will Quince): We are committed to improving the cost, choice and availability of childcare and early education. We have spent more than £3.5 billion in each of the past three years on early education entitlements, and up to £180 million on addressing the impact of the pandemic on children's early development.

Mohammad Yasin: Parents of children attending the YMCA community nursery in Bedford are facing unaffordable sevenfold price increases. Rising business costs, huge losses and staff shortages are the consequences of the Government's funding model, which goes nowhere near funding the costs for nurseries or parents. Does the Minister agree that levelling up means nothing if children cannot access the best start to their education and their parents cannot work because they cannot afford nursery costs?

Will Quince: That is exactly why we spend more than £5 billion a year on childcare and early years, including: the offer for disadvantaged two-year-olds; the offer of 15 and 30 hours for three and four-year-olds, which is worth about £6,000 per child to parents; the universal credit offer, which is worth up to 85% of childcare costs; the tax-free childcare; and the holiday activities and food programme. Of course we take this issue incredibly seriously.

Helen Hayes (Dulwich and West Norwood) (Lab): For families with young children, soaring childcare costs are a huge pressure on the cost of living. A quarter of households earning between £20,000 and £30,000 a year are paying more than £100 a week for childcare. The Government's only response so far has been a proposed cut to staff to child ratios in early years settings. Parents have not asked for that, and 98% of providers believe that it will do nothing to cut costs for parents and could reduce the quality of care. Will the Minister set out why he believes that asking parents to pay more for less is a remotely adequate response to the rising cost of living?

Will Quince: Over the summer, we will consult on moving to the Scottish staff to child ratios for two-year-olds—from a ratio of one to four compared with one to five. I want all parents and carers to receive value for money, and more families to benefit from affordable, flexible and quality childcare. Such changes would help settings to deliver that by handing them more autonomy and flexibility. However—this is important—my priority continues to be to provide safe and high-quality early years provision for our very youngest children; as I have said before, I will not compromise on those things.

Helen Hayes: More than half of families with two-year-olds do not access any formal early years education or childcare at all, while a shocking 65% of eligible two-year-olds are not receiving the full free entitlement. Early years education makes a huge difference to children's development and can have a lifelong impact by mitigating disadvantage. What is the Minister doing to increase the pitifully low uptake of free places for two-year-olds?

Will Quince: The hon lady is absolutely right that take-up of the two-year-old disadvantage offer is much lower than we want it to be. In truth, take-up of the universal credit childcare offer is lower than we want it to be and take-up of the tax-free childcare offer is lower than we want it to be. Throughout the House, we all have a duty to promote those offers more widely, and I certainly understand that the House will.

Siobhan Baillie (Stroud) (Con): The truth is that even with the billions of pounds that have been spent on childcare, the issue has proved to be a hot mess for Governments of all colours for a number of years. I applaud the Department for trying to grapple with this tricky issue. Will my hon. Friend confirm that he is looking carefully—it is right that he does so—at regulations across the whole of the childcare piece that drive up costs for families, and that he is talking to parents and the childcare sector about that? Will he also confirm that he is looking to support childminders in respect of future changes to regulations?

Will Quince: My hon. Friend is absolutely right. We are working jointly with other Departments to consider options for how to improve the system within the parameters of the 2021 spending review. As I have said, as well as the quality of provision, health and safety will continue to be of paramount importance, and any significant changes to regulations would require consultation. My hon. Friend is right that we need more childminders to enter the market; they are often the most flexible and affordable type of provision and I am looking into the regulatory changes we can make to encourage more of them to enter the profession.

Mental Wellbeing of Pupils

12. Helen Morgan (North Shropshire) (LD): What steps he is taking to help primary and secondary schools support pupils' mental wellbeing. [900171]

The Parliamentary Under-Secretary of State for Education (Will Quince): This month, we announced £10 million to extend senior mental health lead training to more schools. Such training will be available to two thirds of schools and colleges by 2023 and to all by 2025. It will support our schools White Paper actions on the promotion of a school week and targeting of support to improve mental wellbeing.

Helen Morgan: Since being elected, I have been lucky to visit many schools throughout my constituency. I have been told consistently, both by teachers and by pupils, that students of all ages are struggling to cope with poor mental health and that the situation has worsened considerably since the pandemic. That comes against the backdrop of a survey, reported on recently in *The Guardian*, that found that 43% of GPs have told

parents to seek private care for children with poor mental health. Will the Minister adopt the recommendations of my hon. Friend the Member for Twickenham (Munira Wilson) and commit not only to support young people's mental health but to report on it annually to Parliament?

Will Quince: The hon. Lady is absolutely right to raise this issue, which is one of the big challenges of our time. We know that pressures on young people in relation to mental wellbeing are growing, which is why on 12 May I announced an additional £7 million to extend senior mental health lead training to even more schools and colleges. That will help our ambition to reach two thirds of eligible settings by 2023 and brings the total amount of funding for 2022-23 to £10 million. In addition, we will roll out mental health support teams to 35% of all schools by next year. In truth, though, we do need to go further. I regularly speak to my counterpart at the Department of Health and Social Care to see what more we can do in this policy area.

Jake Berry (Rossendale and Darwen) (Con): One of the best ways to demonstrate, both to teachers and to young people, that we value and support them is to make sure that they have a decent school to go to in the first place. I hope the Minister will therefore join me in congratulating Gillian Middlemas and the staff and pupils of Whitworth Community High School, which has just been topped out as part of the Government's school building programme. I hope he will also take the time to visit my constituency to see the work—

Mr Speaker: Too long. Come on, Minister.

Will Quince: I would be happy to visit my right hon. Friend's constituency. The schools that are doing best on mental health and mental wellbeing are the ones that take a whole-school approach, as that school no doubt is.

Feryal Clark (Enfield North) (Lab) *rose*—

Mr Barry Sheerman (Huddersfield) (Lab/Co-op) *rose*—

Mr Speaker: I call Feryal Clark.

Mr Sheerman: Oh—sorry.

Feryal Clark: A set of schools that are usually forgotten are the pupil referral units that take on pupils with extensive special educational needs and disabilities. Tackling such a challenging set of needs requires a multidisciplinary approach, but PRUs throughout the country do not have set criteria for how they should teach students or support children back into mainstream schools, and nor do they have sustained funding. Will the Minister look at the fantastic model for multidisciplinary and multi-agency education that is delivered at Orchardside School—the Department is aware of its work—in my constituency? Perhaps he can come to see the work being done there and how sustained investment can make a difference.

Will Quince: I would be very happy to do so. We need a step change in the way that we approach alternative provision. That is why alternative provision is a key part of the special educational needs and disability and alternative provision review. We do need a step change.

I would be very happy to come to see the hon. Lady's constituency. We are investing an initial £2.6 billion in capital for SEND and alternative provision places, which I know will be game changing.

Mark Logan (Bolton North East) (Con): On Friday past, I presented Arthur Redmond at High Lawn Primary School with the Bolton North East community champion award for litter picking. Does the Minister agree that a national campaign for primary and secondary schools across the country to get involved in litter picking would help boost kids' mental wellbeing?

Will Quince: That was an interesting link from my hon. Friend. None the less, he does have a point that a whole-school approach to mental wellbeing is about doing all sorts of extra-curricular activities. One of the best ways, of course, is getting children and young people outside. Would I encourage a campaign to tackle littering? Of course, I would.

Mr Sheerman: I am both eager and angry this morning, which is why I wanted to get in my question to the ministerial team as early as possible. Are Ministers aware of the great scandal that children's needs are not being identified early enough to change their life trajectory? Up and down the country, parents are waiting months, even years, to get any sort of assessment or statement. Why do the Government not wake up to that and do something about it?

Will Quince: As I have said, I regularly meet my counterpart at the Department of Health and Social Care. The hon. Gentleman will be pleased to know that at the heart of the SEND and alternative provision review is not just inclusivity, but early identification.

Dyslexia and other Neurodivergent Conditions

14. **Matt Hancock** (West Suffolk) (Con): What steps his Department is taking to help improve (a) early identification of, (b) teacher training in and (c) support for pupils with dyslexia and other neurodivergent conditions in primary schools. [900173]

The Secretary of State for Education (Nadhim Zahawi): Our ambition, which I know my right hon. Friend shares, is that we will level up opportunities for all children and young people. That is why I have published the Schools White Paper and the SEND and alternative provision Green Paper, which sets out our plans to better identify children at risk of falling behind and then provide them with the support they need. That includes those with neurodivergent conditions

Matt Hancock: I am grateful to the Secretary of State for that answer and for the work that he has done. The White Paper and the SEND review have gone down very well, but they are about the direction of travel; we need to get to the destination. Will he confirm the need for a universal approach to screening for neurodiverse conditions and will he also congratulate those who are doing good work already such as those at Laureate Community Academy in Exning in Newmarket, which I visited earlier this month?

Nadhim Zahawi: The Under-Secretary of State for Education, my hon. Friend the Member for Colchester (Will Quince), will be hosting a roundtable meeting this summer to discuss the different approaches being taken around the country, where I hope we will learn from some of those people—as my right hon. Friend knows, I will always be the evidence-led Secretary of State. Early intervention is important, and the SEND and alternative provision Green Paper will deliver that. Moreover, the parent pledge in the Schools White Paper is a lever for teachers to identify those children with dyslexia and dyspraxia and to put that help in place.

Maths and English: Support for Pupils

15. **Jack Brereton** (Stoke-on-Trent South) (Con): What steps his Department is taking to support pupils who fall behind in maths and English. [900174]

24. **Nick Gibb** (Bognor Regis and Littlehampton) (Con): What recent assessment he has made of the effectiveness of maths teaching in primary schools. [900183]

The Minister for School Standards (Mr Robin Walker):

The Schools White Paper includes a parent pledge to identify children who have fallen behind in English or maths and provide them with support. To help schools support pupils who have fallen behind we have invested £1 billion in 6 million tutoring packages by 2024, re-endowed the Education Endowment Foundation, set aside £55 million for our accelerator fund and introduced a menu of targeted support methods. We are continuing to invest in networks of maths and English hubs to support schools. I was privileged to visit a maths hub in St Marylebone's C of E School on National Numeracy Day.

Jack Brereton: I very much welcome Stoke-on-Trent being announced as a prioritised education investment area. Locally, partners have been working hard to drive up standards through an education challenge board. Does my hon. Friend agree that we should welcome that work and that this is the way that we will drive up standards in both English and maths?

Mr Walker: I, too, am very pleased that Stoke-on-Trent is a priority education investment area. With such proud and outspoken Members of Parliament, the area is always well-championed in this House. Our approach will look to build on the strong work to date in all those areas, including existing partnerships such as the education challenge board. We will be considering the best ways to do that and ensure that a diverse range of local partners inform our decision making in every priority investment area.

Nick Gibb: Does my hon. Friend share my view about the importance of children knowing their multiplication tables by heart? Does he therefore welcome the fact that the multiplication tables check for nine-year-olds that takes place next month will, for the first time, show how well-prepared children are for the future demands of the maths curriculum?

Mr Walker: Yes, absolutely. I thank my right hon. Friend for his extensive work, when he was Minister of State, to improve maths education, not least through introduction of the multiplication tables check. I assure

him that we intend to continue to build on those important reforms. The first statutory administration of the MTC will be in June this year. The digital assessment of year 4 pupils will determine whether pupils can fluently recall their times tables, which is essential for future success in mathematics. Where the check identifies pupils who need extra support, schools will provide that.

Severely Absent Pupils

16. **Robert Halfon** (Harlow) (Con): What recent assessment he has made of the effectiveness of his Department's steps to help return severely absent pupils to school. [900175]

The Secretary of State for Education (Nadhim Zahawi):

My schools White Paper and new attendance guidance set out how we expect schools and local authorities to support severely absent pupils so that they can attend regularly. We also recently launched a live data trial for schools, trusts and local authorities, enabling them to target support at pupils who need it most.

Robert Halfon: My right hon. Friend rightly says that he is driven by the data, and I thank him for the work he is doing to try to get these children back to school. The Centre for Social Justice suggests that 13,000 children in critical exam years were severely absent in the autumn term 2020, and FFT Education Datalab suggests that 5% of pupils were severely absent from September to May this year. What data are the Government collecting on children in exam years who have been severely absent, and what is being done to bring them back to school and to ensure that they get targeted tuition through the catch-up programme?

Nadhim Zahawi: I am delighted to confirm that, as my right hon. Friend knows, we are bringing forward legislative measures to establish a local authority registration system, but that is for the future. Those GCSE, AS-level and A-level students sitting exams this year have been given advance information to help them focus, and to give them the confidence to come in and take exams this year. We are also working to make sure that the alliance of national leaders across education is doing everything it can to deal with persistent absenteeism, and to make sure that all children are in school, which is the best place for them to be.

Topical Questions

T1. [900150] **Mark Fletcher** (Bolsover) (Con): If he will make a statement on his departmental responsibilities.

The Secretary of State for Education (Nadhim Zahawi):

The United Kingdom's education export was estimated at over £25 billion in 2019. I am delighted that 132 Education Ministers from 110 countries around the world are in town today to join us at the Education World Forum this week.

We all want to congratulate all those students sitting exams. Hundreds of thousands have already sat their exams, including 650,000 taking key stage 2 standard assessment tests. I am sure the whole House will join me in wishing them very well.

In the platinum jubilee year, 4.5 million primary school children in schools in England and Northern Ireland will receive a hardback book, as will those in schools in Scotland and Wales who opt in. In some

homes there are no books, and those children will take home this beautiful book about Her Majesty's reign and the Commonwealth.

Mark Fletcher: Last week I received an email from a parent on Holbeck Avenue in Bolsover, saying:

"There is no 6th form available at The Bolsover School and so pupils wishing to do A levels have an expensive bus ride in order to get anywhere. For instance it costs around £650 a year if your child is successful to get a place at St Mary's High School in Chesterfield and the choice of courses at Chesterfield college are quite limited."

Does my right hon. Friend the Secretary of State share my passion for ensuring post-16 education in the Bolsover constituency?

Nadhim Zahawi: My hon. Friend and I met on 9 May to discuss access to the full range of post-16 education in his constituency. I asked my officials to look into the matters raised at that meeting. I know my hon. Friend is a champion of this issue and has looked at the evidence, and I will write to him very shortly.

Mr Speaker: I call shadow Secretary of State Bridget Phillipson.

Bridget Phillipson (Houghton and Sunderland South) (Lab): The Schools Bill gives the Secretary of State sweeping powers over the operation of our schools. Does that mean that he recognises that the Government's approach to school improvement over the past 12 years has failed?

Nadhim Zahawi: Quite the opposite. The hon. Lady clearly does not follow the evidence. If she looked at it, she would see that families of schools in high-performing multi-academy trusts have delivered better outcomes for their students. Whether they are Church of England schools, Catholic schools or grammar schools, they are all joining us on this journey, and I invite her to do the same.

Bridget Phillipson: Headteachers are telling us they are having to cut back on staffing, school trips, and even pens and paper. As costs soar and the national insurance rise comes into effect, the Secretary of State is still failing to invest in our children's recovery. Experts have lined up to tell him the damage his inaction will cause, not just to our children's future but to Britain's future success. What will it take to convince him to put our children first?

Nadhim Zahawi: I do not know whether the hon. Lady was listening when I talked about the 7% cash increase in the budget for schools this year compared with last year—that is £4 billion going to our schools. By 2024 we will be investing £56.5 billion in education. Of course money makes a difference, but if she visits Hammersmith Academy she will meet a great leadership team who are delivering for their students—60% of whom get the pupil premium—because leadership matters. I wish her luck in her leadership campaign.

T4. [900153] **Suzanne Webb** (Stourbridge) (Con): Apprenticeships are a terrific opportunity for those with learning difficulties, due to the vocational nature of the training, but we need more such opportunities. Where there is a surplus of funding from the apprenticeship levy allowance, will the Minister consider directing it at incentivising smaller companies to provide apprenticeships,

thereby ensuring parity of opportunity for those with learning difficulties, such as those with 22q11 deletion syndrome?

Will Quince: I thank my hon. Friend for that question. We certainly want an increased number of learners with disabilities starting apprenticeships. Working with Disability Rights UK, our disabled apprentice network provides valuable insight into attracting disabled people to apprenticeships and retaining them on them. We also offer financial support for employers and providers that take on apprentices with additional needs.

Mr Speaker: I call Carol Monaghan, the SNP spokesperson.

Carol Monaghan (Glasgow North West) (SNP): This Government's oven-ready Brexit deal allows the UK to associate with Horizon Europe, but because of the faffing around over their Northern Ireland protocol, there is still no certainty about this association. When will this Government stop treating research as a Brexit bargaining chip and provide assurance to our researchers that funding and collaboration are safe?

Will Quince: This Government have always been clear about our desire to secure a good relationship with Horizon and the huge benefits that the UK's world-leading universities can bring the scientific community in that respect. We have made a clear offer to the EU, and it is for the EU to come forward and engage with us.

T6. [900155] **Kate Griffiths** (Burton) (Con): Burton and South Derbyshire College is a fantastic example of a higher education facility using innovative learning techniques to inspire and train tomorrow's scientists and engineers. Will the Secretary of State commit to investing more in higher education facilities to ensure that young people get the learning and experience they need to progress into sought-after, well-paid careers?

The Parliamentary Under-Secretary of State for Education (Alex Burghart): I was delighted to visit that excellent college in my hon. Friend's constituency and to see the fantastic work being done there. She will be pleased to know that we are investing £450 million of capital funding in higher education providers over the next three years, and that £400 million of that will be targeted on strategic priorities such as high-cost science, technology, engineering and maths and degree apprenticeships, for which providers can submit their bids until 27 June.

T2. [900151] **Tony Lloyd** (Rochdale) (Lab): A few minutes ago, the Minister told the House what the Government are doing about pre-school childcare, but what does he say to families in constituencies like mine, where the financial benefits of going into work are swallowed up by childcare costs, or people do not even access childcare because they cannot afford to?

Will Quince: As I said, we spend over £5 billion a year on supporting parents with childcare costs. This year alone, we are putting an extra £160 million into the sector. The important thing is to make sure that the existing entitlements are being taken up, and as the hon. Member for Dulwich and West Norwood (Helen Hayes) rightly pointed out, we need as a House to ensure that our constituents are aware of what they may be entitled to.

T9. [900158] **Jonathan Gullis** (Stoke-on-Trent North) (Con): The decision to scrap grammar schools was once described as

“a real tragedy for this country...they are a very important part of the mix in our educational system...and they should be supported”.

I completely agree with the Prime Minister and I am glad that the Secretary of State is also so supportive, saying that he wants to “spread the DNA” of grammar schools across the education system and give them a special status to retain academic selection in the upcoming Schools Bill, but it is not right that children in Teesside and Stoke-on-Trent do not the same opportunities as a child in Kent or Stratford-upon-Avon, so will the Government support my right hon. Friend—

Mr Speaker: Order. Mr Gullis, I told you to be short, but you obviously cannot. Secretary of State.

Nadhim Zahawi: The Schools Bill will protect grammar schools. However, we have 165 grammar schools, and 90 of them are already playing their part in those families of schools in multi-academy trusts. We have a system with 22,000 schools. I mentioned Gary Kynaston’s brilliant leadership of Hammersmith Academy. My hon. Friend should go and have a look at Michaela and what Katharine Birbalsingh has done there. That is—

Mr Speaker: Order. Come on, let us be fair. Both of you have lined these comments up—that is great—but it is topical questions; they are meant to be short and sweet. Do not take advantage. It is not like you, Secretary of State; you are too nice a person.

T3. [900152] **Vicky Foxcroft** (Lewisham, Deptford) (Lab): Last week, the Government published a list of BTECs that they intend to scrap, and impact assessments show that 27% of BTEC students are deemed the most disadvantaged. I was one of those students, and a BTEC got me back into education and on to university. T-levels will not appeal to all those students. Assessors are making decisions affecting the lives of thousands of young people, so can the Minister confirm who these assessors actually are?

Alex Burghart: We have a range of independent assessors going through the process. The consultation process will last the next few months, and we intend to publish the final list of qualifications to be defunded to make way for our world-class, gold-standard T-levels in September, thereby giving colleges two years to prepare.

David Simmonds (Ruislip, Northwood and Pinner) (Con): I was reminded, on a recent visit to the excellent Warrender Primary School in my constituency, how important schools are to safeguarding. Can my right hon. Friend tell me what plans will be put in place, through the schools White Paper, to ensure that schools continue to play a central part in statutory safeguarding arrangements?

Mr Robin Walker: Schools are under a statutory duty to co-operate with the arrangements set out by local safeguarding partners, and we have asked safeguarding partners to review how they work with schools in all their areas. We requested that all local areas review that following the Ofsted review of sexual abuse in schools and colleges. We will actively look at this issue as part of our response to today’s care review.

T5. [900154] **Margaret Ferrier** (Rutherglen and Hamilton West) (Ind): Universities right across the UK have been teaming up with our counterparts in Ukraine, not only to try to ensure that institutions still exist when the war is over, but to deliver lectures to students virtually. What discussions has the Minister had with his colleagues across Government about supporting this impressive initiative, so that it can continue?

Mr Walker: Supporting Ukraine’s education system is a priority for us all, as is supporting children and young people who come from Ukraine. The Minister for Higher and Further Education has been working closely with the sector, and I have been working across the schools piece to make sure that our education sector is as well placed as it can be to support Ukrainian students.

Mrs Sheryll Murray (South East Cornwall) (Con): Farming has a very important role in my constituency, and I am amazed by the amount of technical knowledge that is needed these days. What more can the Department do to introduce an interest in farming in schools?

Alex Burghart: I am delighted to be able to tell my hon. Friend that from September next year, the T-level in agriculture will be available. I hope she will be promoting it in South East Cornwall.

T7. [900156] **Sarah Olney** (Richmond Park) (LD): In my constituency, there are simply not enough school places for children with special educational needs. What is really needed is a new school to increase capacity. What conversations has the Department held with local authorities to establish in which areas there is the most need for special schools, and where a new school would deliver the most benefit?

Will Quince: Over the course of the spending review period, we have secured an additional £2.6 billion for special and alternative provision places, with £1.4 billion of that being made available this year. The hon. Lady should speak with her local authority to make sure that provision is covered.

Dr Julian Lewis (New Forest East) (Con): Last Friday was the 36th anniversary of the rebel amendment in the House of Lords proposed by Lady Cox, which banned the indoctrination of schoolchildren with partisan political views. Does the Secretary of State accept that the concept of anti-nuclear education, and of anti-imperialist education, which led to that ban, are to be compared with the concepts of vicious identity politics and of the decolonisation of subjects, which rightly fall foul of the legislation he cited?

Nadhim Zahawi: My right hon. Friend raises a very powerful point, and he is quite right: children should be taught how to think, not what to think.

T8. [900157] **Chris Stephens** (Glasgow South West) (SNP): According to the Child Poverty Action Group, 27% of children in the UK are living in poverty, which equates to eight in a classroom of 30. A classroom with hungry children is not an environment that is conducive to good learning, so what discussions has the Secretary of State had with the Chancellor to plan emergency interventions to tackle such shocking levels of child deprivation and inequality across these islands?

Will Quince: The Government have taken action that is worth more than £22 billion this financial year. We have also put in place immediate support for families who are struggling by doubling the household support fund. We have made changes to the taper rate of universal credit and we have extended, by £200 million a year, the holiday activities and food programme.

Anthony Mangnall (Totnes) (Con): Diptford Church of England Primary School in my constituency is operating from the village hall, because its buildings have been damaged. They are temporary buildings, so the money that might be allocated from the Department would be to repair those temporary buildings, which is clearly illogical. Will the Schools Minister meet me to see what we can do to secure money for new buildings for the school?

Mr Robin Walker: I would be delighted to meet my hon. Friend.

T10. [900159] **Helen Morgan** (North Shropshire) (LD): A recent investigation by *Schools Week* found that rural schools make up 40% of school closures, which is an increasing proportion. Small community schools are having to fight for survival, but they are central to their communities. What steps is the Secretary of State taking to ensure that rural schools stay open?

Mr Walker: We have a presumption against closure for rural schools, but we also want to make sure, through a fairer funding formula, that they are properly funded according to the cohorts of people and the sparsity of the area that they serve, rather than according to a formula that was set up decades ago.

Andrew Selous (South West Bedfordshire) (Con): The Church of England and the Catholic Church run a third of schools in England. How does the Secretary of State plan to improve that partnership even further for the benefit of all children?

Nadhim Zahawi: The Church of England and the Catholic Church have been partners on the journey of the White Paper. They are already making ambitious plans to deliver what we all want to see—great schools where children get a great education in the classroom wherever they live in the country.

Rachael Maskell (York Central) (Lab/Co-op): When a child experiences deep trauma, it can escalate their vulnerability and can display itself in many ways, including harm to themselves and others. Early intervention is key, but when residential placements are required, it is inexcusable when there are no places available locally or nationally. How will the Secretary of State rectify that as a matter of urgency?

Will Quince: I thank the hon. Lady for her question; we have spoken about the matter privately. As she knows, local authorities have a statutory duty to ensure

sufficient provision in their area to meet the needs of children in their care. The example that she presents should not have happened. The Government are supporting local authorities by providing £259 million of additional funding to expand their residential provision of both secure and open children's homes. That will provide more safe homes for vulnerable children.

Shaun Bailey (West Bromwich West) (Con): I had the pleasure of visiting St. Paul's C of E Academy in Tipton on Friday and met its fantastic headteacher, Anna McGuire. It was not successful in applying for condition improvement funding, so will the Minister meet me to discuss how we can ensure that schools get clear guidance on how to apply? Perhaps he will visit the school in future.

Mr Robin Walker: I am always happy to meet my hon. Friend.

Alex Cunningham (Stockton North) (Lab): Does the Secretary of State support the chair of the Office for Students' endorsement of Viktor Orbán, including his approach to academic freedom in higher education?

Nadhim Zahawi: I support the chair of the Office for Students for all the work that he is doing to improve outcomes for students in our universities.

Ian Levy (Blyth Valley) (Con): Blyth Valley is at the forefront of the green industrial revolution, but we need to ensure that our young people are equipped to fill the skills gap in those industries. We need local jobs for local people, so will the Secretary of State visit to see how we can link schools and industry to deliver for young people?

Alex Burghart: I am looking forward to visiting my hon. Friend's apprenticeship fair in a few weeks' time.

Kirsten Oswald (East Renfrewshire) (SNP): Last week, on Radio 4, a Leeds primary school headteacher said that, due to cost cutting by catering companies, they were having to challenge caterers about the size of school meals to ensure that children have "more than one potato or more than four chips".

Given that the Scottish Government deliver free school meals for children in primary 1 to 5, and will be expanding that to all primary pupils, what consideration has been given to increasing funding for free school meals to ensure that all primary pupils have at least one decent-sized meal a day?

Will Quince: We certainly recognise the pressures that some schools may face and we have been giving them the autonomy to agree individual contracts with suppliers and caterers using their increased core funding. As the Secretary of State set out, that funding has gone up by £4 billion in 2022-23 alone, which is a 7% cash increase, but of course, given the importance of the issue, I keep a watchful eye.

North East Ambulance Service

3.34 pm

Wes Streeting (Ilford North) (Lab) (*Urgent Question*): To ask the Secretary of State for Health and Social Care if he will make a statement on the North East Ambulance Service and if he will launch an investigation.

The Parliamentary Under-Secretary of State for Health and Social Care (Maria Caulfield): Can I start by saying how horrified I was to read the concerns raised about the North East Ambulance Service in reports over the weekend? My thoughts are first and foremost with the families affected by the tragic events described. I cannot imagine the distress they are going through. It is hard enough to lose a loved one suddenly, but to have fears that mistakes were made that could have made a difference, and more than that, that the facts of what happened were not revealed in every case, goes further. They have my unreserved sympathy and support.

In healthcare, a willingness to learn from mistakes can be the difference between life and death, and it is because of this that, as a Government, we place such a high value on a culture of openness and a commitment to learning across the NHS. That is why the allegations raised by *The Sunday Times* this weekend are so concerning. As was made abundantly clear by the Secretary of State's predecessor almost a decade ago, non-disclosure agreements have no place in the NHS and reputation management is never more important than patient safety.

The Government are wholly supportive of the right of staff working in the NHS to raise their concerns. Speaking up is vital for ensuring that patient safety, and quality of services, improve, and it should be a routine part of the business of the NHS. That is why, over the last decade, substantial measures have been introduced to the NHS to reduce patient harm and improve the response to harmed patients, including legal protections for whistleblowers, the statutory duty of candour, the establishment of the Health Services Safety Investigations Body and the introduction of medical examiners. It is also why, in response to a recommendation of the Sir Robert Francis "Freedom to speak up" review in 2015, the Government established an independent national guardian to help to drive positive cultural change across the NHS so that speaking up becomes business as usual. However, when it comes to patient safety, we cannot afford to be complacent. It remains a top priority for the Government and we continue to place enormous emphasis on making our NHS as safe as possible.

I note the concerns raised in this weekend's reports. They have been subject to a thorough review at trust level, including through an external investigation, and the trust's coronial reporting is subject to ongoing independent external audit and quarterly review by an executive director. I also note that the Care Quality Commission has been closely involved. However, given the seriousness of the claims reported over the weekend, we will of course be investigating more thoroughly and will not hesitate to take any action necessary and appropriate to protect patients.

The Government are also committed to supporting the ambulance service to manage the pressures it is facing. We have made significant investments in the ambulance workforce, with the number of NHS ambulance and support staff increasing by 38% since 2010. Health

Education England has mandated a target to train 3,000 paramedic graduates nationally per annum from 2021, further increasing the domestic paramedic workforce to meet future demands on the service, while 999 call handlers have been boosted to over 2,400, so we are very serious about improving resources for the service.

I fully appreciate the concerns of right hon. and hon. Members across this House, and we will be pleased to meet any who have constituents affected by the reports this weekend so we can look at the issue more fully.

Mr Speaker: Can I just say that it is three minutes—and that means three minutes, not three minutes and 40 seconds—and I am sure whoever writes these speeches can actually time them through? I say to those on both Front Benches that we have to think about Back Benchers, who need to get their hospitals mentioned and their ambulance trusts as well.

I call the shadow Secretary of State, who I am sure will stick to the allocated time.

Wes Streeting: I pay tribute to the courage of the whistleblowers, as well as *The Sunday Times* journalists David Collins, Hannah Al-Othman and Shaun Lintern, without whom none of this would have come to light. But with respect to the Minister, it should not have taken an urgent question to bring her to the House today. On what she said about the Department further investigating, what form will this investigation take, who will be involved and what assurance can she give the families that there will be both answers and accountability, which is what they deserve?

Peter Coates died after an ambulance did not reach him in time. An ambulance two minutes away could not be dispatched because the station door was faulty, and staff did not know about the manual override. The ambulance that was dispatched decided to stop at a service station, even though it had sufficient fuel. Information about these errors was then withheld by the service, statements were changed and staff were asked to withhold the mistakes from the coroner. Peter Coates' family learned the full truth only when contacted by reporters last week. His is just one of what is thought to be 90 cases involving gross negligence, cover-ups and tens of thousands of pounds of taxpayers' money offered in exchange for staff silence.

The Minister mentioned the CQC. Why did it fail to spot this, rating the service "good" in 2018? Why did it fail to spot the situation even after being tipped off in 2020? Why is taxpayers' money still being offered to buy the silence of staff when non-disclosure agreements were supposedly banned in 2014? What role did under-resourcing and understaffing play in this scandal?

Record ambulance waits exist in every part of the country, with heart attack and stroke victims waiting longer than an hour for an ambulance. As for the North East Ambulance Service, it is advising the public to phone a friend or call a cab rather than wait, while presiding over gross negligence, cover-ups and taxpayer-funded gagging orders on staff. That is the record on its watch. It is a national disgrace. What are the Government doing about it?

Maria Caulfield: We take the patient safety element of this extremely seriously. To answer the hon. Gentleman's questions on who we will be meeting, I am happy to

meet all the families affected to hear their concerns and the actions that they want taken. We met with the CQC this morning on this specific example, but we will be meeting with the ambulance trust. I also want to meet the coroner, and we want to hear from the whistleblowers. I am very happy to meet any member of staff who wants to raise concerns so that we can get to the bottom of exactly what has happened.

This Government introduced the duty of candour. Mistakes will always happen, no matter how much money is put into the health service or how many staff it has, but when a mistake does happen the hospital trust or ambulance trust should be open and up front about it, start a proper investigation, and learn the lessons so that it never happens again.

Mr Speaker: I call the Chair of the Health and Social Care Committee.

Jeremy Hunt (South West Surrey) (Con): I thank the Minister, who is a practising nurse, for her profound commitment to patient safety. What happened to Peter Coates, Quinn Evie Beadle and others was a terrible tragedy for them and their families. No doubt the paramedics made mistakes, but everyone makes mistakes in the course of their work. What is unforgivable is the cover-up by the North East Ambulance Service, and the fact that we made the families go through such hell to get to the truth.

At the heart of this is that we still make it far too difficult for everyone involved in such cases to distinguish between ordinary human error and gross negligence, with the result that the organisations responsible for people's care default to a defensive, covering-up position. Will the Minister take this up with the Ministry of Justice to ensure much clearer delineation between the ordinary human errors that we all make and gross negligence, which is never forgivable?

Maria Caulfield: I thank my right hon. Friend for making those points. Several safety measures were started when he was Secretary of State for Health, including the duty of candour. There is supposed to be a culture in place where, if mistakes happen, the health service is open and honest about that. The Healthcare Safety Investigation Branch was introduced. There is independent investigation. Anyone can report concerns to that body and an investigation will take place. There is the early notification system in maternity, where if mistakes or incidents happen the process is first and foremost to say that to relatives and family and to start a lessons-learned process. The patient safety commissioner is to be appointed shortly. We are doing everything we can not just to improve patient safety, but to improve openness and learning within the system to change the culture within the NHS.

Ian Lavery (Wansbeck) (Lab): The North East Ambulance Service has been dysfunctional for years—before covid, during covid, since covid. Elderly women and men are still lying on the pavement with broken bones waiting to receive attention. Pregnant women and people suffering from acute problems such as heart attacks and strokes are still being asked to call a cab to get to hospital. It is not good enough. When this investigation starts, will MPs in the region be allowed to participate? We all have numerous tragic cases that we would like to discuss.

Maria Caulfield: As I said in my opening remarks, I am happy to meet the affected MPs. It is important that we hear from everyone, whether that is the family and friends of those affected, staff who have concerns or MPs who hear from their constituents first hand, but may I just say that the staff in the North East Ambulance Service are working hard? In the past year, they responded in less than 15 minutes to more than 28,000 serious and life-threatening incidents. Mistakes can happen, and it is important to learn from them, but we should place on record our thanks for all the hard work they do on a daily basis.

Dehenna Davison (Bishop Auckland) (Con): At a surgery earlier this month, Mr Mitchell, a retired paramedic, told me about how his wife suffered a cardiac arrest. He called an ambulance and was told that there would be a wait for that ambulance. After 20 agonising minutes, and knowing the importance of timely care, he drove his wife down to a local defibrillator and administered care himself. Ninety minutes after his call, five ambulances arrived on the scene. His wife, sadly, lost her life. That is just one case brought to my attention that outlines the absolutely shocking record of the North East Ambulance Service. Will my hon. Friend give me, Mr Mitchell and all our affected constituents her assurance that the Department will investigate NEAS's failures fully and rapidly to ensure that no more lives are needlessly lost?

Maria Caulfield: I have heard of the sad incident affecting Mr Mitchell. Incidents such as that are exactly what we need to learn from. It is not acceptable for five ambulances to arrive on the scene after 90 minutes. We need a learning culture and system where staff can flag such concerns and learn from them, with systems put in place so that these incidents do not happen again, but my concern is that I am not confident that that is happening at the moment. I am happy to meet my hon. Friend and other local MPs to discuss what more needs to be done.

Julie Elliott (Sunderland Central) (Lab): I am not reassured by the Minister's response. She talks about substantial measures, but substantial measures have not worked. She talks about the CQC, but it has been involved, it did not find the errors and it has not apologised for the mistakes. I would like the Minister to add the trade unions—the GMB and Unison in particular, who represent the majority of NEAS staff—to the list of people she will talk to. NEAS has been making mistakes for decades and nothing seems to be done about it. She needs to get a grip of it for the people of the north-east.

Maria Caulfield: I am absolutely happy to meet anyone who wants to discuss concerns, but there are routes. We introduced the whistleblowing policy so that, at any stage, those staff and their unions can raise concerns and instigate investigations with the Healthcare Safety Investigation Branch, with those investigations looking at a service as a whole. I am happy to take any concerns forward and meet any group who wants to discuss them with me.

Mr Richard Holden (North West Durham) (Con): My constituents have been horrified to see and read about what has been going on in their local ambulance services. They have a right to know what has been happening, and bereaved families in my constituency

[Mr Richard Holden]

and those of my neighbours really have a right to know. It is also crucial to know that so that we can get to the bottom of it and prevent it from ever happening again. Will the Minister ensure that her Department acts rapidly on this? Will she also reiterate that NDAs have no place in our NHS, because they go to the heart of preventing the positive change and learning from mistakes that we need to see?

Maria Caulfield: I can reassure my hon. Friend that I have already had an initial meeting with the CQC and the trust this morning and that I will instigate further meetings after today. On NDAs, a previous Health Secretary made a move to outlaw them, and I will speak to the Secretary of State about whether we need to go further, because I am concerned that we cannot have a culture of learning and disclosure while NDAs may be in place.

Andy McDonald (Middlesbrough) (Lab): This cover-up totally stinks. It will stink to the family of a gentleman who tragically died while waiting for an ambulance which, unbeknown to the family, had been dispatched to Middlesbrough from Bishop Auckland, around 25 miles and 40 minutes away. If the family had been allowed to know how long the ambulance would take to get there, they would indeed have tried to save his life by driving him to the hospital less than 3 miles away. The people of Middlesbrough and the north-east are entitled to the security of knowing that an ambulance will get to them promptly in the event of an emergency. Will the Minister guarantee that?

Maria Caulfield: I would like to hear more from the hon. Gentleman about his constituent's case. I have concerns about what was reported in *The Sunday Times*. I am concerned that the process followed in investigating those concerns has not got to the bottom of some of the fundamental problems, so if he would like to meet me afterwards I would be very happy to take it further.

Dr Julian Lewis (New Forest East) (Con): When senior managers and administrators are found to be directly involved in gross negligence and deliberate cover-ups, will they lose their jobs or will they be allowed to continue?

Maria Caulfield: A statutory duty of candour is in place. As I said, if a mistake happens—mistakes can always happen, even with the best prevention methods in the world—there is a statutory duty to reveal it to the family and the patient involved, and to have a full investigation and learn lessons from it. I am concerned that that may not have happened in this case.

Liz Twist (Blaydon) (Lab): The reports in *The Sunday Times* yesterday on what has happened with the North East Ambulance Service and the cover-ups were truly shocking. My thoughts, and I am sure those of everyone, are with the families who have found out information that had previously been covered up. The Minister talks about the steps the Government have taken to ensure that whistleblowers can come forward, but clearly something has not worked. Equally, the CQC also missed it. What more steps will the Government take to pursue the investigation to ensure that this simply cannot happen again?

Maria Caulfield: The hon. Lady is quite right that the reports in the newspaper this weekend were absolutely shocking. The cases highlighted were not about ambulances not attending, but about mistakes that happened at the scene. What is more concerning is that those facts were not necessarily shared with the coroner and that families were not told either. That is more concerning to me than the actual events, because when there is a suspicion that the facts are not known, it prompts fears about what else is not known. I therefore take that extremely seriously and will be following up later today, and with the Secretary of State, to see what steps we need to take to reassure families further.

Mr Mark Francois (Rayleigh and Wickford) (Con): Some of us who have been here for a while can recall that we desperately tried to warn the last Labour Government that big was not always beautiful and that regionalising the ambulance services would not work well because they were too large and too remote. Nevertheless, they pressed on. But we are where we are. The East of England Ambulance Service has some very deep-seated problems, despite the best efforts of the paramedics, although thankfully not quite as horrendous as this case. Will the Minister, when she has a moment, announce a review into the operation of all regional ambulance trusts to improve their performance across the whole country? If that cannot be done, can they be broken up into smaller, more effective units? The current system is not working.

Maria Caulfield: I hear my right hon. Friend's concerns. I am happy to look at his concerns for his own particular ambulance service and discuss them further.

Alex Cunningham (Stockton North) (Lab): The Government have again failed the north-east. The failures of the North East Ambulance Service could fill a book and there is no doubt that there cannot be a north-east MP who has not had complaints about poor response times and lack of care. It is also evident that NEAS is now highly reliant on crews from other organisations, something I was told years ago would be phased out of the service as it grew its own paramedics. The latest revelations show the service is far from fit for purpose and we can no longer sit back. Will the Minister order not just an inquiry but a root and branch review of NEAS and get it sorted?

Maria Caulfield: In my role as patient safety Minister, I am happy to look at any patient safety concerns. The Minister for Health, my hon. Friend the Member for Charnwood (Edward Argar), who is responsible for ambulances, has heard the hon. Member's request.

Robert Halfon (Harlow) (Con): Further to the question from my right hon. Friend the Member for Rayleigh and Wickford (Mr Francois), the Minister will be aware that there have been significant problems in the East of England Ambulance Service over a number of years. He is absolutely right that the ambulance service regions are too big, so will the Minister consider making the ambulance service in the eastern region much smaller and creating an Essex ambulance service, so that it is better able to provide the services that people in Essex and my constituency need?

Maria Caulfield: As I said to the hon. Member for Stockton North (Alex Cunningham), I am happy, as the Minister for patient safety, to meet to discuss any safety concerns and issues following the review of the cases that we have heard about today. As for wider ambulance reforms, the Minister for Health is here and he has heard that request.

Grahame Morris (Easington) (Lab): Notwithstanding the appalling and heartbreaking cases that were highlighted in *The Sunday Times* and, indeed, *The Northern Echo*, including that of my constituent, Quinn Beadle, the Minister implied in her response that processes had been put in place to ensure that these things do not happen again. Does she want to take this opportunity to apologise to my constituents, Mr and Mrs Brocklehurst, for an incident that happened this year? Mrs Brocklehurst fell in her driveway, sustaining severe injuries, including five broken ribs, a collapsed lung, two crushed discs in her spine and other damage. It took the North East Ambulance Service three hours and 15 minutes to arrive. She experienced systemic failures throughout her experience, from a call handler advising her to place a bag of frozen peas on her broken back, to a trainee and two other paramedics wanting to lift her, before administering six syringes of morphine and placing her on a board without a neck brace. At the hospital, Mrs Brocklehurst was queued by the trust, in agony, for six hours before being treated. It is a disgrace, Minister.

Maria Caulfield: I am very sorry to hear that and I apologise to Mrs Brocklehurst. That is not an acceptable event to have happened, and I can only imagine the pain that she was going through. I am very happy to meet him and his constituent to discuss that further because, obviously, that wait should not have happened.

Duncan Baker (North Norfolk) (Con): I have tirelessly raised the issue of North Norfolk ambulance response times over and over again in this place, and there is absolutely no sign of them improving. Wells-next-the-Sea has the record of the worst response times in the entire country, which, given the elderly demographic and high number of tourists there, is not good enough. I am trying to be practical: why can the Government not fund a national programme and recruitment drive of community first responders to really help and assist our paramedics, who are completely beleaguered? Will the Minister please take that away as a serious consideration, because we cannot keep going on as we are?

Maria Caulfield: First responders do have an important role but they are not a substitute for paramedics. We have 3,000 paramedic graduates trained nationally per annum and we have increased our ambulance and support staff by 38%, so we are making that investment in the ambulance service.

Helen Morgan (North Shropshire) (LD): I have been struck by the similarities between this case and the failings in maternity care at the Shrewsbury and Telford Hospital NHS Trust that were in part due to a toxic management culture—as outlined by Donna Ockenden earlier this year—in which staff were afraid to raise concerns. Given the similarities, will the Minister commit to ensuring that we have a system where staff can whistleblow to an independent organisation and where they feel safe to admit that they have made a mistake?

Maria Caulfield: The hon. Lady shares my concerns about what underpins all these issues. From Mid Staffs to the Ockenden review, the fundamental issues in events that have happened under a number of Governments have been about covering up facts and about staff not feeling confident or safe in speaking out. There is a HSIB mechanism whereby staff can refer a matter directly for investigation, and we have introduced the national guardian to support staff in speaking out, but it is clear that more needs to be done.

Mohammad Yasin (Bedford) (Lab): A whistleblower working for the East of England Ambulance Service NHS Trust said this month that the service is on the verge of collapse. Patient safety, ambulance waiting times, inadequate pay, burnout and understaffing issues were highlighted as areas of concern after the publication of the trust's staff survey report last month. The Minister has spoken a lot today about mistakes. Does she agree that failing to back stronger provisions on workforce planning in the Health and Care Act 2022 will prove to have been a massive mistake?

Maria Caulfield: I can reassure the hon. Gentleman that NHS England is doing work on workforce planning, which is crucial to ensuring that we have not just the right number of staff, but the right skills mix. I can also reassure him that performance in the ambulance service nationally has improved from March to April.

The ambulance service has been working under severe stress during the pandemic and in dealing with the ensuing backlog. We need to be mindful that although these are tragic events, the vast majority of ambulance staff are working extremely hard and caring for patients.

Graham Stringer (Blackley and Broughton) (Lab): This is an appalling scandal and tragedy. Unfortunately, it follows a whole series of events that everybody in this Chamber could name, from Morecambe Bay to Mid Staffs to Bristol. The Minister claims that the NHS is open and that it has a learning culture when genuine mistakes are made. That is good rhetoric, but I am afraid that it is not the reality. What will she do to make it a reality? Last week, *The Economist* estimated that 1% of all deaths in this country are down to mistakes in the NHS.

Maria Caulfield: As I have said to other hon. Members, mistakes are always going to happen; that is human nature. The difference is that we are trying to introduce a culture of openness and learning in the NHS so that staff feel confident in coming forward, and so that when a mistake does happen, lessons are learned to prevent it from happening again.

Let us look at the record of this Government. It is this Government who are introducing a commissioner to oversee patient safety across the NHS. It is this Government who have introduced a statutory duty of candour so that when mistakes happen, patients and their families are notified and the process of learning starts. It is this Government who have introduced an early notification system specific to maternity—

Wes Streeting: It is not working.

Maria Caulfield: It is working. Neonatal deaths and stillbirths have reduced by 25%, so the systems are working. When they do not, we need to investigate and find out why.

Chris Bryant (Rhondda) (Lab): It feels as if there is no sense of urgency. I introduced the Assaults on Emergency Workers (Offences) Act 2018 to protect emergency workers; I hope that it is working, but assaults on ambulance staff and paramedics are still increasing. No wonder so many of them are leaving. We need a radical overhaul to ensure that we recruit more staff into the NHS, including more paramedics, and that fewer of them leave because of burnout.

What I really do not understand is why the Minister is not announcing an investigation today. Apart from anything else, surely it is an offence to provide false information to a coroner. Should that not be investigated by the police?

Maria Caulfield: I reassure the hon. Gentleman that the police have investigated and that they did not find evidence of that. As I have said at the Dispatch Box, I will look into specific cases to be confident that no stone has been left unturned with respect to the allegations in *The Sunday Times*. There are measures in the Police, Crime, Sentencing and Courts Act 2022 that increase sentences for assaults on emergency workers, which we take extremely seriously.

Daisy Cooper (St Albans) (LD): As far back as December last year, I wrote to the Secretary of State urging him to commission a CQC investigation of the crisis in our ambulance service, using his powers under the Health and Social Care Act 2008, because the CQC does not have powers to conduct thematic reviews itself. Since I wrote to him, we have seen scandal after scandal. In the north-east, people were told to phone a friend; in the west midlands, a patient waited more than 22 hours; in the south-west, stroke and heart attack victims are having to wait more than an hour; and in my own constituency, a cancer patient nearing the end of life had to wait almost 12 hours in agony for an ambulance to arrive. Surely it is time for the Government to stop sitting on their hands and to commission the CQC to launch a wide-ranging investigation of the crisis facing all our ambulance services.

Maria Caulfield: Let me reassure the hon. Lady. The CQC has been heavily involved in this case. I met representatives this morning to hear from them, and will be following that up. Moreover, an extra £55 million has been invested in the ambulance service nationally. We are aware of the pressures that the service is facing, and will do all that we can to support it.

Independent Review of Children's Social Care

4.5 pm

The Parliamentary Under-Secretary of State for Education (Will Quince): With permission, Mr Speaker, I will make a statement on how the Government are responding to “The independent review of children’s social care” and the Competition and Markets Authority’s children’s social care report.

This Government believe in a country where all children are given an equal chance to fulfil their potential, but sadly we are not there yet. That is why we made our manifesto commitment to launch the independent review of children’s social care in March 2021; its report was published today. The review was commissioned to take a fundamental look at the children’s social care system, and to gain an understanding of how we must transform it to better support the most vulnerable children and families. I want to extend my heartfelt thanks to Josh MacAlister and his team for this comprehensive review, as well as thanking the children, the experts by experience board, and the care leavers, families and carers who shared their experiences of the current system and their aspirations for a future one.

The review is bold and broad, calling for a reset of the system so that it acts decisively in response to abuse, provides more help for families in crisis, and ensures that those in care have lifelong loving relationships and homes. I look forward to working with the sector, those with first-hand experience and colleagues in all parts of the House to inform an ambitious and detailed Government response and implementation strategy, to be published before the end of 2022. To get us there, I have three main priorities. The first is to improve the child protection system so that it keeps children safe from harm as effectively as possible; the second is to support families to care for their children so that they can have safe, loving and happy childhoods which set them up for fulfilling lives, and the third is to ensure that there are the right placements for children in the right places, so that those who cannot stay with their parents grow up in safe, stable and loving homes.

To enable me to respond effectively and without delay, I will establish a national implementation board consisting of people with experience of leading transformational change, to challenge the system to achieve the full extent of our ambitions for children. The board will also include people with their own experience of the care system, to remind us of the promise of delivery and the cost of delay.

I want to be straight about this: too many vulnerable children have been let down by the system. We cannot level up if we cannot make progress on children’s social care reform. However, we are striving to change that. Our work to improve the life chances of children is already well under way, and is aligned with the key themes of the review and the CMA report. On 2 April, we backed the Supporting Families programme with £695 million, which means that 300,000 of the most vulnerable families will be supported to provide the safe and loving homes that their children need in order to thrive.

We welcome the review’s recognition of this programme as an excellent model of family intervention, and today, with the review as our road map, we are going further.

We will work with the sector to develop a national children's social care framework, which will set a clear direction for the system and point everyone to the best available evidence for how to support children and families. We will set out more detail later this year.

I pay tribute to every single social worker who is striving to offer life-changing support to children and families day in, day out. Providing more decisive child protection relies on the knowledge and skills of these social workers, which is why I support the principle of the review's proposed early career framework. We will set out robust plans to refocus the support that social workers receive early on, with a particular focus on child protection, given the challenging nature of this work.

We will also take action to drive forward the review's three data and digital priority areas, ensuring that local government and partners are in the driving seat of reform. Following the review's recommendation for a data and technology taskforce, we will introduce a new digital and data solutions fund to help local authorities to improve delivery for children and families through technology. More detail will follow later this year on joining up data from across the public sector so that we can increase transparency, both between safeguarding partners and the wider public.

Recognising the urgency of action in placement sufficiency, we will prioritise working with local authorities to recruit more foster carers. This will include pathfinder local recruitment campaigns that build towards a national programme, to help to ensure that children have access to the right placements at the right time. As the review recommends, we will focus on providing more support throughout the application process to improve the conversion rate from expressions of interest to approved foster carers.

Delivering change for vulnerable children is my absolute priority and, as suggested by the review, I will return to the House on the anniversary of its publication to update colleagues on progress made.

This statement also provides an opportunity to welcome the recommendations set out in the Competition and Markets Authority report into the children's social care market, which was published in March. As an initial response, I have asked my Department to conduct thorough research into the children's homes workforce, engaging with the sector and with experts to improve oversight of the market.

Sadly, we know that too many children are still not being protected from harm quickly enough. This is unacceptable. On Thursday, the child safeguarding practice review panel will set out lessons learned from the heartbreaking deaths of Arthur Labinjo-Hughes and Star Hobson, and the Secretary of State for Education will come to this House to outline the Government's initial response to these tragic cases. For too long, children's social care has not received the focus it so desperately needs and deserves. I am determined to work with colleagues across the House and with local authorities across our country to deliver once-in-a-generation reform so that the system provides high-quality help at the right time, with tangible outcomes. For every child who needs our protection, we must reform this system. For every family who need our help and support, we must reform this system. For every child or young person in care who deserves a safe, stable and loving home, we

must reform this system. This is a moral imperative, and we must all rise to the challenge. I commend this statement to the House.

Mr Speaker: I call shadow Minister Helen Hayes.

4.12 pm

Helen Hayes (Dulwich and West Norwood) (Lab): I thank the Minister for giving me advance sight of his statement today. Labour welcomes the report of the independent review of children's social care. I would like to add my thanks to Josh MacAlister and his team for their hard work and commitment. I also want to pay tribute to the social workers, support workers, foster carers, children's home staff, youth workers and everyone else who strives day in, day out to provide safety, support and stability to children who are in need or whose own families are unable to care for them. Their work is vital, it makes a huge difference, and it often goes unrecognised. At the top of my mind today are the group of care leavers I hosted in Parliament earlier this year. They were articulate, thoughtful and kind. All had been through experiences that no child should have to endure, and they all deserved far better than the current system had been able to deliver.

I welcome the review's conclusion that a total reset of children's social care is needed. That conclusion is a terrible indictment of the extent to which this Government have been failing children for more than a decade. During those 12 years, we have seen the number of children living in poverty rise to 4.3 million. That is a key causal factor underpinning the Government's failure of children: the unbearable pressure on families increases the risk of abuse and neglect. We have also seen the number of looked-after children increase continually, up by a quarter since 2010; the number of section 47 inquiries, when a local authority has cause to suspect that a child is in need, has gone up by 78% since 2011; half of all children's services departments have been rated "inadequate" or "requires improvement"; vacancy and turnover rates for children's social workers are increasing; and outcomes for care-experienced children and young people are worsening. In the meantime, the 10 biggest private providers of children's homes and private foster care placements made a jaw-dropping £300 million in profits last year.

We welcome the review's clear statement that providing care for children should not be based on profit—it should not. The law recognises childhood as lasting until the age of 18, and it is shocking that the Government have continued to allow children to be placed in unregistered children's homes and other completely unsuitable accommodation. We welcome the review's conclusion that the use of unregistered placements for 16 and 17-year-olds must stop, and stop now.

At the heart of the Government's failure is the erosion of early help and family support, which is demonstrated no more starkly than by the 1,300 Sure Start centres that have closed since 2010. We welcome the review's focus on restoring early help to families so that many more children can be supported to remain and to thrive with their own family, on supporting kinship carers and on seeking to ensure that every looked-after child can build lifelong links with extended family members.

[Helen Hayes]

Although the Minister reannounced a series of policies today, there is nothing here that will deliver the transformation in children's social care that the review demands. Successive piecemeal announcements are yet further indication of what the review describes as

“a lack of national direction about the purpose of children's social care”.

The Minister does not seem to grasp the depth of change that the review requires, at scale, across the whole country.

Will the Minister commit to a firm date for publication of a comprehensive response to the review and a detailed implementation plan? Does he expect that there will be a need for legislation? How does this square with the Queen's Speech voted on last week, from which children's social care was completely absent? How will today's announcement of early help investment in a handful of additional places ensure that early help services are available in every single area of the country, so that every family who need help can be supported?

What representations is the Minister making to the Treasury in response to the review? Will he commit, as the review demands, to an end to profiteering in children's social care? How will he ensure that the voices and experiences of children are always at the heart of children's social care? How will he guarantee that the workforce, who are the backbone of children's social care, are fully engaged and involved as the reforms are implemented? Finally, how will he ensure that, as the reforms are implemented, the framework of accountability for decisions made by the state about the care of children is strengthened?

This review sets out the urgent need for the Government to put children first and to stop poverty, mental illness, substance misuse, domestic abuse, sexual abuse and other adverse childhood experiences becoming the defining experience of a child's whole life, so that every child can thrive. Labour will always put children first. We did so in government, and we will do so again. This review represents an opportunity to deliver the total reset that is needed in children's social care. It is an opportunity that must not be missed, and we will hold the Government to account every single day on the framework of support and the outcomes for our most vulnerable children.

Will Quince: The hon. Lady asks a lot of questions, and I genuinely mean it when I say that I want to have as much of a cross-party approach as possible in tackling this issue and delivering the review.

I thank the hon. Lady for her largely constructive comments, and I thank her for the tone in which she referred to the review. We all want to act on the review to bring about the change we all want to see. Although I completely understand why she wants to talk about the past, we have to be honest with ourselves that, despite years of real-terms funding increases to children's social care, too many children and young people have been failed and let down, and are still being failed and let down, by the system. System reform is decades overdue, so I hope she will understand why I want to focus on the future and how we will look to implement the review.

The hon. Lady rightly pushes me on implementation, which is key. The Secretary of State and I are determined that this will not be just another report gathering dust

on a shelf in Whitehall—this is far too important. That is why I am establishing an implementation board with sector experts to drive the change that we want and need to see. An implementation plan will be delivered by the end of this year.

Finally, the hon. Lady should not, in any way, doubt my personal determination to implement many of the review's recommendations. Many colleagues who look at my Instagram feed say I have the best job in Government, and to some extent they are right, but what they do not see is that every weekend I read the serious incident notification report detailing all the children who have been killed, murdered, abused or neglected, or who have taken their own life, during the previous week. It is a harrowing read. I know that no legislation, process, procedure or review—however good it is—can prevent evil, and I cannot promise that there will not be further cases like Arthur, Star, Victoria, Daniel or Peter. However, with this most excellent review—it really is excellent—we have a plan, a road map, and an opportunity that we must and will grasp to ensure that such cases are as rare as they are tragic.

Mr Speaker: I call the Chair of the Education Committee.

Robert Halfon (Harlow) (Con): I strongly welcome the report, which is visionary in its scope. I thank Josh MacAlister for briefing me on its findings a few days ago. It is very much a “family, community and upwards” report, rather than a “top down from the Government” review, and that is important. I hope that the Government are bold on the funding issues raised—costs of, I think, more than £2.4 billion—and the proposal of a windfall tax on private companies to raise money for more vulnerable children.

As colleagues will know, the Education Committee is finalising our inquiry on the educational outcomes of children in care. We know that just 7% of children in care achieve a good pass grade in GCSE maths and English, and Josh MacAlister's report says:

“In too many places the contribution and voice of education is missing”.

What are the Government doing to ensure that these vulnerable children are being placed in good or outstanding schools, and that they are receiving the right, targeted catch-up tuition and mentoring support to help them to catch up on lost learning and, ultimately, to get the good jobs that they rightly deserve when they come out of care?

Will Quince: Our intention is to be bold and ambitious. The plan is to set out an immediate response today. There will then be a full response and implementation plan by the end of the year. The Government and I very much welcome this reset opportunity, and I hope that our level of ambition is clear to the House.

My right hon. Friend is right that the results for children who have been through and are currently in the care system are unacceptable. His Select Committee is rightly working on a review into the matter, and I look forward to working closely with him. This is all about improving the outcomes and life chances of some of the most vulnerable and disadvantaged children in the country; the key is ensuring that they have the opportunity to fulfil their potential.

Ms Diane Abbott (Hackney North and Stoke Newington) (Lab): What does the Minister intend to do to support children and families who are suffering in social care?

Will Quince: We have to ensure that we level up social care. What does that mean at its heart? Yes, it means continuing our investment in children's social care, but it also means setting the level of ambition significantly higher, which is exactly why the Government initiated the independent review of children's social care and are looking at the 80-plus recommendations closely, and why we have an implementation board, which will develop a clear implementation plan.

We are taking steps now, because this is not just about money; it is about culture change, system change, and process and procedure change. I hope that over the next days, weeks and months, we can get the right team in place and set the right strategic direction so that the plan can be ready by the end of the year and we can really get motoring with the change that the right hon. Lady and I so desperately want to see.

Tim Loughton (East Worthing and Shoreham) (Con): May I draw the attention of the House to my entry in the Register of Members' Financial Interests?

Mr Speaker, I know I am getting old; indeed, this week I take receipt, amazingly, of my senior person's railcard. In my 25 years in this House, I have sat through many once-in-a-generation reform programmes, many children's Acts and many reviews, some of which I launched myself and some of which my hon. Friend the Member for Eddisbury (Edward Timpson) launched subsequently.

As the Minister quite rightly said, a review is only as good as its delivery, so why will it be any different this time? In particular, will he point to the welcome references—there are some very welcome points in this review, for which I pay tribute to Josh MacAlister—to “family help”, which seem similar to the Munro review's “early help” 10 years ago? How do they interrelate with the family hubs that the Government are pushing forward and the welcome “best start in life” programme, which is being pushed forward by my right hon. Friend the Member for South Northamptonshire (Dame Andrea Leadsom)?

Will Quince: I thank my hon. Friend for all the work he did as Children's Minister when he was at the Department. He is right to say that we have to ensure that the implementation of this report and review is different from what has gone before. It may not shock him to know that in the back of my mind I have the 2014 special educational needs and disability review; that plan was bold and ambitious, and many considered it to be the right one, but the implementation was not and, as a result, it was not delivered and we have had to revisit it. That is why I am not going at this like a bull at a gate.

There are 80-plus recommendations and they have to be considered very carefully. We have to listen to the sector, stakeholders and others to make sure we get it right. That is why, although I have responded immediately to set out the things we can do right now, I am also setting up an implementation board to ensure that we listen to the sector experts with experience of transformational change, so that we can deliver the

change that we all so desperately want to see. I know that my hon. Friend will welcome the level of ambition and that he is desperate to see change, too.

Emma Hardy (Kingston upon Hull West and Hessle) (Lab): I urge the Minister to look in particular at what happens to care leavers when they reach the age of 18 and how the support immediately falls away. Two organisations have been working on this issue for a long time: one, Every Child Leaving Care Matters, has been campaigning for a long time for additional support for people when they reach 18, and the other, Wild Intervention, is in my constituency. When the Minister does his review and comes to his conclusions, will he find out what happens when somebody goes from 17 to 18 years old? I do not want to speak for everyone, but I am not sure that I would have been capable of doing everything independently at the moment I turned 18. We seem to expect an awful lot from these young people.

Will Quince: The hon. Lady is absolutely right. By bringing about some of the changes I have outlined, we will really change the game and turn around the life chances of some of the young people who have adverse experiences both in the care system and after it. I will of course look carefully at the detailed recommendations in the review. The key thing is not to see children's social care as a siloed issue, because it is not just a Department for Education issue. Every Department, every local authority and even, dare I say, businesses need to step up, recognise some of the challenges that care leavers face and make appropriate changes. We are taking some immediate steps—over the next two years, we are investing £172 million in programmes such as staying put and staying close, and in support for personal advisers—but I am conscious that we need to do far more in this policy space.

Dr Caroline Johnson (Sleaford and North Hykeham) (Con): As a paediatrician, I have seen far too many neglected children and children who have been injured by their parents or carers. I welcome Josh MacAlister's report and thank the Minister for his commitment to the issue. I ask him to do two things. First, will he ensure that the plan leads to better evidence-based care for children, and not simply more bureaucracy? Secondly, will he look at schemes such as those I have seen at my medical practice, in which new babies—many children in care are young babies—are cared for with their parent, as a joint foster placement, thereby enabling the parent to develop the skills they need to provide ongoing care for their child?

Will Quince: My hon. Friend is a font of experience on this and many other issues, especially those relating to safeguarding. She is right that we have to consider different and innovative approaches to keep families together wherever possible. When that cannot work, we should look into alternative arrangements. In future, I would like to pick my hon. Friend's brains. I want all Members to contribute to how we deliver on the review.

Tahir Ali (Birmingham, Hall Green) (Lab): First, will the Minister join me in extending gratitude to the thousands of social workers and family foster care workers who do the hard work day in, day out? We have a huge difficulty in my Birmingham, Hall Green

[Tahir Ali]

constituency with children not being matched with families from certain minority groups because of the lack of awareness and the lack of families coming forward to foster. Will the Minister commit to making sure that when foster carers are not coming forward, everything will be done to encourage Muslim families and ethnic minority families to do so, so that the children do not miss out and the responsibilities to them are taken seriously?

Will Quince: I very much welcome the hon. Gentleman's question. There are few professions that can claim to transform lives as much as child and family social workers. I know that he and colleagues from across the House will join me in paying tribute to those who work hard to support our most vulnerable children and families, delivering some of the most challenging and important work that is out there. We have invested another £100 million over the next two years alone in the recruitment, retention and professional development of child and family social workers in England, and we will do more in that space. Specifically related to his question about minority groups, he is right that we have a shortage of foster carers generally. All across the country, we need more foster carers of all different backgrounds to come forward, so we will be looking at a fostering campaign. We also need adopters to come forward, too. All of us across this House have a duty—even a moral imperative—to encourage as many people as possible to consider those roles.

Edward Timpson (Eddisbury) (Con): I welcome this serious and substantial report, which is rightly ambitious for vulnerable children right across the country. It builds effectively on the Munro review, the Children and Families Act 2014 and the Children and Social Work Act 2017, as well as the learning from the innovation programme with projects such as Mockingbird. Although financial resource will be a part of making the report's recommendations a reality, a huge amount of work will need to be undertaken, as my hon. Friend will know from the 13 pages of implementation advice in the report, over a significant period. Although the national implementation board is a good first step, may I have my hon. Friend's assurance that he will try to ensure that there is relentless prioritisation, focus and delivery across the whole of Government, not just the Department for Education, which will be essential to make this happen for vulnerable children?

Will Quince: My hon. Friend has considerable experience from his years as children and families Minister, and I very much appreciate his past and ongoing wise counsel. He is right that implementation is key. This is not, as I mentioned, just a DfE issue. It is for every Government Department and every local authority to step up and act. Some of the changes within systems, local authorities and children's services are cultural, and they will take time to embed, which is exactly why I am not rushing to legislation. We must take the time to get this right. This is, as my hon. Friend rightly points out, a fantastic piece of work, of more than 270 pages. To ensure that we get it right, we must digest it, stress-test it, market-test it and hear from stakeholders. We have some initial recommendations, but we will need a full implementation plan by the end of the year and help from the board to deliver it with a laser-like focus.

Jess Phillips (Birmingham, Yardley) (Lab): I welcome the review. The Minister says that he wishes to speak to stakeholders. I offer myself up wholeheartedly to provide any help that I can give. I want to ensure that he includes specialists in violence against women and girls, because that matter is handled woefully in children's services in our country, with dreadful consequences. What comes out of this review and also the previous review into sexual exploitation of children is that, between 2018 and 2020, 22 16-and-17-year-olds tragically died while living in unregulated settings. Both reviews called for a stop to those deregulated settings. The Minister could do that today; I urge him to do so.

Will Quince: I thank the hon. Lady—dare I even say my hon. Friend? I had taken it for granted that she would be a key driver in helping to implement much of our plan. She rightly references victims of domestic abuse as needing and deserving help and support from a range of national and local services. I assure her that I am committed to working across Government to ensure that children's social care works with the police, health, justice and, most importantly, victims and those who have experience of domestic abuse to get the support that they need, including, where appropriate, support with parenting. The statutory duty in the Domestic Abuse Act 2021 will help us with that. On regulation, we have £142 million earmarked to support the regulation of settings for 17 and 18-year-olds.

Robbie Moore (Keighley) (Con): I commend the work done by the review's author Josh MacAlister, and all the families, young people and professionals who kindly shared their own experiences to form the review. Vulnerable children and families across the UK, especially in Keighley and the Bradford district, which I have spoken about so many times on this issue, need much better support, and that can only be achieved through a fundamental shift in how children's social care services are delivered. I ask my hon. Friend to outline the new measures that will be implemented on the back of today's announcements that specifically focus on children's protections and the children's protection system?

Will Quince: I thank my hon. Friend for all the work he has done alongside parliamentary colleagues in relation to Bradford. Keeping vulnerable children safe from harm is non-negotiable, and where a council is not meeting its duty to do that, we will act to protect children and put their needs first. As he knows, Bradford's children's social care is being lifted into a trust that will drive rapid improvements following recommendations made by the children's services commissioner on what the council must do to improve.

On Thursday, the Secretary of State will set out more on immediate action in response to the tragic deaths of Arthur and Star. First, social worker early career support, especially around child protection expertise and specialism, will be key. Secondly, a national children's social care framework will be developed, embedding best practice in every local authority and children's services department up and down our country.

Andrew Gwynne (Denton and Reddish) (Lab): As chair of the all-party parliamentary group on kinship care and as a special guardian to my own grandson, I welcome the review and the Minister's statement. At Education questions the Minister will have heard me

congratulate Stockport children's services on attaining a "Good" rating from Ofsted. However, I must say that my and my wife's experience of Tameside children's services was frankly dreadful. Will the Minister commit to delivering on the proposals in the MacAlister review to unlock the power of family networks, including the family group decision making and the package of support for kinship carers set out in the review?

Will Quince: On Tameside, where local authorities are failing to deliver high-quality children's services the Department acts quickly and decisively. As the hon. Gentleman—I think I can call him my hon. Friend—knows, we are expecting Ofsted's findings on Tameside in the coming weeks. I assure him that I will not hesitate to take action should it find failings.

On the broader point about kinship care and special guardians, I am full of admiration for anybody who steps up as the hon. Gentleman has; in many cases, it avoids a child's going into care and keeps them within that loving family environment. It will not always be appropriate and it will not always work, but wherever possible we must explore it and ensure that social workers do so at the earliest opportunity—before a child is taken into care—and not as an afterthought. We will look carefully at the recommendations made in the independent review into children's social care, but he can trust me when I say that I want us to change the game on kinship care and special guardians.

Mrs Flick Drummond (Meon Valley) (Con): I welcome this excellent report and the Minister's statement. In 2007 I worked with my hon. Friend the Member for East Worthing and Shoreham (Tim Loughton) and experts to publish a report into children's social workers. Does the Minister agree with us that we need a career path that gives experienced children's social workers the choice of staying on the frontline rather than moving into management?

Will Quince: I thank my hon. Friend for her considerable expertise in this space. We need to look at recruitment of social workers, but we must also look at retention. There is a real danger that we will lose experienced social workers not just to leadership, but to other areas and other council functions. That is why we are looking closely at the development of a national children's social care framework and of social worker early career support, so that there is both progression and a specialism and expertise in child safeguarding. I would be happy to meet her to discuss her ideas further.

Munira Wilson (Twickenham) (LD): As the Minister has set out, kinship carers are unsung heroes who often step in at short notice to care for children that the local authority would otherwise care for. The review sets out what we already knew: the outcome for children in kinship care is often better than for others in non-parental care. Yet kinship carers receive no financial support unless they register as foster parents, a process that denies them parental responsibility for the child. I ask again: will the Minister accept the review's recommendations that kinship carers get the same financial allowances as foster carers?

Will Quince: I will look very carefully at the review, which has more than 80 recommendations so I am tentative; I am not going to pick some to respond to

immediately and some not. We are taking clear initial steps and I will publish an implementation plan by the end of the year. Broadly, I agree with the hon. Lady. There are two aspects to address if we want to ensure better outcomes and life chances for children and young people in care. If we can avoid children going into care by enabling them to stay with a kinship carer or special guardian, we must look at that. The secondary factor is the cost to local authorities, and therefore the taxpayer, of children going into care. Where there is the opportunity for them to stay with a family member, it can be advantageous for us to invest in that family member to avoid the child going into care, saving the taxpayer money and leading to better outcomes, so of course I am looking at that. I have given the hon. Lady the clearest steer I can, but I will respond by the end of the year.

Jack Brereton (Stoke-on-Trent South) (Con): I very much welcome the review. As the Minister knows, over the last few years we have had serious challenges in children's social care in Stoke-on-Trent, but the city council is now taking significant action to improve children's social care in the city and we have seen some promising signs. Does my hon. Friend welcome those improvements, and does he agree that we need partners to work with the city council—the police, health services and others—to drive further improvements?

Will Quince: I am pleased to see the improvements made in Stoke-on-Trent. My hon. Friend is absolutely right when he says that the Department for Education and local authorities cannot do this alone; they need other agencies and partners to be involved, and not just when it comes to safeguarding, although that is hugely important. We need the multi-agency approach, with all arms of the state, and indeed local businesses, communities and the voluntary sector, pulling together to improve the life chances of the most disadvantaged and vulnerable children in our country.

Rachael Maskell (York Central) (Lab/Co-op): I truly welcome the report and thank Josh MacAlister for the work that he and his team have done on the review. The social cost of adverse outcomes reaches £23 billion a year, yet the recommendations looked at £2.6 billion over a five-year implementation period. They included bringing in regional care co-operatives, as has happened with adoption and permanency in the regional adoption agencies. Will the Minister ensure that the report is implemented in full—not bits picked out of it—and that the funding will be there?

Will Quince: I cannot commit to implementing the entire report in full; there are more than 80 recommendations and it is right that we take it away, stress-test it, consider all the aspects of the proposals and their consequences, intended and otherwise, and speak with the sector and stakeholders. I recognise the level of ambition and I support huge aspects of the review.

Funding is important, and my right hon. Friend the Chancellor is as committed as I am to ensuring that all children are given an equal chance to succeed by supporting the most vulnerable in our society. Look at the evidence from "The Case for Change", which set out the initial findings of the care review: more than £2 billion into children's social care; £695 million into the supporting

[Will Quince]

families programme, a 40% increase which I know the hon. Lady will welcome; £259 million into building new children's homes, secure and open; and the £300 million investment in family hubs in half the local authorities in our country.

Danny Kruger (Devizes) (Con): I too welcome the report wholeheartedly. In my view, Josh MacAlister has set out a template for social policy in general, not just for children's social care. Too often, our interventions in the social space are too late, too siloed and too statist, whereas what Mr MacAlister suggests is a framework around building stronger families and stronger communities that also funds prevention, in the knowledge that that will save money later, as well as distress. I see my right hon. Friends the Minister for Crime and Policing and the Home Secretary on the Treasury Bench, and we are talking about saving their budgets too. Does the Under-Secretary of State for Education, my hon. Friend the Member for Colchester (Will Quince), accept the argument that up-front investment in a good system will save money later and pay for itself?

Will Quince: I certainly do accept that argument, but it is a case that we all will have to make to the Chancellor of the Exchequer. There is a significant spend-to-save argument in the review. It is important to stress that we have already invested significantly in early intervention. I talked about the package for families—family hubs, start for life services in more than 75 local authorities across our country, and the expansion of the supporting families programme. That is all part of the mix, but we will continue to consider carefully those issues on which the review suggests we should go further—in particular issues around early help and making the case for it. As I say, we have an ambitious implementation strategy and implementation plan, which I will report on by the end of the year.

Mike Amesbury (Weaver Vale) (Lab): As I speak, there are children in inappropriate placements—placements that are out of area, that are unregulated, and where there is no professionalism, not the right culture, not the love and compassion that are required, and more focus on profit and shareholder value. What will the Minister do to change that culture? He referred to shaping a market. In-house provision would save the taxpayer a considerable amount of money—and, very importantly, children would be centre stage.

Will Quince: I share the hon. Gentleman's concern that some providers out there are providing a very poor service to children and young people and are making excessive profits. We need to look at that, in short. The care review gives us a number of options. As a Conservative, I am not in and of itself against profit, as long as good-quality services are being provided that lead to good and high-quality outcomes for children and young people, and it represents good value for money for the taxpayer. Doing things in-house is not always cheaper and better, but it is important that we get value for money and have good outcomes. I have no issue with profit; I have an issue with profiteering, and that is why I will look closely at the Competition and Markets Authority's report, and will respond fully by the end of the year.

Kelly Tolhurst (Rochester and Strood) (Con): I declare an interest, as my sister is a social worker. I have, over many years, seen poor outcomes for young people who have travelled through our care system, so I welcome the review and some of what was in it, but this is a complex area. As my hon. Friend the Minister mentioned, we have seen a number of reviews, and the many barriers in children's social care that we all know about have come up again in the review. On his implementation board and the plan that will be brought forward before the end of year, will he take social workers with him, so that they feed into discussions on what that the measures look like on the ground? Also, can we truly tackle, once and for all, these two basic issues: the case load that social workers face in our local authorities; and the need to enable local authorities to support foster carers, so that the private sector no longer needs to fill that gap?

Will Quince: I very much welcome my hon. Friend's contribution, and I thank her sister for what she does as a social worker, as well as all social workers up and down our country. We are absolutely serious about reform and delivering the change that we all want. My hon. Friend mentioned two specific points. The first was about the case load, which is at the moment around 16 cases; that is down from about 20 in 2017, but the case load number is hugely misleading. I have rightly spent plenty of time with social workers up and down our country, and shadowed social workers in Cumbria, so I know that one case can take as long as 20. This is therefore not just about numbers. We have to look at the case load and social worker recruitment. On foster carers, it is absolutely right that we support them from the point at which they make an application or expression of interest to the point at which they become foster carers. Support should be ongoing, too, so that placements do not fail.

Kerry McCarthy (Bristol East) (Lab): I have looked at the section in the report on children's mental health, which is okay as far as it goes, but we know that child and adolescent mental health services are in absolute crisis. Figures were released yesterday that show that more children than ever are presenting with mental health problems, and many of them will not get the help that they need. Children in care can carry trauma with them their whole life if they are not helped. How will the Minister work with his colleagues in the Department of Health and Social Care to make sure that there is not a silo, and that he is not just looking at the aspects of mental health for which he bears responsibility? I am trying to avoid the phrase "joined-up working", but genuine joined-up working is what we need.

Will Quince: The hon. Lady is absolutely right, and if there is one area in which we need less silo working, it is children's mental health. My remit is broader than just Department for Education matters—it is around children more generally—so of course that issue concerns me. I can only do so much—there are the mental health support teams in schools, and senior mental health leads, in which we are making significant investment—but of course I meet regularly with my counterparts in the Department of Health and Social Care. Yes, that Department is making investments—for example, there is the £2.3 billion for mental health support—but in truth, too many children and young people are waiting too long for CAMHS services. We know that is a driver

for children's social care, so of course I will continue to have conversations with my counterparts to make sure that the issue remains a priority.

Dr Kieran Mullan (Crewe and Nantwich) (Con): I enthusiastically welcome the report, and I thank Josh MacAlister for his work. I also give my sincere thanks to those with experience of care who contributed to it. It brought to my attention that of 160,000 people who registered an interest in fostering last year, only 2,000 were approved. That is an absolute tragedy for children in need of loving homes, but it is also a tragedy for the taxpayer. The Minister has talked reasonably about the need to divide issues into the things that he wants to take short-term steps on, and the things that will take longer, but can he assure us that on his immediate to-do list is ensuring that more people who want to foster get to do so in the short term?

Will Quince: I reiterate my thanks to Josh MacAlister and his team for this most excellent review. My hon. Friend is right that there will be an immediate laser-like focus on foster care recruitment—local, regional and, to some extent, national. That is hugely important because we need additional places. The figures are a bit misleading, because there are huge numbers of expressions of interests, often to multiple agencies, and there are some people in there whom we would not want to be foster carers. However, the number of expressions of interest versus the number of successful foster carers is not where we want it to be. That means massively increasing the pool and, when it comes to expressions of interest, really hand-holding and making sure that people get the support that they need to go through to fostering and beyond.

Madam Deputy Speaker (Dame Eleanor Laing): I thank the Minister for his statement and I congratulate him on Colchester becoming a city. We are very proud of that in Essex.

Points of Order

4.52 pm

Stephen Morgan (Portsmouth South) (Lab): On a point of order, Madam Deputy Speaker. The Education Secretary has been caught red-handed using dodgy data to justify his academisation push. The independent statistics regulator has said that the evidence used in his schools White Paper “may be misleading”. Yet again today, he said that families of schools in high-performing trusts deliver “better outcomes for students”. Where is his evidence? I wonder if you have had notice that he plans to return to the House with real evidence for his claims; if he does not, perhaps he should be invited to correct the record.

Madam Deputy Speaker (Dame Eleanor Laing): I thank the hon. Gentleman for his point of order, but it does not sound to me like a point of order for the Chair; it is more akin to a continuation of the debate at Question Time. The Secretary of State thinks one thing and the hon. Gentleman thinks another, which he is perfectly entitled to do. He is also perfectly entitled to present different evidence and different figures from those presented by the Secretary of State. It is not, of course, for me to adjudicate, I am very glad to say. The hon. Gentleman will know that there are various ways in which he can bring the matter back to the House. I am sure that the Table Office will advise him if he should need—*[Interruption.]* There appears to be someone heckling me, which is not a great idea. I can see that this is a matter of debate, which will undoubtedly continue. What I was trying to say is that the hon. Gentleman will find various ways in which he can bring the matter to the House again.

Chris Bryant (Rhondda) (Lab): On a point of order, Madam Deputy Speaker. Can you help me get an answer out of the Department for Business, Energy and Industrial Strategy? I first wrote on behalf of my constituent Mr Brian Price of Treorchy on 25 November 2020. He has had a terrible experience with the Government's green deal scheme, which has left him out of pocket to the tune of more than £30,000. The Secretary of State replied to me on 14 December, stating he had instructed officials to look into the matter. We followed up on 15 December 2020, and we had a reply on 6 January 2021 seeking further information, which was provided to the Secretary of State.

I will not bore you—even though I see you are yawning, Madam Deputy Speaker—or the House with the ins and outs of this, but things have got considerably worse. I have been chasing a reply since 16 September last year, with letters on 1 November, 22 November and 17 December 2021, and on 21 January and 25 February 2022. On 21 March, I tabled a parliamentary question asking when I would get a reply. The Department replied—guess what?—that it had lost the correspondence. We sent it again on 30 March, and chased it again on 20 April. It is now 23 May, which is 544 days since I first wrote to the Department about this, and my poor constituent is pulling his hair out. Can you please, Madam Deputy Speaker, sort this out and get an answer for me?

Madam Deputy Speaker: I thank the hon. Gentleman for his point of order. I can assure him that my inadvertent yawn had nothing whatsoever to do with what he was saying; it must be a lack of oxygen around the Chair.

The situation the hon. Gentleman has described is totally unacceptable. It is simply appalling for a Government Department to lose correspondence about a case that the Minister has promised to look into. Mr Speaker has said many times from this Chair that it is essential that inquiries made by Members of Parliament on behalf of their constituents be answered by Ministers in a timely fashion. It is quite clear that this matter has not been dealt with in a timely fashion. Indeed, it would appear that it has not been dealt with at all.

The hon. Gentleman has made his point most emphatically. I am quite sure that those on the Treasury Bench will have heard what he has said, and I trust that the information will be passed on to the relevant Minister. If the hon. Gentleman still does not get any action from the Department, I hope that he will come back to Mr Speaker, and we will look into the matter further. However, I reiterate what Mr Speaker has said many times: it is unacceptable for civil servants not to answer the questions of Members of Parliament on behalf of the electorate.

Public Order Bill

[Relevant documents: Letter from Kit Malthouse MP, Minister for Crime, Policing and Probation to the Chair of the Joint Committee on Human Rights, relating to proposed Government amendments to Part 3 of the Police Crime, Sentencing and Courts Bill, dated 20 December 2021, HC 91 2021-22; Letter to Baroness Williams of Trafford, from the Chair of the Joint Committee on Human Rights, relating to protest amendments to the Police, Crime, Sentencing and Courts Bill, dated 29 November 2021, HC 91 2021-22.]

Second Reading

Madam Deputy Speaker (Dame Eleanor Laing): The reasoned amendment in the name of the Leader of the Opposition has been selected.

4.58 pm

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

From day one, this Government have put the safety and the interests of the law-abiding majority first. We have put 13,500 more police on the streets, and we are on track to reach nearly 20,000 new police officers by March next year.

Yvette Cooper (Normanton, Pontefract and Castleford) (Lab): Will the Home Secretary give way—already?

Priti Patel: I think I will make some progress, if that is okay.

This Conservative Government understand that if we are to cut crime, level up the country and make sure that people feel safe in their homes, on public transport and on the street, we need to back our police officers by giving them the powers and the tools they need to fight crime and protect the public. That was one of the main purposes of the Police, Crime, Sentencing and Courts Act 2022, which Opposition Members voted against. It also requires proper investment, which is why we are funding the police to the tune of almost £17 billion this year. We are helping the police to tackle violence against women and girls through major investment in safer streets measures—closed circuit television and more street lighting—and initiatives across the country. Earlier this month, I announced that I am strengthening stop-and-search powers, because stop and search is vital to get knives and weapons off our streets and save lives. Each weapon removed from our streets is a potential life saved. More than 50,000 weapons have been seized since 2019 already. I have also authorised special constables to carry and use Tasers.

The police service is not just an institution, but a collection of professional and dedicated people. They are extremely brave, as are their families. The introduction of the police covenant ensures that we will do right by officers and their loved ones, who do so much to support them.

Recently, we have seen a rise in criminal, disruptive and self-defeating tactics from a supremely selfish minority. Their actions divert police resources away from the communities where they are needed most to prevent serious violence and neighbourhood crime. We are seeing parts of the country grind to a halt. Transport networks

have been stopped, printing presses blocked and fuel supplies disrupted. People have been unable to get to work and go about their lives free from harassment. Shamefully, they have even been prevented from getting to hospital. This is reprehensible behaviour and I will not tolerate it.

Mr Richard Holden (North West Durham) (Con): I am particularly interested in seeing whether this Bill will target people such as Extinction Rebellion founder Roger Hallam. I was reading about him recently. He said that he would block an ambulance carrying a dying patient in order to make his political point. Will the Home Secretary ensure that people who would go to those extremes will be properly targeted by that legislation and thrown in jail if they carry out such actions?

Priti Patel: My hon. Friend is absolutely right. We should not tolerate behaviour that prevents people from going about their day-to-day business and stops them getting to hospital and living their lives.

We brought forward measures to address some of these matters in the Police, Crime, Sentencing and Courts Bill. While the Bill was enacted last month, the unelected other place blocked several measures, egged on by Opposition Members. We should not be surprised: Labour is weak on crime and weak on the causes of crime. It seems to care only about the rights of criminals.

Since January 2019, more than 10,000 foreign national offenders have been removed from the United Kingdom. In the past month alone, flights have gone to Albania, Romania, Poland, Lithuania and Jamaica. It was actually a Labour Government who oversaw the UK Borders Act 2007, which requires a deportation order to be made when a foreign national has been convicted of an offence in the UK and sentenced to 12 months or more, unless an exception applies. However, Labour Members, including members of the shadow Cabinet, now demand that we stop the removal of dangerous foreign criminals. They refused to support the Nationality and Borders Act 2022, which makes it easier to remove people with no right to be here, including foreign national offenders.

Many dangerous criminals, including paedophiles, murderers and rapists, are still in this country because of Labour Members. It is no surprise that Labour thinks mobs should be allowed to run riot, but I will not stand by and let antisocial individuals participate in criminal damage and disruptive activity that stops people living their lives and causes chaos and misery. The Public Order Bill will empower the police to take more proactive action to protect the public's right to go about their lives in peace.

Richard Burdon (Leeds East) (Lab): I thank the Home Secretary for giving way, and I hope she gives way to my Front-Bench colleague, my right hon. Friend the Member for Normanton, Pontefract and Castleford (Yvette Cooper), in due course.

I have been listening carefully to the Home Secretary. In the context of this cost of living emergency, the Government are threatening anti-trade union legislation and pursuing voter suppression through voter ID, and draconian anti-protest laws are now being brought in. Will the Home Secretary come clean and admit that this Government know that their economic policies will be

increasingly unpopular, so they want to remove everyone's right to resist and fight back, whether through voting, industrial action or peaceful protest?

Madam Deputy Speaker (Dame Eleanor Laing): Order. The hon. Gentleman indicated to me that he would like to speak in the debate, and that he would like to speak not at the end of the debate. He has just made half of his speech, which puts me in rather a difficult position, and I hope everyone else will remember that. Interventions are good for debate, but they must be short.

Priti Patel: Let me put the hon. Gentleman's remarks into context. First and foremost, the right to protest is part of the freedom and democracy that we all cherish in our country, and no one should interfere with that right at all. But I suggest to all hon. Members on the Opposition Benches—some of them write to me frequently to complain about the removal of criminals, foreign national offenders and so forth—that the types of protest specific to the Bill are those where a significant amount of disruption has been caused. He speaks about economic policies, the cost of living and costs to taxpayers. The protests around High Speed 2 have led to an estimated cost of £122 million. Policing Extinction Rebellion protests between April and October 2019 cost the public purse £37 million. The “Just Stop Oil” protests—as Essex Members of Parliament, Madam Deputy Speaker, we will appreciate this, along with our constituents—left Essex police alone with costs of £4.6 million. That is resource from the frontline that is used elsewhere. That resource could be used to protect our communities. That is why these measures are so important.

We all passionately believe in causes. The hon. Gentleman and others on both sides of the House speak with passion on a range of causes—we in this House are advocates and representatives of the people—but we do not make policy as a country through mob rule, or disruption in the way in which we have seen. No democracy can do that. No democracy needs to do that. The protesters involved in the examples that I presented have better, alternative routes to make their voices heard, and they know that.

Mike Amesbury (Weaver Vale) (Lab) *rose*—

Chris Bryant (Rhondda) (Lab) *rose*—

Jonathan Gullis (Stoke-on-Trent North) (Con) *rose*—

Priti Patel: I give way to my hon. Friend the Member for Stoke-on-Trent North (Jonathan Gullis) and then I will come back to the other hon. Members.

Jonathan Gullis: The Home Secretary talks about the “Just Stop Oil” protests. Does she share my concern that those protesters seem to think that cooking oil is something we should be stopping in this country?

Priti Patel: I thank my hon. Friend for his intervention. Again, as a country and as a House, we are confronted with challenges around livelihoods, wellbeing and cost of living right now. These protesters are not doing a great deal to support individuals to get to work and to go out and support their families. We must be very conscious about all that.

Several hon. Members *rose*—

Priti Patel: I will give way to the hon. Member for Weaver Vale (Mike Amesbury) because he stood up first.

Mike Amesbury: I thank the Home Secretary for giving way. In the Trident retail park in my constituency, a young woman has just been beaten senseless. Her jaw has been broken in four places. The Home Secretary spoke about mob rule. A bunch—a minority—of young people believe that they are given free rein. There is a lack of neighbourhood and community policing. Cuts have consequences. Twenty-two thousand police were cut over 12 years and that has serious consequences for people's lives. What is the Home Secretary going to do about that? That is a real noise in communities.

Priti Patel: The hon. Gentleman highlights an absolutely appalling case of serious violence against his constituent—an appalling level of violence. No, we should not tolerate that at all. But with all respect to him, he represents a party that has voted against the Government's work on police, crime, sentencing and courts as well as the resources that we put into policing. He asked what we are doing about that. Our unequivocal support and backing of the police is absolutely based on that, along with ensuring that criminal sentencing and prosecutions go up, working with the Ministry of Justice and, alongside that, ensuring that we provide the resources to ensure that perpetrators are brought to justice. With respect, the Labour party has repeatedly voted against that.

Chris Bryant: I prefer the cheery version of the Home Secretary, if I am honest. In my constituency, we have a high level of domestic abuse—it is higher than in any neighbouring constituency—and the local police want to do something about it, working with all the other agencies, but one of the problems is that, because of shift patterns, often, the police officer who starts dealing with a case is not the one available when the victim of the domestic abuse has to get back in touch. How can we restructure the police so that we really tackle the big issues that affect places such as the Rhondda?

Priti Patel: First, let me thank the hon. Gentleman for his intervention. If I may, I am going to offer him the chance to come and have a conversation with me about local policing in his area. There are a couple of points I want to make here first. He asks a useful question about structuring policing. A lot of work is taking place right now on domestic abuse and domestic violence. We want consistency across all police forces on how victims are treated, how to address the whole issue around perpetrators, the support that goes directly to the frontline and raising the bar. He is very welcome to come and have further conversations about that but, in the context of the Bill, if the police were not having to use the amount of resourcing that these protesters are consuming, there would be more policing in the community and more support for his and all our constituents. That is something we would all welcome.

Edward Timpson (Eddisbury) (Con): Five years ago, in the run-up to the 2017 general election, an organised group of people forced their way on to my property, where my family were living. We had just had a baby and we were forced out for three days under police

protection while the group stayed on top of our roof with loudhailers. Unfortunately, the police were not able to move them on because at that time trespass was just a civil matter. Although we have strengthened the law since then, what is in the Bill that could help people who may find themselves in, if not exactly that situation, a similar situation, which is very distressing and harassing for people on their own private property?

Priti Patel: I thank my hon. Friend for his question. He highlights the appalling nature of what we see. That is not peaceful protest at all, but threatening and intimidating. He will know only too well, as someone in public life, the implications of that. He asks directly about the Bill. Serious disruption prevention orders will help hugely with that, which is why the Bill is so significant. Protesters have routes to have their voices heard, and with that better routes and avenues to change policy, and they know that.

A free society does not tolerate interference in our democratic free press, and in the printing or distribution of our newspapers. As we know, we have also seen that in the last few years. Nobody civilised would dream of stopping someone getting to work or children going to school, let alone blocking ambulances. I am afraid we have seen all those examples all too frequently. So we will not be deterred from backing the police and standing up for the law-abiding majority, and that is what this Public Order Bill does.

First, the Bill introduces a new offence for locking on and going equipped to lock on, criminalising the protest tactic of people intentionally causing pandemonium by locking themselves on to busy roads, a building or scaffolding. Locking on can be an extremely dangerous and disruptive tactic. Protesters locking on from great heights place at risk not only themselves but police removal teams. I spent a great deal of time with specialist, highly trained and equipped police removal teams. The tactics they are experiencing are heavily dangerous and, as we touched on, drain a significant amount of police time and resources.

Stewart Hosie (Dundee East) (SNP): On the offence of locking on, the Bill states:

"It is a defence for a person charged...to prove that they had a reasonable excuse for the act mentioned".

If their excuse is that they were trying to stop the destruction of a historic building or to protect a site of special scientific interest from destruction, would that be reasonable? Would that be a defence of the purported crime of locking on?

Priti Patel: The right hon. Gentleman naturally raises the type of questions that will also be brought up in the Bill Committee. To use a recent example, which he may be familiar with, during the High Speed 2 work, specific sites and all sorts of significant places were targeted under the guise of environmental concerns. The Bill has to, and should, take such considerations into account in terms of police commitments, the level of violence and the serious disruption that some of these tactics also bring.

Secondly, we are strengthening the security of our transport networks, oil terminals and printing presses by creating new criminal offences of obstructing major transport works and interfering with key national infrastructure.

Dr Luke Evans (Bosworth) (Con): On the offence of locking on, we have seen people gluing themselves to various roads and gates and such things. Would that be covered under the Bill?

Priti Patel: Yes, and my hon. Friend highlights just some of the tactics that are used. I have seen the sheer manpower and excessive resource used by our specialist policing teams to literally de-glue protesters. It takes hours and hours and comes with a significant cost and use of resources. That is just one example, along with the example of locking on.

We cannot be passive when individuals target our infrastructure and major infrastructure works and projects. I mentioned HS2; HS2 Ltd estimates that ongoing protester action has already cost it more than £122 million. The recent action by Just Stop Oil against oil terminals and fuel stations, including forecourts, have shown further that the police need additional powers to deal with and combat that.

Thirdly, we are providing the police with the power to stop and search people for equipment used for certain public order offences, so that they can prevent the disruption from happening in the first place. I am sure the House will be interested to hear that during the last year—in fact, in just over a year—the police have found the equivalent of training camps, where these tactics and groups come together and where they hoard and harvest equipment. The police now have the powers to disrupt that type of activity in the first place.

The police have indicated that these powers will help them practically to prevent the disruption that offences such as locking on can cause, while the suspicion-less stop-and-search powers will help the police to respond quickly in a fast-paced protest.

Janet Daby (Lewisham East) (Lab): I am really concerned that the Bill will allow police officers to stop and search protesters without suspicion. Does the Secretary of State really think that it is fair and right that innocent people should be—or are allowed to be—stopped and searched when there is no suspicion? Does she also think that that is the best use of police time and resources?

Priti Patel: To put this into context, I remind the House that Her Majesty's inspectorate of constabulary and fire and rescue services has argued that stop-and-search powers would be an effective tool for the police in this case. Stop and search is a critical tool in policing and, as I highlighted, is absolutely crucial when it comes to saving lives and preventing the loss of life.

Dr Julian Lewis (New Forest East) (Con): I am a little concerned about the point raised by the right hon. Member for Dundee East (Stewart Hosie), because many, if not most, of these protesters feel that their cause is the most important thing in the world—in fact, some of them think that they are saving the world. If, therefore, they can give excuses of that sort by way of a reasonable explanation of what they are doing, is not the legislation leaving a loophole? In particular, I have in mind some previous cases where anti-nuclear protesters broke into military bases and damaged military equipment, and certain courts felt that they should be acquitted because their motives were to try to prevent nuclear war, even if, in fact, it has the opposite effect.

Priti Patel: Outcomes will be for the court to decide, but it is worth noting the numbers of arrests at recent protests: more than 4,000 with Extinction Rebellion, more than 1,000 with Insulate Britain and more than 800 with Just Stop Oil. I have already touched on the cost of policing, but there is also an associated level of criminality and criminal damage, which is why those cases have gone further.

The fourth measure that we are introducing is a new preventive court order. The serious disruption prevention order will target protesters who are determined to inflict disruption repeatedly on the public and cause serious criminal damage, which is one of the most recent disruptive features that we have been seeing. I have to say that there have also been threats to public safety, particularly at oil protests. I have recently visited some of the sites and been in touch with companies whose sites have been targeted. The threats to life and threats to local areas from the tactics being used are very serious.

For a serious disruption prevention order, an individual will have to have been convicted of two or more protest-related offences or instances of behaviour at protests that caused, or could have caused, serious disruption. Courts will have the discretion to impose any requirements and prohibitions that they deem necessary to prevent individuals from inflicting further serious disruption at protests.

Andy McDonald (Middlesbrough) (Lab): Is the Home Secretary aware that there is a direct comparison between the Russian law on assemblies that has been passed by Putin, and the measures that she is proposing? [*Interruption.*] Conservative Members can chunter, but these measures go further than Vladimir Putin's laws on assembly. Is the Home Secretary not slightly embarrassed and uncomfortable about that comparison?

Priti Patel: With respect to the hon. Gentleman, equating the actions of the Russian state to suppress the views of brave Russian citizens who speak out to oppose Putin's brutal war with our proportionate updating of the long-established legal framework for policing protests is just wrong and misguided. Let me be very clear: these measures are not about clamping down on free speech, but about protecting the public from serious disruption of their daily lives by harmful protests.

Dr Caroline Johnson (Sleaford and North Hykeham) (Con): My constituents are horrified by disruption that prevents people from getting to hospital or work and children from getting to school, but they are also concerned about the huge economic impact. Can the Home Secretary tell us how much these policing operations have cost? My constituents and I believe that the money could be much better spent on proper policing, rather than on having to police protesters causing disruption.

Priti Patel: My hon. Friend is absolutely right; her constituents are right to be outraged and concerned, and she is voicing their concerns as their representative in the House. In 2019 alone, the cost to the public purse of the Extinction Rebellion protests was £37 million. The cost of the HS2 protests is estimated at £122 million. In my county of Essex, where I have spent a great deal of time with the amazing teams, the cost has been more than £4.6 million. When I visited the Navigator site,

[Priti Patel]

I met police officers from Scotland, Wales, Devon and Cornwall, such is the extent of the resources that have to be brought in to police these protests.

Richard Fuller (North East Bedfordshire) (Con): I may be the sole dissenting voice on the Government Benches about some of these provisions. When my right hon. Friend talks about specific examples, particularly those relating to infrastructure, the population can get strongly behind her points. However, several clauses of the Bill are drawn very broadly and there is legitimate concern about how they will be applied. What reassurance can she give me that she seeks a tightly scripted Bill, rather than a general threat to our individual freedoms?

Priti Patel: I thank my hon. Friend for his question and comments; he is absolutely right. That is the purpose of scrutiny of the Bill. We know from the past two years of protest activity that the police are seeking clarification about certain requests and powers. We are looking at how the courts can work much better to take action, and how to ensure that policing resources are not being cannibalised or used in this way. That is why I think we are right to focus on the core aspects of disruption and the key tenets that need to be addressed, and the Policing Minister has been working on that in particular.

Finally, we are lowering the rank of officer to whom the commissioners of the City of London and Metropolitan Police Forces can delegate powers to prohibit or set conditions on protests. The rank is being lowered from assistant commissioner to commander. That is very significant in London, because of the extent of the activity that we have seen there. It will bring London forces into line with forces across England, Wales and Scotland, whose chief officers can already delegate their powers to the commander-equivalent rank of assistant chief constable.

It is not only criminals who have rights. The public need Parliament to put the law-abiding majority first, and that means backing the Bill, which will enable that law-abiding majority to go about their day-to-day business and live their lives freely.

5.26 pm

Yvette Cooper (Normanton, Pontefract and Castleford) (Lab): I beg to move,

That this House declines to give a Second Reading to the Public Order Bill because, notwithstanding the importance of safeguarding vital national infrastructure alongside the right to protest peacefully, the Bill does not include provisions for cooperation between police, public and private authorities to prevent serious disruption to essential services, includes instead measures that replicate existing powers, includes powers that are too widely drawn and which erode historic freedoms of peaceful protest, ignores the need for effective use of existing powers and does not recognise emergency NHS services as vital national infrastructure.

The Minister for Crime and Policing (Kit Malthouse): Will the right hon. Lady give way?

Yvette Cooper: Do you know what, Madam Deputy Speaker? I actually will. I was deeply disappointed that once again the Home Secretary, sadly, would not take an intervention from me. It was deeply disappointing to note how frit she seemed to be of any of the questions

that I tried to raise, which, once again, would have been extremely factual. I will give therefore way to the hon. Gentleman, if he can explain why crime has gone up and prosecutions have gone down since he became Policing Minister.

Kit Malthouse: When Labour Front Benchers called for “an immediate nationwide ban” on Just Stop Oil, did they have the support of their own Back Benchers? If not, is that why the right hon. Lady has performed the most enormous reverse ferret in the amendment that she has put before the House?

Yvette Cooper: I think that there is a strong case for using injunctions to deal with the kind of disruption that we saw from Just Stop Oil, but that is not dealt with at all in the Bill, which is part of the problem with it. It does not address a great many of the problems about which the Home Secretary is supposedly concerned; instead, it will cause alternative huge and serious problems. Most significantly, it fails to deal with some of the very serious issues about which the Home Secretary should be most concerned at this moment.

This is the first of the Government’s Queen’s Speech Bills of the Session. This is the Bill to which they have chosen to give pride of place, and what does it contain? There is no action to deal with the cost of living, although inflation is hitting its highest level for decades and millions of people are going without food to get by; nor is there any action to deal with the crisis facing victims of crime. There is no victims Bill, even though 1.3 million victims of crime who have lost confidence in the criminal justice system dropped out last year, and even though crime is rising and prosecutions are falling.

Instead, what we have are rehashed measures from last year’s Bill. We have a second round of measures on public order, even though the Government had plenty of time to work out what they wanted to do in last year’s Bill; even though the Home Secretary claimed that that Bill would solve all these problems—she said then that it would

“tackle dangerous and disruptive protests”;

even though the Government have not even implemented the measures from last year’s Bill, or assessed them to see what impact they are having before coming back for more, as any sensible Government would do; even though, for seven years running, the Home Secretary and her party have been promising a victims Bill; and even though, over those seven years, support for victims has become staggeringly worse. The number of victims dropping out because they have lost confidence has doubled since that victims Bill was first promised. That is more victims being let down and more criminals being let off.

Dr Caroline Johnson: The right hon. Lady has made an assertion that the Bill does nothing to help victims or to reduce crime, but does she accept that the prevention of disruptive protests will save a lot of money in the policing budget that can be redirected into preventing crime and helping victims?

Yvette Cooper: No, I do not. I will come on to that point later, because both HMRC and, astonishingly, the Home Office itself have said that those kinds of disruption orders are in fact unworkable.

Wera Hobhouse (Bath) (LD): In addition to what the right hon. Lady has just said, does she agree that the terrible statistics on rape convictions are exactly the reason that rape victims do not come forward, and that the Government should have done a lot more on this?

Yvette Cooper: The rape prosecution rate is one of the most shocking figures of all. For only 1.3% of reported rapes to be going to prosecution is totally shameful. The Government had the opportunity to do something about this. Right now in this House, we could have been debating proposals to provide more support for rape victims and to bring in stronger measures to ensure that police forces took action and had specialist rape investigation units in every force, not just in some, yet the Government have chosen not to do that.

Janet Daby: My right hon. Friend is making a powerful speech. Does she agree that protests are noisy, and that in this Chamber we are also noisy when we are protesting or disagreeing during a debate? When the Prime Minister enters the Chamber, Government Members cheer as though they were at a football match—

Madam Deputy Speaker (Dame Eleanor Laing): Order. This should be an intervention, not a speech. The hon. Lady should not be reading an intervention. Interventions should be so short that Members do not have to read them. If she has something brief that she wants to say to the shadow Home Secretary, she may do so.

Janet Daby: Thank you, Madam Deputy Speaker. Does my right hon. Friend agree that the Government need to recognise that noise has a way of releasing tension so that people can get their point across and be heard and recognised?

Yvette Cooper: My hon. Friend is certainly right to suggest that it is an unwise Government who try to silence those who disagree with them; it is also an undemocratic Government who seek to do so.

Dr Julian Lewis: Will the right hon. Lady give way?

Yvette Cooper: I will in due course.

The Home Secretary said to us this afternoon:

“From day one, this Government have put the safety and the interests of the law-abiding majority first.”

She claimed that she was prosecuting more criminals, but the opposite is the case. Since she came to office in 2019, crime has gone up by 18% and prosecutions have gone down by 18%, so I have to ask her what planet she is living on. Just because she says things stridently, that does not make them true. When she wonders about being on the side of criminals, maybe she should remember that it is a Conservative Government, and a Conservative Home Secretary, who are literally letting more criminals off—literally. There are hundreds of thousands’ fewer prosecutions every single year than there were under the Labour Government. Prosecutions, cautions and community penalties are going down, even now when crime is going up, and that genuinely means that rapists, abusers, serious offenders, thieves and thugs are all less likely to be prosecuted than they were seven years ago. There is just a one in 20 chance of someone being prosecuted on this Home Secretary’s watch.

The Home Secretary said too that she would not “stand by” while antisocial behaviour caused misery for others, but she is. There are 7,000 fewer neighbourhood police than there were six years ago, and the police are failing to send officers to more than half of all reported antisocial behaviour offences. People and communities across the country are expressing serious concerns about antisocial behaviour being ignored time and again by this Home Secretary.

Jonathan Gullis *rose*—

Yvette Cooper: I will give way first to the right hon. Member for New Forest East (Dr Lewis), and then to the hon. Gentleman in due course.

Dr Julian Lewis: I cannot see what these general points about the record of individual Ministers have to do with the substance of the Bill. What does have to do with the substance of the Bill is the difference between the right to protest peacefully within the rules and the right to insist on repeatedly bellowing a message—on and on and on—irrespective of the fact that other people have heard it and now want to exercise their right to go about their normal life. If I had insisted on intervening on the right hon. Lady when she was not allowing me to do so, that would be the parallel with the sort of abuse these measures are designed to stamp out. I obey the rules, and so should protesters.

Yvette Cooper: I do not think this is about bellowing; I think this is about serious offences and the committing of crimes.

Jonathan Gullis: I have been listening to the right hon. Lady, but I would appreciate some clarity. Does she condemn the behaviour and actions of Insulate Britain, Extinction Rebellion and Just Stop Oil?

Yvette Cooper: I was going to come on to exactly that, because Insulate Britain’s motorway protests were hugely irresponsible and, frankly, dangerous. They put lives at risk, which is why the Department for Transport was absolutely right to put an injunction in place and why the police were right to take prosecution action. Nobody has a right to put other people’s lives at risk with dangerous protests.

What is the Home Secretary offering today? She offers a Bill that targets peaceful protesters and passers-by but fails to safeguard key infrastructure and does nothing to tackle violence against women, nothing to support victims of crime and nothing to increase prosecution rates or to cut crime. This Bill fails on all counts. It will not make our national infrastructure more resilient, and it will not make it easier to prevent serious disruption by a minority of protesters. Instead, it will target peaceful protesters and passers-by who are not disrupting anything or anyone at all.

There should be shared principles throughout the House on this issue. All of us, whatever our party and whatever our political views, should believe that, in a democracy, people need the freedom to speak out against authority and to make their views heard. Yes, that includes bellowing if they feel so strongly about an issue.

We have historic freedoms and rights to speak out, to gather and to protest against the things that Governments or organisations, public or private, do that we disagree with. That goes for protesters with whom we strongly

[Yvette Cooper]

disagree as well as for protesters whose views and values we support, because that is what democracy is all about. But we should also share the view that no one has the right, no matter what they may think they are protesting about, to threaten, to harass or to intimidate others. No one has the right to protest in ways that are dangerous or risk the safety or the lives of others. Nor should they be able to cause serious disruption to essential services and vital infrastructure on which all of us in society depend.

That is why Labour has long defended the rights to speak out, to protest, to be heard and to argue for change, and it is why we called for greater protection for women and staff from intimidatory protests outside abortion clinics. It is why we called for greater protection from harassment and threats outside schools and vaccine clinics after the threatening antivax protests. It is why we made common-sense proposals to give local authorities the powers to act which the Government initially voted against. It is why we condemned the highly irresponsible protests on motorways because, whatever we think about the cause pursued by Insulate Britain or any other organisation, no one should put lives at risk like that, which is why we supported stronger sentences for those wilfully obstructing major roads. It is also why we criticised those involved in Just Stop Oil for causing serious damage and trying to disrupt supplies to petrol stations, which could have stopped people getting to work or pushed up prices in the middle of a cost of living crisis. Those protests were not just against the law, but counterproductive; at a time when they should have been trying to persuade people, they alienated people instead. That is why we called for national action to ensure that speedy injunctions were in place to prevent serious disruption.

Several hon. Members *rose—*

Yvette Cooper: I will first give way to the hon. Member for North East Bedfordshire (Richard Fuller), next to my right hon. Friend the Member for Hayes and Harlington (John McDonnell) and then come back to the right hon. Member for New Forest East.

Richard Fuller: I was following the right hon. Lady's argument until this last piece, where she outlined a series of cases—political issues—that the Labour party is against. I am just wondering why and how she differentiates that from the proposals in the Bill, which seem to provide the basis for her to make those moves directly.

Yvette Cooper: That is exactly the point that I am about to make, because the Bill does not address any of those points. All those cases are areas where there are existing offences, but there are and have been problems with enforcement. The Bill does not tackle that issue or solve the problem. Instead, in a whole series of areas, it makes the problem worse.

John McDonnell (Hayes and Harlington) (Lab): My right hon. Friend will correct me if I am wrong, but if I have got it right, this Bill will criminalise those who are protesting against major transport infrastructure projects, so I want to stand up for the right of one of my colleagues—in fact, my neighbouring MP: the right hon. Member for Uxbridge and South Ruislip (Boris Johnson)—who

has committed himself to lying down in front of the bulldozer if there is an expansion of Heathrow airport and a third runway. I would not want to see him locked up—well, not for this anyway.

Yvette Cooper: My right hon. Friend makes an important point: people across the country want to be able to protest against big new projects that are planned for their area, such as major transport projects, or plans to turn a woodland into a car park or to close a library. That is why it is important to ensure that we have our historic freedoms to protest and people's voices can be heard, and that we have the right to be protected from intimidation and harassment and we fulfil our responsibilities to keep essential services running. There should be a shared understanding across the House that there are rights to be balanced and important principles that should be respected on both sides of the House—for example, the principle that respects the historic freedom to protest, but also ensures that our essential services keep running.

Dr Julian Lewis: I thank the right hon. Lady for giving me a second bite of the cherry. I fear I have to confess that I am possibly the only Member here today who was actually arrested once—for taking part in a counter-demonstration 40 years ago, when we played the national anthem in public against a group of protesters against the Falklands taskforce, which was embarking to the south Atlantic.

The point that I am trying to get over to the right hon. Lady with the use of the words “bellowing” or indeed “incessant bellowing” is this: when the huge pro-nuclear and anti-nuclear demonstrations took place, everybody stopped and allowed each other to have their protest; and then the protest was over, and that was that. The idea that the same people could go on protesting day after day after day without being interfered with by the police, either for obstruction or causing a public nuisance, is ridiculous. What will she do to defend the right of other people to go about their normal lives once the protest has been made but the protesters will not stop?

Yvette Cooper: There are two different issues: there are issues in respect of the kinds of protests that might cause serious disruption to the vital public infrastructure that we all depend on, but there may also be protests that, to be honest, might be a bit annoying but do not actually disrupt anybody at all. In a democracy, we should recognise that even though the right hon. Gentleman and I may think that the world should move on, if people have strong views, they should be able to express them.

There should be a shared understanding across the House—

Angus Brendan MacNeil (Na h-Eileanan an Iar) (SNP): Will the right hon. Lady give way before she moves on?

Yvette Cooper: I will give way once, but I really want to get to the detail of the issues in the Bill.

Angus Brendan MacNeil: Is there perhaps a case for introducing a retrospective clause, given the confession we just heard from the right hon. Member for New Forest East (Dr Lewis)?

Yvette Cooper: A retrospective clause might affect not only the right hon. Gentleman but the Prime Minister—not that the Prime Minister has much of a record of taking seriously offences that he has committed or their consequences.

The problem with the Bill is that not only does it not respect the principles in respect of defending historic freedoms to protest, but nor does it contain sensible measures to safeguard national infrastructure. The Bill does not recognise the powers that the police and courts already have and the need to ensure that they can be used effectively; nor does it address some of the key changes currently faced by the police and authorities. The Bill does not include an effective strategy to avoid disruption to essential services, and there is clear evidence that some of its measures just will not work. At the same time, the Bill does not safeguard historic freedoms to protest—quite the opposite: it undermines those freedoms and targets peaceful protesters and passers-by instead.

Let me look at the proposals in more detail. The police and courts already have a range of powers that they can use in the minority of cases that involve serious disruption or criminal activity. They include powers in respect of wilful obstruction of a highway; criminal damage; aggrieved trespass; public nuisance; breach of the peace; breach of conditions on processions and static protests; harassment; threatening, abusive and disorderly behaviour; trespassory assemblies; preventing others going about their lawful business; and injunctions.

If someone blocks the road outside an oil refinery, they are already covered by the offence of wilful obstruction of a highway. If someone vandalises tankers, they are already committing criminal damage, which is an offence. Indeed, that is why more than 100 people have so far been charged by Kent police and Essex police as a result of Insulate Britain offences, and why the independent report on protests by Her Majesty's inspectorate of constabulary and fire and rescue services recognised that there were different views, even among police officers, about whether more powers were needed.

I have heard from police officers—including the chief constables and former chief constables of forces that have dealt with protests over many years—both about problems that the Bill does not deal with at all and about their concerns about the Bill's extension of the powers that they already have, which they say are sufficient. One officer told the inspectorate that

“the powers are sufficient; it is the ability to implement them that is the challenge due to lack of resources”.

There are challenges for the police if they deal with people who are determined to break the law repeatedly and are not deterred by the fact there are offences, but police also referred to concerns that sometimes even when offences had been committed there was no enforcement by the Crown Prosecution Service or the courts because of

“substantial backlogs in court”

and

“so much time passing since the alleged offence that the CPS deemed prosecution to be no longer in the public interest”.

The Bill addresses none of those issues. The inspectorate also raised concerns about lack of training, guidance and co-ordination among forces and authorities—issues that we raised in Parliament when we discussed this issue last year but that the Government dismissed.

We have heard from officers who have said that the most effective measures that they use in the face of potentially serious disruption and problems are injunctions, but the problem is the delays involved in public and private authorities getting injunctions in place. The advantage of injunctions is that they can be targeted at the problem. They often come with much swifter enforcement processes than individual offences, with the courts taking them seriously and escalating penalties. Not only can they act as a deterrent but, crucially, they include judicial oversight, which ensures that powers are not misused. Yet we have heard from police officers frustrated by the slow response from private and public authorities that have the ability to seek such injunctions, but instead leave the responsibility to tackle disruption to the police rather than taking greater responsibility themselves. Police chiefs, too, have been frustrated by the fragmented institutional response; there are so many different private contractors and organisations involved that no one takes responsibility.

If the Government were serious about the resilience of our vital infrastructure, they would have much more effective partnerships in place to make sure that companies act and co-operate, and that everyone understood their shared responsibilities. They would make sure that they understood the right to peaceful protest and the responsibility to safeguard essential infrastructure, and could get injunctions in place fast. They would be working to get the capacity, training and guidance in place that the police and the authorities need.

Instead of all of that—instead of those common-sense approaches—the Government have chosen to widen hugely powers on stop and search and on banning orders, which will affect both peaceful protesters and passers-by. Stop and search powers are hugely important as a way of preventing crime, but they can also be very intrusive and humiliating powers, which, if used in the wrong way, can be counterproductive and undermine legitimacy and trust in policing. Rightly, they are designed to be used to prevent the most serious crime—knife crime and drug dealing—and the police themselves have recognised serious concerns about disproportionality and about those who are black being much more likely to be stopped and searched than those who are white. Those powers should be used sensibly and not as a political football.

The police already have the power to stop and search someone who they believe has equipment that could be used for criminal damage, but the Government want to widen that to cover anything linked to a public order offence, including public nuisance and serious annoyance. We should ask the Government what that includes. They believe that noisy protests are a public nuisance, but does that include stopping and searching for a boombox or even for a tambourine? We concede that tambourines can be annoying, but could that be covered by the stop and search powers? That would allow the police to stop and search people not because they suspect them of being involved in a protest but simply because they are passing by an area where a protest is likely to be held.

What would that mean? Let us imagine that police expect an angry protest in a town centre by local residents who are furious that their local library is about to close. Those local residents' singing and shouting would undoubtedly be a serious annoyance to those who are studying or using the library and reading quietly. Under the

[Yvette Cooper]

Government's new rules, they could easily be covered by public order offences. In response, a local police inspector could designate the town centre a section 60 area and stop and search not only peaceful protesters but passers-by.

Let us think, too, about what that means for Parliament Square, where there are protests all the time and sometimes, people go too far and commit public order offences and the police rightly have to step in. But the offences that can be used to justify a section 60 stop and search order in this Bill are really broad and now include noisy protests that cause public nuisance and serious annoyance. I have an office that overlooks Parliament Square and I can say that there is definitely noise, loud music and serious annoyance every Wednesday before and after Prime Minister's questions. With gritted teeth, I defend their right to be seriously annoying but the Government do not, so, again, under this Bill, a police inspector could designate Parliament Square every Wednesday and stop and search MPs, our staff and civil servants on their way to work, and also tourists and passers-by. Does the Home Secretary really think that we should all be stopped and searched every time the Prime Minister comes to Parliament? It sounds totally ludicrous, but that is what this Bill does.

The Government also want to be able to apply serious disruption prevention orders to people who have never been convicted of a crime. They want to be able to restrict where someone goes, who they meet and how they use the internet, even if they contributed only in some broad way to people causing disruption to two or more people. Again, the Government are extending powers that we would normally make available just for serious violence and terrorism to peaceful protest. Police officers themselves have said that this is,

"a severe restriction on a person's rights to protest and in reality, is unworkable".

[Interruption.] The Minister for Crime and Policing says that they have not, but that is what it says in the inspectorate's report.

The inspectorate also said, that it agreed with the view shared by many senior police officers. It said that

"however many safeguards might be put in place, a banning order would completely remove an individual's right to attend a protest. It is difficult to envisage a case where less intrusive measures could not be taken to address the risk".

The inspectorate's report also said:

"This proposal essentially takes away a person's right to protest and...we believe it unlikely the measure would work as hoped."

The Policing Minister is right: that is the view not of a police officer, but of the Home Office, which was submitted to the inspectorate.

There is an alternative approach for the Government: to work sensibly with the police, local authorities and those who run public and private infrastructure; to support the right to peaceful protest; to work together to safeguard essential infrastructure; to review the measures that they have just introduced before coming back for more; to work on training, guidance and resources that public order teams need; to work on streamlined plans for injunctions that could protect the smooth running of essential infrastructure if needed; to work in partnership with essential services such as the NHS and not just with oil and gas supplies; to accept that protests that

this Government find seriously annoying are a vital part of our democracy; and, ultimately, to drop this Bill.

The Government should use this time to bring in a victims' Bill that could increase the rape prosecution rate; that could provide more support for victims of crime; and that could take more action to get dangerous criminals behind bars or more community penalties to prevent repeat offending by first-time offenders. Instead of wasting time stopping and searching people outside a library protest, they should do something to tackle the serious antisocial behaviour and rising crime across the country; do the job of a Home Secretary instead of grandstanding and making headlines; and do the proper, practical work of keeping our communities safe.

Madam Deputy Speaker (Dame Eleanor Laing): I hope that we will manage this afternoon's debate without a formal time limit, but that will depend on everyone taking less than eight minutes. I am sure that that can be achieved. It will be a much better flowing debate if we do not have a time limit, so I trust Members not to abuse the privilege of having the Floor.

5.58 pm

Nickie Aiken (Cities of London and Westminster) (Con): As is seen week after week, my constituency of the Cities of London and Westminster tends to be the epicentre of political protest in this country. That is hardly surprising, as it is home to the Government, to Parliament and to the UK's financial heart in the City of London.

I am sure that many hon. and right hon. Members can imagine that the effective management of protests, particularly the most disruptive, is of interest to my constituents. They have first-hand experience of having to negotiate their daily lives with the rights of others to protest.

In the hundreds of letters and emails that I have received from constituents highlighting the disruption that they have suffered during the days and weeks of organised protests, not one has called for the right to protest to be curbed. When it comes to public order, it is especially important to ask ourselves why the measures outlined in this Bill are proper and necessary. What has been made clear to me by both the Metropolitan police and the City of London police is that existing legislation has not kept pace with the evolving tactics of modern-day protesters.

Specifically, the lack of a lock-on offence makes it almost impossible for the police to balance lawful protest and basic civil rights. Provisions in this Bill will change that. Clauses 1 and 2 will allow police pre-emptively to stop highly disruptive, and in some cases dangerous, lock-ons. Clause 1 is of particular importance, as it will make locking on an offence where such an act, "causes, or is capable of causing, serious disruption".

That is absolutely right. We have seen individuals glue themselves to vehicles or use lock-on devices on the public highway.

Last August, those tactics were used on Tower Bridge by protestors who brought parts of Central London to a standstill for hours. Protestors have encased their arms in tubes filled with concrete and locked themselves to makeshift structures at huge heights. We have even

seen reports of protesters inserting nails and blades into those pipes in an effort to make removing them more difficult and dangerous for our police officers.

We cannot overlook the very real concerns of thousands of ordinary people who are disrupted by demonstrations that go well beyond what is necessary. I utterly disagree with the suggestion that just because we agree with a cause, the disruptive activity is right. It is not. Protest tactics using lock-on devices are not just inconvenient for many, but can have real-life consequences—emergency vehicles unable to attend 999 calls, missed hospital appointments or someone unable to get to a dying loved one to say goodbye.

It also frustrates me and many of my constituents that police officers involved in policing those protests are taken away from policing their neighbourhoods and concentrating on their local policing priorities. It is not just Westminster and City of London police officers being taken away from their daily duties. During a number of major days-long protests, I have seen officers from the home counties and Bedfordshire policing central London. I have even come across police vans in Covent Garden with the word “Heddlu” on them, which is Welsh for police.

Removing lock-on devices safely requires specialist policing teams to be deployed in what can be high-risk environments, which takes time and significant resources. Just one protest group, Extinction Rebellion, had a total of 54 days of protest between 2019 and 2021, costing some £1.2 million a day. I therefore welcome clause 2, which would allow officers to act on reasonable suspicion that satisfies visual and intelligence-based qualifications to prevent the use of highly dangerous lock-ons.

Since the publication of the Bill, I have listened to the argument that the offence is not necessary, and that the offences of wilful obstruction of the highway and aggravated trespass cover these actions. To an extent, that is true. However, they are only applicable after assembly of the structure, by which point we will have seen a chain of events that will ultimately lead to serious impositions on the surrounding area, businesses and local people.

The sticking point in the Lords on the Police, Crime, Sentencing and Courts Act 2022 was provisions specifically relating to noise or limiting freedom of expression. I recognise that, and I accept that, for this kind of legislation, we need to reach an agreement that satisfies both this and the other place. However, I stress that clauses 1 and 2 of this Bill are absolutely necessary to rebalance lawful protest and civil rights. After all, in non-violent protests, the duty of the police is to take a balanced and impartial approach towards all those involved in or affected by the protest—an approach that is consistent with both human rights law and domestic legislation. We must ensure that both lawful protest and everyday life can continue without the basic rights being infringed in respect of either. I believe that the Public Order Bill does exactly that.

Madam Deputy Speaker (Dame Eleanor Laing): I call SNP spokesman Anne McLaughlin.

6.4 pm

Anne McLaughlin (Glasgow North East) (SNP): “A little inconvenience is more acceptable than a police state”—not my words, but those of a police officer

consulted by Her Majesty’s inspectorate of constabulary and fire and rescue services on proposals in the Bill. I agree with the sentiment.

People are fleeing war in Ukraine and multiple other countries. The Home Secretary could be focused on sorting out the dangerously long time it is taking to get them to safety. She could be putting her energy into fixing the chaos at the Passport Office. She could be using her power to solve the supply chain issues that are pushing up food prices, which have made things unaffordable for many on these islands. Instead, she is bringing back populist—according to YouGov and *Daily Express* polls, at least—draconian, anti-human rights policies that were rejected only a matter of weeks ago in the other place. The reason for that is anyone’s guess. Is it to distract from the aforementioned failings of her Department? To raise her profile for when the Prime Minister surely, inevitably, has to stand down? Or just because she can?

Make no mistake: this, to quote Liberty, is

“a staggering escalation of the Government’s clampdown on dissent”.

It is at odds with people’s right to freedom of thought, belief and religion; freedom of expression; and freedom of assembly and association. For some, it will also lead to a clampdown on their right to respect for private and family life. Those are all rights we enjoy through the Human Rights Act 1998, but I do not expect this Government or many of their Back Benchers to care, because they want to tear that Act up and define the rights that they think we should enjoy.

However, I think that the people out there, who after all elected us, have the right to know that this Government want to control what they think, believe and say. This Bill allows the state to stop and search people who are not suspected of a single wrongdoing. It could lead to someone who has committed no crime having to report to certain places at certain times. I would be interested to hear who they will report to in Scotland, and what consultation has taken place with the Scottish Government on that. The Bill could mean people out there, again having committed no offence, having to wear an electronic tag, and having every single move they make monitored 24/7. That is sinister. The Home Secretary did not like it when the Opposition said this, but it bears striking similarities to what happens in Russia and Belarus. It is all about oppressing and controlling people. It is the stuff of conspiracy theories no more; this is the menacing new reality if you do not agree with the Conservative Government.

Big Brother Watch is concerned that the Bill takes us one step closer to becoming a surveillance state. That may be ideologically in line with this Government’s desire to control the people, but is it necessary? Will it work?

Kit Malthouse: Will the hon. Lady give way?

Anne McLaughlin: No, I am not giving way. There is widespread acceptance that the answer to both of those questions is no. Again,

“a little inconvenience is more acceptable than a police state”.

It is not just the one police officer who felt that way. Her Majesty’s inspectorate consulted widely on these powers as early as 2020 and they were rejected across the board,

[Anne McLaughlin]

not just because they were incompatible with human rights legislation, but because police concluded that they would not be an effective deterrent. So what is the point?

Existing legislation is already heavily weighted in favour of the authorities, and the 2022 Act has made that even more the case. The former Home Secretary, the right hon. Member for Bromsgrove (Sajid Javid), said in 2018 that,

“it is a long-standing tradition that people are free to gather together and to demonstrate their views. This is something to be rightly proud of.”

He was right: it was something to be rightly proud of. Where a crime is committed, the police already have the powers to act so that people feel protected. Where there is a clear need to protect critical infrastructure or transport hubs, the UK already has an array of legislation that allows that to happen, as the former Home Secretary said. The Public Order Act 1986 gives the police powers to place restrictions on protests and, in some cases, prohibit those that threaten to cause serious disruption to public order. There is an array of criminal offences that could apply to protesters, including aggravated trespass or obstruction of a highway.

Despite that, the Government waited until the Police, Crime, Sentencing and Courts Bill had completed its passage through this House to slip much of what we have before us today into that Bill at the last minute, when it was in the House of Lords—and the Lords roundly rejected it. Instead of accepting the defeat, one week later, the Government regurgitated most of the measures into the Bill before us today. The Home Secretary should accept that these draconian measures have already been rejected by Parliament and respect the democratic process. After all, this Government keep telling Scotland to do likewise, although the issue we intend to revisit—the matter of Scotland’s independence—was last put before the people eight years ago, not just last month.

Alberto Costa (South Leicestershire) (Con): We must remember that at the time of the Scottish referendum, the SNP leadership promised that it was a once-in-a-generation referendum. The passage of eight years can hardly be regarded as that, can it?

Anne McLaughlin: What we have here is a once-in-a-fortnight opportunity to bring back legislation that has been rejected in this place. The Government expect us to accept the result of the referendum eight years ago, despite having tested the alternative and despite a series of promises being broken subsequent to Scotland voting no. Why is it acceptable for them to repackage measures a week after they were rejected, even though there has been no time to assess the Police, Crime, Sentencing and Courts Act 2022 for effectiveness, human rights compatibility, or the police’s ability to manage those extensive new powers?

On the matter of Scotland, yes, the Bill and its powers apply to events taking place in here in England and in Wales, but as I said repeatedly throughout proceedings on the Police, Crime, Sentencing and Courts Bill, I and every SNP Member will defend the right of the people of Scotland to peacefully protest against

decisions made on our behalf by another Government, in another country, who were not elected by the people of Scotland. Crucially, we will defend the right of the people of Scotland to protest where that Government sit—right here, at the seat of power. The people of Scotland have come to London many times in their thousands to protest against the illegal invasion of Iraq, the billions squandered on nuclear weapons stationed without our permission on the west coast of Scotland, and the daylight robbery foisted on the women who, when they reached state pension age, discovered that the age had gone up and they would not be receiving their state pension after all. We can stand in the middle of Glasgow or outside the Scottish Parliament all we like—and we do—but the Scottish Parliament cannot change any of those things, no matter whether they want to or not.

I will defend the right of my constituents to stand outside this place and make their voices heard, and I will defend their right to not be subjected to the outrageous measures proposed here today—measures such as the serious disruption prevention orders, which can be imposed on people whether or not they have committed an offence. It is these orders that allow for reporting and for GPS monitoring. Remember, an individual does not have to have committed an offence to be subject to one of these orders, and anyone who fails to fulfil one of the obligations can be criminalised and subjected to imprisonment for up to 51 weeks. Similar legislation in Belarus allows sentences of up three years, so no doubt the Government will tell us to think ourselves lucky.

There are also the locking-on measures. My constituent Christine lives in Springburn, and she is a campaigner in the Women Against State Pension Inequality Campaign. She never wanted to be any kind of campaigner, but her state pension was taken from her and she felt compelled to act. If she and other WASPI women come to London to protest, or even just to visit London, and she has glue in her bag because she is a crafter but does not use it, can she be charged? Could she go to jail for 51 weeks? Can the Home Secretary guarantee that she would not? No, she cannot. And how would the glue be found in the first place? It would be found because the Bill also has measures such as suspicionless stop and search. Christine, in her mid-60s and a model citizen, could be stopped and searched regardless of suspicion, just because of where she is and where they think she might go and what she might do—but Christine is not the target, is she?

We already know that stop and search has a disproportionate impact on people who are black; they are seven times more likely to be stopped and searched. But when it comes to suspicionless stop and search, they are 14 times more likely to be stopped and searched. Is it a coincidence that all this legislation to stop people protesting came on the back of an uprising of movements like the Black Lives Matter movement? The important thing about Black Lives Matter is that it was not led by well-meaning white allies like me; it was and is led by campaigners who are black—those whose lives are devastated by those who do not believe that their lives matter as much as the lives of white people.

My partner was the founder of Black Lives Matter Scotland. I have been taken aback by the number of people who, over the past couple of years, have approached him and told him that they never spoke of what they

experienced as a black person on these islands until Black Lives Matter. Some of them living in remote areas said that, at times, they thought they might be the only black person in Scotland, but suddenly they found a community who got it, and it transformed their lives and the way they thought about themselves. That is why it is so important to encourage movements like that, but that, along with the nerve of environmental campaigners—trying to save the planet, for goodness' sake; how dare they—is likely one of the reasons why they annoy this Government so much. If not, what is the excuse for suspicionless stop and search, which the Government know will disproportionately impact black people?

Other than the morality or immorality of this Bill, as with other Bills I have worked on, I am concerned that the terms used are not sufficiently precise. It is all left to be defined by the Secretary of State, which is worrying, given the length of debate on “serious disruption” in the Police, Crime and Sentencing Bill. There is so much uncertainty about where the threshold for serious disruption lies—legal uncertainty being the opposite of what we should be striving for if we are to respect the rule of law.

The Bill is also excessively broad and the pre-emptive nature of it is disturbing. Have you ever watched a film called “Minority Report”, Madam Deputy Speaker? It had pre-cogs who could see into the future, and people would be arrested before they committed a crime. It sounds ridiculous—[*Interruption.*] I hear a Conservative Back Bencher say, “Good idea.” It sounds ridiculous and so does he. It sounds far-fetched, but in reality if this Bill passes you could be arrested, Madam Deputy Speaker, you could be charged, and you could end up in prison for something that you might have done.

I have barely touched the surface in these remarks, but I will make one final point, which was raised by Justice. Referring to clause 10, Justice points out that, while the clause creates an offence if a person

“intentionally obstructs a constable in the exercise of the constable’s powers”

of stop and search, with or without suspicion, the Met’s own guidance following the tragic murder of Sarah Everard is that people ask “very searching questions” of the officer, and notes that

“it is entirely reasonable for you to seek further reassurance of that officer’s identity and intentions”.

Anyone who did that at or near a designated protest area, as defined by the police, could end up getting 51 weeks in prison, a fine, or both.

The right to protest is the lifeblood of any democracy. It allows us to hold the powerful to account, which is precisely why they do not want it. It allows us to actively participate and to organise in our communities. History shows us that it is protest that often underpins political, economic and social change. Some of the most fundamental freedoms that we now have were won in spite of Governments. I will end by repeating what I said at the start: this Bill is all about oppressing and controlling the people out there, and they need to know about it. The stuff of conspiracy theories no more; this is the menacing new reality for those who do not agree with the Conservative Government. We should all be very afraid.

6.19 pm

Dr Ben Spencer (Runnymede and Weybridge) (Con): This is an important Bill, which I support. During this debate, we have heard a lot from Opposition Members

about peaceful protest. I support peaceful protest and peaceful demonstration, but today’s debate suggests to me that there is some confusion about what peaceful protest is and what it is not.

My constituents know what peaceful protest is. As Members of Parliament, we see it every day on Parliament Square—people singing, people heckling us, people making themselves and their opinions known to us as legislators. My constituents also know what peaceful protest is not: it is not people blocking the M25, or roads to hospitals, which I think is particularly egregious. I was horrified years ago watching when ambulances were trying to get through to St Thomas’ Hospital. People from Extinction Rebellion were taking it upon themselves to decide who was worthy to pass the blockade and get urgent medical treatment. We have seen the same thing with the recent M25 protests. Peaceful protest is not stopping people going to work or blocking the distribution of newspapers. It is not blockading fuel at a time of particular pressures around fuel. It is not slashing the tyres of trucks or smashing up petrol stations.

This Bill is not an anti-peaceful protest Bill; it is an anti-criminal behaviour Bill. It is a Bill to tackle the tactics deployed by people with no regard to the consequences of their actions or democratic process and who use criminal damage to try to hold the public to ransom. What really infuriates my constituents is that the people they see deploying these tactics seem to be above the law. They go and lock on and do protesting round and round again, with seemingly no powers to act to stop them. That is why the serious disruption prevention orders are so critical in stopping it. These behaviours are not on and cannot be accepted in any society committed to the rule of law and democracy. This Bill is essential to tackle this criminal behaviour.

6.21 pm

Dame Diana Johnson (Kingston upon Hull North) (Lab): I am sure we can all agree that we need to protect our freedoms of speech, of protest and of assembly as a vital part of our democracy. We already have many laws to deal with protest and to protect the public and our major infrastructure. Any extension of those laws needs to be very carefully considered by this place. I am a little surprised, therefore, that the Government have decided to bring forward this legislation from the Home Office first in this new parliamentary Session, when we are still waiting for the regulations from the protest offences in the Police, Crime, Sentencing and Courts Act 2022, which was the major Home Office Bill in the previous Session.

I was also hoping, as the Chair of the Home Affairs Committee, that the specific recommendations in our recently published report, “Investigation and prosecution of rape”, to improve the experience of victims would be brought forward in legislation through a victims Bill. I was also hoping that our recent report on spiking, which recommended a new offence of spiking, would be in prime place for legislation to be brought forward, but we are where we are today, and this is the Bill before us.

I have several concerns about the Public Order Bill, which I hope Ministers may be able to address. Her Majesty’s inspectorate of constabulary and fire and rescue services considered many of the proposals in the Bill in its report of March 2021, “Getting the balance right?”

[*Dame Diana Johnson*]

An inspection of how effectively the police deal with protests”. Clearly, looking at the reports of the inspectorate is incredibly helpful in developing evidence-based policy that can stand up to effective scrutiny, and the report has already been quoted widely in the Chamber this afternoon.

The report found that

“most interviewees did not wish to criminalise protest actions through the creation of a specific offence concerning locking-on.”

The report also concluded that it did not support the introduction of protest banning orders. I noted what the Home Secretary said in her opening remarks about wanting to back the police. That is very important, so will the Policing Minister be able to explain when winding up the evidential basis for bringing forward these particular proposals and the basis on which the Home Office has come to a different conclusion from the inspectorate?

I also want to raise issues about the actual terms in the Bill. The term “protest” appears 21 times, the term “protest-related disruption” appears 31 times and the term “serious disruption” appears 118 times. However, none of those terms is defined on the face of the Bill. To ensure that the powers conferred in this Bill are used proportionately, and only when absolutely necessary—and to prevent legal uncertainty—I hope that the Minister will commit to ensuring that the Bill will include definitions of those terms.

On the proposed extension of stop and search powers, in July 2021, the Home Affairs Committee published “The Macpherson Report: Twenty-two years on”, which found that there are still deep-rooted and persistent racial disparities in policing, particularly in the use of stop and search. Our report found that statistics covering the year to 31 March 2020 showed ethnic disproportionality in stop and search is worse now than it was 22 years ago. Black people in 2020-21 were seven times more likely to be stopped and searched than white people, and that was up from five times more likely in 1998. The disproportionality in “no suspicion” searches is even more stark. In 2019-20, black people were 18 times more likely than white people to be stopped under section 60. With such clear ethnic disproportionality occurring, can the Minister explain how the Home Office will tackle those existing disparities with this plan to extend stop and search?

I note that, in the Bill’s equality impact assessment, the Government state that safeguards exist to mitigate the disproportionate use of stop and search, such as the use of body-worn cameras and extensive data collection on the use of these powers. However, in 2021, Her Majesty’s inspectorate of constabulary said:

“Too few forces regularly review body-worn video footage”, and

“too many forces still do not analyse and monitor enough information and data on stop and search to understand”

how to apply stop and search fairly.

Furthermore, the amendment under clause 7 to the police power to stop and search under section 1 of the Police and Criminal Evidence Act 1984 will allow the police to take pre-emptive action against those suspected of being about to engage in protest-related offences. What specific safeguards will the Government put in place to ensure

that such pre-emptive action will not breach a person’s rights under articles 10 and 11 of the European convention on human rights?

Finally, I want to speak briefly about buffer zones for abortion clinics. The Bill does not legislate for that, but it should. My hon. Friend the Member for Ealing Central and Acton (Dr Huq) has led efforts in this House for some time for change on that matter, and I will continue to support her, including any amendments to this Bill that she tables. In the light of recent events, the Government should also consider buffer zones outside schools and vaccine clinics. But to return to the issue of buffer zones for abortion clinics, for too long, women in England have faced real intimidation and real harassment outside clinics providing abortion care. The Court of Appeal of England and Wales has confirmed that protesters can cause

“significant emotional and psychological damage”.

One woman described her experience visiting an abortion clinic in April this year:

“They came over twice and we said, ‘No thank you.’ She was very pushy, in your face...it has left me anxious as I suffer from poor mental health. When we walked past, she said, ‘Your baby wants to live.’ We had driven for 7 1/2 hours and did not expect this at all.”

Women accessing a legal and essential form of healthcare should not be subject to harassment. Both Scotland and Northern Ireland have begun to take steps to implement buffer zones and it is time that England did. I hope that the House will have an opportunity to vote on that in due course.

6.29 pm

Danny Kruger (Devizes) (Con): I will be brief, because I want to make a simple point in support of the new offence of locking on. I am conscious that the debate has in a sense become a sort of proxy for an argument about how seriously we take the threat of the climate crisis, and I do not want to go down that road. I acknowledge that people on the other side are very sincere in this, including Roger Hallam, who is the principal villain of this debate. I know Roger Hallam slightly—I have met and talked to him—and I respect his views. There are people who want to tear down our society and who are essentially revolutionary in their intent, but I do not think that he or the people who work with him are those people. He does have an absolute sense, however, that our civilisation is under threat unless we take radical action to change our economy, and he is entitled to that opinion. The question is how far it is appropriate to go in support of that cause.

The question of climate change and the tactics that we are discussing may be new, but it is an old debate. As we have heard, this place has experienced enormous protests over the years and the streets outside have known crowds of tens of thousands—hundreds of thousands—of people protesting against the Government. The question is about the action that can be taken by those protesters. Historically in this country, we had a clear distinction between what was acceptable and what was not, which was a distinction between what was called moral force and physical force.

Moral force is simply a demonstration of an opinion, as when someone stands up to be counted and shows that they expect legislators to take notice. Physical force

goes beyond that, as when someone uses physical power of some form to obstruct what the Government or the law are trying to do, which is the situation that we are in now. When someone locks on or attaches themselves permanently to public infrastructure or the roads, that is not using moral force—it is not simply standing there and being counted—it is inviting the physical intervention of the police. Obviously, it is not rioting or using violence against people, but it is inviting physical intervention and that is why it is unacceptable. It is a new tactic.

Stewart Hosie: Clause 2, “Offence of being equipped for locking on”, says:

“A person commits an offence if they have an object with them...with the intention that it may be used in the course of or in connection with the commission”

of the offence of locking on. Is the hon. Gentleman saying that if somebody has a heavy bicycle chain and padlock to secure their motorbike, which can be used in the commission of locking on, they should be made a criminal?

Danny Kruger: I thank the right hon. Gentleman for that intervention. The fact is that going equipped to commit an offence is a criminal offence in itself. We are creating a new offence here and it is necessary to provide that preventive measure as well. The Bill allows the police to take action in a dynamic and fast-flowing situation to search and to prevent the commission of a crime, so I support the measure.

Dr Julian Lewis: As someone who, for decades, has gone around with a heavy chain and padlock to secure my motorcycle, I have never found myself in a situation where I was carrying that device but did not have my motorcycle with me, so hon. Members should think about that. However, what my hon. Friend is explaining so lucidly has been thought of before. To return to the anti-nuclear protests, there was even a term for it—NVDA, which is non-violent direct action. It is not violent, but it is not really peaceful, because it is deliberately breaking the law. I think that is the distinction that he is correctly trying to draw between that and peaceful legitimate protest.

Danny Kruger: I thank my right hon. Friend very much for his intervention. He is absolutely right.

I end with the observation that the protesters we are dealing with, even if they have honourable intent and they are entitled to their opinion—who knows, they might be right about the climate crisis—are not allowed to use our tradition of liberty against us. It is necessary to update the law to criminalise that form of protest.

6.33 pm

Ms Diane Abbott (Hackney North and Stoke Newington) (Lab): The Home Secretary opened the debate by boasting that the Government support the police and, above all, support law and order, but the reality is that that is far from the truth. This is a Government who have shown a blatant disregard for the law and who confuse, as in this case, draconian legislation with upholding the law and defending justice. The reality is that they conceive of themselves as lawmakers who are above the law and the rest of us as being subject to their orders.

In case anyone is in doubt about that, I can offer a few examples. It is Government Ministers who were responsible for attempting to prorogue Parliament in breach of the law. It is Government Ministers who have introduced a disgraceful refugee policy that is almost certainly in breach of international law on the rights of refugees. At the same time, Ministers are embarked on a course that seems to lead to abrogating an international treaty by ripping up the Northern Ireland protocol. This is far from an exhaustive list, but it would be remiss of me not to mention the 126 fixed penalty notices that have been issued to Downing Street staff and Ministers, including the Prime Minister, for breaking their own lockdown rules. Members will be aware that photographs are circulating online today of the Prime Minister jovially drinking at one of those parties that he denied in this House had happened. The Government have no right to claim to be a Government of law and order.

The Bill is yet another draconian measure from an increasingly authoritarian Government, who presume to lecture the rest of the world on democracy and human rights, yet whose legislation is more authoritarian than many Governments who are widely and often justly castigated. I note in passing that the Bill's provisions have already been rejected in the other place in its debate on the Police, Crime, Sentencing and Courts Act 2022. Without further time for consultation and without any concessions, the Government have immediately reintroduced the rejected provisions, so it seems that Ministers' respect for due legislative process is as weak as their commitment to upholding the law.

The Bill contains provisions for serious disruption prevention orders for people with two convictions for public order offences, or even for those who have been convicted of no offence but are deemed to have caused “serious disruption”. That is not just an infringement of civil liberties; that type of legislation is the mark of authoritarian Governments everywhere. The truth is that no citizen should ever be subject to the arbitrary and unsubstantiated curbing of important civil rights by the state.

Many Members will remember the enormous demonstrations against the Iraq war, which were over a million strong; the huge anti-apartheid demos of the 1980s; and the marches in support of the miners. If any Members present took part in any of those demonstrations, they will have seen exceptionally large crowds acting entirely peacefully yet causing disruption by their sheer weight of numbers. When a large section of the population are exercised enough about an issue to go on a march, they will cause huge disruption and, often, a great deal of noise, but that is their right. Any Government who are foolish and short-sighted enough to try to curb demos because they are disruptive are creating an authoritarian regime that people will protest against even more strongly.

On random stop and search, I have campaigned against non-evidence-based stop and search and its predecessor legislation, the *sus* law, for all my time in public life. I and many others have said that there is a place for targeted, intelligence-led stop and search to prevent or detect a specific crime, but that is not what the Bill proposes. The Bill gives free rein to some of the worst and most discredited policing practices. We should be clear that the overwhelming majority of stop-and-search operations in this country are conducted by the

[Ms Diane Abbott]

Metropolitan police, but many other forces, some of which have a comparable or even better record of fighting crime, hardly ever use stop and search. The House should be clear that stop and search is almost invariably directed at one section of the community, and that is young black men. According to the Home Office's own data, six white people from every 1,000 are subject to stop and search, but no fewer than 54 black people from every 1,000 are subject to stop and search, and that figure rises to 157 people if we add people who are designated as "Black Other".

Those are wholly unacceptable and flagrantly discriminatory facts. They are known to the Ministers sponsoring this Bill, who must also know of the data showing that discrimination rises in cases where the stipulation of "reasonable grounds" is removed. Both Her Majesty's inspectorate of policing and the College of Policing have criticised the use of random stop and search and argued that it is counterproductive, yet the Government are persisting on this course. There is a clear risk from these authoritative warnings: when sober and serious independent bodies of some standing use the term "counterproductive", we should all take note, but apparently Ministers choose to ignore it.

Finally, I would like to touch on the Bill's provision on the prohibition of obstruction of major transport works. The Government claim that many of their measures are aimed at Extinction Rebellion, but legislation has a habit of being adapted to suit the needs of Government, especially proposed legislation as loosely drawn and as draconian as this, so the combination of the Government's track record and Ministers' wild rhetoric about a rail strike should ring alarm bells for all trade unionists. This Bill would allow a further serious erosion of fundamental rights—in this case, the particular right to organise in the workplace and the right to strike.

For those and many other reasons, this Bill represents a serious threat to all of our long-held and hard-won rights. Protests—whether the chartists, the suffragettes or the anti-war protests of the 20th century—are part of the history of the political process in this country, and a Government who would seek to limit the right to protest in this way are a Government who do not take seriously this country's political history and a Government who are seeking to take away people's rights. This is a Bill that those of us on the Labour Benches will be opposing.

6.42 pm

Tom Hunt (Ipswich) (Con): I am very pleased to speak in this debate, and to speak quite early on as well. I was pleased to support the policing Bill and I am pleased to support this Bill as well. It was disappointing that some of the amendments made through that Bill were defeated in the other place. It has made this Bill very timely in strengthening and going further on much of what was good about the previous Bill.

There is a clear distinction and a difference between what I think everybody in this place would want to defend, which is peaceful protest, and what we see demonstrated by a very small minority of people who seem to have very little consideration for the welfare of others and for the general economy. I think that this Bill

makes that distinction. I do not see anything in this Bill, just like I did not see anything in the policing Bill, that threatens peaceful protest. That is not on the table today.

What is on the table, though, is a Bill that seeks to strike the balance right between allowing peaceful protest and putting clear limits in place when it comes to the reckless activity that meant I had—and I always remember this—one email from a constituent whose carer could not get to them because of the consequences of the reckless behaviour that we saw in East Anglia. Try telling that person who depends upon that care that the Government should not make this issue a priority. I absolutely think that, if I spoke to that constituent today, they would be pleased that this Bill was being debated today and they would see it as a priority. So I am not going to trivialise the importance of this Bill, as some on the Opposition Benches have done.

Richard Fuller: My hon. Friend is making a very important point about the role of the Opposition in opposing this Bill in principle. Whatever concerns one might have about some details, the fundamental point that something needs to be done about the issues that Members on both sides have mentioned is the reason why this Bill is being proposed, which is why it is of such great concern that the Opposition are opposing on first principles.

Tom Hunt: I very much agree with my hon. Friend's comments. We have heard—both today, but also outside of this debate—from senior Opposition Members that they get it, and that actually they do want to put some restrictions in place to stop excessive protests that can have very damaging consequences for people. But we have seen absolutely no evidence that, in practice, they are prepared to do that, and whenever there is an opportunity to vote in favour of what they claim they support, they have opposed it, which I do think is quite damaging.

This points to the wider problem that those in the Labour party have, which is that, on the one hand, they know that actually the majority of people do see this distinction between peaceful protest and the reckless behaviour of a minority, but on the other they want to pander to extremist elements to the left of the political spectrum, and they are caught between those two different pressures. Fortunately, on this side of this House, we feel no such pressure. On this side of the House, we are absolutely clear who we support. We support the 63% of people who, when polled very recently, said that they support the criminalising of locking on—and actually it is not populist to listen to the overwhelming majority who find it deeply frustrating.

In East Anglia, we were among the worst regions impacted, partly because of the oil terminals around Tilbury, the Thames estuary and south Essex. We were incredibly badly affected for days on end by the behaviour of some of these individuals, and on a bank holiday weekend. We obviously have the story of the care giver, but we also have the example of businesses—small businesses—desperately trying to get themselves back on their feet after an incredibly difficult period, being stifled and limited in their ability to do so, again because of the reckless behaviour of a small minority. I myself remember the day—I think it was the Monday that was

particularly bad in our area—that it was only at the sixth petrol station I got to that I was able to get petrol. The amount of petrol that the average petrol station held in East Anglia went from I think 45% of capacity to lower than 20%. That is a direct consequence of the protesters' behaviour.

I welcome the fact that we are introducing these new criminal offences for some of the most reckless behaviour, such as the individuals who go on to the M25 and block hugely strategic roads. That is dangerous to themselves, it is dangerous to drivers and it causes immense disruption, and the targeted action the Government have taken is to prevent that reckless activity. But the point here is that there have been too many occasions where the police have not been as hands-on as they should be. It has caused huge frustration to my constituents when they have seen pictures of reckless protests. Actually, let us be clear: these are not protesters; they are criminals. I am going to stop calling them protesters, because at the point at which they decided to sit down on the M25 and endanger themselves and others, they ceased to be peaceful protesters, so I will unashamedly call them criminals.

When these individuals take that decision, why are we seeing images of police forces that are just, frankly, dilly-dallying—dancing around and doing very little? Why are we seeing that? Why, when the roads to key oil terminals in south Essex are blocked, cannot the police immediately go in there, intervene and move them off, with no pause and no delay whatsoever? So, yes, this Bill is a step in the right direction, and I very much hope that it will create a powerful deterrent to prevent this sort of activity, but I also believe that a firm signal needs to be sent to the police that there have been times when perhaps they have not been as proactive as they could have been in moving some of these individuals on.

I have spoken about the Opposition and what I think of their views on this matter, but some of the comments made by organisations such as Greenpeace and Amnesty International have also been deeply regrettable. Trying to compare the measures in this Bill with measures promoted and implemented by the Putin regime and the regime in Belarus deeply demeans the whole argument, and those organisations do themselves no service whatsoever if they cannot in their own minds make the distinction between peaceful, legitimate protest by individuals in Russia campaigning for democracy, free speech and the ability to live in a world without persecution or fear and the behaviour of individuals who have every democratic channel open to them but who just want to get their own way. These people say, "I've used every democratic channel open to me, but I haven't got exactly what I want, so I am going to disrupt and undermine our economy and divert police resources." That is not good enough.

Dr Rupa Huq (Ealing Central and Acton) (Lab): Will the hon. Gentleman give way?

Tom Hunt: I will not. This Bill provides further evidence that this Government and Conservative Members get the difference between peaceful and other protests, and that they understand the anger of my constituents and others who are sick of being in hock to an extreme fringe. We do not have the conflict that exists in the Labour party, and I welcome this Bill.

6.50 pm

Wera Hobhouse (Bath) (LD): We should not be fooled: the measures in this Bill are the very same as those the House of Lords overwhelmingly rejected from the Police, Crime, Sentencing and Courts Act 2022 on the basis that they form a dangerous and blatant power grab that undermines our civil and democratic liberties. The measures include the creation of serious disruption prevention orders that could subject individuals to 24/7 GPS monitoring whether they have been convicted of a crime or not. They include new stop-and-search powers for the police despite a wealth of evidence, as we have heard, that black people are disproportionately targeted. They include a broad, potentially catch-all, new offence of

"being equipped for locking on",

meaning that someone could face an unlimited fine for as little as carrying a bike lock.

The measures have been described as "draconian", "authoritarian" and a

"staggering escalation of the Government's clampdown on dissent".

They were rightly rejected from the 2022 Act and, even though the ink is not yet dry, the Government are already trying to reintroduce powers that would not be out of place in some of the world's most repressive regimes. Is this really the kind of country that this Conservative Government want us to be?

It goes without saying that no one should be blocking ambulances from getting where they need to go, which puts lives at risk and does nothing to build public support for a cause. However, the new laws are not about stopping people blocking roads. If the Government really cared about ambulances being delayed, they would be doing far more to tackle the ambulance crisis that is leaving people waiting hours in an emergency. The new laws are about cracking down on the right to peaceful assembly and protest. The police already have the powers they need, as we see when people are arrested for going beyond what is acceptable for a peaceful protest.

The police are not asking for these new powers; they do not even support them. When consulted, senior police officers said that the orders being proposed by this Government would be a "massive civil liberty infringement". To make matters worse, this legislation will not even be effective. To quote Liberty,

"the Government cannot legislate people into silence".

If peaceful protest is effectively banned, the likely consequence of this Bill will simply be to push people to seek more urgent routes to protest. All it will do is undermine confidence in our public institutions and in our police at a time when public trust in the police leadership is already fragile.

Without the right to protest, countless hard-earned freedoms would never have been won. From the decriminalisation of same-sex relationships, to employment rights, to women winning the right to vote, the right to peaceful protest has been a force for change time and again. Protest is not a gift from the state to be given and taken at will. It is a fundamental right, and it is the foundation on which any democracy stands. We Liberal Democrats will always stand up for that right.

I add my support to the efforts of the hon. Member for Ealing Central and Acton (Dr Huq) to amend the Bill to introduce buffer zones around abortion clinics. It is a clear and tightly targeted measure that would

[*Wera Hobhouse*]

address the harassment of women accessing healthcare. More than 100,000 women in England and Wales every year have abortions at clinics that are targeted by these groups. Since I last supported this measure in July 2021, three more abortion clinics have been targeted for the first time, leaving more women open to abuse and feeling afraid.

Kit Malthouse: I am honestly and genuinely perplexed by the argument about buffer zones. I agree that the harassment of women seeking those services is disgraceful and should not be allowed, but why just them? Why not hospitals in general? Why not places of worship? I understand the sensitivity in that particular situation, but why is it that we object to and are willing to restrict that particular form of protest, but not others?

Wera Hobhouse: I support a simple and targeted measure against protests outside clinics that harass women seeking abortion. We can talk about other measures, but it is important to protect women who are already in an extremely vulnerable position from such harassment.

Last week, “Newsnight” ran an alarming story on the difficulty that clinics and local residents face in getting councils to make use of the public spaces protection orders—legislation that Ministers say is the only option. These PSPOs create an unacceptable postcode lottery. Our colleagues in Northern Ireland and Scotland are prioritising finding a solution to this form of persistent and targeted harassment, and we cannot allow women in England and Wales to be left behind.

I will never support a Bill that goes against our fundamental civil rights and those who do so tonight should be ashamed.

6.56 pm

Marco Longhi (Dudley North) (Con): In 2019, the people of this country voted for a no-nonsense Government from the Conservative party, which is and always has been the party of law and order—whatever Opposition Members think.

As I have said many a time in this place, people in Dudley North are ordinary folk working hard to make a living, and we all know that that it is increasingly hard to make such a living in the current climate. I cannot understand how the privileged and entitled few think it is acceptable to prevent our carers and nurses from getting to work to care for our sick and elderly. They think it is acceptable to block a fire appliance getting to a serious fire, burning a local business to the ground or, more tragically, preventing people inside the burning building from being saved.

Paul Bristow (Peterborough) (Con): My hon. Friend makes a powerful point. Does he think that ordinary people wanting tough measures against those who commit crime, protest and nuisance is one of the reasons why so many people abandoned the Labour party at the last election, voting Conservative for the first time, and why we have so many Conservative MPs now representing northern and midland communities?

Marco Longhi: My hon. Friend is absolutely right. It is regrettable that we have not been about to do much about police officers who seem to think it quite all right

to commit acts of vandalism on statues, whether we like them or not, or to dance in the street with protesters who should not be congregating because they are breaking lockdown rules. The criminal minority who commit these acts disgust me. They have no concept of the real world and no concept of the misery that they bring to those less fortunate than them. A protest is not peaceful if it blocks key roads or interferes with key infrastructure. “Peaceful” means more than a lack of decibels. New, criminal, disruptive and self-defeating tactics carried out by a selfish minority in the name of protest are causing more serious disruption to the British public, with some parts of the country grinding to a halt, and police resources diverted from the local communities where we really need them. The disruption does not stop at simply preventing us from getting from A to B; it is worsening the cost of living crisis. What is more, blocking a road forces our constituents to go miles out of their way in their cars to get around the idiots disrupting them, which not only costs an awful lot more in fuel—money that most do not have to spend—but means more fossil fuels being burned and more pollution in our environment.

We cannot trust the Opposition to stick up for hard-working people—our constituents. The shadow Justice Secretary—the hon. Member for Croydon North (Steve Reed)—and the shadow Home Secretary both publicly say that they do not believe that people should be able to cause disruption to citizens going about their daily business, yet they consistently vote against any measures in the House to deal with just that.

Lee Anderson (Ashfield) (Con): My hon. Friend is making some good points in a great speech. He will be aware of a prolific nuisance who wanders around Whitehall with a megaphone, rambling and speaking incoherently, usually on a Wednesday. Last Wednesday, I think, he actually exposed some disturbing parts of his body to the Prime Minister as he was passing on his way to work—disgusting scenes. Does my hon. Friend agree that the Bill should include measures to tackle that sort of nuisance behaviour?

Marco Longhi: I thank my hon. Friend for making those points. In exposing himself, that individual probably made more sense than at any time when I have heard him speaking.

Dr Kieran Mullan (Crewe and Nantwich) (Con): Does my hon. Friend agree that everyone in the House knows that if we want to get things done, we have to knock on doors, deliver leaflets and persuade people to vote for us, and that short-cutting that by disrupting people’s lives is not acceptable? If those people want to get things done, they need to do what all of us do: go out and earn votes and change ideas and minds.

Marco Longhi: My hon. Friend is quite right. If he was also referring to the individual whom we just described, I challenged that very person to come and stand against me in Dudley North. Let us see if he has the courage to do so—or is he just a big loudmouth and a coward as well?

Dudley people want to be able to go about their business without others impinging on their ordinary lives. The Bill brings together a set of common-sense

approaches. It is about that no-nonsense common sense that ordinary people want this Conservative Government to deliver. I very much thank both the Home Secretary and the Minister for Crime and Policing, who is doing his best to ensure that police officers in Dudley will deliver on these measures, using the new police station that I know he is working hard to secure for the people of Dudley North.

7.3 pm

John McDonnell (Hayes and Harlington) (Lab): It is important that we always have regard to the scope and scale of the legislation that we introduce. I am really fearful about the scope and scale of the Bill, based on my constituency experience. The hon. Member for Crewe and Nantwich (Dr Mullan) raised the issue of ensuring that we can go through the democratic process. There are times when we have gone through that democratic process and, unfortunately, the elected politicians have let us down.

Dr Mullan *rose*—

John McDonnell: Let me finish this point, so that I can explain. In my constituency, we have gone through the democratic process—often not to the extent or with the result that I wanted. For example, we have been promised time and again that there would be no further expansion at Heathrow. We were told,

“no third...runway, no ifs, no buts”

by the leader of the Conservative party and Prime Minister, but that was reneged on. We have been through public inquiries that have recommended no further expansion, but they have been reneged on. People therefore feel that they should look for an alternative that complements the balloting route. In my constituency, that in many instances has resulted in direct protest.

Dr Mullan: Is that not just the nature of democracy? Ultimately, in the longer term, we win or lose arguments; we do not win every single one, and we do not lose every single one. The right hon. Gentleman might have more credibility on this issue if he did not have a track record of encouraging direct action against Tory MPs and not letting us go about our daily lives without being disrupted and harassed.

John McDonnell: Fair enough. [*Interruption.*] No, the hon. Gentleman makes a proper point in the debate, no matter how inaccurate or distorted it is, but never mind. Let me explain—[*Interruption.*] Does the Bill cover activities in the Chamber? Sorry, I cannot help myself.

In all seriousness, let me explain why the scope and scale of the Bill may mean that it criminalises a large number of my constituents, and why they resort to direct action. They are not what we would describe as typical protesters: they are of a whole range of ages, and in fact Heathrow villages consistently voted for the Conservative party. Many people whom we would classify as normal Conservative voters have engaged in direct action. Why? Because they have endured the noise, the air pollution, the respiratory conditions, the cardiac problems as well as—research now tells us—the increase in cancers in our area as a direct result of pollution from the airport.

If Heathrow expansion goes ahead, 4,000 homes will be demolished, according to the last inquiry, so 10,000 of my constituents would lose their home. That is why people feel so strongly. They are angry because we will lose our gurdwara and three schools, and our church will be isolated from the rest of the community. They have been legitimately angry, because they feel that Governments—of, I must say, all political parties that have been in government—have consistently let them down. At one time, the proposal was for the expansion to go through our cemetery, so there was the prospect of people having to disinter loved ones buried in our constituency.

We can understand why my constituents are angry. What did they do? We held public meetings and tried to hold Ministers to account. All that failed, so my constituents resorted to direct action. They blocked roads, they marched, they demonstrated and they sat down in the road. Climate Camp attached itself to the land; under the Bill, that will become an offence. And yes, there was a gluing-on campaign. Actually, one campaigner tried for six months to glue himself to Gordon Brown. It never worked, but there we are. Can Gordon Brown be defined as national infrastructure? My constituents have gone through an training exercise on locking themselves on—not to infrastructure outside their home, but to things inside their home, so as to prevent demolition. That is the strength of feeling there is. Whole families have been motivated to cause disruption by the threat to their community, livelihood, home, church, gurdwara, community centre and local environment, because, unfortunately, politicians have consistently deceived them.

It is difficult to know what is serious disruption, which is grounds for arrest. The demonstrations we have been on caused a large amount of noise; did that cause serious disruption? They have, of course, caused traffic jams. Is it a question of the length of time that people have to wait in a traffic jam? In all the demonstrations that I have been on, there has been no prevention of the passage of emergency vehicles. We need clarity in clauses 3 and 4 on what serious disruption is.

The other issue is: what is the definition of national infrastructure? In my constituency, is it just anything within the Heathrow airport boundary? Is it the roads feeding into the airport? How far downstream from the airport does “national infrastructure” go? Virtually every road in my constituency somehow leads to the airport, so any demonstration in the constituency could be designated an offence under this legislation.

Tom Hunt: It seems to me that the right hon. Gentleman feels that sometimes direct action is justified, but that perhaps on other occasions it is not. Will he expand on who should decide whether it is justifiable? Would it be the representative Government or him?

John McDonnell: My constituents and I have taken the view that because expansion is such a threat to our community, we are willing to engage in direct action, and if we are prosecuted under existing law, we take it on the chin. We go to court, explain our case and accept the fine or whatever. That is the reality of it. That is the way it works. The Bill, however, takes things to another level. One way we have protested is by blocking the tunnel at Heathrow for an hour. Well, we have never really stayed there that long; we have stayed there for

[John McDonnell]

half an hour, done a deal with the police and then dispersed. A number of my constituents were fined for that. We went to court, which gave them the opportunity to express their views about what was going on, and to expose what was happening. In some ways, it gained us maximum publicity. Under the Bill, however, they could be serving a sentence of a year, or could have an unlimited fine.

There is an issue of balance and fairness. There is something about British democracy that we have to uphold here, because we have a long tradition of people like my constituents saying to the state, "This far and no further. You are going beyond the bounds of the mandate on which you were elected."

Kit Malthouse: Does the right hon. Gentleman acknowledge that sentencing is not just about handing out a punishment? It is about deterring people from committing the offence again. Obstructing the highway attracts a level-3 fine of up to £1,000, but that does not seem to have any impact on the willingness of some protestors to do it time and again. Is there not some justification in using sentencing as a deterrent there?

John McDonnell: The problem is—and here I follow the advice of Her Majesty's inspectorate of constabulary and fire and rescue services—that the measures will not be a deterrent. All they will do is incentivise many more people to come forward, because this will make them angry and it will cause undue suffering. I am just giving a concrete example of what the good people in my constituency are doing. If Members thought a road was going to be built through their local cemetery, and that their relatives would have to be dug up, I doubt any of them would not join the demonstration. A number of Conservative MPs and councillors did join us.

Wera Hobhouse: Does the right hon. Gentleman agree that these draconian measures are a sign of the weakness of a Government who are on the defensive?

John McDonnell: I will finish on the motivation in a minute or two.

On stop and search, in my constituency, we have come to terms with the orders that designate certain wards enabling access on the streets for stop and search on the basis of where there are serious drug problems or where there has been a knife attack and so on. People have come to terms with that. Not everyone is supportive of it, but they have come to terms with it. I do not think they would be able to come to terms with the designation of a whole area in my constituency just because there might be a demonstration at Heathrow. It would mean having to designate the whole of the Heathrow villages area. On the issue of suspicion of carrying materials, you would need a police squad outside every shop in the Heathrow villages, because every one of my constituents in those areas could be seen as suspicious when they go to purchase something.

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

John McDonnell: Can I not this time? The hon. Member will understand.

Let me just say this on the serious disruption prevention orders. The extent by which they curtail freedom is beyond anything we have ever seen before. We are talking about people who are protesting on a whole range of issues. They have not committed a serious violent offence or anything like that. As the HMICFRS has said, it is not compatible with human rights.

In conclusion, this is an incursion into basic human democratic freedoms—an incursion too far. The motivation—I will be frank—is a populist attempt to garner support for a Conservative party that is deeply unpopular at times at the moment. I also think—my hon. Friend the Member for Leeds East (Richard Burgon) raised this point—the Government are fearful that demonstrations will mount as we go through the next 12 months because of the impact of the cost of living crisis. I think it is in fear of those demonstrations that they are introducing this legislation. It will do more harm than good and make more people disillusioned with the political process. I say to Conservative Members: be careful what you wish for because this will push more people into more forms of direct action—and forms of direct action that none of us would want to see. We all treasure our democratic rights and that is why I will vote against the Bill tonight.

7.16 pm

Jonathan Gullis (Stoke-on-Trent North) (Con): The people of Stoke-on-Trent North, Kidsgrove and Talke warmly welcome this important legislation, because it is doing exactly what they want to see: holding those criminals accountable for their criminality. No one is standing here seriously suggesting that, when the people of Stoke-on-Trent go to Hanley town centre to stand together to protest for the rights of the Kashmiri people—I have attended in person—the police will come in heavy-handed while we stand peacefully and speak through a microphone to constituents and residents from across the area to raise concerns about the human rights abuses happening to the people of Kashmir.

No one is saying that, when certain trade unions want to stand peacefully outside my office in protest, to demonstrate against some cause, I am expecting the police to come in and round those people up. I am not. I welcome them coming outside my office. I am more than happy to hear their cause, and engage with them in conversation and debate. Even if we end up agreeing to disagree, no one in their right mind is saying that the police are going to prevent that action from happening. No one in Stoke-on-Trent North, Kidsgrove and Talke believes for a second that that would be appropriate. If that were the case with this legislation, I would stand up to oppose the Bill. But I am supporting it because it is doing something: tackling criminal behaviour.

People gluing themselves to the M25, where people are traveling at 70 miles an hour—women and children in cars that could easily crash, ending up with loss of life—are apparently willing to sacrifice their own safety and their own lives for a cause. However, they are not even able to stand up for their beliefs and values. The hypocritical nature of those campaigns is what drives people berserk in Stoke-on-Trent North, Kidsgrove and Talke.

For example, Liam Norton from Insulate Britain says he "doesn't care" about insulating homes—his words. He does not even insulate his own home. He has no

insulation in the walls and has single pane glass. People simply do not like hypocrites. He even called himself a hypocrite. We are talking about individuals who are running campaigns—some crusty eco-woke warrior wanting to make some sort of point on Twitter, so they can get lots of likes from the far left that make that particular social media platform vile and abusive. Thank God I am not on it; great for my mental health. Then we see their actions. Gail Bradbrook from Extinction Rebellion drives a diesel car and takes an 11,000-mile round trip to Costa Rica, contributing 2.6 tonnes of carbon footprint, which is a quarter of a Brit's yearly average.

Practice what you preach. Do not stand up and virtue-signal for the sake of it or try to pontificate—as the Labour party regularly does—in order to make a point that will get a few more likes in woke London or on Twitter. Instead, stand up for people of this country who want to see an end to criminal behaviour by those jumping on top of tube trains or blocking lorries, for example, some of which are carrying cooking oil or carrying oil at a time when we have a global fuel crisis. Those are the type of mad things that people are sick of seeing.

Sir John Hayes (South Holland and The Deepings) (Con): My hon. Friend is right that these are largely deranged members of the bourgeoisie making working people's lives difficult, but, actually, the situation is more serious still. In the case of the demonstrations and protests that he describes, the action meant holding up an ambulance on its way to an emergency and stopping a woman getting to the home of her 95-year-old mother who had had a fall. It meant that the people protesting were wholly and completely disregarding the horror and pain that they were causing. That shows the sort of people they are. This is about not hypocrisy, but carelessness and heartlessness.

Jonathan Gullis: My right hon. Friend makes a fantastic point. Let us think about the people who were not able to get to their cancer screening appointment; the children who were not able to be in school because of lockdown and who are having their education in the classroom—with their expert classroom teacher—further delayed; the emergency services trying to go about their jobs, having to deal with protesters; and the police from as far away as Scotland coming down to London, meaning that they are not on the streets of the local areas that they should be serving, allowing criminals potentially to run wild there because of some selfish individuals.

Anne McLaughlin: The hon. Gentleman keeps going on about criminals, saying “We’ve got to get rid of these criminals” and “We’ve got to do something about these criminals.” He is characterising an awful lot of people as criminals. If they are already criminals, that means that they have committed a crime and have already been charged and found guilty—or he thinks that they should have been, so why have they not been? Incidentally, the Bill creates an awful lot of civil offences. Those are not criminal either, so why and on what basis is he calling such people criminals?

Jonathan Gullis: I thank the hon. Lady for that intervention. She says that I talk about criminals. She referred earlier to the Black Lives Matter protest, and I have absolutely no issue with having that important debate about racial inequality in society and looking at

what more can be done. However, when a particular individual went up on the Cenotaph and tried to set alight the Union flag, as though it was somehow making some sort of demonstration—this is a memorial to our glorious dead who made the ultimate sacrifice and gave their tomorrow for our today—that was criminal behaviour. That is why that needs to be called out and why I introduced the Desecration of War Memorials Bill, which was accepted by the Government and became part of the Police, Crime, Sentencing and Courts Act 2022. I did so despite the sniping from the Labour party, which claimed that I was more interested in protecting statues—it was not statues; it was war memorials to the glorious dead and war graves so that every village, every town and every city of our country remembers those who made those important sacrifices. I am someone who lost a friend when he was serving his nation in Afghanistan. That is why I felt so incensed by those disgusting, vile scenes that I saw up on the Cenotaph.

That is why any Opposition Member who does not understand why this Bill is important is seriously out of touch with the people of this country. It is the silent majority, time and again. The problem is that the Labour party is obsessed with Twitter being somehow the mouthpiece of Britain, or with any other woke, virtue-signalling thing such as Channel 4 that Labour seems to believe must be right on every single issue. That is the problem with the Labour party and why it was so overwhelmingly rejected by the people of Stoke-on-Trent—in Stoke-on-Trent North, Stoke-on-Trent Central and Stoke-on-Trent South, for the first time.

If Labour Members want any more proof, they should look at the May local elections in Newcastle-under-Lyme. Labour was touted to take control of that council in every single national poll and every single national newspaper. The Labour party was openly briefing that it would win that council. The Labour leader of the group at that time openly said at the count that that was their No. 1 target council, and that Labour had thrown all the extra money and resources at it. What happened? The Conservatives took that council with seven gains. They took it from no overall control to being Conservative-led for the first time in that council's history, while Labour went backwards. If that is not a wake-up signal, I do not know what is.

Lee Anderson: It is very pleasing to see that my hon. Friend has finally come off the fence in support of this very important Bill. With the Opposition—especially the Labour party—continually voting against the measures that this Government are introducing to protect the people of this country, does he think that it may be a good idea for those Labour MPs to come to Stoke-on-Trent North, Ashfield, Dudley or Ipswich and speak to some real people in real places?

Jonathan Gullis: I could not agree more. I think we do need to organise a trip round the red wall so that Labour Members can actually understand why the Labour party lost those seats. *[Interruption.]* I hear the sniggering from Opposition Members when I mention Stoke-on-Trent. The only Stoke that the Labour party is aware of is Stoke Newington. They have not gone any further north than that in the last number of years, which is why, again, we have a Conservative-led Stoke-on-Trent City Council, a Conservative-run Newcastle-under-Lyme Borough Council and a Conservative-run Staffordshire

[Jonathan Gullis]

County Council. Under Tony Blair, a man who actually used to win Labour elections, it used to have six of the 12 MPs for the local area. Labour ran the county council at one stage, had control of Stoke city council and ran Newcastle borough council. Those are the facts.

Marsha De Cordova (Battersea) (Lab): I do not even want to thank the hon. Member for giving way to me, because frankly, his speech is becoming quite insulting. He is talking to Members of Parliament who were elected by the people—in my case, by the people of Battersea—to represent them. I am really grateful that, finally, the people of Wandsworth decided to vote for Labour and kick the Tories out after 44 years of rule to elect a Labour council. We know what the people of London need and we do not need to take lessons from the hon. Member.

Jonathan Gullis: Well, Croydon spoke quite loudly, if I remember correctly, by deciding to elect a Conservative Mayor and upping the amount of councillors in Croydon. We had places like Bromley holding on, and Old Bexley and Sidcup, and Harrow going towards the Conservative party. And there is now mass opposition to the mental plan of the Mayor of London, who wants to expand the ultra low emission zone across the whole Greater London area, smashing 135,000 drivers in the pocket with a daily charge and killing small businesses. If this is Labour-run London, God forbid a Labour-run United Kingdom. It would be absolutely terrifying to see what could happen to our community. [Interruption.] It is lovely to see you in the Chair now by the way, Madam Deputy Speaker.

This Bill is so important because it is about making sure that action is taken if someone wants to glue themselves to a train, risk their health and wellbeing, and delay people going to work to earn their money at a time when we are facing a global crisis with inflation, a global crisis with the cost of energy, and a global crisis of food prices, because of events happening in Ukraine, as well as the fact, obviously, that we are coming out of a global lockdown—I know that Labour Members seem to want to pretend that that did not exist. Ultimately, all those things put together mean that, when people are not able to go about their daily lives because of a mindless minority of morons who want to act in an inappropriate way by blocking the road, stopping the trains, stopping oil tankers and smashing up petrol stations, this Bill is necessary.

Finally, I appreciate that the shadow Home Secretary, the right hon. Member for Normanton, Pontefract and Castleford (Yvette Cooper), is no longer in her place, but I thought that, when she stood at the Dispatch Box today, she gave a very passionate and good speech about why the actions of Insulate Britain, Extinction Rebellion and Just Stop Oil were unlawful. She made a fantastic point about why action needs to be taken, so the House can imagine why the people of Stoke-on-Trent North, Kidsgrove and Talke are simply baffled that Labour Members will not join us in the Lobby this evening and will instead vote against a Bill that they seem in principle to support. However, because of certain Back Benchers, they just do not want to face that rebellion and stare it down. It is a shame that the Labour party has a long way to go.

7.28 pm

Clive Lewis (Norwich South) (Lab): It is always an experience to speak after the hon. Member for Stoke-on-Trent North (Jonathan Gullis)—what kind of experience, I do not think parliamentary etiquette allows to me to express, but it is an experience none the less.

I would like to comment on some of the engagement tonight from Government Members, because it is quite instructive. It is like a one-sided equation. They want to make this issue about the disruption to individuals and the cost to business, and although that is one side of the equation, there is another side to it: the disruption that the climate crisis is bringing to people around the world already and to this country. One thing that the House may or may not know is that, between 2010 and 2019, it is estimated that 5 million people have already died from the effects of the climate crisis. I understand that Government Members want to talk about an individual in an ambulance, an individual who has been disrupted, but we should think about the global disruption and what is happening around the world. Some 800,000 of those people were in Europe. This is not just happening elsewhere—it is happening here and now.

Jonathan Gullis: I am not in denial about the importance of dealing with the climate emergency, but does the hon. Gentleman accept that those who are leading these so-called protests should be leading by example? Saying that they do not care about insulating homes, or insulating their own home, does not send a very good message from the top when they are trying to convince the nation to follow their lead.

Clive Lewis: That individual has made their comments, but I guess the question we have to ask is who are the criminals. Are the criminals those individuals who are trying to come together collectively to stand up against a Government who are failing them on the climate crisis, or against billion-pound corporations with pockets deep enough to buy influence in Parliament and across politics? Are the criminals those individuals who are trying to use the only apparatus that they have to stand up and speak up for what they feel impassioned about? I would argue that the real criminals are those who are wilfully pushing to extract more oil from our oilfields and who are pushing us off an existential cliff edge. I think that this country and the British people increasingly understand that those are the people who need to be held to account.

Members need not take my word for it; they should listen to that socialist radical, the Secretary-General of the UN. The hon. Gentleman may think that the Secretary-General is woke, but I think he is increasingly important to global politics. He wrote:

“Climate activists are sometimes depicted as dangerous radicals. But the truly dangerous radicals are the countries that are increasing the production of fossil fuels.”

Cue our own Government attempting to do just that.

Opposition Members know all too well this Government's track record of attacks on human rights, democracy, the poor, the vulnerable, trade unions, justice and migrants. Undermining our democratic right to protest goes against the very essence of what it means to live in a democracy.

Again, hon. Members do not have to take my word for it. The Joint Committee on Human Rights described proposals set out in the Police, Crime, Sentencing and Courts Act 2022 as “oppressive and wrong”. The Equality and Human Rights Commission stated that measures in it undermine human rights legislation. Former senior police officers described it as “harmful to democracy”. Some 700 legal academics called for it to be dropped. UN special rapporteurs and top human rights officials warned that it threatens our rights. More than 600,000 members of the public signed a petition against it.

What possible motivation could the Government have to push through such an authoritarian and regressive Bill? I think that that is a legitimate question for Opposition Members to ask. The Bill is so regressive and anti-democratic that even Conservative Members are baulking at its sweeping, draconian powers.

Let us take a look at the Bill’s provisions on protests involving critical infrastructure. Like so much of this Government’s agenda, they have been lifted directly from the hard neo-con right in the US. A Bloomberg News exposé from 2019 uncovered extensive lobbying by the oil and gas industry to criminalise protest near extraction sites. We know that the Conservative party has received more than a million pounds from the oil and gas industry in the past few years, so it is legitimate to ask what the Government’s motivations are for the Bill.

Jonathan Gullis: The hon. Gentleman talks about motivations. May I ask about the Labour party’s motivations from the millions that it takes from trade unions?

Clive Lewis: Trade union money is the cleanest money in British politics. [*Laughter.*] The hon. Gentleman can quote me: it is the cleanest money, because we declare it and because we are representing the interests of workers, which is why our party was set up. We have no shame; we are proud of where our funding comes from.

As many Opposition Members have seen, much of the money that funds the Conservative party has come from the kleptocrats of Russia, with whom Conservative Members have more in common than with the people of this country.

Tom Hunt: Will the hon. Gentleman give way?

Clive Lewis: No, I will make some progress.

The issue of freedom goes to the heart of the Bill. Conservative Members revel in being the so-called party of freedom, but let us interrogate that a little. Some freedoms are zero-sum, but unfortunately many are not. As Isaiah Berlin explained, freedom for the pike means death for the minnow.

Conservative Members often talk about freedom—freedom for people to go about their lives and so on—but we must ask a critical question: freedom for whom and freedom against whom? That is what they do not explain. Freedom from trade unions is freedom for corporations to exploit their workers. Freedom from regulation and red tape, as Conservative Members call it, is freedom for corporations to pollute our rivers and restrict our freedom to swim or fish. Freedom from tax, another Conservative staple, is freedom from the redistribution that is essential for fairness and social mobility.

Now freedom is being mentioned again, and this time it is freedom from protest. That means freedom against the public’s right and ability to hold big business and the Government to account for the climate destruction that they are undertaking. Opposition Members know which side Conservative Members are on. Increasingly, so do the British public. You may wrap this up in the ability of law and order to hold back the unwashed masses, but actually they are the people who are fighting for all our freedoms, for our future and for a world without a climate crisis fuelled by your friends in the big corporations and the oil sector. That is the reality.

Several hon. Members rose—

Madam Deputy Speaker (Dame Rosie Winterton): Order. Along with a gentle reminder about the word “you”, may I remind hon. Members that it was suggested earlier that about eight minutes per speaker would be appropriate? I also remind the House that we must keep our language temperate.

7.36 pm

Lee Anderson (Ashfield) (Con): Now then: I will try to keep my speech brief and, in my usual fashion, I will try not to be controversial.

We have a proud tradition in this country of being able to protest and have our voices heard. We have something else in this country, too: something called democracy, which sometimes Opposition Members forget about. At the last general election, we got an 80-seat majority to get tough on law and order. The Bill will deliver that.

I am one of the people in this Chamber who has stood on a picket line. In 1984, when the miners’ strike was on, I stood on the picket lines for a year with my dad, my uncles and my friends. I saw the good and the bad of protests. The good was that in the most dire circumstances, men could keep their spirits up and protest for something that they believed in. But I also saw the bad: the violence, the horrible scenes, the miners getting injured, the police getting injured, the police horses getting injured, the dogs getting injured. They were awful, awful times and I never want to go back to them; I did not think we would until I saw the horrible scenes on Whitehall when the BLM protests took place just a year or so ago. They were awful, awful scenes that I never want us to go back to, but protest is important in this country.

I have held my own protests over the years—I will tell the House about a couple. I was attacked viciously for both protests by the Labour party and the left in this country. I did a simple protest last year during the football. I refused to watch the England team because of their stance on taking the knee—that was my little protest. It was not a violent protest; I did not go out on the streets, I was not banging drums, I did not get my megaphone out, I did not shout at people. All I did was refuse to watch a few football matches, and what happened? I was attacked by every single Opposition Member and by the mainstream media. In fact, the *Daily Mirror* voted me the worst man in Britain, an accolade that is so close to my heart and that I am so proud of that I hope I get it this year as well.

Another one-man protest that I did was in Ashfield a few years back—it was when I was a Labour councillor, by the way. We had a problem at a beauty spot in

[Lee Anderson]

Ashfield where the Travellers kept coming. They kept ruining the site: they would leave rubbish, they would be out thieving at night, and pets were going missing. There were all sorts of shenanigans: threatening people, effing and blinding, playing music, making fires and burning wire—all the typical behaviour that we would associate with a site like that. I asked the council to put some barriers up to stop the Travellers coming back. The council refused, so we tidied the site up—it cost thousands and thousands of pounds—but then the Travellers returned and did exactly the same. There was foul-smelling smoke from the fires—they were burning wire to get the copper out—neighbours were being threatened, and there was excrement everywhere. Eventually the conditions became so bad that the Travellers could not live there anymore, and they moved on again.

I thought, “My goodness, we cannot carry on like this—we have to sort this out.” Again I said to the council, “Put some barriers up”, and again they said no, so I got a JCB and two big boulders from a local demolition site, and I blocked the car park off. Guess what: the Travellers did not come back, because they could not get on to the site, but guess what the local Labour group did. Guess what the Momentum-controlled Labour group did, because of my one-man protest. They issued me with a £100 fine for fly-tipping. That was them agreeing with my protest, or rather not agreeing with it. My common-sense residents, in a red wall area, said, “We will pay that fine for you.” Luckily the fine was rescinded in the end, but that just shows what the Labour party thinks: when one person tries to organise a protest on their own, it issues fines.

What the House has to realise is that we are not voting to stop protests. We are voting to keep members of the public safe. We are voting to keep our roads open. We are voting to allow people to go about their daily business and not be hindered. We are voting to stop criminal damage. What is wrong with that? I just do not understand why anyone would vote against it. I have said this before. We have seen these eco-hooligans, or whatever they are, dancing in the street, off their heads on something, blocking motorways by gluing their ears to them. It is unbelievable, and unlike Opposition Members, the people of this great country of ours have had enough of it. They are sick of seeing it. They are sick of switching the TV on and seeing these idiots stopping our way of life. Anybody would think that we were voting to live in a communist state, but we are not. We just want people to live in a safe country and to go about their business. I wonder if that lot opposite understand how angry the British people are when they see statues being pulled down and buildings being damaged. Do they think it is bleeding clever?

An Opposition Member who is not in the Chamber at the moment spoke about the type of people who demonstrate. I will tell you about the type of people who have been on the demonstrations that we have been seeing, such as members of Insulate Britain and all these eco-warriors. There are three categories. There are the middle-aged hippies, who are probably about my age and probably have a few bob in the bank. They drive their big 4x4s, and they turn up to a protest in their hemp vests with, no doubt, a bowl of the latest eco-friendly muesli in their rucksacks, and they cause

absolute mayhem, because they have nothing better to do. Then there are the Socialist Worker types. I used to meet some of them back in the earlier days, and not one of them went to work. That is the irony: they were socialists, but not one of them went to work. Not one of them had a job. They, too, had nothing better to do than go out and cause trouble. Opposition Members are looking at me with glazed expressions on their faces, but that is the socialist workers! I am not even going to start on the students, because they are young and they will grow out of it. They will know better.

We all saw the disgusting scenes in Whitehall during the Black Lives Matter riots just a year or so ago. As a party, we were quick to condemn the violence, and rightly so, but what did Labour do? Did they condemn the violence? No; they sent the troops out. They went out and stood shoulder to shoulder with the rioters, the same rioters who were attacking our police outside Downing Street. It is absolutely disgraceful.

All that we in the Conservative party want to less criminals on the street, less knives on the street and less trouble on the street, so for once, please, will those on the Opposition Benches do four things? Will they back our police, back our people, back our country, and back this Bill?

7.43 pm

Bell Ribeiro-Addy (Streatham) (Lab): Given all the crises that we are facing in our country, it speaks volumes that the first Bill of a new Parliament is yet another piece of authoritarian anti-protest legislation. The message from this Government is clear: their top priority is making it harder to protest against the cost of living crisis, rather than helping people through it.

The Government have already introduced some of the most serious and sweeping restrictions on the right to protest with their Police, Crime, Sentencing and Courts Act 2022, and this Bill takes the assault on our rights one step further by reviving many of the failed measures that were rightly thrown out in the other place. Restricting protest, expanding discriminatory stop and search, introducing jail sentences and unlimited fines for demonstrating close to national infrastructure, and introducing new offences of locking on will not help my constituents to pay their bills, or, indeed, address many of the issues about which they will tend to protest.

This is yet another Bill that seeks to stop people making their voices heard, and it disadvantages our poorest and most marginalised communities. Laws are not reasonable or fair if rights are protected only for those who agree with the Government, and curtailed for those who wish to challenge the Government. I agree with the hon. Member for Paisley and Renfrewshire South (Mhairi Black), who said last week that we were sleepwalking into fascism. This country's tradition of dissent has paved the way to our rights and freedoms, and those protests are the reason why someone of my class, race and gender has the rights that I have; but this Bill contains measures that would have outlawed the protests that won votes for women and trade unions.

Given the Government's trajectory, there is no doubt in my mind, at least, that these measures will be used against pickets in industrial disputes. According to the Bill, there will be a defence when it comes to trade disputes, but that defence will not be available to stop the new serious disruption prevention orders applying

to individuals who take part in more than one protest within a five-year period, even if they have not been convicted. That obviously targets union officials who regularly attend and organise pickets. The Trade Union Act 2016, the Police, Crime, Sentencing and Courts Act and everything in between, and now this Bill, have all but eradicated what was already a severely restricted right to picket. Our unions are part of the last line of defence against this Government's attack on working-class people, and I cannot believe that the Government would stoop so low.

It is wrong that the Bill extends stop and search powers and introduces serious disruption orders when existing stop-and-search powers are already a key component of the racially unjust criminal justice system. Marginalised communities are already disproportionately likely to face criminalisation and harassment. Just last month there was a national outcry when it emerged that a black teenager had been strip-searched by police at school, having been falsely accused of possessing cannabis. There has been a string of revelations about the racism and misogyny that still blight UK policing, clearly exemplified by the vile racism and misogyny uncovered at Charing Cross police station and the already record low confidence in policing.

Sir John Hayes: The hon. Lady speaks about stop and search. She will know that during a two-year period up to 2021, 150,000 arrests were made as a direct result of stop and search. She will also know that in 2019, 50,000 knives were found and removed. Those were arrests that prevented crimes, and those were knives that might have been used to take life or at least to injure. Surely the hon. Lady recognises that stop and search is just part of the means by which we can crack down on crime.

Bell Ribeiro-Addy: I have no issue with evidence-based stop and search. If there is a reason to stop somebody, that is absolutely fine. Unfortunately the police continue, again and again, to stop and search people from certain communities. All that that does is go further down the route of making confidence in policing extremely low, which does not do anything to solve crime.

When it comes to misogyny, I think about the horrifying treatment of those who attended the vigil in my constituency last year to commemorate Sarah Everard and other women who had lost their lives to violence. That made it clear that women opposing violence against women were not safe from male violence, even from those who were tasked with protecting us from it.

The Bill targets, in particular, the activism of groups who have already been mentioned many times: groups such as Extinction Rebellion, Just Stop Oil, Insulate Britain, Kill the Bill and the Black Lives Matter movement. All those groups have used disruption to draw attention to major injustices such as the climate crisis, attacks on our civil liberties and institutional racism. Rather than taking action to address those injustices, the Government want to stop people speaking out about them. We must remember that today's protests are signposts for tomorrow's progress.

How does it make sense for the Government to support protests around the world while cracking down on the right to protest here? As Amnesty International has pointed out,

"these authoritarian provisions...are similar to repressive policies in countries the UK regularly criticises—including"

—yes—

"Russia, Hong Kong, and Belarus".

The message to the public is very clear: we must put up with it, or shut up. This continuous attempt to criminalise dissent is a threat to everyone who wants to stand up for what they believe in, and to anyone who believes in building a better society. The way in which the Government continue to push this agenda makes it clearer than ever that we must oppose this Bill today, and oppose all further attempts by them to proceed with this authoritarian way of running the country.

7.49 pm

Paul Bristow (Peterborough) (Con): This country has allowed and tolerated protests for centuries. I am not convinced that many protests achieve anything much beyond noise, but we are a democracy, and freedom of speech in our media should be matched by the freedom to express those views in—

Ms Abbott: The hon. Gentleman has said that he is not aware that protest had done anything worthwhile. What about the protests of the Chartists? What about the protests of the suffragettes? What about protests calling for peace? Does he really think that those historic protests achieved nothing?

Paul Bristow: The right hon. Lady is a long-standing Member of this House, and she is enormously respected by me and by many people here, but I would respectfully point out that that is not what I said. What I said was that I was not convinced that many protests achieved anything much. There are notable examples where protests have achieved a great deal, but I am not convinced that many of the protests that we see each and every day now are achieving anything at all. That was my point.

Freedom of speech in our media should be matched by the freedom to express those views. I agree with the right hon. Lady that protest is important. That was exactly the point I was trying to make. Whether it achieves anything or not is beside the point. The fact that so much of it comes from political perspectives that are opposed to mine is also beside the point. Anyone tempted down that route just needs to look around the world. The scenes of protesters in Russia with blank signs being arrested are a reminder that what we could stand to lose is nothing less than freedom itself. I will always defend legitimate protest by those with whom I disagree. However, there are also illegitimate ways of protesting that go beyond the expression of a view to impositions on the freedom of others, to violations of our laws and to acts that can even pose a risk to people's lives. Direct action is not a legitimate form of protest. Locking on, which is defined in clause 1 of the Bill, is not a legitimate form of protest. Obstruction of major transport works, which is defined in clause 3, is not a legitimate form of protest.

Sir John Hayes: My hon. Friend seems to be distinguishing between peaceful protest, of which there is a long tradition, as he rightly says, and violent protest. These acts are violent acts. The destruction of property, the attacks on individuals and the real nuisance and life-threatening damage caused when roads are blocked are acts of violence. They are militant and extreme, and they can be distinguished from peaceful, legitimate protest.

Paul Bristow: As always, my right hon. Friend is absolutely correct. Interference with key national infrastructure, as set out in clauses 4 and 5, is not legitimate protest.

Stewart Hosie: There is an inconsistency here that is just breathtaking. The hon. Member for Ashfield (Lee Anderson) has just described how he stood on a picket line during the miners' strike. Those picket lines were designed to stop scab workers going into somebody else's colliery in many instances. That is not indirect action; it is direct action. Is the hon. Member for Peterborough (Paul Bristow) saying that all the people on picket lines should have been arrested? Is that really what he is saying?

Paul Bristow: If the right hon. Gentleman wants to relive the battles of the 1980s, and if he wants to say that preventing legitimate people from earning a living to provide for their families is illegitimate or wrong, I am quite happy to be on the other side of the debate from him.

Lee Anderson: I notice that the right hon. Member for Dundee East (Stewart Hosie) described people who went to work during the strike as a "scab". I'm sure that my hon. Friend will agree that that is disgraceful language. The right hon. Gentleman should take it back. Quite frankly, he should be ashamed of himself.

Paul Bristow: I agree wholeheartedly with that point.

Let us get back to the substance of this debate. I will be proud and pleased to stand, perhaps at the next general election, on a record of getting this Bill passed. I said during the debate on the Queen's Speech that the people of Peterborough are hugely supportive of measures taken against those who glue themselves to roads, who disrupt ambulances and who stop hard-working people going about their ordinary business. In that, they are no different from a large majority of people across the country. Extinction Rebellion, Insulate Britain, Just Stop Oil and the rest of these extreme groups—I use that word carefully, because they are extreme—are opposed to the democratic process and against the democratic majority. The only reason that we have heard howls from the Opposition Benches is because those Members disagree with the view of the majority. It is because they sympathise with serious disruption when it suits their own political causes. It is because they apply the rule of law to the Government but fail to apply it to a mob.

We have a duty to protect the public from the irresponsible, selfish and dangerous behaviour of extremists. Serious disruption prevention orders are a sensible and proportionate response. Otherwise, we will continue to see repeat offences by those who place their own opinions above the rights, health and livelihoods of others. Our courts need these powers to uphold the integrity of the law. Our society needs these measures to uphold our civil and civic values. My right hon. Friend the Home Secretary should be thanked for by every democratically elected Member of this House for introducing the Bill. In bringing back some of the measures blocked in the other place by the unelected Members of this Parliament, she is doing democracy's work.

If I may, I want to tell the House a story about Sahanna, a constituent of mine. I have changed her name—[*Interruption.*] It will be interesting for Opposition

Members to listen to this, because my constituent did not want her name mentioned in the House of Commons for fear of being targeted with repercussions. Sahanna is a nurse, and for a while she was living with her sister while she was working at Watford General Hospital. One morning, while she was driving to work, she encountered traffic jams tailing back miles while protesters—public nuisances—blocked the road. They were blocking the M25 at junction 23 for South Mimms. She was monstrously late for work, as were many of her colleagues. As a result, many shifts were seriously undermanned, a clinic was cancelled, and patients suffered—they did not get the NHS treatment that they deserved. What is the justification for this? Opposition Members who somehow support protests such as these need to seriously look at themselves in the mirror. At the very least, they should get on board with this legislation. It will address these irritants and nuisances—I do not want to call them protests; they are not protests—that have serious consequences for hard-working people and for access to public services.

I want to end on one really legitimate point. When I talk about illegitimate protesters, I am not talking about the passionate people in my constituency who protested about certain things that happened to the Windrush generation. I am not talking about those quite nice Extinction Rebellion protesters, local Peterborough people, to whom my office gave tea when they protested outside it. Those people were not blocking the highway or gluing themselves to public infrastructure. They were not locking in or causing serious disruption. That form of protest is what we are all here to defend. We are not here to defend the people who go beyond legitimate protest, but I will always stand up for those who organise legitimate protests even though I disagree with them.

7.59 pm

Kate Osamor (Edmonton) (Lab/Co-op): We face a multitude of crises on many fronts. I totally agree with my hon. Friend the Member for Streatham (Bell Ribeiro-Addy), who is no longer in her seat. She put it powerfully: the cost of living crisis and the housing crisis what this Government should be dealing with. Perhaps most important of all is the climate justice crisis, but the Conservatives are not interested in taking measures to address those important issues. No, their Government are instead trying to clamp down on people's right to urge that serious action be taken. Clearly, our age-old democratic right to protest is just too inconvenient. That is what we get when we have a Government informed by the niche interests of right-wing culture warriors who do not understand what being woke actually means.

Ms Abbott: Is my hon. Friend as alarmed as I am to hear Conservative Members talk of the need for the police to be more hands-on with protesters? It is almost as if they are urging the police to intervene physically in lawful protests.

Kate Osamor: I totally agree with my right hon. Friend. Her comments are very worrying when we think of the young black men who are disproportionately stopped and searched, and strip searched, for no apparent reason other than the colour of their skin.

Clause 7, on powers to stop and search without suspicion, is a very worrying clause that will enable senior police officers to authorise the police to stop and search anyone within a designated zone for a period of time without any grounds for suspicion. It states that the power will enable the police to look for objects involved in so-called “protest-related offences.” According to the explanatory notes, this will include threatening objects

“such as glue or a padlock”.

Will this also include a pen, paper, a hat, water, a change of clothes, sanitiser and a face mask? As well as being part of the ridiculous fixation on locking-on offences, I believe clause 7 is designed to instil fear among many who may be mistrustful of the police, having had bad interactions with them, or knowing people who have. The measures could have the effect of dampening turnout for all kinds of protests and campaigns, which I am sure the Government would be pleased about.

It has long been known that stop-and-search powers have a disproportionate impact on racialised communities, as my right hon. Friend the Member for Hackney North and Stoke Newington (Ms Abbott) so eloquently said. It is on our communities that the burden of more searches will fall hardest, and it is our communities where people will be put off from making their voice heard.

I remind the House that the ongoing “spy cops” inquiry is looking into the abuse of police powers by undercover police, who spied on particular anti-racist, socialist and anti-war groups. There is also the Stephen Lawrence justice campaign. This should raise alarms in this House. We know the suspicion in which the forces of the state have generally held groups that fight for radical change. It is clear that those groups will be targeted by this action, which will only erode dissenting voices.

One day, everyone will look back on this Government’s clampdown on and prosecution of climate protesters with as much disgust as we look back on past Governments who imprisoned the suffragists fighting for women’s right to vote. Anyone who wishes to be on the right side of history should stand up for democratic rights and values, oppose this authoritarian Home Secretary and vote against this Bill tonight.

8.4 pm

Matt Vickers (Stockton South) (Con): I am grateful for the fact that this Bill will protect the rights of everyday men and women across the country who want the freedom to get on with their daily life. Some of the dangerous and irresponsible disorder we have seen on our streets in recent times, and the havoc it has wreaked on innocent people’s lives, should not be described as protest. Some would say it verges on domestic terrorism.

We have seen attempts to stop the distribution of newspapers because hooligans did not agree with the content. We have seen areas of our capital city brought to a standstill at rush hour because lefty activists wanted to glue themselves to a road. The public are aghast that this could happen, and that our police did not have the powers they need to tackle it. The police have been left frustrated. They have been diverted from their work of tackling crime in our communities and making our

streets safer, and are instead playing marshals, and are, in fact, putting their life at risk on our highways, stewarding this pandemonium.

Mr Holden: Was my hon. Friend as shocked as I was to hear the Home Secretary say that more than £175 million has been spent in just the past couple of years on certain protests? That money should be going to our local communities—either his in Stockton and Cleveland or mine in County Durham—to help us fight the real antisocial behaviour problems that our communities face.

Matt Vickers: I could not agree more. I am delighted to see 13,000 more police officers on our streets, and I want them to spend their time tackling the issues in Stockton South, rather than policing this jamboree.

Law-abiding citizens have been stunned by these scenes and want to see our police forces empowered to protect the rights of everyday people who are trying to go about their daily lives. Why should someone be able to prevent them from getting to work? Why should someone be able to prevent their children from getting to school? Why should someone be able to prevent their dying relative from getting to hospital in an ambulance?

Sixty-three per cent. of people support the creation of a criminal offence of locking on, and it is clear why. We must protect the freedom of our citizens against a minority who would seek to impede them. Moreover, I can see how genuine protesters would be frustrated. They turn up to a protest to stand up for a noble cause, and then some of these serial protesters turn up en masse like some sort of traveling circus. Full of clowns, these groups hijack protests for a superglue soiree. They bring individual campaigns into disrepute and damage the public support and sympathy that genuine protesters have worked hard to gain.

Sir John Hayes: My hon. Friend is making a compelling case for the Bill. We have heard from the Bill’s critics that the end justifies the means—that because the end is noble, in their judgment, any means, however violent or disruptive, are legitimate. Is that not the argument used by every extremist, indeed every tyrant, throughout history?

Matt Vickers: My right hon. Friend is entirely right. These actions undermine public support and sympathy for genuine causes, and they create division and misery in the name of genuine causes.

For everyday people right across the country who should have the right to go about their daily life without interference, for those who wish to undertake peaceful and legitimate protests, and for police officers frustrated by having to waste their time when they could be making our communities safer, this is the right way forward. Thanks to this Government, there are now 13,000 more police officers on our streets; I want to see them tackling crime, not distracted and diverted by these jamborees of disruption, division and criminality.

Finally, I disagree with the assumption that police forces will use the powers in this Bill disproportionately and improperly. Of course, there have been horrendous exceptions—cases of misuse of police powers—but we should differentiate these from the brave men and women who sign up as police officers and put themselves in harm’s way to protect us. They should be backed and given the powers that they need to get on with the job.

8.8 pm

Caroline Lucas (Brighton, Pavilion) (Green): This is a deeply dangerous Bill, and I am pleased to support the reasoned amendments. The measures in the Bill represent a fresh outright attack on our fundamental rights. Indeed, as others have said, the human rights organisation Liberty has called it a

“staggering escalation of the Government’s clampdown on dissent.”

We are in the grip of multiple crises: a cost of living scandal that is pushing millions of households into fuel and food poverty; a war in Ukraine with disastrous consequences; and the accelerating climate and nature emergencies. What we need at this critical juncture is more democracy, not less—not a ban on our constituents participating in certain protests, not subjecting them to 24-hour GPS monitoring for the crime of disagreeing with the Government, and not barring them from participation in public life.

Today I want to focus on serious disruption prevention orders. I will also touch on stop and search, and the creation of new offences. Serious disruption prevention orders are a form of banning order that might more accurately be called “sinister disproportionate political orders”. They are sinister because the idea that someone can be banned from attending a protest for up to two years simply because they have participated in at least two previous protests within a five-year period is nothing short of Orwellian.

People do not need to have been convicted of a crime to be subject to an order. They just need to have dared to exercise the right to take part in a peaceful protest: dared to have attended rallies against Brexit; dared to have marched against going to war; dared to have held our children’s hands as they went on climate strike. How will the police know whether someone falls into that category? How will they know that someone is engaged in other activities that the Bill deems unlawful, such as buying a bike lock or painting a banner? Thanks to drastically expanded surveillance powers, of course, about which I will say more shortly.

The world was rightly outraged by footage of peaceful protestors in Russia being bundled into police vans and silenced for opposing Putin’s war in Ukraine. Make no mistake, this clampdown on British citizens is cut from the same cloth. I will spell it out: an SDPO would completely remove someone’s right to attend a protest, and therefore must be resisted by any right-thinking person who values our democracy.

Proposals to impose sinister banning orders are nothing new, and have time and again been labelled disproportionate. In response to a previous iteration of such orders, Her Majesty’s inspectorate of constabulary and fire and rescue services, and even the Home Office, issued the same warning about their impact on people’s ability to take part in protest. Her Majesty’s inspectorate stated:

“It is difficult to envisage a case where less intrusive measures could not be taken to address the risk that an individual poses, and where a court would therefore accept that it was proportionate to impose a banning order.”

In other words, the provisions in the Bill to restrict citizens are disproportionate to the supposed threats they seek to address.

Moreover, the Bill takes state surveillance to chilling new levels—for example, allowing electronic monitoring of someone subjected to an SDPO, with only the vaguest

safeguards applying to any data collected, and the potential for associated negative impacts on individuals’ privacy and the wider community. It bears repeating that this could happen to someone who has committed no crime. As someone who has used parliamentary privilege in this place to open the lid on the immoral and arguably unlawful actions and sanctioning of police spies, this causes me considerable concern. The Home Office argues that such levels of interference are justified by the emergence of groups such as Insulate Britain and Just Stop Oil, but existing legislation—for example, the Public Order Act 1986 and the Protection from Harassment Act 1997—already grants the powers that reasonable policing of such protests demands.

The Bill is also disproportionate because the new offences could criminalise people for linking arms and having in their possession everyday items such as the bike locks that are simply “capable of causing” so-called “serious disruption”. There is no requirement for any disruption to be actually happening. The provisions just about fall short of policing people’s thoughts and intentions, but the direction of travel is clear and it should terrify us all.

The orders are sinister, disproportionate, and political—political, because the provisions allow far too much scope for police interpretation. On the new broad power for protest-specific stop and search, for example, a suspicion that someone might have knitting needles, a hoodie or even just a marker pen in their bag could be grounds for the police to act, but it does not stop there.

Mr Holden: The hon. Lady is making a powerful speech from her perspective. Could she ever consider a circumstance in which the section 60 stop and search power, which covers an area for a long period, is ever justifiable—or should it also be removed from the police?

Caroline Lucas: As others have said, evidence-based stop and search—where there is evidence and a good reason—is not in question. What is in question here is stop and search on the basis of a whim. As others have eloquently said, there is a very real danger of antagonising some groups who are already most disadvantaged, and therefore making the situation far worse.

The Government want to give the police powers to stop and search a person or a vehicle in a protest context, even when there are no grounds for suspicion. That will be permissible simply if a police officer believes that an offence—such as wilfully obstructing a highway or intentionally causing a public nuisance—might happen in the area or thinks that some people in the area might be carrying prohibited items; and there we are, back to the marker pens and knitting needles.

Protest is, by its very nature, liable to cause a public nuisance, disruption and noise, and to have specific targets, but real democratic leadership does not seek to ban opposition voices from protesting. Only a cowardly Government, who do not trust or respect their people, would take such a step.

Kit Malthouse: I wanted to ask whether the hon. Lady, notwithstanding her objection to the banning of protest, subscribes to the enthusiasm across the House for the ban of protests near abortion centres or clinics, and supports the creation of buffer zones that ban

protests in those circumstances. If that is the case, is she possibly guilty of wanting to ban only protests with which she does not agree?

Caroline Lucas: I disagree with the premise of the Minister's intervention. I have been proudly at the forefront of moves to say that women seeking their right to healthcare should not be subject to the personal, direct and threatening individual harassment that happens all too frequently outside abortion centres. I would wager that I have been on more demonstrations than anyone on the Government Benches—I have been arrested for them and I have been alongside them, and I have to say in parentheses that the characterisation of protesters by Government Members is wildly short of the mark—but I have seen nothing that is tantamount to the kind of harassment and direct intimidation that I have seen outside abortion centres, which is why the Minister's comparison is not a reasonable one.

While I am on the subject of who protesters are, let me say that I am fascinated by the division between the protesters we support and those we do not. It seems to me that we support the ones who are silent and probably protesting in their own front rooms, because we do not like protest to be disruptive.

Tom Hunt: Will the hon. Member give way?

Caroline Lucas: No, I will not.

Protest is, by definition, disruptive. I can promise Government Members that the protesters I have been alongside include grandmothers who have never been on a protest before, nurses, doctors, teachers, care workers and people who collect the refuse. They are our community. I do not buy into the division that the Government are trying to make between a community on the one side and protesters on the other. The protesters are from those communities; they come up from them and are part of them. I say no to the kind of divisiveness that I have been hearing and we have been subjected to over and over again for the past five hours that we have been sat here.

Even if Ministers persist with this draconian and dangerous Bill, I sincerely hope that they will at least recognise the dangerous impact of already existing suspicionless stop and search powers, including their ineffectiveness, and their contribution to racial disproportionality and erosion of trust in the criminal justice system. I hope that the Government will not seek to extend them and therefore perpetuate such outcomes. More than that, though, my hope is that the Bill, which is riven with political ideology—and, frankly, puts the police in an untenable position—can be stopped in its tracks. I cannot find one shred of sense, proportionately or necessity in the Bill, and I hope that colleagues will join me in opposing it at every opportunity.

8.18 pm

Richard Fuller (North East Bedfordshire) (Con): It is a pleasure to follow the hon. Member for Brighton, Pavilion (Caroline Lucas). She certainly put out the most certain bet that she has been on more protests than most other people in this House and she is honourable for doing so. She said that the contributions to the debate from the Government Benches had promoted divisiveness. I do not agree with her—people have been

trying to express their point of view—but, standing alone, perhaps I shall be a sole voice in expressing some reservations about the intent behind some of the measures in the Bill.

I was grateful to hear some of the contributions by the Home Secretary, particularly her willingness to look at the Bill's focus. I would like to take that up with the Policing Minister, who has been able to explain to me some of the more detailed provisions of previous Bills.

At some points in the debate, it has not been clear whether Members have been focusing on the Bill in the context of protest, climate change or criminal damage. The Bill is at its best when it focuses on those who would use protest as a cover to cause damage or create unreasonable disruption. It starts to lose its way when it strays away from that into an area where all democratic Governments need to be careful, which is how a Government of the day pass legislation that has an effect on protest.

My first concern of principle, then, relates to imprecision, in respect of which I shall mention a couple of clauses. Before I started to speak, I wrote down that I had concerns about why, with the Government having only recently taken a large Bill through Parliament, we had the provisions sort of re-presented today in this Bill. The right hon. Member for Normanton, Pontefract and Castleford (Yvette Cooper), who spoke for the Opposition, had a point about why these measures have come back to the House so soon and whether we have had time to see the impact of the measures passed previously. Again, I can see the rationale for the Bill when it is tight to its intent; when it goes broader than that, I have significant questions.

One reason I am a Conservative is that I believe in freedom of speech—the right of people to express themselves freely. Indeed, as a Government we are emphasising that in a number of other pieces of legislation we are bringing forward. In questions to the Secretary of State for Education earlier, we highlighted the importance of free speech in schools and the need not to have ideological perspectives. We are talking about it in universities, too. As I thought in respect of the Police, Crime, Sentencing and Courts Bill, the Government are at risk of being in conflict with their freedom of speech priorities in proposing a Bill that focuses on some of the restrictions on protests.

Another point that came up in respect of the previous Bill and does with this one, too, is the risk that it puts on police officers being seen as political because of their decisions, given the very broad framework that is set out and the fact that it is hard to explain to someone who is being noisy or disruptive why they are being selected rather than others. I do not expect the Policing Minister to address that today, but it would be helpful to learn a bit more about that in my conversations with him.

I think all Members present will recognise my final concern of principle. It is surely true that our politics have become far more divisive over the past decade. Whatever the reasons for that may be—perhaps it is a matter of political decisions or of social media—when people feel very divided on politics it is important that we keep open to them as many avenues as we possibly can for them to express dissent or an opinion or to say where something is wrong. That is an important context for the Policing Minister and the Government to consider as they think about the application of the Bill.

[Richard Fuller]

Let me turn to some points about the Bill's provisions. I talked earlier about it being imprecise and straying from areas in which it is strong—its focus on the use of protest as cover for criminal damage—and unfortunately clauses 1 and 2 are where that level of imprecision starts. They are worded far too openly. Everyone here seems to know what attaching on means. Is that the phrase? I cannot remember exactly what it is.

Mr Holden: Locking on.

Richard Fuller: I thank my hon. Friend. I have no clue what locking on is. I do not know. Some colleagues have made the point. What does one have to attach oneself? I have no idea and there is nothing in the Bill to explain to me what locking on may be. It would be helpful for the Government to produce further provisions on that. It is disappointing that the Government are then extremely precise in clauses 3, 4 and 5 about some of the measures they wish to introduce. Precision is clearly not unavailable to them; it is a matter of choice where they have applied it.

A number of Members have spoken to clause 7, which introduces powers on stop and search. Some people have rightly made the point about the disproportionality of stop and search, which has been an important issue for me in my time in Parliament. My right hon. Friend the Member for South Holland and The Deepings (Sir John Hayes), who is no longer in his place, made his point by saying, "But what about the number of knives and the number of offences that have been caught?" First, that does not answer the question of disproportionality, which is the fundamental reason why many of us have concerns about the use of stop and search. Secondly, that argument is completely inappropriate when stop and search is applied to people going on a protest, because it is about not the other aspects of serious crime or serious drug dealing that we talk about, but people expressing their points of view. I say to the Government, "Please, if you are going to look at the extension of stop and search, think carefully before putting that provision in this legislation."

Stewart Hosie: The issue is not just the extension of stop and search but many of the extensions in the Bill. I was struck that, if Lord Hain—then Peter Hain—could be convicted of criminal conspiracy for leading direct action events in the 1970s, which he was as part of the anti-apartheid movement, why do we need this panoply of illiberal measures now? The law was more than capable of dealing with many of the same issues 40 or 50 years ago.

Richard Fuller: The right hon. Gentleman is entitled to his point of view about the broader panoply; my point is specifically about stop and search. I hate the fact that a black man, perhaps with his son, who walks in the streets of London or in my constituency in Bedfordshire is 14 times more likely to be stopped, and very often for no good reason. He may then have to explain to his son or daughter why that has happened. Until we as a population start to find some balance about whether stop and search is useful or not and focus on what it means to the next generation, we will be letting down our young people.

Clause 7(7) is chilling:

"A constable may, in the exercise of the powers conferred by subsection (6), stop any person or vehicle and make any search the constable thinks fit whether or not the constable has any grounds for suspecting that the person or vehicle is carrying a prohibited object."

That is on the way to a demonstration. We can do better than that.

What is serious disruption? It has been mentioned by many Members. It is a lynchpin in the Bill for many aspects of what may happen, but it is not defined in the Bill. Does the Policing Minister intend to come forward with some more precise language about what constitutes a serious disruption, so that we do not put undue pressure on police officers to work it out for themselves in the heat of the moment when people are going on demonstrations? One Opposition Member—I cannot remember which—said that a large demonstration is very likely to cause serious disruption by dint of being a large demonstration. If there is a protest of hundreds of thousands of people going through a city, there is likely to be serious disruption. If we are not going to define "serious disruption", we will be at risk of having some of these powers misapplied.

Mr Holden: Surely, large protests such as the ones we saw over the Iraq war or the hunting ban, would have engaged with the police at an earlier stage to facilitate a proper, lawful and peaceful protest. What the Government are trying to target are those small, sporadic numbers of people who are causing deliberate harm to specific areas of key infrastructure. Does my hon. Friend understand the difference between those two cases?

Richard Fuller: I do; that was why I said that the Bill is at its best when it focuses on those things. I am just saying to the Minister that we should have more precise definitions in the Bill.

Clause 14(4) lists the prohibitions that may be imposed on someone subject to a serious disruption prevention order. Let me tell the Minister what this reminds me of. Earlier in my time as Member of Parliament for Bedford, I had a constituent who was under a control order. Control orders were brought in for people who our intelligence services said were terrorists or were at high risk of causing a major terrorist incident. Some of the provisions in clause 14(4) remind me very much of the control order provisions that my constituent was under. I ask the Minister please to look at whether that level of intervention on the activities of an individual, who has merely gone about protesting in a way that, yes, may have caused disruption and, yes, may have been subject to the provisions of this Bill, is truly what we should be seeing in a free society.

8.30 pm

Rebecca Long Bailey (Salford and Eccles) (Lab): Many of the rights that we take for granted today were largely not born of the spontaneous goodwill of some trail-blazing politician. They came about because people stood together, they demanded change, they protested and they made those with power listen. For example, I would not be standing here today as an MP, and many of my constituents would not even have the right to vote, had it not been for the Peterloo protest, also known as the Peterloo massacre due to the horrific atrocities inflicted upon

those protesting. That protest movement called for reforms to parliamentary representation. Ultimately, it resulted in the Great Reform Act 1832, which went some way to addressing the injustices in the political system.

We have heard today how women would not have the right to vote had it not been for the suffragettes. They are hailed as heroines now, but back in their day they were demonised and viewed as trouble-making anarchists. They were the so-called “lefties” Conservative Members have been talking about today.

Equal pay legislation was largely born of the actions of brave striking workers at Ford Dagenham and the large scale protests that followed. The establishment of the National Parks and, ultimately, the principle of the right to roam would not have happened without the Kinder Scout trespass. The list is endless, but, sadly, it is clear that such era-changing moments in our history will be a fairy tale that we simply tell our children if this House allows the Public Order Bill as drafted to become law.

Human rights organisation Big Brother Watch says this of the Bill:

“It is without doubt that it includes some of the most undemocratic, anti-protest measures seen in the UK for decades.”

Law reform and human rights organisation JUSTICE considers that the Bill

“would pose a significant threat to the UK’s adherence to its domestic and international human rights obligations.”

Further, Amnesty’s analysis is that many of the provisions that have re-emerged in this Bill after being roundly rejected by the House of Lords in February

“would seriously curtail human rights in this country and damage the UK’s international standing, potentially irreparably.”

On protest banning orders, the vast range of peaceful and innocent conduct that the police would seemingly be able to criminalise is breathtaking. The Bill says that these orders can apply to people without conviction if someone has carried out activities

“or contributed to the carrying out by any other person of activities related to a protest that resulted in, or were likely to result in, serious disruption”

among a range of other scenarios, on two or more occasions. Let me explain that. If a law-abiding person attends two marches, for example, where hundreds of thousands are in attendance and some people completely unrelated to them cause a “serious disruption”, which is undefined and could mean literally anything, could that law-abiding person be subject to a protest banning order? The Bill as drafted certainly seems to suggest that they could.

The offence of locking on is also veiled in ambiguity. As JUSTICE says, it is so vague that it would appear to capture a couple walking arm in arm down a busy street where they may be being reckless as to cause “serious disruption” to another couple walking in the opposite direction. Again, “serious disruption” is undefined and could mean literally anything.

The widening of already extensive stop and search powers also appears wholly disproportionate and hugely damaging to racialised communities. Indeed, clause 7(2) is one troubling example. That allows for the police to search an individual when they have reasonable grounds for finding an object that is

“made or adapted for use in the course of or in connection”

with one of the relevant offences. “Object” is not defined; it could be anything from a mobile phone used to agree meeting points with friends to a leaflet about the event. Those are just three staggeringly pernicious examples from a frightening selection box of draconian and anti-democratic measures in this Bill.

Kit Malthouse: I just thought I would take the opportunity to deal with the “serious disruption” issue. My hon. Friend the Member for North East Bedfordshire (Richard Fuller) also mentioned it. I believe the hon. Lady is a lawyer by training, so she will know that the phrase “serious disruption to the community” has been in use in the law since 1986 and is therefore a well-defined term in the courts, which of course is where the test would be applied under the legislation.

Rebecca Long Bailey: I welcome the Minister’s contribution but, as he well knows, case law differentiates and changes from time to time without adequate explanation in the text of a piece of legislation. That is what causes significant ambiguity here; there is no doubt in my mind that what would be deemed a serious disruption would change over time and could ultimately result, given the other provisions in the Bill, in an inference that serious disruption is of a lesser nature than it currently is in present case law.

To be frank, those provisions have no place in a democratic country with a long, proud history of upholding the fundamental right to lawful and peaceful protest. There has been a lot of talk in this debate about the Bill cutting crime; if that were the case, I think we would all welcome it. However, as the Government well know, the first step to cutting crime would be to properly fund our police services, which have suffered 12 years of dramatic cuts to their funding and resources. This Bill will not cut crime. Indeed, Her Majesty’s inspectorate of constabulary and fire and rescue services said in relation to protest banning orders that they

“would neither be compatible with human rights legislation nor create an effective deterrent.”

There has also been an illusion created that new offences are being brought in to deal with some of the issues that have been referred to. I want to set the record straight on that. We talked earlier about the terrible issue of emergency vehicles being stopped. That should certainly not be happening, but there is already legislation for that; the Emergency Workers (Obstruction) Act 2006 makes it a criminal offence to obstruct an emergency vehicle. Similarly, the Criminal Damage Act 1971 imposes a fine or prison service of up to 10 years for an act of criminal damage. Highway obstruction is also a criminal offence.

To suggest that the Public Order Bill is in some way a panacea for actions that many within our communities would deem irresponsible, unlawful and incorrect is way off the mark. Therefore, I hope that colleagues across this House will recognise before it is too late the chilling effect that the Bill will have on our democracy and vote it down on Second Reading.

8.37 pm

Andy McDonald (Middlesbrough) (Lab): It is an absolute pleasure to follow my hon. Friend the Member for Salford and Eccles (Rebecca Long Bailey).

[*Andy McDonald*]

The Public Order Bill is the latest in a line of Bills that this Government have decided to introduce, which can only be described as some of the most reactionary and authoritarian legislation in living memory. Instead of bringing forward measures to support people, following a global pandemic that has ripped through our communities, with many now in the dreadful situation of having to choose between heating their homes and eating, and with 40% of households expected to be in fuel poverty, Ministers are using parliamentary time to criminalise our basic right as citizens to protest peacefully—or even noisily and irritatingly.

The Bill follows a raft of recent laws passed at the very end of the last Session that were designed to stifle our liberties. We had the Elections Act 2022, containing measures cynically designed to prevent people from voting. We had the Nationality and Borders Act 2022, which gives the Home Secretary powers to strip dual citizens of their British citizenship without notice, and—in contravention of the UK's international obligations—criminalises many of those seeking asylum, who now risk being shipped off to Rwanda thanks to her cruel and inhumane scheme. We also had the Police, Crime, Sentencing and Courts Act 2022, banning noisy protests and criminalising Gypsy, Roma and Traveller communities.

Thanks to the work of those in the other place, the Government's attempt to pass provisions that, if implemented, would leave the UK in breach of international human rights law was scuppered. It is therefore very concerning that the Government have immediately opted to introduce them again in this Session through this Public Order Bill.

The headline measure banning people from locking on—attaching themselves to other persons or objects—is a dangerous assault on non-violent protest. To begin with, as has been pointed out, the Bill does not even properly define “attach”, so it is unclear what it means. Could linking arms with other protesters count? Could using balloons that need to be tethered to the ground fall under these provisions? On top of that, the Bill does not define what would constitute “reasonable excuse”. Would exercising the fundamental right to protest count?

Would the following example count, which I wish to bring to the Home Secretary's attention, as set out in an early-day motion from 13 years ago, one of whose main signatories was the right hon. Member for Maidenhead (Mrs May)? It begins:

“That this House commemorates the 100th anniversary on 27 April 2009 of the day that Margery Humes, Theresa Garnet, Sylvia Russell and Bertha Quinn, suffragettes from the Women's Social and Political Union, chained themselves to statues in St. Stephen's Hall to protest for the right of women to vote”,

and

“pays tribute to those and all other heroic women who fought for the rights of women during a time when society, and Parliament, thought them undeserving of equal rights”.

How can the Home Secretary countenance enacting legislation that would undoubtedly make protests such as that, which took place just a stone's throw away from this Chamber, carry a maximum penalty of six months in prison, an unlimited fine, or both? What is more, the Bill would make it an offence merely to be in possession of equipment to lock on. A person would not have to

lock on to commit a crime; just being equipped to lock on would be an offence punishable with an unlimited fine.

The right to protest was fought for by generations. When Parliament is not acting in the interests of the people, whom it purports to represent, the right to protest is paramount to keep this place in check. Were it not for those suffragettes, the securing of women's rights would have been much delayed, which might have delayed the progress that enabled the Home Secretary or the former Prime Minister to be in this place. I cannot help but see the terrible irony in the Home Secretary's introducing legislation that would criminalise the very means by which courageous suffragettes won women the right to take part in the political sphere. If it was right for the suffragettes to take that action, as the former Prime Minister advocated, why is it not right for other protesters holding this place to account?

Mr Holden: Legislation passed in 2007 turned trespass in this place into criminal trespass, so what the hon. Gentleman is talking about could not take place because of legislation passed under the last Labour Government. It is already a criminal offence, so the suggestion that the Bill does something different and criminalises something that was not already illegal does not hold water, does it?

Andy McDonald: The hon. Gentleman understates the significance of that process, which fundamentally changed our constitution and which was deemed to be illegal at the time.

What is so different between, on the one hand, the suffragettes, and on the other, protesters such as the esteemed international climate lawyer Farhana Yamin sticking her hands to the pavement outside the London headquarters of Shell to highlight the fact that the Paris agreement, which she helped to negotiate in 2015, was not delivering; or the Palestine solidarity activists locking on to one another outside the London headquarters of Elbit Systems, Israel's largest arms manufacturer, whose subsidiary IMI Systems may well be responsible for supplying the bullet used to murder Shireen Abu Akleh? Just like the Government in 1909 withholding the right to vote from women, this Government's failure to tackle the climate change crisis with enough urgency is an outrage that demands outcry. Much has been said of Insulate Britain and the objections to certain of its tactics. Government Members should contemplate why it is necessary for people to take such measures when we see our planet dying. If they want to shut up Insulate Britain, there is something very simple that they could do, and that is to insulate Britain and get on with it. In a healthy democracy, these uproars of objection would not be criminalised, but taken on board by a Government serving in the interests of the people.

The attempt to pass the Bill is a very dark day for democracy, and it is incumbent on us all to oppose it in its entirety. I encourage everyone who can do so to attend the TUC rally in this city, which is titled so aptly: “We demand better”.

8.45 pm

Dr Rupa Huq (Ealing Central and Acton) (Lab): Here we go again: illiberal legislation on public order and regulating protest boomeranging back in here after the other place flung it out last time. I do not deny that

there can be value in appropriate sentences and tighter enforcement in the face of serious disorder—for example, pitch invasions are increasingly common and unwelcome nowadays—but we have to be proportionate about these things.

In 2019, it did seem a bit bizarre when we saw Extinction Rebellion on top of tube trains, when that is one of the most green forms of transport. It probably did not make any new fans there, and ditto when the A40 in Acton was blocked. We all prize living in a liberal democracy, but if curbs are disproportionate and the exercise is about curtailing everyday freedoms primarily to win favour with the red tops and to play to their party base and the gallery, then we do have a problem.

These things are always a balance, but we have to tread carefully when it comes to limiting protest. Not that long ago, the Government were going softly, softly on stop and search. We even saw the police dancing with protesters, but the Bill goes for the eye-catching and draconian, such as creating the offence of locking on, where someone is potentially subject to 51 weeks in prison and an unlimited fine for intentionally attaching themselves, someone else or an object to another person, to an object or to land in a manner capable of causing “serious disruption”. It is so vague that it could apply to people linking arms. That is not to mention, as has already been said, that the most famous lockers-on in history were the suffragettes. It is just outside here where Viscount Falkland’s foot spur is missing, because in 1909 people locked on to it. That is part of our history and it is never to be replaced.

We have to beware of being heavy-handed and being led by moral panic with these things. The European Court of Human Rights has held that the freedom to take part in peaceful assembly is of such importance that it cannot be restricted in any way, as long as the person concerned does not commit any reprehensible acts. Concerningly, there is such widespread discretion in the Bill that the police have carte blanche. These laws are not dissimilar to what they have in Russia and Belarus.

If we think about the memorable protests of recent years, yes there has been Extinction Rebellion, but there have also been the school strikes. I do not condone bunking off school, but Greta Thunberg and her lot and the UK equivalent did put the lie to the youth being apolitical and apathetic. We have had Black Lives Matter and what happened to Colston, but I would argue that the sea change should have been the heavy-handed policing of the vigil for Sarah Everard. It was a shocking incident, and the policing was disgusting. In the immediate aftermath, we had a little bit of hand-wringing and concern, but the content of the Bill is a huge disappointment.

Unlike with the average road, where there is a minimal risk of disruption or it being blocked when we get in our car, women going about their lawful business every day in this country find that their route is blocked. What I am talking about specifically is women seeking an entirely legal abortion. It could be for any manner of reasons, and it is probably one of the most stressful and distressing moments in someone’s life. There is a one in four chance—this is from the Home Office’s own figures—that the clinic they attend will be subject to protests or vigils from anti-abortion protesters.

I have raised this issue with a number of different Home Office Ministers. I presented a ten-minute rule Bill in 2020 with massive cross-party support—from Members of seven different parties—so I know the will of the House is there. Even the Home Secretary, in answer to my oral question in February, was positively glowing, and I know she sees a lot of merit in it—but here is a Bill to curb protests and there is absolutely nothing on protests outside clinics. At least four more clinics have been affected since my 2020 Bill and, if we add it up, the issue affects 100,000 women a year, yet the Government say that there is not enough impact to warrant intervention. We know that psychological distress and damage is being done to those women and that precious police time is eaten up—Members should ask the police in Ealing.

In Ealing, we are lucky to have a pioneering council that put through a public spaces protection order to end more than 20 years of harassment at the Marie Stopes clinic. The street is now transformed, with no more gruesome foetus dolls or women being told that they are going to hell for a completely legal medical procedure. We are lucky in Ealing, but it should not be about luck. It was an act of last resort by our council, and only two other local authorities have followed—Richmond and Manchester. It is a fundamental part of the rule of law that people get equal protection under the law wherever they are, so why are people covered only in those three places?

BBC Newsnight had a feature on the subject last week. There is a huge file of evidence at the clinic in Bournemouth, but the council does not want to act, or shows no sign of acting. It is enormously onerous for councils that do want to push through the legislation, because of the burden of proof and officer time, so with everything else on their plates, it is not a priority for most of them. We are in a bizarre situation where, pending the outcome of a Supreme Court challenge, women seeking abortion in Northern Ireland could soon have greater universal protections from harassment than those in England and Wales.

At the same time, the Bill criminalises a huge range of peaceful non-disruptive behaviour and goes far and beyond what most people would ever deem necessary by supplementing powers that are already there. I give the Minister advance warning that I will be seeking to amend the Bill to protect women from this most distressing and unpleasant form of protest. Canada, Australia and several states of the US already have such legislation; it is not a crazy idea. We need a national approach. People will still be able to protest if they do not like abortion laws in this country, but the appropriate place to do that would be here, rather than around defenceless women in their hour of need. Every woman should have the same protection as people in Ealing.

Mr Holden: Will the hon. Lady give way?

Dr Huq: No, because other people still want to speak. The so-called hon. Gentleman has eaten up everyone’s time and my hon. Friends will not get in because of him.

Give or take a bit of tinkering with wordings and clauses, this Bill is essentially a regurgitation of the failed Police, Crime, Sentencing and Courts Act 2022. It replicates all the underlying principles and measures

[Dr Huq]

that their lordships previously debated and comprehensively rejected. There is no imagination in it to deal with real problems, so for that reason, I and all Opposition Members will vote against the Bill tonight.

8.53 pm

Alex Cunningham (Stockton North) (Lab): This is the first Bill of the Queen's Speech and it is stark proof that the Government are out of steam and out of ideas. It is a sad day for democracy, as was best illustrated by some of the contributions that we heard from the Government Benches. Instead of the ambitious reforms that our country needs and deserves at a time when the cost of living is spiralling out of control for many of our constituents, the Government have served up these reheated proposals that contribute little, if anything, to the law. We on Teesside do not have a problem with protests, but we do have a huge problem with the massive increase in violent crime and antisocial behaviour. We also have a big problem with health inequalities and the fact that unemployment in our area remains over 30% higher than the national average. Dissatisfied by her attacks on our historical right to peacefully protest in the Police, Crime, Sentencing and Courts Act 2022, which has yet to come into force, the Home Secretary is trying to have a second bite of the cherry. However, if she thinks it is so important to restrict protests, why has she not introduced any of the statutory instruments to implement the measures in the Act before bringing forward yet another Bill this year? The hon. Member for North East Bedfordshire (Richard Fuller) also questioned that. It is just more evidence that she is more interested in headlines than real practical policies.

We on these Benches believe that the vital infrastructure and services on which we all rely must be protected from serious disruption and that protests must not put others at risk, but the police and courts already have powers to deal with such dangerous and disruptive protests, including the use of injunctions and existing criminal offences such as the obstruction of a highway and criminal damage, among others. It is worth noting that these existing powers have already been used to arrest people and to prosecute cases of obstructing infrastructure and locking on during the Insulate Britain blockade of the M25 and the Just Stop Oil blockade of Kingsbury refinery.

This Bill's assortment of new offences will do nothing to actually safeguard vital national infrastructure and ensure that it is protected from serious disruption, and we know that the most effective measures for preventing such disruption already exist, and that is with injunctions. We do, however, recognise that there can be a real problem with delays in seeking injunctions, and a lack of preparation, planning and co-ordination between different private and public authorities. So why is the Home Secretary not focusing on this issue, and including provisions for co-operation between the police and public and private authorities to improve resilience and prevent serious disruption? That is what we would do.

We have already heard the Home Secretary blow and bluster at the Dispatch Box after the Police, Crime, Sentencing and Courts Act was passed, deploying all manner of dodgy statements about the Opposition's approach to law and order. She could have had our full

co-operation with that Bill—there were some very good proposals in it—but she chose to play silly political games by introducing other measures that served to shackle our people and diminish their rights. She knew all too well the game she was playing, but so did the public, who recognise that the Tory Government, rather than getting on with fixing crime, prefer to muck about with the rights to protest.

This new Bill introduces powers that are far too widely drawn and that could criminalise protesters and even passers-by. All of us who work here will have seen many enthusiastic protests outside in Parliament Square. It is what we expect while working in this the seat of democracy. Many of us, more likely those on this side, have enjoyed many a protest. My favourite goes back 50 years to when students were demanding a better deal from Ted Heath's Government. It was very noisy, but very successful. The morning chant was simple: "Heath out, Heath out!" No one was more surprised than me when the chant changed later to "Heath's out, Heath's out!" because that was the day he called the general election.

If Parliament Square were designated as an area for suspicionless stop and search, which the Bill introduces, could Members of Parliament and our staff coming to work on the estate be stopped and searched by police? It seems far-fetched, but that may be a logical conclusion of the measures in the Bill. I would be grateful if the Minister shared his thoughts on his staff potentially being caught by these measures as they head into the office. As Justice has said, this Bill will

"criminalise a breathtakingly wide range of peaceful behaviour".

As well as rapid injunctions to protect infrastructure against serious disruption, we would create a fast-track buffer zone outside schools and vaccine clinics to protect children and those accessing medical care from dangerous anti-vaxxers. What we have opposed and will continue to oppose is the criminalisation of peaceful protesters and passers-by. The Home Secretary has said this Bill is necessary to prevent "mob rule", but would she call those protesting against the Russian invasion of Ukraine a mob? Is that the term she would use to describe the thousands of women who have gathered together for vigils to demand action on violence against women and girls? It is gatherings such as those on which her Bill will impact, not just potentially dangerous and disruptive ones. Why introduce a new offence of locking on when it is effectively covered by existing offences such as criminal damage, public nuisance and obstructing a road? Why introduce SDPOs when the Home Office's own response was initially to reject them on the grounds that they would stop individuals exercising their right to protest?

It is time for the Home Secretary to stop playing petty political games, and time for the Government to stop wasting legislative time on the Home Secretary's hunt for headlines and to bring forward legislation that will actually address the many issues facing our constituents.

9 pm

Marsha De Cordova (Battersea) (Lab): It is a pleasure to follow my hon. Friend the Member for Stockton North (Alex Cunningham) and to speak in this Second Reading debate. The provisions in this Bill pose a significant risk to the UK's adherence to its domestic and international

human rights obligations, and the Bill is unlikely to be compliant with the European convention on human rights, particularly article 10 on freedom of expression and article 11 on freedom of assembly and association.

Equivalent measures to the protest-banning orders were previously roundly rejected by the police and Her Majesty's inspectorate of constabulary and fire and rescue services on the basis that such measures would neither be compatible with human rights legislation nor create an effective deterrent. Many organisations, including Justice, have said that the Bill would give the police *carte blanche* to target protestors. Similar laws can be found in Russia and Belarus. Is this the country we have become?

That is why I support the amendment in the name of my right hon. and learned Friend the Leader of the Opposition. It is disturbing that the Government have put forward this Bill as their first piece of legislation in the Queen's Speech, and when the ink is not even dry on their Police, Crime, Sentencing and Courts Act 2022. We have not even been able to assess that Act's impact on people and communities. It beggars belief that the Government have brought forward this Bill during a cost of living emergency, when they should be focusing on tackling the crisis facing so many of our constituents. Moreover, the Bill's provisions are more egregious than those in the Government's amendments to the Police, Crime, Sentencing and Courts Act 2022 that were flatly and rightly rejected in the other place.

My speech will focus on the Bill's equality impacts, especially in relation to protest. Before entering this House, I spent most of my life as an advocate and campaigner, and I know from first-hand experience the power that protest can have. My freedoms today are directly linked to the organising and protests that happened on our streets, from the suffragettes who chained themselves to Parliament to secure votes for women, to disabled people who locked their wheelchairs to traffic lights to fight the discriminatory cuts to social security, and the Black Lives Matter protests.

Protesting is one of the most effective ways for people from underserved and under-represented groups to organise and deliver change for our communities. Such people often do not have access to the seats of powers. They face significant barriers to democratic and civic participation. Clamping down on protest will not only have an impact on the types of issues that our communities will be able to voice their concerns about but shut down key avenues of mobilising the public to support and preserve our rights.

I urge Government Members, and the Policing Minister in particular, to watch "Then Barbara Met Alan", which highlights the fight for civil rights for disabled people and the role that protests played in securing the imperfect Disability Discrimination Act 2005. But for those protests and disabled people protesting and making sacrifices, many of the rights that we fight to maintain today would not have been secured.

This Bill will criminalise protest tactics and drag people into the criminal justice system, and we know that people from our communities will suffer the most. Our communities are already over-policed and targeted by the authorities. I am especially worried about the provision on protest-specific stop-and-search powers. Those powers are a form of structural oppression that will continue to hurt and harm our black, Asian and

ethnic minority communities. Their expansion will only entrench racial disproportionality in the criminal justice system and further erode trust in public institutions.

Last week, the Home Secretary announced that she was lifting restrictions placed on police stop-and-search powers in areas where police anticipate violent crimes by easing conditions on the use of section 60 orders under the Criminal Justice and Public Order Act 1994. The Bill will amend section 1 of the Police and Criminal Evidence Act 1984 to expand the types of offences that allow a police officer to stop and search a person or a vehicle. It will also extend suspicionless stop-and-search powers to the protest context; police officers will be able to stop and search a person or a vehicle without suspicion if they reasonably believe that certain protest-related offences will be committed in that area.

Despite ongoing revelations regarding the misuse and racist application of stop-and-search powers, the Government decided to roll them out further. I therefore hope that when the Minister sums up, he will address disproportionality. I am sorry, but the equality impact assessment is flawed. It does not address the Bill's disproportionate impact on our black and ethnic minority communities, and on black men in particular. Overwhelming evidence, including the Home Office's own data, provided to human rights and civil liberty organisations, details the inherent disproportionality in the use of police stop and search. We know from the Independent Office for Police Conduct's report that, in the year to March 2021, black people were seven times more likely to be stopped and searched than white people; Asian people were 2.5 times more likely to be stopped and searched.

We know that stop and search powers are ineffective. According to the Home Affairs Committee, between March and May 2020, more than 80% of the 21,950 stop and searches resulted in no further action. That is counterproductive. The decision to ease section 60 and the new powers in the Bill do not consider the trauma that structural oppression causes to our black and ethnic minority communities, and in particular to our black boys.

The Bill will also create the offence of intentional obstruction of a suspicionless, protest-specific stop and search. It might be used to target legal observers, or community-led protest marshals, who play a vital role in protecting the rights of groups by keeping them safe and explaining many complicated and technical laws. They are there in an observer or advisory capacity. The lack of that crucial function will impact many groups, and disabled people and people from ethnic minority backgrounds in particular.

We do not need the Bill. It will not solve the problems that it seeks to address. All it will do is increase the criminalisation of people from our under-represented and under-served communities. The Government are not interested in protecting people or serving those who need them most; they want only to protect themselves, to hold on to power by playing with people's lives, and to manipulate the public to deflect from their failures. They are doing that at people's expense. If they cared, they would have brought forward the victims' Bill and ensured justice for the 1.3 million victims who gave up on the justice system last year. I will stand up for the people and, along with Opposition colleagues, I will vote against the Bill.

9.9 pm

Beth Winter (Cynon Valley) (Lab): The Bill is a draconian piece of legislation that undermines our democracy. It is the sort of Bill I would expect from an extreme and authoritarian Administration anticipating opposition, and perhaps even fearing for their continued existence. As Members across the House have said, the provisions are not necessary. Existing laws are sufficient. The provisions would leave the UK in breach of international human rights law, would clearly restrict fundamental human rights, and severely compromise the UK's ability to promote open societies and respect for human rights internationally. They have rightly been condemned by Members from across the House today.

Paul Bristow: Will the hon. Lady give way?

Beth Winter: No, I will not give way because of time. Causing obstruction at a site of key national infrastructure was something the Prime Minister proposed doing at Heathrow a few years ago, when he threatened to lie down in front of bulldozers. That was, of course, before he became Prime Minister. I wonder what his actions would be now. The offence of locking on, or being equipped for locking on, is far too broadly drafted and far too wide-ranging—purposefully so, I would argue, in order to restrict individuals' willingness to protest. Those measures must be thrown out.

The “stop and search without suspicion” measures are an over-extension of police powers. Given our knowledge of the racial bias in the application of stop and search, the measures are a green light from the Government to create further racial tensions in policing. Those measures must also be thrown out.

The serious disruption prevention orders risk depriving people of the fundamental human rights of assembly and movement. As commentators and colleagues in the House have said, they are like the protest powers in Russia or Belarus, but even more extreme. They, too, must be thrown out.

I take issue with some of the comments and approaches of Conservative Members. The Conservative Benches are empty now, unfortunately, which I think says a lot about the Conservatives' position. Their comments have been very selective and subjective, and a lot of the language used has been extremely offensive. The measures in the Bill are extremely broad and far reaching. For example, the protest banning orders are extremely broad in scope and allow the police to put restrictions on processions and assemblies beyond those mentioned in recent debates. They can include religious festivals and activities, community gatherings, football matches, vigils, remembrance ceremonies, and trade union disputes and pickets. These are absolutely terrifying proposals.

The powers in the Bill will be extended to Wales, but have the Welsh Government been consulted? I doubt it, given past experience. This is how the Government normally act towards our devolved, democratically elected Governments. They change the laws affecting Wales, but do not ask Wales its views. The Welsh Government were clearly opposed to the measures on protest in the Police, Crime, Sentencing and Courts Bill. I believe that they will make clear their opposition to this Bill. Furthermore, there is concrete evidence that the Welsh police are not supportive or likely to make use of such powers, given what was said by four constables at a recent session of the Welsh Affairs Committee.

Paul Bristow: Will the hon. Lady give way?

Beth Winter: No, I will not. I believe that Welsh MPs will reject the Bill tonight. I will wrap up with one final point. This Conservative legislation has been presented as a necessary measure to deal with climate protesters. We are facing a climate catastrophe, and the Government should be addressing its root causes now. The overwhelming majority of climate protesters are using democratic rights that we have fought over for many, many years. Among those protesters, I include myself, my parents and my children, as we have been on many a protest in our lives, locking arms, so we would probably be criminalised and called eco-hooligans, which is how the hon. Member for Ashfield (Lee Anderson) shamefully described protesters earlier.

Paul Bristow: Will the hon. Member give way?

Beth Winter: No, I will not. As I said at the outset, there are sufficient laws in existence to deal with protests.

I believe that there is another reason for the Bill: the current cost of living crisis will drive such poverty and polarisation that the Government are concerned that their economic policies mean that public protest is increasingly likely. Rip-off energy bills—like the poll tax—pushing people into poverty and debt will lead to more protests on our streets. Is the Prime Minister readying himself for his Thatcher moment, confronting those on a low income in Trafalgar Square? How proportional will that be? I hope that we do not see such violence from this Government, but I fear that that is what the Bill is about.

Hundreds of civil organisations, legal academics, cross-party parliamentarians and UN special rapporteurs condemned the Police, Crime, Sentencing and Courts Act 2022 and they will do the same with this Bill. I urge Members to listen to them and to us and to do the right thing today: vote against this absolutely rotten Bill on Second Reading. Throw it out.

9.15 pm

Zarah Sultana (Coventry South) (Lab): When this Tory Government were elected in December 2019, pundits asked about their agenda. They wondered what their central driving force would be. Of course, the Government had their line: they spoke about being a “people's Government” and about “levelling up”. Today, that shallow façade has been totally discredited, with the Government overseeing the biggest fall in living standards since records began, hitting the poorest hardest through policies such as the scrapping of the universal credit uplift and a real-terms cut to pensions and social security. This Bill demonstrates yet again what the Government are really about, because there has been a clear thread running through their legislation. It is not about “levelling up” or “building back better”, or whatever empty slogan they are using today; it is a growing and unmistakable authoritarianism. That is clearly seen in the Bill that we are debating.

Government Members might complain but look at what they are doing, from the Overseas Operations (Service Personnel and Veterans) Act 2021 and its attempt to effectively decriminalise torture; to the spy cops Act—the Covert Human Intelligence Sources (Criminal Conduct) Act 2021—giving state agents the licence to torture and commit sexual violence; and the Elections

Act 2022, with its attack on the independence of the Electoral Commission and the attempt to rig elections, with millions of disproportionately poor and marginalised people at risk of losing their vote.

There is also the Judicial Review and Courts Act 2022, which human rights lawyers described as an “alarming” attack on our basic rights and which abolishes vital safeguards for our freedoms, and the Nationality and Borders Act 2022, which breaks Britain’s 71-year commitment to the refugee convention, deporting victims of war and torture to Rwanda.

Paul Bristow: Will the hon. Member give way?

Zarah Sultana: No. Many people have told you that, so please just stay sitting down.

The Northern Ireland Troubles (Legacy and Reconciliation) Bill, which is set for its Second Reading in the House tomorrow, has been described by one human rights organisation as an “exercise in denying justice.” [*Interruption.*] Stop heckling me and just listen—how about that? Thank you very much.

Madam Deputy Speaker (Dame Rosie Winterton): Order. It is important that hon. Members do not address one another directly in that way, but I do think that the hon. Lady has said that she is not going to take an intervention at this stage.

Zarah Sultana: Thank you, Madam Deputy Speaker.

We also see this in the Police, Crime, Sentencing and Courts Act 2022 and today’s Bill. The first bans “noisy” protest and risks criminalising Gypsy, Roma and Traveller communities out of existence; and the Government are trying to push the second through before that Act is even put into effect, repackaging measures that have already been rejected by Members in the other place.

The Bill will introduce so-called serious disruption prevention orders, which can be used to ban individuals protesting and can even apply to those who have never, ever committed a crime. As the human rights group Liberty states, it amounts to

“a staggering escalation of the Government’s clampdown on dissent.”

It will massively extend police powers to undertake stop and search at protests, including—as many hon. Members have mentioned—without suspicion of any wrongdoing. Police officers themselves seem quite alarmed about that. As one officer says,

“a little inconvenience is more acceptable than a police state”.

As we know, black people are already 14 times more likely to be stopped and searched without reasonable grounds. We can be sure that this new power will be disproportionately used against black and other ethnic minority citizens, including with the predictable effect of deterring people from raising their voice against injustice.

It does not stop there. The Bill’s vague and ambiguous language means that anyone walking around with a bike lock, a roll of tape or any number of everyday objects could be found guilty of the new offence of an intention to lock on, and could face an unlimited fine. These are just some of the measures in the Bill that are clearly aimed at climate campaigners. No one will be happier than the fossil fuel industry and the companies

that fund the Conservative party. The Government are attacking our freedoms in order to criminalise those who stand up for a liveable planet for us all.

Conservative Members like to talk about freedom and liberty and make out that they are the champions of democracy and human rights, but a Government committed to freedom do not try to let their soldiers commit torture. They do not let state agents commit sexual violence. They do not deliberately make it harder for citizens to vote. They do not deport refugees to detention camps 4,000 miles away. They do not try to privatise a broadcaster just because of its rigorous coverage. A Government committed to freedom certainly do not crack down on protest and dissent, but that is exactly what this Government are trying to do. We have a name for a Government who do those kinds of things: an authoritarian Government. That is what this Tory Government are, and we all have a duty to oppose them.

9.21 pm

Mick Whitley (Birkenhead) (Lab): It says everything we need to know about this Government’s priorities that their first Bill since the Queen’s Speech does not seek to address an out-of-control cost of living crisis, ensure that justice is done for the 1.3 million victims of crime who were forced out of the criminal justice system last year, or indeed deliver any of the people’s priorities. Instead, Conservative Members, who have so often styled themselves as the champions of individual liberty, have lined up today to defend this latest assault on our basic rights of peaceful protest and public assembly.

The Home Secretary has resurrected and repackaged some of the most draconian provisions of the Police, Crime, Sentencing and Courts Bill, which were rightly thrown out by colleagues in the other place earlier this year, and has returned them to this House, but the issues remain the same. The Bill is unworkable, disproportionate and deeply illiberal. The Home Secretary wants to silence the voices of protesters outside this House, but we must ensure that they are heard loud and clear today. We must kill this Bill.

It is not just about a single piece of legislation, but about the direction of this Government as a whole, and the creeping authoritarianism that increasingly characterises their every step. After years of being told that we had to free ourselves from the supposed despotism of the European Union, we now find ourselves subject to the whims of an Administration far more oppressive and contemptuous of dissent than any ever found in Brussels. From the Police, Crime, Sentencing and Courts Act and the Nationality and Borders Act to the Bill before us today, Ministers have come to this House month after month armed with legislation that seems more suited to Viktor Orbán’s Hungary than to a robust liberal democracy.

The right to protest, the right to boycott and even the right to strike seem set for the Tory chopping block. We are forced to contemplate with horror a future in which the rights and freedoms for which earlier generations fought and died have been trampled underfoot. We must not allow that to happen. I plead with colleagues on the Government Benches—there are not many of them here, by the way—and especially with those hon. Members who bemoaned mask madness as a symptom of Government tyranny, but who remain conveniently silent on this issue of actual importance, to join me in the No Lobby today.

[Mick Whitley]

Finally, I want to speak out about those environmental campaigners whose actions have repeatedly been invoked as justification for these draconian measures. I have no intention of justifying their tactics or some of their campaigns, which have caused significant disruption and even misery to working-class communities, but I find it interesting that a handful of activists blockading an oil refinery can set the wheels of Government spinning so quickly, while the imminent prospect of breaching the 1.5° global warming threshold musters, at best, empty rhetoric and unrealisable targets from those on the Government Benches.

As the northern hemisphere approaches a summer that is likely to be characterised by record-breaking heatwaves and power outages, I wonder how history will judge a Government who prioritise criminalising climate protesters over tackling the unfolding climate catastrophe.

Madam Deputy Speaker (Dame Rosie Winterton): I call the shadow Minister, Sarah Jones.

9.24 pm

Sarah Jones (Croydon Central) (Lab): It is a pleasure to follow all the contributions that have been made today.

As you know, Madam Deputy Speaker, and as many of my hon. Friends have said, we were disappointed with this Queen's Speech. It was a missed opportunity to tackle the cost of living crisis, to tackle climate change and to attack the very real problems of crime. The long-awaited victims Bill has yet to make its way to the Chamber but, if the Government were serious about governing in the interests of the people, that Bill might have been at the top of their agenda. There was nothing in the Queen's Speech to turn around the collapse in prosecutions or the rise in crime, nothing to tackle violence against women and girls, and nothing to prevent neighbourhood crime.

This is a Government with no guiding principle, searching for anything to show a sense of purpose where there is none. What are this Government for? What good have the last 12 years brought us? That is a question for another time, but the hotch-potch of Bills in this Queen's Speech tells its own story.

The Public Order Bill largely rehashes what we saw in the Police, Crime, Sentencing and Courts Act 2022, which—as my hon. Friend the Member for Coventry South (Zarah Sultana) and others have pointed out—was rejected by the other place. Moreover, it arrives before the protest clauses in that Act have come into effect, which in itself seems slightly peculiar. Perhaps introducing the statutory instruments to put those clauses into law would have made more sense, but I am not sure that sense is a guiding principle of this Government.

The problem that the Bill seeks to solve is the need to ensure that vital public infrastructure is not seriously disrupted to the detriment of the community and our national life, while also ensuring that the rights of free speech and public protest are protected. The Opposition believe that it manages to deliver neither of those things. A starting point must be to ask: what are the basics that the police need to equip them with the tools that they

need to manage protests in the minority of cases that lead to lawlessness or violence? Let me tell the House about the basic pillars.

Paul Bristow: Will the hon. Lady give way?

Hon. Members: No! Keep going.

Sarah Jones: I hear heckling. I will keep going for a minute. Perhaps the hon. Gentleman will listen to my pillars, and then see if he still wants to intervene.

First, we need the police numbers to be able to deal with protests. The policy of the Conservative party, which was to cut more than 20,000 officers, thousands more police community support officers and thousands of police staff, did precisely the opposite. Specifically, there are not enough protester removal teams across the country, as the inspectorate pointed out in its report on policing protests. Why not do something about that? Secondly—this too was highlighted in the report—the police across the board need effective training in the law and in policing protests so that they can use existing legislative processes. The inspectorate said:

“Non-specialist officers receive limited training in protest policing.”

According to the Police Foundation, over the seven years up to 2017-18, 33 forces reduced their budgeted spending on training in real terms by a greater percentage than their overall reduction in spending. Forty per cent. of police officers say that they did not receive the necessary training to do their job. Why not do something about that?

Thirdly, we need to give the specialist teams the tools that they need to be effective at prevention and de-escalation. I recently visited the brilliant mounted police branch team in the Met. The mounted police are an important part of the policing of protests and other events such as football matches, but they too have been cut across the country, not just in the Met. Why not do something about that?

Finally, when the police do press charges, they want to be sure that those charges will be followed through. There is no deterrent in a system that never sees cases go to court, but we are told by the police and by the inspectorate that the Crown Prosecution Service often has to drop cases because of huge court delays. Why not do something about that?

The Government have taken away the tools that the police need to manage protest. How can they claim to take this issue seriously?

Paul Bristow: I have been listening carefully to the hon. Member, and she is making an interesting speech, but would she agree with some of her own Back Benchers on this? For example, the hon. Member for Coventry South (Zarah Sultana) said that the Police, Crime, Sentencing and Courts Bill would marginalise Roma and Traveller communities out of existence, and the hon. Member for Cynon Valley (Beth Winter) said that this Public Order Bill was a threat to religious gatherings. Does the hon. Member agree with those two points?

Sarah Jones: The hon. Gentleman is talking about the Police, Crime, Sentencing and Courts Act 2022, which we on this side of the House opposed, in part because of its punitive measures against the Traveller community—so absolutely, yes.

We think that this Bill does not strike the right balance on protests and that it is not the most effective way to stop significant disruption of our national infrastructure. The right to protest is a fundamental right and a hard-won democratic freedom that we are deeply proud of. We will always defend the right to speak, to protest and to gather, but there is a careful balance to be struck between those rights of protest and the rights of others to go about their daily lives. Much of the debate today has been about that balance.

We heard from the hon. Member for Cities of London and Westminster (Nickie Aiken) about the disruption caused in her constituency. We heard from the hon. Member for Ashfield (Lee Anderson) about attending the miners' strike. We heard from my right hon. Friend the Member for Hayes and Harlington (John McDonnell) about the expansion of Heathrow and the desperate plight of people in his constituency. We heard from the hon. Member for North East Bedfordshire (Richard Fuller) about how we can ensure that protest is not used as a cover for criminal activity. We heard from my hon. Friend the Member for Battersea (Marsha De Cordova) about the importance of protests in the context of rights for people with disabilities. This is a genuine debate, and it is the right one to have. We know that the Prime Minister values the right to protest, as he said that he would lie down in front of the bulldozers to stop a third runway at Heathrow airport.

But some protests tip the balance in the wrong direction. Protest is not an unqualified right. Campaigners who block people from reaching relatives in hospital, marches that close down entire towns and oil protests that prevent people from crucial travel raise a valid concern, which is why we have tabled a reasoned amendment to the Bill. Our approach, rather than seeking to restrict people's rights beyond the point of reasonableness, is to establish a swifter process for seeking an injunction to prevent disruption to vital national infrastructure. That would be a more effective prevention tool and, as my right hon. Friend the Member for Normanton, Pontefract and Castleford (Yvette Cooper) said earlier, it would have the advantage of giving judicial oversight, which would safeguard rights.

If protesters are causing a huge amount of disruption to the supply of essential goods and services such as oil or medical supplies, an injunction is more likely to prevent further disruption than more offences to criminalise the conduct after the event. Injunctions are more straightforward for the police. They have more safeguards, as they are court-granted, and they are future-proofed for when protesters change tactics. We would include emergency health services in vital national infrastructure, and we would also ensure proper training, guidance and monitoring on the response to disruptive protests, in line with the inspectorate's recommendations, so that we could use the existing legislation effectively.

Lee Anderson: The hon. Lady is making a powerful speech and some good points. She talks passionately about protesters, and sometimes there is a case and sometimes there is not. Will she cast her mind back to the Black Lives Matter riots on Whitehall over a year ago, during lockdown when those gatherings were illegal? At least two of her own MPs were there, encouraging those yobbos who were burning flags and attacking the police. Does she agree that that behaviour by her own MPs was wrong?

Sarah Jones: I am not sure that today is the right day to be talking about people who have broken lockdown rules. Perhaps the hon. Member has not seen some of the pictures that the rest of us have been looking at this afternoon.

We believe that some of the provisions in this Bill effectively replicate laws already in place that the police can and already do use. There is already an offence of wilfully obstructing the highway. There is already an offence of criminal damage or conspiracy to cause criminal damage. There is already an offence of aggravated trespass. There is already an offence of public nuisance. More than 20 people were arrested for criminal damage and aggravated trespass at Just Stop Oil protests in Surrey. Injunctions were granted at Kingsbury oil terminal following more than 100 arrests, and there were arrests for breaching those injunctions, which are punishable by up to two years in prison—nine people were charged. When Extinction Rebellion dumped tonnes of fertiliser outside newspaper offices, five people were arrested. Earlier this year, six Extinction Rebellion activists were charged with criminal damage in Cambridge. In February this year, five Insulate Britain campaigners were jailed for breaching their injunctions. In November, we saw nine Insulate Britain activists jailed for breaching injunctions to prevent road blockades.

Removing people who are locking on can take a long time and require specialist teams, but a new offence of locking on will not make the process of removing protesters any faster. The Government should look at the HMICFRS report and focus on improving training and guidance, and they should look to injunctions.

I cannot but attack the issue of stop and search and SDPOs. This Bill gives the police wide-ranging powers to stop and search anyone in the vicinity of a protest, such as shoppers passing a protest against a library closure. The Home Secretary said the inspectorate supports these new powers, but the inspectorate's comments were very qualified and talked of, for example, the powers' potential "chilling effect".

Many of my hon. and right hon. Friends talked of the serious problem of disproportionality, as did the hon. Member for North East Bedfordshire, and talked of how these powers were initially rejected by the Home Office because of their impact. Members who have spent many years campaigning on these issues, like my right hon. Friend the Member for Hackney North and Stoke Newington (Ms Abbott), pointed to the risk of these deeply concerning provisions increasing disproportionality, bringing peaceful protesters unnecessarily into the criminal justice system and undermining public trust in the police who are trying to do their job.

Our national infrastructure needs protecting. We hear the anger, irritation and upset when critical appointments are missed, when children cannot get to school and when laws are broken. As our reasoned amendment makes clear, we would support some amended aspects of the Bill, but we cannot accept the Bill as it currently stands. The proposals on suspicion-less stop and search, and applying similar orders to protesters as we do to terrorists and violent criminals, are unhelpful and will not work. The police already have an array of powers to deal with such protests, and injunctions would be a better tool to use. We will not and cannot stand by as the Government try to ram through yet another unthought-through Bill in search of a purpose.

[Sarah Jones]

I urge all reasonable Members to support Labour's reasoned amendment, and I urge the Government to focus instead on their woeful record on crime.

Madam Deputy Speaker (Dame Rosie Winterton): Before I call the Minister, I remind colleagues that it is extremely discourteous to both Front Benchers not to get back in good time for the wind-ups. It is also extremely discourteous to spend long periods of a debate out of the Chamber. It is important to hear what other people have to say; those who give speeches and then disappear for hours ought to listen to others. That would be the courteous thing to do.

9.38 pm

The Minister for Crime and Policing (Kit Malthouse): I have listened to others with pleasure, Madam Deputy Speaker. We have had a debate with a vigorous exchange of views, although I am afraid it was largely bifurcated. There was a group of speeches on the end of democracy: "Here we go, fascism is on its way," or "We are about to become North Korea"—although I am sure the right hon. Member for Hayes and Harlington (John McDonnell) would not think that an entirely backward step. The speeches made by the right hon. Member for Hackney North and Stoke Newington (Ms Abbott) and the hon. Members for Bath (Wera Hobhouse), for Norwich South (Clive Lewis), for Streatham (Bell Ribeiro-Addy), for Middlesbrough (Andy McDonald), for Edmonton (Kate Osamor), for Brighton, Pavilion (Caroline Lucas), for Salford and Eccles (Rebecca Long Bailey), for Stockton North (Alex Cunningham) and for Battersea (Marsha De Cordova) were all of a kind, predicting the end of democracy as we know it. Among the froth of outrage and alarm, there were some nuggets of questions that need to be answered, particularly on why we chose to bring back the Bill after it was roundly rejected by the House of Lords. Well, their key criticism was that the Bill had not had enough scrutiny in this House, so we brought it back as soon as we could for the scrutiny of hon. Members.

A number of hon. Members claimed that there is no public support for the Bill whereas, in fact, recent polling shows that a majority of the British public support it. There was a lot of focus on and concern about stop and search powers in the Bill. We should all take stop and search powers seriously, and look at them with care, but there seems to be a misapprehension among a number of Members about how the provision will operate, particularly regarding disproportionality and demographics. The notion is that the police will authorise an area for the equivalent of section 60 stop and search that will be where they believe the protest is likely to take place or where people will approach the protest. Therefore, the demographics of those searched are likely to reflect those attending the protest, rather than generally across the board as with other stop and search powers.

Getting ahead of those who are likely to lock on or take other equipment with them to protest will give the police an important head start in stopping some of the prolonged and difficult protests with which they have to deal and which often put them in danger. A number of Members asked why key infrastructure, such as hospitals

and NHS sites, are not covered in the Bill. There are already offences that cover those areas in other legislation, so we do not need to cover them here.

I thought that two speeches in particular illustrated some of the issues. The hon. Member for Glasgow North East (Anne McLaughlin) was alarmist in her portrayal of the direction in which the Government are going on protest, but nevertheless was not seen throwing herself between Police Scotland and the oil protesters at Clydebank, when they were carted off and arrested. Then there was the conundrum faced by the hon. Member for Ealing Central and Acton (Dr Huq): she has happily accepted restrictions on protest outside abortion clinics and, in previous legislation, outside schools and vaccination centres—privileging them, quite rightly, as areas where protesters may come into conflict with those who are going to school or undergoing sensitive medical procedures, or indeed those denying vaccination—but I still cannot see the logic of then not applying some controls on protest outside other facilities or other people's houses. [Interruption.]

There were some thoughtful speeches that added to the debate, including that of my hon. Friend the Member for North East Bedfordshire (Richard Fuller), who posed some interesting questions that we will address in Committee. I am more than happy to engage with him as he ponders the Bill. The Chair of the Home Affairs Committee, the right hon. Member for Kingston upon Hull North (Dame Diana Johnson), also asked some probing questions to which we will give some thought as the Bill passes through the House.

We heard two interesting speeches about the two sides of protest. The right hon. Member for Hayes and Harlington spoke about a community who have been using protest to further what they regard as their interest against, as he put it, the changing winds of political decision about Heathrow. My hon. Friend the Member for Cities of London and Westminster (Nickie Aiken) put the other side of the argument—about living with protest. Having lived in very central London for many years, I know the burden that protest can bring to residents and businesses in that part of town. The relentlessness of it—week in, week out, seemingly every weekend—can really prey upon people's standard of living.

Then we come to the frankly hilarious contortions of the shadow Home Secretary, the right hon. Member for Normanton, Pontefract and Castleford (Yvette Cooper), and the shadow Policing Minister, the hon. Member for Croydon Central (Sarah Jones), where we see in full the contradictions writ large in the body politic of the Labour party. First, the Front Benchers want a nationwide ban via injunctions, but not criminal sanctions. The right hon. Member for Normanton, Pontefract and Castleford condemns Just Stop Oil and XR but is unwilling to do anything about them, and she believes that injunctions, which sometimes take six weeks to bring people to justice, will be faster than a criminal offence.

The truth is that the right hon. Lady's objective this evening is not to fashion legislation that will deal with new tactics in public order. It is to get her party through the same Lobby in once piece, and at the same time to keep her head down, because we know that she has form; back in 2005, she was the Minister in a Government who voted to ban protest entirely within half a mile of

this place. Famously, the first arrest was of a woman reading the names of the Iraq war dead at the Cenotaph. The right hon. Lady has form and Labour Members all know it—she is just trying to get them through the Lobby in one piece.

My hon. Friend the Member for Devizes (Danny Kruger), who is my constituency neighbour, made a thoughtful speech in which he nailed fundamentally the issue with which we are wrestling. As I said in the debate that we had on protest in respect of the PCSC Bill, the job of a democratic Government is to balance competing rights in any scenario, but most importantly in respect of protest. How do we balance that most fundamental right to make our voices known, to protest about those things that are important to us and to try to bring about change? As my hon. Friend quite rightly said, this is about balancing moral force against physical force. The use of moral force is legitimate in a democratic society, but the use of physical force to bring about what one wants to see is less so.

Yvette Cooper: The Minister talks about the extension of the powers of stop and search in the Bill; will he confirm that the Bill will make it possible for the police to stop and search people to try to find something that makes noise—such as a boombox, because that could contribute to a protest offence—and will also allow the stopping and searching of peaceful passers-by who walk through Parliament Square?

Kit Malthouse: It would depend on which part of the Bill they used for their powers. In essence, they would be stopping and searching people to look for equipment that could be used in the commission of an offence. I know the right hon. Lady will not want to confuse colleagues, but she possibly confuses the conditions that can be placed on a protest with the criminal offences that may ensue from a protest. The police will use their stop-and-search powers to deal with those criminal offences.

Let me return to my thread. As my hon. Friend the Member for Devizes said, we cannot allow our tradition of liberty to be used against us. Sadly, over the past few years we have seen, time and again, so-called protesters abuse our fundamental rights to make our views known to bring about their opinionated aggression, thereby impacting on people's lives in a way that we feel is unwarranted. When I was a young politics student at university, I was taught by a member of the Labour party and great liberal thinker called Professor Hugh Berrington, who once said to me in a lecture I have never forgotten: "Being a liberal democracy doesn't mean lying back and allowing yourself to be kicked in the stomach." Sadly, too many of these so-called protesters—they masquerade as protesters but they are really criminals—bring about opinionated aggression that we believe is unacceptable.

We know that we have the support of the majority of the British public. Opposition Members have lightly lain aside the rights of the British public, but they have been championed in this debate by my hon. Friends the Members for Ipswich (Tom Hunt), for Dudley North (Marco Longhi), for Runnymede and Weybridge (Dr Spencer), for Stockton South (Matt Vickers), for Peterborough (Paul Bristow) and for Ashfield (Lee Anderson). In particular, my hon. Friend the Member

for Stoke-on-Trent North (Jonathan Gullis) yet again gave a bravura performance in defence of not only the ancient right of protest but the ancient British quality of proportion and moderation in everything.

Paul Bristow: Does my right hon. Friend remember recently visiting my Peterborough constituency? He saw it for himself when he met police officers, members of the public and many fine people in my constituency. Does he agree that the majority of the people in my constituency support this Bill and the powers in it?

Kit Malthouse: I do agree with my hon. Friend, but you do not have to take it from me, Madam Deputy Speaker. You can take it from any polling that has been done recently that shows that the majority of the British people support the measures that we are taking.

My hon. Friend brings me to my final point, which was neatly illustrated when I visited Peterborough and looked at its work on knife crime. What the British people actually want is for their police officers—men and women—to spend their time fighting crime, not detaching protesters from fuel gantries, not unsticking them from the M25, and not having to surround fuel dumps in Essex so that the petrol can get out to the people who need it to go about their daily business. The British people want the police to be catching rapists and putting them behind bars, detecting paedophiles and making sure that they pay for their crimes, and stopping young people of all types being murdered on a regular basis. That is what we want our police officers to do. This Bill will release them to do that job, and I hope that the House will support it.

Question put, That the amendment be made.

The House divided: Ayes 200, Noes 292.

Division No. 6]

[9.49 pm

AYES

Abbott, rh Ms Diane	Chamberlain, Wendy
Abrahams, Debbie	Champion, Sarah
Ali, Rushanara	Chapman, Douglas
Ali, Tahir	Clark, Feryal
Amesbury, Mike	Cooper, Daisy
Anderson, Fleur	Cooper, rh Yvette
Antoniazzi, Tonia	Corbyn, rh Jeremy
Ashworth, rh Jonathan	Creasy, Stella
Bardell, Hannah	Cruddas, Jon
Beckett, rh Margaret	Cryer, John
Benn, rh Hilary	Cunningham, Alex
Betts, Mr Clive	Daby, Janet
Black, Mhairi	Davey, rh Ed
Blackman, Kirsty	David, Wayne
Blomfield, Paul	Davies, Geraint
Bonnar, Steven	Davies-Jones, Alex
Bradshaw, rh Mr Ben	Day, Martyn
Brock, Deidre	De Cordova, Marsha
Brown, Alan	Debbonaire, Thangam
Brown, Ms Lyn	Dhesi, Mr Tanmanjeet Singh
Brown, rh Mr Nicholas	Docherty-Hughes, Martin
Bryant, Chris	Dodds, Anneliese
Buck, Ms Karen	Doogan, Dave
Burgon, Richard	Doughty, Stephen
Byrne, Ian	Eastwood, Colum
Byrne, rh Liam	Edwards, Jonathan
Cadbury, Ruth	Elliott, Julie
Cameron, Dr Lisa	Elmore, Chris
Campbell, rh Sir Alan	Eshalomi, Florence
Carmichael, rh Mr Alistair	Farron, Tim

Farry, Stephen
 Fellows, Marion
 Ferrier, Margaret
 Fletcher, Colleen
 Fovargue, Yvonne
 Foxcroft, Vicky
 Furniss, Gill
 Gardiner, Barry
 Gibson, Patricia
 Gill, Preet Kaur
 Grady, Patrick
 Grant, Peter
 Green, Kate
 Green, Sarah
 Greenwood, Lilian
 Griffith, Nia
 Gwynne, Andrew
 Haigh, Louise
 Hamilton, Fabian
 Hamilton, Mrs Paulette
 Hanna, Claire
 Hanvey, Neale
 Hardy, Emma
 Harris, Carolyn
 Hayes, Helen
 Healey, rh John
 Hendrick, Sir Mark
 Hillier, Dame Meg
 Hobhouse, Wera
 Hollern, Kate
 Hopkins, Rachel
 Hosie, rh Stewart
 Howarth, rh Sir George
 Huq, Dr Rupa
 Hussain, Imran
 Jardine, Christine
 Jarvis, Dan
 Johnson, rh Dame Diana
 Johnson, Kim
 Jones, Darren
 Jones, Ruth
 Jones, Sarah
 Kane, Mike
 Keeley, Barbara
 Kendall, Liz (*Proxy vote cast
 by Pat McFadden*)
 Khan, Afzal
 Kinnock, Stephen
 Kyle, Peter
 Lake, Ben
 Lavery, Ian
 Law, Chris
 Leadbeater, Kim
 Lewis, Clive
 Linden, David
 Lloyd, Tony
 Long Bailey, Rebecca
 Lucas, Caroline
 Lynch, Holly
 MacNeil, Angus Brendan
 Madders, Justin
 Mahmood, Shabana
 Maskell, Rachael
 Mc Nally, John
 McCabe, Steve
 McCarthy, Kerry
 McDonald, Andy
 McDonald, Stewart Malcolm
 McDonald, Stuart C.
 McDonnell, rh John
 McFadden, rh Mr Pat
 McGinn, Conor

McGovern, Alison
 McKinnell, Catherine
 McMahon, Jim
 Mearns, Ian
 Mishra, Navendu
 Monaghan, Carol
 Moran, Layla
 Morden, Jessica
 Morgan, Helen
 Morgan, Stephen
 Morris, Grahame
 Murray, Ian
 Murray, James
 Olney, Sarah
 Onwurah, Chi
 Oppong-Asare, Abena
 Osamor, Kate
 Osborne, Kate
 Oswald, Kirsten
 Owatemi, Taiwo
 Owen, Sarah
 Peacock, Stephanie
 Pennycook, Matthew
 Perkins, Mr Toby
 Phillips, Jess
 Pollard, Luke
 Qaisar, Ms Anum
 Rayner, rh Angela
 Rees, Christina
 Reynolds, Jonathan
 Ribeiro-Addy, Bell
 Rodda, Matt
 Saville Roberts, rh Liz
 Shah, Naz
 Sharma, Mr Virendra
 Sheerman, Mr Barry
 Sheppard, Tommy
 Slaughter, Andy
 Smith, Alyn
 Smith, Cat
 Sobel, Alex
 Spellar, rh John
 Stephens, Chris
 Stevens, Jo
 Stone, Jamie
 Streeting, Wes
 Stringer, Graham
 Sultana, Sarah
 Tami, rh Mark
 Tarry, Sam
 Thewliss, Alison
 Thomas, Gareth
 Thomas-Symonds, rh Nick
 Thompson, Owen
 Thornberry, rh Emily
 Timms, rh Stephen
 Trickett, Jon
 Twist, Liz
 Vaz, rh Valerie
 Wakeford, Christian
 West, Catherine
 Whitehead, Dr Alan
 Whitley, Mick
 Williams, Hywel
 Wilson, Munira
 Winter, Beth
 Wishart, Pete
 Yasin, Mohammad
 Zeichner, Daniel

Tellers for the Ayes:

**Mary Glendon and
 Gerald Jones**

NOES

Adams, rh Nigel
 Afolami, Bim
 Afriyie, Adam
 Aiken, Nickie
 Aldous, Peter
 Allan, Lucy
 Anderson, Lee
 Anderson, Stuart
 Andrew, rh Stuart
 Ansell, Caroline
 Argar, Edward
 Atherton, Sarah
 Bacon, Gareth
 Badenoch, Kemi
 Bailey, Shaun
 Baillie, Siobhan
 Baker, Duncan
 Baker, Mr Steve
 Baldwin, Harriett
 Baynes, Simon
 Bell, Aaron
 Benton, Scott
 Berry, rh Jake
 Blackman, Bob
 Bottomley, Sir Peter
 Bradley, rh Karen
 Braverman, rh Suella
 Brereton, Jack
 Bridgen, Andrew
 Bristow, Paul
 Britcliffe, Sara
 Browne, Anthony
 Bruce, Fiona
 Buchan, Felicity
 Buckland, rh Sir Robert
 Burghart, Alex
 Burns, rh Conor
 Butler, Rob
 Cairns, rh Alun
 Campbell, Mr Gregory
 Carter, Andy
 Cartledge, James
 Cash, Sir William
 Cates, Miriam
 Caulfield, Maria
 Chalk, Alex
 Chishti, Rehman
 Churchill, Jo
 Clark, rh Greg
 Clarke, rh Mr Simon
 Clarke, Theo
 Clarke-Smith, Brendan
 Clifton-Brown, Sir Geoffrey
 Colburn, Elliot
 Collins, Damian
 Costa, Alberto
 Courts, Robert
 Coutinho, Claire
 Cox, rh Sir Geoffrey
 Crosbie, Virginia
 Crouch, Tracey
 Daly, James
 Davies, David T. C.
 Davies, Gareth
 Davies, Dr James
 Davies, Mims
 Davies, Philip
 Davis, rh Mr David
 Davison, Dehenna
 Dinanage, Dame Caroline
 Djanogly, Mr Jonathan

Donaldson, rh Sir Jeffrey M.
 Double, Steve
 Dowden, rh Oliver
 Drax, Richard
 Drummond, Mrs Flick
 Duddridge, James
 Duguid, David
 Duncan Smith, rh Sir Iain
 Dunne, rh Philip
 Eastwood, Mark
 Edwards, Ruth
 Ellis, rh Michael
 Ellwood, rh Mr Tobias
 Elphicke, Mrs Natalie
 Eustice, rh George
 Evans, Dr Luke
 Everitt, Ben
 Fabricant, Michael
 Farris, Laura
 Fell, Simon
 Firth, Anna
 Fletcher, Katherine
 Fletcher, Mark
 Fletcher, Nick
 Ford, Vicky
 Foster, Kevin
 Fox, rh Dr Liam
 Francois, rh Mr Mark
 Frazer, rh Lucy
 Freeman, George
 Freer, Mike
 French, Mr Louie
 Fuller, Richard
 Fysh, Mr Marcus
 Gale, rh Sir Roger
 Garnier, Mark
 Gibb, rh Nick
 Gideon, Jo
 Girvan, Paul
 Glen, John
 Goodwill, rh Sir Robert
 Gray, James
 Grayling, rh Chris
 Green, Chris
 Griffith, Andrew
 Griffiths, Kate
 Grundy, James
 Gullis, Jonathan
 Hammond, Stephen
 Hands, rh Greg
 Harper, rh Mr Mark
 Harris, Rebecca
 Harrison, Trudy
 Hart, Sally-Ann
 Hart, rh Simon
 Hayes, rh Sir John
 Heald, rh Sir Oliver
 Heaton-Harris, rh Chris
 Henderson, Gordon
 Henry, Darren
 Higginbotham, Antony
 Hinds, rh Damian
 Hoare, Simon
 Holden, Mr Richard
 Hollobone, Mr Philip
 Holloway, Adam
 Holmes, Paul
 Howell, Paul
 Huddleston, Nigel
 Hudson, Dr Neil
 Hughes, Eddie

Hunt, rh Jeremy
 Hunt, Tom
 Jack, rh Mr Alister
 Jayawardena, Mr Ranil
 Jenkin, Sir Bernard
 Jenkinson, Mark
 Jenkyns, Andrea
 Jenrick, rh Robert
 Johnson, Dr Caroline
 Johnson, Gareth
 Johnston, David
 Jones, Andrew
 Jones, rh Mr David
 Jones, Fay
 Jones, Mr Marcus
 Jupp, Simon
 Kawczynski, Daniel
 Kearns, Alicia
 Keegan, Gillian
 Knight, rh Sir Greg
 Kruger, Danny
 Kwarteng, rh Kwasi
 Lamont, John
 Langan, Robert
 Latham, Mrs Pauline
 Leigh, rh Sir Edward
 Levy, Ian
 Lewer, Andrew
 Lewis, rh Brandon
 Lewis, rh Dr Julian
 Liddell-Grainger, Mr Ian
 Loder, Chris
 Logan, Mark
 Longhi, Marco
 Lopez, Julia
 Lopresti, Jack
 Lord, Mr Jonathan
 Loughton, Tim
 Mackinlay, Craig
 Maclean, Rachel
 Mak, Alan
 Malthouse, rh Kit
 Mangnall, Anthony
 Marson, Julie
 May, rh Mrs Theresa
 Mayhew, Jerome
 McCartney, Jason
 McCartney, Karl
 McPartland, Stephen
 McVey, rh Esther
 Merriman, Huw
 Millar, Robin
 Miller, rh Mrs Maria
 Milling, rh Amanda
 Mills, Nigel
 Mitchell, rh Mr Andrew
 Mohindra, Mr Gagan
 Moore, Damien
 Moore, Robbie
 Mordaunt, rh Penny
 Morris, Anne Marie
 Morris, David
 Morris, James
 Morrissey, Joy
 Mortimer, Jill
 Morton, Wendy
 Mullan, Dr Kieran
 Mumby-Croft, Holly
 Murray, Mrs Sheryll
 Murrison, rh Dr Andrew
 Neill, Sir Robert
 Nici, Lia

Nokes, rh Caroline
 Norman, rh Jesse
 Opperman, Guy
 Patel, rh Priti
 Pawsey, Mark
 Penning, rh Sir Mike
 Penrose, John
 Percy, Andrew
 Philp, Chris
 Pincher, rh Christopher
 Prentis, Victoria
 Pursglove, Tom
 Quin, Jeremy
 Quince, Will
 Randall, Tom
 Rees-Mogg, rh Mr Jacob
 Richards, Nicola
 Richardson, Angela
 Roberts, Rob
 Robertson, Mr Laurence
 Robinson, Gavin
 Robinson, Mary
 Ross, Douglas
 Rowley, Lee
 Russell, Dean
 Rutley, David
 Sambrook, Gary
 Saxby, Selaine
 Scully, Paul
 Seely, Bob
 Selous, Andrew
 Shapps, rh Grant
 Simmonds, David
 Skidmore, rh Chris
 Smith, Greg
 Smith, rh Julian
 Smith, Royston
 Solloway, Amanda
 Spencer, Dr Ben
 Spencer, rh Mark
 Stafford, Alexander
 Stephenson, Andrew
 Stevenson, John
 Stewart, rh Bob
 Streeter, Sir Gary
 Stride, rh Mel
 Stuart, Graham
 Sturdy, Julian
 Sunderland, James
 Swayne, rh Sir Desmond
 Syms, Sir Robert
 Thomas, Derek
 Throup, Maggie
 Timpson, Edward
 Tolhurst, Kelly
 Tomlinson, Justin (*Proxy vote
 cast by Christopher Pincher*)
 Tracey, Craig
 Trott, Laura
 Tugendhat, Tom
 Vara, Shailesh
 Vickers, Martin
 Vickers, Matt
 Villiers, rh Theresa
 Walker, Mr Robin
 Wallis, Dr Jamie
 Warman, Matt
 Webb, Suzanne
 Whately, Helen
 Wheeler, Mrs Heather
 Whittaker, Craig
 Whittingdale, rh Mr John

Wild, James
 Williamson, rh Sir Gavin
 Wood, Mike
 Wright, rh Jeremy
 Young, Jacob

Zahawi, rh Nadhim

Tellers for the Noes:
Scott Mann and
Michael Tomlinson

Question accordingly negated.

*Question put forthwith (Standing Order No. 62(2)),
 That the Bill be now read a Second time.*

The House divided: Ayes 292, Noes 202.

Division No. 7]

[10.3 pm

AYES

Adams, rh Nigel
 Afolami, Bim
 Afriyie, Adam
 Aiken, Nickie
 Aldous, Peter
 Allan, Lucy
 Anderson, Lee
 Anderson, Stuart
 Andrew, rh Stuart
 Ansell, Caroline
 Argar, Edward
 Atherton, Sarah
 Bacon, Gareth
 Scully, Paul
 Badenoch, Kemi
 Bailey, Shaun
 Baillie, Siobhan
 Baker, Duncan
 Baker, Mr Steve
 Baldwin, Harriett
 Baynes, Simon
 Bell, Aaron
 Benton, Scott
 Berry, rh Jake
 Blackman, Bob
 Bottomley, Sir Peter
 Bradley, rh Karen
 Braverman, rh Suella
 Brereton, Jack
 Bridgen, Andrew
 Bristow, Paul
 Britcliffe, Sara
 Browne, Anthony
 Bruce, Fiona
 Buchan, Felicity
 Buckland, rh Sir Robert
 Burghart, Alex
 Burns, rh Conor
 Butler, Rob
 Cairns, rh Alun
 Campbell, Mr Gregory
 Carter, Andy
 Cartledge, James
 Cash, Sir William
 Cates, Miriam
 Caulfield, Maria
 Chalk, Alex
 Chishti, Rehman
 Churchill, Jo
 Clark, rh Greg
 Clarke, rh Mr Simon
 Clarke, Theo
 Clarke-Smith, Brendan
 Clifton-Brown, Sir Geoffrey
 Colburn, Elliot
 Collins, Damian
 Costa, Alberto
 Courts, Robert

Coutinho, Claire
 Cox, rh Sir Geoffrey
 Crosbie, Virginia
 Crouch, Tracey
 Daly, James
 Davies, David T. C.
 Davies, Gareth
 Davies, Dr James
 Davies, Mims
 Davies, Philip
 Davison, Dehenna
 Dinenage, Dame Caroline
 Djanogly, Mr Jonathan
 Donaldson, rh Sir Jeffrey M.
 Double, Steve
 Dowden, rh Oliver
 Drax, Richard
 Drummond, Mrs Flick
 Duddridge, James
 Duguid, David
 Duncan Smith, rh Sir Iain
 Dunne, rh Philip
 Eastwood, Mark
 Edwards, Ruth
 Ellis, rh Michael
 Ellwood, rh Mr Tobias
 Elphicke, Mrs Natalie
 Eustice, rh George
 Evans, Dr Luke
 Everitt, Ben
 Fabricant, Michael
 Farris, Laura
 Fell, Simon
 Firth, Anna
 Fletcher, Katherine
 Fletcher, Mark
 Fletcher, Nick
 Foster, Kevin
 Fox, rh Dr Liam
 Francois, rh Mr Mark
 Frazer, rh Lucy
 Freeman, George
 Freer, Mike
 French, Mr Louie
 Fuller, Richard
 Fysh, Mr Marcus
 Gale, rh Sir Roger
 Garnier, Mark
 Gibb, rh Nick
 Gideon, Jo
 Girvan, Paul
 Glen, John
 Goodwill, rh Sir Robert
 Gove, rh Michael
 Gray, James
 Grayling, rh Chris
 Green, Chris

Griffith, Andrew
 Griffiths, Kate
 Grundy, James
 Gullis, Jonathan
 Hammond, Stephen
 Hands, rh Greg
 Harper, rh Mr Mark
 Harris, Rebecca
 Harrison, Trudy
 Hart, Sally-Ann
 Hart, rh Simon
 Hayes, rh Sir John
 Heald, rh Sir Oliver
 Heaton-Harris, rh Chris
 Henderson, Gordon
 Henry, Darren
 Higginbotham, Antony
 Hinds, rh Damian
 Hoare, Simon
 Holden, Mr Richard
 Hollobone, Mr Philip
 Holloway, Adam
 Holmes, Paul
 Howell, Paul
 Huddleston, Nigel
 Hudson, Dr Neil
 Hughes, Eddie
 Hunt, rh Jeremy
 Hunt, Tom
 Jack, rh Mr Alister
 Jayawardena, Mr Ranil
 Jenkin, Sir Bernard
 Jenkinson, Mark
 Jenkyns, Andrea
 Jenrick, rh Robert
 Johnson, Dr Caroline
 Johnson, Gareth
 Johnston, David
 Jones, Andrew
 Jones, rh Mr David
 Jones, Fay
 Jones, Mr Marcus
 Jupp, Simon
 Kawczynski, Daniel
 Kearns, Alicia
 Keegan, Gillian
 Knight, rh Sir Greg
 Kruger, Danny
 Kwarteng, rh Kwasi
 Lamont, John
 Largan, Robert
 Latham, Mrs Pauline
 Leigh, rh Sir Edward
 Levy, Ian
 Lewer, Andrew
 Lewis, rh Brandon
 Lewis, rh Dr Julian
 Liddell-Grainger, Mr Ian
 Loder, Chris
 Logan, Mark
 Longhi, Marco
 Lopez, Julia
 Lopresti, Jack
 Lord, Mr Jonathan
 Loughton, Tim
 Mackinlay, Craig
 Maclean, Rachel
 Mak, Alan
 Malthouse, rh Kit
 Mangnall, Anthony
 Marson, Julie
 May, rh Mrs Theresa

Mayhew, Jerome
 McCartney, Jason
 McCartney, Karl
 McPartland, Stephen
 McVey, rh Esther
 Merriman, Huw
 Millar, Robin
 Miller, rh Mrs Maria
 Milling, rh Amanda
 Mills, Nigel
 Mitchell, rh Mr Andrew
 Mohindra, Mr Gagan
 Moore, Damien
 Moore, Robbie
 Mordaunt, rh Penny
 Morris, Anne Marie
 Morris, David
 Morris, James
 Morrissey, Joy
 Mortimer, Jill
 Morton, Wendy
 Mullan, Dr Kieran
 Mumby-Croft, Holly
 Murray, Mrs Sheryl
 Murrison, rh Dr Andrew
 Neill, Sir Robert
 Nici, Lia
 Nokes, rh Caroline
 Norman, rh Jesse
 Opperman, Guy
 Patel, rh Priti
 Pawsey, Mark
 Penning, rh Sir Mike
 Penrose, John
 Percy, Andrew
 Philp, Chris
 Pincher, rh Christopher
 Prentis, Victoria
 Pursglove, Tom
 Quin, Jeremy
 Quince, Will
 Randall, Tom
 Rees-Mogg, rh Mr Jacob
 Richards, Nicola
 Richardson, Angela
 Roberts, Rob
 Robertson, Mr Laurence
 Robinson, Gavin
 Robinson, Mary
 Ross, Douglas
 Rowley, Lee
 Russell, Dean
 Rutley, David
 Sambrook, Gary
 Saxby, Selaine
 Scully, Paul
 Seely, Bob
 Selous, Andrew
 Shapps, rh Grant
 Simmonds, David
 Skidmore, rh Chris
 Smith, Greg
 Smith, rh Julian
 Smith, Royston
 Solloway, Amanda
 Spencer, Dr Ben
 Spencer, rh Mark
 Stafford, Alexander
 Stephenson, Andrew
 Stevenson, John
 Stewart, rh Bob
 Streeter, Sir Gary

Stride, rh Mel
 Stuart, Graham
 Sturdy, Julian
 Sunderland, James
 Swayne, rh Sir Desmond
 Syms, Sir Robert
 Thomas, Derek
 Throup, Maggie
 Timpson, Edward
 Tolhurst, Kelly
 Tomlinson, Justin (*Proxy vote cast by Christopher Pincher*)
 Tracey, Craig
 Trott, Laura
 Tugendhat, Tom
 Vara, Shailesh
 Vickers, Martin
 Vickers, Matt

Villiers, rh Theresa
 Walker, Mr Robin
 Wallis, Dr Jamie
 Warman, Matt
 Webb, Suzanne
 Whately, Helen
 Wheeler, Mrs Heather
 Whittaker, Craig
 Whittingdale, rh Mr John
 Wild, James
 Williamson, rh Sir Gavin
 Wood, Mike
 Wright, rh Jeremy
 Young, Jacob
 Zahawi, rh Nadhim

Tellers for the Ayes:

**Scott Mann and
 Michael Tomlinson**

NOES

Abbott, rh Ms Diane
 Abrahams, Debbie
 Ali, Rushanara
 Ali, Tahir
 Amesbury, Mike
 Anderson, Fleur
 Antoniazzi, Tonia
 Ashworth, rh Jonathan
 Bardell, Hannah
 Beckett, rh Margaret
 Begum, Apsana
 Benn, rh Hilary
 Betts, Mr Clive
 Black, Mhairi
 Blackman, Kirsty
 Blomfield, Paul
 Bonnar, Steven
 Bradshaw, rh Mr Ben
 Brock, Deidre
 Brown, Alan
 Brown, Ms Lyn
 Brown, rh Mr Nicholas
 Bryant, Chris
 Buck, Ms Karen
 Burgon, Richard
 Byrne, Ian
 Byrne, rh Liam
 Cadbury, Ruth
 Cameron, Dr Lisa
 Campbell, rh Sir Alan
 Carmichael, rh Mr Alistair
 Chamberlain, Wendy
 Champion, Sarah
 Chapman, Douglas
 Clark, Feryal
 Cooper, Daisy
 Cooper, rh Yvette
 Corbyn, rh Jeremy
 Creasy, Stella
 Cruddas, Jon
 Cryer, John
 Cunningham, Alex
 Daby, Janet
 Davey, rh Ed
 David, Wayne
 Davies, Geraint
 Davies-Jones, Alex
 Day, Martyn
 De Cordova, Marsha
 Debbonaire, Thangam
 Dhesi, Mr Tanmanjeet Singh

Docherty-Hughes, Martin
 Dods, Anneliese
 Doogan, Dave
 Doughty, Stephen
 Eastwood, Colum
 Edwards, Jonathan
 Elliott, Julie
 Elmore, Chris
 Eshalomi, Florence
 Farron, Tim
 Farry, Stephen
 Fellows, Marion
 Ferrier, Margaret
 Fletcher, Colleen
 Fovargue, Yvonne
 Foxcroft, Vicky
 Furniss, Gill
 Gardiner, Barry
 Gibson, Patricia
 Gill, Preet Kaur
 Grady, Patrick
 Grant, Peter
 Green, Kate
 Green, Sarah
 Greenwood, Lilian
 Griffith, Nia
 Gwynne, Andrew
 Haigh, Louise
 Hamilton, Fabian
 Hamilton, Mrs Paulette
 Hanna, Claire
 Harvey, Neale
 Hardy, Emma
 Harris, Carolyn
 Hayes, Helen
 Healey, rh John
 Hendrick, Sir Mark
 Hillier, Dame Meg
 Hobhouse, Wera
 Hollern, Kate
 Hopkins, Rachel
 Hosie, rh Stewart
 Huq, Dr Rupa
 Hussain, Imran
 Jardine, Christine
 Jarvis, Dan
 Johnson, rh Dame Diana
 Johnson, Kim
 Jones, Darren
 Jones, Ruth
 Jones, Sarah

Kane, Mike
 Keeley, Barbara
 Kendall, Liz (*Proxy vote cast by Pat McFadden*)
 Khan, Afzal
 Kinnock, Stephen
 Kyle, Peter
 Lake, Ben
 Lammy, rh Mr David
 Lavery, Ian
 Law, Chris
 Leadbeater, Kim
 Lewis, Clive
 Linden, David
 Lloyd, Tony
 Long Bailey, Rebecca
 Lucas, Caroline
 Lynch, Holly
 MacNeil, Angus Brendan
 Madders, Justin
 Mahmood, Shabana
 Maskell, Rachael
 Mc Nally, John
 McCabe, Steve
 McCarthy, Kerry
 McDonald, Andy
 McDonald, Stewart Malcolm
 McDonald, Stuart C.
 McDonnell, rh John
 McFadden, rh Mr Pat
 McGinn, Conor
 McGovern, Alison
 McKinnell, Catherine
 McMahan, Jim
 Mearns, Ian
 Mishra, Navendu
 Monaghan, Carol
 Moran, Layla
 Morden, Jessica
 Morgan, Helen
 Morgan, Stephen
 Morris, Grahame
 Murray, Ian
 Murray, James
 Olney, Sarah
 Onwurah, Chi
 Oppong-Asare, Abena
 Osamor, Kate
 Osborne, Kate
 Oswald, Kirsten
 Owatemi, Taiwo
 Owen, Sarah

Peacock, Stephanie
 Pennycook, Matthew
 Perkins, Mr Toby
 Phillips, Jess
 Pollard, Luke
 Qaisar, Ms Anum
 Rayner, rh Angela
 Rees, Christina
 Reynolds, Jonathan
 Ribeiro-Addy, Bell
 Rodda, Matt
 Saville Roberts, rh Liz
 Shah, Naz
 Sharma, Mr Virendra
 Sheerman, Mr Barry
 Sheppard, Tommy
 Slaughter, Andy
 Smith, Alyn
 Smith, Cat
 Sobel, Alex
 Spellar, rh John
 Stephens, Chris
 Stevens, Jo
 Stone, Jamie
 Streeting, Wes
 Stringer, Graham
 Sultana, Zarah
 Tami, rh Mark
 Tarry, Sam
 Thewliss, Alison
 Thomas, Gareth
 Thomas-Symonds, rh Nick
 Thompson, Owen
 Thornberry, rh Emily
 Timms, rh Stephen
 Trickett, Jon
 Twist, Liz
 Vaz, rh Valerie
 Wakeford, Christian
 West, Catherine
 Whitehead, Dr Alan
 Whitley, Mick
 Williams, Hywel
 Wilson, Munira
 Winter, Beth
 Wishart, Pete
 Yasin, Mohammad
 Zeichner, Daniel

Tellers for the Noes:

Mary Glindon and
 Gerald Jones

Question accordingly agreed to.

PUBLIC ORDER BILL (PROGRAMME)

Motion made, and Question put forthwith (Standing Order No. 83A(7)),

That the following provisions shall apply to the Public Order Bill:

Committal

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 Tuesday 21 June 2022.

(3) The Public Bill Committee shall have leave to sit twice on the first day on which it meets.

Consideration and Third Reading

(4) Proceedings on Consideration shall (so far as not previously concluded) be brought to a conclusion one hour before the moment of interruption on the day on which those proceedings are commenced.

(5) Proceedings on Third Reading shall (so far as not previously concluded) be brought to a conclusion at the moment of interruption on that day.

(6) Standing Order No. 83B (Programming committees) shall not apply to proceedings on Consideration and Third Reading.

Other proceedings

(7) Any other proceedings on the Bill may be programmed.—
(Amanda Solloway.)

Question agreed to.

Thangam Debbonaire (Bristol West) (Lab): On a point of order, Madam Deputy Speaker. Over the weekend and this morning, Government Ministers have said that the meeting between the Prime Minister and civil servant Sue Gray ahead of the publication of her much-anticipated report was instigated by Sue Gray herself. However, this afternoon, No. 10 has conceded that the idea of the meeting came originally from Downing Street. Given the confusion and concern about whether political pressure has been exerted on Sue Gray ahead of her report being made public, could you advise me whether you or Mr Speaker have received any request for a ministerial statement to clarify exactly how the meeting was arranged and what was discussed?

Madam Deputy Speaker (Dame Rosie Winterton): I am grateful to the hon. Lady for her point of order. As she said, she is referring to statements made outside the House—nothing has been said in the House on this subject—and correcting the record on what may have been said elsewhere is not a matter for the Chair. However, I can confirm that the Speaker has not had a request from the Government tonight to make a statement.

Business without Debate

DELEGATED LEGISLATION

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

AGRICULTURE

That the draft Agriculture and Horticulture Development Board (Amendment) Order 2022, which was laid before this House on 29 March in the last Session of Parliament, be approved.—
(Amanda Solloway.)

Question agreed to.

BUSINESS OF THE HOUSE

Ordered,

That, at the sitting on Wednesday 25 May, business in the name of the Prime Minister relating to Ukraine may be entered upon at any hour and may be proceeded with, though opposed, for three hours or until 7.00pm, whichever is later; proceedings shall then lapse if not previously disposed of; and Standing Order No. 41A (Deferred divisions) shall not apply.—
(Amanda Solloway.)

SPEAKER'S ABSENCE

Ordered,

That the Speaker have leave of absence on Thursday 26 May to visit the Falkland Islands in order to attend commemorative events regarding the Battle of Goose Green in this 40th anniversary year of the Falklands War.—(*Amanda Solloway.*)

COMMITTEES

Madam Deputy Speaker (Dame Rosie Winterton):
With the leave of the House, we will take motions 6 and 7 together.

Ordered,

BACKBENCH BUSINESS COMMITTEE

That Bob Blackman, Patricia Gibson, Chris Green, Jerome Mayhew, Nigel Mills and Kate Osborne be members of the Backbench Business Committee.

HEALTH AND SOCIAL CARE COMMITTEE

That Paul Bristow be discharged from the Health and Social Care Committee and Marco Longhi be added.—(*Christopher Pincher, on behalf of the Committee of Selection.*)

ADJOURNMENT

Resolved, That this House do now adjourn.—(*Amanda Solloway.*)

10.17 pm

House adjourned.

Westminster Hall

Monday 23 May 2022

[SIR ROGER GALE *in the Chair*]

Legal Recognition of Non-binary Gender Identities

[Relevant documents: Third Report of the Women and Equalities Committee, Session 2020-21, Reform of the Gender Recognition Act, HC 977, and the Government response, HC 129.]

4.30 pm

Nick Fletcher (Don Valley) (Con): I beg to move,

That this House has considered e-petition 580220, relating to legal recognition of non-binary gender identities.

It is a pleasure to serve under your chairmanship, Sir Roger. I thank Ezio, who started the petition; we have met and had a good conversation on the subject. The petition has gained more than 140,000 signatures, so this topic is on the minds of many.

Many of the people I have spoken to have said that they supported the petition because they feel that, at present, they do not exist. I want the community of people who feel that they are non-binary to know that, of course, I accept that they exist. I see them; I hear them; I feel for them; and I want to help them. I say to them, "We are a tolerant nation and we accept you as you are." It does not follow, however, that the law should be changed to reflect the way that certain individuals feel. No matter where anyone sits on this subject, their opinion should be respected.

I have not taken part in any social media discourse on this subject, because I believe that it often becomes completely negative. I have met some people who suffer with gender dysphoria, and I do not think that such discourse helps them in any way whatsoever. We must always remember that we are talking about human lives—about people with whom we share society. I have spoken with many people about this subject, and I thank them all for their contributions.

The petition asks to

"Have non binary be included as an option under the GRP (Gender Recognition Panel)/ GRC (Gender Recognition Certificate), in order to allow those identifying as non binary to be legally seen as their true gender identity. As well as having 'Non-binary' be seen as a valid transgender identity... By recognising Non-binary as a valid gender identity, it would aid in the protection of Non-binary individuals against transphobic hate crimes, and would ease Gender Dysphoria experienced by Non-binary people."

That may seem straightforward. It would be just an extra column on a birth certificate or a gender-recognition certificate and part of the forms that we complete daily, and the Gender Recognition Act 2004 is already in place, so why not? Whether or not our starting position is to agree with the idea, we need to look at the impact on and implications for wider society.

Let me walk hon. Members through my reservations. First, I do not believe that the inclusion of non-binary would necessarily help with gender dysphoria. If people feel that they can exist only by putting an X in a box, we as a society need to convince them differently. Prior to

the debate, I spoke with many people in the non-binary community, and they certainly spoke well. I do not think any of them need a mark in a box in order to exist.

Secondly, I do not think the change would reduce any so-called hate crimes. People who carry out such offences have no place in a free society, and we already have criminal laws in place to deal with such appalling behaviour. There are also practical issues relating to the non-binary and trans questions: protecting our kids from making life-changing decisions before they are adults and old enough to make such decisions; single-sex spaces; and, of course, sport.

I will start with children. In certain areas of the country, clusters of schoolchildren are saying that they are non-binary or trans. Where has that come from? Why is it more prevalent in some areas than in others? Who or what is putting that idea in young minds? Who is telling them, "You can be the opposite of what you are"?

Kirsten Oswald (East Renfrewshire) (SNP): I am grateful to the hon. Gentleman for giving way and for his comments about a respectful tone, with which I am sure we all agree. What I do not agree with, however, is the notion that someone has put into people's minds an idea about their own identities. Will he maybe reflect on that as he goes forward?

Nick Fletcher: I thank the hon. Member for her comments. I will reflect on that later as I go through my speech. But such cases are growing exponentially at the moment, and I am deeply concerned about it.

I do not want to get too technical on this, but there are certain times in our life when certain areas develop. The first two years are crucial, with the development of the front part of our brain. The same can be said about the nerve endings in our eyes: if those do not join properly by the time we are four or five, they never will. Puberty is also a time of development, and many young people are now questioning their gender at that crucial time. If we stop that developmental process in its tracks, before puberty, the results can be life changing. I believe that making non-binary a legal identity, and having an acceptance that that is an easy path to take, will have hugely detrimental effects on many young people, when I know as a certain fact that they are not old enough or mature enough to make that decision and understand the long-term and life-changing consequences. They are children; they are not adults. Therefore, any such decisions for children below the age of 18 must be avoided.

I am also unsure who is to decide that a child is not a boy or a girl, and when. The child cannot decide when it is born, so who decides? Doctors have always decided the biological sex, and there are rules in place for that. What about a 10-year-old? Can a child decide at that age, or is it still a parental choice? All the time, one of the few consistencies that a person can have in this mixed-up world is taken away. Is society really to say that he or she cannot decide whether they are a boy or a girl, or feel they are, before they have gone through puberty?

The interim Cass report said that we are letting our young people down by not having enough centres for kids who believe that they are suffering from gender dysphoria, but there are those who disagree. I have

[Nick Fletcher]

heard from a senior mental health specialist that the lack of appointments is actually saving us from a tsunami. That specialist is not alone in that view, so perhaps clinics are not the answer; perhaps they are. Perhaps education is. Perhaps there could be a standard curriculum—a single piece on what this looks like practically. It would be just basics: “This is what a life can look like and how it can never be changed once medication starts.”

Let us also educate parents not just to say yes in order to keep the peace, but to be strong and get kids on the right path. Let us give teachers the ability to say no to this issue at school; they want to. They want to teach kids and watch them shine, not fall apart. And please let us stop with this blurring of lines and bending to every whim that a lobby group asks for. Let us ask ourselves why a lobby group wants to work in this space. Why does it want to put kids even as young as 10 on to puberty blockers, especially when it knows that most who do take puberty blockers end up on further drugs—leading to infertility, and facial hair for girls—and in a place where no one else is.

It has been said that people are taking their own lives because they are so confused prior to treatment. But these struggling individuals are taking their own lives after treatment, too, so that really is no answer. We have to protect our children while they are children.

The next problem is what happens in single-sex spaces. This is deeply concerning. If we were to work around it to make it work safely for women, which I believe would be imperative, the necessary changes to our buildings would cost billions of pounds. Why should a female prisoner have to share a prison with a man who identifies as non-binary or a trans person? Why should a lady have to share a changing room with a man? Why should a woman have to follow a pre-op trans woman into a toilet cubicle? Why should a girl at school have to get changed in front of a boy? Why should a girl have to share a dormitory with a boy? Whether the girls think that that is okay or not, I am sure that their mums and dads do not. I do not believe it is safe; I do not believe it is decent; and I do not believe it is right. Women are not only entitled to safe single-sex spaces; those spaces are also absolutely necessary. Society has been this way for centuries. It works, and it should not be casually put aside.

Sport is another issue. I am not the greatest sportsperson who has ever lived; I never have been, but I do understand competition, the feeling of winning, and wanting to strive to be the best. I speak in schools whenever I get the chance, and I encourage all children to aim high in life and not be frightened of competition. Am I to tell the girls in a school, “Don’t bother competing, because you’ll never stand on the podium at the highest level. The best you can hope for is second when you compete against a trans woman. Everyone will know you have won, but I’m afraid that gold medal is forever out of your reach”? That is wrong. Biology matters and biological sex is real. Men and women are built differently from birth, and remain different throughout their lives. To pretend otherwise is to ignore reality. To make non-binary a legal entity reaches beyond what many people can think of. That is why I cannot support the petition.

Am I being unfair? I do not think so. I am being, I hope, realistic. The vast majority of people in my constituency know that men and women exist and that

they are different—they are male and female. There may be people who feel that their gender is non-binary, but they are all biological men and women. What is my response to the genuine concerns behind the petition? My first ask is: leave our kids alone. Kids have enough to cope with as it is. Let them decide when they are old enough and mature enough to make those decisions. I hear so much about complex families and complex lives, so let us not make them any more complex. That would be unwise.

While I am here, I want to speak to parents. If their child comes home with those concerns, they should talk to them but be strong. They should not ever give in to them or to peer pressure from other adults. Their child was born either a boy or a girl; they should be proud of who their child is and tell them to be proud too. Wherever their interests lie, parents should hope and encourage them. They should be part of their life and talk to them—talk to them all the time. However, parents should push back on this. Sometimes parents have to be cruel to be kind—children will thank their parents for that in the long run. I have one further thought on that. If children say that they are unhappy, think for a second about how unhappy they will be when their best friend is having a child and they cannot; when their best friends are dressing up beautifully and they are having to shave. What makes you sure that they will be happy then?

Single-sex spaces are exactly that, and they should stay that way. When an individual enters one of those spaces, their sex is what should matter, not their assumed gender or how they feel that given day. To endanger women, or even to make them feel uncomfortable, is not fair. Some surveys reportedly show that people are okay with that, but who has been asked and where were they asked? What were the questions and how were they phrased? Have they knocked on the doors in my constituency? I know the people there, and I know that they agree with me.

Turning to sport, again, it is just not right. Certain sports, such as rugby, may carry out risk assessments that exonerate them from joining this argument, but please shout up. Sport is sport, and if it is not fair, then it ain’t right. I ask the biggest voices in the arena—the sportsmen and women at the top of their game and the pundits, who have all earned their money from the public and say that they want to give back—not to blow in the wind but to use their position to speak out on this subject. That would truly be giving back, by giving every child a chance to have a great childhood and to dream big, as they did. They should speak as one voice and push back.

I have read many books on this subject of late, and spent much time trying to see a different side to this, but ruining young lives, making women feel unsafe and taking away the sporting ambitions of half the population just is not right.

I have one final argument. I have heard that this is what other countries have done, and therefore so should we. I do not represent another country; I represent this one, which I believe is by far the best. Do not tell me that England is a bad place; it is not. It has its issues, as all other countries do, but I truly believe that it is absolutely wonderful. We should never do something because another country has done it; we should do something because it is right.

I am afraid that I cannot back a movement that may rob a child of their life. I could never back a community who wanted to put a biological male in a female changing room. I will never back anyone who wants to put a biological male in a female sports event, be that at Wimbledon or on a school field. In all fairness, I do not think any of us should back that.

I may have come across quite strong. I feel that I have to. I started by saying that I want the community who feel non-binary to know that I of course accept that they exist—I see them, I hear them, I feel for them and I want to help them. I say to them, “We are a tolerant nation and we accept you as you are. At 18 we should be able to give you a person to talk to—someone who can help.” That we must do. Anyone who abuses that community needs taking to task. If an offence is committed, they should be prosecuted. However, I am afraid that the course of life, that a small minority wish to embrace, comes with far-reaching implications for the rest of society. As such, I am afraid that I cannot support the petition.

4.44 pm

Miriam Cates (Penistone and Stocksbridge) (Con): “Non-binary” is a term for gender identities that are not solely male or female—identities that are outside the gender binary. So what do we mean by gender? The word “gender” used to be interchangeable with biological sex, and biological sex is indeed binary. Humans, like all mammals, have either male or female sex chromosomes in every cell. We are male or female; that is immutable and scientifically indisputable.

So what is gender identity? Gender is sometimes used as a descriptor of how masculine or feminine something is perceived to be, such as a particular character trait, choice of clothing or type of behaviour. We all understand what feminine or masculine clothes look like, though of course the stereotypes change between cultures and over time. Certain preferences are considered to be more masculine or feminine, and certain characteristics are more common in males or females. We all know both males and females who possess these traits. Given how important one’s sex is to one’s biology and psychology, it would be very odd indeed if our sex did not have some influence over our choices and behaviour.

What is the evidence for the idea that someone could have a gender identity that is different from their biological sex; the idea that someone can be male but feel female or, in the case of non-binary people, be either male or female but feel neither or both? It is absolutely normal for an individual to feel that they do not fit in with cultural or stereotypical ideas of how boys or girls and men or women should behave. How many of us in this room feel like we fit into a purely male, female or any other stereotype? No one completely fits neatly into a mould. Some people feel that they do not fit at all. Of course it is possible for someone to feel that they identify in some ways more with people of the opposite sex than their own, or not particularly with either. This is a normal part of the human experience.

While there are infinite different ways to express masculinity and femininity, it does not follow—logically or scientifically—that one’s soul or self has a gender, or that that gender is distinct from one’s biological sex. There is no observable marker for what it feels like to be

female or male, because no one knows what it feels like to be anyone other than themselves. If we see a person’s likes or dislikes and preferences or behaviours only through the lens of gender, then we have lost sight of a concept far more important and evidence-based: the variety of human personality.

Through the wonder of DNA and the infinite permutations of upbringing and environment, every one of us has a unique personality, but those who see everything through the lens of gender are watching humanity in black and white, rather than through the glorious technicolour of the richness and variety of human nature. In trying to squeeze all that human diversity into the box of gender, there is also a danger of losing a grip on material reality.

Some people struggle intensely with gender distress, and some from a very early age. They should be treated with the utmost compassion and care. They should receive all the care, support and treatment they require. Adults in this country should, of course, be free to dress and present in any way without fear or discrimination, and they should be fully accepted. However, in this country our law is based on facts, evidence and material reality; it should not be used to embed contested and unevidenced ideologies that can sometimes be harmful. I will explain why I do believe this ideology is so harmful.

Children are now being taught in schools that there are more than two genders and that they can change their gender. They are being told by trusted adults that if they are gender non-confirming—itsself a regressive concept that we threw out in the 1980s—then that might mean they were born in the wrong body. In one classroom, children are being taught the facts of sexual reproduction, and in another that women can have penises and men can have periods. They are being told to suppress the evidence before their own eyes by saying that a boy is now a girl and a girl is now a boy—or neither boy nor girl.

Vulnerable children, particularly those who are autistic, same-sex attracted or have mental health conditions, latch on to gender theory as an explanation for why they might be different or why they do not fit in. These children then look up the terms “trans” and “non-binary” online and are drawn in by adults they do not know on Discord and TikTok, who tell them how to obtain and inject cross-sex hormones. They follow YouTube stars who glorify surgical transition. Schools jump into transitioning children, changing their names and their pronouns and celebrating their new gender status publicly, sometimes without informing their parents, which cuts them off from the people who care about them most.

There has been a fifteenfold increase in the number of children referred to gender clinics, and an exponential rise in the number of trans and non-binary-identified children in school. Let us remember the ultimate consequences of transition: infertility and loss of sexual function for life; and for girls, permanent facial hair, a deep voice, male pattern baldness and lifelong health problems. This is a failure of safeguarding. It is not biology; it is ideology, and in many cases it is indoctrination.

It is not open-minded or compassionate to teach a child that they may be trans or non-binary. It is not open-minded or compassionate to encourage a child to look up gender on the internet, and to talk to adults who ask them intimate questions and for intimate pictures.

[*Miriam Cates*]

It is not open-minded or compassionate to tell a child that their teenage problems can be solved overnight by a rejection of their own body and a denial of their biological sex.

We need to wake up. Gender theory is not the next frontier in the culture war or a new battle for civil rights; it is an unevidenced ideology that is causing harm to women, children, and people who are gay and lesbian. There is a significant amount of work to do to fix the safeguarding failures that are taking place in some schools, and I am delighted that my right hon. Friend the Education Secretary is aware of some of these issues.

To recognise non-binary as a gender identity in statute would be a mistake, separating law from reality and putting vulnerable children at risk. I echo the comments made by my hon. Friend the Member for Don Valley (Nick Fletcher): this is a debate about people, and I fully recognise that there are many people in this country who identify as non-binary and should absolutely be accepted. However, this is a matter of putting ideology into law, and we should resist that.

4.51 pm

Tim Loughton (East Worthing and Shoreham) (Con): I had wanted to say only a few brief words in this debate, but given that we have a little time, I might add a few more. I start by echoing the words of my hon. Friend the Member for Don Valley (Nick Fletcher), who opened the debate: we absolutely have a duty to be tolerant of those who do not identify with the gender that reflects their biological sex, or who choose to identify as non-binary. I acknowledge that a great many young people suffer from gender dysphoria, and we need to be supportive and give them the help they require.

That does not mean that we have to change the law, and it certainly does not mean that we have to change statute in order to recognise one particular description of how people are choosing to identify. As my hon. Friend said, there are criminal laws in place to deal with transphobic crime and other related hate crime. It is important that those laws are enforced and are seen to be enforced, in a way that is no different from how they are enforced in respect of those who do not identify in that way.

The petition states that recognising non-binary as a valid gender identity

“would aid in the protection of Non-binary individuals against transphobic hate crimes, and would ease Gender Dysphoria experienced by Non-binary people.”

That is quite a bold claim, for which I do not see the evidence. Indeed, being faced with the possibility of identifying not as a male, not as a female, but as non-binary could cause added confusion, certainly to teenagers going through a very formative and impressionable stage of their lives—as if they do not have enough to worry about already.

In so many debates, we hear about the huge pressures on our teenagers, and those of us who are parents have seen those ourselves. Teenagers certainly face far more pressures than when you or even I, Sir Roger, were at school and growing up, going through puberty and everything related to it. They face the mental health impact of the modern world—of social media, of peer

pressure, and of the trendy thing to do that goes on in school and, crucially, in the social media world, out of the range of face-to-face challenge.

Those are huge pressures on our young people. What are they to do if faced with the question, “Are you sure you are a girl or a boy?” If we put that into law and say, “Actually, you may not be a girl or a boy; you can opt for non-binary,” whether or not a young person instigates that themselves, the pressure from some people to get their contemporaries to do so could be overwhelming. I take issue with the formula in the petition because I think it could actually make things worse for children who are already potentially questioning their gender identity because of pressures on them.

Not acknowledging that the law needs to be changed in order to protect such individuals should not be seen as in some way anti-transgender or anti people who want to identify themselves as different from the sex with which they were born. I share the concerns of my hon. Friend the Member for Penistone and Stocksbridge (Miriam Cates) about the disproportionate number of young people, in particular, who are looking to identify as transgender or non-binary and are ending up in gender clinics. She said there has been a 15-fold increase in recent years. Why is there this big increase? We need more evidence and research on exactly what is driving it in certain parts of the country and certain parts of the world.

I gather that it is heretical to claim that a person cannot change their birth sex, but to me, it is not terribly traditional to have been brought up with biology lessons that say that sex is not immutable. I fully acknowledge that people can choose to change their gender and want to be identified as something else. They cannot reverse history and change their birth sex. They can only choose to change their gender or the way they are recognised now; they cannot go back in time.

We must also look at the impact on the rest of the population. It is absolutely right that we protect a minority of people who need protections, but it is not right that we do it with no regard whatsoever to the vast majority of the population who do identify as men and women—in particular, women; the impact on women’s space is absolutely worrying. We have heard examples relating to gender-neutral toilets and changing rooms, the situation in prisons, and so on.

Kirsten Oswald: I am delighted that the hon. Gentleman has given way. Is he able to go into some more detail about his concerns regarding prisons? I have heard the Minister on numerous occasions clarify the arrangements for ensuring that everyone ought to be safe on the prison estate.

Tim Loughton: Indeed, everybody should be safe in prisons. I have raised this matter with the Prisons Minister in the past. There are statistics, I am afraid, that show that there have been sexual assaults committed in prison by somebody whose gender is different from their biological sex. I appreciate that the Government are doing more to ensure that that cannot happen in the future, but I am afraid there are cases where that has happened. That is why women, in particular, feel threatened. [*Interruption.*] The hon. Lady may well not feel threatened, but a lot of my constituents have come to me, having seen this evolving argument, to say that there are places where they no longer feel safe. We have a duty of care to those people; we must ensure their safety and wellbeing too.

Frankly, anybody who has the audacity to question any of these things, as I just have, is faced with the cancel culture, which is so utterly damaging and absolutely does not help the population as a whole. It certainly does not help women, and it does not help the gay and lesbian population, who feel greatly restricted by much of this. This argument and the terminology in the petition are, I am afraid, about the creeping blurring of language and a conflation of and around sex and gender. That threatens to erase the recognition of males and females—of men and women.

As I said, I am particularly concerned about the impact on children. I have been in Parliament for quite a while—not quite as long as you, Sir Roger—and in that time most things have become more restricted for children; for more things, we have seen the age of access raised to 18. A person under 18 can no longer go into a suntanning parlour to get a suntan, and they can no longer have a tattoo. We quite rightly restrict cosmetic procedures for children unless medically required. We know the pressures on young girls to get breast-enlargement surgery to be with the programme, and all the social media pressures about men and having cosmetic surgery.

Against that trend of recognising that children are children—when they are adults, they can do what they like, within reason, if it does not harm anybody else, but children need our protection, and that that is why the laws are there—it seems extraordinary that we have seen a huge increase in access to puberty blockers through gender clinics. As my hon. Friend the Member for Penistone and Stocksbridge quite rightly said, puberty blockers have life-changing impacts on children—far more than a tattoo, a temporary suntan or even a breast-enlargement operation would have. Yet if someone challenges that—if someone questions whether those children are capable of thinking through the consequences and are cognisant of the implications for the rest of their lives of making that decision, with or without the involvement of parental responsibility—they are subject to cancel culture. There is a huge contradiction in those two scenarios.

Let me end with some examples from Parliament. Whether we like it or not, what we do here is seen outside, and it is seen as setting an example. Sometimes it is a bad example, but certainly what we do and say in this place has influences. Members may have seen the reports of the debates on the Ministerial and other Maternity Allowances Bill in the House of Lords, where there were attempts to erase the term “woman” from the Bill. I am glad that my hon. Friend Baroness Noakes led the resistance to that. She said:

“I am not prepared to be erased as a woman”.—[*Official Report, House of Lords*, 22 February 2021; Vol. 810, c. 640.]

Effectively, that is what was happening there. The language that we use in this place is important.

I mentioned the creeping blurring of language. You may recall, Sir Roger, that three years ago I was successful in my private Member’s Bill, which is now the Civil Partnerships, Marriages and Deaths (Registration etc) Act 2019. It enabled opposite-sex couples to have a civil partnership, it enabled the mothers of married couples to have their names on marriage certificates, and it brought in various requirements for stillbirths. Unbeknown to me, and only pointed out some time after the legislation

went through both Houses, section 3 refers to persons who are pregnant—not “women”, but “persons” who are pregnant.

If I had known that that had been inserted—I did not write those words; they were written by civil servants in one of the Departments—I would have insisted that the language be changed. Indeed, at the first opportunity—perhaps in the conversion therapy legislation that is coming through—I will be proposing an amendment to my own Act to ensure that we refer to women, because it is only women who can get pregnant. This is happening all the time, and the insidious changing and blurring of our language is so important.

Another thing has just come to my attention. If we are looking for a fellow Member on the Houses of Parliament search engine—or if one of our constituents is doing so—and we are not sure where they come from or what subject we are looking for but want to search by sex, we now have four options. We can say that they are “male”, “female”, “any” or “non-binary”. That is on the search engine of this House, yet, as we have heard, the term “non-binary” does not have any status in legislation. Indeed, that is what the petition is all about.

We are setting the trend by acknowledging the existence of a formal term “non-binary” in searching for Members of Parliament. I am not aware that any Member of the Lords or Commons has, in any case, identified as non-binary. That is what I am worried about. Words matter. Although this petition—

Kirsten Oswald: Will the hon. Member give way?

Tim Loughton: I should hand over to the Front Benchers, or we will run out of time. I have been generous to the hon. Lady.

Words matter, and if we do not set a good example in this place—if we allow the blurring of terms and language to go unchallenged and unnoticed—then we should not be surprised when we see the consequences, some of which my hon. Friends the Members for Penistone and Stocksbridge and for Don Valley have alluded to.

Finally, the noble Lord Winston, who has written extensively—he is a man of huge expertise, knowledge and respect for his scientific and medical background—talks about badly damaged children who have been subjected to puberty blocking and other treatments at gender clinics. We have a duty to young people and to our constituents to ensure that words matter, that protections matter and that respect matters. That is why, despite the best intentions that I am sure the petition has, I think that it would have great implications were it to be adopted by the Government, and I urge the Minister to desist from doing so.

5.5 pm

Kirsten Oswald (East Renfrewshire) (SNP): It is a pleasure to participate in this debate, which is an important one. I am grateful to the hon. Member for Don Valley (Nick Fletcher) for opening it and for reflecting that people have told him that they feel they do not exist. That is a sentiment that we should reflect on as we go through the debate.

The petition has 189 signatures from East Renfrewshire. I am grateful to those people for signing it, and to those who took the time to speak to me and share their views. I am also grateful to a number of organisations that have provided briefing materials for the debate.

[Kirsten Oswald]

I think we need to get to the crux of the debate: what are we talking about, and why does it matter? I suspect that the hon. Member for Don Valley and I—I am sure that he will take this in the positive spirit that it is intended—do not have a lot in common in our outlook and views.

Nick Fletcher *indicated dissent.*

Kirsten Oswald: He is shaking his head, so he agrees with me. However, I support what he said about the importance of tone in the discussion. I am not sure that anyone concerned about this at a personal level will have been particularly comfortable hearing the debate, but I absolutely support the hon. Member's calls for a proper tone to be adopted. He also spoke about listening being important—we have to not only listen, but take in what we are being told.

It is welcome that we are having the debate. These kinds of conversations are well overdue. In my view, we should be on a journey to a situation in which it is an absolutely normal and unremarkable thing to accept people for who they are. We should not have to hear othering comments and we should not hear portrayals of non-binary people as a threat—that is not fair, helpful or accurate. I am uncomfortable with the notion expressed by the hon. Member for Penistone and Stocksbridge (Miriam Cates) that this is something we should consider in the context of its being a medical complaint or a concern that is related to people who are neurodiverse, for example.

Miriam Cates: I thank the hon. Lady for letting me intervene, but the evidence is pretty clear that a disproportionate number of children who identify as trans or non-binary are autistic—they have been diagnosed as autistic, with many more awaiting diagnosis. There is a clear link between children who are neurodiverse and children who are choosing to go down this path. Does she not think that that in itself is of concern and that those children should be surrounded with safeguarding support?

Kirsten Oswald: I think that all children should be surrounded with safeguarding and support—I suspect that that is something the hon. Member and I can agree on—but to conflate autism diagnosis and people who are non-binary is a mistake and unhelpful in the bigger picture.

I also did not agree with the assertion of the hon. Member for East Worthington and Shoreham—

Tim Loughton: Worthing.

Kirsten Oswald: The hon. Member for East Worthing and Shoreham (Tim Loughton)—I beg his pardon. I am glad he corrected me—I cannot read my own writing—but I did not agree with his assertion that there is some kind of issue with something like “non-binary” appearing on a drop-down menu. That should not be an issue for any of us. That costs us absolutely nothing, and it makes people feel more comfortable.

Nick Fletcher: Will the hon. Member give way?

Kirsten Oswald: If I could make some progress first, I will be delighted to let the hon. Member intervene.

The hon. Member for East Worthing and Shoreham said himself that words matter and that we need to set a good example in this place. He said that no MPs or peers were non-binary. I do not know that that is necessarily true, but if there were MPs or peers who identified as non-binary, I wonder how they would feel in this Chamber today. How comfortable would they be with the statements that their peers had made? I just put that back to those who have contributed, because I suspect that those people might feel quite uncomfortable.

Nick Fletcher: I thank the hon. Member for letting me intervene. It is the implications that concern me. Most of my speech was built around the fact that if we give people this as a way forward, what will follow from it will change society as a whole. It may just be a drop-down menu to her, but to me it could change the way that young people grow up and the way that women identify themselves; basically, as we have said, we will erase women. It would also have a huge effect on the sports scene. It may just be a drop-down menu to her, but it is certainly not that to me.

Kirsten Oswald: I am grateful to the hon. Gentleman for his intervention, but I have to say to him that I am a woman and I am not going to be erased, and other people having the opportunity to have their identity respected is absolutely no threat to me or to my identity.

I wondered whether it was worth going back to consider the principles. Who are we talking about? Who are non-binary people? The hon. Gentleman has used the word “they” a few times. He may have a very clear picture of who he is referring to, but people who are listening or watching may not, so I think it is useful to explain that the term “non-binary people” reflects an incredibly diverse group of people—people who are undergoing various forms of social and medical transitions or none at all—and that not all of those whose views, lives or concerns are reflected here today would use the term “non-binary” to describe themselves. We are talking about a broad range of people.

The one thing that we can be sure of is that this is a group of people who are not currently recognised in the UK, and that presents them with challenges. The lack of legal recognition results in barriers. If they have a piece of identity documentation, as we all do, it may present differently from the way in which they present in their day-to-day lives. I think that all of us can understand that that might present a challenge. When we join a new workplace we have to present an identity document, and it must be a matter of concern for anyone whose identity document does not reflect their daily life. We do not need to agree with everything that has been said today to accept that that is a challenge and that perhaps we can find a better way.

I think that society in general is moving on this issue. We have heard a lot about young people. The young people I speak to have a much broader and open perspective on such issues than was the case many decades ago, when I was at school. At that time, LGBT people faced a difficult climate. My school was very large and it was thought that nobody there was gay—of course, that is complete nonsense, as I now know, because lots of people are gay. There was nothing wrong with the school, but the social climate was not accepting, so the situation was not okay for them.

That shows how we have moved on, and I think we are moving on further. Business and civic society are more open to the fact that we need to accommodate the needs of non-binary people, whether that is in employment, service provision or whatever. The fact that we cannot have this type of conversation about the barriers—never mind legal recognition—is a challenge.

Seventy-eight per cent of non-binary people have told TransActual that they do not have identification documents. That is a real challenge for them. How on earth do people go about their lives without having identification documents that align with their lived experience? How will that affect people socially, never mind things such as employment?

Other countries have moved further forward. The hon. Member for Don Valley reflected that in what he said. I think he said that England is the best country and that he supports the way things are done there. That is absolutely his perspective, but I think it is sensible for us to recognise that other countries around the world have a different perspective. Perhaps we should examine why that is the case and consider whether it has caused difficulties. It does not appear to be challenging in countries such as India, Nepal, New Zealand, Iceland and Taiwan—I could go on—for there to be a different and more open way of recording.

In considering how we go forward, it is key that we take on board the views and lived experience of those directly affected. The Women and Equalities Committee has done that. It produced a report on transgender equality in 2016, recommending a different option for gender recording on passports, with an X. It also suggested that consideration could be given to the removal of gender information from passports and that the UK Government should move towards non-gendering official records as a general principle. In its report on the GRA last December, the Committee asked the Government to clarify which barriers prevent them from allowing non-binary people to be legally recognised. These are reasonable and valid questions. I cannot emphasise enough the need for lived experience to be at the heart of these conversations.

To conclude, people who are non-binary and have a real stake in this kind of debate have had experiences with which that nobody in this Chamber would be comfortable. They have been refused services. They have poorer mental health than the rest of the population. They feel uncomfortable sharing their identity at work. More than half the people surveyed did not think that their identity would be respected. That is why we need to do more.

I am glad that the Scottish Government recognise the need to do more. They have a strong commitment to improving non-binary equality—for example, by recognising the need to end conversion practices. That provides a real contrast to the extraordinary pantomime that the UK Government have got themselves involved in over conversion practices. It is really disappointing that trans conversion support was missing from the Queen's Speech.

The Scottish Government are also committed to advancing equal access to healthcare for LGBTI people and will also continue to use the International Lesbian, Gay, Bisexual, Trans and Intersex Association rainbow index as a benchmark for action. By contrast, in 2018 the UK Government Equalities Office published an LGBT action plan in which it said that it would issue a

call for evidence on the issues faced by non-binary people. The Minister may want to correct me, but I do not think that has been published, and we need to understand why.

My hon. Friend the Member for Aberdeen North (Kirsty Blackman) spoke about these issues in February and noted that none of the UK Government's proposals even acknowledged the identity or existence of non-binary people, and that that has to change. She was absolutely right. The Scottish Government appreciate that more still needs to be done, even though there are positives they have put in place, such as the working group on non-binary equality, which includes a focus on the lived experiences and voices of non-binary people. That has been done for reasons of fairness, wellbeing and the good of all of us. I am keen to hear the Minister's response to the points I have raised.

5.17 pm

Anneliese Dodds (Oxford East) (Lab/Co-op): It is a pleasure to speak under your chairmanship, Sir Roger. I am very grateful to the petitioners and to the hon. Member for Don Valley (Nick Fletcher) for opening the debate.

This discussion has been of acute interest and importance to people who identify as non-binary. It is also important to be sensitive to the needs of those who describe themselves as intersex or as having differences in sex development. We must consider whether they would describe themselves as male, female or non-binary, and we must understand the differences in terminology when we discuss these issues. Everyone is different, and that is why it is essential that we discuss these matters in an atmosphere of respect, care and compassion. We will find solutions only by working together.

The background has already been set out. The Conservative Government maintain that they would reform the Gender Recognition Act. However, they are only determined to reduce the fee and put the process online. We have not seen progress on, for example, removing the spousal consent provision, which we discussed in this Chamber not so long ago. The Women and Equalities Committee and many respondents to the Government's call for evidence called for change to provision for non-binary people.

The fundamental value for Labour when examining these issues is that of respect. We recognise the abuse that many non-binary identifying people have been subjected to—something rightly referred to by the petitioners. Furthermore, we recognise that this is a particularly visceral matter for those non-binary identifying people who may also describe themselves as biologically intersex or as having differences in sex development, as I will come on to later. Again, I appreciate that these categories are not used by everyone.

Labour has been clear that we must have far stronger measures against hate crimes, to which LGBT+ people are subject, and treat them as aggravated offences. That is surely necessary, given what appears to have been a doubling in reports of such appalling behaviour over the last five years. That is an area where I depart from the comments of the hon. Members for East Worthing and Shoreham (Tim Loughton) and for Don Valley. We believe that there needs to be a change in the law to treat those offences as aggravated, and we believe the same of offences against disabled people, who are also not protected in that way.

[Anneliese Dodds]

We also need to acknowledge that, of course, as well as gender, sex continues to play an important role in different areas of policy. As I have repeatedly made clear in my role as shadow Secretary of State for Women and Equalities, sex is not the same thing as gender and both are important in different contexts. That difference is reflected in legislation. For example, as a woman I am an adult female—that is my biological sex. There are, of course, also trans women who have made a transition in their gender, and they deserve respect and dignity also.

Nick Fletcher: Would the hon. Member be happy with a trans woman entering a changing room and sharing facilities with her?

Anneliese Dodds: That is a slightly different question from the one I was discussing. I hope the hon. Member is aware of the fact that the Equality and Human Rights Commission has recently released guidelines on those matters. I may well already have shared such a changing room; very often, women's changing rooms will have separate cubicles, and in any case, that is how people often choose to try on clothes. If the hon. Member is interested in that matter, he could look at the EHRC's guidelines.

In the spirit of what I have just said, Labour urges the Government to focus on the treatment of non-binary people, and to especially focus on the need for research. The hon. Member for East Renfrewshire (Kirsten Oswald) referred to the fact that the Government's LGBT 2018 action plan committed the Conservatives to launch separate calls for evidence on the issues faced by non-binary and intersex people. The Government appear to have contracted the National Institute for Economic and Social Research to investigate that area, but no research appears to have been carried out. The EHRC has also "recommended that further understanding was needed before any legislation was brought forward".

We believe that additional research is particularly important when it comes to those people who might describes themselves as intersex, or as having differences in sex development. That refers to the relatively small number of individuals who are born with any of several variations in biological sex characteristics—for example, in chromosomes or genitals—some of whom may describe themselves as intersex and some of whom may describe themselves as non-binary. I appreciate, again, that not everybody uses those categories.

Miriam Cates: The hon. Lady is being very generous with her time and making a very measured speech. I have been listening carefully and what she says about intersex individuals and disorders of development is very important. However, we must be clear not to conflate what are genetic disorders with gender identity. Those are two extremely different things. People who are born intersex do have a sex on their birth certificate. They do, and should, receive close medical care, but that is a very different thing from gender identity—something for which there is no biological marker at all. That is the subject of today's debate.

Anneliese Dodds: I most certainly have not conflated the two; I would have thought that it was quite clear from my comments that I was not conflating the two. I have been very explicit about the difference. This matter

did come up earlier, because the hon. Member for Don Valley suggested—unless I misheard him—that doctors might take some of the decisions if there are differences in sex development. There has been a very significant discussion around this, as I am sure the hon. Member for Penistone and Stocksbridge (Miriam Cates) is aware. In countries such as Germany, quite a bit of work has been done on the possibility of ensuring that people can make decisions for themselves at the age of medical consent and competence—if it is still healthy for them to do so—although if those particular biological characteristics are aligned with physical health problems, earlier intervention might be required. The hon. Member for Don Valley mentioned that earlier. We need more research into the prevalence of those cases in the UK, as we do not have much data on them.

Of course, we are discussing the matter in the context of the Government rowing back on their commitment to adopt a ban on conversion therapy that would cover trans people. Let me be crystal clear. Such a ban must not cover psychological support and treatment, non-directive counselling or the pastoral relationship between teachers and pupils or religious leaders and worshippers, or—and this should go without saying—discussions within families. Indeed, the interim Cass review has made it clear that there is a disturbing lack of support and healthcare for children and young people with gender dysphoria, especially when it is accompanied by an additional diagnosis that requires care. I regret that that is in common with the current general lack of treatment for children and young people in this country, where many waiting lists are spiralling out of control.

A ban on conversion therapy covering trans people would prevent what the British Medical Association and the mental health charity Mind have intimated is psychologically damaging abuse. It seems to me that only this Government could spend time arguing over whether a form of abuse should or should not be banned rather than supporting people in their daily lives.

It would surely also be helpful for the Government to explain in more detail their understanding of the barriers to altering the current legal categories around gender and—separately, given the frequent and unfortunate elision of both concepts—sex. We need to understand the complex practical consequences to which the Government have referred. They have stated in response to calls for a non-binary category for passports that "a coherent approach" needs to be maintained "across Government". They have not, however, fully explained why some forms of documentation appear not to indicate whether the holder is male or female.

Surely additional research and transparency from Government are needed, not least to explain their reasoning in those cases. Useful learning can be drawn from the different ways in which comparable nations have approached these issues. I think it is a symbol of the maturity and strength of our country that we are able to compare our public policies with those of other countries and learn positive and, indeed, negative lessons. That is a positive rather than a negative.

Finally, we must do more to tackle gender stereotypes in the first place. As a convinced feminist, I so often feel that we have moved backwards rather than forwards in that regard. Care work and jobs in catering and in the creative industries are for boys and men just as much as they are for girls and women. Jobs in manufacturing

and science that use—dare I say it?—hard maths are for girls and women just as much as they are for boys and men. Of course, all jobs should be open to non-binary people, too. We need to eliminate gender stereotypes, including those based on body image—I agree with the hon. Member for East Worthing and Shoreham on that.

Above all, we need to make sure that everyone in our country can reach their full potential, and that cannot happen when we have such a degree of gender stereotyping. As I have said, the key value for Labour in considering such issues is respect. Issues of sex and gender are highly emotive, for understandable reasons: they are fundamental to people's sense of self and so much more, including for those who identify as non-binary.

To conclude, I will reverse John Major's adage. When we come from different viewpoints on these issues, we surely need to condemn each other less and understand each other more.

5.30 pm

The Minister for Equalities (Mike Freer): It is a pleasure to serve under your chairmanship, Sir Roger. I thank my hon. Friend the Member for Don Valley (Nick Fletcher) for introducing the debate.

I want to put on the record that, since I took up the role of Equalities Minister, I have always sought to ensure that the tone is respectful. People have a right to disagree. They have a right to hold views and express them firmly without being cancelled, as hon. Members have said. I also want to put on the record that pursuing someone's rights does not mean taking someone else's rights away. It does not have to be one or the other. I am sure that, as we pursue these thorny topics, we can seek agreement and find some common ground.

The United Kingdom is a diverse society with many different cultures, backgrounds, identities and perspectives, and that diversity is a source of strength and enrichment of our culture and a driving force for change and growth. Our United Kingdom is made great by its diversity and its embracing of new cultures, new peoples and—dare I say it?—new ways of looking at people's sexuality and gender.

That diversity started from simple things—well, they were not simple at the time—from the 1957 Wolfenden report on the decriminalisation of homosexuality, to the full recognition of same-sex marriage across all four nations of the UK.

Kirsten Oswald: I meant to mention this earlier, but I wonder whether hon. Members agree that the Church of Scotland's decision today about equal marriage is very welcome and that we should all applaud it?

Mike Freer: All converts to equal marriage should be welcomed. My hon. Friend the Member for East Worthing and Shoreham (Tim Loughton) and I sparred over the debate on equal marriage. Now I am delighted to see that we agree not only on equal marriage but on civil partnerships for opposite-sex couples. It is amazing how things sometimes come full circle.

Tim Loughton: The Minister is indeed right, but we sparred not over equal marriage but over the same-sex marriage Bill, which had many deficiencies. I have never had a problem with the principle of same-sex marriage,

and I was very happy to be one of the sponsors of the extension of the measure to Northern Ireland, as has just happened, late in the day though it may be.

Mike Freer: I stand corrected.

The Government have no plans to change the Gender Recognition Act, and nor do we have an appetite to change the Equality Act 2010. The provisions in those Acts will remain.

The journey of LGBT equality has been debated with rigour, and those debates have not always been respectful. We need to ensure that people feel that they have the right to disagree and to debate those points forcefully where necessary. We sometimes feel that change can be too slow. Those who want more change are always hungrier for speed, while those who are less sure of the change often take some convincing or seek to stop the change. I understand that, and that is where we are today.

Non-binary people are an emerging focus of LGBT equality. Although to many people non-binary identities are familiar and understood, to others they are much newer and raise questions that challenge the traditional notions of gender. Interestingly, throughout history there have always been individuals across many cultures with different experiences and identities, many going back thousands of years. Some of the identities we are debating today have been with us for thousands of years; they are not a new phenomenon driven by TikTok. Some of them go back 2,000 years or more.

Today, as in the past, people who identify under the non-binary umbrella are as diverse as any other group. They are of all ethnicities, sexualities, backgrounds and ages; their experiences will be unique; and the obstacles they encounter will be unique. What is true of one person's experiences of living as a non-binary individual may not be true of another person's, and it is those experiences, this information and that data that the Government are committed to examining and monitoring.

Members have called for more data and research, and that is exactly the Government's position, because we must understand how everyday life for non-binary people is impacted by their identities and explore any obstacles they face that may require addressing in law, which is exactly what the hon. Member for Oxford East (Anneliese Dodds) supports. We need more data, because it simply is not there in sufficient quality—as I have said, that information is lacking at present. Officials in the equality hub have conducted an analysis of existing data and research on non-binary identities, and have found that it is not of sufficient quality to allow us to draw conclusions, so the Government will continue to monitor research into the experiences of non-binary people, seeking to better understand their lived experience.

I turn to the LGBT plan, to which Members have referred. The Government remain committed to improving outcomes for LGBT people at home and abroad, and we continue to explore opportunities in the areas of health, education and safety specifically. I am working across Government with ministerial colleagues to develop tangible commitments that will improve the day-to-day lives of LGBT+ people in the UK.

Kirsten Oswald: I am grateful to the Minister for being so generous with his time. One of the things that would certainly improve the day-to-day experience of

[Kirsten Oswald]

trans people is banning conversion therapy for them as well as for lesbian, gay and bisexual people, and I would be really grateful if he could outline his views on the lack of that provision.

Mike Freer: The hon. Lady seeks to tempt me down a particular path, but the only view I have on that is the view of Her Majesty's Government, which is that the Bill will proceed without the trans inclusion while we do further research on the complexities. All I can say to her is that it is a work in progress, and I cannot be tempted down that path at this stage. However, I have committed to ensuring that some of the day-to-day issues facing LGBT+ people are addressed across Government, and I hope to be able to discuss further details in the coming months.

Members have referred to single-sex spaces, and the hon. Member for Oxford East talked about the guidance that has been issued by the EHRC. Members also took part in what I thought was a very good debate in Westminster Hall a few weeks ago. Those on all sides of the debate agreed that clarity on the law and on the rules around single-sex spaces was to be welcomed, and I think that is a position that we are getting to. It is important that the principle of being able to operate spaces reserved for women and girls is maintained, and I think we all agree that that clarity is important.

Turning to prisons, there have been incidents in the past, but I refer Members to the answer given by the Under-Secretary of State for Justice, my hon. Friend the Member for South Suffolk (James Cartlidge), who made it abundantly clear that the rules were changed three years ago and that there have since been no incidents in prisons. Where a prisoner is placed is not down to what gender the prisoner identifies as; it is down to the offence for which they have been convicted, their physiology, their medication and where they are on the trans journey. All those factors form part of the risk assessment, which is how the Prison Service comes to a conclusion on where place a prisoner. It is simply not true to say that a prisoner can self-identify and place themselves in a prison of their choice.

I want to touch on the issue of trans people in single-sex spaces. For many years, trans people have used single-sex spaces in their gender without issue, and we have no interest in curtailing that. The law strikes the right balance, and we will not be changing it. The newly published guidance does not change the legal position or the law; it simply seeks to provide clarity to providers on the existing legislation, and that will not change.

To touch on the issue of trans adolescents and healthcare, it is important that under-18s are properly supported in line with their age and decision-making capabilities. To be clear, the child and adolescent Gender Identity Development Service does not provide any surgery to those under the age of 18, or permit any treatments that the NHS believes to be irreversible. That is the NHS's view and the Government's position. If Members believe that the NHS is prescribing puberty blockers inappropriately, that is a matter for the NHS and Members need to take it up with the Secretary of State for Health and Social Care.

Miriam Cates: I fully accept the Minister's comment that what is being done within the NHS is within current guidelines. However, there is no evidence for the

use of puberty blockers in gender treatment. Their evidential base is for other conditions, and while they may stop certain elements of puberty taking place, their effect on those going through puberty—the effects on brain development and bone density—are not known at all. Those drugs are being used without the evidence that is required.

Mike Freer: That may well be true, but I urge my hon. Friend to take it up with the Secretary of State. This is a matter for the NHS; it is not a matter for me, and at the moment the NHS is of the view that puberty blockers are reversible.

I also put on record that the interim report that Dr Hilary Cass has published is absolutely clear. Members have referred to the incidence of other factors that may cause gender distress, such as neurodiversity. Dr Cass is absolutely clear that it is the clinician's duty and role—a protected right—to ensure that they explore all possible causes of gender distress. She will be issuing firmer guidance to ensure that clinicians, as well as their clients and wider society, understand that it is the role of the clinician to explore all possible reasons for gender distress. That clarity will be welcomed not only by the patient, but by parents, teachers, clinicians themselves and wider society.

Tim Loughton: The Minister is making an interesting argument. He has quite rightly said that permitting puberty blockers is a decision to be made by the NHS. The capacity of minors is a decision for the Government, so does the Minister think that a 12-year-old has the capacity to opt into puberty blockers without the need for parental consent?

Mike Freer: Again, I am going to have to stray into areas for which I do not necessarily have the detail, because the clinical operation of clinics is obviously a matter for the NHS. My understanding is that under-18s cannot make those kinds of decisions, but I am looking for guidance from officials in case I get this wrong. It is probably safest for my hon. Friend to let me write to him with specific details of the clinical guidance on how under-18s are supported, but my understanding is that under-18s are not permitted to make irreversible decisions. Let me write to him regarding the exact line for decision-making capacity with parental involvement, so that I can get it absolutely right for him.

Tim Loughton: I am grateful, but I want to make sure that the Minister is writing to me on the right question, because he has just referred back to an opinion as to whether or not puberty blockers are reversible. I want an assurance from him, because I think I know the answer to my question, and I think he is inclined to give me a different answer. My view is that no child under the age of 18 should be able to opt into a puberty blocker form of treatment that is not required for medical or clinical reasons without parental consent, unless there is a question mark over the capacity of that parental consent. This is about whether a 12-year-old has capacity to take what many of us would regard as life-transforming decisions without any reference to their parents, who retain parental responsibility if that child does something wrong, at least until the age of 18.

Mike Freer: I am not trying to give my hon. Friend a different answer; I am trying not to give him the wrong answer, so what I will do is this. I think the officials have

a very clear understanding of the question, and we will write with the details, to ensure that that very specific question is answered.

My hon. Friend the Member for Don Valley raised the issue of participation in sports by trans and non-binary individuals. The Government are clear that we support the independence of sports governing bodies to define their own rules on transgender inclusion. It is entirely appropriate that they can determine the right position for their own sport. Gender has no impact at all in some sports, even at elite level; and for those where it does make a difference, the devil is always in the detail. Sports governing bodies are best placed to navigate that. We may have an opinion, but the Government's view is that sports bodies are best placed to use all the available evidence to come up with their own policies on how to deal with trans sportspeople.

The Equality Act has permitted restrictions on the participation of transgender people in gender-affected sporting competitions in order to uphold fair and safe competition. That has been in place since 2010. Again, the Government have no intention of amending that provision.

In September 2021, the Sports Councils' Equality Group published the "Guidance for Transgender Inclusion in Domestic Sport". The sports councils are currently working with a small number of sports to pilot some practical ways of using that guidance. Obviously, Members who wish to engage with that are advised to contact the relevant sports councils so that they can understand what is being reviewed and their views can be expressed and taken into account. The Government believe that time should be given to sports to consider that new guidance.

I would like to draw attention to the changing atmosphere for LGBT people in sports. Sport has traditionally proven to be a more challenging environment for some than for others to make themselves feel comfortable and safe to participate—that is not the same issue as where trans people are placed in sports. But it has begun to change in recent years. Only last week we witnessed the first male professional footballer in a UK club coming out as gay in more than 30 years. Jake Daniels, who is only 17 years old, has shown courage, maturity and authenticity in coming out publicly. I hope that his coming out will encourage a more inclusive sport, because I cannot believe for one minute that he is the only gay footballer in the professional sport. Certainly he has also been very honest in assessing the impact that it is likely to have on not just his career, but how he is reacted to by the fans. But he is now able at least to live his life the way he chooses, on his own terms. I genuinely wish him the very best and I hope that more follow his stance.

I want to finish on an international point. The UK is and will always be committed to being a global leader in LGBT+ rights. We are by no means perfect and we have work to do, but our role as co-chairs of the Equal Rights Coalition and—until this month—the European Governmental LGBTI Focal Points Network is very important to us. Working with colleagues such as Lord Herbert, who is an envoy specifically on global matters, we will continue to address many of the issues that are facing us overseas, because many countries are further behind. Some of that involves providing support, and some of it involves providing financial support, to ensure that non-governmental organisations are able to challenge discrimination. Although we took the difficult decision to cancel the "Safe To Be Me" conference, I am grateful to all the stakeholders for their work to get the conference almost in place.

I want to ensure that at home we continue to build a consensus on the legal recognition of non-binary individuals, because that has not yet emerged. We may not reach that consensus, and the Government may decide that they do not want to go down that route, but we need sufficient data, research and analysis to start to make decisions on where we go with this issue, based on the evidence. These issues are always thorny and never easy. All I can say is that the Government are willing to listen, talk and engage with many individuals so that their points of view are fully reflected in our policy development.

5.50 pm

Nick Fletcher: I thank the petitioner for attending the debate. I hope that they feel we have had a good debate—I definitely feel it has been good. It is the sort of debate that we need more of; it has been respectful of all people involved, and I thank everyone for that. I thank the Minister for clarifying the prisons issue—that was good to hear. I would like to be included in any letter regarding puberty blockers, to ensure that it is confirmed that they are not being given to under-18s without serious consideration. I am sure the sporting world will make its own mind up, but it desperately needs to look at the issue before too long. I thank everyone who has taken part in the debate, and all the people I spoke to prior to the debate. I hope that it has shed some light for everyone involved.

Question put and agreed to.

Resolved,

That this House has considered e-petition 580220, relating to legal recognition of non-binary gender identities.

5.51 pm

Sitting suspended.

Taxes on Motor Fuel

[JULIE ELLIOTT *in the Chair*]

[*Relevant documents: Written Evidence: Summary of public engagement by the Petitions Committee on the impact of increases in the cost of motor fuel, reported to the House on 12 May 2022, HC 73.*]

6 pm

Tonia Antoniazzi (Gower) (Lab): I beg to move,

That this House has considered e-petition 599089, relating to taxes on motor fuel.

It is a pleasure to serve under your chairship, Ms Elliott. I thank the petition creator, Michael Bromley, for taking the time to meet me last week to discuss his motivation for creating the petition. With more than 102,000 signatures, it obviously means a lot to a lot of people. I thank all those who signed the petition, especially the 152 people from Gower. I also thank the Petitions Committee for running an online survey of petitioners so that they could explain in more detail exactly why they had signed the petition. The survey had nearly 2,500 responses, and that overwhelming number of responses reflects the strength of feeling on the issue.

The petition calls for a 40% cut to fuel duty for the next two years, in order to go some way to combatting the spiralling cost of motor fuel. It states that

“The price of diesel and petrol is at an 8-year-high”,
and that the Government have
“the ability to sacrifice some revenue to appease the British public.”

Margaret Ferrier (Rutherglen and Hamilton West) (Ind): If the Government are concerned that the fuel duty relief is not being passed down to the pumps, why is that not being addressed, and in the strongest terms? Does the hon. Member not agree that there must be consequences to ensure that the public are not ripped off at the pumps?

Tonia Antoniazzi: That is a big concern to people. When there was a fuel duty cut from the Government—of only 5p, but still—we did not even notice it. That is very concerning. I hope the Minister will address that issue.

When I spoke to Michael last week, the issues that he raised, and that were raised in response to the survey, were the same as those that my constituents raise with me week in, week out. Michael explained that as a single parent he could see the cost of filling up starting to mount, and that as a company owner he has had to make economies in the business as well. He is therefore clearly seeing this from two sides. Michael said that reducing the mileage of company cars and ultimately cutting the number of cars in the fleet was a big issue for his automotive business. We also spoke about the environmental angle. He said that he was really supportive of electric cars, but that there were still issues with the initial cost of electric cars and the lack of infrastructure to support a mass roll-out.

The AA has calculated that the cost of filling a typical 55-litre tank has risen during the year from £70.61 to £92.20 for petrol, and from £71.94 to £99.48 for diesel. There has been the most derisory of efforts to help drivers. For me, that is symptomatic of a Government who have no idea about the impact that the cost of

living crisis is having on people across the country—rising home energy prices, food prices rocketing and the cost of fuel at a record high.

Jessica Morden (Newport East) (Lab): May I add in the views of the domiciliary care workers whom I met recently in Newport East? Collectively, care workers drive more than 4 million miles a day to care for the vulnerable in our communities. They fear that they may have to leave the profession because the cost of fuel is making it difficult for them to get to work. Does my hon. Friend agree that that can only add to the recruitment crisis in care?

Tonia Antoniazzi: I thank my hon. Friend for making the point about care workers being on the road all the time. That cost has a huge impact on the quality of the care service, which we need to support, particularly at this time of year. So yes, that does contribute to the crisis. I hope to hear the Minister's views on that as well. Ultimately, Michael would like the Government to grab this issue “by the scruff of the neck”, as he said. I am sure he will be listening very carefully to the Minister's response.

For me, the most telling part has been the responses from the people who signed the petition. We heard about how the austerity agenda from 2010 was very hard for so many people; they allocated every month how much they were going to spend on fuel. Now, those prices are rocketing. Despite rising costs, many people have told us that they have to drive. They have to use their cars for their job or to access essential services. One man said:

“We live in an isolated village with a bus service that runs once a week, out of the village and back again. My wife is disabled, so the car we have is absolutely vital to us.”

As my hon. Friend the Member for Newport East (Jessica Morden) has mentioned, we heard from care workers who have to travel between clients as part of their work. One told the survey:

“I am a home carer for the elderly and vulnerable who live at home. We are paid little enough as it is, with petrol prices so high, and that comes out of our pockets, not the company that I work for. This means if I don't have the money to put fuel in my car, I can't go to work, and these vulnerable people do not get essential care.”

Rising fuel prices are also impacting on people's ability to visit and care for their own relatives. Where once people used their cars as a lifeline to visit friends and family, the cost of filling up has made them even more isolated, compounding the impact that we suffered during covid-19. Another comment read:

“I haven't seen my mum in months because of how much it will cost me to drive to see her. Two years of lockdown and now it feels like another worse punishment... My children and grandchildren live 100 miles and 140 miles away, so I have had to restrict travelling to see them due to the cost of fuel. The two years of covid restrictions has affected my mental state, and not to be able to see my children and grandchildren has exasperated this condition.”

Many are having to make difficult sacrifices to get by. One person said:

“I work for the NHS and have two disabled children. It has been a nightmare, as I cannot afford to keep putting fuel in, but I need it, as they go to a special school a few miles away and I have to go to different hospitals for work. I go without food so that my kids have food and fuel, all because these prices keep rising.”

In many of these situations, there are no alternatives for people. Public transport links are often not good enough, and the Government's lack of investment in local transport has made the public reliant on their own means of transport. I have been contacted by a community car scheme from Gorseinon in my constituency about fuel prices and the approved mileage allowance payment rates. Such schemes rely on volunteers who support those with mobility issues by taking them to appointments, often NHS appointments, instead of going by ambulance. The rise in petrol prices has affected those schemes' ability to recruit and retain voluntary drivers, which will ultimately have a knock-on effect on the NHS. The volunteers also serve as companions to people who may be isolated and lonely. This lifeline, like many others across the country, is at risk if the Government do not act.

When the Chancellor set out a cut of 5p per litre in his spring statement, we did not think it would make much of a difference. It has not even scratched the surface. In fact, last week there were newspaper reports of this cut barely being passed on to the customer at the pumps, as my hon. Friend the Member for Newport East has spoken about. When we go to fill up, we quickly see price rises when oil prices go up, but we rarely see lower prices when the price of oil falls. Any evidence of profiteering by the petrol retailers must be looked at in full, and I welcome the Business Secretary's call on retailers to make sure they pass on any cut in the oil price to customers.

We know that there is more the Government can do. We have seen examples from across Europe of Governments taking action to deal with the cost of fuel. In Poland, the Government cut VAT on fuel to 0%—something that UK Ministers said we could not do within the EU. Why are we not doing it now? Ireland's Government announced a 20% cut in excise duty per litre of petrol and a 15% cut per litre of diesel. France introduced a 15 cents per litre discount on fuel prices on 1 April and has given €400 million in immediate aid allocated for hauliers. That money will be allocated to companies in the transportation sector based on the number of their vehicles and their tonnage. In Germany, the federal cabinet announced a relief package, according to which the energy tax on fuel is to be reduced to the minimum rate—a cut per litre of about 14 cents.

Spain introduced measures to cut fuel duty by 20 cents per litre and Belgium cut its fuel duty by 17.5 cents per litre. The Netherlands, Italy, Slovenia, Hungary, Croatia, Romania and Sweden have all introduced measures to cushion the blow to consumers of these higher prices.

The Labour party has made it very clear that we will introduce a windfall tax on oil and gas companies that are benefiting from this increase in prices. We have seen bumper profits from Shell and BP in the first quarter of this year, while prices have risen and risen for working people and pensioners, with no end in sight, and there is no sign of action from this Government either. The Tories are out of ideas and out of touch. They should bring in an emergency Budget urgently, with a one-off windfall tax to cut household bills and support businesses.

I know that the people who keep this country going—those who need to get to work, those with caring responsibilities, the people who deliver our parcels, and people who want to go out and enjoy themselves after two years of restrictions—will be fascinated by what the Minister tells us today. The 102,000 people who took

the time to sign this petition, and Michael in Chorley, will be waiting to see if the Government are really willing to help with the cost of living crisis.

6.12 pm

Patricia Gibson (North Ayrshire and Arran) (SNP): This petition on taxing motor fuel is not just about motor fuel. Ultimately, it is about the whole cost of living crisis and what levers the UK Government can pull to address it, if they choose to do so.

Fuel costs have spiralled so much in recent months that prices have been breaking records. Indeed, petrol prices have broken records on 26 separate days in 2022. Fuel duty has remained at around 50p a litre for the past 12 years, but consumers also pay 20% VAT on the total cost of their fuel at the petrol pump. That means that consumers pay tax—VAT—on fuel duty, so they currently pay over 80p in tax on every litre that they buy. As I say, they are paying a tax on the tax. That is before the costs of extraction, purchase, shipment and forecourt sales are added. The Treasury is raking in 20% of the total cost at the forecourt, with fuel price increases bringing in additional VAT, amounting to billions of pounds, all of which is helping to accelerate inflation. As the cost of fuel has risen, so has the VAT being raked in by the Treasury—vast additional revenue for the Chancellor.

There was an attempt at providing some relief for motorists and consumers when the Chancellor announced a 5p cut in fuel duty in his spring statement. However, as we all know, that measure was woefully inadequate. We know that, in theory, a duty cut benefits all drivers, but as we have heard, this cut is not always passed on to drivers. Indeed, the RAC has shown that that seemed to be the case after the spring statement. In any case, it is clear that even if the 5p cut in duty was passed on, it would simply be swallowed up by spiralling prices—as indeed it was—so its effect would never be truly and meaningfully felt by those it was intended to help.

A cut in VAT would be much more effective, because VAT is charged on the total cost of the petrol or diesel, so even if the price rises, the amount of VAT would be reduced. That would be a much more impactful measure to try to help motorists and consumers with spiralling costs.

The situation with inflation is now so serious that a very serious measure to ease inflationary pressures must be implemented. I contend that halving VAT on fuel until the cost of living crisis is under better control is now essential and overdue. The eye-watering cost of fuel does not just hurt motorists—although it certainly does that, as the cost of filling up the family car becomes more and more of a struggle. It also drives up the cost of every good and service that we buy. Every single item on our supermarket shelves has been delivered by haulage companies for at least part if not all of its journey to its destination. When their fuel costs rise, so too does the cost of those goods.

Like others, I have been urging the Chancellor for months to make a serious and meaningful cut to VAT on fuel in order to better control inflation across the economy, because fuel costs impact every area of our economy. Anyone can see that cutting VAT on fuel is good for everyone across the UK. It will ease pressure on the incomes of families as they try to maintain their family car, it will ease pressure on the cost of doing

[Patricia Gibson]

business, and it will keep the price of our groceries and other goods down. Everyone will benefit and inflationary pressures will ease. That will benefit the whole economy and will more than make up for the loss of VAT receipts to the Treasury from such a cut. This is a no-brainer: it is a win-win for the economy, consumers and business.

We are living through unprecedented times, and bold action and brave hearts are needed. The dithering and delay must end. Halving VAT on fuel will have an immediate and positive impact. I hope the Minister will tell us that she will be happy to go back to the Chancellor and his Cabinet colleagues and tell them to get on with this and cut VAT on fuel significantly, because it is long past time.

6.17 pm

Justin Madders (Ellesmere Port and Neston) (Lab): It is a pleasure to see you in the Chair, Ms Elliott. I thank my hon. Friend the Member for Gower (Tonia Antoniazzi) for her excellent introduction, which she delivered with panache, as always. I am sure she pleased the people who signed the petition by covering many of the issues they want to raise.

This is an important debate for my constituency. We have made vehicles in Ellesmere Port for more than 50 years, and we have one of the few remaining oil refineries in the country. Most importantly, people in my constituency overwhelmingly depend on private transport to get to work. Some 78% of people in Ellesmere Port and Neston use a private motor vehicle to get to work, which is about 15% above the national average. That is not just a reflection of our proud industrial heritage; it is probably more to do with the lack of a regular and affordable public transport service in the area.

Although fuel duty and VAT are the same at whatever pump in the country someone fills up at, their impact differs depending on where they live and what they do for a living. Shift workers are far less likely to be able to use public transport to get to work. To be honest, people with jobs that finish after about 6 pm in my constituency are lucky to find a bus to take them home. If a person has children they need to place in childcare or school on their way to work, or pick up them up from afterwards, they may well need a car. If they are in a job that requires a large amount of driving, that of course makes a huge difference to how much they have in their pocket at the end of the week. Taxi drivers are a particularly affected group, but as my hon. Friend the Member for Newport East (Jessica Morden) said, so are care workers. Of course, the Minister will have some reflections on that from her previous role.

Nor should we forget about the impact that fuel has on other costs that we as taxpayers have to meet, including police cars, ambulances and school transport. There are literally millions of miles travelled every day that end up paid for by the taxpayer. The cost is quite often met by local councils, which do not have a say in the amount of fuel duty raised in the first place. As the hon. Member for North Ayrshire and Arran (Patricia Gibson) rightly pointed out, fuel costs also play into wider inflationary pressures, particularly on food and other services that are delivered.

What someone does, and where they live, can make a huge difference to the impact of fuel duty, and I am afraid that that extends to some inexplicable variations in the price at the pump up and down the country. It might only be a couple of pence most of the time, but that can quickly add up, and I wonder why the average price is a couple of pence more around Ellesmere Port than it is in various other parts of the country, given that we are on the doorstep of a refinery.

On a related point—this is something my hon. Friend the Member for Gower mentioned earlier—the RAC Foundation has said that the 5p cut in fuel duty, which was introduced by the Chancellor in March, led to an average fuel price reduction of 3.3p per litre for unleaded and 2.6p per litre for diesel. In their defence, the representative bodies for the retailers claim that their members passed on the cut in full, but that prices were rising at the time. It might not be right to lay the blame entirely at the door of the retailers, but it is very difficult to get the level of transparency we need.

Peter Grant (Glenrothes) (SNP): Does the hon. Gentleman recognise that the other issue is that retailers often have no choice as to which distributor or wholesaler they go to? If the wholesaler does not take any of the 5p duty cut off the wholesale price of fuel, the retailer is given a double whammy: they cannot cut the price, but they get flak from drivers who expect to see 5p coming off a litre of fuel.

Justin Madders: The hon. Member is right, and it goes to my point about needing greater transparency. It can often be difficult to know exactly where the 5p has disappeared to, but I think it beyond contention that our constituents are not seeing the full benefit of the fuel duty cuts. The key question that we need to ask is how these measures will help to put cash back into people's pockets. The reason this debate is so important at the moment is because we have the biggest squeeze on living standards in a generation, and the steps that the Government have taken so far are woefully inadequate.

The rise in prices across the world is obviously largely out of our hands, so it is inevitable that people will look at what the Government can change to ensure that there is some respite for people, and that help reaches those who need it most. We have already discussed the windfall tax at length in this place, so I will not repeat the arguments on that, but it is the fairest and most effective way to get help to those who need it most in a fairly quick manner. As we have seen already, although reducing the cost of fuel can help, there is a risk that such a reduction might not be passed on in full, and that it will benefit only those who have a car in the first place. In the context of wildly fluctuating oil prices, those savings may not be felt by people at all.

On fluctuating oil prices—or, to be more accurate, increasing oil prices—we should remind ourselves that higher prices at the pump mean that the Government have an increased income from VAT. Research has indicated that because of the rising oil price this year, the Government's VAT receipts on pump sales have gone up by an average of 7p per litre for petrol and 9p per litre for diesel, which is far more than the 5p per litre that has been taken off. Fuel duty cuts might be a sleight of hand that creates a good headline and the illusion that the Government are taking decisive action,

but it could be that those cuts are being made up for by increased revenue elsewhere—revenue that comes out of the pockets of the same people who are meant to benefit from the cut in the first place.

This debate cannot really happen in isolation and away from the influence of the Treasury, and we must be realistic and acknowledge that it will always be the primary driver of these decisions, given the huge amount of revenue that fuel duty brings in. Sooner or later, however, the debate must move on from whether we take off 2p here or add 2p there, because if we are to meet our net zero targets and move away from reliance on fossil fuels, we must also move away from reliance on taxing those fuels that we currently tax. At the heart of this is a complicated dilemma about moving to a similar fuel duty system for electric vehicles, which may disincentivise people to change. If instead we decide to tax people by the mile—I know that has been suggested in some quarters—that may disproportionately impact some communities, as well as removing one of the major reasons for investing in an electric vehicle in the first place.

There is also the question of whether the infrastructure is in place to make reliance on electric vehicles realistic. I certainly see that in my area there is a long way to go in order to get a comprehensive charging structure in place. We know that many properties—some say at least one third, and possibly even higher—are not, and never will be, suitable for home charging. With the differential VAT rate for charging at home and at a filling station, that is a major inequality that needs addressing. I would suggest that it needs addressing now, before the tax taken from it becomes so high that it becomes impossible for us to wean ourselves off that too.

Those are debates for the future, however, and we now need more effective and rapid ways of putting more money into the pockets of those who need it the most. As I have said, the best proposal I have heard so far is the windfall tax, and with this being a debate on the cost of living crisis, it is very disappointing that not one Government Back Bencher has come to speak about this issue. It shows, I am afraid, just how out of touch the Conservative party is.

6.26 pm

Peter Grant (Glenrothes) (SNP): I am pleased to begin summing up this debate. Like the hon. Member for Ellesmere Port and Neston (Justin Madders), the most striking thing about it is that out of around 350 Conservative Members of Parliament, not a single one wants to come and defend the Government's woeful lack of action on this element of the biggest cost of living crisis that most of us have ever seen—hopefully it is bigger than any that most of us will see again.

I recognise, the SNP recognises, and the Scottish Government certainly recognise, the need to move away from our dependence on fossil fuels. The Scottish Government's record on the promotion of renewable energy stands up to comparison with anyone else in the world. It is a record that I am proud to have played my own tiny part in, as a former council leader. The simple fact remains, however, that for the foreseeable future we will still depend on petrol or diesel-powered vehicles for a lot of our everyday travel, public transport, and the delivery of goods on which our economy and communities depend. We cannot simply say that the way to deal with

crippling increases in the prices of diesel and petrol is to stop using our cars, buses or trains that rely on diesel or other fossil fuels.

There is a massive contradiction here, in that Scotland remains one of the world's largest producers of oil and gas—we are one of the most fuel-rich countries in the world. How can it be that a supplier country gets poorer when the price of the commodity goes up? Somebody, somewhere, is ripping Scotland off, and I have a pretty good idea as to who that might be.

How can it be, as the hon. Member for Ellesmere Port and Neston asked earlier, that his constituency, which is beside a major oil refinery, has to pay more for fuel than, for example, parts of London? The hon. Member should try looking at the price in the places where fuel is actually produced, and sometimes at the places where it comes ashore, because people in a lot of the more remote parts of Scotland get a double, or even triple, whammy. They have higher fuel prices to begin with, which is ridiculous when they are closer to where the fuel is produced than any of the rest of us, and because they are in sparsely populated areas, they must travel longer distances to get to school, work or a doctor's appointment. Things that in a city such as Glasgow, London or Edinburgh can be done by walking half a mile, can be a two-hour journey in some parts of the highlands of Scotland. Although the roads might be in a decent condition, they are certainly not designed for fast, constant-speed travel, so fuel consumption per mile on those roads is vastly greater than on roads in more densely populated areas.

That might be why it is noticeable how many dark colours there are towards the north end of the map on the page of the petition. My constituency is uncharacteristically dark—the last time I checked, Glenrothes and central Fife had 224 signatories. My constituents do not tend to get all that excited about Parliament's online petitions, so that number is quite high. I guarantee that I have had at least that number of emails—probably more—about the fuel-price crisis, and the general cost of living crisis in just the last few weeks, never mind in the months that the petition has been live.

It is important to emphasise that a massive increase in the price of fuel means a massive increase in the price of everything else. Almost everything that we buy in the shops was delivered in vehicles that rely on fossil fuels. Although I welcome the much greater use of electric vehicles by some distribution companies and hauliers, and the attempts by some to introduce hydrogen fuels, the vast majority still rely on diesel to get food to supermarkets. If hauliers cannot afford fuel costs, prices on supermarket shelves will go up even more than before.

Helen Morgan (North Shropshire) (LD): Does the hon. Gentleman agree that some hauliers are unable to pass increased fuel costs on to supermarkets, which have so much purchasing power, and are at risk of going out of business as a result? That puts our supply chain under pressure and threatens jobs in areas where hauliers are large employers.

Peter Grant: The hon. Lady is absolutely correct. Of course, if hauliers manage to pass those price rises on to supermarkets, the supermarkets get together and pass them on to the customers, which adds even further to inflation. The general answer to that point is that the

[Peter Grant]

United Kingdom's food-distribution system is broken beyond repair. This is not the debate in which to discuss that, but the last few years have made it clear that that system is not fit for purpose and needs to be changed radically and quickly.

The Government's response to the petition contains all the usual platitudes, and I look forward to the Minister repeating them when she gets to her feet. The response points out that the Government do not

"set the prices paid at the pump... The degree to which petrol pump prices respond to changes in crude oil prices is a commercial matter."

Why? Is it not time that the Government started regulating the price of fuel at the pump, even temporarily, in the same way that they regulate—not all that effectively—domestic electricity and gas prices? If we know that somebody, somewhere is profiteering, is it not time for a regulator that can insist on the kind of open-book approach that the hon. Member for Ellesmere Port and Neston mentioned, so that we can identify where the profits have been made, and what parts of the supply chain are struggling? The few remaining independent fuel-station operators in the UK are seriously struggling. I do not think they are the ones that are profiteering, but somebody quite certainly is.

The Government's excuse on the rate of VAT is extraordinary. Their response states that exceptions to the standard rate are possible, but

"these have always been limited by both legal and fiscal considerations."

What legal considerations are those? The Government might have tried to use the excuse of "the Europeans won't let us do it", but as the hon. Member for Gower (Tonia Antoniazzi) pointed out, the Europeans seem to let everyone else do that, and it was just Britain that could not find a way of doing so within the limits of European law. We are not in the European Union any more. What has happened to taking back control? It is not Europe's fault now—it never was—and the Government can no longer pretend that it is. They cannot pretend that it is anybody's fault other than their own.

The Government also point out that there are "fiscal considerations". We know that, but where were those fiscal considerations when the Government decided to spend massive amounts of public money on a scheme to deport people to Rwanda? To date, that scheme has not deported a single person—thank God. The Government cannot even tell us when—if ever—that scheme will have its desired impact of disrupting the business of people trafficking across the channel. When things will get the Government a headline on the front page of the *Daily Mail*, they can find the money, and "fiscal considerations" are suddenly not that important.

In January 2020, before the start of the pandemic, the average UK price for a litre of unleaded petrol was slightly more than £1.27 per litre, and the Government took 79.1p of that in tax. In April 2022—after the Government's very generous new fuel duty price—the typical price was up to 161.7p per litre, and the Government's tax take was 79.9p. Despite all the crowing about cutting fuel duty, the Government are taking more tax from the customer than before. As my hon. Friend the Member for North Ayrshire and Arran

(Patricia Gibson) pointed out, a significant part of the tax on fuel is VAT, which is a percentage of the net cost plus 20% of the duty added back on again.

Prices have now got so bad that energy firms are warning that 40% of their customers could plunge into fuel poverty before the end of the year. This is in the week the Chancellor tweeted that it was nice to see the economy still growing—in that tweet he copied numbers that told us the economy was shrinking. That was in National Numeracy Week, which I thought was quite appropriate. The Tories response to the general cost of living crisis seems to vary from, "Get a second job," to, "Learn how to cook." How utterly offensive that is to my constituents—to all our constituents.

It never takes the Government long to come up with a scheme that they think will get the headlines they want in the newspapers they want. If the political will was there, they would have already come up with a scheme. Whether that was a duty or a VAT regulator on a sliding scale, so that it reduced as the underlying price increased, they would have found ways to either permanently or temporarily reduce the tax burden on the fuel at the pump. They would have started making noises about regulating the price of fuel in the same way that they regulate the price of domestic electricity and gas. I bet if the Government started seriously to talk about regulating the price of fuel at the pump, the industry would sort itself out pretty quickly. The one thing that the big oil companies do not want is the public being allowed to see just how much of a profit they make at the expense of our hard-pressed constituents. They are allowed to make those excessive profits with the consent, and possibly even the connivance, of a Government that simply do not care.

6.36 pm

James Murray (Ealing North) (Lab/Co-op): Thank you, Ms Elliot, for the chance to respond to the debate on behalf of the Opposition. I congratulate my hon. Friend the Member for Gower (Tonia Antoniazzi) on leading this important debate on the e-petition relating to taxes on motor fuel. As she set out, the fact that it has been signed by over 100,000 people underlines what we all know from our constituents: the rising cost of fuel is a pressing and urgent part of the wider cost of living crisis that is hitting people across the country.

With inflation at its highest in decades, the cost of living crisis is causing immense hardship and driving households into poverty. At the same time, this Government are alone in making us the only G7 country to be raising taxes on working people at such a difficult time. In that context, the rise in the price of fuel is being felt particularly acutely. The Office for National Statistics has published data on fuel prices that confirms what everyone knows when filling up their cars: there has been a consistent weekly increase in price since the start of 2022, with the highest rises occurring since March. As an RAC spokesperson recently said:

"March 2022 will go down in the history books as one of the worst months ever when it comes to pump prices... To describe the current situation facing drivers at the forecourt as 'bleak' is therefore something of an understatement."

Patricia Gibson: The hon. Gentleman is talking about the impact that prices are having across the whole of the UK. Every community and constituency is affected.

Does he share my disappointment that there are no Tory speakers? No Tory MPs appear concerned enough to have participated in this debate.

James Murray: Like the hon. Member, I find it very depressing to see no Conservative Back-Bench Members apparently interested in this debate. However, if the best many of them can come up with is to suggest people buy value brands or get a different job, I am not surprised they have little to add to the debate.

As my hon. Friend the Member for Gower said, the Petitions Committee's survey to the respondents of the e-petition has helped bring to life some of the real impacts that fuel price rises are having on the lives of people across the country. Those responses include the supply teacher who explained the necessity of reducing working hours due to the cost of driving to different schools. An NHS worker reported the challenge of transporting her disabled children to the special educational needs school, and having to cut down on food in order to balance the cost of fuel. A carer reported being unable to attend appointments to give essential care to vulnerable people; a taxi driver was unable to make ends meet. Parents reported having to remove their children from nursery as the cost has become unsustainable, and people have been unable to visit elderly relatives.

Fuel prices have been hitting people across the board. At the same time, businesses have reported that the increased fuel costs have made it more challenging to recover from the losses suffered during the pandemic. Respondents felt that the temporary 5p reduction in fuel duty did not go anywhere near far enough—something that we have heard from many Members today—and was ineffective, as the saving was quickly cancelled out by rising prices. When it comes to the price of fuel, respondents confirmed what we had all concluded about the Government's actions so far. Following the spring statement and the announcement of a temporary 5p per litre cut in fuel duty, the Chancellor was quick to arrange a glossy photoshoot in a borrowed car at a petrol station forecourt, but the reality is that the 5p cut in fuel duty has been quickly eclipsed by the rapid rise in the overall price of fuel.

As we know and as other hon. Members have said, fuel prices are just one of many pressures hitting people's lives, and the Government's response to the cost of living crisis has fallen woefully short of what is needed. People across the UK are seeing the biggest squeeze on their finances in a generation, while at the same time, oil and gas producers' profits have shot up. As has been widely reported, BP's chief financial officer said that

“we're getting more cash than we know what to do with”,

while its chief executive has said that the current rising prices are making BP a “cash machine.” In the first three months of 2022, 28 of the largest oil and gas producers made close to \$100 billion in combined profits, with Shell, for instance, making over \$9 billion—almost three times what it made in the same period last year.

Faced with oil and gas producers receiving such bumper profits while everyone else suffers the cost of soaring energy bills, Labour has called on the Government to implement a simple, effective and fair solution: levy a windfall tax on oil and gas producers' profits to help cut people's bills by up to £600. People need that help, as they are left with no other options. Martin Lewis, the

founder of MoneySavingExpert, has said that he no longer has any ideas for how people can save money to cope with the massive surge in the cost of living.

The fact that people are struggling and do not know what to do makes it incredible that the Government have twice voted against Labour's plans to address this cost of living crisis by imposing a windfall tax on oil and gas producers' profits. We are left wondering what on earth their objection is, when consensus seems to be growing by the day that a windfall tax is the right thing to do. Current Treasury Ministers may not know what to do, but the previous Financial Secretary to the Treasury, the right hon. Member for Hereford and South Herefordshire (Jesse Norman), has said that the arguments against a windfall tax

“at present are very weak.”

He added that Margaret Thatcher would have backed a windfall tax on energy companies.

Of course, in recent weeks, Government Ministers have taken a wide range of positions. We have heard opposition to the plan for a windfall tax from the Health Secretary, the Foreign Secretary, the Business Secretary, the Northern Ireland Secretary, the Attorney General, the Minister for Brexit Opportunities and the Deputy Prime Minister, and yet the latest position from the Chief Secretary to the Treasury is that

“all options are on the table.”

Every day of delay hurts people across the country. When the Minister responds, I urge her to give some indication of when the inevitable U-turn will happen and the Government will implement a windfall tax. We have been calling for this for months, and we are all waiting for the Government to finally do the right thing.

The Treasury's failure to act exposes a deeper failing at the heart of Government. While we have been pressing the idea of a costed and effective plan to levy a windfall tax to cut energy bills, the Government are out of ideas and out of touch when it comes to helping people with the hardship they face. The Chancellor needs to get a grip on this situation, so when the Minister responds, I again urge her not to add to the delay, but to simply tell us when the Government will go ahead with the windfall tax that we all know is needed.

6.44 pm

The Exchequer Secretary to the Treasury (Helen Whately): It is a pleasure to serve under your chairmanship, Ms Elliott. I thank the Petitions Committee for organising this important debate and all hon. Members who have contributed today, especially the hon. Member for Gower (Tonia Antoniazzi), who opened the debate.

I also thank the more than 100,000 people across the UK who signed the petition calling for a reduction in fuel duty and VAT. Those signatures are a reflection of how hard high fuel prices are hitting people. As well as being Exchequer Secretary, I represent a rural constituency, and I know that for most people in my constituency, there is no alternative to going by car for most journeys. As hon. Members have said, whether it is getting to work, doing the school run, going to the supermarket, the doctor or the dentist, or visiting family, there is usually no alternative. If we add to those journeys all the business journeys—the man in a van, delivery drivers, logistics and so on—we can see that so much of our economy is reliant on road transport.

[Helen Whately]

The UK has about 30 million drivers, and the vast majority of us fill up our vehicles at the petrol station. As many hon. Members have said today, fuel prices have dramatically increased in recent months, and they reached their all-time highest levels this spring. I know that this comes at what is already a painful moment for many households, with so many pressures—ranging from heating bills to higher food costs in the shops—on people's budgets. I welcome the Petitions Committee survey assessing the impact of increases in the cost of motor fuel on petitioners, which reflects what I have heard from my own constituents and from people I speak to up and down the country. Whether that is the parent struggling to put food on the table for their children or the care worker providing vital care across her community, we hear you, and the Government have stepped in to help, with support measures that add up to £22 billion.

However, we should not ignore the context. We are part of a global trend, driven by global issues—by the surge in demand post pandemic, exacerbated by Putin's war in Ukraine. And just as these circumstances are not unique or specific to the UK, so they cannot be solved by the UK alone.

Prices at the pump are not set by the Government, and nor are crude oil prices more widely, but the Government have taken action to help people with recent unprecedented price increases. After the launch of this petition last October, my right hon. Friend the Chancellor of the Exchequer took the decision, at autumn Budget, to freeze fuel duty rates; this was the 12th consecutive year of the freeze. He then went further. In the spring statement, the Chancellor announced that fuel duty for petrol and diesel would be cut by 5p per litre. Unlike many international counterparts, who have introduced shorter-term relief for motorists, we have this measure in place for a full 12 months. This is only the second time in 20 years that fuel duty has been cut, and this time, it is the largest cash-terms cut ever across all rates of fuel duty at once. It represents a tax cut worth £2.4 billion in 2022-23. Coupled with the fuel duty freeze, it is worth £5 billion overall and equates to a reduction in fuel duty of about £100 over the year for the average car driver.

Justin Madders: The Minister will have heard the suggestion that the Chancellor has raked in more through increased VAT receipts than he has given away in this fuel duty cut. Will she say whether she agrees with that or not?

Helen Whately: The hon. Member comes to exactly the next point that I was going to make in my speech. The petition called for a VAT reduction, as did the hon. Member for North Ayrshire and Arran (Patricia Gibson) when she intervened. Given that VAT is applied on top of fuel duty, the 5p duty cut on petrol and diesel also results in a VAT reduction. It effectively translates to a reduction of 6p per litre overall. That said, a VAT reduction is not generally the best way to provide help with fuel costs, particularly because it would not help many businesses, many of which already claim back VAT paid on fuel for business use. About 40% of fuel is used by businesses. If we had just focused on reducing

VAT instead of fuel duty, that would have left businesses more exposed to fuel price increases, in turn impacting the cost of goods for consumers. Making the focus fuel duty rather than VAT means that businesses, as well as consumers, will benefit from that tax cut. Also, by helping businesses with the fuel duty cut, we ensure that the duty cut benefit flows through to people who do not own cars, as well as those who do, because of the importance across the supply chain of the cost of fuel.

Peter Grant: Did I mishear the Minister? Is she trying to persuade us that if we cut VAT on fuel, it will lead to an increase in costs to the customer somewhere else? Is that what she is trying to say?

Helen Whately: That is not what I just said; I said that if we particularly focused on reducing VAT on fuel, that would not result in a saving to many businesses, because businesses can claim back VAT. By cutting fuel duty, we are benefiting businesses and the whole supply chain, as well as consumers who buy fuel.

Patricia Gibson: The Minister, if I understand her correctly, is saying that cutting VAT will not necessarily help business, and that the best way to help them would be by cutting fuel duty. From what the Minister said, I do not know what the answer is. Perhaps the answer is to cut VAT to help consumers, and to put a substantial cut on fuel duty to help reignite the economy, reduce the cost of living and control inflation.

Helen Whately: That goes a long way into the broader economic questions about the right way to deal with the crisis we are in, and how we raise money if we are to make further tax cuts to provide further support to consumers. As I have mentioned, and as I am sure the hon. Lady well knows, we have already put in support worth £22 billion to help people across the country with the cost of living. That includes £9 billion to help people with energy bills—some of that will be through council tax rebates of £150—and that money is already going into many people's pockets. [Interruption.] The hon. Lady shakes her head and says that that is not enough, but the Chancellor has been clear that he stands ready to do more. We do not yet know what the retail cost of fuel will be in the autumn, and we are absolutely concerned about the rising costs to people. We have already taken steps, and that is what we are talking about today.

I want to come back to VAT, because it has been suggested that the Treasury might be getting some kind of VAT windfall. Overall, the Office for Budget Responsibility is forecasting that VAT receipts will now be lower than it had expected in the autumn. There is not some great surge in VAT coming through to the Treasury.

Justin Madders: Will the Minister give way?

Helen Whately: I will move on and keep to the topic of the petition, if that is okay with the hon. Gentleman. Another question that came up earlier, particularly from the hon. Member for Rutherglen and Hamilton West (Margaret Ferrier), was on the extent to which the fuel duty cut has been passed through. I am well aware of that concern and the suggestion that suppliers have been taking the benefit of the £2.4 billion tax cut.

To provide some context to this, the spring statement was made at a time of sharp rises in international oil markets, which would have taken some time to feed through to the pump. Diesel has faced specific pressures, because of the particular role of Russian exports in the European market. That has, unfortunately, contributed to diesel reaching all-time high prices this month. The background movement in prices makes the 5p cut harder to see. The Government have been clear that we expect all in the supply chain—from the moment fuel duty is owed to when fuel is bought at the forecourt—to pass the fuel duty cut through to consumers.

The Chancellor and the Business Secretary wrote to industry on the day of the announcement to set out that expectation. The Business Secretary wrote to industry on this matter again last week. The Competition and Markets Authority is closely monitoring the situation. To quote its chief executive, Andrea Coscelli, the CMA stands ready

“to take action should there be evidence that competition or consumer protection law has been broken in the fuel retail market”.

He went on to say that a formal investigation may be considered appropriate,

“which could ultimately lead to fines or legally binding commitments”.

The Government will continue to undertake longer-term analysis to establish the extent to which the Chancellor’s cut may have been buried beneath further wholesale price increases, and to ensure that the market does not fail to pass on the benefits of the duty cut to those refilling at the pump.

I have also heard public discussion of something called PumpWatch to regulate prices at the pump. Some comparisons have been made to Ofgem, the energy regulator, and the role of the price cap in the domestic energy retail market. However, that price cap was introduced in 2019 specifically to correct the market failure identified by the Competition and Markets Authority, which showed that the conditions for effective competition were not present in the market. While the energy price cap has shielded customers from volatile energy prices, it was specifically designed to better protect disengaged customers from being offered poor-value deals.

To date, we have not seen evidence that the same situation is happening in the fuel market, because pump prices are conspicuously displayed outside fuel stations to encourage competition and allow drivers to make comparisons and find the best deals, but I reiterate that if the CMA finds evidence of anti-competitive behaviour in the market, it is clear that it will not hesitate to act.

James Murray: As the Minister is drawing to a close, will she take this opportunity to let us know her opinion on our plans for a windfall tax?

Helen Whately: It is interesting that the hon. Gentleman asks that question. I noticed that although this is a debate on fuel duty, he and other hon. Members took the opportunity to talk quite significantly about a windfall tax. The Chancellor and the Prime Minister have made it clear that it is not the Conservative Government’s instinct to reach for a windfall tax; that is not the most naturally attractive option to us. We want to see the energy sector invest in North sea oil and gas, which is important to our transition. However, the Chancellor has also been clear that no option is off the table.

To return to the topic of the debate, the Government take fuel duty costs seriously, and we have responded with a substantial duty cut to help motorists across the UK. The Government and the CMA continue to monitor the situation extremely closely, and Members should be in no doubt that further action will be taken if necessary to ensure effective competition. The 5p cut in fuel duty is part of a £22 billion package of support to help people with the cost of living. As the Chancellor has made clear, we stand ready to do more.

6.56 pm

Tonia Antoniazzi: I thank the Minister for her response to the petition, and I thank the petitioners for signing it and Michael Bromley from Chorley for promoting it. This petition was created on 18 October 2021 and closed on 18 April, because they last six months, but what a six months it has been. He was concerned in October, and many people have expressed their concerns alongside him.

The sum of £9 billion was mentioned earlier—that is the Government’s support to help people with energy bills through their council tax bills. I say to the Minister—I know she cannot respond—that £9 billion was the sum that the Government wasted in relation to personal protective equipment, so we know they are not looking after their pennies.

When we left the EU, one thing we were promised was that VAT on fuel would be cut, and it has not been. There is a knock-on effect on costs, as many Members have said, and the Government need effective and rapid ways of putting money into our constituents’ pockets. Like the 100,000 petitioners, we want more to be done, because unfortunately they are not feeling the benefit of what has been done so far. I thank the Minister for responding, and we will carry on from here.

Question put and agreed to.

Resolved,

That this House has considered e-petition 599089, relating to taxes on motor fuel.

6.58 pm

Sitting adjourned.

Written Statements

Monday 23 May 2022

CABINET OFFICE

Platinum Jubilee Civic Honours Competition

The Minister for the Cabinet Office and Paymaster General (Michael Ellis): I am pleased to announce that Her Majesty the Queen has commanded that city status has been granted to Bangor, Colchester, Doncaster, Douglas, Dunfermline, Milton Keynes, Stanley and Wrexham and a Lord Mayoralty to Southampton to mark Her Majesty's platinum jubilee.

Her Majesty's Government have been delighted over the number of places across the United Kingdom, Crown dependencies and overseas territories which entered the competition. Irrespective of the final outcome, this is a celebration of not only the rich and diverse communities which make up the United Kingdom, but of communities all across the undivided realm which the UK, Crown dependencies and overseas territories constitute.

City status, Lord Mayoralities, and Lord Provostships are civic honours granted by Her Majesty acting on the advice of Her Ministers under the Royal Prerogative. The granting of these honours is rare and they continue to be highly sought after.

The competition received an extremely high standard of applications, and those unsuccessful applicants should not be disappointed. All valid entries received individual consideration on their merits and, for the first time, applications were also assessed by an expert panel, before Ministers made final recommendations to Her Majesty the Queen.

I offer my congratulations to Bangor, Colchester, Doncaster, Douglas, Dunfermline, Milton Keynes, Stanley, Wrexham and Southampton which have been granted these prestigious honours from an exceptional and vast field of applicants.

[HCWS43]

EDUCATION

Family Hubs Transformation Fund

The Parliamentary Under-Secretary of State for Education (Will Quince): Today, I am providing an update on the first wave of successful local authorities to be awarded funding through the £12 million Family Hubs Transformation Fund.

The Government are committed to delivering on the Best Start for Life: A Vision for the First 1001 Critical Days Report, and on our manifesto pledge to champion family hubs. Family hubs are a way of joining up locally to improve access to services, the connections between families, professionals, services, and providers, and put relationships at the heart of family support. They bring together services for children of all ages, with a great Start for Life offer at their core.

Family Hubs Transformation Fund

The Family Hubs Local Transformation Fund is a key part of this commitment and is funded through HM Treasury's Shared Outcomes Fund, which aims to test innovative ways of working across the public sector to address complex policy challenges.

We launched the £12 million Family Hubs Transformation Fund last November to support at least 12 local authorities in England to open family hubs. The fund will enable us to learn more about the process of local transformation, to build our evidence base, and to create valuable resources and learning for those local authorities moving to a family hub model in the future.

The Family Hubs Transformation Fund will support LAs with the costs of moving to a family hubs model. It is different and separate from the Start for Life and Family Hubs Programme that was announced at autumn Budget, the eligibility for which was announced in April as part of a £1 billion Government commitment to families. The Start for Life and Family Hubs Programme includes additional funding for services, which is not available to LAs as part of the Family Hubs Transformation Fund.

The application window closed in December 2021, and we received 84 bids from upper-tier local authorities. The volume of applications shows a real appetite for change, and the high quality of bids reflects the passion and dedication to delivering for children and families.

The first wave of successful local authorities are:

Brighton and Hove
Wirral
Stockport
Dorset
Solihull
York
Cheshire East

We expect to announce an additional five local authorities to receive funding through the Family Hubs Transformation Fund in the coming months.

[HCWS44]

Reducing Bureaucracy in Higher Education

The Minister for Higher and Further Education (Michelle Donelan): Today I am providing an update on my commitment in September 2020 to reduce regulatory burden in higher education.

Bureaucracy has a direct impact on how well providers can do their jobs: every pound spent on unnecessary bureaucracy is a pound that is not being spent on teaching and research.

I am therefore pleased to confirm that the Office for Students has already:

reduced its enhanced monitoring by over 75%, removing 376 individual information or reporting requirements;
removed its requirement for detailed monitoring returns on Access and Participation Plans in 2022
streamlined its communications with HE providers and provided a direct contact for every registered provider.

In addition, I recently set up the HE data reduction taskforce, to bring together attendees from providers, arm's-length bodies and other data experts across the HE sector to identify where we are putting overlapping data requirements on providers and where they could

be reduced. The taskforce provides a real opportunity for all parties involved in data in the HE sector to discuss challenges and opportunities and, most importantly, to agree tangible actions.

Institutional bureaucracy

There is, however, more that providers themselves could do to remove internal bureaucracy which is not needed to comply with regulatory requirements.

I therefore want to use this statement to encourage HE providers strongly to look at ways that they could reduce this gold-plating. This should include:

Reviewing their own schemes of delegation to ensure that they are fit for purpose, and that regulatory decisions and activity are clearly delegated to the right level in the provider. Not every decision needs to go to the Board of Governors, or through multiple layers of governance.

Ensuring that they remain focused on the content of the decisions they are making and the reasons for the decision, rather than ensuring that it goes to multiple committees.

Carefully considering which processes, committees, activities and external subscriptions genuinely add value for students and which could be dispensed with, to free up academic time for teaching and research.

Unnecessary bureaucracy can take up time that could be spent focusing on the academic experience or quality of teaching which a student receives. This Government and the OfS will continue to focus on this, but providers also need to look internally to do the same.

[HCWS48]

HEALTH AND SOCIAL CARE

Introduction of Additional Blood Donor Testing

The Parliamentary Under-Secretary of State for Health and Social Care (Maria Caulfield): I would like to inform the House that the Government have accepted the advice of the Advisory Committee on the Safety of Blood, Tissues and Organs (SaBTO) and will be introducing additional testing to detect hepatitis B in donated blood from 31 May 2022. The Scottish Government, Welsh Government and Northern Ireland Executive have also accepted the advice of SaBTO.

The safety of people donating and people receiving blood and blood products is the Government's priority. We have robust safeguards in place that protect both donors and those receiving this potentially lifesaving intervention, which includes testing all donations for possible infections prior to use in transfusion.

In 2019, SaBTO established the occult hepatitis B infection (OBI) working group to consider options for further improving pre-donation testing for hepatitis B. The group considered different testing options to identify those donors who have undetectable levels of the surface antibody to hepatitis B, but do have hepatitis B DNA and a core antibody to hepatitis B. These donors are known as occult donors and have been shown to be able to transmit hepatitis B to blood donor recipients. The OBI working group recommended the introduction of core antibody testing, alongside the current testing, for all current donors once, and then all new and returning donors. SaBTO reviewed the findings of the working group and agreed with the recommendations.

The Government have reviewed the evidence compiled by the OBI working group together with SaBTO's advice and has accepted the recommendation. The introduction of this new form of testing further improves the rigorous processes we have in place to ensure the health and wellbeing of donors and the safe and consistent supply of blood for patients.

The Department of Health and Social Care is working with NHS Blood and Transplant to implement this change and the overall impact of the changes will be reviewed in 12 months by SaBTO and the Government.

[HCWS45]

Monkeypox

The Secretary of State for Health and Social Care (Sajid Javid): Following announcements made by the UK Health Security Agency on 7,14,18 and 20 May, I am writing to inform the House that—as of 12 pm on Monday 23 May 2022—a total of 56 monkeypox cases, in three unlinked incidents, have now been confirmed in the UK. Further cases have been identified worldwide, outside the endemic regions of west and central Africa.

Monkeypox virus in the UK is extremely rare and the detection of monkeypox in unlinked cases indicates community transmission. Prior to May 2022, there were three previous domestically acquired cases—two household transmissions related to an imported case and one healthcare worker related to a separate imported case.

In the coming days, I expect that further cases will be detected by the UK Health Security Agency's expert diagnostic capabilities, working with NHS services to ensure heightened vigilance among healthcare professionals.

The UK was the first country in the world to identify and report this recent emergence of non-endemic cases to the World Health Organisation, which continues to receive reports of further cases in other countries across the globe.

The infection can be passed on through direct contact with monkeypox skin lesions or scabs; contact with clothing or linens—such as bedding or towels—used by an infected person; and potentially by close respiratory contact via coughing/sneezing by an individual with a monkeypox rash. Monkeypox has not previously been described as a sexually transmitted infection, though it can be passed on by direct contact during sex. A notable proportion of cases have been among gay, bisexual and other men who have sex with men.

The virus does not usually spread easily between people without close contact and the risk to the UK population remains low.

World-leading experts at the UK Health Security Agency, working in partnership with health protection agencies in Scotland, Wales, and Northern Ireland, are providing the latest scientific, clinical and public health advice. They are also providing testing capability at the Rare and Imported Pathogens Laboratory at UKHSA Porton Down and have stood up additional capacity at UKHSA Colindale. They continue to contact trace, rapidly investigate the source of these infections, and raise awareness among healthcare professionals. Any close contacts of the cases are being identified and provided with health information and advice.

UKHSA, and its partner public health agencies in the devolved Administrations, will continue to keep the scientific and clinical evidence under review to ensure that decisions are made on the best available evidence despite the fast-moving situation.

Individuals, especially gay, bisexual and other men who have sex with men, who develop an unusual rash or lesions—such as scabs—on any part of their body, but particularly their genitalia, should contact NHS 111 or a sexual health service. Individuals should notify clinics ahead of attendance and avoid close contact with others until they have been seen by a clinician. They can be assured that discussion will be treated sensitively and confidentially.

UKHSA has set up a dedicated helpline to support clinicians dealing with monkeypox cases.

Vaccination and treatment

The smallpox vaccine, Imvanex (MVA-Bavarian Nordic), although not specifically licensed for the prevention of monkeypox in Europe, has been used in the UK in response to previous incidents. This vaccine has a good safety record; it is made from a smallpox-related virus that cannot replicate and has been demonstrated to be highly effective at preventing infection—when given within four days of exposure—and reducing severe illness, if given between four and 14 days of exposure.

The vaccination of named close contacts of cases is under way, with vaccine eligibility being kept under close review. As of 10 am on 23 May 2022, over 1,000 doses of Imvanex have been issued or are in the process of being issued, to NHS trusts. There remain over 3,500 doses of Imvanex in the UK.

We are also exploring procurement options in case any specific antiviral treatment is shown to be effective against this virus; further details will be provided in due course.

I can confirm to the House that it will be kept abreast of updates as the situation evolves.

[HCWS49]

INTERNATIONAL TRADE

Mexico Trade Negotiations

The Secretary of State for International Trade (Anne-Marie Trevelyan): On Friday 20 May 2022, the Department for International Trade launched negotiations for an enhanced and upgraded free trade agreement with Mexico, with the first round of negotiations to be held in Mexico City in July.

The Department is publishing a comprehensive set of documents setting out the UK's strategic approach for negotiations between the UK and Mexico. In line with our commitments to scrutiny and transparency, these documents have been published and placed in the House Libraries. The UK's negotiating objectives for the upgraded agreement, published today, were informed by our Call for Input, which requested views from consumers, businesses, and other interested stakeholders across the UK on their priorities for enhancing our existing trading relationship with Mexico.

These negotiations follow our signing of the UK-Mexico Trade Continuity Agreement on 15 December 2020, which committed both parties to commence negotiations on a new, comprehensive and bespoke agreement by 1 June 2022.

An enhanced and comprehensive agreement with Mexico is a key part of the UK's strategy to secure advanced modern agreements with new international partners, and upgrade existing continuity agreements in order to better suit the UK economy. Through these enhanced trade partnerships we can deliver economic growth to all the nations and regions of the UK and create new opportunities for UK business.

Mexico is an important trading partner for the UK, with trade worth £4.2 billion in 2021 despite the disruptions of the coronavirus pandemic to global trade. Mexico is one of the world's largest democracies and the 16th biggest global economy. Its population is almost double the size of the UK's and is projected to reach 146 million people by 2035. Its demand for global imports is forecast to grow by 35% in real terms between 2019 and 2035 as its economy expands. The current agreement ensured reduced duties on UK exports in key industries such as transportation, chemicals, and machinery manufacturing. These already popular products could face further demand in a growing Mexican market.

Our existing agreement removes tariffs on the majority of goods we trade. However, the agreement is outdated and not designed for a digital age, containing limited provisions on services, which employs 82% of the UK workforce. In these negotiations we will be advancing an upgraded trade partnership with cutting-edge services and digital provisions tailored to our unique strengths as the world's second-largest services exporter and a leader on digital trade. An upgraded trade agreement with enhanced provisions can support UK trade across sectors of UK strength, including financial, creative, digital and technology services.

Forging stronger trade links with Mexico will also support the UK's accession to the comprehensive and progressive agreement for trans-pacific partnership, a free trade area with a collective GDP of £9 trillion in 2021, of which Mexico is an influential member.

The Government are determined that any agreement must work for consumers, producers, investors, and businesses alike. We remain committed to upholding our high environmental, labour, public health, food safety and animal welfare standards, alongside protecting the National Health Service.

The Government will continue to update and engage with key stakeholders, including Parliament and the Devolved Administrations, throughout our negotiations with Mexico.

[HCWS46]

LEADER OF THE HOUSE

Review of Legislative Drafting

The Leader of the House of Commons (Mark Spencer): During the passage of the Ministerial and Other Maternity Allowances Bill, significant concern was expressed in both Houses about the Bill's use of gender-neutral language in the context of pregnancy and childbirth.

The Bill was amended so that gender-neutral nouns—for example “person”—were replaced with gendered ones—for example “mother” and “expectant mother”.

Ministers committed to consider and review the Government’s approach to drafting legislation on subjects that prompt these questions around language. The most obvious area is legislation relating to pregnancy or childbirth, but there will be other areas where similar issues arise. Ministers emphasised that “we must not countenance the erasure of women from our public discourse or our legislation”—*Official Report*, House of Lords, 25 February 2021, Col. 961.

Ministers also note that, academics writing in the journal, *Frontiers in Global Women’s Health* have warned of potential “adverse health consequences and deeper and more insidious discrimination against women” from de-gendered language such as “pregnant people”.

Previous context on stereotyping

In 2007, as recorded in the *Official Report*, 8 March 2007, col. 146WS, the then Labour Government stated their intention to draft legislation to avoid rigid stereotypes that only men could hold positions of authority. The approach adopted was to avoid the use of male pronouns on their own in contexts where a reference to women and men is intended. This Government agree with that approach. This statement addresses the separate issues of when it is appropriate to use gendered nouns such as “woman” and “mother”.

Each Bill is brought forward on its own merits and is drafted in a way to ensure legal clarity and in order to fulfil the Bill’s policy intent. Ministers believe it can be appropriate to use sex-specific language in legislation where such language delivers the desired policy outcome. This may include, for example, legislation which relates to the needs of men and women respectively, or areas of policy where biological sex is a relevant or pertinent concept. For example, the School Premises (England) Regulations 2012 explicitly require separate toilet facilities in schools for boys and for girls. This is different from the desire to avoid stereotypes on positions of authority.

Guidance moving forward

When drafting a Bill it is necessary to take into account the fact that a person may change their legal sex by obtaining a gender recognition certificate. The effect of section 9 of the Gender Recognition Act 2004 is that a reference to a “woman” in legislation, without more, will include someone who is a woman by virtue of a certificate and will not include someone who is a man by virtue of a certificate. In some cases, this might be the desired result but in others it might not.

Ministers are aware that there is, in some quarters, opposition to section 9 of the 2004 Act. However, that provision is the law and so drafting practice must take it into account. This, however, does not mean that sex-specific language cannot be used.

A number of drafting approaches are available to deliver the desired policy outcome while still using sex-specific language. One approach is to use sex-specific language to refer to the main case—for example “women”, with the addition of further wording so that the provision also has the desired policy outcome for less common cases.

Other drafting options include using sex-specific language and then disapplying section 9 of the 2004 Act, something that is envisaged in section 9(3) of the Act, or using sex-specific language for both cases—for example “woman or man”. Sometimes an ungendered noun will be appropriate, even in contexts in which sex is relevant. For example, someone undergoing a medical procedure might still be referred to as a “patient”.

The drafting approach in any case also needs to take account of the pre-existing legislative context. An amendment of an existing Act that uses gender-neutral nouns might need to do the same; and an amendment of an older Act that uses gendered nouns in a way that would be interpreted as covering both sexes might adopt the approach of the older Act.

The Office of the Parliamentary Counsel will update its drafting guidance in light of this ministerial statement and steer.

Dignity, tolerance and respect

This statement should be read alongside the comments of the Prime Minister of 23 March 2022, *Official Report*, column 334: “We must recognise that when people want to make a transition in their lives, they should be treated with the maximum possible generosity and respect. We have systems in this country that allow that and have done for a long time, we should be very proud of that, but I want to say in addition that I think, when it comes to distinguishing between a man and a woman, the basic facts of biology remain overwhelmingly important.”

We believe that this statement sets out a common-sense and practical approach to ensure dignity, tolerance and respect for everyone. It will help champion the broader cause of equality by continuing to recognise the different needs and experiences of both men and women in our society.

[HCWS47]

Petition

Monday 23 May 2022

OBSERVATIONS

LEADER OF THE HOUSE

Bannerman High School anti-racism charter

The petition of residents of the United Kingdom,

Notes that pupils in Bannerman High School in the constituency of Glasgow East have adopted an anti-racism charter which will be signed by everyone who studies and works in the school; further notes that the charter will be signed by pupils and staff on the United Nations International Day for the Elimination of Racial Discrimination; further notes that the charter includes the commitments ‘we will respect everyone’, ‘we will challenge all racist slurs, discrimination, and abuse’, ‘we will report any of the above to a member of staff’, and ‘we will be allies in the fight to end racism for good’; and declares that the charter adopted by students and staff at Bannerman high school should set an examples for other institutions to commit to anti-racist principles, this should include the House of Commons.

The petitioners therefore request that the House of Commons urge the Government to adopt the principles of United Nations International Day for the Elimination of Racial Discrimination.

And the petitioners remain, etc.—[Presented by David Linden, *Official Report*, 21 March 2022; Vol. 711, c. 132.]

[P002720]

Observations from the Leader of the House of Commons (Mark Spencer):

The Government support the UN Resolution to mark 21 March as the International Day for the Elimination of Racial Discrimination. We are clear that there is no place for racism in our society, and thank the students and staff at Bannerman High School for their work to tackle racial discrimination.

The Government are committed to fulfilling their commitments to the UN Committee that leads on the International Convention for the Elimination of Racial Discrimination (CERD), which includes submission of the State Report. The work on the report is in its final stages and it will be submitted in due course.

In July 2020, the Prime Minister launched the Commission on Race and Ethnic Disparities to conduct a detailed, data-led examination of inequality across the entire population, and to set out a positive agenda for change. The Government’s response to the Commission’s findings, “Inclusive Britain”, was published on 17 March 2022 and sets out a ground-breaking action plan to tackle negative disparities, promote unity and build a fairer Britain for all.

ORAL ANSWERS

Monday 23 May 2022

	<i>Col. No.</i>		<i>Col. No.</i>
EDUCATION	1	EDUCATION—continued	
Alternative Student Finance: Muslim Students.....	9	Political Impartiality in Schools.....	7
Condition Improvement Fund.....	8	SEND Review: Further Education.....	6
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