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**HOUSE OF COMMONS
OFFICIAL REPORT**

**PARLIAMENTARY
DEBATES
(HANSARD)**

Wednesday 26 April 2023

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The House met at half-past Eleven o'clock

PRAYERS

[MR SPEAKER *in the Chair*]

Oral Answers to Questions

WOMEN AND EQUALITIES

The Minister for Women and Equalities was asked—

Harassment and Violence against Women and Girls

1. **Mrs Sharon Hodgson** (Washington and Sunderland West) (Lab): What recent steps the Government has taken to help tackle harassment and violence against women and girls. [904635]

The Parliamentary Under-Secretary of State for the Home Department (Miss Sarah Dines): Tackling violence against women and girls is an important Government priority. We are supporting the Protection from Sex-based Harassment in Public Bill of my right hon. Friend the Member for Tunbridge Wells (Greg Clark), which will make public sexual harassment a specific offence. We also provided more than £160,000 of funding last year to the National Stalking Helpline, run by the Suzy Lamplugh Trust, which I have met. It responded to 7,440 calls and emails from or relating to victims of stalking between last April and March this year.

Mrs Hodgson: As the Minister will know, 71% of women have experienced harassment in public spaces, yet too many people continue to accept these patterns of violence or harassment, or do not have the confidence or resources to confront such behaviour when they see it. The Northumbria police and crime commissioner Kim McGuinness recently launched a fantastic initiative for active bystander training to prevent assault and the behaviours that lead to it. What will the Government do to encourage similar positive action to tackle the root of misogyny in other places across the country?

Miss Dines: The hon. Lady is right to highlight the work of the Northumbria police and crime commissioner. We have provided £3.6 million to the safer streets fund and the safety of women at night fund. I was surprised to read that one in six adults—not only women and girls but men and boys—has been stalked. That is horrendous. The Government are funding projects in that area through substantial funding of millions of pounds.

Mr Speaker: I call the Chair of the Women and Equalities Committee.

Caroline Nokes (Romsey and Southampton North) (Con): Violence and harassment of women and girls takes place not just in this country but across the world, particularly in places such as Iran and Afghanistan.

What work is going on across Government to ensure that the UK is not a bystander when it comes to global violence against girls? In particular, what are we doing about proscribing the Islamic Revolutionary Guard Corps in Iran?

Miss Dines: My right hon. Friend knows that this issue is the responsibility of the Foreign, Commonwealth and Development Office, which leads the Government's support for human rights, particularly matters pertaining to women. This Government, through the Home Office and the FCDO, do a lot to promote women's rights. It is important that political systems in other countries are able to protect those rights. The main thing we do is sanctions, which are very important in this area. They send a clear message to all sorts of political organisations across the world, including the Iranian authorities. They will be held accountable for the oppression of women abroad.

Mr Speaker: I call the shadow Minister.

Yasmin Qureshi (Bolton South East) (Lab): Last year, nearly 5,000 spiking incidents were reported to the police in England and Wales, but the real number is likely to be far higher. Spiking is endemic in the night-time economy. Women and girls should be able to go about their business and enjoy nights out without fear. While the Government pay lip service, cases across the country are rising, yet we have no actual reporting system for this heinous crime. When will the Minister do the right thing by victims and make spiking a separate criminal offence?

Miss Dines: The Government are looking carefully and speaking to stakeholders about spiking. There are adequate criminal offences for this sort of behaviour, and we have had some quite high-profile convictions. However, the hon. Lady is right to highlight the issue. The Government will review it. Specific funding has been given, and there is better testing. Evidence is important, but we need to get women and girls, and men and boys, to come forward when they have been spiked. Spiking also affects older people; I read a case the other day of someone in their 40s who was spiked. It is essential that we work in this area.

Casey Review

2. **Dr Rupa Huq** (Ealing Central and Acton) (Lab): What discussions she has had with the Secretary of State for the Home Department on the implications of the findings of the independent review by Baroness Casey into the standards of behaviour and internal culture of the Metropolitan Police Service for people with protected characteristics. [904636]

The Parliamentary Under-Secretary of State for the Home Department (Miss Sarah Dines): The Casey review made for sobering reading about deeply disturbing allegations of racism, misogyny and homophobia in the Met. The Home Secretary and the Prime Minister have been clear that urgent improvements must be delivered. I have confidence that the Met Commissioner is leading in this area. I have also met Dame Lynne Owens, who is doing great work. We want to see improvement and we must have it.

Dr Huq: With the Police Federation now accepting that there is institutional racism, plus the vile sexism detailed by Casey and the damning fire brigade reports, will the Government order an urgent inquiry into cultures among uniformed officers, to keep workplaces and the public safe?

Miss Dines: Workplaces and the public must be safe, but I have confidence that work is going on, across the whole country but particularly in the Met, to ensure that racism is not accepted. Unfortunately, the Mayor has taken his eye off the ball; under him, crime, including issues of racism, rose by 10%. The Labour party is weak on crime and it is this Government who are holding the Met to account.

Equitable Pay: Women

3. **Patricia Gibson** (North Ayrshire and Arran) (SNP): What steps the Government have taken to help ensure that women have equitable pay. [904637]

12. **Ms Anum Qaisar** (Airdrie and Shotts) (SNP): What steps the Government have taken to help ensure that women have equitable pay. [904647]

The Minister for Women and Equalities (Kemi Badenoch): The gender pay gap has fallen by approximately a quarter in the last decade. The Conservative Government introduced gender pay gap reporting, building on the pay protections we already have in the Equality Act 2010. That has motivated employers to look at their pay data and include workplace gender equality.

Patricia Gibson: The gender pay gap feeds the pension gap, which impacts on a large proportion of women in the UK. The Government do not even have a suitable definition for the gender pension gap. I have campaigned on this issue for many years, so does the Minister agree that delays in reducing the gender pension gap are simply unacceptable? What representations has she made to her colleagues in the Department for Work and Pensions to urgently address this?

Kemi Badenoch: The gender pensions gap, as the hon. Lady has described it, is a complex issue. It is tied to the labour market, the pensions system and demographic differences. By 2030 more than 3 million women will have benefited from a higher state pension through our new state pension reforms. On average, female pensioners will receive around £570 a year more than they would have received under the previous system. That is the work that we are doing to address this issue.

Ms Qaisar: Fawcett Society evidence shows that more than a third of women want to work, but are prevented by reasons including a lack of flexible working options and affordable childcare. The reforms proposed in the UK Government's consultation still require employees to request flexible working. Will the Minister ensure that that is enshrined as a day one right to support women to remain in work and to help tackle the gender pay gap?

Kemi Badenoch: The hon. Lady will know that we are supporting the Employment Relations (Flexible Working) Bill. That private Member's Bill will deliver changes, including requiring employers to consult with an employee,

as a means of exploring alternative options, before rejecting a request for flexible working; and enabling employees to make two flexible working requests a year—up from one—and receive faster decisions on their requests. Employees will no longer be required to explain the impact of their requests for flexible working arrangements on the employer. We think that will go a long way to resolve the issues around flexible working.

Jo Gideon (Stoke-on-Trent Central) (Con): Campaigners are highlighting the twin impacts of the gender pay gap and the cost of living crisis on women. What support is my right hon. Friend giving to women who are struggling financially?

Kemi Badenoch: My hon. Friend will know that the support we provide is based on need and not protected characteristics, so the decisive action we have taken has been to support households across the UK, while remaining fiscally responsible. We are delivering the largest ever increase in the national living wage, benefiting more than 2 million people—disproportionately women—and prioritising support for the most vulnerable families, increasing benefits in line with inflation, so that more than 10 million working-age families see an increase in their benefit payments.

Mr Speaker: I call the Scottish National party spokesperson.

Kirsten Oswald (East Renfrewshire) (SNP): According to the Fawcett Society, the UK Government lag behind other European countries in making companies act to close the gender pay gap and they have failed to introduce mandatory reporting of pay differences based on ethnicity. If the UK Government are serious about driving down pay inequality, why will they not require employers to set out action plans to improve gender equality and why will they not mandate intersectional ethnicity pay gap reporting? If they are not serious and they continue to refuse to act, will they devolve employment law to Scotland so that we can do it ourselves?

Kemi Badenoch: As I have said in almost every discussion about equality—and I am prepared to say again—mandatory ethnicity reporting is not the appropriate tool. Ethnicity pay gap reporting cannot be compared to gender pay gap reporting. Gender pay gap reporting is binary; ethnicity pay gap reporting goes across at least 19 groups. It is dependent on geography, among other things, as well as representation within the workforce.

We need to do what we can to make sure that employers do the right thing, but the sorts of interventionist policies that the hon. Lady raises are not helpful and they make things worse. They obscure the data and do absolutely nothing to address the issues around ethnicity pay gap reporting that she describes.

Equality Act 2010: Protected Characteristics

4. **Angela Richardson** (Guildford) (Con): What assessment she has made of the adequacy of the definitions of protected characteristics in the Equality Act 2010. [904638]

The Minister for Equalities (Stuart Andrew): The Equality Act 2010 covers a number of protected characteristics, including age, disability, gender reassignment,

marriage and civil partnerships, race, religion and belief, sex and sexual orientation. My right hon. Friend the Minister for Women and Equalities has written to the Equality and Human Rights Commission to understand whether the Act is sufficiently clear in the balance that it strikes between the interests of people with those different characteristics.

Angela Richardson: What assessment has the Minister made of the importance of protecting single-sex spaces?

Stuart Andrew: We are committed to maintaining the safeguard that allows organisations to provide single-sex spaces. It is important to uphold the principle of being able to operate spaces reserved for women and girls. The Government are committed to tackling harassment and abusive behaviour by all individuals and to ensuring that single-sex spaces are safe. The EHRC has published guidance on the legislation. That clarity is there to help those who provide those spaces; it does not change the legal position or the law.

Christine Jardine (Edinburgh West) (LD): Just this week, the Government stated that they agree with the recommendation in the Law Commission review of hate crime laws that sex or gender should not be added as a protected characteristic. Can the Minister explain the implications for moves towards making misogyny a hate crime of violence towards women and girls? Can he assure us that there is no intention to address the protected characteristics in the Equality Act?

Stuart Andrew: Over the past few years, there have been at least 15 calls for various extra characteristics to be added. There has not been sufficient evidence for doing so, but we will always keep the characteristics under review. Let me make it very clear that this Government will absolutely do everything we can to tackle any issues around violence towards women and girls. We have been and will continue to be strong in our actions against those who seek to create harm.

Customers with a Disability: Reasonable Adjustments

5. Richard Foord (Tiverton and Honiton) (LD): What steps the Government is taking to help ensure that companies make reasonable adjustments for customers with a disability. [904639]

The Minister for Equalities (Stuart Andrew): The Equality Act 2010 places a duty on businesses and service providers to make reasonable adjustments to improve disabled people's access to the goods and services that they provide. It is imperative that disabled people are not placed at a substantial disadvantage in comparison with those who are non-disabled.

Richard Foord: Maggie from my part of east Devon is one of 11 million people in this country who have hearing loss. Maggie went to a well-known high street branch and explained that because of her hearing she is unable to use the phone. She was offered a 50-mile round trip to Exeter instead. In pursuit of the Equality Act, can the Minister explain what the Government are doing to ensure that banks and big businesses make reasonable adjustments for those with hearing loss?

Stuart Andrew: I am sorry to hear the example that the hon. Gentleman gives about his constituent. Under the Equality Act, it would be indirect discrimination if

a service provider put in place rules or procedures that applied in the same way for everyone but had a disproportionate adverse effect on particular groups. I am more than happy to meet the hon. Gentleman to discuss the issue and see whether further action can be devised for his constituent.

Sir Oliver Heald (North East Hertfordshire) (Con): Does my right hon. Friend agree that this goes hand in hand with Access to Work? Does he agree that it is important that those who assess for Access to Work grants should not be too much the generalist? They should have specific knowledge of the condition of the person concerned. I would be interested to know whether the Minister has any plans to explain how the situation might be improved, because I have had one or two complaints.

Stuart Andrew: The Minister for Disabled People, Health and Work is looking at the matter as we speak, to see how things can be streamlined. I will be more than happy to update my right hon. and learned Friend with further details.

Maternal Health Disparities

6. Olivia Blake (Sheffield, Hallam) (Lab): What recent discussions she has had with the Secretary of State for Health and Social Care on tackling maternal health disparities. [904640]

9. Helen Hayes (Dulwich and West Norwood) (Lab): What discussions she has had with the Secretary of State for Health and Social Care on racial inequalities in maternity care. [904643]

The Minister for Women (Maria Caulfield): It is this Government who have recognised that maternal disparities do exist for black, Asian and minority ethnic women and those from economically disadvantaged backgrounds. That is why in February last year we set up the maternity disparities taskforce to tackle those disparities.

Olivia Blake: Does the Minister agree that we owe huge thanks to my hon. Friend the Member for Streatham (Bell Ribeiro-Addy) for her work as chair of the all-party parliamentary group on Black maternal health? Secondly, black women are four times more likely to die during pregnancy and childbirth and 43% more likely to miscarry. The Women and Equalities Committee's report highlights that the Government are failing to act. Ironically, the maternity disparities taskforce meets every nine months instead of every two months. Will the Minister commit today to setting a binding target and providing properly resourced solutions to end this scandal and these disparities?

Maria Caulfield: I am happy to place on record my thanks to the hon. Member for Streatham (Bell Ribeiro-Addy), who does fantastic work in this place. I should point out that the figure is lower than that—it is now 3.5—but it is still too high, and we are doing record amounts of work to try to reduce it. Only last month the NHS published its "Three year delivery plan for maternity and neonatal services" with the aim of ending disparities in pregnancy and childbirth, and the maternity disparities taskforce is currently looking into pre-conception care, because many of those disparities are embedded years before a woman becomes pregnant.

Helen Hayes: Whether black women are 3.5 or four times more likely to die in childbirth, it is a shameful and inexcusable reality that that is the case in our country. The Women and Equalities Committee has been clear about the Government's own failings in this regard, criticising a lack of accurate data, a lack of funding for maternity services, a lack of consistency of care across the country, a lack of representation of black women in the maternity disparities taskforce, and a downplaying of the role of racism in the issue. When will the Government get a grip on this disgraceful injustice, with the urgency that it demands?

Maria Caulfield: It is entirely wrong to suggest that the taskforce does not represent black women, given that Professor Jacqueline Dunkley-Bent, its co-chair and one of the most renowned midwives in the world, is a black woman herself. She has been leading and driving forward this work, including work on local maternity and neonatal systems and the publication of equity and equality action plans; I am sure that the hon. Member has read the plan for her own area. Meanwhile, the Nursing and Midwifery Council is introducing standards including the expectation of cultural competence, NHS England is introducing workforce diversity and the "Getting to Equity" programme to ensure that aspiring ethnic minority midwives are promoted, and the maternal medicine networks are targeting black women in particular with the aim of improving their overall health during pregnancy. Significant work is being done in this regard.

Theresa Villiers (Chipping Barnet) (Con): It is very disturbing that there are such serious disparities in maternal health outcomes affecting black women. Can the Minister reassure us that the Government are looking into the causes? Until we know what it is causing the problem, we will not be able to solve it.

Maria Caulfield: My right hon. Friend is exactly right, and that is why the taskforce is focusing on pre-conception care. Many of the disparities have been there for years before a woman becomes pregnant, and we are working with stakeholders to establish how we can improve access to pre-conception care, which will make a huge difference to the outcomes of pregnancy and birth.

Cherilyn Mackrory (Truro and Falmouth) (Con): As chair of the all-party parliamentary group on baby loss, I have heard evidence suggesting that we can help women in this position by providing continuity of carer, which helps to expose lifestyle choices and experiences such as domestic violence that may affect people from ethnically diverse or social deprived backgrounds. What is the Department doing to expand that continuity of carer for those who need it?

Maria Caulfield: I can reassure my hon. Friend: we are spending £7 million to ensure that 75% of black, Asian and minority ethnic women are being cared for by the same midwife during their pregnancies, because we know that continuity of carer improves outcomes for those women.

Mr Speaker: I call the shadow Secretary of State.

Anneliese Dodds (Oxford East) (Lab/Co-op): My understanding is that the figure for the black maternal mortality gap is actually 3.7, and that the gap is twice as likely to affect Asian women, while women living in deprived areas are two and a half times more likely to die than those in the least deprived areas. Scandalously, even before the pandemic hit, the number of maternal mortalities increased by 12% over the previous six years of Tory government. As the Minister said, the maternity disparities taskforce was supposed to be tackling this. May I ask her how many months elapsed between its last two meetings?

Maria Caulfield: We absolutely recognise that these disparities have existed for decades, and we are the first Government ever to recognise that and to set up a maternity disparities taskforce to tackle the problems. We met on 18 April, and have set about introducing the toolkit that will enable us to look at pre-conception care. As we know, many women face disparities long before they become pregnant and long before they give birth, and it is tackling those pre-conception disparities that improves their outcomes.

Anneliese Dodds: The Minister did not answer my question, I think because she knows the answer. The taskforce did not meet for nine months, then it was suddenly convened the day after a damning report had been published. No Government who were serious about this would allow enough time for a baby to be carried to term to elapse between meetings; nor would they scrap continuity of carer targets—not mentioned by the Minister—or omit serious action against maternal disparities from their women's health strategy. Labour would restore maternity services, training 10,000 midwives and nurses a year, paid for by scrapping the non-dom tax exemption. Why are the Government letting women pay the price for their failures?

Maria Caulfield: The Government do not need to have a meeting to take action. We are working night and day to drive down these disparities, with £165 million going into funding maternity services overall. There is £95 million to pay for 1,200 more midwives and another 100 consultant obstetricians. I am sure the hon. Lady has read, page to page, the three-year maternity plan—

Anneliese Dodds *indicated assent.*

Maria Caulfield: She says she has; I hope she has. The plan focuses on driving down inequalities in both maternal and neonatal care, and it would be great if we could have cross-party support for this groundbreaking work.

Topical Questions

T1. [904650] **Michael Fabricant** (Lichfield) (Con): If she will make a statement on her departmental responsibilities.

The Minister for Women and Equalities (Kemi Badenoch): Last week, we published a report on the substantial progress we have made in delivering our groundbreaking Inclusive Britain action plan to tackle unfair ethnic disparities. Just one year after we launched the action plan, we fulfilled 32 of the 74 commitments, including issuing voluntary guidance for employers on how to measure and address ethnicity pay gaps, and I will report

back to Parliament in 12 months' time on the progress we have made on delivering the remaining actions to build a stronger, fairer and more united society.

Michael Fabricant: I thank my right hon. Friend for her answer. While I fully understand the need for protected places for women—I totally support that—and the issues when it comes to sports, I am growing increasingly concerned that trans people are becoming demonised in some quarters. What is the Secretary of State doing to protect the interests and the very nature of genuine trans people?

Kemi Badenoch: I want to emphasise that the Government believe in the principle of individual liberty and in the humanity and dignity of every person, and in everything we do we want to make sure that we take the toxicity out of the debate. A lot of the demonisation is happening out there on social media. We have a responsibility to make sure that all trans people have that dignity and are looked after.

In terms of other things we are doing, NHS England is working to expand clinical capacity in adult gender identity services by establishing new pilot clinics rooted in primary care and sexual health services. Four of those new clinics have opened since 2020 and a fifth is opening this year. They will be able to provide a lot of the healthcare that trans people need.

T2. [904651] **Chris Stephens** (Glasgow South West) (SNP): New research from the Living Wage Foundation shows that over 2 million women in the UK earn below the real living wage and that women are more likely to be trapped in low-paid, insecure and precarious jobs. Will the Minister work with Cabinet colleagues to ensure that their work actually pays, by introducing a real living wage and strengthening protection for workers on zero-hours contracts? [R]

The Parliamentary Under-Secretary of State for Work and Pensions (Mims Davies): I thank the hon. Gentleman for raising the issue of women being able to progress and do well in work. That is why the Department for Work and Pensions has a focus on in-work progression, giving women who have childcare, training or other needs in particular the support they need to progress and thrive in work.

T7. [904657] **Dr Luke Evans** (Bosworth) (Con): We know that between half a million and a million people in the UK are using steroids, particularly to improve their body image. Some studies show that this is even more prolific in the gay community, with usage up to six times higher than among their straight counterparts. Will the Department work with the Department for Culture, Media and Sport and the Department of Health and Social Care to commission a study of anabolic steroid use in the UK?

The Minister for Equalities (Stuart Andrew): I commend my hon. Friend for the extensive work that he has done in this important area. I absolutely agree with his analysis, and as a DCMS Minister and the Minister for Equalities, I can assure him that I will be taking a keen interest in this area of work.

T3. [904652] **Kenny MacAskill** (East Lothian) (Alba): The Ministry of Justice has made welcome changes on transgender prisoners, excluding those guilty of not only sexual offences but violent offences from the general women's estate, as well as those who are still physically male, and so accepting the vulnerability of females on the basis of sex at birth. Does the Minister accept the need, not just in justice institutions but across other Departments, for both single-sex spaces and single-sex services, based on the criterion of sex at birth?

The Minister of State, Ministry of Justice (Damian Hinds): Yes, of course safety must come first. Although it is true that more than 90% of transgender women prisoners are in the male estate, it is right that we have further strengthened our policy for those who have committed sexual or violent offences, and for those who retain their birth genitalia, who can be housed elsewhere only in truly exceptional circumstances, on a case-by-case basis.

PRIME MINISTER

The Prime Minister was asked—

Engagements

Q1. [904684] **Tim Loughton** (East Worthing and Shoreham) (Con): If he will list his official engagements for Wednesday 26 April.

The Prime Minister (Rishi Sunak): The UK will continue to work to end the bloodshed in Sudan and to support a democratic Government. We have begun a large-scale evacuation of British nationals, and I pay tribute to all those carrying out this complex operation.

This morning I had meetings with ministerial colleagues and others. In addition to my duties in this House, I shall have further such meetings later today.

Tim Loughton: Yesterday, the Opposition grabbed a crude headline about teaching boys to have respect for women—an important issue, as I am sure the Prime Minister will agree—but given that the Leader of the Opposition apparently does not know what a woman is, that he will not stand up to defend women in his own party who voice views on women's rights and that, according to his own Front Bench, he failed to prosecute rapists when he was Director of Public Prosecutions, does my right hon. Friend think the Labour party is in any position to teach anyone about respect for women? And is irony dead?

Mr Speaker: Order. I will call the Prime Minister but, in fairness, he is not responsible for answering for the Opposition.

The Prime Minister: My hon. Friend is absolutely right. The Leader of the Opposition's record on women is questionable at best. Before Labour starts preaching about this issue, it should work out the answer to one very simple question. I am certain what a woman is. Is he?

Mr Speaker: I call the Leader of the Opposition.

Keir Starmer (Holborn and St Pancras) (Lab): I join the Prime Minister in paying tribute to the brave British personnel involved in the evacuation effort from Sudan. The Government must do everything in their power to urgently evacuate UK nationals still trapped in Sudan.

Yesterday, George Osborne said that the Tory party's handling of the economy makes them "vandals". He is right, isn't he?

The Prime Minister: While we are in the business of quoting former Chancellors and shadow Chancellors, I do not know whether the Leader of the Opposition saw yesterday's remarks by a former Labour shadow Chancellor, who said that our country has faced four once-in-a-century shocks or threats to our economy, and that the fact we have come through that is "a triumph".

Keir Starmer: The former Chancellor not only said that they are a bunch of Tory vandals but that the country has faced a "self-induced financial crisis". That is those vandals. They like to pretend it was all just one week of madness last autumn, but the truth is that it has been 13 years of failure. Real wages—the money in people's pockets—have fallen by £1,600 per household, and the Prime Minister's response was to impose 24 Tory tax rises in three years. How on earth does he think his low-growth, high-tax economy is working for working people?

The Prime Minister: Because of the action we have taken on the national living wage, which is at record levels, on pensions, on universal credit and on yesterday's generous cost of living payments, almost 8 million households are receiving direct support from this Conservative Government. We are supporting working people. Just this week, in the other place, we have seen the right hon. and learned Gentleman's party side with protesters and picketers. He should try backing working people.

Keir Starmer: People are £1,600 worse off. I am genuinely fascinated to know: does the Prime Minister really think that everything is fine? Or is he just clueless about life outside his bubble?

The Prime Minister: Because of the actions we have taken—[*Interruption.*] Well, let us just go over it. A single mother working full time on the national living wage this year will get £1,300 more support from this Government. A working couple on a low income with two children will get £1,800. That is what delivering for working Britain looks like. But if the right hon. and learned Gentleman has any actual ideas for the economy, he should say so, because all I hear from the party opposite is more spending, more borrowing, higher inflation and higher interest rates. It is the same old Labour party.

Keir Starmer: This is Mr 24 Tax Rises; I have never heard anything so out of touch as the answer that he has just given. It is not just about his refusal to take any responsibility for the damage the Conservatives have done through the crashed economy and the hit to living standards; it is also that he refuses to take the action that is needed. He could stop the handouts he is giving to oil and gas giants. He could scrap his beloved non-dom status. He could put that money back in the hands of working people and get the NHS back on its feet. That is what a Labour Government would do. Why doesn't he do it?

The Prime Minister: The record is clear. Look at it right now: record numbers of people in work, inequality lower, the number of people in poverty lower, and the

lowest numbers on record for those in low pay.¹ The right hon. and learned Gentleman talks about this non-dom thing. I think he has already spent the money that he claims he would raise on five different things, because it is the same old Labour party: they are always running out of other people's money. [*Interruption.*]

Mr Speaker: Order. We had enough of this last week and I am certainly not having this continuous noise. Just be aware that somebody will be going for that cup of tea today.

Keir Starmer: The Prime Minister calls it "this non-dom thing". Let us be honest about what his refusal to scrap the non-dom status means. It means that at every possible opportunity he has voted to put taxes up on working people, while at the same time taking every possible opportunity to protect a tax avoidance scheme that helps his own finances. Why is the Prime Minister telling people across the country that their taxes must go up so that his can stay low?

The Prime Minister: The facts are these: the very wealthiest pay more tax and the poorest pay less tax today than they did in any year under the last Labour Government, and we have also boosted the national living wage, universal credit and pensions. Let us look at the rank hypocrisy of it. As we saw last week, when it comes to the right hon. and learned Gentleman's own special pension scheme—I said it last week, but I will say it again—it is literally one law for him and a tax rise for everybody else.

Keir Starmer: Here is the difference: I would scrap the Prime Minister's pension giveaway whether it affected me or not. He refuses to scrap the non-dom status that benefits him and his family. I can see why he is attracted to "this non-dom thing". This Prime Minister is so removed from the country that he boasted that he did not know a single working-class person, so insulated from reality that he proudly told a Tory garden party how he had moved money from poorer areas and handed it to rich ones, and so out of touch that he looks at a petrol pump and a debit card like they have just arrived from Mars. Is it any wonder that he smiles his way through the cost of living crisis while putting other people's taxes up? Is it any wonder that he doesn't have a clue how food prices are hammering families across the country? And is it any wonder that under him people are paying more and more, and getting less and less?

The Prime Minister: Let us look at what has happened just this week to see where Labour Members have put themselves. On Monday, in the other place, they decided to side with extremist protesters. Just yesterday, they sided with polluters—[*Interruption.*] And tonight, we will see them siding with the people smugglers. Meanwhile, we are in the business of sending back the 1,000 illegal migrants from Albania, we delivered cost of living payments to millions of households just yesterday, and today we have announced that we have put 20,000 more police officers on the street. We are siding with the British people, Mr Speaker. That is what a Conservative Government do.

Q3. [904686] **James Grundy** (Leigh) (Con): Sixty years ago, Golborne Urban District Council wrote to the Government about the urgent need for a bypass for my

1.[*Official Report*, 27 April 2023, Vol. 731, c. 8MC.]

constituency of Leigh. Forty years ago, the central section of that bypass, the Atherleigh Way, was constructed, but to this day the bypass remains unfinished, leading to daily gridlock in some areas of the community. Will the Prime Minister support my proposals to complete the Atherleigh Way, and will he meet me to discuss them further so that we can get Leigh moving again?

The Prime Minister: I commend my hon. Friend for his campaigning on this issue. I know that there have been a number of proposals for road improvements in his area. He will know that it is for the local highway authority to develop those plans, but I know that a meeting is planned in June to move proposals forward and that he will take his energy and enthusiasm for his campaign to that meeting. I wish him well.

Mr Speaker: I call the SNP leader.

Stephen Flynn (Aberdeen South) (SNP): Will the Prime Minister outline the safe and legal route available to a child refugee seeking to flee Sudan and come to the United Kingdom?

The Prime Minister: As I outlined earlier, our priority in Sudan first and foremost was to evacuate our diplomats and their families, and I am pleased to say that we were one of the first countries to be able to do so. Since yesterday, we have been conducting a large-scale evacuation of British nationals. We have some of the largest numbers of British nationals on the ground and, rightly, as I am sure the whole House will agree, it is reasonable, legal and fair to prioritise the most vulnerable families, particularly those with elderly people, people with medical conditions and children. That is what we are in the process of doing, and I pay tribute to all those who are making it possible.

Stephen Flynn: To be clear, and I think everyone in the House is aware of this, children in Sudan are already dying. Whether it is a Tory slogan to stop the boats or a Labour slogan to stop small boats, we need more humanity in this debate, rather than the race to the bottom that we see here today. Now that the Prime Minister has confirmed that there is no safe and legal route, will he confirm that it would therefore be his Government's intention to detain and deport a child refugee who flees Sudan and comes to the United Kingdom?

The Prime Minister: In fact, because of the efforts of our aid teams, we have invested almost £250 million in humanitarian support in Sudan over the past five years. The hon. Gentleman always does this, but this country has a proud record of compassionately supporting those who need our assistance. Just over the past few years, we have welcomed almost half a million vulnerable people to our country, including many children. We want to make sure that we continue with that compassion, which is why it is precisely right that we make sure that our system is not exploited by those coming here illegally, and that is what our Bill will deliver.

Q5. [904688] **Dr Luke Evans** (Bosworth) (Con): Liberal Democrat-run Hinckley and Bosworth Borough Council does not have an up-to-date local plan, so every day that goes by, we have speculative housing applications that put pressure on the infrastructure, such as GP surgeries, schools and roads. Locally, the Lib Dems say that it is due to the Government's

300,000 target, yet the Lib Dems have a target of 380,000. Will the Prime Minister change the law to ensure that communities such as Burbage, Barwell, Markfield and Market Bosworth get the infrastructure and protection they need for the houses that we need?

The Prime Minister: My hon. Friend is right to point out the hypocrisy of the local Liberal Democrats on that and to highlight the issue locally. The new infrastructure levy gives local areas the power to deliver the local infrastructure that he supports and wants for his area. He is also absolutely right to point out the importance of a local plan. Having a local plan is precisely what gives communities the power to ensure that development in their area happens the way they want it to, and the council is failing in its duty to do that for its communities by not putting forward the local plan.

Liz Saville Roberts (Dwyfor Meirionnydd) (PC): Incredibly, any traveller wanting to go by train from north to south Wales has to go via England. Linking Wales north to south would cost £2 billion. The Prime Minister talks about running away with other people's money, but his Government are depriving Wales to the tune of £6 billion by ruling that north-south England rail links such as HS2 somehow benefit Wales. Will he plead guilty to the great Welsh train robbery?

The Prime Minister: The right hon. Lady knows how transport matters are handled in Wales. We always want to work co-operatively with the Welsh Government to see where we can deliver jointly for people in Wales. We are actually investing record sums in communities up and down Wales through the levelling-up fund and the community ownership fund. We are happy to continue those conversations and many of those are transport projects. Hopefully, she will join me in saying that what the people of Wales do not need is the Labour Welsh Government's plan to ban all building of new roads.

Q9. [904692] **Harriett Baldwin** (West Worcestershire) (Con): Will the Prime Minister back our local plans to reopen our much-loved Malvern Hills College, and does he agree that Warwickshire College Group should negotiate the sale in good faith and not resort to using public money to sue our district council?

The Prime Minister: I thank my hon. Friend for raising this issue. I of course recognise the valuable work that all colleges do in meeting local skills needs, and very much welcome local community groups working together to address gaps, as her local area is doing. My understanding is that my right hon. Friend the Education Secretary is in discussions with the college, and I know that my hon. Friend will continue making representations to her.

Q2. [904685] **Fabian Hamilton** (Leeds North East) (Lab): My constituent Ian Greenwood tragically lost his 12-year-old daughter in a road traffic collision that should never have happened. Ian is now campaigning for Leeds Vision Zero, which aims to end road deaths and serious injuries by 2040. We really have to make our roads much safer. Will the Prime Minister commit to giving local authorities sufficient funding to ensure that vehicle collisions can never take a young life again?

The Prime Minister: I am incredibly sorry to hear about the tragic loss of Ian's daughter. Of course we should do everything we can to improve road safety. I know that at the moment we are doing an enormous amount, and the statistics show that it is improving, but we are always happy to look at where we can do more, and I know that the Transport Secretary will look into the suggestions the hon. Gentleman raises.

Q10. [904693] **Rob Roberts** (Delyn) (Ind): The village of Northop Hall in my constituency has about 1,000 residents. Last year, Northop Hall Hotel, on the edge of the village, was bought, and there are now proposals to house 400 single male migrants in the building and in shipping containers stacked around the grounds. The village has one small shop, no transport links and a health board in complete meltdown. Can the Prime Minister facilitate a meeting for me and some local residents with the Home Secretary to hear the concerns of the local residents, who are worried that the Government are just not listening to them?

The Prime Minister: The hon. Gentleman raises exactly why we need to take action, because it is not right that our local hotels in all our communities are being used to such a degree to house illegal asylum seekers, not least because it is costing the British taxpayer something like £5.5 million or £6 million a day. We want to put an end to that, which is why we are bringing forward legislation that will enable us to swiftly detain and send back those who should not be here. But I will make sure that he gets a meeting with the Immigration Minister as he needs.

Q4. [904687] **Kerry McCarthy** (Bristol East) (Lab): Trussell Trust figures out today show that its food banks gave out a record number of meals over the past year: nearly 3 million meals, 1 million of which went to children. The Prime Minister is fortunate that he is a wealthy man, but all these families want is to be able to put food on the table and feed their own children without having to resort to food banks. Does he think that is too much to ask?

The Prime Minister: As I have said previously, we absolutely do not want anyone to have to rely on a food bank but, while there are people who do use them, I am very grateful to all those who volunteer their time to make sure they are provided in their local communities. We have put substantial provision in place, not least the infant free school meals and broader free school meals, which are helping almost 2 million children, but also, last year, the investment in the holiday activity and food programme, which provides not just food but activities outside term time. We will continue to do everything we can to help those in low pay, which is why we are raising the national living wage to record levels, and I am pleased to say that the number of those living in poverty today is 2 million lower than when we first came into office.

Q11. [904694] **Dr Caroline Johnson** (Sleaford and North Hykeham) (Con): E-cigarettes were introduced as stop-smoking devices, but remarkably cheap, brightly coloured vapes, with flavours such as unicorn milkshake, bubble-gum and green gummy bear, have proven remarkably attractive to children, hooking them to a lifetime of

potentially harmful nicotine addiction. Will my right hon. Friend meet me to talk about how work across Government Departments can help stop our children becoming hooked on vapes, and will he back my ten-minute rule Bill to ban disposable vapes?

The Prime Minister: I commend my hon. Friend for her work in this area. I absolutely recognise the concern that she raises, both on the environmental impact of disposable vapes and on their appeal to children. The Department of Health and Social Care has announced a call for evidence to look at reducing youth vaping, including on vape appearance, flavours and marketing. We have also been clear that all electrical waste should be disposed of properly, and the Department for Environment, Food and Rural Affairs is looking actively at what changes in legislation might be needed to ensure that the vaping sector foots the bill for the collection and treatment of its used products.

Q6. [904689] **Vicky Foxcroft** (Lewisham, Deptford) (Lab): As we celebrate the lives of Lily Savage and Dame Edna Everage, Turning Point UK is planning to protest at a drag story time event in my constituency on Saturday for the third time this year. Those events are friendly, inclusive opportunities for children to hear a story and learn about equality. By contrast, Turning Point UK members seek to intimidate our young people. They share misleading images on social media implying that the events are inappropriate. Will the Prime Minister condemn Turning Point UK's attempts to spread hatred and division in my constituency and across the country?

The Prime Minister: I am not aware of the specific allegations that the hon. Lady brings to light, but in general we should treat everybody with respect, understanding and compassion, and people should be allowed to gather and associate freely, within the bounds of the law. But, as we have said, it is important that the material that children are exposed to in classrooms is sensitive and age-appropriate, and that is why we are currently reviewing the relationships, sex and health education guidance.

Q13. [904696] **James Morris** (Halesowen and Rowley Regis) (Con): This year marks the 400th anniversary of the publication of Shakespeare's first folio. Not only are his plays a central part of our national culture, but many people around the world see them as a beacon of hope in darkest times. I recently met Professor Nataliya Torkut, the director of the Ukrainian Shakespeare Centre, who told stories of actors, directors and scholars putting on Shakespeare plays in air raid shelters in Ukraine as an act of defiance against Russian aggression and bombs. Does the Prime Minister agree that, notwithstanding the sound and fury of domestic politics, we have in Shakespeare's works a force for freedom in a world often dominated by the brutality and tyranny of oppressive regimes?

The Prime Minister: I join my hon. Friend in his comments. Coincidentally, one of the first gifts that I gave President Zelensky was an old copy of "Henry V", so my hon. Friend's comments are well made. We are training and arming the Ukrainian forces with the equipment that they need to push back Russian forces.

I know that the whole House will join me in saying that the people of Ukraine's incredible strength and inspiring bravery will ultimately defeat tyranny.

Q7. [904690] Bell Ribeiro-Addy (Streatham) (Lab): This month marks 23 years since the passing of the late, great Bernie Grant, a former Member of this House and the founder of the reparations movement in the UK. In the last Prime Minister's questions before his death, he asked for an apology to the people of African descent, living and dead, for our country's role in slavery and colonialism, but since then Prime Ministers and Heads of State have only ever expressed sorrow or deep regret—not sentiments befitting one of the greatest atrocities in human history—and there has been no acknowledgment of the wealth amassed or of the fact that our country took out its largest ever loan to pay off the slave owners and not the enslaved. Will the Prime Minister do what Bernie Grant asked all those years ago, and what I and countless others have asked since, by offering a full and meaningful apology for our country's role in slavery and colonialism, and committing to reparatory justice?

The Prime Minister: No, what I think our focus should now be on doing, while of course understanding our history in all its parts and not running away from it, is making sure that we have a society that is inclusive and tolerant of people from all backgrounds. That is something that we on the Government Benches are committed to doing and will continue to deliver, but trying to unpick our history is not the right way forward and is not something we will focus our energies on.

Q14. [904697] Mark Pawsey (Rugby) (Con): The Prime Minister will recall his visit to Rugby to see our great work in delivering new homes and the new community of Houlton, where 1,000 of 6,000 homes are now occupied. Regrettably, urgent care services at our local Hospital of St Cross are not keeping pace with growth and, as a consequence, 80,000 of my constituents now live more than 15 minutes' drive from a major A&E unit. Will the Prime Minister return to Rugby to see for himself the need to upgrade our emergency care provision?

The Prime Minister: It is vital that people can access the NHS services they need, and particularly emergency care, which is why we are investing an extra £1 billion of dedicated funding to support urgent and emergency care services. My hon. Friend will know that specific provision is a matter for local NHS commissioners and providers, because plans for those things need to be developed locally and take into account the expanding needs of local populations. I know that my hon. Friend will continue to engage with his local NHS trust to ensure that the views of his constituents and communities are well known and adequately provided for.

Q8. [904691] Angela Crawley (Lanark and Hamilton East) (SNP): Every day, I meet constituents who are struggling to make ends meet, food banks are barely managing to meet the demand, and households and businesses up and down the country are struggling to meet their energy bills, yet the Bank of England has announced that it is likely once again to increase interest rates, which will affect the poorest the most and

hike up mortgage rates again. After 13 years of Conservative government, does the Prime Minister agree with the Bank of England's chief economist that the poorest should just accept being poorer?

The Prime Minister: We are doing an enormous amount to support those who most need our help with the cost of living and some of the pressures that they face on energy bills in particular. That is why we made the decision to tax the windfall profits of energy companies and use that money to help pay around half a typical family's energy bills. That support is worth £1,500 and applies across the United Kingdom. On top of that, direct payments are going to the most vulnerable families in our society. Just yesterday the first of three payments went out, and that £300 went to one in three households, including many in Scotland. That is our Conservative Government delivering for the people of Scotland and making sure that they have the help they need to manage some of the pressures they are facing.

Sir Robert Goodwill (Scarborough and Whitby) (Con): In Yorkshire, we say that a person should be judged by the company they keep. What is the Prime Minister's view of an individual who can not only bear to spend more than 10 minutes in the presence of Vladimir Putin but refers to him as a "dear friend"?

The Prime Minister: I think our views on President Putin are well known. His illegal war in Ukraine has caused untold misery for many people. It has caused a humanitarian crisis and is still ongoing, in defiance of international condemnation and sanction. We will do everything we can to bring those responsible for war crimes to justice, continue to support Ukraine militarily, and make sure that we can support Ukrainians all the way to victory. I know the whole House is united in wanting that outcome.

Q12. [904695] Sir George Howarth (Knowsley) (Lab): The Prime Minister will be aware that, given the chronic lack of capacity in the NHS, community pharmacies can help to deal with minor illnesses. But there is a problem: on average 10 pharmacies close every month in England. Will he take urgent action to prevent further closures and commission a properly funded "pharmacy first" service for minor illnesses?

The Prime Minister: There is rare agreement between the right hon. Gentleman and myself: I am a wholehearted champion of and believer in the role that community pharmacies can play. We want to make sure that they can do everything they can to ease some of the pressures in primary care. We are actively talking to the sector about that and will always continue to do everything we can to support community pharmacies. I know at first hand how respected they are in their communities, and I think they can do more for us over time.

Sarah Atherton (Wrexham) (Con): After a 15-year break, Wrexham association football club is back in the English football league. Will the Prime Minister join me in congratulating everyone at the club, including the loyal supporters and the owners, Ryan Reynolds and Rob McElhenney, and does he agree that Wrexham is no longer a neglected place but is quickly becoming a jewel in the crown of the United Kingdom?

The Prime Minister: I join my hon. Friend in congratulating everyone at Wrexham, from the owners to the players, the supporters and everyone in the community. It has been an incredible ride; we have all enjoyed watching them, and we wish them every future success. I join her in saying that they are indeed a jewel in the crown, and she deserves enormous credit for championing them in this place.

Q15. [904698] **Peter Grant** (Glenrothes) (SNP): After an investigation ordered by the Prime Minister himself, a senior Conservative MP was found guilty of bullying—found guilty of behaviour that was “persistently aggressive”

and “intimidating”. The MP in question then attempted to blame his victims, and a whole string of Conservative MPs queued up to defend him, suggesting that his conduct was not only acceptable but was actually good management practice. What does it say about the Prime Minister’s own values that he has done nothing to distance himself from those comments?

The Prime Minister: When formal complaints were made, I rightly initiated an independent investigation, and as soon as it reported, action was taken. That is the right thing to do—to follow due process, and then let the process play out—but I do think it is somewhat odd to be getting lectures on values right now from the SNP.

Police Uplift Programme

12.32 pm

The Minister for Crime, Policing and Fire (Chris Philp): With permission, Mr Speaker, I will make a statement about the Government's police uplift programme.

Today is a significant day for policing. We can officially announce that our unprecedented officer recruitment campaign has met its target. We said we would recruit an extra 20,000 officers since 2019, and we have; in fact, we have recruited an extra 20,951 additional officers. That means that we now have a record number of officers—149,572—across England and Wales, 3,542 more than the previous peak. I am sure that colleagues will want to join me in celebrating those record police numbers.

This is the culmination of a colossal amount of work from police forces, the National Police Chiefs' Council, the College of Policing, the Home Office and beyond. They have my heartfelt gratitude and admiration, and I pay tribute to the officials and police officers who made this possible. I feel honoured and privileged to have been able to take this programme to its successful conclusion. I especially express my thanks to my right hon. Friends the Members for Uxbridge and South Ruislip (Boris Johnson), for Witham (Priti Patel), and for North West Hampshire (Kit Malthouse) for their work, as well as to the Prime Minister for his work as Chancellor, financing this programme. Their vision and leadership were instrumental in helping us reach this point, and I know they will share my delight today. I also pay tribute to my right hon. and learned Friend the Home Secretary, who has energetically steered this campaign to its successful conclusion, and again to my right hon. Friend the Prime Minister, for his continued support and encouragement.

This was not a simple task. There have been challenges along the way and people doubted our prospects of success, but by sticking to the course and believing unequivocally in the cause, we have done it. To every single new recruit who has joined up and helped us reach our goal, I say thank you. There is no greater or more noble example of public service, and they have chosen a career like no other. Not everyone will be as happy as we are today. Criminals must be cursing their luck, and so they should, because these extra police officers are coming after them.

Not only are there more police officers than there have ever been at any point before, but the workforce is more diverse than it has been before, too. There are now a record 53,083 female police officers in post, compared with 39,135 in 2010. There are 12,087 officers identifying as ethnic minorities, compared with 6,704 in 2010. That is a significant increase, which I am sure the shadow Home Secretary, the right hon. Member for Normanton, Pontefract and Castleford (Yvette Cooper) will shortly be warmly welcoming. There are more officers working in public protection, in local policing and in crime investigations. There are now 725 more officers working in regional organised crime units tackling serious and organised crime, as promised.

While it is right today that we pause and reflect on the tremendous success of the police uplift programme, this is not the end. It is about more than just hitting a number. It is the latest step in our mission to crush crime and make our country safer. The public want to

see more officers on the beat, patrolling local neighbourhoods, and that is what they are seeing. The public want to see courageous and upstanding public servants in whom they can have pride and can trust, and we are working to deliver that, too. The public rightly expect police forces to use this increased strength and resources to the best available effect. They want to see criminals caught and locked up, so that they feel safe and secure, whether in their homes or out and about. They want police officers to focus on the issues that matter most to them.

We have made extremely good progress already. Since 2010, crime in England and Wales, excluding fraud and computer misuse, has fallen by 50%. It was double under the last Labour Government, and I have still not received an apology from the shadow Home Secretary for having served in a Government who presided over crime levels twice what they are now. The crime survey of England and Wales, approved by the Office for National Statistics, also shows burglary down 56% since the last Labour Government left office, robbery down 57% and criminal damage down by 65%—[*Interruption.*] The Opposition do not like to hear it, but I am going to keep telling them. Violence is down by 38%, and for people who are into riding bicycles, even bicycle theft is down by 49% under this Government. Figures also show reductions in homicide, serious violence and neighbourhood crime since December 2019.

Crime, however, is a broad and ever-evolving menace, which is why we are addressing it from all angles, acting to turn the tide on drug misuse with our 10-year strategy and cracking down on county lines, of which we have closed down thousands in the past three years. We are stepping up our efforts to tackle domestic abuse, violence against women and girls and child sexual abuse. I can see in her place my colleague who is leading that work, the safeguarding Minister, my hon. Friend the Member for Derbyshire Dales (Miss Dines). We are supporting law enforcement in the fight against serious and organised crime, terrorism, cyber-crime and fraud. We have shown that where our constituents express concern about an issue, we listen and we act, as demonstrated by the recent antisocial behaviour plan.

We are going to keep up the momentum in this area. We will challenge the police, of course, but also support them. We expect police forces to maintain these officer numbers going forward. We expect to see these police on the streets protecting the public, preventing crime and prosecuting criminals. It is vital that police forces up and down the country seize the opportunity created by these record numbers of police officers. As the Home Secretary has made clear, common-sense policing is the way forward.

The Government are holding up our side of the bargain. We introduced measures recently to cut the amount of red tape that has been wasting police time. We are introducing new measures to improve issues concerning ethics and integrity in police conduct, which have rightly been of recent concern. If any colleague wants to come and discuss these issues with me in more detail, I will be in the large ministerial conference room under this Chamber at 3 o'clock for half an hour and I am very happy to meet colleagues to discuss these issues in more detail.

We said that we would recruit an extra 20,000 officers since 2019 and we have delivered that. We said that we would have record numbers of police officers and we

[Chris Philp]

have delivered that. We said that we would cut crime since 2010 and, according to the crime survey of England and Wales, we have delivered that as well. I commend this statement to the House.

Mr Speaker: I call the shadow Home Secretary.

12.40 pm

Yvette Cooper (Normanton, Pontefract and Castleford) (Lab): The Home Secretary has been out on the airwaves this morning but she is scared to defend her record in this House, and little wonder because that statement was a joke. Where are the Tories pretending to have been for the last 13 years? They cut 20,000 police officers. Belatedly, they set a target to patch up their own cuts and now they want us all to be grateful. They want the country to applaud them for their attempts to patch up some of the criminal damage this party of Tory vandals has done to policing and the criminal justice system over the last 13 years.

They were warned about the damage their cuts would do: arrests have halved; prosecutions near-halved; community penalties halved; crimes solved halved; more crimes reported and recorded, but hundreds of thousands fewer crimes are being solved—hundreds of thousands fewer victims getting justice every year. The Home Secretary claimed on the television this morning, “Oh, it’s irrelevant what happened over the last 10 years”: not to the millions fewer victims who have had justice in the last decade as a result of what this Tory Government have done.

As for the policing Minister’s claim that “Criminals must be cursing their luck” because we are “coming after them”, who is he kidding? The charge rate hit a record low last year: 95% of criminals not charged—for rape it is over 98%. The charge rate has dropped by two thirds since 2015 alone. That is record levels of criminals getting off under the Tories; they are not cursing their luck, they are thanking their lucky stars. Under the Tories the criminals have never had it so good; they are pathetically weak on crime and weak on the causes of crime.

As for meeting records, well, yes, they are meeting some records: a record number of crimes not being solved; a record number of people saying they never see police on the street; record numbers of police officers leaving policing last year; record low charge rates last year for rape and sexual offences. And then we have got serious violence rising: knife crime up; gun crime up. And of course the fraud and online crime that they never want to talk about is also at a record high. What has the Home Secretary got to say about that this morning—just some more waffle about woke. She has got nothing new to say to tackle the problems.

Then there is the chaotic recruitment process, with forces ending up cutting standards to meet deadlines. Most of last year, the average monthly increase from recruitment was 475 officers each month; in March, just before the deadline, it was suddenly 2,400 in a month. No one believes that this is a properly managed and sustainable recruitment plan. We have had reports of people who were initially turned down being asked to reapply at the last minute to meet targets; reports of

people with addiction, and with criminal histories, being encouraged to apply and let in. A massive variation of standards applied across forces so that Matt Parr in His Majesty’s inspectorate said that hundreds of people have joined the police in the last three years who should not have, and then he said,

“certainly in the hundreds if not low thousands.”

Have the Tories learned nothing from Wayne Couzens and David Carrick? We have still not got proper national mandatory standards in place; have they learned nothing of the need to raise standards? So is the Minister confident that all these new recruits meet the standards we should expect from policing?

Look at the numbers that the Government have announced: this is not an uplift programme, it is a damage mitigation programme, and they have not even achieved that. In Hampshire the Home Secretary’s own force, in Cleveland, in Durham, Northumbria, and Merseyside, they all still have fewer police than they had in 2010. Compared to our growing population, there are 9,000 fewer officers compared to the rates in 2010. They have cut 8,000 police community support officers and 6,000 police staff, including intelligence and analysts, forensics, digital, vetting and standards checks. And worst of all, they are refusing to do Labour’s plan for 13,000 more neighbourhood police. Instead we have got 10,000 fewer police and PCSOs in neighbourhood teams since 2015. So when will the Government reverse those cuts to the police on the beat the public want to see? That is what people see and what people feel.

The reality is that half the country say they do not see the police on the beat at all any more—half the country, up from a quarter of the country in 2010. That is why people know all this boasting from the Minister is out of touch. That is the reality that no amount of boasting, crowing or fake headlines can cover up. Let me just say to all the Tory Back Benchers: the only thing that all this boasting and crowing does is tell the country you are even more out of touch than we thought.

Chris Philp: The shadow Home Secretary asked about police numbers in the years following 2010, during the coalition Government. She will recall that the outgoing Chief Secretary to the Treasury, her colleague, left a message saying the money had all gone and that led to difficult decisions that had to be made. But I am not sure if she was listening to what I said before because the number of officers that we now have—149,572—is higher, by 3,542, than the number of officers left behind by the Labour party. These are record ever numbers. Never in our country’s history have we had as many officers as we have today. It is important that the shadow Home Secretary keeps that in mind.

She asked about neighbourhood policing. The way the figures are reported, neighbourhood policing, emergency response policing and local policing are reported together. Since 2015, local policing, neighbourhood policing and emergency policing taken together is in fact higher.

She asked about crime. She asked about crime numbers. The only source of crime data endorsed by the Office for National Statistics is the crime survey for England and Wales. I have got the figures here. If she is unfamiliar with them, I can hand them to her afterwards, but they show domestic burglary down 56%, robbery down 57%, vehicle theft down 39%, violence down 38% and

criminal damage down 65%. She may not like the figures from the Office for National Statistics, but those are the figures.

She asked about standards in police recruitment. For every police officer recruited in the last three years, there were about 10 applicants, so there was a good degree of selectivity. In relation to vetting, the College of Policing has just finished consulting on a new statutory code of practice for vetting, which will be adopted shortly, and police forces up and down the country are implementing the 43 recommendations made by the inspectorate on vetting standards. We are also conducting a review in the Home Office, which will conclude in the next few weeks, on police dismissals, so that where misconduct is uncovered officers can be removed quickly, which is absolutely right.

The message to the country is clear. We have record levels of police officers—higher than we have ever had before—and according to the crime survey, crime has gone down compared with the last Labour Government that she served in.

Mr Speaker: Order. Can I just say to the right hon. Member: calling somebody “she”—does he really want to use that type of language? For all our benefit, I would say to everybody: let us show a bit more respect to each other than we seem to be at the moment. I understand there might be a bit of anger, but respect does no harm. I would like to see a bit more and this will be a great example—Kit Malthouse.

Kit Malthouse (North West Hampshire) (Con): Can I offer my congratulations to the Minister, the team at the Home Office, the National Police Chiefs’ Council and everybody involved in what has been a massive effort over the last three years to recruit the extra 20,000? Remembering that the gross recruitment to backfill retirements is about 45,000, it has been an enormous job and they have done a fantastic job, not least given that they were doing so in the teeth of a pandemic, which required some ingenuity.

As the Minister says, however, this is only half the battle. Maintaining the number where it currently stands will be the next stage. Can he confirm that funding will be provided to police and crime commissioners on the basis that they are incentivised to maintain police officer numbers in their forces, not least because, as we have seen over the last decade, in areas controlled by Labour or independent police and crime commissioners, they have failed to prioritise police numbers, which is why, proportionally, they may now be below the numbers in areas that are controlled by Conservatives?

Chris Philp: First, let me just thank my right hon. Friend, whose work over a number of years did more than just lay the foundations for this programme: it really got it under way and on the road to success, so I thank him personally for his work on this. He is absolutely right about the importance of maintaining officer numbers. We have created financial incentives to ensure that happens, and I know police and crime commissioners and chief constables are very keen to make sure those numbers are maintained.

On individual police and crime commissioners, my right hon. Friend is right. In some parts of the country, in the years when we were repairing the financial damage

of the last Labour Government, some PCCs did not protect frontline numbers, meaning they were coming up from a much lower base. When the former Prime Minister, my right hon. Friend the Member for Uxbridge and South Ruislip (Boris Johnson), was Mayor of London and my right hon. Friend was Deputy Mayor for Policing in London, they protected police numbers, which is why London, in common with 27 other police forces, has record numbers.

Mr Speaker: We now come to the Chair of the Select Committee.

Dame Diana Johnson (Kingston upon Hull North) (Lab): Sir Mark Rowley gave evidence to the Home Affairs Committee this morning. According to the Home Office, the Metropolitan Police Service missed its uplift allocation of 4,557 additional officers by 1,089, missing the target by 23.9%. When I questioned Sir Mark about why that had happened, he pointed to a range of reasons, including the erosion in the starting pay of a police constable and the hot employment market in London. Can the Minister say what the implications are for the ability of the Metropolitan Police Service to perform its UK-wide responsibilities, as well as to keep Londoners safe, particularly at this point when we have had the Casey review and we know that the Metropolitan police are in the engage phase with the inspectorate? What is the Policing Minister going to do to address those concerns?

Chris Philp: I thank the Select Committee Chair for her question. It is first worth observing that the Metropolitan police have by far the highest per capita funding of any police force in the country. I think the average for forces outside London is about £200 per capita and in London it is about £300 per capita, so the funding is very much higher. On the issues identified by the Casey report, there are a series of recommendations, most of which are for the Met and the Mayor of London, Sadiq Khan. I expect them to implement those recommendations. On numbers, every single police force met its uplift target, with just one exception: the Metropolitan police. It is certainly a question I will be asking Sadiq Khan as the politician responsible. It was the only force not to meet the target. As the right hon. Lady said, it recruited an extra 3,468 officers and it should have recruited an extra 4,557. The funding was there to do that and I will certainly be asking Sadiq Khan why he failed. But I am pleased to be able to reassure the House that, despite that shortfall, the Metropolitan police still have a record number: 35,411 officers.

Nickie Aiken (Cities of London and Westminster) (Con): From the thousands of responses I received from my local crime survey in Westminster, the people’s priority was clear: they want to see more police on the street. I therefore welcome the Government’s announcement today that we have now reached our 20,000 target. Does the Minister agree that, to ensure that people feel safer in their neighbourhoods and that we prevent crime, it is important that we see more police on the beat?

Chris Philp: Yes, I entirely agree. It is important that we see more police on the beat and more criminals getting prosecuted. In addition to hiring all those police officers to deliver a record number, we are trying to remove some of the burdens that have prevented police

[Chris Philp]

from spending their time fighting crime. For example, we changed the Home Office counting rules recently to reduce the amount of time spent on unnecessary administration. We are looking, with the Department of Health and Social Care, at how we can ensure the police do not spend time essentially with mental health patients, who would be better treated by the health service. We are absolutely focused on getting those police on the street, where our constituents can see them.

Ellie Reeves (Lewisham West and Penge) (Lab): Confidence in the police from women is at an all-time low and nothing in the Minister's statement today is likely to do anything to change that: still nothing on having domestic abuse call handlers in every 999 control room; still nothing on having a specialist rape and sexual assault unit in every police force across the country; and still nothing on national standards on training and vetting to make sure the scandal of Wayne Couzens and David Carrick never happens again. When will the Minister finally get a grip and address those issues?

Chris Philp: I am delighted to say that we now have more female police officers, by a very large margin, than at any time in history. In the most recent recruitment over the last three years, 43% of the new recruits were female, which is a very big step. We would like it to be 50%, but 43% is a very big step forward. On the prosecution of rape and serious sexual assault, by the end of June this year, we will have Operation Soteria Bluestone, an academically endorsed method for investigating rape cases, rolled out across the country. In early adopting forces such as Avon and Somerset, we have seen material increases in the number of charges and prosecutions. On specialist officers, every force has specialist officers. Some are organised into units and some are not. That is something I will look at in the coming months. The Government conducted a rape review. We have a violence against women and girls strategy. The safeguarding Minister, the Under-Secretary of State for the Home Department, my hon. Friend the Member for Derbyshire Dales (Miss Dines), is leading work in that area, but I fully acknowledge there is more work to do on prosecutions and confidence. It is an area that the Government are working on extremely actively.

Sir John Hayes (South Holland and The Deepings) (Con): Our diligent Policing Minister deserves great credit for what he has achieved and for his statement today. He serves under an outstanding Home Secretary, of course. However, does he recognise that in rural areas such as Lincolnshire there are profound problems with the police funding formula? He will know that Lincolnshire is one of the lowest-funded police authorities in the country. Indeed, sadly, the force has had to cut the number of police community support officers this year. He has previously agreed to look at that. Will he now agree to an urgent meeting with me, so that Lincolnshire can benefit in the way that so many other areas have?

Chris Philp: Of course, I would be delighted to meet my right hon. Friend to discuss police funding in Lincolnshire as soon as possible. It is a topic I discuss with the excellent police and crime commissioner Marc

Jones regularly. The current police funding formula has been around for quite a long time and needs refreshing. We intend to consult on the formula to start the process of getting it updated, so that areas such as Lincolnshire, which the police funding formula does not treat as generously as some other areas, can be addressed.

Jon Trickett (Hemsworth) (Lab): Of course we all thank police officers who work diligently within the rules, but I came to Parliament this week from Northfield Primary School in South Kirkby, where there is an urgent problem with antisocial behaviour. Two points were made to me. First, where are the police? We do not see them in the villages in our area. Secondly, the 20,000 police officers who were lost each had many years of service and they are being replaced by people who are new to the job. In the vacuum that was left during the years when the Government cut the police service, criminality and antisocial behaviour became rife. Of course, they then cut £1 billion from youth services and mental health services. The Government's record is a disgrace. They left communities ill defended and we are now seeing the consequences.

Chris Philp: I do not accept that. I have read out twice now—I will not repeat them—the ONS figures in the crime survey for England and Wales showing reductions in crime since 2010. On antisocial behaviour, the Government agree that more needs to be done. That is why, just a week or two ago, the Prime Minister personally launched an antisocial behaviour action plan designed to rid our streets of the scourge of ASB. On police officers being visible, I agree with the hon. Gentleman and my hon. Friend the Member for Cities of London and Westminster (Nickie Aiken) that we want visible police and we expect to see that with all the extra officers who have been recruited.

Damian Green (Ashford) (Con): I congratulate my right hon. Friend the Minister on the success of this policy. I also congratulate and thank Kent's police and crime commissioner, Matthew Scott. Since 2010, we now have 400 extra police officers in Kent. Even more importantly, measurably, it is working. In the last four years, overall crime is down 12%, residential burglaries are down 44%, vehicle crime is down 25% and violent crime is down 5.2%. Does my right hon. Friend agree that, clearly and measurably, Kent's streets are safer now than they were 15 years ago?

Chris Philp: I agree with my right hon. Friend and join him in paying tribute to the excellent police and crime commissioner in Kent, Matthew Scott. I am delighted to hear that crime is dropping in Kent thanks to the work of the Kent police and the PCC. On the police numbers in Kent, the most recent figures out this morning are actually a bit better than he suggested. The number of police in Kent today compared with 2010 stands at 4,261, up from 3,862—a significant increase. I am sure everybody in Kent will be delighted by it.

Clive Efford (Eltham) (Lab): If the media are good enough for the Secretary of State to talk to, I do not understand why she is not here to make this statement and answer questions. The Government did not just let 20,000 police officers wither; it was a stated intention by the Conservatives to cut 20,000 posts from the police.

They were warned that we would lose experienced police officers, with a knock-on effect on charges and criminal conviction rates. Recorded knife crime is now up 70%, and 90% of crimes go unsolved. Sexual crimes are at a record high. Since 2015, we have seen 10,000 officers cut from our neighbourhood policing. That was all on the Tories' watch—13 years of mismanagement of our police and criminal justice system. Is it not time that they started to listen to our communities, put the police back in local neighbourhood policing and adopted Labour's policy of putting 13,000 officers on our streets?

Chris Philp: I have already explained that local policing numbers—the emergency response teams and neighbourhood teams together—are higher now than in 2015. Opposition Members should stop saying that again and again, because it is not accurate; it is misleading. It is not just about backfilling what may have happened in the past. We have more officers now—3,542 more than at any time in this country's history. Yes, quite a few officers recently are less experienced. That is why we are keen for experienced officers to stay on beyond their 30 years. Mechanisms are in place to do that. We want mentors and experienced officers to help to train and induct new officers to make sure that they become effective. We are seeing the benefits of that already, and Members across the House should welcome that.

Martin Vickers (Cleethorpes) (Con): I welcome the Minister's statement. He will be aware that my constituency falls within the Humberside force area. Let me take the opportunity to congratulate it on its outstanding rating. The Minister mentioned police on the beat. As we know, that is what our constituents want. Serious crime must take priority, but low-level antisocial behaviour blights the lives of so many constituents. Can the Minister assure me that he will continue to ensure that the police focus on antisocial behaviour?

Chris Philp: The Humberside force is doing a good job and recently had a good inspection. I thank Chief Constable Lee Freeman for his work. The Humberside force also has a record number of officers—188 more than in 2010. I agree with my hon. Friend that neighbourhood policing and visible policing on the street are critical. That is why we launched the antisocial behaviour action plan a few weeks ago. We expect that to be tackled by police forces up and down the country, including in Humberside, so I completely agree.

Florence Eshalomi (Vauxhall) (Lab/Co-op): One of the issues raised in the Casey review, which the shadow Home Secretary referenced, was standards and vetting. It is all well and good for the Minister to talk about new recruits and figures in the thousands, but even police officers are highlighting concerns with senior ranking officers. Why has it taken so long for this Government to introduce mandatory national standards on vetting, misconduct and training for all new recruits? That would help to address some of the issues that we see not only in the Met police but right across other police forces—the very same police forces that are in special measures. It is all well and good saying that we have new recruits, but that is no good if they have no confidence that if they raise an issue with their superiors it will be dealt with. That could be addressed by having a national vetting procedure for all new recruits.

Chris Philp: The College of Policing has just finished consulting on an updated statutory code of practice for vetting standards, which will come into force in the near future. As I said, we are also looking at the rules on dismissing police officers, because in the past it has been quite hard for chief officers and chief constables to dismiss police officers for misconduct. We would like to give chief officers and chief constables more power to do that where they uncover misconduct, to address some of the issues that Baroness Casey and others have raised.

Greg Smith (Buckingham) (Con): I warmly welcome today's statement, and I congratulate my right hon. Friend on the momentous achievement of beating our manifesto commitment three and a half years into the Parliament. Will he confirm that, proportionally, it is even better news for Thames Valley police, whose headcount now stands at 5,034? That is 518 more officers than in 2010—an 11% uplift.

Chris Philp: My hon. Friend is right to point to the fantastic police officer numbers in the Thames Valley. He is right that they are about 500 higher than in 2010. That is good news for people across the Thames Valley force area, who will see more police on their streets than under the last Labour Government, more criminals getting caught and more neighbourhoods protected.

Layla Moran (Oxford West and Abingdon) (LD): My constituents will be listening and some of this will ring hollow, because their experience in Thames Valley is that 174 crimes go unsolved every single day. Just next door in Gloucestershire, the new Justice Secretary's backyard, it takes an average of 18.5 hours for the police to respond if they are called. Those are shameful figures. Does the Minister agree that the real litmus test is the day-to-day experiences of our constituents, not the boastful numbers?

Chris Philp: The numbers are important; if they had gone down, Opposition Members would be the first to complain. There are around 500 more officers in the Thames Valley force than under the last Labour Government, which is significant. We expect the police to respond to crime quickly, to protect neighbourhoods and to get prosecutions up. That is why we have gone through this enormous recruiting process.

Theresa Villiers (Chipping Barnet) (Con): It is really good news that the Conservatives are delivering the 20,000 officers. The officers will need somewhere to work, so will the Minister ask the Mayor of London to scrap his police station closure plan, so that we can save Barnet police station?

Chris Philp: I join my right hon. Friend in calling for the Mayor of London, Sadiq Khan to reconsider his unwise plans. As I said, the Metropolitan police has by far the highest per capita funding of any force in the country. I do not think any of us want police stations to close, so I join her in calling on Sadiq Khan to reconsider.

Sarah Owen (Luton North) (Lab): After years of devastating cuts, any extra police officers are welcome, but it is not just about numbers; it is about quality and experience too. Can the Minister confirm how many new police officers are student officers, not yet qualified, such as the 300 in Bedfordshire? Does he agree that

[Sarah Owen]

Luton, Bedford and Dunstable are clearly not rural areas? When will the face of funding Bedfordshire police as a rural force end, so that the police finally have the resources to keep people safe in Luton?

Chris Philp: As I am sure the hon. Lady knows, Bedfordshire police has additional support through the police special grant, giving it extra money particularly to fight organised criminality. I corresponded with Bedfordshire's excellent police and crime commissioner on that topic just recently. I am glad that she raised the question of police officer numbers in Bedford, because Bedfordshire has around 200 extra officers compared with the number under the last Labour Government.

Anna Firth (Southend West) (Con): I congratulate the Minister on delivering more police officers than we promised in our manifesto. There is much to welcome. He points out that crime is at half the level it was in 2010, despite Labour voting 44 times to stop us introducing tougher penalties on violent offenders. I welcome the extra 1,000 officers for Essex and the 83 for Southend. Will he join me in congratulating Roger Hirst, our excellent police and crime commissioner in Essex? Antisocial behaviour is down by 55%, burglary is down by 45% and murder is down by a third. Is it not true that the Conservatives are keeping our streets safer?

Chris Philp: Yes, it is. I am delighted to note that Essex has 150 more police officers than under the last Labour Government. The police and crime commissioner Roger Hirst and Chief Constable BJ Harrington are doing a fantastic job reducing crime in Essex. On being tough on crime, I meant to say in response to the shadow Home Secretary that I was shocked in Bill Committee a year or two ago when Labour Members voted against a clause specifically introduced to keep rapists in prison for longer. I think we know who is on the side of victims.

Margaret Greenwood (Wirral West) (Lab): Merseyside has more than 300 fewer police officers compared with 2010, which has serious implications for the safety of our communities and police morale. A recent survey of police officers on Merseyside, carried out by the Police Federation of England and Wales, found that 17% of respondents intended to resign from the police service either within the next two years or as soon as they can. What steps will the Minister take to improve the morale of police officers, boost retention and boost the numbers on Merseyside?

Chris Philp: I pay tribute to Chief Constable Serena Kennedy, who leads the Merseyside force. I was up in Merseyside and Liverpool just a few weeks ago meeting officers. The target of the police recruitment programme in Merseyside was to recruit an extra 665 officers; in fact, 724 have been recruited.

In terms of people leaving the police, we have surveyed thousands of police officers recently recruited through the uplift programme. About 80% are very satisfied with the job and a similar proportion intend to make policing their long-term career. In terms of supporting and looking after police officers, I chair the police covenant wellbeing board. I have not got time to list all

the initiatives now, but we are doing a number of things to ensure that serving and former officers get looked after and that morale is maintained.

Mr Simon Clarke (Middlesbrough South and East Cleveland) (Con): Having 20,000 more officers across the country is a fantastic achievement. It is a Conservative promise made and delivered that will help crack down antisocial behaviour in Cleveland, drawing on our new antisocial behaviour strategy. Does my right hon. Friend agree with me that cracking down on problem areas, such as the Norfolk shops in Berwick Hills, is exactly the activity that more officers will enable us to deliver?

Chris Philp: I agree completely with my right hon. Friend. That is exactly the kind of thing those officers will do. Cleveland had a target of 239 extra officers to recruit. They beat that target and have recruited an extra 267 since 2019, and I am sure those 267 new officers will be on patrol in exactly the place my right hon. Friend would like to see them.

Andy Slaughter (Hammersmith) (Lab): My constituents feel under siege from drug dealers, antisocial behaviour and online fraudsters. They will feel insulted by the Minister's attempt to whitewash this Government's record. Why did he destroy neighbourhood policing, and why does he ignore fraud, which represents 40% of crime but gets virtually no policing resources?

Chris Philp: As I have said, the Metropolitan police have record numbers; they are up to 35,411. They have never in their history had more officers. Had the Mayor of London used all the funding available, they would have about 1,000 more, so perhaps that is a question the hon. Gentleman might like to take up with Sadiq Khan.

We want to see more action on antisocial behaviour; that is a fair comment. That is why we have launched the antisocial behaviour action plan. Fraud is another important area, and an updated fraud action plan will be delivered by the Home Secretary and the Minister for Security very shortly.

Darren Henry (Broxtowe) (Con): I wholeheartedly welcome the Minister's announcement about the extra 20,000 police officers. That will benefit the people of Broxtowe, which currently has a significant problem with antisocial behaviour in Beeston and Chilwell. Will he comment on the military service leavers pathway into policing course, first set up in Nottinghamshire by the police and crime commissioner and chief constable, so that ex-military personnel, with similar values to police officers of sense of duty, teamwork and public service, will increase those numbers still?

Chris Philp: I congratulate the excellent police and crime commissioner in Nottinghamshire, Caroline Henry, who beat the police uplift target, delivering an extra 418 officers instead of the target of 357. If only Sadiq Khan had done the same in London.

I strongly commend the programme that has been pioneered in Nottinghamshire to get people leaving the military to come into policing. Just yesterday evening I was discussing with colleagues at the National Police Chiefs' Council and the Home Office getting that model rolled out across the whole country, which we should urgently work on doing.

Richard Foord (Tiverton and Honiton) (LD): The announcement rings hollow for our constituents and serving police officers alike. I recently met with police officers at Honiton police station and it was plain that they receive way more priority calls than they have officers to deal with them. Earlier this month, we discovered that over 45,000 burglaries reported last year went unattended in England and Wales. Will the Minister get behind a Liberal Democrat Bill to create a statutory duty on police officers and police forces to attend and properly investigate every domestic burglary?

Chris Philp: I congratulate the excellent police and crime commissioner for Devon and Cornwall, Alison Hernandez, for delivering record officer numbers. There are 3,716 police officers in Devon and Cornwall, which is nearly 100 more than there were in March 2010.

In relation to domestic burglaries, I am afraid the Liberal Democrat party is a little behind the curve, because last autumn the Home Secretary launched an initiative to ensure every residential burglary got a police visit, which is something I am sure everyone in the House would support.

Cherilyn Mackrory (Truro and Falmouth) (Con): I and my constituents also welcome the uplift to over 3,500 officers in the Devon and Cornwall police area that the Minister just mentioned. I also welcome what the Minister said about investing in police forces. I draw the House's attention to the fact that in the south-west we have five hard-working Conservative PCCs, who already have a voluntary vetting service between their five forces, so that is starting to work. Will the Minister meet with me and our excellent police and crime commissioner, Alison Hernandez, to talk about the summer funding that Cornwall and Devon so desperately need? We welcome more visitors to our area than any other part of the country, except London, and we need extra funding to help deal with the additional antisocial behaviour we see every year.

Chris Philp: I am aware of the financial and policing pressures that summer tourism creates in places such as Devon and Cornwall, the Lake district, Dorset and many other parts of the country. We plan to address that in the new police funding formula, which we intend to consult on. In the meantime, I would be delighted to meet with my hon. Friend and the fantastic police and crime commissioner for Devon and Cornwall, Alison Hernandez.

Mr Speaker: I call Jonathan Edwards.

Jonathan Edwards (Carmarthen East and Dinefwr) (Ind): Diolch yn fawr iawn, Mr Speaker. One of the unintended consequences of the programme is that police forces have to reduce backroom police staff because of the financial penalties they receive if they do not increase officer numbers, leaving police officers undertaking non-public-facing roles. As 50% of funding for Dyfed-Powys police now comes from the police precept, should the police and crime commissioner and the chief constable not have a greater role in determining the force's optimal workforce mix? For how long will the Home Office maintain those financial penalties?

Chris Philp: Chief constables and police and crime commissioners are able to decide how to spend their budget and whether they spend it on physical equipment,

buildings, police staff or police community support officers. They have operational independence, so they can make those decisions. I am pleased to say that every single one of Wales's four police forces—North Wales, South Wales, Dyfed-Powys and Gwent police—have record officer numbers, and more officers than they had in 2010, under the last Labour Government.

Simon Baynes (Clwyd South) (Con): I congratulate the Minister on the recruitment of 207 extra police officers in north Wales. Would he agree with me that that is vital in combating antisocial behaviour in parts of my constituency of Clwyd South? Will he comment on the work he is doing to streamline paperwork, which takes up far too much police time?

Chris Philp: Yes, I certainly agree. North Wales police has 105 extra officers compared with March 2010. We expect them to be catching criminals. I agree with my hon. Friend that we want to minimise the bureaucratic burdens on policing. We recently changed Home Office accounting laws to reduce some of the bureaucratic burdens. We are working with the Department of Health and Social Care to ensure that people who are suffering mental health episodes that do not pose a threat to themselves or the public, and where no criminality is involved, are dealt with properly by the health service rather than by the police, so I completely agree with his point.

Jim Shannon (Strangford) (DUP): I thank the Minister for his statement. The positivity in relation to recruitment is to be welcomed. It is great to hear about England and Wales hitting the pledge of 20,000 new police officers. In Northern Ireland, we have a different situation whereby our terrorism threat level has been increased and our police officers are at risk of violence, with Detective John Caldwell having been brutally shot. What discussions has the Minister had with the Police Service of Northern Ireland about meeting the United Kingdom of Great Britain and Northern Ireland national pledge to keep our police officers safe while on duty?

Chris Philp: The hon. Gentleman raises an important point about police officer safety. Of course, that concerns all of us, across the whole United Kingdom, but officers in Northern Ireland face unusually elevated risks, as we saw with the tragic shooting just a few weeks ago. I am sure the whole House wishes the victim of that terrible attack a speedy recovery.

We have dialogue with the PSNI on a number of issues, including officer safety. I can confirm to the hon. Gentleman that those discussions continue. I know he will be working closely with the Northern Ireland Office to ensure that the PSNI has the resources it needs to keep his constituents and the people of Northern Ireland safe.

James Daly (Bury North) (Con): I refer to my entry in the Register of Members' Financial Interests. Before I came to this House, I was a criminal defence solicitor for 17 years. Many of the inefficiencies in the criminal justice system are related to Labour's disastrous decision to move charging from the police to the Crown Prosecution Service, which has led to endless paperwork, form filling and inefficiencies. To assist the new recruits in tackling crime, cutting bureaucracy and doing the best job they can on behalf of all our constituents, will my right hon. Friend return full charging powers to the police?

Chris Philp: We have regular discussions about this topic with the Attorney General's Office and with the Director of Public Prosecutions, Max Hill. Some police officers feel that they would benefit from taking more charging decisions; some feel that DG6, the sixth edition of the director's guidance, could be improved; some are concerned about the burdens that redaction places on police officers. Those are all matters that we are discussing actively with the Crown Prosecution Service. I would welcome a meeting with my hon. Friend to discuss in more detail how we can remove and reduce the bureaucratic burdens.

Henry Smith (Crawley) (Con): I welcome the Government's remarkable achievement of a record number of police officers across England and Wales. In Sussex, the Government's uplift since 2019 has resulted in an extra 429 police officers. Will the Minister join me in paying tribute to the Sussex police and crime commissioner, Katy Bourne? After 10 years of remarkable service, she has achieved an additional 250 police officers in Sussex, who have been recruited through a local initiative on top of the Government's uplift.

Chris Philp: I thank my hon. Friend for his campaigning work for the police and the public in Sussex. Katy Bourne, the police and crime commissioner, does a fantastic job. I have met her many times to discuss policing in Sussex; indeed, I visited Brighton with her just a few months ago. She has done a great job of recruiting extra officers locally. More than that, she has exceeded her police uplift target, delivering 439 extra officers in Sussex—10 more than the target of 429. I send huge congratulations to Katy Bourne and her whole team.

Robbie Moore (Keighley) (Con): I welcome today's statement. Not only have the Government fulfilled their manifesto pledge of an extra 20,000 police officers since 2019, but the national police force has increased by 3,542 officers from 2010 levels. Does the Minister share my frustration that at every single opportunity the Labour party has voted against measures to bring in the tougher sentences that I am sure police officers want implemented, particularly for violent and sexual offenders?

Chris Philp: I concur entirely with my hon. Friend's remarks about police officer numbers. It is striking that the Labour party has consistently voted against measures to toughen up sentencing. The vote that most shocked me was the vote by Labour members of the Public Bill Committee on the Police, Crime, Sentencing and Courts Bill against the specific clause that would have kept rapists and child sex offenders in prison for more of their sentence. I was frankly horrified by that.

Tom Hunt (Ipswich) (Con): I welcome the 201 extra police officers we will have had in Suffolk since 2019. However, Josh, who runs Essential Vintage in Ipswich, which he set up over a year ago, has closed his doors. In the past two or three months, he has had 600 or 700 quid's worth of items stolen from the shop, and he has closed his doors because he has had enough. Does the Minister agree that Suffolk police have a responsibility

to look at the footage that Josh has shared with them—it is clear footage; I have looked at it—and to investigate it properly and punish those who are found guilty? Thieving is debilitating for a town centre and debilitating for local businesses. I welcome what the Minister says, but does he agree with me about those key points?

Chris Philp: Yes, I do. Suffolk has about 150 more officers than in March 2010 under the last Labour Government, and it is important that those officers are used to investigate crimes such as shoplifting. I completely agree with my hon. Friend: where a crime is reported and there is a reasonable line of inquiry or actionable evidence to pursue, I expect the police to follow it up and investigate it in all cases, in exactly the way he sets out.

Matt Vickers (Stockton South) (Con): I welcome the news that there are already 267 more police on Cleveland's streets. Some years ago, our then Labour PCC closed our community police base in Elm Tree, but since then I have been working with local Conservative councillors, with our new Conservative police and crime commissioner, with police and with stakeholders to secure a new community police base in a shared space on Bishopton Road. Does my right hon. Friend agree that such a base in the community will allow the police to be more visible and spend more time in Fairfield, Bishopsgarth and Elm Tree, Grangefield and Hartburn?

Chris Philp: That sounds like an excellent initiative to ensure that police are based in local communities. I strongly commend my hon. Friend and the local police and crime commissioner for their work to make it happen. I urge all hon. Members to be on the lookout for opportunities to base police in local communities: for example, in my community in Croydon, south London, we now have police based at Purley fire station to get them closer to the local community. Any Member of Parliament on either side of the House can be on the lookout for such opportunities to ensure that police are based as close as possible to the communities they serve.

Mr Speaker: For a final question, I call Sally-Ann Hart.

Sally-Ann Hart (Hastings and Rye) (Con): Thank you, Mr Speaker; I am afraid I am an echo. Under the leadership of Conservative police and crime commissioner Katy Bourne and Chief Constable Jo Shiner—both wonderful women—Sussex police have increased the number of police officers by 429 through the national uplift programme and 250 through the local precept, beating the Government's uplift targets and helping to reduce crime in Hastings and Rye. May I join the Minister in congratulating them both?

Chris Philp: That is a good note on which to end. Yes, police and crime commissioner Katy Bourne and Chief Constable Jo Shiner, both of whom I have met, have done a fantastic job in Sussex of protecting the public and beating crime, which is something I hope the entire House can get behind.

Scrutiny of the Illegal Migration Bill

Application for emergency debate (Standing Order No. 24)

Mr Speaker: I call the Scottish National party leader to make an application for leave to propose a debate on a specific and important matter that should have urgent consideration under the terms of Standing Order No. 24. He has three minutes to make his application; I remind hon. Members that there can be no interventions.

1.26 pm

Stephen Flynn (Aberdeen South) (SNP): I seek leave to propose that the House debate a specific and important matter that should have urgent consideration: namely, scrutiny of the Illegal Migration Bill.

Is it not astonishing that when this House voted to inflict the economic damage of Brexit upon this United Kingdom, it did so on the premise of taking back control? Where is taking back control when it comes to the Illegal Migration Bill? More than 300 amendments and approximately 30 new clauses were tabled in Committee, and democratically elected Members of this House were given just 12 hours to consider them. Today, there are 189 amendments and in excess of 20 new clauses, and democratically elected Members of this House will have less than six hours to scrutinise the legislation in front of us.

It gets worse. In relation to the Home Affairs Committee, there was no pre-legislative scrutiny whatever. The report by the Joint Committee on Human Rights will not be published in time for this afternoon's sitting, and of course the Home Secretary opted not to give evidence to that Committee. What was she running scared of?

Right across the board, this Government have sought to railroad this deplorable, disgusting Bill through the House of Commons. Why is that important? Because it does not just affect adults and children; it affects asylum seekers, refugees and those who have been the victim of trafficking. It is quite clear that the Bill in its current form would breach the UN convention on refugees, and there are significant concerns across the House and in wider civil society about its ability to align with the European convention on human rights. That should concern everyone in this House and everyone across the UK, not just because of the legal impact, but because of the reputational damage that this UK Government in Westminster are seeking to do. They are seeking to do the unforgivable: to impose their draconian, dreadful views on some of the most vulnerable people in society.

We will continue to oppose this Bill in every way, shape and form we can. I am no fan of the other place, but I sincerely hope that it will be able to grow a backbone and throw the Bill out in its entirety.

Mr Speaker: The hon. Member has asked leave to propose a debate on a specific and important matter that should have urgent consideration, namely scrutiny of the Illegal Migration Bill. I have listened carefully to the application from the hon. Member, and I am not persuaded that this matter is proper to be discussed under Standing Order No. 24.

The Standing Order precludes me from giving reasons for my decision to the House, but I do wish to make it clear that I found merits in the application. I sympathise with Members who are trying to scrutinise a very large number of amendments to an already densely drafted Bill, and I wish to make it clear to the Government and to the House that my decision on any future such application regarding the way in which the Government invite the House to legislate might well be different.

Points of Order

1.30 pm

Sir Chris Bryant (Rhondda) (Lab): On a point of order, Madam Deputy Speaker. I have notified the Immigration Minister of this point of order and, in fact, we have just had a conversation about it, so he knows very well what point I am about to raise.

On 19 December, the Immigration Minister told the House that the backlog of asylum cases

“was 450,000 when the last Labour Government handed over to us.”—[*Official Report*, 19 December 2022; Vol. 725, c. 8.]

However, the UK Statistics Authority has written to both the Minister and the Prime Minister to say that that is not true, and that they should correct the record.

I have been trying to get to the bottom of this ever since, so I have written two letters to the Minister and tabled two parliamentary questions. To be fair to the Minister, he has responded remarkably quickly. In the first parliamentary question, I asked

“how many asylum applications were awaiting processing in (a) June 2010 and (b) December 2022.”

The Minister replied not with a direct answer, but with a reference to a lengthy dataset. It did include a figure for December 2022—166,261—but did not include one for 2010. I therefore tabled another question, asking

“how many asylum applications were awaiting processing in June 2010”,

which was when the Labour Government handed over to the Conservatives. Again, the Minister replied not with a direct answer but with a reference to the same dataset, which provides 543 separate lines listing asylum backlogs from different countries in 2010. Fortunately, I got an A in O-level maths, so I added up the backlogs in the 543 lines, and the total came to 18,954, so that would be the correct figure for 2010, not 450,000, as the Minister had said.

Earlier this year, Madam Deputy Speaker, you yourself ruled that when Ministers reply, not only should they do so swiftly and fully but, ideally, their answers should be free-standing. The Minister’s answers in this instance were not free-standing, and I had to do my own maths on his behalf. Can you confirm, therefore, that Ministers should not attempt to obfuscate in their responses, but should answer the question as directly as possible? I know the Minister would want to make sure that the House has the most accurate information possible.

Can you also explain to the Minister, Madam Deputy Speaker, and to any other Ministers who might be interested, that there is a formal process whereby Ministers—not Back Benchers; only Ministers—can correct the record? That would mean correcting the original statement in *Hansard*. Will you explain what that process is, Madam Deputy Speaker, and will the Minister now finally admit that the figure for June 2010 was not 450,000, as he said, but 18,954?

Madam Deputy Speaker (Dame Rosie Winterton): I am grateful to the hon. Gentleman for giving notice of his point of order. He has given me a lot of tasks to undertake.

As the hon. Gentleman will know, Ministers, rather than the Chair, are responsible for answers. However, I would of course always expect Ministers to provide answers that are as informative and helpful as possible,

and I know that Mr Speaker would also expect Ministers to correct the record if an error is made in an answer. The Minister is here, and he will have heard what the hon. Gentleman has said. He may wish to take it away, or he may wish to respond immediately.

Sir Chris Bryant: Go on!

Madam Deputy Speaker: If the Minister does not wish to respond, I should just add that the Procedure Committee reviews the performance of Departments in providing answers, so the hon. Gentleman may wish to make his views clear to that Committee.

The Minister for Immigration (Robert Jenrick) rose—

Madam Deputy Speaker: Ah! I believe the Minister wishes to respond.

Robert Jenrick: Further to that point of order, Madam Deputy Speaker. I am grateful to the hon. Gentleman for his point of order. I have always taken my responsibilities to the House seriously, and I continue to do so. He and I have corresponded on this issue, but he may not have seen the letter that I wrote to him yesterday.

Sir Chris Bryant indicated assent.

Robert Jenrick: The hon. Gentleman indicates that he has read the letter. I am happy to read out a portion of it for your benefit, Madam Deputy Speaker, and that of the House, and perhaps, with the hon. Gentleman’s consent, I may put a copy in the Library of the House, which is what I did with my previous letter to him.

In the letter, I wrote:

“I clarified my remarks on the floor of the House in the debate on Illegal Migration Bill on 27 March and”—

in the letter that I had sent to the hon. Gentleman and placed in the Library—

“I expanded on that clarification in writing”.

The point that I was trying to make in the debate, which I appreciate is different from what the hon. Gentleman believes, is this. As I said in my letter,

“With regards to the backlog of 450,000 asylum cases—this is the assessment of the then-independent Chief Inspector of Borders and Immigration, as reported by the BBC and the Guardian. Iusb therefore believe it is a perfectly legitimate figure to quote, as then-Home Secretary John Reid did in the House of Commons on 19 July 2006.”

I hope that that clarifies the matter and corrects the record to your satisfaction, Madam Deputy Speaker.

Madam Deputy Speaker: I thank the Minister for responding at the Dispatch Box. It is obviously not for me to rule on different interpretations of statistics—

Sir Chris Bryant: Go on!

Madam Deputy Speaker: No, I will not, but I am sure that this debate will continue elsewhere. The hon. Gentleman may well wish to respond to the Minister’s letter, but I think at this point we should leave it at that.

Dame Diana Johnson (Kingston upon Hull North) (Lab): On a point of order, Madam Deputy Speaker. On 27 March, the Home Affairs Committee invited Andrew Patrick, the UK migration and modern slavery envoy, to give oral evidence to our inquiry into human trafficking on Wednesday 26 April. The Foreign Office told us on 18 April that Ministers had declined permission for Mr Patrick to give evidence, given

“the focus of the inquiry, and his remit”.

We wrote to the Foreign Secretary immediately, pointing out that civil servants should be made available to Committees as requested. Although we were told yesterday that Mr Patrick’s role

“complements the work of the Home Office and is focused on the global and regional mechanisms to tackle modern slavery”,

the Foreign Secretary again declined our request. What action would you advise we take in relation to this discourtesy to the Committee, which was trying to carry out its duties to scrutinise properly the work of the Home Office and the modern slavery envoy?

Madam Deputy Speaker: I am grateful to the right hon. Lady for giving me notice of her point of order. Mr Speaker has said repeatedly that it is important that Committees are able to take evidence from the witnesses whom they believe to be essential to their inquiries. Ministers will have heard the point of order from the right hon. Lady, who chairs the Home Affairs Committee, and the Whip appears to be making a note of it right now. I am sure that Mr Speaker would encourage Ministers to reconsider their position on this issue.

Jamie Stone (Caithness, Sutherland and Easter Ross) (LD): On a point of order, Madam Deputy Speaker. In recent days a Russian vessel, the Admiral Vladimirov, has been cruising off the coast of my constituency. It is not a trawler; it is not a pleasure boat; it is a spy ship, complete with armed guards. It has been snooping around the Beatrice oil field and examining the interconnector to my constituency, and it has been snooping around the oil installations and pipelines in the North sea. We all know what happened in recent times in the Baltic with the gas pipeline. I do not take kindly to this happening. I regard it as an important security issue that affects the United Kingdom and our energy security. What advice can you give me, Madam Deputy Speaker, on getting the Secretary of State for Defence to come to this place and make a statement, in view of this urgent situation?

Madam Deputy Speaker: The hon. Gentleman is an experienced Member of this House, and I am sure he knows that there are routes by which he can request that a statement be made. I have to tell him that at this point we have had no notice of a statement, but his comments will have been heard and I am sure they will be fed back to the Secretary of State.

Mr Peter Bone (Wellingborough) (Con): On a point of order, Madam Deputy Speaker. I am afraid that I could not give you notice of this point of order

because it follows the SNP’s Standing Order No. 24 application. It seems to me that the reason today’s debate on the Illegal Migration Bill finishes at the moment of interruption is that there was a programme motion. When I first came into the House, I routinely voted against programme motions. It seems to me to be a good thing that we debate things at length, and I would have been quite happy to sit through the night debating this issue. So unless I am mistaken, the problem is that these wretched programme motions keep getting tabled and the House keeps voting for them. Is that correct?

Madam Deputy Speaker: I thank the hon. Gentleman for his point of order. He is correct to say that there was a programme motion, and I believe that the SNP voted against it. However, the programme motion was passed. He was a Deputy Leader of the House, I understand. Yes, I recall very well his time as Deputy Leader of the House. He might want to make his points to the Procedure Committee, which might well look at them, especially in the light of his time as Deputy Leader of the House, when he might have tabled some programme motions himself—I am not sure.

Mr Bone indicated dissent.

Madam Deputy Speaker: The hon. Gentleman assures me that he did not do that, so there is perhaps even more reason for him to make his representations to the Procedure Committee.

Robert Jenrick: On a point of order, Madam Deputy Speaker—

Sir Chris Bryant: He is going to correct the record!

Robert Jenrick: I am indeed going to correct the record in one respect. My officials have helpfully told me that in regard to the written parliamentary question tabled by the hon. Member for Rhondda (Sir Chris Bryant), the Home Office did indeed provide the data requested. It is included in the table, the link to which was provided. I am told that there were instructions in the notes tab on how to use the filters appropriately. I appreciate that the hon. Gentleman got an A in his O-level maths, but perhaps he did not take ICT at that time.

Madam Deputy Speaker: I thank the Minister for that further point of order, which I think indicates why it is important for me not to get involved in interpreting statistics. We probably should not prolong the debate any further at this point, so we will move on to the ten-minute rule motion from Helen Morgan.

Carers and Care Workers

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

1.43 pm

Helen Morgan (North Shropshire) (LD): I beg to move,

That leave be given to bring in a Bill to require the Secretary of State to publish and implement a Care Workers Employment Strategy, with the aim of improving the recruitment and retention of care workers; to establish an independent National Care Workers Council with responsibility for setting professional standards for care workers, for establishing a system of professional qualifications and accreditation for care workers, and for advising the Government on those matters; to require the Secretary of State to commission an independent assessment of the support available to unpaid carers, including financial support and employment rights; and for connected purposes.

All of us will have had experience of the importance of care, whether we have had to care for a loved one ourselves or whether outside care has been provided to a relative or friend. I am sure that colleagues on both sides of the House will agree that caring is not only a skilled job but one in which compassion, respect, friendship and companionship are also hugely important. Before I dive into the detail of the Bill, I want to provide a small example of how important those elements can be.

Recently I was speaking to residents in North Shropshire and I came to a bungalow whose door was answered by a care worker. She explained that the lady who lived there was having her lunch but that she would help her to fill in my survey about local issues. A few minutes later I turned to see the care worker running up the street after me. “Joan would love to see you herself,” she said. I gladly went back to talk to Joan, who did not get many visitors and was grateful for the interaction. There was no need for that care worker to have literally gone the extra mile when she was doubtless under time pressure to get to the next resident, but it made all the difference to Joan’s day. Care is hugely important to the most vulnerable individuals in our society, yet there is consensus that the care sector is in need of urgent attention.

The Government have promised to sort out social care on numerous occasions, but we have seen little in the way of a coherent strategy to tackle the multiple issues faced by the sector. At the top of the list of issues is the workforce shortage. In only the last few years, the number of vacancies has skyrocketed to 165,000. Not only is this a vast number but the situation is getting worse. More than one in 10 posts are now empty, with the vacancy rate having risen from 7% to 10.7% between 2021 and 2022. Furthermore, the Health and Social Care Committee anticipates that a further 490,000 care workers will be needed by the early part of the next decade. To make matters worse, the Care Quality Commission has reported that over 87% of care providers responding to its latest “State of Care” report in 2022 said that they were experiencing recruitment challenges.

This workforce shortage is one of the factors driving the crisis engulfing A&E departments and ambulance services. The inability of hospitals to discharge patients into care, whether at home or in a care home, is preventing the critically ill from being admitted to hospital or handed over from their ambulance, with truly disastrous consequences for those in immediate and urgent need. But the Government have still not brought forward

their NHS workforce plan and there is little chance that it will include details for the care workforce, despite the sector being critical to the healthy functioning of the NHS. On three occasions during the passage of the Health and Care Act 2022 the Government voted against amendments that would have required the Secretary of State to publish independently verified assessments of current and future workforce numbers every two years. They have not even engaged with the scale of the problem.

A care workers employment strategy should be the top priority of the Government—and not just any strategy but a workable one that is fit for the future and can be appropriately adapted as circumstances change, not just press-released and shelved with little impact. That means it has to identify where and why shortages exist as well as the areas of greatest need, and how to resolve those shortages. It needs to identify the causes of poor retention and slow recruitment, and it needs to be brave enough to tackle the importance of pay in a sector that is currently fishing in the same pool as retail and hospitality for new recruits. Caring is a skilled job and it should be paid appropriately. That is why the Liberal Democrats have suggested the introduction of a carers’ minimum wage. By increasing the minimum wage by £2 for care workers and introducing a care workers employment strategy, we can take a bold and realistic step to deal with the chronic staffing shortages that we face.

My Bill goes on to recommend the implementation of an independent national care workers council, free from political interference, which would establish not only minimum professional standards of care throughout the country but a system for the professional qualification and accreditation of care workers. This would provide public recognition of the importance of the care worker’s role and provide career development as skill and experience increases. I hope that by advising on minimum professional standards and the training needed to achieve them, such a council would provide the leadership needed to improve the varying standards of care we see across the country.

Back in the autumn of 2022, I observed a 12-hour ambulance shift with a crew in Shropshire, and I was struck by the variation in the circumstances of the patients we visited. One elderly gentleman was able to remain at home despite having been struck by covid. The ambulance crew were confident that his needs would be taken care of and that the carer would ring back if his condition deteriorated. However, a second gentleman’s carers had done everything required of them and taken the time to call an ambulance because he was poorly, but they were so short of time that they were unable to stay. This immense time pressure on care workers, and the fact that they are often not paid for driving between clients, means that some residents are living poorer quality lives than they otherwise might. Minimum professional standards would help to alleviate the time pressures on carers. It would also reduce the burnout and frustration that care workers must feel when they are forced to rush through their work faster than they would like.

It is also important to recognise that care is not a one-size-fits-all profession and that different skills and experience can have huge value in the sector. Recently I met the chief executive officer of a not-for-profit

organisation providing care for adults with learning disabilities. The care workers in that organisation often provide lifelong care to individuals with high levels of need, and their excellent skills are in ever-decreasing supply. Reward and recognition for the people who provide this care are critical to ensuring that such organisations can continue to provide their unique service.

I cannot express enough the importance of dealing with the crisis in the care sector. The Care Quality Commission's report shows that more than a quarter of care homes reporting workforce pressures say that they are no longer actively admitting new residents. Local care providers in my constituency have indicated that cost and retention pressures could force them to hand back care packages to the council, which would then have to find alternatives in an emergency. This would be costly, inefficient and have the potential to compromise the quality of care provided. As our population ages, this is an unacceptable state. A strategy is needed to resolve it right now.

The army of unpaid carers often slip under the radar. These people have often had to scale back or give up their paid employment, in many cases because there is not another available or affordable service. High-quality care is valuable, and unpaid carers contribute a huge amount to the economy, which is unrecognised. Carers UK's latest estimate is that carers save the economy nearly £193 billion a year, which is a huge amount that should not go unrecognised.

My Bill would require the Secretary of State to commission an independent assessment of the support available to all unpaid carers, including financial support, as well as the employment rights needed to enable them to care. It is essential that the Government receive the best possible information and advice to ensure that those who care in our society are not forced to suffer themselves, and an independent assessment would provide this.

It is essential to remember why this matters. At the heart of the care system are people in need of assistance. Whether they are elderly, in poor health or have lifelong disabilities, those requiring care should have the right to live in dignity, knowing that their needs will be met sensitively, either by a loved one or by a caring professional. We can no longer ignore the crisis engulfing the care sector and the impact that a shortage of care workers and well-supported unpaid carers will have on those most in need.

As our care needs increase by the year, we must act now to ensure that we continue to be able to provide the high-quality care that everyone in our society deserves.

Question put and agreed to.

Ordered,

That Helen Morgan, Ed Davey, Tim Farron, Sarah Olney, Sarah Green, Wera Hobhouse, Richard Foord, Layla Moran, Daisy Cooper, Jamie Stone, Christine Jardine and Munira Wilson present the Bill.

Helen Morgan accordingly presented the Bill.

Bill read the First time; to be read a Second time on Friday 24 November, and to be printed (Bill 298).

Illegal Migration Bill

Consideration of Bill, as amended in the Committee

[Relevant Documents: Oral evidence taken before the Joint Committee on Human Rights on 15 March, on the Human Rights of Asylum Seekers in the UK, HC 821; Oral evidence taken before the Joint Committee on Human Rights on 22 and 29 March, on Legislative Scrutiny: Illegal Migration Bill, HC 1241; Correspondence between the Joint Committee on Human Rights and the Home Secretary, on the Illegal Migration Bill, reported to the House on 24 April 2022.]

New Clause 17

SERIOUS HARM SUSPENSIVE CLAIMS: INTERPRETATION

(1) The definitions in subsections (2) and (3) have effect for the purposes of section 37, this section and sections 38 to 50.

(2) A “serious harm suspensive claim” means a claim by a person (“P”) who has been given a third country removal notice that the serious harm condition is met in relation to P.

(3) The “serious harm condition” is that P would, before the end of the relevant period, face a real, imminent and foreseeable risk of serious and irreversible harm if removed from the United Kingdom under this Act to the country or territory specified in the third country removal notice.

(4) The following are examples of harm that constitute serious and irreversible harm for the purposes of this Act—

- (a) death;
- (b) persecution falling within subsection (2)(a) or (b) of section 31 of the Nationality and Borders Act 2022 (read together with subsections (1) and (3) of that section) (Article 1(A)(2) of the Refugee Convention: persecution) where P is not able to avail themselves of protection from that persecution;
- (c) torture;
- (d) inhuman or degrading treatment or punishment;
- (e) onward removal from the country or territory specified in the third country removal notice to another country or territory where P would face a real, imminent and foreseeable risk of any harm mentioned in paragraphs (a) to (d).

(5) The following are examples of harm that do not constitute serious and irreversible harm for the purposes of this Act—

- (a) persecution not falling within subsection (2)(a) or (b) of section 31 of the Nationality and Borders Act 2022 (read together with subsections (1) and (3) of that section);
- (b) persecution falling within subsection (2)(a) or (b) of section 31 of that Act (read together with subsections (1) and (3) of that section) where P is able to avail themselves of protection from that persecution;
- (c) where the standard of healthcare available to P in the relevant country or territory is lower than is available to P in the United Kingdom, any harm resulting from that different standard of healthcare (including, in particular, a less favourable medical prognosis).

(6) Subsection (7) is an example of harm that is unlikely to constitute serious and irreversible harm for the purposes of this Act.

(7) Any pain or distress resulting from a medical treatment that is available to P in the United Kingdom not being available to P in the relevant country or territory.

(8) For the purposes of subsections (4) and (5)—

- (a) protection from persecution can be provided by—
 - (i) the government of the relevant country or territory,
 - or

- (ii) any party or organisation, including any international organisation, controlling the relevant country or territory or a substantial part of it;
- (b) P is to be taken to be able to avail themselves of protection from persecution if—
 - (i) the government, party or organisation mentioned in paragraph (a) takes reasonable steps to prevent the persecution by operating an effective legal system for the detection, prosecution and punishment of acts constituting persecution, and
 - (ii) P is able to access the protection.
- (9) In this section “relevant period” means the total period of time that it would take—
 - (a) for P to make a human rights claim in relation to P’s removal from the United Kingdom under this Act (see section 39 (relationship with other proceedings)),
 - (b) for the claim to be decided by the Secretary of State, and
 - (c) for any application for judicial review in relation to a decision of the Secretary of State to refuse the claim to be exhausted.”—(*Robert Jenrick.*)

This new clause contains an expanded definition of the meaning of “serious harm suspensive claim” for the purposes of the Bill.

Brought up, and read the First time.

1.53 pm

The Minister for Immigration (Robert Jenrick): I beg to move, That the clause be read a Second time.

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

Government new clause 19—*Credibility of claimant: concealment of information etc.*

Government new clause 20—*Legal aid.*

Government new clause 23—*Electronic devices etc.*

Government new clause 24—*Decisions relating to a person’s age.*

Government new clause 25—*Age assessments: power to make provision about refusal to consent to scientific methods.*

Government new clause 26—*Interim measures of the European Court of Human Rights.*

Government new clause 22—*Interim remedies.*

Government new clause 8—*Report on safe and legal routes.*

New clause 1—*Detainees: permission to work after six months—*

“(1) Within six months of the date of Royal Assent to this Act the Secretary of State must make regulations providing that persons detained under this Act may apply to the Secretary of State for permission to take up employment, including self-employment and voluntary work.

(2) Permission to take up employment under regulations made under subsection (1)—

- (a) must be granted if the applicant has been detained for a period of six months or more, and
- (b) shall be on terms no less favourable than those upon which permission is granted to a person recognised as a refugee to take up employment.”

This new clause would require the Secretary of State to make regulations within 6 months of the passing of the Act allowing those detained under measures in the Act to request permission to work after 6 months.

New clause 2—*Arrangements for removal: pregnancy—*

“The duty in section 2(1) and the power in section 3(2) do not apply in relation to a person who the Secretary of State is satisfied is pregnant.”

This new clause would exempt pregnant women and girls from the provisions about removals.

New clause 3—*Effect of this Act on pregnant migrants: independent review—*

“(1) The Secretary of State must commission an independent review of the effect of the provisions of this Act on pregnant migrants.

(2) The report of the review under this section must be laid before Parliament within 2 years of the date on which this Act is passed.”

New clause 4—*Independent child trafficking guardian—*

“(1) The Secretary of State must make such arrangements as the Secretary of State considers reasonable to enable an independent child trafficking guardian to be appointed to assist, support and represent a child to whom subsection (2) applies.

(2) This subsection applies to a child if a relevant authority determines that—

- (a) there are reasonable grounds to believe that the child—
 - (i) is, or may be, a victim of the offence of human trafficking, or
 - (ii) is vulnerable to becoming a victim of that offence, and
- (b) no person in the United Kingdom is a person with parental rights or responsibilities in relation to the child.”

Based on a Home Affairs Select Committee recommendation (1st Report: Channel crossings, migration and asylum, HC 199, 18 July 2022), this amendment would establish an Independent Child Trafficking Guardian to support every asylum seeker under the age of 18 in their interactions with immigration and asylum processes.

New clause 5—*Immigration rules since December 2020: human rights of migrants—*

“(1) Regulations bringing any provisions of this Act into force may not be made before publication of a report under subsection (2).

(2) The Secretary of State must commission and lay before Parliament an independent report on the effects of the immigration rules on the human rights of migrants since December 2020.

(3) The report under subsection (2) must include, but is not limited to, an analysis of the following areas—

- (a) safe and legal routes,
- (b) relocation of asylum seekers,
- (c) detention,
- (d) electronic tagging,
- (e) legal aid, accommodation, and subsistence,
- (f) the right to work, and
- (g) modern slavery.”

New clause 6—*Effect of this Act on victims of modern slavery: independent review—*

“(1) The Secretary of State must commission an independent review of the effect of the provisions of this Act on victims of modern slavery.

(2) The report of the review under this section must be laid before Parliament within 2 years of the date on which this Act is passed.”

New clause 7—*Effect of this Act on the health of migrants: independent review—*

“(1) The Secretary of State must commission an independent review of the effect of the provisions of this Act on the physical and mental health of migrants.

(2) The report of the review under this section must be laid before Parliament within 2 years of the date on which this Act is passed.”

New clause 9—*Accommodation: duty to consult—*

“(1) Section 97 of the Immigration and Asylum Act 1999 (supplemental) is amended as follows.

(2) After subsection (3A) insert—

“(3B) When making arrangements for the provision of accommodation under section 95 or section 4 of this Act, the Secretary of State must consult with representatives of the local authority or local authorities, for the area in which the accommodation is located.

(3C) The duty to consult in subsection (3B) applies to accommodation including hotel accommodation, military sites, and sea vessels.

(3D) The duty to consult in subsection (3B) also applies to any third party provider operating within the terms of a contract with the Secretary of State.”

This new clause would add to the current law on provision of accommodation to asylum seekers a requirement to consult with the relevant local authorities when making the necessary arrangements.

New clause 10—*Expedited asylum processing*—

“(1) Within 60 days of this Act coming into force, the Secretary of State must issue regulations establishing an expedited asylum process for applicants from specified countries who have arrived in the UK without permission.

(2) Within this section, “specified countries” are defined as those countries or territories to which a person may be removed under the Schedule to this Act.”

This new clause requires the Secretary of State to establish a process to fast-track asylum claims from specified countries.

New clause 11—*Accommodation: value for money*—

“(1) Within 90 days of this Act coming into force, the Secretary of State must lay before Parliament—

(a) all procurement and contractual documents connected with the provision of asylum accommodation and support provided by third-party suppliers under sections 4 and 95 of the Immigration and Asylum Act 1999;

(b) an updated value for money assessment for all asylum accommodation and support contracts currently in force.

(2) Any redactions to the documents provided under subsection (1) should only relate to material that is commercially sensitive.”

This new clause seeks to require the publication of key documents relating to asylum accommodation and support contracts held by private companies.

New clause 12—*Border security checks*—

“(1) The Secretary of State must appoint a named individual to conduct an investigation into the effectiveness of security checks undertaken at the UK border for the purposes of enforcing the provisions of this Act.

(2) This individual may be—

(a) the Independent Chief Inspector of Borders and Immigration, or

(b) another individual nominated by the Secretary of State.

(3) The first investigation conducted under this section must be completed one year after the date on which this Act is passed, with subsequent investigations completed every year thereafter.

(4) Findings of investigations conducted under this section must be published within three months of completion of the investigation.”

This new clause seeks to require an annual investigation into the effectiveness of security checks undertaken at the UK border for the purposes of enforcing the provisions of this Act.

New clause 13—*Asylum backlog: reporting requirements*—

“(1) The Secretary of State must, within three months of the date on which this Bill was published, and at intervals of once every three months thereafter, publish and lay before Parliament

a report on the steps taken and progress made toward clearing the backlog of outstanding asylum claims, within the preceding three-month period.

(2) For the purposes of subsection (1) above, “the backlog of outstanding asylum claims” means the total number of asylum applications on which an initial decision had not yet been made as of 13 December 2022.

(3) In preparing the reports required by subsection (1) above, ‘progress toward clearing the backlog of outstanding asylum claims’ may be measured with reference to—

(a) the number and proportion of applications on which an initial decision is made within six months of the submission of the application;

(b) changes to guidance for asylum caseworkers on fast-track procedures for straightforward applications;

(c) measures to improve levels of recruitment and retention of specialist asylum caseworking staff; and

(d) any other measures which the Secretary of State may see fit to refer to in the reports.”

This new clause would require regular reports from the Secretary of State on progress toward eliminating the asylum backlog.

New clause 14—*Safe and legal routes: family reunion for children*—

“(1) The Secretary of State must, within three months of the date on which this Act enters into force, lay before Parliament a statement of changes in the rules (the “immigration rules”) under section 3(2) of the Immigration Act 1971 (general provision for regulation and control) to make provision for the admission of unaccompanied asylum-seeking children from European Union member states to the United Kingdom for the purposes of family reunion.

(2) The rules must, as far as is practicable, include provisions in line with the rules formerly in force in the United Kingdom under the Dublin III Regulation relating to unaccompanied asylum-seeking children.”

This new clause seeks to add a requirement for the Secretary of State to provide safe and legal routes for unaccompanied asylum-seeking children with close family members in the UK, in line with rules previously observed by the UK as part of the Dublin system.

New clause 15—*Border security: terrorism*—

“(1) The Secretary of State must make arrangements for the removal of a person from the United Kingdom if the following conditions are met—

(a) the person meets the first condition in section 2 of this Act; and

(b) the Secretary of State is satisfied that the person has been involved in terrorism-related activity, as defined by section 4 of the Terrorism Prevention and Investigation Measures Act 2011.

(2) If the Secretary of State cannot proceed with removal due to legal proceedings, they must consider the imposition of terrorism prevention and investigation measures in accordance with the Terrorism Prevention and Investigation Measures Act 2011.

(3) The Secretary of State must lay a report before this House on activity under this section every 90 days.”

This new clause places on the Secretary of State a duty to remove suspected terrorists who have entered the country illegally, or consider the imposition of TPIMs for such individuals where removal is not possible.

New clause 16—*International pilot cooperation agreement: asylum and removals*—

“(1) The Secretary of State must, within three months of this Act coming into force, publish and lay before Parliament a framework for a 12-month pilot cooperation agreement with the governments of neighbouring countries, EU Member States and relevant international organisations on—

- (a) the removal from the United Kingdom of persons who have made protection claims declared inadmissible by the Secretary of State;
 - (b) the prosecution and conviction of persons involved in facilitating illegal entry to the United Kingdom from neighbouring countries, including with regards to data-sharing; and
 - (c) establishing capped controlled and managed safe and legal routes, including—
 - (i) family reunion for unaccompanied asylum-seeking children with close family members settled in the United Kingdom; and
 - (ii) other resettlement schemes.
- (2) In subsection (1)—
- (a) “neighbouring countries” means countries which share a maritime border with the United Kingdom;
 - (b) “relevant international organisations” means—
 - (i) Europol;
 - (ii) Interpol;
 - (iii) Frontex;
 - (iv) the European Union; and
 - (v) any other organisation which the Secretary of State may see fit to consult with.”

This new clause would require the Secretary of State to lay before Parliament a framework for a new pilot co-operation agreement with the governments of neighbouring countries and relevant international organisations on asylum and removals.

New clause 18—*Suspensive claims and related appeals: legal aid and legal advice*—

“(1) The Secretary of State must make arrangements for legal aid to be available for the making of suspensive claims and related appeals under this Act.

(2) The Secretary of State must make arrangements to ensure that legal advice is available to support persons making suspensive claims under this Act.”

This new clause seeks to ensure legal aid and legal advice are available to persons for making suspensive claims and related appeals.

New clause 21—*Afghan Citizens Resettlement Scheme: reporting requirements*—

The Secretary of State must, no later than 7 June 2023 and at intervals of once every three months thereafter, publish and lay before Parliament a report on the operation of the Afghan Citizens Resettlement Scheme safe and legal route to the United Kingdom and on progress towards the Scheme’s resettlement targets for Afghan citizens.”

This new clause would require reports from the Secretary of State for each quarter since the publication of this Bill on the Afghan Citizens Resettlement Scheme, including Pathways 2 and 3.

Amendment 44, in clause 1, page 2, line 14, leave out subsection (3).

This amendment and Amendment 45 would require the courts to interpret the Act, so far as possible, in accordance with the UK’s international obligations contained in several international treaties.

Government amendments 111 to 113, and 77.

Amendment 45, page 2, line 28, leave out subsection (5) and insert—

- “(5) So far as it is possible to do so, provision made by or by virtue of this Act must be read and given effect in a way which is compatible with—
- (a) the Convention rights,
 - (b) the Refugee Convention,
 - (c) the European Convention on Action Against Trafficking,
 - (d) the UN Convention on the Rights of the Child, and
 - (e) the UN Convention relating to the Status of Stateless Persons.”

This amendment and Amendment 44 would require the courts to interpret the Act, so far as possible, in accordance with the UK’s international obligations contained in several international treaties.

Amendment 46, page 2, line 31, leave out clause 2.

Government amendment 89.

Amendment 17, in clause 2, page 3, line 9, at end insert “, and—

- (a) was aged 18 years or older on the date on which they entered or arrived in the United Kingdom, and
 - (b) is not—
 - (i) part of the immediate family of,
 - (ii) a family member as defined by section 8(2) of this Act of, or
 - (iii) a person who otherwise had care of,
- an individual who was under the age of 18 on the date on which they entered or arrived in the United Kingdom where that individual is physically present in the United Kingdom.”

This amendment would exempt children and, where they are accompanied, their immediate families from removal duty contained in clause 2 and other related duties or powers, ensuring the existing safeguarding regime in relation to these children is retained.

Amendment 47, page 3, line 38, at end insert—

- “(10A) The duty under subsection (1) does not apply in relation to—
- (a) a person who was under the age of 18 when they arrived in the UK;
 - (b) a person (“A”) who is an Afghan national where there is a real risk of persecution or serious harm to A if returned to that country;
 - (c) a person who is a refugee under the Refugee Convention or in need of humanitarian protection;
 - (d) a person (L) where there is a real risk of persecution or serious harm on grounds of sexual orientation if L were to be removed in accordance with this section;
 - (e) a person who, there are reasonable grounds to suspect, is a victim of torture;
 - (f) a Ukrainian citizen;
 - (g) a person who, there are reasonable grounds to suspect, is a victim of trafficking or modern slavery;
 - (h) a person who has family members in the United Kingdom;
 - (i) an person who meets the definition of an “adult at risk” in paragraph 7 of the Home Office Guidance on adults at risk in immigration detention (2016), including in particular people suffering from a condition, or who have experienced a traumatic event (such as trafficking, torture or sexual violence), that would be likely to render them particularly vulnerable to harm.”

This amendment would exempt certain persons from the Secretary of State’s duty to remove, including children, refugees, victims of modern slavery and other vulnerable people.

Government amendment 185.

Amendment 1, page 4, line 4, at end insert—

- “(d) the person enters the United Kingdom from Ireland across the land border with Northern Ireland.”

This probing amendment would provide an exemption from the duty to remove for people who arrive in the UK from the Republic of Ireland via the land border with Northern Ireland.

Amendment 5, in clause 3, page 4, line 8, leave out “at a time when the person is an unaccompanied child” and insert

“where the person is an unaccompanied child or is a person who arrived in the United Kingdom as an unaccompanied child”.

This amendment seeks to remove the obligation on the Secretary of State to remove a person where the person has ceased to be an unaccompanied child.

Amendment 181, page 4, line 9, leave out subsections (2) to (4).

This amendment removes the power for the Secretary of State to remove an unaccompanied child before they turn 18.

Government amendments 174, 106 to 110, and 175.

Amendment 48, in clause 4, page 4, line 35, leave out paragraph (d).

This amendment would ensure the duty to remove under clause 2 did not apply “regardless” of a person making an application for judicial review in relation to their removal.

Amendment 49, page 5, line 2, leave out from “(2)” to end of line 2 and insert

“must be considered under the immigration rules if the person who made the claim has not been removed from the United Kingdom within a period of six months starting on the day the claim is deemed inadmissible.”

This amendment would require the Secretary of State to consider protection and human rights claims if removal had not been completed within 6 months of the declaration of inadmissibility.

Amendment 184, page 5, line 8, after “if” insert—

“the Secretary of State considers that there are reasonable grounds for regarding the claimant as a danger to national security or a threat to public safety, or”.

This amendment would prevent a person who meets the four conditions for removal in clause 2 and who is considered a threat to national security or public safety from making a protection claim or human rights claim.

Government amendment 176.

Amendment 182, in clause 5, page 5, line 36, after “child” insert—

“and where a best interest and welfare assessment carried out in the three months prior to that person turning 18 concluded it was appropriate for them to be removed”.

This amendment would add an additional requirement that a best interest and welfare assessment would need to have been carried out before the duty to remove applies to someone who was previously an unaccompanied child.

Government amendment 177.

Amendment 132, in clause 7, page 8, line 24, at end insert—

“(1A) P may not be removed from the United Kingdom unless the Secretary of State or an immigration officer has given a notice in writing to P stating—

- (a) that P meets the four conditions set out in section 2;
- (b) that a safe and legal route to the United Kingdom from P’s country of origin existed which P could have followed but did not follow;
- (c) that the safe and legal route specified in paragraph (b) has been approved by both Houses of Parliament in the previous 12 months as safe, legal and accessible to persons originating in the relevant country; and
- (d) the number of successful applications for asylum in each of the previous five years by persons following the safe and legal route specified in paragraph (b).

(1B) Any determination by the Secretary of State to remove P from the United Kingdom based on information provided by the notice referred to in subsection (1A) may be subject to judicial review on the basis that the information was flawed, and the Secretary of State may not remove P from the United Kingdom while any such judicial review is ongoing.”

This amendment would prevent the Home Secretary removing a person from the United Kingdom unless and until the Secretary of State has confirmed that a safe and legal route existed but that the person nevertheless chose to follow an alternative route which resulted in them arriving in the United Kingdom without leave.

Government amendments 79 to 83.

Amendment 50, in clause 8, page 9, line 36, after “family” insert “who arrives with P and”.

This amendment would limit the power to issue removal directions to family members, to those family members who arrived with the person being removed.

Government amendments 90, 91 and 139.

Amendment 51, page 13, line 10, leave out clause 11.

Government amendments 140, 134, 141, 142 and 135.

Amendment 2, in clause 11, page 14, line 46, at end insert—

“(2H) Sub-paragraphs (2C) to (2G) above do not apply to any person who—

- (a) entered the United Kingdom as an unaccompanied child;
- (b) has at least one dependant child; or
- (c) is a pregnant woman.”

This amendment would prevent an immigration officer’s detention powers from being used to detain unaccompanied children, families with dependant children or pregnant women.

Government amendments 143 to 145, 136, 146, 147, 137 and 148.

Amendment 3, page 17, line 15, leave out subsection (11) and insert—

“(11) Subsections (5) to (10) above do not apply to any person who—

- (a) entered the United Kingdom as an unaccompanied child;
- (b) has at least one dependant child; or
- (c) is a pregnant woman.”

This amendment would prevent the Secretary of State’s detention powers from being used to detain unaccompanied children, families with dependant children or pregnant women.

Amendment 52, page 17, line 18, leave out clause 12.

Government amendments 149, 86, 150, 87, 151 to 157, 85, 88, 84, and 158 to 160.

Amendment 53, page 22, line 30, leave out clause 15.

Amendment 183, in clause 15, page 22, line 39, at end insert—

“(5) Subject to subsections (6) to (8), an unaccompanied child may not be placed in, or once placed in, may not be kept in, accommodation provided or arranged under subsection (1) that has the purpose of restricting liberty (“secure accommodation”) unless it appears—

- (a) that the child is likely to abscond from any other description of accommodation; and
- (b) if they abscond, they are likely to suffer significant harm.

(6) A child may not be kept in secure accommodation for a period of more than 72 hours without the authority of the court.

(7) Subject to subsection (8), a court may authorise that a child may be kept in secure accommodation for a maximum period of 3 months.

(8) A court may from time to time authorise that a child may be kept in secure accommodation for a further period not exceeding six months at any one time.

(9) In this section, “significant harm” includes, but is not limited to, a high likelihood that the child will be at risk of trafficking or exploitation.”

This amendment would clarify the circumstances under which an unaccompanied child accommodated by the Home Office, rather than a local authority, can be accommodated in secure accommodation. It would require the child to be at risk of harm if they absconded, including at risk of being trafficked or exploited.

Amendment 7, page 23, line 1, leave out clause 16.

Government amendments 124 to 131.

Amendment 54, in clause 19, page 24, line 27, at end insert—

- “(a) in the case of Wales, with the consent of Senedd Cymru,
- (b) in the case of Scotland, with the consent of the Scottish Parliament, and
- (c) in the case of Northern Ireland, the consent of the Northern Ireland Assembly is only required if the Northern Ireland Executive has been formed.”

This amendment would ensure provisions in relation to unaccompanied migrant children could not be extended to devolved nations without the consent of the devolved legislatures, as appropriate.

Amendment 55, in clause 21, page 25, line 17, leave out paragraphs (a) and (b) and insert—

“grounds of public order prevent observation of the reflection and recovery period, or if it is found that victim status is being claimed improperly.”

This amendment seeks to align provisions in clause 21 relating to exclusion from trafficking protections (a reflection period and leave to remain) to those in article 13 of the European Convention on Action Against Trafficking.

Amendment 12, page 25, line 22, after “decision” insert—

“, unless the decision relates to the person being a victim of sexual exploitation”.

Amendment 4, page 25, line 32, at end insert “either—

- (aa) the relevant exploitation took place in the United Kingdom; or”

This amendment is intended to exempt people who have been unlawfully exploited in the UK from provisions which would otherwise require their removal during the statutory recovery period and prohibit them being granted limited leave to remain.

Amendment 16, page 26, line 2, at end insert—

- “(3A) Subsections (1) and (2) do not apply in relation to any person who is a national of a state which—
 - (a) has not ratified the relevant international legal agreements; or
 - (b) the Secretary of State has reasonable grounds to believe may not be effectively enforcing its obligations under the relevant international legal agreements; or
 - (c) the Secretary of State has reasonable grounds to believe may not be able or willing to prevent the person from becoming a victim of slavery and human trafficking upon their return to that country.
- (3B) For the purposes of subsection (3A), “relevant international legal agreements” means—
 - (a) ILO Conventions 29 and 105 on Forced Labour;
 - (b) the European Convention on Human Rights;
 - (c) the Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children, Supplementing the United Nations Convention against Transnational Organized Crime;
 - (d) the Council of Europe Convention on Action Against Trafficking;
 - (e) any other relevant agreement to which the United Kingdom is a party.
- (3C) In determining whether paragraphs (b) and (c) of subsection (3A) apply, the Secretary of State must consult with, and pay due regard to the views of, the Independent Anti-Slavery Commissioner.”

This amendment stipulates that the duty to remove victims of modern slavery does not apply to nationals of countries which have not ratified international agreements relating to human trafficking, or which the Secretary of State has reason to believe may not be effectively enforcing its obligations under those agreements.

Government amendment 95.

Amendment 56, page 26, line 25, leave out subsections (7) to (9).

This amendment seeks to protect those victims of trafficking and slavery granted leave to remain under s65(2) of the Nationality and Borders Act from the power of the Secretary of State to revoke that in certain circumstances.

Amendment 57, in clause 22, page 27, line 11, leave out paragraphs (a) to (c) and insert—

“grounds of public order prevent observation of the reflection and recovery period or if it is found that victim status is being claimed improperly.”

This amendment seeks to align provisions in clause 22 relating to provision of support to trafficking victims in England and Wales to those in article 13 of the European Convention on Action Against Trafficking.

Amendment 13, page 27, line 14, after “person” insert—

“, unless the decision relates to the person being a victim of sexual exploitation”.

Amendment 58, in clause 23, page 27, line 24, leave out paragraphs (a) and (b) and insert—

“grounds of public order prevent observation of the reflection and recovery period or if it is found that victim status is being claimed improperly.”

This amendment seeks to align provisions in clause 23 relating to provision of support to trafficking victims in Scotland to those in article 13 of the European Convention on Action Against Trafficking.

Amendment 14, page 27, line 28, at end insert—

“unless the person is a victim of sexual exploitation”.

Government amendment 96.

Amendment 59, in clause 24, page 29, line 6, leave out paragraphs (a) and (b) and insert—

“grounds of public order prevent observation of the reflection and recovery period or if it is found that victim status is being claimed improperly.”

This amendment seeks to align provisions in clause 24 relating to provision of support to trafficking victims in Northern Ireland to those in article 13 of the European Convention on Action Against Trafficking.

Amendment 15, page 29, line 11, at end insert—

“unless the person is a victim of sexual exploitation”.

Government amendments 97, 114 to 119, 161, 162, 104, 105, 122, 92 and 163.

Amendment 8, in clause 30, page 35, line 31, leave out “has ever met” and insert— “is aged 18 or over at the time of entry into the United Kingdom and meets”.

This amendment seeks to provide an exemption from the ban on obtaining citizenship for family members of people who are subject to the “duty to remove” if they were either born in the UK or arrived in the UK as a child.

Government amendments 164 to 166.

Amendment 62, in clause 31, page 36, line 31, leave out paragraphs (a) to (d).

This amendment and amendments 63 to 65 seek to remove provisions which would prevent persons accessing British citizenship.

Government amendment 167.

Amendment 63, page 37, line 3, leave out sub-paragraphs (i) and (ii).

This amendment and amendments 62, 64 and 65 seek to remove provisions which would prevent persons accessing British citizenship.

Government amendment 168.

Amendment 64, in clause 32, page 37, line 17, leave out paragraphs (a) and (b).

This amendment and amendments 62, 63 and 65 seek to remove provisions which would prevent persons accessing British citizenship.

Government amendment 169.

Amendment 65, page 37, line 29, leave out sub-paragraph (i).

This amendment and amendments 62 to 64 seek to remove provisions which would prevent persons accessing British citizenship.

Amendment 66, page 37, line 39, leave out clause 33.

Amendment 67, page 38, line 1, leave out clause 34.

Government amendments 123, 170, 171, and 33 to 35.

Amendment 68, in clause 37, page 40, line 8, leave out from “means” to the end of line 12 and insert “—

- (a) a protection claim
- (b) a human rights claim, or
- (c) a claim to be a victim of slavery or a victim of human trafficking.”

This amendment seeks to ensure that consideration of protection claims, human rights claims and slavery and trafficking cases would suspend removal under clause 45.

Government amendments 172, 173, and 36 to 43.

Amendment 69, in clause 43, page 45, line 30, leave out subsection (7).

This amendment seeks to reinstate onward rights of appeal against a decision of the Upper Tribunal under this clause.

Amendment 70, in clause 44, page 46, line 22, leave out subsection (7).

This amendment seeks to reinstate onward rights of appeal against a decision of the Upper Tribunal under this clause.

Government amendments 18 to 32, and 186.

Amendment 71, in clause 52, page 53, line 11, leave out sub-paragraph (i).

This amendment would ensure rules on inadmissibility of certain asylum claims were not extended to human rights claims.

Amendment 72, page 53, leave out line 33.

Amendment 75, in clause 53, page 55, line 11, leave out from “must” to the end of subsection (1) and insert—

“within six months of this Act coming into force, secure a resolution from both Houses of Parliament on a target for the number of people entering the United Kingdom each year over the next three years using safe and legal routes, and further resolutions for future years no later than 18 months before the relevant years begin.”

This amendment seeks to enhance Parliament’s role in determining a target number of entrants using safe and legal routes.

Amendment 76, page 55, line 15, after “authorities” insert—

- “(aa) the United Nations High Commission for Refugees,
- (ab) the devolved governments,
- (ac) the Home Affairs Select Committee of the House of Commons,”

The purpose of this amendment is to broaden the scope of consultees on setting the target for the number of entrants using safe and legal routes.

Government amendment 11.

Amendment 9, page 55, line 37, at end insert—

““persons” means only individuals aged 18 or over on the day of entry into the United Kingdom;”

This amendment would exclude children from the annual cap on number of entrants.

Government amendments 178, 98 to 100, 120, 187, 133, 179, 180, 93 and 94.

Amendment 10, in clause 59, page 58, line 27, at end insert—

“but see section (Immigration rules since December 2020: human rights of migrants).”

This amendment is consequential on NC5.

Government amendments 103, 138, 101, 102, 121 and 188.

Amendment 73, page 59, line 19, at end insert—

“(4A) Section 23 comes into force on such day as the Secretary of State may by regulations appoint, provided that the Scottish Parliament has indicated its consent to the section coming into force.”

This amendment would require Scottish Parliament consent before disapplication of its legislation making provision for support for modern slavery and trafficking victims in Scotland could come into force.

Amendment 74, page 59, line 19, at end insert—

“(4A) Section 24 comes into force on such day as the Secretary of State may by regulations appoint, provided that, if a Northern Ireland Executive has been formed, the Northern Ireland Assembly has previously indicated its consent to the section coming into force.”

This amendment would require Northern Ireland Assembly consent before disapplication of its legislation making provision for support for modern slavery and trafficking victims in Northern Ireland could come into force.

Government amendment 189.

Government new schedule 1—*Electronic devices etc.*

Government amendment 78.

Robert Jenrick: On behalf of the Home Office, I pay tribute to those Border Force officers who nobly volunteered to serve in Sudan this week, to support British nationals and others as they are processed and swiftly returned to the United Kingdom. The Home Secretary and I praise their professionalism and their sense of service and duty.

Before I address the key Government amendments, it is worth reminding the House of why the Government introduced this vital Bill. A sovereign state must have control of its borders. Quite properly, we have an immigration system that determines who can come to the UK lawfully, whether to visit, to study, to work or for other legitimate reasons. Our immigration and asylum system also makes generous provision in providing sanctuary for people seeking protection. Indeed, we have offered such protection, in different ways, to nearly half a million people since 2015.

But the people of this country are rightly frustrated if a self-selected group of individuals can circumvent those controls by paying people smugglers to ferry them across the channel on a small boat. Why would someone apply to come to this country for employment if they can instead arrive on a small boat, claim asylum and then, as one amendment suggests, acquire the right to work here after 12 months?

Illegal migration undermines the integrity of our immigration system. It puts unsustainable pressure on our housing, health, education and welfare services, and it undermines public confidence in our democratic processes and the rule of law. That is why we want to stop the boats and secure our borders, and this Bill is dedicated to that goal. It will send a clear message that

[Robert Jenrick]

people who enter the United Kingdom illegally will not be able to build a life here. Instead, they are liable to be detained, and they will be removed either back to their home country, if it is safe to do so, or to a safe third country, such as Rwanda.

Mr Alistair Carmichael (Orkney and Shetland) (LD): Is the Minister really asking the House to believe that such an amendment would act as a pull factor? Is he saying that people will come here because of the possibility that we might pass an amendment giving asylum seekers the right to work? If that is his case, it is particularly poor even by his standards.

Robert Jenrick: It is a pull factor to the UK that individuals can work in our grey economy, which is a cause of serious concern. If we were to add an additional pull factor, by enabling people to work sooner, it would be yet another reason for people to choose to come to this country. I will return to that point in responding to other questions before the House today.

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

Robert Jenrick: I will not give way at the moment.

The vast majority of people arriving on small boats come from an obvious place of safety—France—with a fully functioning asylum system, so they are choosing to make that additional crossing. They are essentially asylum shoppers, even if they originally come from a place of danger, and they are doing that because they believe the United Kingdom is a better place to make their claim and to build a future. Their ability to work is obviously part of that calculation, as our north European counterparts frequently say.

Several hon. Members *rose*—

Robert Jenrick: Let me make some progress, and I will return to those Members who want to intervene.

It is important that we get the Bill right. I understand the complexity of the legal and operational challenges we face. In enacting this legislation, we must be alert to those who seek to use every possible tactic to thwart and frustrate its operation. We have seen that with our groundbreaking partnership with Rwanda, and we will see it again with this Bill.

Since its introduction, we have continued to examine how to make the Bill as robust as possible, as well as reflecting on the debates in Committee last month. The Government amendments before the House today reflect that further work and consideration. We have repeatedly made it clear that, as we reduce the number of illegal immigrants arriving on small boats and through other forms of clandestine entry, we will free up capacity for more people to come to this country through safe and legal routes.

Liz Saville Roberts (Dwyfor Meirionnydd) (PC): We know that, in 2021, 71% of asylum claims were successful, and that a further 47% were successful on appeal. This is not illegal migration. If those claims were successful, why are we not allowing people to work? Is the Minister trying to make it illegal for anyone to come in, thereby reducing our standing on the rule of law?

Robert Jenrick: There are a number of points there. There is a legitimate point of view, as I have said on a number of occasions, that those seeking a determination should have the right to work, but we disagree, because we want to reduce the pull factors to the UK, not add to them. As I have said throughout my time in this role, deterrence has to be suffused throughout every aspect of our approach. Creating a situation where individuals could quickly access the UK labour market is not sensible if we want to reduce the number of people coming here in the first place.

Let me return to the issue of safe and legal routes—

Patrick Grady (Glasgow North) (SNP) *rose*—

2 pm

Robert Jenrick: Let me make my remarks on this and then I will come to the hon. Gentleman. That issue is clearly of interest to many hon. Members on both sides of the House. In particular, I wish to pay tribute to my hon. Friend the Member for East Worthing and Shoreham (Tim Loughton), with whom I have had a number of significant conversations in recent weeks. He is keen to see early progress on this front. The Government accept the need for greater clarity about the safe and legal routes available to those seeking refuge in the UK, while reiterating that it is simply not feasible for this country to accept all those who may seek to come here. That is why I am happy to commend to the House his new clause 8 and amendment 11, which would, first, require the Home Secretary to lay before Parliament, within six months of Royal Assent, a report detailing existing and proposed additional safe and legal routes for those in need of protection. We will aim to implement the proposed new routes as soon as practicable and in any event by the end of 2024. Secondly, the amendments would require the Home Secretary to commence the consultation on the annual number of people to be admitted through safe and legal routes within three months of Royal Assent.

Patrick Grady: The Prime Minister could not answer this earlier, so perhaps the Immigration Minister can: what safe and legal route is available today for a young person in Sudan who wants to flee the violence there and come to the UK?

Robert Jenrick: I am happy to answer that question. We have consistently said that those seeking sanctuary should do so in the first safe country. On the developing situation in Sudan, the United Nations is operating in most, if not all, of the countries surrounding Sudan. Last week, I met the assistant commissioner at the United Nations High Commissioner for Refugees, when we discussed exactly this point. The best advice clearly would be for individuals to present to the UNHCR. The UK, like many countries, works closely with the UNHCR and we already operate safe and legal routes in partnership with it. That safe and legal route is available today. To answer the hon. Gentleman's point directly, let me say that the UK is the fourth largest recipient in the world of individuals through routes operated by the UNHCR. So his central contention that the UK is somehow not a generous and compassionate country and that we are not working with organisations such as the UNHCR in this regard is factually incorrect. We are working with them closely.

In addition, we have a family reunion scheme, which has enabled more than 50,000 refugees to come to the UK in recent years and to meet up with their family members who have also sought refuge in the UK as refugees. That scheme is available all over the world. So if the young person in the hon. Gentleman's example had family in the UK, that individual could come here through the family reunion scheme. In addition, the point made in the Bill is that we will expand those safe and legal routes over the course of the next 12 months or so, so that even more individuals can make use of them.

Alison Thewliss (Glasgow Central) (SNP): The Minister is in danger of taking the UNHCR's name in vain, because it has issued a statement that says:

"UNHCR wishes to clarify that there is no mechanism through which refugees can approach UNHCR with the intention of seeking asylum in the U.K. There is no asylum visa or 'queue' for the United Kingdom."

Would he like to correct the record?

Robert Jenrick: No. The hon. Lady may not—

Alison Thewliss: That is what it has said in response—

Robert Jenrick: With all due respect to the hon. Lady, I met the assistant commissioner of the UNHCR and had this conversation directly with her. So whatever the hon. Lady may be quoting from her iPhone, I would prefer to take at face value what I have heard in discussion with the assistant commissioner. The point is that the UNHCR selects individuals who have registered with it and to whom it has given refugee status to go to other countries on existing safe and legal routes. It currently has discretion as to who it puts in the direction of the United Kingdom. That was a choice made when the UK established that scheme, because the then Conservative Government took the perfectly legitimate view that we would offer complete discretion to the United Nations to select the people it felt were the most vulnerable in the world and help them to come to the UK. We have already opened the conversation with the UN on how we will establish a new safe and legal route, and there are a range of options on how we might configure that.

Mrs Theresa May (Maidenhead) (Con): I wonder if I might assist my right hon. Friend on this issue of the UNHCR, because I too have seen that quote. As far as I can see, the UNHCR is saying that somebody cannot just turn up at the UNHCR and say, "I want to go and have asylum in the UK." The UK has an arrangement with the UNHCR whereby we say that we will take a certain number of refugees or asylum seekers, and we ask it please to identify those who are most vulnerable and therefore those who should be coming under our scheme. There is not that incompatibility that is being suggested.

Robert Jenrick: My right hon. Friend is absolutely right on that. Of course, how we structure any safe and legal route, whether we work with the UN or indeed any other organisation, is a choice for the UK. It is not impossible for the UK to say that we wish to take individuals from particular countries or regions, but the choice made in the recent past, which as I say, was a perfectly valid one, was to give that discretion to the experts at the UNHCR, rather than to fetter their discretion.

Sir Chris Bryant (Rhondda) (Lab) *rose*—

Robert Jenrick: I give way to the right hon. Gentleman.

Sir Chris Bryant: I am not right honourable, but I am grateful to the Minister for giving way. Let me take him back to the issue of people in Sudan at the moment, because he referred to brave officials from his Department who are out there. What is the advice being given where a family member has children under the age of 18, who, for all sorts of complicated reasons at the moment, may not be properly documented given the situation in Sudan? Will they be able to get on an aeroplane? Will they end up with some kind of determination having to be made when they get to Cyprus? What will be the situation?

Robert Jenrick: So far, we have been calling individuals and families forward in order of priority; those in Sudan should check the Foreign, Commonwealth and Development Office's published advice to see that. There is discretion for Border Force officers where British passport holders, or those who have leave to enter the UK, present with minors and there is credible evidence that those children are their own, and this is so as to ensure that the family unit stays together wherever possible. That is the right approach. We have worked closely with Border Force to ensure that the group of officers we have in Sudan have the correct guidelines to operate that policy. To the best of my knowledge, we have not encountered any issues, but of course we are getting regular updates to ensure that that is functioning properly.

Danny Kruger (Devizes) (Con): I wish to draw the House's attention to another safe and legal route that exists at the moment, the community sponsorship arrangement, which was introduced by my right hon. Friend the Member for Maidenhead (Mrs May) when she was Home Secretary. It enables communities to welcome refugees from around the world. Does he agree that it is a good model and that we should expand it in future?

Robert Jenrick: I do, and I commend that arrangement wholeheartedly. I took part in what is, in one sense, a successor to that scheme, the Homes for Ukraine scheme, and it was an incredibly rewarding experience for me and my family. The principle at the heart of that is that it is not purely a matter for the state to provide support; individuals, groups, churches, synagogues and mosques might want to come forward to gather support and funding to meet the state halfway and assist those people to come to the UK. That scheme is available. We would like more people to take part in it. It is exactly the sort of scheme that could be considered alongside the future expansion of safe and legal routes.

Stella Creasy *rose*—

Wendy Chamberlain (North East Fife) (LD) *rose*—

Wera Hobhouse (Bath) (LD) *rose*—

Robert Jenrick: If I may, I will make some more progress, but I would be pleased to revert to the hon. Member for Walthamstow (Stella Creasy) in a moment.

Let me turn to the other issue that my hon. Friend the Member for East Worthing and Shoreham raised in Committee, which is that of unaccompanied children.

[Robert Jenrick]

Again, we have listened to the points that he and right hon. and hon. Members on both sides of the House have raised. As I have said repeatedly, this is a morally complex issue. There are no simple answers and each has trade-offs. Our primary concern must be the welfare of children, both here and abroad. We need to ensure that the UK does not become a destination that is specifically targeted by people smugglers specialising in children and families.

Janet Daby (Lewisham East) (Lab) *rose—*

Robert Jenrick: Let me make some progress.

I am also acutely concerned that we balance that with the very real safeguarding risks posed by young adults pretending to be children. This is not a theoretical issue; it is one that we see every day unfortunately. Today, a very large number of young adults do pose as children. In fact, even with our current method of age assessment, around 50% of those people who are assessed are ultimately determined to be adults. We have seen some very serious and concerning incidents in recent months. There are few more so than that raised in this House by my right hon. Friend the Member for Bournemouth West (Conor Burns) when one of his constituents, Thomas Roberts, was murdered by an individual who had entered the UK posing as a minor and, during his time in the UK, had been in education, in the loving care of foster parents and in other settings in which he was in close proximity to genuine children.

Yvette Cooper (Normanton, Pontefract and Castleford) (Lab): The Minister has raised the awful case of Thomas Roberts. I have asked him repeatedly why it was not known that the murderer was wanted for murder in Serbia and why it was also not known that he had already been turned down for asylum in another European country. Why did the authorities and Border Force not know that information?

Robert Jenrick: As I said in answer to an Adjournment debate on this issue, I have commissioned a review of all of the circumstances surrounding that most serious case so that we can understand the multiple failures that may have happened while that individual has been in the United Kingdom and what lessons we need to learn. Separate to that, I have taken further steps to enhance the security checks that are conducted when individuals arrive at the Western Jet Foil and at Manston, aided by the change in the law that I made earlier in the year so that we have, in extremis, up to 96 hours in which to hold individuals in that setting while we conduct those security checks. I am working closely with the security services, police and the National Crime Agency in that regard. If there are other things that we need to do, we will do them, and if there are other databases that we should be arguing for access to we will certainly do so, because it is critical that we secure our borders in this regard.

Several hon. Members *rose—*

Robert Jenrick: Let me make some progress if I may.

We have been clear that the power to remove unaccompanied children would be exercised only in very limited circumstances: principally for the purposes

of effecting a family reunion or to return someone to their safe country of origin. Government amendment 174 makes this clear in the Bill while futureproofing the Bill against the risk that the people smugglers will seek to endanger more young lives and break up more families by loading yet more unaccompanied children on to the small boats.

Edward Timpson (Eddisbury) (Con): On the face of it, I, too, welcome Government amendment 174 on the limitations to the removal of children and the prescription that is put within it. However, my right hon. Friend has alluded to the fact that, further down in that amendment, it sets out that the Home Secretary can pass regulations to set out any other circumstances at a later date. Is he referring to changes in the way that people smugglers may operate? Will this be an affirmative procedure in Parliament, and what sort of circumstances does he anticipate that we may be dealing with?

Robert Jenrick: What we do know is that this situation is fast moving and that the people smugglers are individuals and businesses that will stop at nothing and stoop to any low. We want to retain a degree of discretion, of course accountable to Parliament, and we would ensure that it is an affirmative procedure, giving Parliament at least an opportunity to debate it should there be concerns with the approach of any Home Secretary. But let me be clear that the Government's position is that we see the use of this power only for those two very limited, but understandable and sensible, suggestions. They are two routes that are used today judiciously. We do—although it is very hard to do—seek to reunify unaccompanied minors with their family members, and succeed in a small number of cases. We also remove minors from the UK back home to safe countries, always making sure that social services or appropriate authorities are awaiting them on their return. Those things happen today and we want to see that they continue and, if anything, that we take further advantage of them.

2.15 pm

Wera Hobhouse: Nobody in this House would disagree that we need to stop the people smugglers, but I worry that the Government focus too much on the people smugglers, rather than on the damage that is caused to vulnerable children who are already traumatised. The whole process that the Government are proposing is retraumatising already deeply traumatised young people.

Robert Jenrick: On the broader point, let me reassure the hon. Member that, as a parent, I, the Home Secretary and the Prime Minister gave these questions a great deal of thought and our motivation was the best interests of children. We do not want to see children put into dinghies and their lives placed in danger. When we do see that, it is a harrowing experience that lives with us. We have to take these steps to ensure that, when we operationalise the scheme at the heart of the Bill, the UK is not then targeted by people smugglers specialising in families and children.

Mrs Natalie Elphicke (Dover) (Con): On the question of children, I think everyone agrees with the compassionate view that the Minister has expressed but, in Kent, we take and look after the majority of unaccompanied children. Does he agree that the safest place for those

children is in the care of the French authorities and not on those boats in the first place, and how will the Bill assist with that?

Robert Jenrick: The key element at the heart of the Bill is deterrence. We want to deter individuals, families or adults from going into these dinghies, putting themselves at the behest of people smugglers. Ultimately, that is the way that we protect children. If we allow this issue to escalate—that is not the intention of those who oppose the Bill, but it is the logical conclusion—it will simply see more children placed into these boats and we have to stop that. That is what we are setting out to do here. As my hon. Friend has raised the point, I would praise the authorities in Kent, which have gone above and beyond to support young people. I have recently visited the facilities there.

Apsana Begum (Poplar and Limehouse) (Lab) *rose*—

Robert Jenrick: I will give way to the hon. Lady, and then I should make more progress.

Apsana Begum: Does the Minister agree that it is deeply harrowing to learn of pregnant women arriving in the UK on these boats and that perhaps they should be exempt from the provisions on removals in the Bill?

Robert Jenrick: I do not want to see pregnant women placed in a difficult or compromising position. The scheme is structured in such a way that a suspensive claim can be brought where there is serious or irreversible harm, which, in most cases, is physical harm, that would prevent an individual from being placed on a flight either back home to their own country, if it is a safe place, or to a safe third country like Rwanda. The usual fitness to fly procedures will apply. Therefore, a pregnant woman would not be placed on a flight to Rwanda or elsewhere unless it was safe to do so. There are long-standing conventions of practice on how we would make that judgment.

On the issue of detention of unaccompanied children, I understand the concerns that a number of hon. and right hon. Members have raised about the prolonged detention of children without the authority of a court. I thank those Members, including my hon. Friend the Member for East Worthing and Shoreham, for their very constructive engagement with us on that and other matters. As a result of those discussions, we have introduced Government amendments 134 and 136 to enable a time limit to be placed on the detention of an unaccompanied child where the detention is for the purposes of removal.

I acknowledge my hon. Friend's and other hon. Members' concerns—indeed I share them. I commit to working with him and others, including my right hon. Friend the Member for Chelmsford (Vicky Ford), with whom I have had a number of conversations, to set out the new timescale under which genuine children may be detained for the purposes of removal without the authority of the court and what appropriate support should be provided within detention, recognising the obligations under the Children Act 1989, an important piece of legislation.

I can also confirm to my hon. Friend the Member for East Worthing and Shoreham and others that it is our intention that, where there is no age dispute, children are not detained for any longer than is absolutely necessary, with particular regard to the risk of absconding and

suffering significant harm. I trust that those amendments and commitments will assuage the concerns that he raised in Committee and that he will not feel the need to press his amendment 138 on this issue.

John McDonnell (Hayes and Harlington) (Lab): As the Minister says, amendments 134 and 136 bring in the opportunity to introduce regulations for setting time limits. In the past, when there has been a contentious issue such as this across the House, it has often been the practice for the Government to bring forward draft regulations before the end of the Bill's passage through both Houses. Can he give us an assurance that we will be able to see the detail of what the Government are thinking?

Robert Jenrick: I am not able to give that assurance today, but I will give it careful consideration and come back to the right hon. Gentleman. We must ensure that we give this careful consideration and get these difficult judgments right, and that we learn the lessons from when children have been detained in the recent past. I know he is very aware of that and through his constituency duties has been very involved with the immigration removal centre in his constituency.

We want to ensure that we only detain children in the most limited circumstances and in the right forms of accommodation, with the correct scrutiny and accountability. I have recently spoken with the Children's Commissioner and asked her to assist us and give us her expert opinion in the further policy development that we intend to do. I am keen to work with any hon. Member across the House who has expertise to bring to bear on the issue.

I turn now to the question raised in Committee regarding modern slavery and to amendment 4 in the name of my right hon. Friend the Member for Chingford and Woodford Green (Sir Iain Duncan Smith), supported by, among others, my right hon. Friend the Member for Maidenhead (Mrs May). They are both international champions of this issue and have played critical roles in establishing the UK as a leading force in modern slavery prevention and the protection of those who have proven to be victims. This issue of modern slavery is also addressed in amendments 12 and 16 in the name of the right hon. Member for Normanton, Pontefract and Castleford (Yvette Cooper) and amendments 73 and 74 in the name of the hon. Member for Glasgow Central (Alison Thewliss).

The Bill is intended to stop the boats. People are risking their lives by making dangerous crossings and putting unprecedented pressure on our public services. Amending these clauses to create exemptions that could lead to abuse of modern slavery protections, and risk undermining the very purpose of the Bill, is something that we must think very carefully about.

I understand, of course, that in the preparation of their amendments my right hon. Friends the Members for Chingford and Woodford Green and for Maidenhead, and others, have thought in particular about how we can prevent individuals who have been in the UK for a sustained period from being exploited by human traffickers, or, if they are already being exploited, from being deterred from escaping that modern slavery, or raising concerns with civil society or law enforcement bodies. Those are serious issues, and I want to take them forward with my right hon. Friends, listening to their

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unrivalled expertise through the passage of the Bill, to see whether there are ways we can address and assuage their concerns. For that reason, we will look at what more we can do to provide additional protections to individuals who have suffered exploitation in the UK.

I remind my right hon. Friends that the modern slavery provisions in the Bill are time-limited, recognising the exceptional circumstances we currently face in respect of the illegal and dangerous channel crossings. Unless renewed, the provisions will expire two years after commencement. They take advantage of an express provision within the European convention on action against trafficking, which foresaw that there might be circumstances in which there was a sufficient risk to public disorder, or a crisis that merited taking this kind of action. The Government would argue that we are in that moment now, and for that reason we need to apply that limited exemption.

Mr Peter Bone (Wellingborough) (Con): The Minister has rightly singled out two of my colleagues with flattery to try to help him—but he did not single me out, so he is going to get it in the neck. Suppose a 16-year-old in Moldova is told that she has a job in a restaurant in Belfast. She is provided with a Romanian passport. She comes across here on an aeroplane, with false documents, but when she gets to Belfast, she does not get a job. She is put in a terraced house and forced into prostitution; the lock is on the outside of the bedroom and she is effectively repeatedly raped. The police break that ring and rescue her. What happens then? At the moment, she gets protection, she is looked after and she helps with the prosecution. This Bill changes that. Can the Minister please tell me why? This person has been trafficked, not on a small boat, and exploited here. Why can he not accept the amendment in the name of my right hon. Friend the Member for Chingford and Woodford Green (Sir Iain Duncan Smith)? It seems to me that there is no risk. I want his Bill to succeed, but this is—

Madam Deputy Speaker (Dame Rosie Winterton): Order. I call the Minister.

Robert Jenrick: I apologise to my hon. Friend for not praising his long-standing interest in this issue and the very good conversation that he and I had recently, in which he made exactly the point that he has just made on the Floor of the House. We are concerned about those kinds of cases and about those individuals who are exploited within the United Kingdom, but we are keen to ensure that that is not inadvertently turned into a loophole that would undermine the broader scheme.

One of the existing protections within the Bill for an individual such as the one my hon. Friend mentions is the provision that, if someone is co-operating with a police investigation, the duty to remove will be suspended. Therefore, if somebody was in exactly the position he described, they should of course go to the law enforcement authorities. At that point, the safeguard that we put in the Bill would apply and they would not be removed from the country.

Sir Iain Duncan Smith (Chingford and Woodford Green) (Con): I will speak to my amendment shortly, I am sure, as will my right hon. Friend the Member for Maidenhead (Mrs May) and others, but I want to raise

one particular point. The Minister used the word “inadvertently”, but I wonder whether Government amendment 95 is inadvertent when it gives sweeping powers to the Secretary of State to decide whether somebody is genuinely giving evidence to the police. I am also puzzled by the wording of proposed new subsection (5A) to clause 21, that

“the Secretary of State must have regard to guidance issued by the Secretary of State”,

which is the same person, I think. I am not sure how that achieves the desire to be balanced on this.

Robert Jenrick: That provision ensures that where an individual has presented to the authorities and the police may have opened an investigation, the police would then make a submission to the Home Secretary, who would then decide whether that was sufficiently advanced for the provisions in the Bill to apply. That is a sensible safeguard, but this is exactly the sort of issue on which I am happy to continue working with my right hon. Friend.

2.30 pm

Mrs May: Picking up on the point made by my right hon. Friend the Member for Chingford and Woodford Green (Sir Iain Duncan Smith), I think that we were all surprised to see Government amendment 95, because it says not that the police can make an application to the Secretary of State, with a nice order and so on, but that the Secretary of State “must assume” that the person cannot stay in the United Kingdom unless there are “compelling circumstances”—determined initially and endorsed by the Secretary of State—for them to stay.

Robert Jenrick: That is the procedure that I have just outlined. Police forces would apply to the Secretary of State, who would then make the determination that my right hon. Friend describes. That is an important safeguard to ensure that there is rigour on this issue.

Several hon. Members *rose*—

Robert Jenrick: I will make some progress because this is a short debate and it is important that we enable people to make—[*Interruption.*] Well, it was only a few moments ago that SNP Members were saying that the debate was too short. I gently remind them that in both days in Committee we ran out of speakers, including on the SNP Benches.

Yasmin Qureshi (Bolton South East) (Lab): Will the Minister give way?

Robert Jenrick: I really should make progress because I worry that we will run out of time.

I will say a few words in response to new clause 15 and on the issue of suspected terrorists. I welcome the shadow Home Secretary’s belated, albeit limited, endorsement of the duty on the Home Secretary to make arrangements for the removal of persons who enter the UK unlawfully—presumably including removal to Rwanda. That duty applies across the board, save in the case of unaccompanied children, so in our opinion, new clause 15 is, again, unnecessary. Protecting the public is the Government’s first priority, and the Bill includes powers to detain illegal entrants and, where necessary, release a person on immigration bail. There are existing powers to apply terrorism prevention and

investigation measures where appropriate. They give the security service and the police powerful measures to help manage the risk of terrorism. They are, of course, considered case by case and used as a last resort if prosecution or deportation are not possible. We therefore judge that new clause 15 does not add anything to the Bill's provisions or to existing counter-terrorism powers.

I have more sympathy for amendment 184, tabled by my hon. Friend the Member for Dover (Mrs Elphicke), in that she is seeking to make a constructive contribution to the debate on how we manage the clear risk posed by terrorism. It is already the case that all asylum claims must be declared inadmissible under the Bill. That is the case for any human rights claim in respect of a person's home country. Where we are seeking to remove someone to a safe third country, it is right that they should be able to challenge that removal where they face a real risk of serious and irreversible harm—although that is a very limited ground—and the Bill provides for that, but we will always seek to effect removal as soon as possible, particularly where somebody poses a real risk of harm to the British public. I can assure my hon. Friend that, should removal be delayed, appropriate steps will be taken to ensure that the public is properly protected. She is one of the foremost Members of this House in issues related to tackling small boat arrivals, owing, of course, to the particular concerns of her Dover constituents. I am grateful to her for tabling amendment 184, and I look forward to continued work with her as we work through these challenges.

A number of other Government amendments address the concerns raised in Committee by, among others, my right hon. Friends the Members for Middlesbrough South and East Cleveland (Mr Clarke) and for South Holland and The Deepings (Sir John Hayes), and my hon. Friends the Members for Stone (Sir William Cash) and for Devizes (Danny Kruger), who rightly want to ensure that the scheme provided for in the Bill is as robust as possible and not open to exploitation and abuse by those who seek to frustrate removals.

Sir William Cash (Stone) (Con): I would like to reciprocate, if I may. In my 39 years in the House, I had not had an opportunity of the kind that has been offered by the Government on this occasion for a good, proper and robust but none the less effective dialogue on these incredibly important matters. I put on record my thanks to the Government for that.

Robert Jenrick: I am very grateful to my hon. Friend for those kind words. We value his expertise, knowledge and commitment on this issue. He has made the Bill better, stronger and more likely to succeed in our objective, which is to stop the boats and restore the public's confidence.

It has always been our intention that the only claims that could delay removal would be the factual suspensive claims and serious harm suspensive claims provided for in the Bill. All other legal challenges—be they rights-based or other claims—would be non-suspensive. New clause 22, tabled by my hon. Friend the Member for Devizes, makes it crystal clear not only that any judicial reviews will be non-suspensive, but that it will not be open to the Court to grant interim remedies that have the effect of blocking removals pending a substantive decision on a judicial review.

In a similar vein, new clause 24 makes it clear that any legal challenges relating to a decision about a person's age are also non-suspensive. Through new clause 25, we are taking a power to make regulations setting out the circumstances in which it can be assumed that someone who refuses to undergo a scientific age assessment is an adult. I can assure the House that we will make such regulations only once we are satisfied that the scientific models are sufficiently accurate so that applying an automatic assumption will be compatible with the European convention on human rights. On that question, I thank in particular of my right hon. Friend the Member for South Holland and The Deepings, who has worked closely with the Government to achieve our shared objective.

On interim relief, we are replacing the marker clause relating to interim measures indicated by the Strasbourg Court. As my right hon. Friend the Home Secretary indicated on Second Reading, the Strasbourg Court is itself carrying out a review of the rule 39 process at the encouragement of a number of member states, including us. The former Deputy Prime Minister, my right hon. Friend the Member for Esher and Walton (Dominic Raab), who was then Lord Chancellor, and the current Attorney General, have had constructive discussions with the Court about reform, including on rule 39. However, we can and should do more.

New clause 26 will confer on the Home Secretary or any other Minister of the Crown a discretion, to be exercised personally, to suspend the duty to remove a person where an interim measure has been indicated on an individual case. The new clause sets out a non-exhaustive list of considerations to which the Minister may have regard when considering the exercise of such a discretion in that case. The Minister will be accountable to Parliament for the exercise of that personal discretion. The Government expect that the Minister will carefully consider the UK's international obligations when deciding whether to disapply the duty.

Joanna Cherry (Edinburgh South West) (SNP): It seems to me that new clause 26 effectively introduces a presumption that the UK Government will breach international law when interim measures are handed down by the Court in Strasbourg. The Home Secretary has already said on the face of the Bill that she cannot certify that it is compatible with the ECHR, but she has declined to give evidence to the Joint Committee on Human Rights to assist our legislative scrutiny of the Bill. Can the Minister explain to the House why the Home Secretary is so reluctant to come to the Joint Committee to justify her admission that the Bill is not compatible with the ECHR?

Robert Jenrick: The Government believe that the Bill is compatible. We believe there are strong arguments, and of course there will be legal debate, but were any aspect of the Bill to be challenged, we look forward to defending it robustly. We take our treaty obligations—

Joanna Cherry rose—

Robert Jenrick: I will not give way to the hon. and learned Lady a second time, if she does not mind. We have been very clear that we take our treaty obligations seriously. In respect of the ministerial discretion in the clause, the Home Secretary, or whichever Minister of

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the Crown exercised that discretion, would of course take those obligations seriously and judge the individual case.

Sir Geoffrey Cox (Torridge and West Devon) (Con): Is my right hon. Friend not in effect asking the House to give legislative sanction to at least the possibility that a Minister of the Crown will deliberately disobey this country's international law obligations? Is not that really the effect of what is being asked?

Robert Jenrick: No. As I have already said, we take our treaty obligations very seriously and the Minister who exercises this discretion would have to do so. This discretion would be exercised highly judiciously and would ultimately be judged on the facts and be very fact-dependent.

Joanna Cherry *rose*—

Sir Geoffrey Cox: Will my right hon. Friend give way on that point?

Robert Jenrick: I am not going to give way to the hon. and learned Lady. I will give way one last time to my right hon. and learned Friend; then I must make some progress.

Sir Geoffrey Cox: A Minister always has the ability to ignore an indication under rule 39, because there is no obligation under the convention for the Government to heed one—it is an indication. Why, then, does it need legislation if what is not in fact being asked is that this House should approve, quite consciously and deliberately, a deliberate breach of our obligations under the convention? That is the truth. The Minister could ignore an indication and it would be a matter between states, but the provision invites this House to give legislative authority to the Minister who does that, if she chooses to ignore it. Is that not the position?

Robert Jenrick: My right hon. and learned Friend is correct in saying that rule 39 indications are just that, and that there are circumstances in which Ministers have chosen not to apply them—a small number of circumstances, but a number. The clause does not mandate a Minister to ignore rule 39 indications; it says clearly, to ensure that there is no doubt whatsoever, that the Minister has the discretion to do so. It gives a non-exhaustive list of reasons that they should consider, and in doing so they would clearly, as I have said on a number of occasions, take their treaty obligations very seriously.

Let me move on. As I have said, the Bill provides for two kinds of suspensive claims and sets out a fair but rigorous timetable for the submission of any claims, their determination by the Home Office, and any appeals. It is important that those who receive a removal notice should be able to receive appropriate legal advice to help them to navigate this process; accordingly, new clause 20 makes provision for legal aid. I trust that this new clause at least will be welcomed by the hon. Member for Glasgow Central, given that it covers similar ground to her new clause 18. The provision of legal aid will reduce the opportunities for challenges and speed up removals.

On serious harm suspensive claims, new clause 17 augments the existing provisions in clause 38, which enables regulations to be made about the meaning of serious and irreversible harm for the purposes of the Bill. We consider it important, and indeed helpful to the courts, to provide them with guidance as to what does or does not amount to serious and irreversible harm, albeit that ultimately the judgment will be for the upper tribunal, to be taken on a case-by-case basis. New clause 17 also makes it clear that the serious and irreversible harm must be “imminent and foreseeable”, which aligns the test in the Bill much more closely with Strasbourg practice.

Amendments 114 to 119 relate to foreign national offenders. In the Nationality and Borders Act 2022, we legislated to disapply certain modern slavery protections to FNOs who have been sentenced to a term of imprisonment of 12 months or more, and to certain other categories of persons who present a risk to public order. The amendments introduce a statutory presumption that the public order disqualification applies to FNOs who have been given an immediate custodial sentence of any length.

2.45 pm

Finally, let me address new clauses 19 and 23 and new schedule 1, which seek to ensure that we have the necessary broader powers to tackle illegal migration. The new schedule confers new powers on immigration officers to search for, seize and retain mobile phones and other electronic devices from illegal migrants, when it appears to an immigration officer that they may contain information relevant to the discharge of their functions, including a criminal investigation. In addition, new clause 19 will put it beyond doubt that credibility should be damaged if a person who has made an asylum or human rights-based claim refuses to enable access to their mobile phone, or fails to produce or destroys identity documents without reasonable excuse. On this important change in the law, I pay tribute to my hon. Friend the Member for Newbury (Laura Farris), who is one of the Members of this House most experienced in immigration matters and who made the case strongly.

Alison Thewliss: Will the Minister give way?

Robert Jenrick: I will not give way; I will draw my remarks to a close.

I will not detain the House by detailing the other Government amendments, which I have summarised in a letter—

Mrs May *rose*—

Robert Jenrick: If Members do not mind, I will give way to my right hon. Friend.

Mrs May: I am grateful to my right hon. Friend for giving way. I wonder whether he can comment on a matter that has been brought to my attention while he has been on his feet. Greater Manchester police has released the following urgent update about Programme Challenger, which is the programme the force operates for dealing with serious and organised crime:

“As a result of the Nationality and Borders Act 2022, changes came in to effect in February 2023 which have had an immediate impact on potential victims. This has seen positive first stage decisions drop from around 95% of all submissions to 18% of

submissions between February 20th and March 31st. This means that 4 in 5 potential victims are not able to access immediate support from the national modern slavery and human trafficking victim care providers.”

Is my right hon. Friend as worried about that as I am? If he is not worried, is it because he feels that the 2022 Act is already having an impact? In which case, why does he need modern slavery provisions in this Bill?

Robert Jenrick: It is difficult for me to comment on remarks that are read out that I have had no sight of; frankly, my right hon. Friend would not have done so either when she was a Home Office Minister. She and I have a disagreement on the current impact of modern slavery on our system, but to me the evidence is very clear that unfortunately—this was never the intention of the framework that was created—there is significant abuse. We see that in particular in the number of individuals who are coming forward with modern slavery claims in the detained estate when we seek to remove them from the country. Such last-minute claims currently account for 70% of individuals. I am afraid that, among other evidence, that shows that we have a serious problem and we have to take action.

Several hon. Members *rose*—

Robert Jenrick: I am going to draw my remarks to a close now, because all Members want others to have an opportunity to speak.

Stella Creasy *rose*—

Robert Jenrick: I am not giving way, because time is very limited.

I have summarised the other Government amendments, which are more detailed and technical in nature, in a letter to the hon. Member for Aberavon (Stephen Kinnock), and placed a copy of it in the Library of the House. I stand ready to address any particular points in my winding-up speech, if necessary. For now, I commend all the Government amendments to the House and look forward to the contributions of other Members. I will respond to as many of those as I can at the end of the debate.

Madam Deputy Speaker (Dame Rosie Winterton): I call the shadow Minister.

Stephen Kinnock (Aberavon) (Lab): I start by associating myself with the comments of the Immigration Minister about the outstanding work that our armed forces have done in Sudan. I wish all who are there a speedy return home.

I want to make one thing absolutely clear, and it is a point with which I am sure every Member of this House agrees: the dangerous channel crossings must be stopped. Those extremely perilous journeys have tragically led to lives being lost, and the only people who benefit from that trade in human misery are the criminal smuggler gangs and people traffickers, who are laughing all the way to the bank at this Government's failure to arrest and prosecute them. Labour has a comprehensive and workable five-point plan that will defeat the people smugglers and fix our broken asylum system. Our plan is expressed through the amendments and new clauses to this Bill that we have tabled, which I will speak to in due course.

Government Members repeatedly state that they wish to stop the dangerous channel crossings, but the fact is that they are completely and utterly failing to do so. Every single measure that Ministers announce turns out to be either an expensive and unworkable headline-chasing gimmick or a policy that succeeds only in making things worse, or indeed both. In the case of this legislative sham that we are debating today—this bigger backlog Bill—it is definitely both. Under the Conservatives, channel crossings have skyrocketed from 299 in 2018 to 46,000 in 2022. Throughout that period, Ministers have subjected the country to a seemingly endless stream of nonsensical proposals that have all been given pride of place on the front pages of the *Daily Mail* and *The Daily Telegraph*, only to be swiftly consigned to the dustbin of history where they belong.

For a deterrent to be effective, it has to be credible, and of course, our credibility is severely diminished every time we fail to follow through on a commitment that we have made. Let us take a quick canter through some of the posturing and empty threats that this shambles of a Government have engaged in over the past few years. They told us that the British coastguard would be instructed to push back dinghies in the channel, which would have breached the law of the sea and potentially led to further deaths of refugees and innocent children. Then they said they were going to build a giant wave machine in the English channel—I do not know where they would find a wave machine around here, given that the Conservatives have closed down most of England's swimming pools, although I suppose it is possible that the Prime Minister might have a spare one back at his place.

The Government then said that they were going to fly asylum seekers to Ascension Island, 4,000 miles away, and they even fantasised about sending them to Papua New Guinea, which is literally on the other side of the planet. That brings us to the Government's latest cunning plan: they went to Kigali and paid £140 million for a press release, and 12 months later they have managed to send more Home Secretaries to Rwanda than they have asylum seekers. One could be forgiven for finding all of this quite comical, but the fact is that it is deadly serious, because a vast amount of taxpayers' money is being squandered on a profoundly unethical policy that is designed to fail on its own terms.

Even if the Rwanda scheme does get up and running, which the Government admit is unlikely to happen until at least March 2024, the Rwandan Government have refused to commit to taking more than around 1% or 2% of those who arrive here on small boats. We are talking hundreds of removals, rather than the thousands per year that might have a chance of deterring asylum seekers from crossing the channel. It will fail to stop the small boat channel crossings, because if a person has experienced personal tragedy, fought their way across continents and handed their life savings to a people smuggler so that they can endanger their own life crossing the channel, a 1% chance of being sent to Rwanda is simply not going to represent a level of risk that they might be averse to.

Yasmin Qureshi: On the Rwanda scheme, apart from paying £150 million to deport maybe 200 people, under the agreement we have to take people back from Rwanda as well.

Stephen Kinnock: My hon. Friend makes a very important point, which I will use as a prompt to also talk about the Israel scheme. Of course, Israel and Rwanda did a deal. What happened with that scheme? Every single one of the people who was sent from Israel to Rwanda had left Rwanda within a matter of weeks and was on their way back to Europe, so it is a very expensive way of giving people a round trip, and I would not recommend it as a deterrent.

Then, just to add to the general sense that the Government have lost the plot, we had the bizarre and frankly appalling spectacle of the Home Secretary jetting down to Rwanda with a carefully vetted gaggle of journalists to indulge in a photo shoot that was akin to a “Visit Rwanda” tourist promo. I may have missed something, but I thought the idea was to deter the channel crossings by using Rwanda as a threat. I am not quite sure how that tallies with the Home Secretary likening Kigali to the garden of Eden. One minute, Rwanda is the perfect place imaginable for a person to rebuild their life; the next, the threat of getting sent there is being deployed as a deterrent.

It is a truly farcical state of affairs, but it is also of central importance to what we are debating today, because the entire Bill is predicated on the Government being able to remove those who arrive here on small boats to a safe third country, and right now Rwanda is the only safe third country they have. As such, the fact that the Rwanda plan is unworkable, unaffordable and unethical renders this entire Bill unworkable, unaffordable and unethical.

Tim Loughton (East Worthing and Shoreham) (Con): This is an issue that the hon. Gentleman has raised before. As I said during the Bill’s earlier stages, when the Home Affairs Committee went to Calais in January and we met all the people involved in patrolling the beaches and the local officials, they told us that when the Rwanda scheme was announced, there was a surge in migrants approaching the French authorities about staying in France, because they did not want to end up on a plane to Rwanda. There was a deterrent effect; the trouble is that it has not actually started yet, but if it did, it would have an impact. That is the point.

Stephen Kinnock: I thank the hon. Gentleman for his intervention, but I am not sure I follow the logic of it. He said that there was a deterrent effect, but it has not started yet, which suggests to me that there has not been a deterrent effect. If we look at the numbers, channel crossings continue to skyrocket, so I think what matters to this House is results and outcomes. As things stand, there is no evidence whatsoever that the Rwanda scheme has acted as a deterrent.

This bigger backlog Bill is rotten to its very core, because it prevents the Home Secretary from considering those who arrive here on small boats as asylum seekers, and instead obliges her to detain and remove them. However, there is nowhere to detain them, and there is nowhere to remove them to either. We already have 50,000 asylum seekers in around 400 hotels, costing the taxpayer an eye-watering £6 million every single day, and on average, each asylum seeker is waiting a staggering 450 days for a decision. The backlog now stands at 166,000, more than eight times larger than when Labour left office in 2010, when it stood at just under 19,000.

Incidentally, I am still waiting for the Prime Minister and the Minister for Immigration to apologise to the House and correct the record on that point.

Dame Diana Johnson (Kingston upon Hull North) (Lab): My hon. Friend mentioned detention, and a number of amendments have been tabled today on that topic. I listened carefully to what the Minister said about detaining unaccompanied children, but I also wanted to ask my hon. Friend for his views on detaining children, families with children and pregnant women. This House has made very clear in the past its view about safeguards being required for the detention of the vulnerable groups I have just described. Does he think that we now need to think again about the detention of pregnant women and families with children?

Stephen Kinnock: I thank my right hon. Friend for that excellent intervention. She is absolutely right to highlight this issue, and she has tabled a compelling amendment to deal with it. Members on both sides of the House fought very hard for these legal limits, as she rightly pointed out, and when we are talking about the detention of pregnant women, removing those limits and paving the way for vulnerable individuals to be detained individually is morally wrong, wrong-headed and deeply counterproductive. I have not heard any argument from Ministers to justify it.

New figures reveal that this bigger backlog Bill could end up putting an extra 50,000 people into permanent taxpayer-funded accommodation this year, with hotel costs rising to more than £13 million a day, which is more than £4 billion a year during a cost of living crisis. That is because, according to the Government’s own forecasts, 53,000 who cross on small boats will be classed as inadmissible, without any prospect of being removed. What is particularly astonishing is that the Government made this same mistake last year by including similar inadmissibility provisions in the Nationality and Borders Act 2022. The result is a cost of £400 million to the taxpayer in just six months, with only 21 people returned to their country of origin.

3 pm

This bungling Government just keep doubling down on their own incompetence. The more posturing they do, the more small boats we see. The longer they govern, the longer the asylum backlog grows, and the more our constituents will ask themselves, “With record-high immigration figures and a record-high asylum backlog, are our borders more or less secure under the Tories?”

Stella Creasy: I understand why the Minister did not want to give way on this issue, despite saying that he would, but my hon. Friend raises the question of people being in hotels. Does he agree that the Government need to be honest with their own Back Benchers about the statutory instrument that they tried to slip out at the end of the previous Session that will remove the licensing laws from houses of multiple occupancy for asylum seekers? That will presumably prevent local authorities from refusing to license those places, and it will also have the consequence of meaning that we no longer require places where we are expecting families, pregnant women and small children to live to have fire alarms, smoke alarms or running water. Does he agree that the Government need to be honest about

how awfully they wish to treat asylum seekers and how they will avoid local authorities being part of that conversation?

Stephen Kinnock: I thank my hon. Friend for that powerful intervention. She is absolutely right. We are talking about basic standards of decency and humanity. Houses of multiple occupancy need to be properly regulated. They need a basic floor of certification and registration and of health and safety, particularly when we are talking about families. The Government should consider being more transparent and straightforward on that point.

Fortunately, we on the Opposition Benches care about secure borders, and we will clear up the mess by delivering a firm, fair and well-managed system that will stop the dangerous channel crossings, because we know that good government is not about chasing headlines; it is about common sense, hard graft and quiet diplomacy. Those are the qualities that underpin our new clauses and amendments to the Bill.

Tom Hunt (Ipswich) (Con): I intervened on the shadow Minister in Committee, and I found out that apparently the Labour party supports a cap for safe and legal routes, which was news to me at the time. Has he had any time to think about what that cap level would be? Bearing in mind how many people would like to try to get to our country, what would the approach be to those who failed in their application, but had still travelled here illegally and got here? Would any potential future Labour Government be open to deporting those individuals?

Stephen Kinnock: The cap has to be determined in consultation with local authorities and Parliament—that is absolutely right. In terms of removals, what we need is a processing system that actually works, so that we can get to a decision. People from safe countries who should be removed need to be swiftly removed from our country, and those who are genuine asylum seekers should be granted leave to remain, so that they can get on with their lives and we can start to clear up the abject mess that this Government have made of our asylum system.

The first part of our five-point plan is to repurpose and redirect the funds currently being wasted on the money-for-nothing Rwanda plan into a new, elite, cross-border, 100-strong police force that will relentlessly pursue the ruthless criminal smuggling gangs upstream. The latest £500 million payment that the British Government have made to the French Government will be having some effect on reducing the crossings, but the reality is that we will not succeed if we focus all our efforts on the hundreds of kilometres of French coastline, where resources are bound to be spread thin. We also need sophisticated operations with the British authorities working with EU member states, Europol, Interpol and Frontex to tackle the gangs upstream. New clause 16 instructs the Government to lay before Parliament a framework for a 12-month pilot co-operation agreement with those Governments and agencies to do just that and secure the prosecution and conviction of persons involved in facilitating illegal entry to the United Kingdom from neighbouring countries.

New clause 16 also incorporates the second part of our plan: securing a returns agreement with the European Union, which is essential. Since the Conservatives botched

the Brexit negotiations and Britain left the Dublin convention, which had provided agreements on returns, the number of channel crossings has gone up by an astonishing 2,400%. For every one person crossing the channel in a small boat in 2019, 24 are crossing now.

There are three vital points to make on getting a returns deal. First, international challenges require international solutions. Secondly, we need an agreement with our nearest neighbours that must include returns. Thirdly, we will only strike a returns deal with the European Union if we bring something to the negotiation, and that should include a proper plan for capped safe and legal routes for bona fide asylum seekers located in mainland Europe. We suggest that Britain prioritises unaccompanied children with family in the UK, and new clause 14 reflects that.

Sir William Cash: I would like the hon. Gentleman to reflect on the fact that when President Macron made his assertions about returns to France, the following day the European Union said it would countenance no such proposals; the EU simply does not agree about returns. Furthermore, France is not a place that people associate with persecution or threats of irreversible harm. What is his argument all about?

Stephen Kinnock: My argument is about a negotiation. We clearly have to do a returns deal; it is an important part of the deterrent effect. We do not get a returns deal unless we have something on the table. There is a clear link between policies on safe and legal routes and getting a clear position in terms of negotiations with the European Union. The reality is that it is the only deterrent effect that will work. We are dealing with people who have risked their lives, fought their way across Europe and are prepared to spend their life savings to pay people smugglers to cross the channel. We will not deter them unless they know there is a returns deal in place, and one reason that the Dublin convention worked is that it acted as a deterrent. How else can we explain that the numbers have gone through the roof since we left the Dublin convention?

Tim Loughton: I am grateful to the hon. Gentleman for giving way, because this is just nonsense. In the last year that we were covered by the Dublin convention, before the pandemic struck, we applied to the EU for 8,500 returns under that returns agreement and only 105 were granted—that is 1.2%—so what he says is complete nonsense. It did not work when we were in the EU, and he is now expecting to magic up some agreement that the EU will not give us anyway. Stop misleading the House about those figures.

Stephen Kinnock: I find the hon. Gentleman's response bizarre, because there are some simple facts, which are that we left the Dublin convention, and since then the number of small boat crossings has gone through the roof. It is not rocket science; it is a simple fact of mathematics. The point is that we cannot solve an international problem without international co-operation. We have to recognise the flow of asylum seekers coming across the European Union. The idea that we just say to the EU, "You can take them all; we are not going to take any" is for the birds. It is fantasy politics, and I am stunned that Government Members do not seem to understand that simple political fact.

Sir Chris Bryant: If the right hon. Member for Maidenhead (Mrs May) does not mind me mentioning her, I remember that when she was Prime Minister the first letter that she wrote to the European Union in trying to trigger article 50 said that we wanted a security treaty with the EU. That is what I would dearly love us to have. One of the great flaws of how we have left the European Union is that we have not ended up with that. Surely this measure should be part of that security treaty, so that we have better relations with Interpol, Europol and Frontex and proper sharing of information, so that we know all the details of anyone arriving in the UK. Is that not where we need to go?

Stephen Kinnock: My hon. Friend is absolutely right. We know from our long period of being in the European Union that, in order to get a deal with the EU, there has to be a quid pro quo. There has to be a negotiation based on a grown-up conversation about how to tackle the challenge we face, and an all-encompassing security agreement could be a very good way of opening that door, because of course the EU knows that the United Kingdom is a very important security partner for all sorts of reasons. I agree with my hon. Friend entirely on the very strategic point he has made. Although we support the Government's new clause 8 on safe and legal routes, we believe it should be linked to securing a returns deal with the European Union. As I said, our approach is based on hard graft, common sense and quiet diplomacy, and we urge the Government to start thinking and acting in the same vein.

Our third commitment is that Labour will fix the problems with current resettlement programmes. This includes the broken Afghan schemes, and our new clause 21 instructs the Government to report every three months on progress—or lack thereof—in meeting their own targets in supporting those loyal-to-Britain Afghans who sacrificed so much to protect our servicepeople and to stand up for our liberal values in Afghanistan. All resettlement routes need to be properly controlled and managed, of course, and they therefore cannot be unlimited, but they do also need to work.

Fourthly, Labour's long-term international development strategy will include tackling the root causes of migration upstream through increased humanitarian assistance and greater emphasis on conflict prevention and resolution programmes. This is slightly beyond the focus of the Bill, but an important aspect of migration policy—and a lesson that needs to be learned from Afghanistan in relation to Sudan, of course, which was mentioned earlier—is that if we cut aid and cut the right kind of aid, we will end up increasing the challenges around the dangerous channel crossings and hurt British values and interests.

Our comprehensive plan will also fix what is perhaps the Conservatives' most astonishing failure of basic governance: the failure to clear the backlog. It is truly staggering that just 13% of small boat asylum claims are being processed within five years, and it is deeply troubling that, while around half of the huge 166,000 backlog is down to small boat crossings, another 80,000 has built up organically under the Conservatives since 2010.

This is no coincidence. Home Office decision making has collapsed. In 2013 the Conservatives downgraded asylum decision makers to junior staff, hired by literally

going from a Saturday job one minute to making life or death decisions the next. No wonder this resulted in worse decisions, often overturned on appeal, and it is deeply troubling that the staff attrition rate in 2022 in these teams stood at an astonishing 46%. There is little prospect of improvement, given that Home Office statistics published on Monday show that this year the number of decision makers has decreased.

So let us be clear: the incompetence and indifference of consecutive Home Secretaries since 2010 have brought the basic functions of government to a grinding halt, and during this cost of living crisis the British taxpayer is paying the price. Our new clause 10 therefore sets out how the Government should get on with expediting asylum processing for the countries listed in the schedule to this Bill. If an applicant has no right to asylum in the UK, they should be removed, safely and swiftly, to the safe country from which they have come, such as Albania.

Further to new clause 10, our new clause 13 instructs the Home Secretary to publish a report every three months on the progress she is making on clearing the backlog.

John McDonnell: I am sorry to interrupt the shadow Minister's flow, and I wholeheartedly support him, as we have time and again, with regard to the criticisms of the Government's lack of processing of cases, including the lack of staffing resources. On new clause 10 and the proposal for an expedited asylum process, can my hon. Friend reassure me that there will be no lessening of the legal rights of asylum seekers, of access to legal representation and of the application of international human rights treaties and conventions?

Stephen Kinnock: I thank my right hon. Friend for that intervention. Absolutely, the proposal is that there are a number of countries with very low grant rates and that must therefore be where we triage, and put them into a category where the processing can be expedited. However, all the processing must be done on an individual, case-by-case basis, in line with our treaty obligations; we cannot have block definitions of any particular category of asylum seeker, which of course is one of the main issues concerning the legality of the Bill, and that includes access to legal aid. So I can absolutely reassure my right hon. Friend on that point. We have to get the balance right: we must focus on the efficiency and effectiveness of dealing with the backlog—which must be based on triaging, giving much more support and upgrading the staff in the Home Office—but that must be underpinned by the provisions to which my right hon. Friend refers. Of course, the return on investment for improving the quality of decision making would be rapid and substantial, because quicker processing means fewer asylum seekers in hotels.

3.15 pm

That brings me to our amendments on accommodation for asylum seekers. Bad decisions on the location of accommodation means that the process then slows down due to legal challenges and the whole system gets even more clogged up. It would be far better to consult local authorities early in the process, and our new clause 9 instructs the Government to do just that.

I was rather disappointed by the fact that the Foreign Secretary and the hon. Member for North Dorset (Simon Hoare), among others, failed to join us in the Division

Lobby in Committee when we voted for the equivalent clause. I am aware that they have pushed back against ham-fisted Ministers trying to steamroll them on this matter, and I also note that they have sided with their local Conservative councils against their own Government, but they are certainly not the only Members on the Government Benches who have urged the Home Office to do better on this point. And, of course, all accommodation must be value for money, as our new clause 11 indicates: we cannot keep having private companies making these huge mark-ups at the expense of the taxpayer.

Tom Hunt: If this quiet diplomacy was not as successful as the shadow Minister hopes and a lot of these return agreements did not materialise, and all these people who arrived here illegally were green-lighted if a Labour Government were ever in charge, would there ever at any point be any policy whatsoever to deport to a safe third country?

Stephen Kinnock: As I have just pointed out, we are proposing, for example, a fast track for people from safe countries. We absolutely are of the view that people whose asylum claims are not successful or legitimate should be rapidly and safely sent back to their country of origin. I hope I have understood the hon. Gentleman's point; I am not quite sure what it was.

Members on both sides of the House have raised concerns about the way in which this Bill will undermine our ability to crack down on modern slavery, and we do have to ask why it is that the Prime Minister has taken the attitude he has towards trafficked women and young girls being sold as sex slaves and is so accommodating to terrorists and other criminals on the other hand. We just need to look at his tweet of 7 March, threatening victims of modern slavery with deportation; it was disgraceful, and now his Government's amendments 114 to 116 have made it even harder for victims to come forward. It will be held up, I am afraid, by the pimps and traffickers to threaten their victims. Two former Independent Anti-Slavery Commissioners, Sara Thornton and Kevin Hyland, recently warned that this Bill will devastate modern slavery protections and is a gift to criminals. All of us in this House know that this Bill is a traffickers' charter.

Then we should look at the Prime Minister's shocking record on deporting foreign criminals. Astonishingly, 19 terror suspects are currently living in taxpayer-funded British hotels because the Government have failed to remove them. Labour's new clause 15 places a duty on the Secretary of State to remove suspected terrorists who have entered the country illegally or to consider the imposition of terrorism prevention and investigation measures upon them.

Deportations of criminals have fallen off a cliff since the Conservatives came to power in 2010. They plummeted by 66% to 5,000 a year before the pandemic and to just 2,100 in 2021. This is an insult to victims, and it again proves what we all know: Labour is tough on crime and tough on the causes of crime, but under the Conservatives criminals have never had it so good.

The Minister for Immigration was appointed to his position as the moderate voice who would curb the more fanatical tendencies of his boss, but that simply has not happened. Instead, it appears that he has either been kidnapped by the hard right of his party, or he has

willingly hitched his wagon to it because he thinks that is the way the wind is blowing. However, the Minister is not alone, because his right hon. Friend the Prime Minister also appears to have caved in to the Home Secretary and the Trumpian faction she leads. He has caved in by adding Government new clauses 22 and 26 to the Bill, thereby completely torpedoing his own negotiations with the European Court of Human Rights. It really is quite extraordinary that Conservative Prime Ministers never seem to learn from the fate of their predecessors: the more they appease the extremists, the more they demand. The Prime Minister is weak, and he is being played. This weakness did for his predecessors, and ultimately it will also do for him.

Arguably the most shocking part of this whole sorry tale is this Conservative Government's contempt for taxpayer cash. Aside from losing billions to fraudsters during the pandemic, dishing out overpriced contracts to their mates for unusable personal protective equipment and crashing the economy to the tune of £30 billion, the Government's asylum policy stands out as a prime example of Ministers scattering taxpayer money to the four winds and receiving absolutely nothing in return—chasing headlines while buying failure.

There are so many vital questions to be answered. Why, for instance, have the Government failed to publish an impact assessment? For example, do Ministers have any idea of the increase in detention capacity that will be required because of this Bill? The Home Secretary was completely unable to answer this simple question during her car crash of an interview on the radio this morning. How much will these additional detention places cost? How much will the Government pay Rwanda per asylum seeker, and how much will each flight cost? We still do not know the answer to that question one year after the £140 million was given. Our constituents deserve to know, as these decisions impact directly on their communities and on the state of our public finances. It is outrageous that the Government are not providing an iota of information about the impact of a Bill with such huge financial and community impact implications.

So we are bound to ask: what are Ministers afraid of? If they truly believe that this Bill will succeed in achieving its objectives, surely they would happily have published the impact assessment well before Second Reading, and they would have been delighted to stand at the Dispatch Box to defend it. However, there is of course another possibility, which is that Ministers have not even attempted to assess the impact of this bigger backlog Bill because they are utterly terrified of what they would reveal if they did. They are terrified of seeing the cost of their own incompetence. They are horrified by the thought of being transparent because transparency reveals the truth, and the truth is that this Bill will just make everything worse. It will boost the profits of the people smugglers. It will add tens of thousands to the backlog. It will add hundreds of millions to the hotel bills. It will tarnish Britain's reputation as a country that upholds the international rules-based order. It will further inflame community frustration and tension, and it will add to the desperate misery of those who are seeking sanctuary from persecution and violence.

Many Conservative Members agree with every word of what I have just said, and I urge them to support our new clauses and to join us in the No Lobby when we vote against this deeply damaging and counterproductive Bill this evening.

Several hon. Members *rose*—

Madam Deputy Speaker (Dame Rosie Winterton): Order. We have had some very long opening speeches, and I have over 20 people wishing to contribute to the debate. That means that, in order to get everybody in, everybody would need to take about six minutes, if not less. We will prioritise those who have tabled amendments. That is just my guidance for the moment, because we also have the SNP spokesperson to come in.

Sir Iain Duncan Smith: I rise to speak to amendment 4, in my name and those of my right hon. and hon. Friends. It is essentially about clause 21. Since tabling it, I have realised that the Government have a new amendment—amendment 95—which I am afraid makes quite a lot of what we are trying to achieve with our amendment 4 almost impossible to deliver. However, I will go through the purpose of our amendment and then deal with the new Government amendment.

First, a lot of this is foreshadowed by the already existing Nationality and Borders Act 2022, and we still wait to see what its impact is on a lot of this. There is some clear evidence already that it is tightening up the areas that the Government want to tighten up when it comes to those suffering from modern slavery. Therefore, first and foremost, I question the necessity of these provisions about modern slavery in the Bill at all. Frankly, I do not want to be too broad; I want to focus on this problem quite carefully.

I think, and I hope, that the Government may recognise—my right hon. Friend the Minister mentioned that that is the general direction of his thinking at the moment, and I really hope that is the case—that there are unintended consequences of what they have tried to do with the changes they are making in clause 21, and that the clause would be damaged without our amendment. It is interesting that my right hon. Friend the Member for Maidenhead (Mrs May) intervened with some very new evidence that the police are now saying that the effect of this, even though it is not in the Bill, is to concern people who might well give evidence that would lead to the prosecution and conviction of those guilty of trafficking. Can I just say that I think the whole purpose of this is to get the traffickers, prosecute them and put them inside? That is one of the deterrents against other traffickers doing such business, and I understand that the purpose of the Bill is to stop the business model of the traffickers, so this fits with that. The problem, as a counterpoint to that, is that clause 21 seems to move in the opposite direction and is actually now beginning to discourage people from the idea of giving evidence.

It is very important to remind everybody, because they get confused, that human trafficking is distinct from people smuggling. We tend to blur the edges of this, but human trafficking is about people who, against their will—when brought to this location or while in the UK—are themselves abused. All the issues were talked about earlier, but the reality is that this is against their will. They do not wish to do it, and we need categorical evidence of that. It is because this is dealing with the trafficking side rather than the people smuggling side that I am really concerned about it.

Remember that a majority of the potential victims referred through the national referral mechanism are exploited in the UK in full or in part. Mostly, those are

non-UK nationals, but UK nationals are caught up in it as well. The majority of these cases are not relevant to those coming across on the boats; they are here. They have been trafficked, they are here and they are now involved in modern slavery, and they are possibly prepared to give evidence to the police in that regard. It could be sexual exploitation, or it could be criminal exploitation. When I was the Secretary of State for Work and Pensions, we saw evidence of that with people brought over to stake their claims to benefits, and then they would disappear off, trafficked into brothels and various other places. I want to say that it is important that we distinguish between that and the issue of the boats.

Many of those people are likely to have arrived in the UK illegally under the terms of this Bill, whether by small boat or lorry, or with leave obtained through deception such as false documents, including deception by their exploiter. Instead of being given temporary protection in the UK, these victims—under clause 21, as now amended by amendment 95—will be subjected to removal and detention under this Bill and denied access to the statutory 30-day recovery period of support for modern slavery victims. Victims will be driven even further underground—this is our fear and the fear of those who deal with them—by the fear of deportation and trapped in the arms of their abusers. Why would that be the case? The answer is simple. If one looks at the wording of clause 21, we see straightaway a clear shift in balance: it is left to the Secretary of State to judge whether victims are going to give evidence or are giving evidence that is relevant.

Then there is Government amendment 95, which I am really concerned about. It shifts the whole rationale in the opposite direction. Instead of there being a judgment about that, under clause 21, it is clear that the premise of the Secretary of State's decision making is now reversed:

“The Secretary of State must assume for the purposes of subsection 3(b) that it is not necessary for the person to be present in the United Kingdom to provide the cooperation in question unless the Secretary of State considers that there are compelling circumstances which require the person to be present in the United Kingdom for that purpose.”

I raised this point earlier. In doing that,

“the Secretary of State must have regard to guidance issued by the Secretary of State.”

That looks to me like a bit of a closed advice section, which will come up with the same decision at the end of the day. Government amendment 95 amends clause 21, which we already had concerns about.

3.30 pm

Our amendment 4 gives protections. It exempts an individual from the Home Secretary's decision if the “relevant exploitation took place in the United Kingdom”.

That is critical, but even that now, it seems, becomes a problem because the reality is that the Secretary of State “must assume” it is not necessary for the person to be present in the UK to co-operate, which makes it even more difficult to exempt an individual in that position.

I raised that point with the Minister for Immigration. It is very important that we look at this issue carefully. It may well be necessary for the other place to rectify that because it sends a terrible signal to anybody who is being exploited. They will be told by the traffickers, “Don't worry, they're going to kick you out regardless.

What's the point of even helping to give evidence, because we'll get you on the other side if you finger us?" That is what will happen.

Mr Carmichael: Despite the right hon. Gentleman's best efforts, and he is a model of clarity on this, it is still like trying to knit fog. Does not the fact that we are dealing here with an amendment he has tabled that has subsequently been affected by a Government amendment to the original Bill illustrate the total inadequacy of trying to deal with a Bill like this in this way?

Sir Iain Duncan Smith: It is a concern because we have clashing amendments. We know that. The point of this debate is to rectify that. We do not have a lot of time, so the right hon. Member will forgive me if I tentatively nod in his direction but at the same time pursue my own purposes. I will try to keep my remarks narrow. I do not want to go wide because other people wish to speak.

Amendment 4 is needed because victims of modern slavery experience inhumane torture and abuse. They are deprived of their liberty and their dignity. They are exploited and abused on British soil. Whether a UK citizen or a foreign national, they deserve care to recover and we cannot leave them subject to that exploitation. The point I keep coming back to is that victims in this category hold the key to the prosecution of the very traffickers we are after. We should not lose sight of that. If the inadvertent result of these changes to the Bill and the Bill itself is that victims are fearful of coming forward to give evidence, partly because the presumption is that they will leave the country, and partly because they do not have enough time to feel settled and protected to be able to give evidence—I think the police know this and my right hon. Friend the Member for Maidenhead has quoted from a police statement—it will reduce the number of prosecutions, damage our case and act as an opponent, as it were, of the idea of sending a message to traffickers that their game is up.

All the evidence shows that, with appropriate consistent support, more victims engage with investigations and prosecutions, providing the vital information that brings criminals to justice. Support needs to come first to create that stability, otherwise they will not feel safe. If we put ourselves in their situation, we would not give evidence either if we thought that the next stage would be to go out of the country, where the traffickers would catch us and our families and others being abused. So it will get harder to get convictions.

I am pleased my right hon. Friend the Minister accepted there may be consequences, although we need to go further than "may". There will be consequences as a result of the legislation. I do not believe that the Government want victims of modern slavery to be trafficked. I do not think they want the Modern Slavery Act 2015 to be damaged. In the minds of those in the Home Office, I think there is a genuine dislike of that legislation and a wish to blame it for excesses, but there is no evidence of that. Only 6% of those who claim to be victims of modern slavery have come across on boats.

First and foremost, there is not a huge, great swell. Secondly, the Nationality and Borders Act that preceded this Bill has tightened up on all the elements that claimants have to provide to show that that is the case.

The rules are already tighter, and I suspect that will lead to fewer cases already. The question is, what is the point of putting these elements into the Bill, because they are in the previous Act, and we have still not seen the effects? We are putting at risk the prosecution of all those traffickers and bringing them to justice, for something that almost certainly will not happen. If it did happen, there is plenty of scope for that evidence to come forward through statutory instruments if necessary, but I do not believe that will be the case.

I am told endlessly that people will come and give false claims, but let me remind Members that referrals can be made only by official first responders who suspect that the person is a victim. In 2022, 49% of referrals were made by Government agencies—it is ironic that the Government themselves decided who were the victims. The idea that any person could come forward and suddenly say, "I'm a victim," and therefore get lots of time, is not the case. The test of evidence is tough.

We should remember that our amendment is about those who are trafficked and abused here in the UK. That means that the evidence base will almost certainly be incredibly strong, because it is based around what we know to exist here in the UK. I understand that it is difficult when people are trafficked from abroad, but we are talking about people in the UK and their evidence is clear to all of us. Under the changes made to the national referral mechanism statutory guidance on 30 January 2023—which, again, we have yet to see the full effects of—the threshold for a positive reasonable grounds decision has been raised to require objective evidence of exploitation. This is an unnecessary element of the Bill because we have yet to see the effect of the previous Act, which I believe is already having an impact, as do the police.

Other Members want to speak, so I will conclude my comments by saying that we should proceed with caution when it comes to modern day slavery. I am deeply proud of what we did and what my right hon. Friend the Member for Maidenhead brought through, because it deals with victims, who cannot speak for themselves and are being used and abused by others. We were the first country in the world to do so, and others have followed suit. We need to send the right signals. The problem with the Bill is that it unnecessarily targets a group of people who are not the problem. They will suffer and, ironically, we will fail as a Government in home affairs because the police simply will not be able to get those prosecutions. On every ground, it is wrong.

Government amendment 95 is a disastrous attempt to make it almost impossible for anyone in the country to feel confident before they give evidence. I ask the Government to make it clear at the end of the debate that they will take this issue away, genuinely look at the unintended consequences and make that case to us, before we vote on their amendment.

Alison Thewliss: I will speak to the amendments that stand in my name and those of my hon. Friends. It is interesting to follow the right hon. Member for Chingford and Woodford Green (Sir Iain Duncan Smith). Given his concerns about the Bill, I hope that he will join us in the Division Lobby later, because I do not expect that he will get the assurances that he hopes for from the Minister.

[Alison Thewliss]

The Bill remains an affront to human decency and to our obligations to our fellow human beings. It rips up hard-won international protections and is in breach of the European convention on human rights, the refugee convention, the Council of Europe's convention on action against trafficking in human beings and the UN convention on the rights of the child. The Children and Young People's Commissioner of Scotland has said that the Illegal Migration Bill

"represents a direct assault on the concept of universality of human rights and the rule of law."

Organisations have lined up to condemn the Bill, from the UNHCR, Liberty, Amnesty International, trade unions and medical bodies. It seeks to turn ships' captains and train drivers into border guards, and it creates a sub-class of people in immigration limbo forever.

This refugee ban Bill is based on myths, mistruths and the myopic pursuit of clicks and tabloid headlines. There is no evidence whatsoever to support the wild claims made by the Home Secretary and her acolytes. The Bill will not meet its stated aims, but it will cost lives. It fails to provide safe and legal routes, and it will cause untold suffering. It diminishes the UK in the eyes of the world and it yanks on the thread that will unravel refugee protections across the world.

The Bill delivers people who have been trafficked back into the hands of those who would exploit them. In his article published this morning in *ConservativeHome*, the Immigration Minister descended yet further, speaking of those with "different lifestyles and values" cannibalising compassion. That is not a dog whistle but a foghorn.

The process by which the Government have brought forward the Illegal Migration Bill is an insult to democracy and to the House. It has been rushed through without a full Committee stage or evidence sessions—no evidence whatsoever from the Government about the things they have put forward. Swathes of Government amendments have been brought forward today in haste, but there has not yet been an impact assessment, even at this very late stage. It is unacceptable that we are being asked to vote on something without an impact assessment.

My hon. Friend the Member for Cumbernauld, Kilsyth and Kirkintilloch East (Stuart C. McDonald) has requested an impact assessment umpteen times in the House and via a freedom of information request, but nothing has yet been forthcoming. I know the hon. Member for Bristol West (Thangam Debbonaire) has also been tirelessly pursuing an impact assessment of the Bill. It is testimony to the Government's dogged evasion of scrutiny, not to their lack of effort, that that has been fruitless.

As Members of Parliament, we are guarantors of rights. The SNP's amendment 45 seeks to hold the UK Government to their international obligations—how utterly bizarre and reprehensible that we even have to introduce an amendment to ensure that—and to attempt to have the provisions in the Bill line up with convention rights in the UN refugee convention, the European convention on action against trafficking, the UN convention on the rights of the child and the UN convention relating to the status of stateless persons.

Anyone reading the UNHCR legal observations on the Illegal Migration Bill can plainly see how far the UK Government are deviating from international norms. Those observations say:

"The Bill all but extinguishes the right to claim asylum in the UK...breaches the UK's obligations towards stateless people under international law...would lead to violations of the principle of non-refoulement...would deny refugees and stateless people access to their rights under international law."

They go on to say that the Bill violates article 31(1) and 31(2) of the UN refugee convention and international human rights law,

"puts at risk the safety and welfare of children"

and

"would increase the pressure on the UK asylum system".

What an atrocious mess this Government are making.

Further to this condemnation from the UNHCR, the Council of Europe's group of experts on action against trafficking in human beings stressed that, if adopted, the Bill would run contrary to the United Kingdom's obligations under the anti-trafficking convention to prevent human trafficking and to identify and protect victims of trafficking, without discrimination.

The Home Secretary appears to misunderstand the very nature of modern slavery and human trafficking, as right hon. and hon. Members on the Government Benches have outlined. Perhaps that could be accounted for by the lack of an independent anti-slavery commissioner, as the post has now been standing vacant for a year. The previous holder of the post, Professor Dame Sara Thornton, gave evidence to the Home Affairs Committee last week on how the national referral mechanism actually works. I suggest the Immigration Minister should have read that evidence before coming to the House with such proposals as he has today.

New clause 26 replaces the placeholder clause 51 and gives the Government the power to ignore interim measures from the European Court of Human Rights and remove people who would otherwise have not been removed. The clause hands powers to Government Ministers to unilaterally decide whether the UK should uphold its international obligations. Liberty has described this as a concerning shift of power away from Parliament and towards the Executive. Yet again we are seeing the stripping away of crucial checks and balances—another Westminster power grab that has become a hallmark of this Government.

I tell you what this is really about, Mr Deputy Speaker. It is about setting up a fight with the European Court of Human Rights. It is about setting out to breach international law. It is about sleight of hand and deflection from the Conservatives' failure to get a grip on the immigration backlog that they created. They think that if the public are somehow distracted by judges in their jammies, they will forget about the incompetence of the Minister. I give my constituents and people up and down these islands more credit than that—their heads don't button up the back.

One of the most egregious aspects of the Bill is its impact on children. The Children's Commissioners are crystal clear about the harm that it will cause; the Minister should heed their calls. The Scottish National party is happy to support new clauses 2 and 3 on pregnancy, given the impact on both the mother and the child in the circumstances; amendments 2 and 3 and new clause 14 on safe and legal routes and family reunion for children; amendment 5 on unaccompanied children; and new clause 4 on an independent child trafficking guardian.

3.45 pm

I commend to the House the work of the Scottish Guardianship Service in Scotland, which is run by Aberlour and the Scottish Refugee Council. It does a diligent job of advocating for the young people in its care. It is beneath contempt that the UK Government would seek to overrule the Scottish Parliament's obligations to children and young people, effectively preventing the service from carrying out its work of rebuilding the lives of unaccompanied asylum-seeking children. Our amendment 54 would prevent the UK Government from extending their harmful proposals on unaccompanied children to the devolved nations without their consent. We want to do better by our bairns, and it is despicable that the UK Tory Government would block our democratically elected Government from doing so.

Government new clauses 24 and 25 on age assessments are utterly ridiculous. They seek to treat people automatically as adults if they refuse to consent to an age assessment method, which goes against the Home Office's own advice from last year. The Government calls those methods scientific, but the reality is that they are highly contentious. The British Dental Association has challenged the pseudoscience of such methods, saying that the dental checks

"fail basic tests on accuracy and ethics".

The Royal College of Paediatrics and Child Health says:

"Scientific evidence shows that pubertal assessment and bone age assessment are unreliable indicators of age and therefore cannot be used."

Gemma Jones, the chair of Unison's science, therapy and technical occupational group, said that the plans

"break the code of conduct of radiography staff and their legal duties for radiation protection by instructing them to expose vulnerable individuals to ionising radiation without consent and without any medical need, for a procedure that is not reliable to determine age."

That is important because such methods will determine whether children get thrown in with adults—a clear safeguarding risk.

The appeals process is practically impossible and the consequences can be catastrophic. The Scottish Guardianship Service has given the example of Shireen, who was 13 when he fled Afghanistan in 2008. When he arrived in the UK two years later, the Home Office treated this 15-year-old as an adult and refused his case. He has said:

"That time was very difficult for me...I didn't know where I could go or what I could do. I had nothing. And nobody believed my case."

The Scottish Guardianship Service was able to support Shireen and help him to rebuild his life. Under the Bill, that would not be possible.

Lia Nici (Great Grimsby) (Con): Does the hon. Lady recognise that it works both ways? I have a constituent who offered her home to a "17-year-old" asylum-seeking young man. He had all the benefits of being under 19, but then he revealed that on his next birthday he would be 24. We need to talk openly and fairly about the safeguarding issues, both for our own children and for children coming from other countries.

Alison Thewliss: The hon. Member makes an interesting point, but the fact is that the medical professionals just do not support the methods that the Government are suggesting to determine age.

Sir John Hayes (South Holland and The Deepings) (Con) *rose*—

Alison Thewliss: Is the right hon. Member going to disagree with the British Dental Association?

Sir John Hayes: The hon. Lady will know that I tabled an amendment in Committee which the Government have now refashioned and tabled on Report, precisely because there is a pedigree for such testing across European countries. Many European countries routinely use such testing to establish whether children are actually children and to avoid the eventualities that my hon. Friend the Member for Great Grimsby (Lia Nici) has just mentioned.

Alison Thewliss: The British Dental Association, the Royal College of Paediatrics and Child Health, and Unison's experts disagree with the right hon. Member. These are professionals. *[Interruption.]* The Minister is laughing on the Front Bench and denigrating a trade union. Given the Government's current position with respect to industrial disputes, I do not think that that is particularly wise of him. He might want to think about that.

I acknowledge Government amendments 134 and 136, but I am afraid I have real problems trusting the Government, because detaining children is wrong; that is the fundamental point here. The Government want to make regulations specifying the circumstances in which unaccompanied children should be detained, and further regulations on time limits. They do not have the courage to put those proposals into the Bill, and they know that we cannot amend statutory instruments should they deign to introduce them at some point in the future. We do not trust them to do the right thing here, because children are children, and it would be extremely harmful for them to be detained.

We tabled amendment 47 to try to humanise the Bill. Much has been said about hordes of people coming here and trying to claim asylum, but this, fundamentally, is about individual people, many of them fleeing circumstances that Conservative Members cannot even imagine. Accordingly, the amendment seeks to disapply the provision in clause 2 from people in a range of categories. The first, in subsection (a), covers

"a person who was under the age of 18 when they arrived in the UK",

such as Shireen, whom I mentioned earlier, and many others like him.

Subsection (b) refers to a person from Afghanistan

"where there is a real risk of persecution or serious harm...if returned to that country".

In Committee, I tried to personalise my amendments by putting a name to each of them. I could call this "Sabir's amendment", after Sabir Zazai, the chief executive of the Scottish Refugee Council. He came here as a child in the back of a lorry, but he would be prevented from so doing, criminalised and removed to Rwanda if the Government had their way. He makes an outstanding contribution to Scotland. He has two letters which he said he would put on the wall in his house. One is from the Home Office, saying, "You are a person liable to be detained and removed." The second was sent on behalf of the royal family when he was awarded the OBE.

[*Alison Thewliss*]

Subsection (c) specifies

“a person who is a refugee under the Refugee Convention or in need of humanitarian protection”.

That would cover many people who are currently fleeing from Sudan. Earlier, the Minister failed to identify a proper “safe and legal” route—

Robert Jenrick indicated dissent.

Alison Thewliss: No, the Minister did not do that. What he has done is push this on to those at the UNHCR, who say that it is not their job. They have also said that the tiny minority, the 1%, who manage to gain access to its relocation scheme are not suitable, in that there is not enough in that very small scheme to replace a functional asylum system.

My constituent Ilios is a British citizen whose wife and son are trapped in Sudan and are unable to obtain their documents because the British Embassy staff are out of the country, although they now have the right to travel. Will they be able to come to the UK safely through some other mechanism? Will it be possible for people who happen to be in Sudan with refugee travel documents, perhaps with family members visiting there, to be evacuated by the UK forces? The position remains unclear.

Subsection (d) refers to

“a person...where there is a real risk of persecution or serious harm on grounds of sexual orientation if”

that person

“were to be removed in accordance with this section”.

I recently had a call with LGBT rights activists in Uganda, which is introducing brutal laws to persecute LGBT people, up to the point of the death penalty. People are terrified over there. They are talking about mob justice, and of families being at risk as a result of even knowing that their loved ones are LGBT. If they were able to escape Uganda and come here, there would be no means under the Bill to prevent the Government from sending them back rather than protecting them, so we seek to put that protection into the Bill.

Subsection (e) covers

“a person who, there are reasonable grounds to suspect, is a victim of torture”.

In Committee I mentioned Kolbassia, who founded Survivors Speak OUT. I talk to people in my constituency surgeries who have been victims of torture. They deserve protection; they do not deserve this Bill.

Subsection (f) refers to “a Ukraine citizen”. There is no Ivan or Oksara who needs to come here in a boat, because there is a safe and legal route: they can come here perfectly legally, without having to resort to that. We should be making that route available to more people.

Vicky Ford (Chelmsford) (Con): I am listening closely to what the hon. Lady is saying. When I was the Children’s Minister, every single local authority in Scotland bar one was refusing to take any unaccompanied asylum-seeking children. Why?

Alison Thewliss: The right hon. Lady may not be as well-informed as she hopes she is. Every single local authority in Scotland took people under the Syria

scheme and they were proud to do so. We took a greater proportion than the rest of the UK. We would be willing to take more people if the Home Office would only honour its side of the bargain. The Minister is looking at me askance, but the Home Office is choosing where people go. The Home Office is booking hotels. The Home Office is not working with local government in Scotland to do this properly, and I can tell him that it is not working properly with local elected Members. I am aware of plans to put an asylum hotel in my constituency—[*Interruption.*] The Minister asks me if I am opposing it. I would not know, because he has not given me the details of it. I have known about it since January, but he has not even bothered to get in touch with me as the local elected Member to discuss it. It is absolutely ridiculous.

Subsection (g) of amendment 47 relates to

“a person who, there are reasonable grounds to suspect, is a victim of trafficking or modern slavery”.

I mentioned at a previous stage of the Bill that this could be Eva’s amendment. She is a survivor who was helped and supported by the Trafficking Awareness Raising Alliance —TARA—in my constituency. She came here and ended up being trapped in sex work. Those people deserve particular help and support, but it will be denied to them under this Bill. Services such as TARA will find it difficult to operate once the Bill passes.

Subsection (h) refers to exempting

“a person who has family members in the United Kingdom”.

We could call this Ibrahim’s amendment. He is a constituent of mine who had family stuck in Iran. He has found it very difficult to get them here. People should not have to wait in situations of danger for the Home Office eventually to get round to processing their applications, because for many it is a situation of life and death. They cannot wait for the Iranian authorities or the Taliban to come and find them. They cannot wait to be persecuted or tortured or killed. People are fleeing for their lives and the Home Office’s very slow decision making puts people at risk.

Subsection (i) refers to a

“person who meets the definition of an ‘adult at risk’ in paragraph 7 of the Home Office guidance on adults at risk in immigration detention (2016), including in particular people suffering from a condition, or who have experienced a traumatic event (such as trafficking, torture or sexual violence), that would be likely to render them particularly vulnerable to harm.”

I have talked previously about Priya, a trafficking survivor who was detained in Yarl’s Wood when she was pregnant and unable to access the services that would have kept her safe. There are many people like that, and under this legislation we will see more women, including pregnant women, being locked up in immigration detention.

Government amendment 95 states that

“it is not necessary for the person to be present in the United Kingdom”

to give evidence regarding trafficking. Professor Dame Sara Thornton, the former Independent Anti-Slavery Commissioner, gave evidence on this to the Home Affairs Committee last week. She said that asking people to give evidence after they had been removed from the UK would be “astonishingly difficult operationally”, “complex and complicated” and “very challenging indeed”. I would question the very efficacy of this process, because there

is no recognition of the difficulties that it would cause. Co-operation with people once they have moved away will be practically very difficult, as will dealing with police forces in other parts of the world. It is unclear what level of co-operation will be required to get some kind of exemption to this requirement to give evidence after removal. What will those “compelling circumstances” be? There is also no recognition of the trauma that this will cause to people.

Dr Katarina Schwartz of the Rights Lab presented evidence to the Home Affairs Committee this morning on the impact that this proposal could have on prosecutions. She said that

“if a survivor is heavily traumatised and being questioned by the police, they will not be able to give good testimony”.

She also said that

“the impact of decreasing support for survivors on both their own experiences of recovery and integration and on their inability to testify is enormous”.

She spoke about the benefits to the person, to the prosecutions and economically to the UK of doing it right and of having people come through a process and do well from it.

This is a dangerous, atrocious Bill. It rips up rights, it undermines our international obligations and it rides roughshod over devolution. It puts children at risk and it places those who have been trafficked more firmly than ever back into the hands of the exploiters, who will more easily avoid prosecution due to the measures in this tawdry Bill. It will not work. We will amend it, but we know that amendments are not enough to fix this unfixable Bill. We know in Scotland that better things are possible, and we wholeheartedly reject this Bill. We are appalled at its imposition against the will of the Scottish Parliament and the Scottish Government. We on the SNP Benches say it loud and clear: refugees are welcome here. We reject this fascist, dystopian assault on human rights.

4 pm

Mrs Theresa May: I will concentrate my remarks on amendment 4, in the name of my right hon. Friend the Member for Chingford and Woodford Green (Sir Iain Duncan Smith)—I have also signed it—and Government amendment 95.

Before I do so, I want to say a word about evidence. The Minister has indicated again today that, in his view, there is evidence that the Modern Slavery Act 2015 is being abused. I apologise for doing this to him again, but he might wish to look at the evidence given to the Home Affairs Committee this morning by a representative of the Organisation for Security and Co-operation in Europe, basically saying there is no evidence to support the claim that the national referral mechanism is being abused. On the contrary, the evidence is that there is a low level of abuse. They went on to say that the biggest problem with the NRM is not abuse but the big delay in finding an answer for victims, which is of course within the Government’s control because it is about the length of time that officials are taking to consider cases.

I am grateful to the Minister for meeting me last week to discuss the concerns I raised in Committee. I welcomed the Government’s apparent attempt to improve the Bill for victims of modern slavery, and their willingness to look at that, but then I saw Government amendment 95. Far from making the Bill better for victims of modern

slavery, the amendment makes the Bill worse. I believe the Minister was talking in good faith, but it is hard to see Government amendment 95 as an example of good faith. It is a slap in the face for those of us who actually care about victims of modern slavery and human trafficking.

Equally concerning, Government amendment 95 suggests that those who are responsible for the Bill simply do not understand the nature of these crimes or the position of victims. The Minister wants to see an end to human trafficking, and he wants to stop the traffickers’ business model, as do many of us on both sides of the House, but the best way to do that is by identifying, catching and prosecuting the traffickers and slave drivers.

Government amendment 95, by making it an assumption that victims do not need to be present in the UK to assist an investigation, makes it much harder to investigate and prosecute the traffickers and slave drivers. It has been shown time and again that victims’ ability to give evidence is affected by the support they receive. They need to feel safe and they need to have confidence in the authorities.

As Detective Constable Colin Ward of Greater Manchester Police says:

“If we get the victim side right first, the prosecutions will eventually naturally follow, alongside us doing the evidence-based collection of that crime.”

Support for victims matters in catching the slave drivers. Sending victims back to their own country, or to a third country such as Rwanda, will at best make them feel less secure and, therefore, less able or less willing to give the evidence that is needed, and will at worst drive them back into the arms of the traffickers and slave drivers.

Again, the representative from the Organisation for Security and Co-operation in Europe made the point today at the Home Affairs Committee that the UK has been leading the world in identifying victims exploited by criminal activity. That tells us that these people are vulnerable, because they have been compelled by traffickers to engage in criminal activity. Disqualifying them from our ability to rescue them will mean the UK is no longer able to identify them, and it will leave them to the mercy of the traffickers. Far from helping, Government amendment 95 flies in the face of what the Minister and the Government say they want to do to deal with the traffickers and slave drivers and to break their business model.

The Government have previously used clause 21(5) to tell us that they are providing more support for victims of slavery. Government amendment 95 reverses that by making it even harder for victims to get the support they need, which I think would be a setback in the fight against the slave drivers and traffickers.

Sir Iain Duncan Smith: My right hon. Friend is making a good speech. The reality is that amendment 95 poses a threat. Straightaway, its assumption is that someone goes, rather than that they have to prove anything; they go first and then somebody has to prove that they have to be here. What are they going to do when they look at that? They are going to say, “We’re off, so why would we give evidence?”

Mrs May: My right hon. Friend makes an important point. I hope that this is an unintended consequence of the Government’s amendment, but I fear, given that they tabled it, that they knew all too well what they were

[Mrs May]

doing with this amendment, because they just want people to leave the UK. As he says, assuming that where somebody is identified they are going to have to leave the UK means that they are less likely to give evidence, and we will not catch and prosecute so many traffickers and slave drivers. Sadly, all too often those individuals will return to a country where they will be straight into the arms of the traffickers and slave drivers again.

The purpose of amendment 4 is simple: to ensure that victims who are being exploited, in slavery, here in the UK are able to continue to access the support they need, which will enable them to find a new life here or indeed in their home country. Not everybody who has been trafficked here for slavery wants to stay in the UK. Many of them want to return home, but they need to be given the support that enables that to be possible.

Amendment 4, if accepted, would ensure that it would be more likely that the criminals were caught. This Bill says, “If you are a victim of modern slavery who came here illegally, we will detain and deport you, because your slavery is secondary to your immigration status.” It has always been important to separate modern slavery from immigration status. Modern slavery is not a migration issue, not least because more than half of those referred to the national referral mechanism here in the UK for modern slavery are UK citizens here in the UK.

Modern slavery is the greatest human rights issue of our time. The approach in this Bill will have several ramifications. It will consign victims to remaining in slavery. The Government will be ensuring that more people will stay enslaved and in exploitation as a result of this Bill, because it will give the slave drivers and traffickers another weapon to hold people in that slavery and exploitation. It will be easy to say to them, “Don’t even think about trying to escape from the misery of your life, from the suffering we are subjecting you to, because all that the UK Government will do is send you away, probably to Rwanda.” The Modern Slavery Act gave hope to victims, but this Bill removes that hope. I genuinely believe that if enacted as it is currently proposed, it will leave more people—more men, women and children—in slavery in the UK.

As I have said, another impact of the Bill will be fewer prosecutions and fewer criminals being caught and put behind bars. I apologise to the Minister for bouncing him with the Greater Manchester Police evidence that I cited earlier, but it is very relevant and he needs to look at it. The Nationality and Borders Act 2022 already means that people who are in slavery—the figures on those who get a positive decision from the national referral mechanism show this—are not coming forward because of the evidence requirement now under that Act. That is having a real impact and it means fewer prosecutions of the criminals.

I wish to mention the impact on children, and I urge the Minister to listen carefully to the concerns of the Children’s Commissioner. Other Members of this House, including my hon. Friend the Member for East Worthing and Shoreham (Tim Loughton), have long championed, through the process of this Bill, the issue of children. My concern is particularly about those children who are in slavery in this country and being cruelly exploited, as victims need support.

The Children’s Commissioner has cited the example of Albin, a 16-year-old Albanian national who came to the UK in September via a boat. He was trafficked for gang and drug exploitation. It was clear to the Border Force that he was young and malnourished, and that he had significant learning difficulties. He was provided support, including from the Children’s Commissioner’s Help at Hand team, but the point the commissioner makes is that

“without the NRM decision...he would have not been processed through the immigration/asylum route as quickly and he would have not received the adequate support to meet his needs.”

Upon receiving the positive decision for the NRM, the social care team was able to transfer him to a suitable placement. That 16-year-old would otherwise have potentially been detained and deported by the Government.

It is important that we consider the impact on children who are victims of slavery. I put the arguments earlier about making it harder to prosecute the slave drivers, and that covers child victims as well, but there may well be an added element for the traffickers to use to keep children enslaved, by which I mean the situation in Rwanda. UNICEF said:

“In Rwanda, over half of all girls and six out of ten boys experience some form of violence during childhood. Children are usually abused by people they know—parents, neighbours, teachers, romantic partners or friends. Only around 60% of girls in Rwanda who are victims of violence tell someone about it, and the rate is even lower for boys.”

I recognise that that quote relates to children in Rwanda being abused by people known to them, but the environment is hardly conducive to the good care of children.

Amendment 4 would remove the problem by ensuring that those identified as being exploited into slavery here in the UK could still access the support provided under the Modern Slavery Act. We have led the world in providing support for those in slavery by what we have done here in the United Kingdom. The Bill significantly damages the operation of that Act. It is bad for victims, bad for the prosecution of slave drivers and bad for the reputation of the United Kingdom.

I was grateful to my right hon. Friend the Minister for saying from the Dispatch Box that he was willing to talk and listen to us to see whether we can find a way through this. I say to him quite simply that the best way to do that is through amendment 4. That is what removes the problem in relation to the victims of modern slavery, so I hope the Government will be willing to look very carefully at that amendment and to listen to what we have said. What we are talking about is not just what we say, but what those who are identifying and dealing with the victims of modern slavery are experiencing day in, day out. They worry that more people will be in slavery as a result of the Bill.

Mr Deputy Speaker (Sir Roger Gale): Order. I will now announce the result of the ballot held today for the election of the Chair of the new Energy Security and Net Zero Committee. A total of 384 votes were cast, none of which was invalid. There were two rounds of counting. There were 362 active votes in the final round, excluding those ballot papers whose preferences had been exhausted. The quota to be reached was therefore 182 votes. Angus Brendan MacNeil was elected Chair with 188 votes. He will take up his post immediately. I congratulate him on his election. The results of the

count under the alternative vote system will be made available as soon as possible in the Vote Office and published on the internet.

I now call Dame Diana Johnson, after whom I shall have to impose a five-minute limit on speeches.

Dame Diana Johnson: It is a great pleasure to follow the right hon. Member for Maidenhead (Mrs May). I thank her for highlighting the evidence that we heard this morning at the Home Affairs Committee on the issue of trafficking and modern slavery, and I again pay tribute to the work that she did on that pioneering piece of legislation in 2015.

I think the right hon. Lady is right that the Government do not fully understand the law in this area of modern slavery and trafficking. I support what she said about amendments 95 and 4. I noted that, at the start of proceedings, the Minister said that it is important that we get the Bill right, and it is absolutely important that we do so. As we enter this final stretch for the House to have the opportunity to debate and amend the Bill,

I wish again to express my concerns about the lack of an impact assessment for the Bill. The impact assessment is now seven weeks late, and it is wholly unacceptable that the House is being forced to pass this very significant legislation with no firm analysis on whether it will work or what the cost will be. According to the Refugee Council, the Bill could cost as much as £9 billion over the next three years.

I again refer to the Home Affairs Committee report on small boat crossings, in which we were very clear about the need for evidence-based policy making. It is regrettable that this Bill is being forced through at breakneck speed with no time for pre-legislative scrutiny. I know the Minister has had to table a lot of Government amendments to deal with issues that perhaps should have been thought through before, and we have heard that he will reconsider issues around modern slavery and trafficking as well.

4.15 pm

As I move on to the amendments tabled in my name, I want to raise two particular issues. The Home Affairs Committee, in the report I just referred to, made it very clear that international co-operation, respect and trust are essential to building a joint framework with other countries to tackle the problem of irregular migration. I am disturbed that the Government are hardening their stance on the ECHR and I strongly oppose the latest amendment on interim relief, new clause 26, which I believe will breach international obligations.

We have heard from two eminent lawyers in this Chamber, the hon. and learned Member for Edinburgh South West (Joanna Cherry) and the right hon. and learned Member for Torridge and West Devon (Sir Geoffrey Cox), who are united in what they think the new clause will do—indeed the latter, the former Attorney General, said that it was setting out legislation to allow the deliberate disobeying of our obligations.

Margaret Greenwood (Wirral West) (Lab): I congratulate my right hon. Friend on the amendments she has tabled and the work she does with the Select Committee. Does she agree with my constituents who have written to me, precisely on this issue, to say that the Bill risks our

reputation internationally for providing a safe haven for those who are fleeing persecution, and that we must do all we can to ensure that that reputation is maintained?

Dame Diana Johnson: I absolutely agree with my hon. Friend. Reputation is important in this area, and the approach taken on this particular point will hurt our country more than it helps us. For example, it will not help us to get a returns agreement with EU countries, which I think we all agree is necessary if we are to start to tackle irregular migration.

I welcome the fact that the Government are introducing provisions for legal aid in the Bill, which I think is a positive step forward, but I am concerned that they do not acknowledge that there are currently legal aid deserts across the country that leave genuine asylum seekers, refugees and victims of trafficking without access to legal advice. The sector is on the point of collapse and access to advice regulated by the Office of the Immigration Services Commissioner is really hard to come by for the many people who desperately need it. I hope the Minister will set out how people will be able to access that legal advice and assistance.

On new clause 8 and amendment 11, I welcome the Government moving on the safe and legal routes. Again, that is in line with recommendations that the Home Affairs Committee made in its report.

At Committee stage, I raised several concerns with the Minister about the lack of consideration for vulnerable children within the Bill. The Bill creates broad powers to detain unaccompanied children, removing essential safeguards and time limits that had previously been enacted by this House.

I know the Minister said in his opening remarks that he was going to support the amendments tabled by the hon. Member for East Worthing and Shoreham (Tim Loughton), and I am pleased to hear that. However, unfortunately, the Bill as currently drafted will still allow the unlimited detention of pregnant women, ending the current 72-hour time limit—a limit put in place by the Government in 2016.

The Bill also abolishes necessary safeguards for children who are accompanied, undoing the protection put in place by the Government in 2014. The Equality and Human Rights Commission, the Children's Commissioner and the Refugee Council have all raised serious concerns about those proposed changes, and I agree completely with the issues that they have raised.

That is why I have tabled amendments 2 and 3 to uphold the existing detention limits for children, families with children and pregnant women. They were introduced by this House for very good reason and should be upheld. Limits on detention deliver essential safeguards for the most vulnerable people who arrive on our shores, ensuring that while we process their claims we keep them safe, we treat them with care and we do no further harm. The UK has been a stalwart of that decency, but these specific detention measures are a major step backwards for families, for children and for pregnant women.

I welcome Government amendments 134 and 136, and the support for the amendment tabled by the hon. Member for East Worthing and Shoreham, but even with those changes, the Bill does not extend the appropriate protection to children with families or to pregnant women.

[*Dame Diana Johnson*]

My amendments have cross-party support, including from the Chair of the Joint Committee on Human Rights, the hon. and learned Member for Edinburgh South West, and from the Chair of the Women and Equalities Committee, the right hon. Member for Romsey and Southampton North (Caroline Nokes). I hope that the Minister will, even at this late stage, consider again whether anything can be done on the amendments. If he is not minded to do that, I will, if necessary, test the opinion of the House on that important issue.

I also welcome the Government's change of heart on the ban on future citizenship for children born in the UK to parents who meet the conditions in clause 2. That delivers on at least half of my amendment 8. However, I firmly push back to the Minister that it still cannot be right that an eight-year-old child brought here by their parents would be forever barred from citizenship as an adult. I raised that point in Committee. It seems completely illiberal to punish a child for the actions of their parents or carers. Will the Minister look again at amendment 8?

I have tabled several other practical amendments underlining the protections and considerations for children, which I believe need to be addressed. Those amendments are all supported by the Children's Commissioner, and some have foundations in the Home Affairs Committee report on channel crossings. I hope that the Minister will consider them in that vein.

The Government's approach to tackling migrants in the Bill remains problematic in respect of children. There are several measures and amendments before the House that could be adopted while still allowing the Government to deliver—arguably more effectively and practically—on their stated aims. There are other, less headline-catching measures that will also uphold the essential safeguarding provisions that the House has put in place over the years to protect victims of trafficking and modern slavery, unaccompanied asylum-seeking children, asylum seekers and refugees.

Finally, the Home Affairs Committee has started an inquiry on slavery and trafficking. We were very fortunate to have had evidence from Baroness Butler-Sloss last week, and from the former Independent Anti-Slavery Commissioner, Dame Sarah Thornton, both of whom took the view that the Bill will not help victims of modern slavery and trafficking; it will do the exact opposite. I again ask the Minister to listen to the experts in the field. It is notable that two Conservative Members—the right hon. Members for Chingford and Woodford Green (Sir Iain Duncan Smith) and for Maidenhead—made compelling arguments on why the provisions relating to modern slavery and trafficking need to be considered once again.

The other place may take further views, but does the Minister seriously want to make it harder for victims to come forward? If—as Dame Sarah Thornton said—a woman is trafficked into this country after 7 March, taken to a brothel and repeatedly raped, but manages to escape and seek help, does the Minister want to ensure that she is told that no assistance can be given and that she will be removed to Rwanda? Is that how we want to treat people like her?

Several hon. Members *rose*—

Mr Deputy Speaker (Sir Roger Gale): Order. Hon. Members will have noticed that we are endeavouring first to call those who have tabled amendments. After that, I or my successor will accommodate as many Members as possible.

Mrs Elphicke: I rise to speak to amendment 184, which was tabled in my name and supported by my right hon. Friend the Member for South Holland and The Deepings (Sir John Hayes) and many other right hon. and hon. Friends.

The stop the boats Bill is important to my Dover and Deal constituency because it focuses specifically on the problems of small boat arrivals by dramatically reducing the pull factor that draws people to the United Kingdom—namely, that once people are here, it is very hard to remove them. The Bill cuts through all that. It says, plainly and simply: “If you’ve arrived here illegally, you won’t be allowed to stay.”

I have long said that the small boats crisis will end only when migrants and people smugglers alike know that they will not succeed. Stopping the boats is the right and compassionate thing to do. It will save lives that are being risked in the channel. The Bill and today's amendments, particularly new schedule 1, will send a clear and unmistakable message to would-be channel migrants: “If you are thinking of breaking into Britain in a small boat, don’t bother. Save your cash and stay safe on land.”

Let me turn to the details of amendment 184. Clause 4, to which the amendment relates, sets out the circumstances in which human rights and other protection cases can be excluded. Put simply, if a person arrives through the small boats route, they will not be allowed to try to prevent their removal through endless legal appeals paid for by the British taxpayer.

The amendment focuses specifically on those who would put our public safety or national security at risk. This approach is in line with the UN refugee convention and the European convention on human rights, which has always allowed countries to protect themselves from those who would cause the most serious risk of harm to them and their countrymen and women.

The amendment would apply whether or not the country of origin can be identified—for example, if someone is undocumented, perhaps because they have eaten their identity papers or thrown their passport in the channel, or, as border officials tell me has shockingly been the case, if someone has taken razor blades to their fingers to damage and destroy their fingerprints to avoid identification.

At the frontline of my constituency in Dover and Deal, this is not a matter of open-borders fervour or pro-migration ideological dogma, as some of the contributions today have suggested; it is a matter that directly affects my constituency and our country's safety, security and peace of mind. A key reason why the small boats Bill and amendment 184 matter is that when Dover and Deal residents raise matters of concern, the official Opposition do not back them and do not even believe them. When migrants ran amok and broke into a woman's house, before being apprehended in a bedroom, the leader of the Labour group on Dover District Council went on TV to cast doubt on residents' accounts, dismissing them as misreportings. He said that we should be “more generous” to illegal channel migrants.

The reality is that Labour's new clause 15 is a smokescreen for allowing more legal challenge and more taxpayer costs—more potential loopholes to allow those who would wish our country harm to stay here. New clause 15(2) would require a Secretary of State to consider imposing TPIMs on illegal migrants who are suspected of terrorism, if they cannot remove them, but as the Minister has said, the Government are doing that anyway. The Government will always act to protect the country's national security.

If Opposition Members want to ensure our country's safety and security, they should back the Government's "stop the boats" Bill and they should back swift removals. New clause 15 pretends to be tough, but in fact it would result in slower appeals than the fast-track process the Government have set out. In my constituency we see Labour's true colours: it is an open-borders, pro-immigration party. It does not want to stop the boats. Just like Brexit, so on small boats: Labour cannot be trusted and does not listen.

I thank the Minister for engaging with us on amendment 184. I have had the reassurance that I sought, as have my right hon. and hon. Friends who support the amendment, so we will not press it to a vote today. I look forward to continuing to engage with the Minister to stop the boats.

Stella Creasy: Let us be very clear: demonising refugees will not tackle the cost of living crisis in this country, but it might create some local election leaflets, just like this piece of legislation. We know that this legislation will not survive the other place, thankfully, so the question for us today is: what messages do we need to send to our colleagues in the other House as they scrutinise and hold to account this Government, given that the Government have systematically failed to provide the time for scrutiny in this place?

4.30 pm

First, we need to tell the Lords that this Government have no idea how to solve the problem that we all want to fix, which is stopping the boats and stopping the traffickers. Nothing in this legislation targets the traffickers themselves: there is no increase in deterrence for them. There is no increase in sentencing—nothing about joint enterprise, for example—and nothing about those people who are illegal overstayers here, which could have been brought in to deter the traffickers. I agreed with the right hon. Member for Maidenhead (Mrs May) when she said that the Bill will simply help those who engage in trafficking, because it will allow them to threaten the people who might come forward.

Secondly, the Bill tells us that the Government do not respect the role of the international rule of law, or understand why international co-operation matters if we actually want to address these concerns. Imagine if every country took the approach that the Minister did when he was trying to say that no one should claim asylum in the UK; they should go and do it somewhere else. The whole system would collapse. It is by working with other countries, upholding the European Court of Human Rights, and doing our bit that we will manage this issue better.

Thirdly, the Bill tells us that this Government have no idea at all what modern slavery is, although, frankly, I am not sure they really care, given their reaction: time and again, they talk about evidence but produce none to back up their claims.

Fourthly, the Bill tells us that the Government do not really care about the children who are already on our doorstep. I am glad to see the hon. Member for East Worthing and Shoreham (Tim Loughton) doing the work that he has done, but I have to tell him that I am very sceptical that there will be meaningful change, whether for children who are accompanied or those who are not, because every refugee child in this country is vulnerable. The children in the hotels in my constituency who were sexually assaulted were with relatives; those children who have gone missing have family who are looking for them. The Children's Commissioner is terrified, which is why I have tabled my amendment to remove children and pregnant women from clause 2, but I will also support the amendments tabled by my right hon. Friend the Member for Kingston upon Hull North (Dame Diana Johnson). I will also mention the age verification processes that sound like something out of a Margaret Atwood novel, yet Government Ministers want to support them, and the removal of the independent family review panel.

This Government clearly do not understand that we need a focus, not on travel, but on the threat that people face, if we really want to tackle this problem. That is why safe and legal routes matter. The Minister can rumble on at the Dispatch Box, he can avoid questions, he can remove basic protections and decency standards so that we are waiting for refugees to live in Grenfell Tower perhaps, without smoke alarms, without—

Robert Jenrick *indicated dissent.*

Stella Creasy: The Minister has not explained why he has put forward that statutory instrument. People will still come because it is still better than the death that they face in the country they are fleeing from. We see that with the Sudanese. The Minister said earlier that he would listen to the UNHCR when it came to taking Sudanese refugees; in that case, he needs to tell us how many he will take because right now, there are people facing that very same situation. There are no queues in a war zone.

Sir William Cash: Will the hon. Lady give way?

Stella Creasy: With the greatest respect, I have listened at length to the hon. Member for Stone and have yet to find any common ground on these issues.

Frankly, it is about time that we stood up for the importance of the international rule of law and helping people when they are facing these situations. There are no queues in a war zone, there is no administration or bureaucracy: there is fear, terror and persecution, and those people who are in Sudan now will be asking those questions. If the Minister wants to answer them and give those people hope that, if they make it to the border or to one of the refugee camps—they may find one of those UNHCR people who does not think that the UNCHR has that relationship with the UK but thinks the Minister is prepared to do that—we will take a certain number of people, that might stop them fleeing. This legislation will not do so.

More people will keep coming, including from Afghanistan, where the Government have failed to bring in a safe and legal route, and where they still fail to listen to those of us who have constituents who have been affected by that fact. They will come from Eritrea.

[Stella Creasy]

They will come from the war zones and places of persecution—those people whose religion means that they are at risk. They will come because they see what we did with the Ukrainians; they see this country, and they know that there is a better way of doing it. The Lords will take this legislation on—that is probably the point of it for the Government—but let nobody be under any illusions: the Bill is just about 4 May. It is not actually about resolving the problem.

Tim Loughton: It is difficult to know in five minutes how to address the five amendments with my name at the top, including the two that have been leapfrogged by the Home Secretary. I have spent many hours cossetted with the Minister for Immigration and others to try to get some of the adjustments being made, and I am grateful for the time he has spent to try to get us to a better place. I certainly do not have time to respond to the extensive assurances that he aimed to give me from the Dispatch Box earlier.

I support safe and legal routes. I am glad we will now have them on the face of the Bill. We need a balance. I support this Bill, but if we are to be tough on the abusers of our immigration system, we also have to ensure we are open and generous to genuine asylum seekers, to whom we owe a duty of care. The amendments on safe and legal routes are also timely because we needed to address the question that I posed to the Home Secretary some months ago about how the 16-year-old orphan from east Africa with relations in the UK would make it to the UK. This week, that apocryphal scenario became a reality. The measures that the Immigration Minister will be bringing forward need to address that question.

It is essential that the Immigration Minister consults local authorities about capacity, but he also needs to consult refugee organisations and others about the type of schemes with which we will come forward. How will they operate? Who will qualify for them? How will people access them? Let us make sure that those schemes are in place sooner rather than later in 2024, although I would have liked them to be contemporaneous. We have a deal on safe and legal routes, but we need to see some real workable details in the coming months and as the Bill goes through the Lords.

I have no time to talk about amendment 181 on the return of children or amendment 182 on best interest and welfare checks. My real concern has been on child detention, so I was grateful for the assurances that the Immigration Minister gave me, because the measures as they stand do not differentiate between children and adults in detention terms. They ride roughshod through the safeguards on child detention under the Immigration Bill 2014, through which this Government specified the 24-hour limit, and the Government have not even offered to put the maximum detention times for children in this Bill. That is a must when it comes to any amendments that the Minister can bring forward in the House of Lords.

Edward Timpson: I very much agree with the points that my hon. Friend makes in support of children. Does he also agree that we need absolute clarity on the responsibilities under the Children Act 1989 in all circumstances where a child is on these shores, and in particular where the Home Office itself has some responsibility?

Tim Loughton: That is absolutely right. It is notable that three former Children's Ministers are behind the measures we are trying to push today. It is essential that any child in this country, whether a refugee here temporarily or someone here for the long term, is covered by the welfare considerations of the Children Act. I am grateful that the Minister referred to the Children Act. As it stands, despite the measures that mean there will be a differentiation between children and adult detention—we do not know what yet—under the Bill a 12-year-old child claiming asylum could still be in a Home Office detention centre facility for 27 days. That is not a good look, and it must not happen.

Vicky Ford: I add my voice to the chorus of former Children's Ministers on this issue. Does my hon. Friend agree that the period for which a child could be detained when they first arrive to find them suitable accommodation needs to be a matter of days, not weeks, and that that needs to be in the Bill?

Tim Loughton: That is what we put in the Immigration Act 2014 with the then Immigration Minister, now the Transport Secretary. What has changed between 2014 and 2023 that means apparently we have to detain children indefinitely? We need timescales in the Bill, as we had in 2014. I appreciate there are practical problems about age verification for those who are challenged. We may have to have a two-tier system, but certainly those children who are recognised generally as children should not be locked up in detention centres and Home Office facilities, and that has to be made absolutely clear when this Bill goes to the Lords.

We also need to know how and where the Government plan to accommodate those children once identified. The accommodation does not exist at the moment, and the Government have only a few months to magic it up if we want to get this legislation through in a matter of months. I share the Children's Commissioner's concerns. She said:

“The Bill is unclear on what the state of the accommodation will be for children while awaiting transfer to local authority care or removal from the country...What regulations will be in place for Home Office provided accommodation? If the accommodation is regulated which body will inspect them?”

There are a lot of questions to be asked. We are taking the assurances from the Minister on trust. We will not continue with a lack of detail when the Bill gets to the Lords, but for the moment we will not force it, because I trust the Minister to do the right thing before the Bill goes through its final stages.

Apsana Begum: I rise to speak to a range of amendments and new clauses seeking to protect people from the attacks on basic human dignity that are before the House today. I am supporting new clauses in the name of my hon. Friend the Member for Streatham (Bell Ribeiro-Addy) about the ongoing human rights breaches that migrants endure, which have been happening for some time, but today I shall focus on how the legislation treats those who are pregnant, because not only will the Bill persecute and imprison people fleeing torture, war and oppression, but it will put the health of some of the most vulnerable of them—pregnant women—and the life of their unborn children at risk. That is why I have tabled new clause 2 seeking to exempt pregnant women and girls from provisions about removals. My new clause 3 seeks to

require an independent review of the effect of the provision on pregnant migrants, and my new clause 7 is about a review of the effect of the measures on the health of migrants.

I am also supporting related amendments to prevent an immigration officer's and the Secretary of State's detention powers from being used to detain unaccompanied children, families with dependent children, or pregnant women, as tabled by my right hon. Friend the Member for Kingston upon Hull North (Dame Diana Johnson).

In order to cut through the dehumanising othering that too often plagues debates on migration—I note the awful nature of the comments made earlier today in response to the hon. Member for Glasgow Central (Alison Thewliss) about the dental testing of young migrants, which I find dehumanising and an othering of different communities—I would like to draw the House's attention to a real-life example to illustrate the human reality of what is being debated today.

Najma Ahmadi and her family fled from the Taliban and made 20 attempts to cross into Greece from Turkey—20 attempts. On two occasions, Najma nearly drowned, once while pregnant with her baby daughter. She finally arrived in the UK last July on a boat, her terrified one-year-old baby girl clutched against her. Najma and her family were entitled to asylum, which was granted last December, but we must not forget those pregnant women escaping persecution who have died seeking refuge. For example, Yohanna, an Eritrean woman thought to be about 20 years old, who gave birth as she drowned alongside many others, when the boat she was travelling on, trying to get to safety, capsized. And there are many other women who remain unnamed.

These women are not criminals, but this Government are proposing today to treat them worse than criminals, despite knowing that such women are in fact victims of foreign policy failures and the simple, indisputable fact that there were no safe routes for them. They are fleeing countries such as Afghanistan, which has barely had a mention today. As I said during the previous stage of the Bill, as of last month, 22 people had been granted asylum through the Afghanistan resettlement scheme. If that figure has changed, I would be more than happy for the Minister to address it in his closing remarks, but that is such a small number—unless of course the Government have changed tack and do not think there are women trying to escape the Taliban in Afghanistan and believe that they do not deserve safe routes through which to escape.

Not only will the Government refuse sanctuary to those who survive these horrors, but clause 11 will enable the Home Secretary to condemn them to indefinite detention. The Bill will therefore see migrant women who should have finally escaped persecution facing pregnancy and birth alone, without adequate medical support and with the fear of potential separation from their baby.

There is a wealth of information and evidence that the imprisonment of any pregnant women is wrong. We know that pregnant women in prison are almost twice as likely to give birth prematurely and are five times more likely to experience a stillbirth. Yet pregnant refugees are to be placed in circumstances worse than the already inhumane situation of pregnant women in UK prisons such as Manston, where there are outbreaks of illness and disease, reports of assaults and drug use

by guards, and which last year was estimated to be detaining thousands of people arriving in Britain via small boats, some for as long as 40 days or more. No one should be detained in such places, never mind those who are pregnant.

The British Medical Association, the Royal College of Midwives, and Maternity Action have all raised that healthcare in immigration detention is often very poor. In 2014, some 99 women were locked up in Serco-run Yar's Wood detention centre while pregnant, and research by Medical Justice found they often missed antenatal appointments—

Mr Deputy Speaker (Sir Roger Gale): Order. The hon. Lady is out of time. I call David Simmonds.

4.45 pm

David Simmonds (Ruislip, Northwood and Pinner) (Con): There are many things one could say about this Bill, and certainly my extensive backstory of dealing with asylum and migration issues means that there are many elements to which I think it is appropriate to draw the House's attention. However, it is important to start by saying, as many colleagues have said, that we all share the aims this Bill sets out to achieve. We cannot allow a situation to continue in which, in the English channel, significant numbers of people are putting their lives at risk, and in some cases tragically losing their lives. We need to find a better, more robust and effective way of managing our migration process.

I would like to focus my attention in the short time available on a couple of issues of principle and a couple of practical issues that I hope Ministers will give attention to and that I am sure will be the focus of debate in the other place. I certainly commend the work that has been done by my hon. Friend the Member for East Worthing and Shoreham (Tim Loughton) and my right hon. Friend the Member for Maidenhead (Mrs May), and I very much welcome the assurances that have been received in response to the work they have done.

I will start by mentioning age assessments, the impact of local authority duties under the Children Act 1989 and the need to ensure that, by the time this Bill completes its passage and gains Royal Assent, we have absolute clarity about what we expect of our local authorities and about how that process will interact with both this Bill and other legislation such as the Children (Leaving Care) Act 2000, which imposes specific responsibilities on local authorities in respect of all young people, regardless of their immigration status.

Those who have read what the interim Age Estimation Science Advisory Committee has said—its report has been published by the Home Office on its website—will be clear that the scientific methods proposed envisage at best a minimum age range that could be assigned to an individual. It envisages that the Merton-compliant local authority age assessment process will continue as necessary and required.

We need to ensure that we do not end up in a situation where a local authority or other public body is judicially reviewed for failing to carry out its duties under, for example, the Children Act or the Children (Leaving Care) Act, while seeking to be in compliance with its duties in respect of immigration under the Illegal Migration Act. I am pleased, having met the Minister on this issue, that he has said he will return to

[David Simmonds]

me on a number of those points, but it is important, if we are not to undermine public confidence in the effectiveness of this legislation, that we address that issue expeditiously.

The second issue of principle to which I would like to draw the House's attention is the impact of the so-called rule 39 point—the interim relief provided by the European Court of Human Rights in Strasbourg. The Brighton declaration some years ago was a recognition by the European Court of Human Rights of the concerns of a number of member states about areas where the actions of the Court had departed from some of the things perhaps originally envisaged in the treaty or specifically enshrined in law. Therefore, there is clarity that the Strasbourg Court and its judges recognise that there is concern about the operation of some of these matters.

However, it does seem to me concerning that the Bill envisages that the only circumstances in which such an interim measure would be relevant is where the Home Secretary considers it to be so. The default position is that we will always ignore our international law commitments unless we choose to follow them, and that is something that, as a party that seeks to uphold the rule of law in all cases and all circumstances, we should be concerned about.

I draw the House's attention to my entry in the Register of Members' Financial Interests, in that on my next point, which is our links with other countries and in particular returns agreements, I have had the benefit of a lot of research support looking at the United Kingdom's relationships with other countries. Clearly, if we are not to create a situation in which significant numbers of people find themselves, at very significant taxpayer cost, in detention in the UK for long periods of time, we need to go immensely beyond what is envisaged in the Rwanda agreement and establish returns agreements, particularly with EU neighbours and with other countries as well.

It is my understanding from the assurances I have received from Ministers and the Government that all of those points will be addressed during the passage of this Bill. In order to achieve that, which is a wish we all share, I will be supporting it tonight.

Sir Chris Bryant: I hate the crossings. I hate every single aspect of the crossings. For a start, it is a traffic that turns people, in particular extremely vulnerable people, into a commodity. I have heard stories that traffickers often deliberately buy dinghies that are more dangerous, because they are hopeful they will be picked up by other people. That is despicable. They are deliberately putting other people at risk. They are also a sign of a failure of international diplomacy in other parts of the world, most notably in Afghanistan, Iran and Syria. No doubt we will have people from Sudan in the not too distant future, too. They are chaotic and unregulated. There is no opportunity for justice or proper priority for those who are most in need, so I absolutely hate them.

Emotions run extremely high, most notably emotions on behalf of those who are being trafficked. They are in fear for their lives. They are terrified of being spat at, of being hated, of being in an environment they do not know and where they do not speak the language properly,

and all the rest of it. Also, many people in this country watch with compassion that is mixed with anxiety and fear. That is why the language that we use is so, so important. I say very gently to the Minister that I really did not like it when, in a previous debate, he started using language about breaking into this country, and his using the word “cannibalise” today is very, very unfortunate. I know he is a decent man; I urge him to think about that language.

I do not, incidentally, buy the fundamental premise of the Bill either. If it really were trying to provide some kind of deterrent, it would have been thought through much more carefully. I do not believe that deterrent is really the matter of it. The push factors to the UK are far more significant than the pull factors in determining who ends up on a boat. Insofar as there is any evidence as to what the pull factors are, they are: that we speak English in the UK and lots of people are more likely to speak English than French, German, Italian or Spanish; that people already have family connections in the UK, so they think they might be able to base themselves here more easily; and that we have the rule of law. Those three things are not going to change.

I passionately dislike the Bill's interaction with UK modern slavery legislation. The right hon. Member for Maidenhead (Mrs May) said it far more effectively than I can, but I just look at Government amendment 95. It is the worst piece of gobbledegook I have ever seen introduced:

“The Secretary of State must assume for the purposes...that it is not necessary for the person to be present in the UK...unless she considers that there are compelling circumstances...In determining whether there are compelling circumstances...the Secretary of State must have regard to guidance issued by the Secretary of State.”

She is going to be in endless discussion with herself! It is just preposterous and completely undermines the good efforts, made over many years, to try to ensure we really can crack down on the traffickers. The best person able to reveal a trafficking ring is a victim of that trafficking ring. Without willing co-operation from those people, we simply give more power to the traffickers.

I also dislike the interaction with our international commitments. The former Attorney General, the right hon. and learned Member for Torridge and West Devon (Sir Geoffrey Cox), made the point earlier that, in essence, the Bill is asking us to say deliberately that a Minister can breach our international commitments. As somebody who has probably been the longest standing critic of President Putin in this House and has been saying this for a very long time, I do not want us to be in a very small group of countries with Russia and Belarus who have left the European Court of Human Rights. That, in the end, would do a terrible disavour to British prosperity in the world.

Sir John Hayes: What the former Attorney General said—I thought it an extraordinarily contradictory contribution to our affairs—was that these judgments were not compelling. We are not compelled to abide by them—indeed we did not in respect of prisoner voting—yet he complained that there was something wrong with saying in law that we are not compelled to do so. Either we believe we are obliged to follow the judgments or we do not. The truth is that we should not be following them.

Sir Chris Bryant: There are times when we want to disagree with a Court ruling. The Labour Government certainly did over whether prisoners should have the right to vote. There was a lengthy process, and I cannot even remember where we ended up. I am not opposed to a disagreement with the Court—that can sometimes happen—but the Bill, and especially the amendments in the name of the right hon. Gentleman and others, deliberately ask the Government to front it up with the European Court and the European convention on human rights. In the end, that will do us long-term harm. When we want to have a conversation with China about abiding by international rules-based order, it will be more difficult for us to do that when we are offending our own treaty obligations.

Labour MPs are often asked the perfectly legitimate question: “If you don’t believe in this Bill, what would you do?” As I said earlier, first, I want a comprehensive security treaty between the United Kingdom and the European Union. I think that was what we always wanted at the beginning of the Brexit process—the right hon. Member for Maidenhead was quite right to argue for it. I do not know why that is not on the table again now. It would solve many of the problems that we are seeking to address. Secondly, we should make it easier to arrest the traffickers. We need to devote more time, energy, money and international co-operation to making that happen. Thirdly, we need to process the backlog faster. The more people stuck in the backlog for months, the more the cost to the British people from hotels or whatever other arrangements are made. That is wrong.

Finally, I honestly do not think that anyone will be proud of this legislation in five, 10 or 20 years’ time. I hope that it will all be undone by a future Government. I do not even think that the immigration Minister will mention it in his memoirs.

Sir John Hayes: Edmund Burke said:

“Justice is itself the greatest standing policy of civil society; and any eminent departure from it, under any circumstances, lies under the suspicion of being no policy at all.”

Defending our borders and our ability as a sovereign nation to remove people who have no legal right to be here is a matter of justice—it is legally just and socially just. So is our right as a Parliament and a Government to say how many people should come here lawfully. I suggest gently to the Minister that he needs to look next at legal immigration—the record numbers of people coming here and the visa system that allows that. All that matters to my constituents. I humbly propose that it matters just as much to the constituents of Members of this House from Ruislip to Rhondda, and from Wrotham to Walthamstow.

Every poll or test of public opinion says that the British people want to stop the boats crossing the channel. As the hon. Member for Rhondda (Sir Chris Bryant) said, not only does that endanger the lives of the people in the boats, it offends the principle that I just set out that a nation is no nation if it cannot control its borders. Despite the rhetoric that we have heard, Opposition Members are paying lip service to immigration controls. I believe, as do the vast majority of the people I represent, that there has been too much immigration into Britain for too long. Immigration is a salient for them in a way that it is just not for many Opposition Members.

Outside this place, the shrillest opponents of this legislation and the fiercest critics of the Home Secretary include those who are deluded and those who are devious. They are deluded in refusing to accept the reality that many of the people arriving in the boats are economic migrants, gamed by dodgy interest groups and devious lawyers to support spurious claims exploiting the capricious perversity of European judges, who no one in my constituency chose and who are not accountable to anyone in this Chamber or this country. The trouble is that some people do not believe in the integrity of our borders because, in essence, they do not believe in the integrity of our nation.

Laura Farris (Newbury) (Con): Will my right hon. Friend give way?

Sir John Hayes: I will happily give way to my hon. Friend, who I hope does believe in the integrity of our borders and our nation.

Laura Farris: I do. I listened to what my right hon. Friend was just saying about the problem of European judges, but can he refer to a case from the European Court of Human Rights where those judges demonstrated a lack of respect for our immigration laws?

Sir John Hayes: I gave the example of a case that was not about immigration but about something as vivid as the issue of immigration: prisoner voting. Successive Governments—Labour and Conservative—opposed prisoner voting, and in the end the matter was dropped. That is a very good example of where the European Court of Human Rights was dismissive of the traditions and character of how we do things here.

5 pm

I commend the Prime Minister and the Home Secretary for strengthening the Bill further by a variety of means, for that means we can ensure we deliver on our promise. New clause 22, in the name of the Home Secretary, will restore the kind of common-sense justice that the British people are crying out for. It will stop courts granting interim remedies that delay the removal of people who should not be here and who the public rightly expect the Government to remove.

New clause 26 will ensure that the Home Secretary has the power to remove people who have entered the country illegally and have no recourse to stay. When the British people see the human rights lawyers making a 4 am dash to stop planes of people being deported, they know that our system is broken and they want it fixed. They wonder why those with power seem powerless to challenge all that. That exposes—indeed, it epitomises—the gulf between the prejudices of the liberal establishment and the sentiments of the people their power affects.

The British people elected us, in this Chamber, to make laws that keep them safe. New clause 25 refers to essential age assessments, which will help such safety. What angers people is the unfairness whereby economic migrants claim to be younger than they are, in order to game asylum rules. Just a week ago, the press reported the story of an illegal immigrant who smuggled himself into Britain claiming to be 17 years old. He was actually aged 42 and a former ISIS member. According to the story, he spent up to a week in a local authority residential facility with children under 18 before his lies were exposed. That does not keep people safe.

Scientific age assessments can be carried out, and they are carried out in countries as varied as Finland, France and Sweden, as well as in other European nations. They are well established and they work.

Sir Chris Bryant: On that point, will the right hon. Gentleman give way?

Sir John Hayes: I will not because time does not allow.

The amendment I tabled in Committee, which has now been brought forward by the Government, will put in place scientific tests to establish beyond doubt the age of claimants.

Almost 90,000 people have come here in small boats in recent years. It costs £6 million a day to accommodate them in more than 300 hotels. The Government and this House must re-establish the faith of the British people that we understand their concerns. It is as simple as this: we must deliver the legislation because we must stop the boats.

Kim Leadbeater (Batley and Spen) (Lab): I am interested to know whether I am part of the liberal establishment. As a working-class girl from Yorkshire, I am struggling a little with that concept. I wonder whether the right hon. Member for Maidenhead (Mrs May) is part of the liberal establishment that has been spoken about.

We on the Opposition Benches are clear that the tide of illegal migration to this country must be stemmed. We are also clear that the appalling rise in the number of people risking their lives in small boats to cross the channel is a damning indictment on this Government's failure to secure our borders. Deflecting blame for their failure on each and every person who gets in a boat, at great risk to themselves, because they have no other option, is shameful and wrong.

I rise to support amendments 2 and 3, in the name of the Chair of the Home Affairs Committee, my right hon. Friend the Member for Kingston upon Hull North (Dame Diana Johnson), in the hope that Ministers will recognise the inherent injustice in this blanket approach and that they will reflect on the need to address the issue on the basis of what works, not what they believe will reverse their poor poll ratings on immigration.

The truth is that people are sick and tired of hearing from successive Tory Prime Ministers and Home Secretaries that they are finally going to get tough and sort out the mess that they themselves have made of our immigration system. If we want to address the growing cynicism in the country about promises made from the Dispatch Box that turn out to be hollow, Ministers have to give up their addiction to divisive and dangerous language and headlines, and get serious about the issue of illegal migration.

Yasmin Qureshi: Is my hon. Friend as dismayed as I am by the Minister's comment earlier today about cannibalism, referring to refugees?

Kim Leadbeater: I agree wholeheartedly. I sometimes worry, on many levels, about the language used in this place and its impact on the outside world. My hon. Friend the Member for Rhondda (Sir Chris Bryant) has made that point very well. We all need to think about the language we use, the words we say and the impact that they can have on people outside this House.

What we need is a thorough, workable and deliverable plan. That is what the Opposition have put forward, as the shadow Immigration Minister, my hon. Friend the Member for Aberavon (Stephen Kinnock), has articulated brilliantly this afternoon. What distinguishes Labour's plan is not only that it is practical and tough on the real criminals, but that it is rooted in justice and fairness.

I note that the Minister has described the Bill as "the morally just thing to do".

I beg to differ. There is absolutely nothing fair or just about detaining children, and nor will the Bill do anything to deter the criminal gangs. Equally, as we have heard, imprisoning pregnant women and those with dependent children undermines the moral basis of the policy without achieving any benefit. That would be true whether or not the Government had a good record of protecting vulnerable people, either in detention or in Home Office accommodation, which clearly they do not.

Justice and fairness cannot be cast aside lightly. They are at the heart of what makes us all proud to be British. They underpin our values. They should be the guiding principles behind everything we do in this House. Unless the system is both just and fair, it will fail, like every other so-called crackdown that has done nothing to stop the boats. Not only will it fail to work, but it will fail to convince the public that the Government are serious about stemming the flow of illegal immigration. I therefore urge the House to support our amendments.

Vicky Ford: As I said on Second Reading, I support the premise of the Bill. Too many people's lives are put at risk on small boats, and it is important to break the model of the people traffickers. We are also spending millions of pounds—indeed, billions—of our aid money on hotels for tens of thousands of people in the UK. That money should be spent on helping millions of people elsewhere in countries such as Sudan. I have just met representatives of Save the Children from South Sudan, who told me of their expectations that children who need help will be coming across the border. Without help, such countries will become even more unstable. More people will be forced to flee their homes, so more people will try to get on the small boats.

The small boats route is also extremely unfair. No country has an unlimited capacity to support asylum seekers. Those who arrive by illegal routes reduce and limit our capacity to provide the safe and legal routes that will help the most vulnerable. As I said on Second Reading, the introduction of new safe and legal routes needs to go hand in hand with closing down illegal routes. I am extremely grateful to the Government for listening to that point, and I have co-signed new clause 8.

On the issue of how children should be treated, I am extremely grateful to my right hon. Friend the Minister for Immigration for meeting me and my hon. Friend the Member for East Worthing and Shoreham (Tim Loughton) and listening to our concerns. I know that the Minister takes the welfare and safeguarding of children very seriously. I understand that we must be careful not to create perverse incentives for people traffickers that force them to target even more children and send them on small boat crossings, but depriving a child of their liberty is a very serious issue.

We have very strict rules in this country regarding the protection of children. I am very proud of those rules, many of which were introduced by this Conservative-led Government. Depriving a child of their liberty can have a serious and long-lasting effect on their mental health, so there need to be very strict rules. That is why I am a signatory to amendment 183, which makes it clear that a child's liberty can be restricted only for a very limited period.

I am grateful to the Minister for listening to my concerns on the subject and to those of other former children's Ministers. I listened closely to what he said at the Dispatch Box. I thank him for his assurance that he will work with my hon. Friend the Member for East Worthing and Shoreham to set out a new timescale on the deprivation of liberty issue. That timescale needs to be clear, and it needs to be set out in the Bill. It should be a handful of days, not a number of weeks. That is necessary to make sure that children are prioritised, because children are often those who are most at risk.

I agree that we need to be wary of the risk of creating an increased incentive for more adults to claim to be children. I recognise that some of those who claim to be claiming asylum are actually adults. However, roughly 50% of those whose ages are in dispute are children, and many of them will be very vulnerable. We need to ensure that there are short timescales for genuine, known children, but also that there is proper safeguarding for those whose age is disputed.

Another point of concern that has been put to me is that children who know they could be removed when they turn 18 may be at increased risk as they near their 18th birthday. They may be tempted to abscond from care, and may then fall into the hands of deeply worrying people and become subject to the modern-day slavery about which my right hon. Friend the Member for Maidenhead (Mrs May) speaks so eloquently. Members need to consider these risks, and to ensure that the Bill and the way in which it is implemented will not make vulnerable children even more vulnerable.

Liz Saville Roberts: New clause 1, which stands in my name, would give those detained under measures in the Bill the right to work in the UK after six months. I am pleased that it has received cross-party support and the backing of the Welsh Refugee Council. Words matter, and I hope to be as balanced as possible in my language, although there is much in this Bill that I find utterly abhorrent.

Those seeking asylum in the UK are currently effectively banned from working while awaiting a decision on their asylum claims. Permission to work is granted only in respect of jobs on the shortage occupation list, and then only after an asylum seeker has waited longer than 12 months for a decision, provided that the delay was not the fault of the asylum seeker. Once someone has been granted refugee status, that person has permission to work in the UK in any profession and at any skill level.

The Bill does not treat detainees as asylum seekers, and states that their asylum claims cannot be considered under the immigration rules. The spirit of new clause 1 is to do away with that false categorisation, and to recognise that these so-called detainees are asylum seekers. In doing so, it effectively removes the work restrictions that they would face if they were indeed classified as asylum seekers under the Bill. This builds on previous

attempts to introduce a right to work after six months for asylum seekers, through proposed amendments in the other place to the Immigration Act 2016 and the Nationality and Borders Act 2022.

The present ban means that the majority of people seeking asylum in the UK end up living on £5.66 a day to cover almost all their needs, as they are excluded from mainstream benefits. That places them more than 70% below the poverty line. It cannot be right that asylum seekers are frozen in destitution while waiting for months, if not years, for a decision. Of the cases in the asylum backlog in December 2022, two thirds—nearly 110,000 people—had been waiting for more than six months, up from 44% of cases in December 2017, and that number will only grow as the Bill effectively freezes the asylum processing system altogether. If any Members present take issue with giving asylum seekers the right to work after six months of languishing in unsuitable accommodation and in poverty—that low, low-paid poverty—I say this to them: reject the Bill, and focus on rebuilding the asylum processing system so that people do not have to wait more than six months to receive an asylum decision.

We know that the majority of people who cross the channel will succeed in their claims to be refugees, and will eventually be able to work unrestricted once they have obtained their refugee status, provided that their asylum claims have been processed quickly and humanely. Asylum seekers have told me how the ban is affecting them. See-ye from Cardiff, for example, says:

"I am losing hope. All I want is a bright future. I am young, I can work. I am ready to start tomorrow and fund myself."

Doesn't he sound like a young Tory?

Overturning the ban has widespread public support, with a 2020 petition to the Home Office reaching 180,000 signatories and a 2022 poll showing that 81% of the public support people seeking asylum in the UK having the right to work.

5.15 pm

Yasmin Qureshi: The right hon. Lady is making an excellent point. In fact, the Government should take this on board because we are told that one of the reasons for wanting to curb this is the cost to the public purse of maintaining people, but if they are allowed to work, we would not have to pay them to be in accommodation or pay them benefits. It is a win-win situation.

Liz Saville Roberts: Indeed it is.

We know that our economy is suffering from chronic labour shortages, and that is in part down to Brexit. Why can we not think out of the box? Why can we not stop looking at people as a problem and start looking at them as part of the solution? I know this because Ysbyty Tywyn in my constituency has closed its wards because it cannot get staff. I represent an area with an older demographic, and we cannot get carers. And yet we are a week away from the local elections in England and this is what we are talking about. We are not thinking sensibly in the 21st century. Meanwhile highly skilled asylum seekers are sitting idle in detention centres, eager to work and keen to contribute to our society but banned from doing so.

There are 1.2 million job vacancies in the UK. Businesses are crying out for workers, and 70% of businesses want to give asylum seekers the right to work after six months.

[Liz Saville Roberts]

New clause 1 would allow those people detained for six months or more to apply for permission to work, including self-employment and voluntary work. This could do so much; it could be such a boost for our economy when we are suffering after Brexit. The right to work is a fundamental human right and it is crucial for the wellbeing of asylum seekers and their integration into society. It is also beneficial for the economy, as businesses want to be able to access the skills and experience of asylum seekers.

I call on the Government not to look at asylum seekers as a political threat but to see this as the thing that the United Kingdom is proud to do well. We should be proud to do this well and proud to hold our heads up high within the global order. These people are always a potential, not a threat, and we should be working with that potential as best we can.

Laura Farris: I spent considerable time in the last debate addressing the European convention on human rights, and the House will be relieved to hear that I am not going to do the same thing again today, but I will just say one thing. My right hon. Friend the Member for South Holland and The Deepings (Sir John Hayes) is correct to say that we have no say on who sits in the European Court of Human Rights, but no MP has any say on who sits in the Supreme Court in this country either, and the reason that nobody can give me an example of the European Court interfering with a material change to our domestic immigration laws is because there isn't one.

I want to congratulate the Government on reaching an agreement with my hon. Friend the Member for East Worthing and Shoreham (Tim Loughton) on new clause 8, which I think gives the Bill moral clarity. The aim of this Bill is to extinguish a route, not a right. The Bill says that if someone enters the United Kingdom by small boat or any other illegal route, they cannot claim asylum now or ever, but we are maintaining compliance with our legal obligations under the refugee convention only when we can say in parallel that there are safe and legal routes that they could and should have taken as an alternative. It is already clear that this was envisaged by the Bill because it is dealt with in the provisions in clause 53 in the context of annual quotas agreed in conjunction with local authorities. It is plain that this is the direction that not only the United Kingdom but all our European neighbours are moving in, faced with the mass migration flows of the modern day that simply could not have been envisaged when the refugee convention was drafted.

I also want to talk about new clauses 22, 19 and 23 to 25. My first observation is how closely they resemble laws that were tried but ultimately failed under the last Labour Government. That is not me scoring a political point; this is difficult stuff. A lot of this is in the Nationality, Immigration and Asylum Act 2002 and the Asylum and Immigration (Treatment of Claimants, etc.) Act 2004 but it never really worked, and here is why I say that this is important today. I want to talk about identification documents, mobile phones and age verification, all of which I have experience of in immigration tribunals. All these things boil down to one critical principle: that he who asserts must prove.

I refer the House to the evidence of Dan O'Mahoney, the clandestine channel threat commander, to the Home Affairs Committee in September 2020. Asked about the number of small boat arrivals who have identification documents, he said:

"I can't give you an exact figure, but I can tell you that it is almost none—very, very close to none. Generally speaking, encouraged by the facilitators, they will get rid of any sort of documentation ... phones, SIM cards, anything...before they are intercepted by Border Force... They literally arrive in the clothes that they are wearing."

I invite the House to contrast that with Operation Pitting. Every single person who left Kabul in haste in the summer of 2021 arrived in the United Kingdom with an identification document.

The lack of identification documents is a major problem, because it means the Home Office is entirely reliant on language tests and interviews to ascertain background facts. The best it can do is guess whether a claimant is genuine, which leads to a lot of economic migrants being given asylum when they probably would not have proved their case if they had documents. That has contributed to a huge degree of abuse in the system.

The same principle applies to mobile phones. In an era of mass technology, in which smartphones are as commonplace in sub-Saharan Africa as they are in London and in which 5 billion people use social media, it must be right that a negative assumption is reached about any individual who does not provide access to their phone as a way of establishing their identity.

I repeatedly dealt with age verification at the tribunal, the appeal tribunal and the High Court. It is not good enough to rely purely on a Merton-compliant test. Until very recently, we had no scientific method by which to establish a person's age. Of course small children do not go through age verification, but the vast majority of children who arrive claim to be around the age of 17. We now have the technology to allow age verification, so it cannot be left as a matter of discretion or as an option for the applicant. If they say they are under 18, they must be obliged, as these new clauses require, to undergo proper age verification.

Olivia Blake (Sheffield, Hallam) (Lab): Before I begin, I direct the House to my entry in the Register of Members' Financial Interests, which outlines the support I received from the RAMP project.

I support the amendments tabled by my hon. Friends the Members for Streatham (Bell Ribeiro-Addy), for Poplar and Limehouse (Apsana Begum) and for Walthamstow (Stella Creasy) and my right hon. Friend the Member for Kingston upon Hull North (Dame Diana Johnson). These amendments attempt to mitigate the damage the Bill will do to some of the most vulnerable people, by requiring reports on how it will affect the pregnant, victims of modern slavery and the health and human rights of refugees.

New clauses 2 and 3 would safeguard pregnant women and girls from removal. I have spoken to people working on the frontline in detention centres who feel deeply uncomfortable and ill-equipped to deal with pregnant women in such settings, so these amendments are vital. In fact, every woman who arrives in a detention centre is given a pregnancy test because staff recognise that where they work is not appropriate for pregnant women.

New clause 4 would support young people under the age of 18 in their interaction with the asylum system. This stands in stark contrast to the Government's obsession with trying to discredit and dehumanise children, either by proposing bogus scientific assessments to determine their age—I say that as a biomedical scientist—or by bizarrely claiming that granting safety to children is some sort of pull factor. Lobotomies were once widespread across the globe too, but that does not mean they were scientifically valid, accurate or moral. Just because someone else is doing it does not mean we have to do it here, especially when the evidence for the accuracy of these tests is so poor.

It is a damning indictment of this Bill that my hon. and right hon. Friends have needed to table this extensive list of new clauses. The protections they are attempting to introduce are outstripped only by the litany of rights that this Government are attempting to remove from some of the world's most vulnerable people.

The Government's contemptible proposals have been tabled for entirely cynical reasons. We all want to stop the boats. But when the Government say, "Stop the boats", it is not because they want to end the crisis in the channel, because they want to have safe borders where people do not die on them or because they want to end the suffering of people who are trying to come here to claim asylum. It is not even because they want to end the horror of people drowning as they attempt to reach refuge in the UK. It is because they are intent on vilifying people who have survived some of the most harrowing and worst things human beings can go through. I know that because I have spoken to many, many refugees and asylum seekers who have come here on boats. The Government are taking this approach because on these big issues they have no answers, so they are resorting to scapegoats.

It is clear that that has been an agenda long before this Bill was presented and that the Government are being pushed around by a very small and extreme group within the Conservative party, as we see when we look at Government new clause 22. It shamefully bars UK courts from interim measures to stop someone from being deported if they bring a legal challenge. The Government claim that they are considering fairness and the rule of law, and that that is a key British principle and value, but this measure sheds that. The Government are only too keen to undermine these principles if it helps them in the scapegoating of the most vulnerable. They want to bypass the European Court of Human Rights and harm Britain's standing in the world, eroding the foundations of the international refugee systems and the refugee convention, all to appease their Back Benchers and throw red meat to a small portion of their base.

Yasmin Qureshi: My hon. Friend is making an excellent point. Does she agree that part of this dog-whistle politics is about what the Conservative party deputy chairman said, which is that the next election is going to be fought on woke, culture and trans issues. Of course, stigmatising refugees is part of that.

Olivia Blake: My hon. Friend makes a good point. It is worth reflecting on the fact that in this week alone the horrifying news about Sudan has reached us and we have seen the horrific circumstances being faced by not only British and dual nationals, but everyone there.

While Britain is working hard to evacuate our citizens, we are not talking about safe routes for Sudanese refugees or a homes for Sudan scheme, and there are no dedicated resettlement routes and no numbers confirmed in respect of what countries the UNHCR should be prioritising in trying to help with what the Minister was outlining earlier. Even with Government new clause 8, the best this Bill could offer is a commitment to a report on safe routes, but with no actual, tangible commitments to open new ones. What are people fleeing war and persecution in Sudan, or anywhere else, supposed to do with that? By the time anything comes from this report, it will be too late for them, they will be on their way.

The amendments I cited earlier have been tabled because no serious attempt has been made in this Bill to ensure that vulnerable people are protected. That has been outlined well in the discussion we have had on modern slavery, so I will not add to that. The purpose of the Bill is the complete opposite of providing safe and legal routes for people to claim asylum. At their core, these proposals are not about helping anyone or making anyone safer, and they are not about making our borders safer; they are simply about attacking the rights of refugees, for the sake of electoral expedience and managing unruly Government Back Benchers. At the centre of this is a paradox: how can someone claim asylum if they are not on UK soil and they have to be on UK soil to claim asylum? How can they take a safe and legal route if there is no safe and legal route that works for them or is available to them? How can they claim safety in the first country they get to if that country persecutes them because they are LGBT, or they have a disability or religion—

Mr Deputy Speaker (Sir Roger Gale): Order. I am afraid that the hon. Lady is out of time. I call Sir William Cash.

Sir William Cash: Thank you, Mr Deputy Speaker. I wish to start by asking a big question: what is this Bill ultimately going to achieve? The European convention on human rights was introduced in the 1950s, and at that time I would have agreed with every word that has been said in respect of its application to the holocaust and to genuine refugees. However, what we have witnessed recently has been the phenomenon of this small boats problem, which does not just affect the UK. It also affects Italy, and Madam Meloni, whom I gather is coming over to see the Prime Minister tomorrow, is certainly going to have something to say about that. The problem is endemic and has to be dealt with.

5.30 pm

I now move to the question of how we do it: we have to pass an Act of Parliament, which is what we are doing now. The next question is, what is the impact of parliamentary sovereignty on the interpretation by the courts of Acts of Parliament? I was in the House in 1998 when we debated the Human Rights Bill. As it happens, the Conservative party voted against its Second Reading, which people often forget. As things have progressed, we need to bear in mind what, for example, Jack Straw said—I am speaking now to those on the Labour Front Bench—when he talked about the importance of the sovereignty of Parliament: he said it was one of the "profound strengths" of our system. He referred to it as the fundamental position established in our

constitution. Derry Irvine said much the same in the House of Lords. The reality is that the sovereignty of Parliament is not confined to the European Union question; it also applies to human rights questions and the Labour party was explicit about that at the time.

When the legislation was eventually passed, we arrived at a point where the legal sovereignty continued to rest with Parliament, and the Government, in the words of one Labour supporter, said they had retrieved the first constitution of democratic socialism by ensuring the sovereignty of Parliament.

New clauses 17 and 22 are about restricting interim relief. They also deal with the question of “serious harm” and its interpretation. Lord Bingham, who by any standards is the greatest jurist of the last few generations, made it clear—absolutely explicit—in chapter 12 of “The Rule of Law” that it is not for judges to make law; it is for judges to apply the law as passed by Parliament. I think that that is something that all of us here, on both sides of the House, understand.

We ask, what is the manner in which new clause 17 will be interpreted in the courts? I am slightly surprised that that matter is being raised for the first time at the end of the debate. It is about what is or is not to be regarded as “serious harm” in respect of persons who have been given a third country removal notice. That is when the crunch comes home in respect of the courts and the application to any individual who is affected by the Bill. I am 100% in favour of the Bill. I would have preferred the “notwithstanding” clause—we all know that—which goes back a very long way in parliamentary drafting tradition, but I am prepared to accept that, after a great deal of discussion, the distinctions between what is or is not regarded as “serious harm” have been set out by a series of examples, which will restrict the courts and the manner in which they make their decisions on these very important questions.

I do not have time to go into the detail, but I simply say that, by introducing a measure to restrict interim relief, the Bill will make it clear to the courts the intention that only in-country claims, other than factual suspensive claims, should be under the narrow exception provided by the Bill. In other words, where people face a real and imminent risk of “serious and irreversible harm” in the specific country to which they are being removed, this provision will apply and the courts will be restricted in the manner in which they apply that interpretation to the individual in question. That will ensure that all other legal challenges must be “non-suspensive”. In other words the courts can still hear an individual’s case out of country—

Mr Deputy Speaker (Mr Nigel Evans): Order. Sorry—time’s up. I call Patrick Grady.

Patrick Grady: I am not sure I fully completed my hon. Member for Stone bingo card there, but we certainly got most of the greatest hits.

I am not sure whether the hon. Member for Dover (Mrs Elphicke) is aware—I apologise to her if she was not—that a cross-party delegation of MPs visited the port of Dover last week with the Industry and Parliament Trust. We learned that in 55 BC illegal migrants from Rome, possibly led by Julius Caesar, were pelted from the White Cliffs with sticks and rocks. It is just as well that none of the Ministers from the Home Office was

on that delegation, because it might have given them ideas for further amendments to the Bill, permitting the throwing of stones at craft attempting to land—or perhaps they would be instructing Border Force to seize the bronze age boat from Dover Museum in an attempt to track down any descendants of illegal migrants from 3,000 years ago.

We also learned about the Border Force processing facility in Dover. Despite the myths of an invasion of small boats washing up on beaches across the south of England, in reality most small boats are diverted directly from channel shipping lanes, where of course they are a major risk to larger vessels, and from there people are processed and sent directly to Marston or elsewhere. There is no invasion; there are no thousands of people prowling the streets. There are just human beings so desperate that they are willing to risk their lives to get here.

Although the provisions of the Bill are designed to be retroactive from 7 March this year, according to the Home Office website, there does not appear to be any significant change in the patterns of detections since the Bill was introduced, so if the Bill was supposed to have a deterrent effect, it appears to be failing from the start. However, that has not prevented the Government from doubling down on their hostile environment with the swathe of amendments they have tabled today.

In Committee, the Minister took issue with the number of amendments tabled by my hon. Friend the Member for Glasgow Central (Alison Thewliss), saying:

“At this rate, there will be more SNP amendments to the Bill than there are refugees whom they accommodate in Scotland. Instead of pruning the already excessive forest of legal challenges that we find, the hon. Member for Glasgow Central (Alison Thewliss) proposes a Kafkaesque array of new ones.”—[*Official Report*, 27 March 2023; Vol. 730, c. 777.]

Yet now it is the Government who have tabled a forest of amendments, with an amendment paper running to 73 pages. Of course, if the Government had tabled just one amendment, that would be more than the number of asylum seekers they actually seem to want to accommodate in this country.

If people are looking for Kafkaesque amendments, they should turn to Government new clause 26 and its consequential amendments. Picking and choosing which parts of the ECHR they want to apply at any given time betrays the true agenda of the Home Secretary and her cheerleaders on the Tory Back Benches—to take us out of European, and eventually global, human rights frameworks altogether.

The same applies to the Government amendments, which will undermine their own previous legislation on human trafficking and modern slavery. Those measures will be counterproductive; as the Trades Union Congress has said, the proposals will mean that,

“modern slavery victims who are trafficked...for exploitation will first be denied refuge, then returned to their country of origin and almost certainly back to the criminal gangs who trafficked them in the first place.”

Where the Government have been forced into making concessions, they are nowhere near adequate. I have heard from many constituents in Glasgow North who want refugees to be welcomed here, to have the right to work so they can contribute to our economy and society, as Plaid Cymru proposes in new clause 1, and to be able to come here by defined, safe and legal routes that are

established and workable—not a vague pledge to publish a plan for a review of a consultation in a few months' time, as suggested in new clause 8.

In fact, what constituents in Glasgow North want to see is the Bill defeated at Third Reading and scrapped altogether. Failing that, the Government should adopt the wide range of amendments tabled by the SNP, which aim to bring at least a vestige of humanity into the system, as our amendment 45 would do by requiring courts to make sure the Act is interpreted in line with our international treaty obligations, and to ensure it still resembles an actual asylum process rather than deportation charter, which is why we have tabled amendment 46 to delete clause 2 in its entirety.

I have asked this in this House before, but how often have Home Office Ministers, or their Faragiste fanboys on their Back Benches, sat down with asylum seekers and people who have come here on small boats to listen to their stories? There is an open invitation to any of them—Front Benchers and Back Benchers alike—to come to Glasgow North and meet the inspiring members of the Maryhill Integration Network, who have come here fleeing war and persecution and who, despite being met by the most hostile of environments created by the Home Office, are determined to make a new home in Scotland and make our society a better place for everyone to live in.

That is what an effective asylum system should be designed to produce: people in genuine need being supported and welcomed to rebuild shattered lives and strengthen our society as a whole. The Government's amendments today to an already inhumane Bill move us even further away from that ideal. However, it is an ideal that constituents in Glasgow North and across Scotland will continue to aspire to, and it will be the foundation of our own independent asylum and immigration system when Scotland too breaks free of the UK's hostile environment.

Danny Kruger: I am very pleased to have listened to this interesting and useful debate. I rise to speak to new clauses 22 and 17, which clarify the means by which a suspensive claim may be made to stop a removal from this country.

In that context, I will reply briefly to my hon. Friend the Member for Newbury (Laura Farris), who made a good speech in Committee opposing the amendment that I had tabled to disapply the operation of the European convention on human rights as a means to prevent removals. Her point was that English law already includes protections that could be used in the same way as the ECHR. Of course, she is quite right: the jurisprudence of the UK has a set of remedies against unfair treatment, and they still apply. Indeed, they are clarified in the Bill.

In contradiction to what the hon. Member for Sheffield, Hallam (Olivia Blake) was saying, the remedies for a suspensive claim against a removal are clarified in the Bill, particularly the principle of non-refoulement, which is in our common law—we would have it even without European rights law. So this policy does not contradict that principle. Indeed, it strengthens it with a clear protection for people who would suffer harm by being returned to their own country or any country. Now that that relief is clarified in the Bill, we need to block the spurious use of other domestic remedies that are no longer necessary.

I thank the Minister and the team for their constructive engagement. I am very happy about where we have got to in the Bill. I will quickly explore the issue at the heart of the debate, which is not migration but the sovereignty of Parliament in making law, including laws about this essential issue. It has been established in recent times—particularly by the judgment in the case of *Thoburn* in 2002—that some laws in this country have more weight than others and, indeed, are not subject to implied repeal. They essentially have the status of constitutional documents. Of course, the European Communities Act 1972 had that status until Brexit. The other Act that has that constitutional status is the Human Rights Act 1998, which requires and enables the British courts to apply the ECHR. The doctrine of implied repeal does not apply to the 1998 Act either, and that Act requires the courts to follow the judgments made in Strasbourg.

I can live with anomalies. We do not want a hasty, destructive, ideological or populist rejection of the status quo in the legal arrangements of this country—that is not the British way; it is not the Conservative way. We can live with an eccentric inheritance from the post-war era. The problem is not when it is eccentric, but when it is deeply problematic, as it was in June last year, when the European Court put a stop on our removals policy. To respond to my hon. Friend the Member for Newbury, that was an occasion on which the European Court exercised an interference in our immigration policy.

I accept that that was just a rule of the court, which, in my view, we could have ignored, but the Government seemed to accept the legal advice that they were obliged to give immediate effect to that ruling. I am very pleased that new clause 26 will give the Home Secretary the power to disregard rule 39 interim orders from Strasbourg, but we remain subject to article 46 of the convention, which obliges us to comply with final judgments.

For me, there are two profound problems in our membership of the ECHR. First, we have an in-built ratchet with Strasbourg rulings and the treatment of the ECHR as a living instrument to be interpreted in the light of whichever cultural ideas are prevalent or appealing to the judges. Thanks to the Human Rights Act, those rulings form part of English law. At the same time, there is a willingness among lawyers in the UK to employ the ECHR to frustrate the will of Parliament and to refer the laws that we make to some higher authority—to an abstract morality rooted not in custom or the habitual allegiances that we have to each other as citizens of the same country, but in their own liberal fantasies.

I also believe in a higher authority that respects the dignity and value of every human being. Let us call it the natural law. I believe that that higher authority is the source of all our liberties and rights, and indeed of the ECHR and every other noble-sounding document in the west. It is the source of our morality, but the way in which that morality works in practice is not through abstract theorising from on high but through the accumulation of case law and the statutes passed in this place.

I do not propose that we come out of the ECHR now. I am suggesting that, if there is a further challenge to British sovereignty and the supremacy of Parliament—be it in Strasbourg or through the British courts applying the convention—we have no superior obligation to remain in the ECHR. The superior obligation is to our own sovereignty and the supremacy of this place. This debate

[*Danny Kruger*]

has exposed a difference between those of us who believe in nation states and the customary laws of nations, and those who believe in abstractions to be interpreted by unaccountable judges—whether or not they are in their pyjamas. I am content with where we have got to with the Bill, which I support unreservedly.

5.45 pm

Robert Jenrick: I thank and commend right hon. and hon. Members from all parties for what has been a measured and thoughtful debate over the course of this afternoon. The Bill before us is probably the most significant immigration Bill in my lifetime; for that reason, it is important that we get it right. Today's debate has centred on a number of significant issues. I will not reprise all my earlier remarks, having spoken then for the best part of three quarters of an hour and taken many interventions, but I will touch on the five principal areas that were discussed by Members on both sides of the House and attempt to provide any further reassurance that is required.

The first significant issue was the removal of minors. As I said earlier, the Government's approach in respect of children is one in which we take the interests of the child extremely seriously. These are morally complex issues, and I and all the Ministers involved in the Bill's preparation have thought very carefully about how we can protect children, both at home and abroad, as we have produced the Bill and the scheme that underpins it.

I hope that the ways in which we will approach the removal of children are now clear, thanks to the work we have done with several right hon. and hon. Members, including in particular my hon. Friend the Member for East Worthing and Shoreham (Tim Loughton) and my right hon. Friend the Member for Chelmsford (Vicky Ford). We will seek to remove unaccompanied children only in exceptional circumstances. As we have now made clear, the two principal purposes are for family reunion and for a child's safe return home to the loving care of social services in their home country.

We have taken the issue of the detention of children extremely seriously, because we do not want to detain children. We will do so only in the most exceptional circumstances. The circumstances that we have now clarified in the Bill and in the debate, again with the helpful guidance and support of right hon. and hon. Members, are for the purposes of initial processing when children and families arrive irregularly in the United Kingdom in small boats or via other forms of clandestine entry, and then for the limited and defined purposes of removal from the country that I mentioned a moment ago. We understand the desire of many Members for there to be carefully thought through and limited time limits on detention. I hope that the amendment we tabled and my remarks today give reassurance that we will bring forward that regime and that it will be as short as practically possible.

There is a significant exception to that rule, which is, of course, for those cases in which there is a serious age-assessment dispute. In such cases, the undoubted desire to limit the amount of time for which a child is ever detained by the state has to be balanced against the equally important safeguarding issue of young adults posing as minors—indeed, not all so young, as my right

hon. Friend the Member for South Holland and The Deepings (Sir John Hayes) said earlier with regard to the recent allegation about a 42-year-old posing as a minor. We have to get the balance right so that young adults do not regularly pose as minors and create an enormous and very concerning safeguarding risk for our young people.

Sir John Hayes: I rise simply to say that the engagement we have had with my right hon. Friend and his Department throughout this process has been exemplary. It has been a model for how good scrutiny can improve legislation. I thank him and, in particular, the Home Secretary for the stand they have taken.

Robert Jenrick: I am grateful to my right hon. Friend and return the compliment. It is important that we in the Government listen to the expertise we have among Members from all parties. I hope Members will agree that that is the approach we are taking to these sensitive issues, of which age assessment is certainly one. I do not want to see a situation in which young adults are regularly coming into the UK illegally, posing as children, and ending up in our schools, in foster-care families and in unaccompanied-minor hotels, living cheek by jowl with genuine children. That is an evil that we have to stamp out, and the approach we are taking in the Bill will help us to do so.

The third issue that was the subject of debate and, again, a high degree of unity—certainly on the Government Benches, but perhaps more broadly—is the approach to safe and legal routes. We want to stop the boats; we also want to ensure that the United Kingdom continues to be one of the most respected countries in the world for the way in which we provide sanctuary to people who are genuinely in need. We are doing that already, as evidenced by the fact that since 2015, half a million people have come into our country legally on humanitarian grounds. We have safe and legal routes today, but I appreciate the views of a number of right hon. and hon. Members, including most notably my hon. Friend the Member for East Worthing and Shoreham.

That has led us to the agreement that we will rapidly bring forward the consultation with local authorities that grounds the desire of this House to be generous with the reality on the ground in our communities and councils. Within six months, we will bring forward the report that will result from that consultation, and as soon as possible over the course of next year, we will set up or expand the existing safe and legal routes so that the UK can be an even greater force for good in the world. [*Interruption.*] The hon. Member for Glasgow Central (Alison Thewliss) laughs at that—of course, Scotland could step up to the plate as well. Since she tempts me, I will just say that her and her colleagues asked for an extension to today's debate, but as far as I am aware, only two spoke in it. Fewer SNP Members spoke in the debate than could fit into Nicola Sturgeon's battle bus.

Alison Thewliss: Is the Minister aware of the fact that other SNP Members had put their names in for this debate because it was originally scheduled for Tuesday, but the Government changed the timing at the last minute?

Robert Jenrick: I find that rather unconvincing, given that so many were able to turn up earlier. It does rather reinforce the point that the Scottish National party's

approach to these issues is entirely performative: they talk the talk, but they do not act. On this occasion, we did not even get the talk.

Marion Fellows (Motherwell and Wishaw) (SNP): Will the Minister give way?

Robert Jenrick: I will not give way to the hon. Lady.

The fourth serious issue that was raised, principally by my right hon. Friends the Members for Chingford and Woodford Green (Sir Iain Duncan Smith) and for Maidenhead (Mrs May), was about our mutual desire for the good work they did in office to establish our world-leading modern slavery framework to live on, to continue supporting genuine victims—in particular, those victims of modern slavery who have been in the United Kingdom for a sustained period of time and who have been the subject of exploitation here, rather than in the course of their passage, whether in a small boat or otherwise. While it is clear that we will not be able to settle the matter today, I hope that my right hon. Friends—as they kindly said in their remarks that they would—will work with the Government throughout the continued passage of the Bill to ensure we get the balance right.

Sir Chris Bryant: Will the Minister give way?

Robert Jenrick: I will give way to the right hon. Gentleman—sorry, he corrected me earlier: the hon. Gentleman.

Sir Chris Bryant: My intervention is very brief: can I just suggest that the Minister does not move amendment 95? I do not think the House is in favour of it, and it will end up being removed in the House of Lords. It would satisfy both the right hon. Members for Chingford and Woodford Green (Sir Iain Duncan Smith) and for Maidenhead (Mrs May)—who are nodding behind him—if he just did not move it.

Robert Jenrick: I am not going to do that, but I thank the hon. Gentleman for the advice. The amendment to which he refers enables the Government to ensure that those individuals who are the subject of a police investigation, or are participating in a police investigation with the aim of bringing their traffickers to justice, can have that investigation conducted in the United Kingdom, or—if it is safe to do so—can have their contribution to that investigation conducted while in a safe third country, such as Rwanda.

Mrs May: My right hon. Friend has been generous in giving way, and I must apologise to the Home Secretary, because I think I referred to the Immigration Minister as Secretary of State earlier in the debate.

Amendment 95 does not say that people who are participating in an investigation can be here in the UK and enabled to continue to take part in that investigation and provide evidence; what it says is that the assumption must be that they will be removed from the UK, and it is only if the Secretary of State reads her own guidance on compelling circumstances that she will enable them to stay in the UK. The amendment reverses the original subsection (5) of clause 21. It goes back on what the Government originally said they were trying to do.

Robert Jenrick: My right hon. Friend does not, I think, agree that Rwanda is a safe place for those who are victims of modern slavery to be supported. The critical point here is that of course we want to support those individuals, and we have no intention of removing them, whether home to their own country or to a safe third country, unless that is a place where there are sufficient safeguards to ensure that they are protected. That is the nature of the agreement we have struck with Albania and the one we have struck with Rwanda, which was upheld by the High Court and we hope will be upheld by the Court of Appeal. It is natural, therefore, that in many cases individuals can go to those countries and participate in any law enforcement activity from there.

Yasmin Qureshi *rose*—

Robert Jenrick: I will not give way to the hon. Lady, but I thank her for her suggestions.

The last issue that was the subject of debate centred around the questions raised by my hon. Friends the Members for Stone (Sir William Cash) and for Devizes (Danny Kruger) and others about how we strengthen the Bill, particularly regarding the interim measures. I will say again, as I said in answer to the former Attorney General, my right hon. and learned Friend the Member for Torridge and West Devon (Sir Geoffrey Cox) that this ministerial discretion will be exercised judiciously and in accordance with our treaty obligations. We take international law and our treaty obligations extremely seriously.

I will not dwell on the Labour amendments today because, as in Committee and on Second Reading, Labour offers no credible policy to stop the boats. The truth is that tweaks to our system will not suffice. In an age of mass migration, only a significantly more robust approach can end the injustice of illegal migration. The totality of Labour's policy on illegal migration is to accept more people into our country and as quickly as possible. That is weak, and it is also frankly dangerous. We have yet again seen today that Labour is decades behind when it comes to illegal migration. It is 20 years behind the views of the British public and 20 years out of date with its policy proposals. That perhaps comes as no surprise when the shadow Home Office team is being led by the right hon. Member for Normanton, Pontefract and Castleford (Yvette Cooper), whose own colleagues say should have left politics 20 years ago. One briefed the papers that "she knows where the door is".

Given Labour's record on immigration, we can assume it is an open door.

While Labour Members are fighting each other, the Conservative party tonight has been united. We are united in fighting the people-smuggling gangs. Only the Conservatives are taking the tough but necessary action to stop the boats, because it is only this party that is ultimately on the side of the British public. As my right hon. Friend the Member for South Holland and The Deepings said, from Worthing to Walthamstow, the British people want to stop the boats. The only way to stop the boats is to sever once and for all the link between crossing the channel illegally and being able to live and work in the United Kingdom. That, at its heart, is what this Bill does. Nothing else will cut it; we have tried it all before. The British people demand that we stop the boats, and only the Conservative party will do so.

Mr Deputy Speaker (Mr Nigel Evans): Before I start putting the questions, maybe I can help with a little bit of process. I am anticipating five votes between 6 and 7 o'clock. The first vote will clearly take 10 minutes, but every subsequent vote will be eight minutes, so my strongest advice to everybody is to stay within the parliamentary estate in order that the votes can be taken as efficiently as possible. Owing to the number of votes, I will put the Tellers in place as quickly as I possibly can.

6 pm

Debate interrupted (Programme Order, 13 March).

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

Question agreed to.

New clause 17 accordingly read a Second time, and added to the Bill.

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

New Clause 19

CREDIBILITY OF CLAIMANT: CONCEALMENT OF INFORMATION ETC

“(1) Section 8 of the Asylum and Immigration (Treatment of Claimants, etc) Act 2004 (claimant’s credibility) is amended as follows.

(2) In subsection (3)—

(a) in paragraphs (a) and (c) for “a passport” substitute “an identity document”;

(b) in paragraph (b) for “passport” substitute “identity document”;

(c) after paragraph (d) (but before the “and”) insert—

“(da) failure to provide to an immigration officer or the Secretary of State, on request, any information or anything else required in order to access any information stored in electronic form on a thing in the possession of an immigration officer or the Secretary of State that—

(i) was found on the claimant, or

(ii) appears to an immigration officer or the Secretary of State to have been in the possession of the claimant.”.

(3) In subsection (7)—

(a) insert at the appropriate place—

““document” includes information recorded in any form;”;

““identity document” means any document that may be used (whether by itself or otherwise and with or without modifications) to establish, or provide evidence of, a person’s identity or address;”;

(b) omit the definition of “passport”.

(4) In subsection (8) for “A passport” substitute “An identity document”.—(*Robert Jenrick.*)

This new clause amends section 8 of the Asylum and Immigration (Treatment of Claimants, etc) Act 2004 to provide for certain kinds of behaviour relating to an identity document or electronic information by a person who makes an asylum claim or a human rights claim to be taken into account as damaging the claimant’s credibility.

Brought up, and added to the Bill.

New Clause 20

LEGAL AID

“(1) Schedule 1 to the Legal Aid, Sentencing and Punishment of Offenders Act 2012 (civil legal services) is amended as mentioned in subsections (2) to (4).

(2) In Part 1 (services), in paragraph 19 (judicial review)—

(a) after sub-paragraph (6) insert—

“(6A) Sub-paragraph (5) does not exclude services provided to an individual who is subject to removal to a third country under the Illegal Migration Act 2023, in relation to judicial review of a refusal of a human rights claim that—

(a) arises from Article 2 or 3 of the Human Rights Convention, and

(b) is made by the individual.”;

(b) in sub-paragraph (10) insert at the appropriate places—

““human rights claim” has the meaning given by section 113 of the Nationality, Immigration and Asylum Act 2002;”;

““the Human Rights Convention” has the meaning given by paragraph 30 of this Part of this Schedule;”;

““third country” has the meaning given by section 37 of the Illegal Migration Act 2023.”

(3) In that Part, after paragraph 31B insert—

“*Removal notices under the Illegal Migration Act 2023*

31C (1) Civil legal services provided to an individual who has received a removal notice, in relation to the removal notice (including in relation to a suspensive claim relating to the removal notice, and an application under section 44(4) of the Illegal Migration Act 2023 as regards such a claim).

(2) Sub-paragraph (1) is subject to the exclusions in Parts 2 and 3 of this Schedule.

(3) In this paragraph “removal notice” and “suspensive claim” have the meaning given by section 37 of the Illegal Migration Act 2023.”

(4) In Part 3 (advocacy: exclusions and exceptions) after paragraph 16 insert—

“16A Advocacy in proceedings in the Upper Tribunal under any of sections 44 to 46 or 48 of the Illegal Migration Act 2023.”

(5) In regulation 11(9) of the Civil Legal Aid (Merits Criteria) Regulations 2013 (S.I. 2013/104) (qualifying for civil legal services: cases in which merits criteria do not apply)—

(a) omit the “or” at the end of sub-paragraph (d);

(b) after sub-paragraph (e) insert “, or

(f) in relation to any matter described in paragraph 31C of Part 1 of Schedule 1 to the Act (removal notices under the Illegal Migration Act 2023).”.—(*Robert Jenrick.*)

This new clause provides for the provision of legal aid in respect of certain matters.

Brought up, and added to the Bill.

New Clause 23

ELECTRONIC DEVICES ETC

“Schedule (*Electronic devices etc*) confers—

(a) powers to search persons liable to be detained under paragraph 16(2C) of Schedule 2 to the Immigration Act 1971 (illegal migrants), and to search vehicles, premises and property, for things on which certain information is or may be stored in electronic form;

(b) powers to seize and retain such things, and to access, copy and use information stored on those things.”—(*Robert Jenrick.*)

This new clause, and the new Schedule it introduces, confers power to search for, seize and retain mobile phones and other things on which information is stored in electronic form, and to access, copy and use that information.

Brought up, and added to the Bill.

New Clause 24

DECISIONS RELATING TO A PERSON'S AGE

“(1) This section applies if a relevant authority decides the age of a person (“P”) who meets the four conditions in section 2 (duty to make arrangements for removal), whether that decision is for the purposes of this Act or otherwise.

(2) If the decision is made on an age assessment under section 50 or 51 of the Nationality and Borders Act 2022, P may not bring an appeal against the decision under section 54(2) of that Act.

(3) Subsections (4) and (5) apply if P makes an application for judicial review of—

- (a) the decision mentioned in subsection (1), or
- (b) any decision to make arrangements for the person's removal from the United Kingdom under this Act which is taken on the basis of that decision.

(4) The application does not prevent the exercise of any duty or power under this Act to make arrangements for the person's removal from the United Kingdom.

(5) The court—

- (a) may quash the decision only on the basis that it was wrong in law, and
- (b) may not quash the decision on the basis that the court considers the decision mentioned in subsection (1) was wrong as a matter of fact.

(6) In this section “relevant authority” means—

- (a) the Secretary of State,
- (b) an immigration officer,
- (c) a designated person within the meaning of Part 4 (age assessments) of the Nationality and Borders Act 2022,
- (d) a local authority within the meaning of that Part, subject to subsection (7), or
- (e) a public authority within the meaning of that Part which is specified in regulations under section 50(1)(b) of that Act (referral of age-disputed person for age assessment).

(7) This section applies in relation to a decision of a local authority which is a decision within subsection (1) only if it is for the purposes, or also for the purposes, of the local authority deciding whether or how to exercise any of its functions under relevant children's legislation within the meaning of Part 4 of the Nationality and Borders Act 2022.

(8) This section applies only in relation to a decision which is made after this section comes into force.

(9) The Nationality and Borders Act 2022 is amended as follows.

(10) In section 54(6) (appeals relating to age assessments)—

- (a) omit the “and” at the end of paragraph (a), and
- (b) at the end of paragraph (b) insert “, and
- (c) section (*Decisions relating to a person's age*) of the Illegal Migration Act 2023 (decisions relating to a person's age).”

(11) In section 56(1) (new information following age assessment or appeal), for paragraph (b) (and the “and” at the end of that paragraph) substitute—

- “(b) an appeal under section 54(2)—
 - (i) could no longer be brought (ignoring any possibility of an appeal out of time),
 - (ii) has been finally determined, or
 - (iii) may not be brought as a result of section (*Decisions relating to a person's age*)(2) of the Illegal Migration Act 2023 (age assessments relating to removal under that Act), and”.—
- (Robert Jenrick.)*

This new clause makes provision about challenges to decisions about a person's age where the person meets or may meet the conditions for removal from the United Kingdom under the Bill.

Brought up, and added to the Bill.

New Clause 25

AGE ASSESSMENTS: POWER TO MAKE PROVISION ABOUT REFUSAL TO CONSENT TO SCIENTIFIC METHODS

“(1) The Secretary of State may make regulations about the effect of a decision by a relevant person (“P”) not to consent to the use of a specified scientific method for the purposes of an age assessment of P where there are no reasonable grounds for P's decision.

(2) The regulations may provide that, in the circumstances set out in the regulations—

- (a) section 52(7) of the Nationality and Borders Act 2022 (refusal to consent to scientific methods to be taken to damage credibility) does not apply, and
- (b) P is to be treated as if the decision-maker had decided that P was over the age of 18.

(3) In this section—

“age assessment” means an assessment under section 50 or 51 of the Nationality and Borders Act 2022;

“decision-maker” and “specified scientific method” have the same meanings as in Part 4 of the Nationality and Borders Act 2022 (see section 49 of that Act);

“relevant person” means a person who meets the four conditions in section 2 (duty to make arrangements for removal).

(4) In Part 4 of the Nationality and Borders Act 2022 (age assessments)—

(a) in section 52 (use of scientific methods in age assessments), in subsection (7), at the end insert “(See also section (*Age assessments: power to make provision about refusal to consent to scientific methods*) of the Illegal Migration Act 2023 (power to make provision about refusal to consent to scientific methods).)”; and

(b) in section 53 (regulations about age assessments), in subsection (1)(a)(iv), after “method,” insert “the circumstances in which a person may be considered to have reasonable grounds for a decision not to consent and”.—

(Robert Jenrick.)

This new clause contains a power to make regulations about the effect of a refusal, by a person to whom the Bill applies, to consent to the use of a scientific method in an age assessment. The regulations may provide that, in certain circumstances, the person may be assumed to be an adult. The Secretary of State will not exercise the power until satisfied that the scientific methods in question are sufficiently accurate to mean that applying the automatic assumption in cases of refusal to consent will be compatible with the European Convention on Human Rights (in particular Article 8 (right to private and family life)).

Brought up, and added to the Bill.

New Clause 26

INTERIM MEASURES OF THE EUROPEAN COURT OF HUMAN RIGHTS

“(1) This section applies where the European Court of Human Rights indicates an interim measure in proceedings relating to the intended removal of a person from the United Kingdom under, or purportedly under, this Act.

(2) A Minister of the Crown may (but need not) determine that the duty in section 2(1) (duty to make arrangements for removal) is not to apply in relation to the person.

(3) A decision as to whether or not to make a determination under subsection (2) is to be taken personally by the Minister of the Crown.

(4) In considering whether to make a determination under subsection (2), the Minister may have regard to any matter that the Minister considers relevant, including in particular the matter in subsection (5).

(5) The matter mentioned in subsection (4) is the procedure by reference to which the interim measure was indicated, including in particular—

- (a) whether the government of the United Kingdom was given an opportunity to present observations and information before the interim measure was indicated;
- (b) the form of the decision to indicate the interim measure;
- (c) whether the European Court of Human Rights will take account of any representations made to it by the government of the United Kingdom seeking reconsideration, without undue delay, of the decision to indicate the interim measure;
- (d) the likely duration of the interim measure and the timing of any substantive determination by the European Court of Human Rights.

(6) Where a Minister of the Crown does not make a determination under subsection (2), a person or body to which subsection (7) applies may not have regard, in the circumstances mentioned in subsection (7), to the interim measure.

(7) This subsection applies to—

- (a) the Secretary of State or an immigration officer when exercising a function under section 2(1) or 7(2), (4) or (5) (further provisions about removal),
- (b) the Upper Tribunal when considering any application or appeal under this Act, and
- (c) a court or tribunal when considering any application or appeal which relates to a decision to remove a person from the United Kingdom under this Act.

(8) No inference is to be drawn from this section as to whether or not a person or body mentioned in subsection (7) would otherwise have been required to have regard to the interim measure.

(9) Nothing in this Act requires the Secretary of State or an immigration officer to effect the removal of a person from the United Kingdom pending a decision by a Minister of the Crown as to whether or not to make a determination under subsection (2).

(10) In this section—

- “decision” includes any purported decision;
- “determination” includes any purported determination.”—
(Robert Jenrick.)

This new clause provides that an interim measure indicated by the European Court of Human Rights does not affect the duty in clause 2 of the Bill to make arrangements for the removal of a person from the United Kingdom, unless a Minister of the Crown acting in person determines that it is to do so.

Brought up, and added to the Bill.

New Clause 22

INTERIM REMEDIES

“(1) This section applies to any court proceedings relating to a decision to remove a person from the United Kingdom under this Act (whether the proceedings involve consideration of Convention rights or otherwise).

(2) Any power of the court to grant an interim remedy (whether on an application of the person or otherwise) is restricted as follows.

(3) The court may not grant an interim remedy that prevents or delays, or that has the effect of preventing or delaying, the removal of the person from the United Kingdom in pursuance of the decision.

(4) In this section—

- “Convention rights” has the same meaning as in the Human Rights Act 1998 (see section 1(1) of that Act);

“court proceedings” means proceedings in any court (including, in particular, proceedings on an application for judicial review);

“decision” includes any purported decision;

“interim remedy” means any interim remedy or relief however described (including, in particular, an interim injunction or interdict).”—(Robert Jenrick.)

This new clause would restrict the granting of certain interim remedies by a court in proceedings relating to a decision to remove a person from the United Kingdom under the Bill.

Brought up, and added to the Bill.

New Clause 8

REPORT ON SAFE AND LEGAL ROUTES

“(1) The Secretary of State must, before the end of the relevant period—

- (a) prepare and publish a report on safe and legal routes by which persons may enter the United Kingdom, and
- (b) lay the report before Parliament.

(2) The report must—

- (a) contain details of the safe and legal routes by which persons may enter the United Kingdom when the report is published,
- (b) contain details of any proposed additional safe and legal routes which have not come into operation at that time,
- (c) specify the routes within paragraph (a) or (b) which are or will be available to adults,
- (d) specify the routes within paragraph (a) or (b) which are or will be available to children, and
- (e) contain details of how routes within paragraph (a) or (b) may be accessed by persons who are eligible to use them.

(3) In this section—

- “adult” means a person who is aged 18 or over;
- “child” means a person who is under the age of 18;
- “the relevant period” means the period of 6 months beginning with the day on which this Act is passed.”—(Robert Jenrick.)

This new clause requires the Secretary of State to prepare and publish a report on safe and legal routes for entry into the United Kingdom and to lay the report before Parliament.

Brought up, and added to the Bill.

New Clause 9

ACCOMMODATION: DUTY TO CONSULT

“(1) Section 97 of the Immigration and Asylum Act 1999 (supplemental) is amended as follows.

(2) After subsection (3A) insert—

“(3B) When making arrangements for the provision of accommodation under section 95 or section 4 of this Act, the Secretary of State must consult with representatives of the local authority or local authorities, for the area in which the accommodation is located.

(3C) The duty to consult in subsection (3B) applies to accommodation including hotel accommodation, military sites, and sea vessels.

(3D) The duty to consult in subsection (3B) also applies to any third party provider operating within the terms of a contract with the Secretary of State.”—
(Stephen Kinnock.)

This new clause would add to the current law on provision of accommodation to asylum seekers a requirement to consult with the relevant local authorities when making the necessary arrangements.

Brought up.

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

The House divided: Ayes 233, Noes 285.

Division No. 221]

[6 pm

AYES

Abbott, rh Ms Diane (*Proxy vote cast by Bell Ribeiro-Addy*)
 Ali, Rushanara
 Ali, Tahir
 Allin-Khan, Dr Rosena
 Amesbury, Mike
 Anderson, Fleur
 Ashworth, rh Jonathan
 Bardell, Hannah
 Barker, Paula
 Beckett, rh Margaret
 Begum, Apsana
 Benn, rh Hilary
 Betts, Mr Clive
 Black, Mhairi
 Blackford, rh Ian
 Blackman, Kirsty
 Blake, Olivia
 Blomfield, Paul
 Bonnar, Steven
 Bradshaw, rh Mr Ben
 Brennan, Kevin
 Brown, Alan
 Brown, Ms Lyn
 Brown, rh Mr Nicholas
 Bryant, Sir Chris
 Buck, Ms Karen
 Burgon, Richard
 Butler, Dawn
 Byrne, Ian
 Byrne, rh Liam
 Cadbury, Ruth
 Callaghan, Amy (*Proxy vote cast by Brendan O'Hara*)
 Cameron, Dr Lisa
 Campbell, rh Sir Alan
 Carmichael, rh Mr Alistair
 Chamberlain, Wendy
 Champion, Sarah
 Chapman, Douglas
 Charalambous, Bambos
 Cherry, Joanna
 Clark, Feryal (*Proxy vote cast by Chris Elmore*)
 Cooper, rh Yvette
 Cowan, Ronnie
 Coyle, Neil
 Crawley, Angela
 Creasy, Stella
 Cruddas, Jon
 Cryer, John
 Daby, Janet
 Dalton, Ashley
 Davey, rh Ed
 David, Wayne
 Davies-Jones, Alex
 Day, Martyn
 De Cordova, Marsha
 Debbonaire, Thangam
 Dhesi, Mr Tanmanjeet Singh
 Dixon, Samantha
 Docherty-Hughes, Martin
 Dodds, Anneliese
 Doogan, Dave
 Dorans, Allan (*Proxy vote cast by Brendan O'Hara*)
 Doughty, Stephen

Dowd, Peter
 Eagle, Dame Angela
 Eagle, rh Maria
 Eastwood, Colum
 Edwards, Jonathan
 Efford, Clive
 Elmore, Chris
 Eshalomi, Florence
 Esterson, Bill
 Farron, Tim
 Farry, Stephen
 Fellows, Marion
 Ferrier, Margaret
 Fletcher, Colleen
 Flynn, Stephen
 Foord, Richard
 Fovargue, Yvonne
 Foxcroft, Vicky
 Foy, Mary Kelly
 Furniss, Gill
 Gibson, Patricia
 Gill, Preet Kaur
 Grady, Patrick
 Grant, Peter
 Green, Sarah
 Greenwood, Lilian
 Greenwood, Margaret
 Griffith, Dame Nia
 Gwynne, Andrew
 Haigh, Louise
 Hamilton, Fabian
 Hamilton, Mrs Paulette
 Hanna, Claire
 Hardy, Emma
 Harman, rh Ms Harriet
 Harris, Carolyn
 Hayes, Helen
 Healey, rh John
 Hendry, Drew
 Hillier, Dame Meg
 Hobhouse, Wera
 Hodgson, Mrs Sharon
 Hollern, Kate
 Hopkins, Rachel
 Hosie, rh Stewart
 Howarth, rh Sir George
 Huq, Dr Rupa
 Hussain, Imran
 Jardine, Christine
 Jarvis, Dan
 Johnson, rh Dame Diana
 Jones, Darren
 Kane, Mike
 Kendall, Liz
 Khan, Afzal
 Kinnock, Stephen
 Kyle, Peter
 Lake, Ben
 Lammy, rh Mr David
 Lavery, Ian
 Leadbeater, Kim
 Lewell-Buck, Mrs Emma
 Lewis, Clive
 Lightwood, Simon
 Linden, David
 Lloyd, Tony (*Proxy vote cast by Chris Elmore*)
 Long Bailey, Rebecca

Lucas, Caroline
 Lynch, Holly
 MacAskill, Kenny
 MacNeil, Angus Brendan
 Madders, Justin
 Mahmood, Mr Khalid
 Mahmood, Shabana
 Malhotra, Seema
 Maskell, Rachael
 Mc Nally, John
 McCabe, Steve
 McCarthy, Kerry
 McDonagh, Siobhain
 McDonald, Stewart Malcolm
 McDonald, Stuart C.
 McDonnell, rh John
 McFadden, rh Mr Pat
 McGovern, Alison
 McKinnell, Catherine
 McLaughlin, Anne (*Proxy vote cast by Brendan O'Hara*)
 McMahon, Jim
 McMorris, Anna
 Miliband, rh Edward
 Mishra, Navendu
 Monaghan, Carol
 Moran, Layla
 Morden, Jessica
 Morgan, Helen
 Morris, Grahame
 Murray, Ian
 Murray, James
 Newlands, Gavin
 Nichols, Charlotte
 Nicolson, John (*Proxy vote cast by Brendan O'Hara*)
 Norris, Alex
 O'Hara, Brendan
 Onwurah, Chi
 Oppong-Asare, Abena
 Oswald, Kirsten
 Owatemi, Taiwo
 Owen, Sarah
 Peacock, Stephanie
 Pennycook, Matthew
 Perkins, Mr Toby
 Phillips, Jess
 Pollard, Luke
 Qaisar, Ms Anum
 Qureshi, Yasmin
 Rayner, rh Angela
 Reed, Steve
 Rees, Christina
 Reeves, Ellie
 Reeves, rh Rachel

Reynolds, Jonathan
 Ribeiro-Addy, Bell
 Rimmer, Ms Marie
 Roberts, Rob
 Rodda, Matt
 Saville Roberts, rh Liz
 Shah, Naz
 Shannon, Jim
 Sheppard, Tommy
 Siddiq, Tulip
 Slaughter, Andy
 Smith, Alyn
 Smith, Cat
 Smith, Nick
 Sobel, Alex
 Spellar, rh John
 Starmer, rh Keir
 Stephens, Chris
 Stevens, Jo
 Stone, Jamie
 Streeting, Wes
 Sultana, Zarah
 Tami, rh Mark
 Thewliss, Alison
 Thomas, Gareth
 Thomas-Symonds, rh Nick
 Thompson, Owen
 Thomson, Richard
 Thornberry, rh Emily
 Timms, rh Sir Stephen
 Trickett, Jon
 Turner, Karl
 Twigg, Derek
 Twist, Liz
 Vaz, rh Valerie
 Wakeford, Christian
 Webbe, Claudia
 West, Catherine
 Western, Andrew
 Western, Matt
 Whitehead, Dr Alan
 Whitford, Dr Philippa
 Whitley, Mick
 Whittome, Nadia
 Williams, Hywel
 Wilson, Munira
 Winter, Beth
 Wishart, Pete
 Yasin, Mohammad
 Zeichner, Daniel

Tellers for the Ayes:
 Mary Glindon and
 Gerald Jones

NOES

Adams, rh Nigel
 Afolami, Bim
 Afriyie, Adam
 Aiken, Nickie
 Aldous, Peter
 Anderson, Lee
 Anderson, Stuart
 Andrew, rh Stuart
 Argar, rh Edward
 Atherton, Sarah
 Atkins, Victoria
 Bacon, Gareth
 Badenoch, rh Kemi
 Bailey, Shaun

Baker, Duncan
 Baker, Mr Steve
 Baldwin, Harriett
 Barclay, rh Steve
 Baynes, Simon
 Bell, Aaron
 Benton, Scott
 Beresford, Sir Paul
 Bhatti, Saqib
 Blackman, Bob
 Blunt, Crispin
 Bone, Mr Peter
 Bottomley, Sir Peter
 Bowie, Andrew

Brady, Sir Graham
 Braverman, rh Suella
 Brereton, Jack
 Brine, Steve
 Bristow, Paul
 Britcliffe, Sara
 Browne, Anthony
 Bruce, Fiona
 Buchan, Felicity
 Burghart, Alex
 Butler, Rob
 Cairns, rh Alun
 Carter, Andy
 Cartlidge, James
 Cash, Sir William
 Caulfield, Maria
 Chishtli, Rehman
 Churchill, Jo
 Clark, rh Greg
 Clarke, rh Mr Simon
 Clarke, Theo (*Proxy vote cast by Mr Marcus Jones*)
 Clarke-Smith, Brendan
 Clarkson, Chris
 Cleverly, rh James
 Coffey, rh Dr Thérèse
 Colburn, Elliot
 Collins, Damian
 Costa, Alberto
 Courts, Robert
 Coutinho, Claire
 Crabb, rh Stephen
 Crosbie, Virginia
 Daly, James
 Davies, rh David T. C.
 Davies, Gareth
 Davies, Dr James
 Davies, Mims
 Davies, Philip
 Davis, rh Mr David
 Davison, Dehenna
 Dinanage, Dame Caroline
 Dines, Miss Sarah
 Djanogly, Mr Jonathan
 Docherty, Leo
 Donelan, rh Michelle (*Proxy vote cast by Mr Marcus Jones*)
 Dorries, rh Ms Nadine
 Double, Steve
 Drax, Richard
 Duddridge, Sir James
 Duguid, David
 Duncan Smith, rh Sir Iain
 Dunne, rh Philip
 Eastwood, Mark
 Edwards, Ruth
 Ellis, rh Michael
 Elphicke, Mrs Natalie
 Eustice, rh George
 Evans, Dr Luke
 Evennett, rh Sir David
 Everitt, Ben
 Fabricant, Michael
 Farris, Laura
 Fell, Simon
 Firth, Anna
 Fletcher, Katherine
 Fletcher, Mark
 Ford, rh Vicky
 Foster, Kevin
 Fox, rh Dr Liam
 Francois, rh Mr Mark
 Frazer, rh Lucy
 Freeman, George
 French, Mr Louie
 Fuller, Richard
 Fysh, Mr Marcus
 Garnier, Mark
 Ghani, Ms Nusrat
 Gibb, rh Nick
 Gibson, Peter
 Gideon, Jo
 Glen, rh John
 Goodwill, rh Sir Robert
 Gove, rh Michael
 Grant, Mrs Helen
 Gray, James
 Grayling, rh Chris (*Proxy vote cast by Mr Marcus Jones*)
 Green, Chris
 Green, rh Damian
 Griffith, Andrew
 Grundy, James
 Gullis, Jonathan
 Halfon, rh Robert
 Hall, Luke
 Hammond, Stephen
 Hancock, rh Matt
 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
 Heappey, rh James
 Henderson, Gordon
 Henry, Darren
 Higginbotham, Antony
 Hinds, rh Damian
 Holden, Mr Richard
 Hollinrake, Kevin
 Hollobone, Mr Philip
 Holloway, Adam
 Holmes, Paul
 Howell, Paul
 Huddleston, Nigel
 Hudson, Dr Neil
 Hughes, Eddie
 Hunt, Jane
 Hunt, rh Jeremy
 Hunt, Tom
 Jack, rh Mr Alister
 Javid, rh Sajid
 Jayawardena, rh Mr Ranil
 Jenkin, Sir Bernard
 Jenkinson, Mark
 Jenrick, rh Robert
 Johnson, Dr Caroline
 Johnson, Gareth
 Johnston, David
 Jones, Andrew
 Jones, Fay
 Jones, rh Mr Marcus
 Jupp, Simon
 Kawczynski, Daniel
 Keegan, rh Gillian
 Knight, rh Sir Greg
 Kruger, Danny
 Lamont, John
 Leadsom, rh Dame Andrea
 Levy, Ian

Lewer, Andrew
 Lewis, rh Brandon
 Lewis, rh Sir Julian
 Loder, Chris
 Logan, Mark (*Proxy vote cast by Mr Marcus Jones*)
 Lopez, Julia (*Proxy vote cast by Mr Marcus Jones*)
 Lopresti, Jack
 Lord, Mr Jonathan
 Loughton, Tim
 Mackinlay, Craig
 Mackrory, Cherilyn
 Maclean, Rachel
 Mak, Alan
 Malthouse, rh Kit
 Mangnall, Anthony
 Mann, Scott
 Marson, Julie
 Mayhew, Jerome
 Maynard, Paul
 McVey, rh Esther
 Merriman, Huw
 Metcalfe, Stephen
 Millar, Robin
 Miller, rh Dame Maria
 Milling, rh Amanda
 Mills, Nigel
 Mohindra, Mr Gagan
 Moore, Damien
 Moore, Robbie
 Morris, Anne Marie
 Morris, James
 Morrissey, Joy
 Mortimer, Jill
 Mullan, Dr Kieran
 Mundell, rh David
 Murrison, rh Dr Andrew
 Nici, Lia
 O'Brien, Neil
 Offord, Dr Matthew
 Opperman, Guy
 Pawsey, Mark
 Penrose, John
 Philp, rh Chris
 Poulter, Dr Dan
 Pow, Rebecca
 Prentis, rh Victoria
 Pursglove, Tom
 Quin, rh Jeremy
 Quince, Will
 Randall, Tom
 Redwood, rh John
 Rees-Mogg, rh Mr Jacob
 Richards, Nicola
 Richardson, Angela
 Rowley, Lee
 Russell, Dean
 Rutley, David
 Sambrook, Gary
 Saxby, Selaine

Scully, Paul
 Seely, Bob
 Selous, Andrew
 Shapps, rh Grant
 Shelbrooke, rh Alec
 Simmonds, David
 Smith, rh Chloe
 Smith, Greg
 Smith, Henry
 Smith, rh Julian
 Smith, Royston
 Spencer, Dr Ben
 Spencer, rh Mark
 Stafford, Alexander
 Stephenson, rh Andrew
 Stevenson, Jane
 Stewart, rh Bob
 Stewart, Iain
 Streeter, Sir Gary
 Stride, rh Mel
 Stuart, rh Graham
 Sturdy, Julian
 Sunderland, James
 Swayne, rh Sir Desmond
 Syms, Sir Robert
 Thomas, Derek
 Throup, Maggie
 Timpson, Edward
 Tolhurst, rh Kelly
 Tomlinson, Justin
 Tomlinson, Michael
 Tracey, Craig
 Trevelyan, rh Anne-Marie
 Trott, Laura
 Tugendhat, rh Tom
 Vara, rh Shailesh
 Vickers, Martin
 Vickers, Matt
 Villiers, rh Theresa
 Warburton, David (*Proxy vote cast by Craig Mackinlay*)
 Warman, Matt
 Watling, Giles
 Webb, Suzanne (*Proxy vote cast by Mr Marcus Jones*)
 Whately, Helen
 Wheeler, Mrs Heather
 Whittaker, rh Craig
 Whittingdale, rh Sir John
 Wiggin, Sir Bill
 Wild, James
 Williams, Craig
 Williamson, rh Sir Gavin
 Wood, Mike
 Young, Jacob
 Zahawi, rh Nadhim

Tellers for the Noes:
Amanda Solloway and
Robert Largin

Question accordingly negated.

New Clause 10

EXPEDITED ASYLUM PROCESSING

“(1) Within 60 days of this Act coming into force, the Secretary of State must issue regulations establishing an expedited asylum process for applicants from specified countries who have arrived in the UK without permission.

(2) Within this section, “specified countries” are defined as those countries or territories to which a person may be removed under the Schedule to this Act.’—(*Stephen Kinnock.*)

This new clause requires the Secretary of State to establish a process to fast-track asylum claims from specified countries.

Brought up.

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

The House divided: Ayes 231, Noes 290.

Division No. 222]

[6.17 pm

AYES

Abbott, rh Ms Diane
(*Proxy vote cast by Bell Ribeiro-Addy*)
Ali, Rushanara
Ali, Tahir
Allin-Khan, Dr Rosena
Amesbury, Mike
Anderson, Fleur
Ashworth, rh Jonathan
Bardell, Hannah
Barker, Paula
Beckett, rh Margaret
Begum, Apsana
Benn, rh Hilary
Betts, Mr Clive
Black, Mhairi
Blackford, rh Ian
Blackman, Kirsty
Blake, Olivia
Blomfield, Paul
Bonnar, Steven
Bradshaw, rh Mr Ben
Brennan, Kevin
Brown, Alan
Brown, Ms Lyn
Brown, rh Mr Nicholas
Bryant, Sir Chris
Buck, Ms Karen
Burgon, Richard
Butler, Dawn
Byrne, Ian
Byrne, rh Liam
Cadbury, Ruth
Callaghan, Amy (*Proxy vote cast by Brendan O'Hara*)
Cameron, Dr Lisa
Campbell, rh Sir Alan
Carmichael, rh Mr Alistair
Chamberlain, Wendy
Champion, Sarah
Chapman, Douglas
Charalambous, Bambos
Cherry, Joanna
Clark, Feryal (*Proxy vote cast by Chris Elmore*)
Cooper, rh Yvette
Cowan, Ronnie
Coyle, Neil
Crawley, Angela
Creasy, Stella
Cruddas, Jon
Cryer, John
Daby, Janet
Dalton, Ashley
Davey, rh Ed
David, Wayne
Davies-Jones, Alex
Day, Martyn
De Cordova, Marsha
Debbonaire, Thangam

Dhesi, Mr Tanmanjeet Singh
Dixon, Samantha
Docherty-Hughes, Martin
Dodds, Anneliese
Doogan, Dave
Dorans, Allan (*Proxy vote cast by Brendan O'Hara*)
Doughty, Stephen
Dowd, Peter
Eagle, Dame Angela
Eagle, rh Maria
Eastwood, Colum
Edwards, Jonathan
Efford, Clive
Elmore, Chris
Eshalomi, Florence
Esterson, Bill
Farron, Tim
Farry, Stephen
Fellows, Marion
Ferrier, Margaret
Fletcher, Colleen
Flynn, Stephen
Foord, Richard
Fovargue, Yvonne
Foxcroft, Vicky
Foy, Mary Kelly
Furniss, Gill
Gibson, Patricia
Gill, Preet Kaur
Grady, Patrick
Grant, Peter
Green, Sarah
Greenwood, Lilian
Greenwood, Margaret
Griffith, Dame Nia
Gwynne, Andrew
Haigh, Louise
Hamilton, Fabian
Hamilton, Mrs Paulette
Hanna, Claire
Hardy, Emma
Harman, rh Ms Harriet
Harris, Carolyn
Hayes, Helen
Healey, rh John
Hendry, Drew
Hillier, Dame Meg
Hobhouse, Wera
Hodgson, Mrs Sharon
Hollern, Kate
Hopkins, Rachel
Hosie, rh Stewart
Howarth, rh Sir George
Huq, Dr Rupa
Hussain, Imran
Jardine, Christine
Jarvis, Dan
Johnson, rh Dame Diana
Jones, Darren
Kane, Mike
Kendall, Liz
Khan, Afzal
Kinnock, Stephen
Kyle, Peter
Lake, Ben
Lammy, rh Mr David
Lavery, Ian
Leadbeater, Kim
Lewell-Buck, Mrs Emma
Lewis, Clive
Lightwood, Simon
Linden, David
Lloyd, Tony (*Proxy vote cast by Chris Elmore*)
Long Bailey, Rebecca
Lucas, Caroline
Lynch, Holly
MacAskill, Kenny
MacNeil, Angus Brendan
Madders, Justin
Mahmood, Mr Khalid
Mahmood, Shabana
Malhotra, Seema
Maskell, Rachael
Mc Nally, John
McCabe, Steve
McCarthy, Kerry
McDonagh, Siobhain
McDonald, Stewart Malcolm
McDonald, Stuart C.
McDonnell, rh John
McFadden, rh Mr Pat
McGovern, Alison
McKinnell, Catherine
McLaughlin, Anne (*Proxy vote cast by Brendan O'Hara*)
McMahon, Jim
McMorrin, Anna
Miliband, rh Edward
Mishra, Navendu
Monaghan, Carol
Moran, Layla
Morden, Jessica
Morgan, Helen
Morris, Grahame
Murray, Ian
Murray, James
Newlands, Gavin
Nichols, Charlotte
Nicolson, John (*Proxy vote cast by Brendan O'Hara*)
Norris, Alex
O'Hara, Brendan
Onwurah, Chi
Oppong-Asare, Abena
Oswald, Kirsten
Owatemi, Taiwo
Owen, Sarah
Peacock, Stephanie
Pennycook, Matthew
Perkins, Mr Toby

Phillips, Jess
Pollard, Luke
Qaisar, Ms Anum
Qureshi, Yasmin
Rayner, rh Angela
Reed, Steve
Rees, Christina
Reeves, Ellie
Reeves, rh Rachel
Reynolds, Jonathan
Ribeiro-Addy, Bell
Rimmer, Ms Marie
Rodda, Matt
Saville Roberts, rh Liz
Shah, Naz
Sheppard, Tommy
Siddiq, Tulip
Slaughter, Andy
Smith, Alyn
Smith, Cat
Smith, Nick
Sobel, Alex
Spellar, rh John
Starmer, rh Keir
Stephens, Chris
Stevens, Jo
Stone, Jamie
Streeting, Wes
Sultana, Zarah
Tami, rh Mark
Thewliss, Alison
Thomas, Gareth
Thomas-Symonds, rh Nick
Thompson, Owen
Thomson, Richard
Thornberry, rh Emily
Timms, rh Sir Stephen
Trickett, Jon
Turner, Karl
Twigg, Derek
Twist, Liz
Vaz, rh Valerie
Wakeford, Christian
Webbe, Claudia
West, Catherine
Western, Andrew
Western, Matt
Whitehead, Dr Alan
Whitford, Dr Philippa
Whitley, Mick
Whittome, Nadia
Williams, Hywel
Wilson, Munira
Winter, Beth
Wishart, Pete
Yasin, Mohammad
Zeichner, Daniel

Tellers for the Ayes:

Gerald Jones and
Mary Glindon

NOES

Argar, rh Edward
Atherton, Sarah
Atkins, Victoria
Bacon, Gareth
Badenoch, rh Kemi
Bailey, Shaun
Baker, Duncan
Baker, Mr Steve
Adams, rh Nigel
Afolami, Bim
Afriyie, Adam
Aiken, Nickie
Aldous, Peter
Anderson, Lee
Anderson, Stuart
Andrew, rh Stuart

Baldwin, Harriett
 Barclay, rh Steve
 Baynes, Simon
 Bell, Aaron
 Benton, Scott
 Beresford, Sir Paul
 Bhatti, Saqib
 Blackman, Bob
 Blunt, Crispin
 Bone, Mr Peter
 Bottomley, Sir Peter
 Bowie, Andrew
 Brady, Sir Graham
 Braverman, rh Suella
 Brereton, Jack
 Brine, Steve
 Bristow, Paul
 Britcliffe, Sara
 Browne, Anthony
 Bruce, Fiona
 Buchan, Felicity
 Burghart, Alex
 Butler, Rob
 Cairns, rh Alun
 Carter, Andy
 Cartledge, James
 Cash, Sir William
 Caulfield, Maria
 Chishti, Rehman
 Churchill, Jo
 Clark, rh Greg
 Clarke, rh Mr Simon
 Clarke, Theo (*Proxy vote cast by Mr Marcus Jones*)
 Clarke-Smith, Brendan
 Clarkson, Chris
 Cleverly, rh James
 Coffey, rh Dr Thérèse
 Colburn, Elliot
 Collins, Damian
 Costa, Alberto
 Courts, Robert
 Coutinho, Claire
 Crabb, rh Stephen
 Crosbie, Virginia
 Daly, James
 Davies, rh David T. C.
 Davies, Gareth
 Davies, Dr James
 Davies, Mims
 Davies, Philip
 Davis, rh Mr David
 Davison, Dehenna
 Dineneage, Dame Caroline
 Dines, Miss Sarah
 Djanogly, Mr Jonathan
 Docherty, Leo
 Donelan, rh Michelle
 (*Proxy vote cast by Mr Marcus Jones*)
 Dorries, rh Ms Nadine
 Double, Steve
 Drax, Richard
 Duddridge, Sir James
 Duguid, David
 Duncan Smith, rh Sir Iain
 Dunne, rh Philip
 Eastwood, Mark
 Edwards, Ruth
 Ellis, rh Michael
 Elphicke, Mrs Natalie
 Eustice, rh George

Evans, Dr Luke
 Evennett, rh Sir David
 Everitt, Ben
 Fabricant, Michael
 Farris, Laura
 Fell, Simon
 Firth, Anna
 Fletcher, Katherine
 Fletcher, Mark
 Ford, rh 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
 Garnier, Mark
 Ghani, Ms Nusrat
 Gibb, rh Nick
 Gibson, Peter
 Gideon, Jo
 Glen, rh John
 Goodwill, rh Sir Robert
 Gove, rh Michael
 Grant, Mrs Helen
 Gray, James
 Grayling, rh Chris (*Proxy vote cast by Mr Marcus Jones*)
 Green, Chris
 Green, rh Damian
 Griffith, Andrew
 Grundy, James
 Gullis, Jonathan
 Halfon, rh Robert
 Hall, Luke
 Hammond, Stephen
 Hancock, rh Matt
 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
 Heappey, rh James
 Henderson, Gordon
 Henry, Darren
 Higginbotham, Antony
 Holden, Mr Richard
 Hollinrake, Kevin
 Hollobone, Mr Philip
 Holloway, Adam
 Holmes, Paul
 Howell, Paul
 Huddleston, Nigel
 Hudson, Dr Neil
 Hughes, Eddie
 Hunt, Jane
 Hunt, rh Jeremy
 Hunt, Tom
 Jack, rh Mr Alister
 Javid, rh Sajid
 Jayawardena, rh Mr Ranil
 Jenkin, Sir Bernard
 Jenkinson, Mark
 Jenrick, rh Robert
 Johnson, Dr Caroline
 Johnson, Gareth

Johnston, David
 Jones, Andrew
 Jones, Fay
 Jones, rh Mr Marcus
 Jupp, Simon
 Kawczynski, Daniel
 Keegan, rh Gillian
 Knight, rh Sir Greg
 Kruger, Danny
 Lamont, John
 Leadsom, rh Dame Andrea
 Levy, Ian
 Lewer, Andrew
 Lewis, rh Brandon
 Lewis, rh Sir Julian
 Loder, Chris
 Logan, Mark (*Proxy vote cast by Mr Marcus Jones*)
 Lopez, Julia (*Proxy vote cast by Mr Marcus Jones*)
 Lopresti, Jack
 Lord, Mr Jonathan
 Loughton, Tim
 Mackinlay, Craig
 Mackrory, Cherilyn
 Maclean, Rachel
 Mak, Alan
 Malthouse, rh Kit
 Mangnall, Anthony
 Mann, Scott
 Marson, Julie
 Mayhew, Jerome
 Maynard, Paul
 McCartney, Jason
 McVey, rh Esther
 Mercer, rh Johnny
 Merriman, Huw
 Metcalfe, Stephen
 Millar, Robin
 Miller, rh Dame Maria
 Milling, rh Amanda
 Mills, Nigel
 Mohindra, Mr Gagan
 Moore, Damien
 Moore, Robbie
 Morris, Anne Marie
 Morris, James
 Morrissey, Joy
 Mortimer, Jill
 Mullan, Dr Kieran
 Mumby-Croft, Holly
 Mundell, rh David
 Murrison, rh Dr Andrew
 Nici, Lia
 O'Brien, Neil
 Offord, Dr Matthew
 Opperman, Guy
 Pawsey, Mark
 Penrose, John
 Percy, Andrew
 Philp, rh Chris
 Poulter, Dr Dan
 Pow, Rebecca
 Prentis, rh Victoria
 Pritchard, rh Mark
 Pursglove, Tom
 Quin, rh Jeremy
 Quince, Will
 Randall, Tom
 Redwood, rh John

Rees-Mogg, rh Mr Jacob
 Richards, Nicola
 Richardson, Angela
 Roberts, Rob
 Rowley, Lee
 Russell, Dean
 Rutley, David
 Sambrook, Gary
 Saxby, Selaine
 Scully, Paul
 Seely, Bob
 Selous, Andrew
 Shannon, Jim
 Shapps, rh Grant
 Shelbrooke, rh Alec
 Simmonds, David
 Smith, rh Chloe
 Smith, Greg
 Smith, Henry
 Smith, rh Julian
 Smith, Royston
 Spencer, Dr Ben
 Spencer, rh Mark
 Stafford, Alexander
 Stephenson, rh Andrew
 Stevenson, Jane
 Stewart, rh Bob
 Stewart, Iain
 Streeter, Sir Gary
 Stride, rh Mel
 Stuart, rh Graham
 Sturdy, Julian
 Sunderland, James
 Swayne, rh Sir Desmond
 Syms, Sir Robert
 Thomas, Derek
 Throup, Maggie
 Timpson, Edward
 Tolhurst, rh Kelly
 Tomlinson, Justin
 Tomlinson, Michael
 Tracey, Craig
 Trevelyan, rh Anne-Marie
 Trott, Laura
 Tugendhat, rh Tom
 Vara, rh Shailesh
 Vickers, Martin
 Vickers, Matt
 Villiers, rh Theresa
 Warburton, David (*Proxy vote cast by Craig Mackinlay*)
 Warren, Matt
 Watling, Giles
 Webb, Suzanne (*Proxy vote cast by Mr Marcus Jones*)
 Whately, Helen
 Wheeler, Mrs Heather
 Whittaker, rh Craig
 Whittingdale, rh Sir John
 Wiggin, Sir Bill
 Wild, James
 Williams, Craig
 Williamson, rh Sir Gavin
 Wood, Mike
 Young, Jacob
 Zahawi, rh Nadhim

Tellers for the Noes:
Amanda Solloway and
Robert Largin

Question accordingly negated.

New Clause 15

BORDER SECURITY: TERRORISM

“(1) The Secretary of State must make arrangements for the removal of a person from the United Kingdom if the following conditions are met—

- (a) the person meets the first condition in section 2 of this Act; and
- (b) the Secretary of State is satisfied that the person has been involved in terrorism-related activity, as defined by section 4 of the Terrorism Prevention and Investigation Measures Act 2011.

(2) If the Secretary of State cannot proceed with removal due to legal proceedings, they must consider the imposition of terrorism prevention and investigation measures in accordance with the Terrorism Prevention and Investigation Measures Act 2011.

(3) The Secretary of State must lay a report before this House on activity under this section every 90 days.”—(*Stephen Kinnock.*)
This new clause places on the Secretary of State a duty to remove suspected terrorists who have entered the country illegally, or consider the imposition of TPIMs for such individuals where removal is not possible.

Brought up.

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

The House divided: Ayes 219, Noes 284.

Division No. 223]

[6.29 pm

AYES

Abbott, rh Ms Diane (<i>Proxy vote cast by Bell Ribeiro-Addy</i>)	Charalambous, Bambos
Ali, Rushanara	Cherry, Joanna
Ali, Tahir	Clark, Feryal (<i>Proxy vote cast by Chris Elmore</i>)
Allin-Khan, Dr Rosena	Cooper, rh Yvette
Amesbury, Mike	Cowan, Ronnie
Anderson, Fleur	Coyle, Neil
Ashworth, rh Jonathan	Crawley, Angela
Bardell, Hannah	Creasy, Stella
Barker, Paula	Cruddas, Jon
Beckett, rh Margaret	Cryer, John
Begum, Apsana	Daby, Janet
Benn, rh Hilary	Dalton, Ashley
Betts, Mr Clive	David, Wayne
Black, Mhairi	Davies-Jones, Alex
Blackford, rh Ian	Day, Martyn
Blackman, Kirsty	De Cordova, Marsha
Blake, Olivia	Debbonaire, Thangam
Blomfield, Paul	Dhesi, Mr Tanmanjeet Singh
Bonnar, Steven	Dixon, Samantha
Bradshaw, rh Mr Ben	Docherty-Hughes, Martin
Brennan, Kevin	Dodds, Anneliese
Brown, Alan	Doogan, Dave
Brown, Ms Lyn	Dorans, Allan (<i>Proxy vote cast by Brendan O'Hara</i>)
Brown, rh Mr Nicholas	Doughty, Stephen
Bryant, Sir Chris	Dowd, Peter
Buck, Ms Karen	Eagle, Dame Angela
Burton, Richard	Eagle, rh Maria
Butler, Dawn	Eastwood, Colum
Byrne, Ian	Edwards, Jonathan
Byrne, rh Liam	Efford, Clive
Cadbury, Ruth	Elmore, Chris
Callaghan, Amy (<i>Proxy vote cast by Brendan O'Hara</i>)	Eshalomi, Florence
Cameron, Dr Lisa	Esterson, Bill
Campbell, rh Sir Alan	Farron, Tim
Champion, Sarah	Fellows, Marion
Chapman, Douglas	Ferrier, Margaret
	Fletcher, Colleen
	Flynn, Stephen
	Fovargue, Yvonne
	Foxcroft, Vicky
	Foy, Mary Kelly

Furniss, Gill	Murray, Ian
Gibson, Patricia	Murray, James
Gill, Preet Kaur	Newlands, Gavin
Grady, Patrick	Nichols, Charlotte
Grant, Peter	Nicolson, John (<i>Proxy vote cast by Brendan O'Hara</i>)
Greenwood, Lilian	Norris, Alex
Greenwood, Margaret	O'Hara, Brendan
Griffith, Dame Nia	Onwurah, Chi
Gwynne, Andrew	Oppong-Asare, Abena
Haigh, Louise	Oswald, Kirsten
Hamilton, Fabian	Owatemi, Taiwo
Hamilton, Mrs Paulette	Owen, Sarah
Hanna, Claire	Peacock, Stephanie
Hardy, Emma	Pennycook, Matthew
Harman, rh Ms Harriet	Perkins, Mr Toby
Harris, Carolyn	Phillips, Jess
Hayes, Helen	Pollard, Luke
Healey, rh John	Qaisar, Ms Anum
Hendry, Drew	Qureshi, Yasmin
Hillier, Dame Meg	Rayner, rh Angela
Hodgson, Mrs Sharon	Reed, Steve
Hollern, Kate	Rees, Christina
Hopkins, Rachel	Reeves, Ellie
Hosie, rh Stewart	Reeves, rh Rachel
Howarth, rh Sir George	Reynolds, Jonathan
Huq, Dr Rupa	Ribeiro-Addy, Bell
Hussain, Imran	Rimmer, Ms Marie
Jarvis, Dan	Roberts, Rob
Johnson, rh Dame Diana	Rodda, Matt
Jones, Darren	Saville Roberts, rh Liz
Kane, Mike	Shah, Naz
Kendall, Liz	Shannon, Jim
Khan, Afzal	Sheppard, Tommy
Kinnock, Stephen	Siddiq, Tulip
Kyle, Peter	Slaughter, Andy
Lake, Ben	Smith, Alyn
Lammy, rh Mr David	Smith, Cat
Lavery, Ian	Smith, Nick
Leadbeater, Kim	Sobel, Alex
Lewell-Buck, Mrs Emma	Spellar, rh John
Lewis, Clive	Starmer, rh Keir
Lightwood, Simon	Stephens, Chris
Linden, David	Stevens, Jo
Lloyd, Tony (<i>Proxy vote cast by Chris Elmore</i>)	Streeting, Wes
Long Bailey, Rebecca	Sultana, Zarah
Lynch, Holly	Tami, rh Mark
MacAskill, Kenny	Thewliss, Alison
MacNeil, Angus Brendan	Thomas, Gareth
Madders, Justin	Thomas-Symonds, rh Nick
Mahmood, Mr Khalid	Thompson, Owen
Mahmood, Shabana	Thomson, Richard
Malhotra, Seema	Thornberry, rh Emily
Maskell, Rachael	Timms, rh Sir Stephen
McCabe, Steve	Trickett, Jon
McCarthy, Kerry	Turner, Karl
McDonagh, Siobhain	Twigg, Derek
McDonald, Stewart Malcolm	Twist, Liz
McDonald, Stuart C.	Vaz, rh Valerie
McDonnell, rh John	Wakeford, Christian
McFadden, rh Mr Pat	Webbe, Claudia
McGovern, Alison	West, Catherine
McKinnell, Catherine	Western, Andrew
McLaughlin, Anne (<i>Proxy vote cast by Brendan O'Hara</i>)	Western, Matt
McMahon, Jim	Whitehead, Dr Alan
McMorris, Anna	Whitford, Dr Philippa
Miliband, rh Edward	Whitley, Mick
Mishra, Navendu	Whittome, Nadia
Monaghan, Carol	Williams, Hywel
Morden, Jessica	Winter, Beth
Morris, Grahame	Wishart, Pete

Yasin, Mohammad
Zeichner, Daniel

Tellers for the Ayes:
Gerald Jones and
Mary Glindon

NOES

Adams, rh Nigel
Afolami, Bim
Afriyie, Adam
Aiken, Nickie
Aldous, Peter
Anderson, Lee
Anderson, Stuart
Andrew, rh Stuart
Argar, rh Edward
Atherton, Sarah
Atkins, Victoria
Bacon, Gareth
Badenoch, rh Kemi
Bailey, Shaun
Baker, Duncan
Baker, Mr Steve
Baldwin, Harriett
Barclay, rh Steve
Baynes, Simon
Bell, Aaron
Benton, Scott
Beresford, Sir Paul
Bhatti, Saqib
Blackman, Bob
Blunt, Crispin
Bone, Mr Peter
Bottomley, Sir Peter
Bowie, Andrew
Brady, Sir Graham
Braverman, rh Suella
Brereton, Jack
Brine, Steve
Bristow, Paul
Britcliffe, Sara
Browne, Anthony
Bruce, Fiona
Buchan, Felicity
Burghart, Alex
Butler, Rob
Cairns, rh Alun
Carter, Andy
Cartlidge, James
Cash, Sir William
Caulfield, Maria
Chishti, Rehman
Churchill, Jo
Clark, rh Greg
Clarke, rh Mr Simon
Clarke, Theo (*Proxy vote cast by Mr Marcus Jones*)
Clarke-Smith, Brendan
Clarkson, Chris
Cleverly, rh James
Coffey, rh Dr Thérèse
Colburn, Elliot
Collins, Damian
Costa, Alberto
Courts, Robert
Coutinho, Claire
Cox, rh Sir Geoffrey
Crabb, rh Stephen
Crosbie, Virginia
Daly, James
Davies, rh David T. C.
Davies, Gareth
Davies, Dr James

Davis, rh Mr David
Davison, Dehenna
Dinenage, Dame Caroline
Dines, Miss Sarah
Djanogly, Mr Jonathan
Docherty, Leo
Donelan, rh Michelle (*Proxy vote cast by Mr Marcus Jones*)
Dorries, rh Ms Nadine
Double, Steve
Drax, Richard
Duddridge, Sir James
Duguid, David
Duncan Smith, rh Sir Iain
Dunne, rh Philip
Eastwood, Mark
Edwards, Ruth
Ellis, rh Michael
Elphicke, Mrs Natalie
Eustice, rh George
Evans, Dr Luke
Evennett, rh Sir David
Everitt, Ben
Fabricant, Michael
Farris, Laura
Farron, Tim
Fell, Simon
Firth, Anna
Fletcher, Katherine
Fletcher, Mark
Ford, rh 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
Garnier, Mark
Ghani, Ms Nusrat
Gibb, rh Nick
Gibson, Peter
Gideon, Jo
Glen, rh John
Goodwill, rh Sir Robert
Gove, rh Michael
Grant, Mrs Helen
Gray, James
Grayling, rh Chris (*Proxy vote cast by Mr Marcus Jones*)
Green, Chris
Green, rh Damian
Griffith, Andrew
Grundy, James
Gullis, Jonathan
Halfon, rh Robert
Hall, Luke
Hammond, Stephen
Hancock, rh Matt
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
Heappey, rh James
Henderson, Gordon
Henry, Darren
Higginbotham, Antony
Holden, Mr Richard
Hollinrake, Kevin
Hollobone, Mr Philip
Holloway, Adam
Holmes, Paul
Howell, Paul
Huddleston, Nigel
Hudson, Dr Neil
Hughes, Eddie
Hunt, Jane
Hunt, rh Jeremy
Hunt, Tom
Jack, rh Mr Alister
Javid, rh Sajid
Jayawardena, rh Mr Ranil
Jenkin, Sir Bernard
Jenkinson, Mark
Jenrick, rh Robert
Johnson, Dr Caroline
Johnson, Gareth
Johnston, David
Jones, Andrew
Jones, Fay
Jones, rh Mr Marcus
Jupp, Simon
Kawczynski, Daniel
Keegan, rh Gillian
Knight, rh Sir Greg
Kruger, Danny
Lamont, John
Leadsom, rh Dame Andrea
Levy, Ian
Lewer, Andrew
Lewis, rh Brandon
Lewis, rh Sir Julian
Loder, Chris
Logan, Mark (*Proxy vote cast by Mr Marcus Jones*)
Lopez, Julia (*Proxy vote cast by Mr Marcus Jones*)
Lopresti, Jack
Lord, Mr Jonathan
Loughton, Tim
Mackinlay, Craig
Mackrory, Cherylyn
Macleane, Rachel
Mak, Alan
Malthouse, rh Kit
Mangnall, Anthony
Mann, Scott
Marson, Julie
Mayhew, Jerome
Maynard, Paul
Mercer, rh Johnny
Merriman, Huw
Metcalfe, Stephen
Millar, Robin
Milling, rh Amanda
Mills, Nigel
Mitchell, rh Mr Andrew
Mohindra, Mr Gagan
Moore, Damien
Moore, Robbie
Morris, Anne Marie

Morris, James
Morrissey, Joy
Mortimer, Jill
Mullan, Dr Kieran
Mundell, rh David
Murrison, rh Dr Andrew
Nici, Lia
O'Brien, Neil
Offord, Dr Matthew
Opperman, Guy
Pawsey, Mark
Penrose, John
Philp, rh Chris
Poulter, Dr Dan
Pow, Rebecca
Prentis, rh Victoria
Pritchard, rh Mark
Pursglove, Tom
Quin, rh Jeremy
Quince, Will
Randall, Tom
Redwood, rh John
Rees-Mogg, rh Mr Jacob
Richards, Nicola
Richardson, Angela
Rowley, Lee
Russell, Dean
Rutley, David
Sambrook, Gary
Saxby, Selaine
Scully, Paul
Seely, Bob
Selous, Andrew
Shapps, rh Grant
Shelbrooke, rh Alec
Simmonds, David
Smith, rh Chloe
Smith, Greg
Smith, Henry
Smith, rh Julian
Smith, Royston
Stafford, Alexander
Stephenson, rh Andrew
Stevenson, Jane
Stewart, rh Bob
Stewart, Iain
Streeter, Sir Gary
Stride, rh Mel
Stuart, rh Graham
Sturdy, Julian
Sunak, rh Rishi
Sunderland, James
Swayne, rh Sir Desmond
Syms, Sir Robert
Thomas, Derek
Throup, Maggie
Timpson, Edward
Tolhurst, rh Kelly
Tomlinson, Justin
Tomlinson, Michael
Tracey, Craig
Trevelyan, rh Anne-Marie
Trott, Laura
Tugendhat, rh Tom
Vara, rh Shailesh
Vickers, Martin
Vickers, Matt
Villiers, rh Theresa
Warburton, David (*Proxy vote cast by Craig Mackinlay*)
Warman, Matt
Watling, Giles

Webb, Suzanne (*Proxy vote cast by Mr Marcus Jones*)
 Whately, Helen
 Wheeler, Mrs Heather
 Whittaker, rh Craig
 Whittingdale, rh Sir John
 Wiggin, Sir Bill
 Wild, James

Williams, Craig
 Williamson, rh Sir Gavin
 Wood, Mike
 Young, Jacob
 Zahawi, rh Nadhim
Tellers for the Noes:
Amanda Solloway and
Robert Largan

Question accordingly negated.

Clause 1

INTRODUCTION

Amendments made: 111, page 2, line 19, at end insert—

“(aa) for protections that apply to victims of modern slavery or human trafficking not to apply to persons who are a threat to public order or who have claimed to be victims in bad faith unless compelling circumstances apply;”

This amendment is consequential on Amendment 114.

Amendment 112, page 2, line 20, after “persons” insert “who have been sentenced to a period of imprisonment for an offence or who are”

This amendment is consequential on Amendment 115.

Amendment 113, page 2, line 21, leave out from second “of” to end of line 22 and insert “those protections;”

This amendment is consequential on Amendment 115.

Amendment 77, page 2, line 27, at end insert—

“(e) for certain kinds of behaviour relating to an identity document or electronic information by a person who makes an asylum claim or a human rights claim to be taken into account as damaging the claimant’s credibility.”—(*Robert Jenrick.*)

This amendment is consequential on NC19.

Amendment proposed: 45, page 2, line 28, leave out subsection (5) and insert—

“(5) So far as it is possible to do so, provision made by or by virtue of this Act must be read and given effect in a way which is compatible with—

- (a) the Convention rights,
- (b) the Refugee Convention,
- (c) the European Convention on Action Against Trafficking,
- (d) the UN Convention on the Rights of the Child, and
- (e) the UN Convention relating to the Status of Stateless Persons.”—(*Alison Thewliss.*)

This amendment and Amendment 44 would require the courts to interpret the Act, so far as possible, in accordance with the UK’s international obligations contained in several international treaties.

Question put, That the amendment be made.

The House divided: Ayes 231, Noes 290.

Division No. 224]

[6.42 pm

AYES

Abbott, rh Ms Diane (*Proxy vote cast by Bell Ribeiro-Addy*)
 Ali, Rushanara
 Ali, Tahir
 Allin-Khan, Dr Rosena
 Amesbury, Mike
 Anderson, Fleur
 Ashworth, rh Jonathan
 Bardell, Hannah
 Barker, Paula
 Beckett, rh Margaret
 Begum, Apsana

Benn, rh Hilary
 Betts, Mr Clive
 Black, Mhairi
 Blackford, rh Ian
 Blackman, Kirsty
 Blake, Olivia
 Blomfield, Paul
 Bonnar, Steven
 Bradshaw, rh Mr Ben
 Brennan, Kevin
 Brown, Alan
 Brown, Ms Lyn
 Brown, rh Mr Nicholas

Bryant, Sir Chris
 Buck, Ms Karen
 Burgon, Richard
 Butler, Dawn
 Byrne, Ian
 Byrne, rh Liam
 Cadbury, Ruth
 Callaghan, Amy (*Proxy vote cast by Brendan O’Hara*)
 Cameron, Dr Lisa
 Campbell, rh Sir Alan
 Carmichael, rh Mr Alistair
 Chamberlain, Wendy
 Champion, Sarah
 Chapman, Douglas
 Charalambous, Bambos
 Cherry, Joanna
 Clark, Feryal (*Proxy vote cast by Chris Elmore*)
 Cooper, rh Yvette
 Cowan, Ronnie
 Coyle, Neil
 Crawley, Angela
 Creasy, Stella
 Cruddas, Jon
 Cryer, John
 Daby, Janet
 Dalton, Ashley
 Davey, rh Ed
 David, Wayne
 Davies-Jones, Alex
 Day, Martyn
 De Cordova, Marsha
 Debonnaire, Thangam
 Dhesi, Mr Tanmanjeet Singh
 Dixon, Samantha
 Docherty-Hughes, Martin
 Dodds, Anneliese
 Doogan, Dave
 Dorans, Allan (*Proxy vote cast by Brendan O’Hara*)
 Doughty, Stephen
 Dowd, Peter
 Eagle, Dame Angela
 Eagle, rh Maria
 Eastwood, Colum
 Edwards, Jonathan
 Efford, Clive
 Elmore, Chris
 Eshalomi, Florence
 Esterson, Bill
 Farron, Tim
 Farry, Stephen
 Ferrier, Margaret
 Fletcher, Colleen
 Flynn, Stephen
 Foord, Richard
 Fovargue, Yvonne
 Foxcroft, Vicky
 Foy, Mary Kelly
 Furniss, Gill
 Gibson, Patricia
 Gill, Preet Kaur
 Glindon, Mary
 Grady, Patrick
 Green, Sarah
 Greenwood, Lillian
 Greenwood, Margaret
 Griffith, Dame Nia
 Gwynne, Andrew
 Haigh, Louise
 Hamilton, Fabian

Hamilton, Mrs Paulette
 Hanna, Claire
 Hardy, Emma
 Harman, rh Ms Harriet
 Harris, Carolyn
 Hayes, Helen
 Healey, rh John
 Hendry, Drew
 Hillier, Dame Meg
 Hobhouse, Wera
 Hodgson, Mrs Sharon
 Hollern, Kate
 Hopkins, Rachel
 Hosie, rh Stewart
 Howarth, rh Sir George
 Huq, Dr Rupa
 Hussain, Imran
 Jardine, Christine
 Jarvis, Dan
 Johnson, rh Dame Diana
 Jones, Darren
 Jones, Gerald
 Kane, Mike
 Kendall, Liz
 Khan, Afzal
 Kinnock, Stephen
 Kyle, Peter
 Lake, Ben
 Lammy, rh Mr David
 Lavery, Ian
 Leadbeater, Kim
 Lewell-Buck, Mrs Emma
 Lewis, Clive
 Lightwood, Simon
 Linden, David
 Lloyd, Tony (*Proxy vote cast by Chris Elmore*)
 Long Bailey, Rebecca
 Lucas, Caroline
 Lynch, Holly
 MacAskill, Kenny
 MacNeil, Angus Brendan
 Madders, Justin
 Mahmood, Mr Khalid
 Mahmood, Shabana
 Malhotra, Seema
 Maskell, Rachael
 Mc Nally, John
 McCabe, Steve
 McCarthy, Kerry
 McDonagh, Siobhain
 McDonald, Stewart Malcolm
 McDonald, Stuart C.
 McDonnell, rh John
 McFadden, rh Mr Pat
 McGovern, Alison
 McKinnell, Catherine
 McLaughlin, Anne (*Proxy vote cast by Brendan O’Hara*)
 McMahon, Jim
 McMorris, Anna
 Miliband, rh Edward
 Mishra, Navendu
 Monaghan, Carol
 Moran, Layla
 Morden, Jessica
 Morgan, Helen
 Morris, Grahame
 Murray, Ian
 Murray, James
 Newlands, Gavin
 Nichols, Charlotte

Nicolson, John (*Proxy vote cast by Brendan O'Hara*)
 Norris, Alex
 O'Hara, Brendan
 Onwurah, Chi
 Oppong-Asare, Abena
 Oswald, Kirsten
 Owatemi, Taiwo
 Owen, Sarah
 Peacock, Stephanie
 Pennycook, Matthew
 Perkins, Mr Toby
 Phillips, Jess
 Pollard, Luke
 Qaisar, Ms Anum
 Qureshi, Yasmin
 Rayner, rh Angela
 Reed, Steve
 Rees, Christina
 Reeves, Ellie
 Reeves, rh Rachel
 Reynolds, Jonathan
 Ribeiro-Addy, Bell
 Rimmer, Ms Marie
 Rodda, Matt
 Saville Roberts, rh Liz
 Shah, Naz
 Sheppard, Tommy
 Siddiq, Tulip
 Slaughter, Andy
 Smith, Alyn
 Smith, Cat
 Smith, Nick
 Sobel, Alex
 Spellar, rh John
 Starmer, rh Keir

Stephens, Chris
 Stevens, Jo
 Stone, Jamie
 Streeting, Wes
 Sultana, Zarah
 Tami, rh Mark
 Thewliss, Alison
 Thomas, Gareth
 Thomas-Symonds, rh Nick
 Thompson, Owen
 Thomson, Richard
 Thornberry, rh Emily
 Timms, rh Sir Stephen
 Trickett, Jon
 Turner, Karl
 Twigg, Derek
 Twist, Liz
 Vaz, rh Valerie
 Wakeford, Christian
 Webbe, Claudia
 West, Catherine
 Western, Andrew
 Western, Matt
 Whitehead, Dr Alan
 Whitford, Dr Philippa
 Whitley, Mick
 Whittome, Nadia
 Williams, Hywel
 Wilson, Munira
 Winter, Beth
 Wishart, Pete
 Yasin, Mohammad
 Zeichner, Daniel

Tellers for the Ayes:

**Peter Grant and
 Marion Fellows**

NOES

Adams, rh Nigel
 Afolami, Bim
 Afriyie, Adam
 Aiken, Nickie
 Aldous, Peter
 Anderson, Lee
 Anderson, Stuart
 Andrew, rh Stuart
 Argar, rh Edward
 Atherton, Sarah
 Atkins, Victoria
 Bacon, Gareth
 Badenoch, rh Kemi
 Bailey, Shaun
 Baker, Duncan
 Baker, Mr Steve
 Baldwin, Harriett
 Barclay, rh Steve
 Baynes, Simon
 Bell, Aaron
 Benton, Scott
 Beresford, Sir Paul
 Bhatti, Saqib
 Blackman, Bob
 Blunt, Crispin
 Bone, Mr Peter
 Bottomley, Sir Peter
 Bowie, Andrew
 Brady, Sir Graham
 Braverman, rh Suella
 Brereton, Jack
 Brine, Steve
 Bristow, Paul

Britcliffe, Sara
 Browne, Anthony
 Bruce, Fiona
 Buchan, Felicity
 Burghart, Alex
 Butler, Rob
 Cairns, rh Alun
 Carter, Andy
 Cartledge, James
 Cash, Sir William
 Caulfield, Maria
 Chishti, Rehman
 Churchill, Jo
 Clark, rh Greg
 Clarke, rh Mr Simon
 Clarke, Theo (*Proxy vote cast by Mr Marcus Jones*)
 Clarke-Smith, Brendan
 Clarkson, Chris
 Cleverly, rh James
 Coffey, rh Dr Thérèse
 Colburn, Elliot
 Collins, Damian
 Costa, Alberto
 Courts, Robert
 Coutinho, Claire
 Cox, rh Sir Geoffrey
 Crabb, rh Stephen
 Crosbie, Virginia
 Daly, James
 Davies, rh David T. C.
 Davies, Gareth
 Davies, Dr James

Davies, Mims
 Davies, Philip
 Davis, rh Mr David
 Davison, Dehenna
 Dinenage, Dame Caroline
 Dines, Miss Sarah
 Djanogly, Mr Jonathan
 Docherty, Leo
 Donelan, rh Michelle (*Proxy vote cast by Mr Marcus Jones*)
 Dorries, rh Ms Nadine
 Double, Steve
 Drax, Richard
 Duddridge, Sir James
 Duguid, David
 Duncan Smith, rh Sir Iain
 Dunne, rh Philip
 Eastwood, Mark
 Edwards, Ruth
 Ellis, rh Michael
 Elphicke, Mrs Natalie
 Eustice, rh George
 Evans, Dr Luke
 Evennett, rh Sir David
 Everitt, Ben
 Fabricant, Michael
 Farris, Laura
 Fell, Simon
 Firth, Anna
 Fletcher, Katherine
 Fletcher, Mark
 Ford, rh 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
 Garnier, Mark
 Ghani, Ms Nusrat
 Gibb, rh Nick
 Gibson, Peter
 Gideon, Jo
 Glen, rh John
 Goodwill, rh Sir Robert
 Gove, rh Michael
 Grant, Mrs Helen
 Gray, James
 Grayling, rh Chris (*Proxy vote cast by Mr Marcus Jones*)
 Green, Chris
 Green, rh Damian
 Griffith, Andrew
 Grundy, James
 Gullis, Jonathan
 Halfon, rh Robert
 Hall, Luke
 Hammond, Stephen
 Hancock, rh Matt
 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
 Heappey, rh James

Henderson, Gordon
 Henry, Darren
 Higginbotham, Antony
 Holden, Mr Richard
 Hollinrake, Kevin
 Hollobone, Mr Philip
 Holloway, Adam
 Holmes, Paul
 Howell, Paul
 Huddleston, Nigel
 Hudson, Dr Neil
 Hughes, Eddie
 Hunt, Jane
 Hunt, rh Jeremy
 Hunt, Tom
 Jack, rh Mr Alister
 Jayawardena, rh Mr Ranil
 Jenkin, Sir Bernard
 Jenkinson, Mark
 Jenrick, rh Robert
 Johnson, Dr Caroline
 Johnson, Gareth
 Johnston, David
 Jones, Andrew
 Jones, Fay
 Jones, rh Mr Marcus
 Jupp, Simon
 Kawczynski, Daniel
 Keegan, rh Gillian
 Knight, rh Sir Greg
 Kruger, Danny
 Lamont, John
 Leadsom, rh Dame Andrea
 Levy, Ian
 Lewer, Andrew
 Lewis, rh Brandon
 Lewis, rh Sir Julian
 Loder, Chris
 Logan, Mark (*Proxy vote cast by Mr Marcus Jones*)
 Lopez, Julia (*Proxy vote cast by Mr Marcus Jones*)
 Lopresti, Jack
 Lord, Mr Jonathan
 Loughton, Tim
 Mackinlay, Craig
 Mackrory, Cherilyn
 Maclean, Rachel
 Mak, Alan
 Malthouse, rh Kit
 Mangnall, Anthony
 Mann, Scott
 Marson, Julie
 Mayhew, Jerome
 Maynard, Paul
 McCartney, Jason
 McVey, rh Esther
 Mercer, rh Johnny
 Merriman, Huw
 Metcalfe, Stephen
 Millar, Robin
 Miller, rh Dame Maria
 Milling, rh Amanda
 Mills, Nigel
 Mitchell, rh Mr Andrew
 Mohindra, Mr Gagan
 Moore, Damien
 Moore, Robbie
 Morris, Anne Marie
 Morris, James
 Morrissey, Joy
 Mortimer, Jill

Mullan, Dr Kieran
 Mumby-Croft, Holly
 Mundell, rh David
 Murrison, rh Dr Andrew
 Nici, Lia
 O'Brien, Neil
 Offord, Dr Matthew
 Opperman, Guy
 Pawsey, Mark
 Penrose, John
 Percy, Andrew
 Philp, rh Chris
 Poulter, Dr Dan
 Pow, Rebecca
 Prentis, rh Victoria
 Pritchard, rh Mark
 Pursglove, Tom
 Quin, rh Jeremy
 Quince, Will
 Randall, Tom
 Redwood, rh John
 Rees-Mogg, rh Mr Jacob
 Richards, Nicola
 Richardson, Angela
 Roberts, Rob
 Rowley, Lee
 Russell, Dean
 Rutley, David
 Sambrook, Gary
 Saxby, Selaine
 Scully, Paul
 Seely, Bob
 Selous, Andrew
 Shannon, Jim
 Shapps, rh Grant
 Shelbrooke, rh Alec
 Simmonds, David
 Smith, rh Chloe
 Smith, Greg
 Smith, Henry
 Smith, rh Julian
 Smith, Royston
 Spencer, Dr Ben
 Spencer, rh Mark
 Stafford, Alexander

Stephenson, rh Andrew
 Stevenson, Jane
 Stewart, rh Bob
 Stewart, Iain
 Streeter, Sir Gary
 Stride, rh Mel
 Stuart, rh Graham
 Sturdy, Julian
 Sunderland, James
 Syms, Sir Robert
 Thomas, Derek
 Throup, Maggie
 Timpson, Edward
 Tolhurst, rh Kelly
 Tomlinson, Justin
 Tomlinson, Michael
 Tracey, Craig
 Trevelyan, rh Anne-Marie
 Trott, Laura
 Tugendhat, rh Tom
 Vara, rh Shailesh
 Vickers, Martin
 Vickers, Matt
 Villiers, rh Theresa
 Warburton, David (*Proxy vote
 cast by Craig Mackinlay*)
 Warman, Matt
 Watling, Giles
 Webb, Suzanne (*Proxy vote
 cast by Mr Marcus Jones*)
 Whately, Helen
 Wheeler, Mrs Heather
 Whittaker, rh Craig
 Whittingdale, rh Sir John
 Wiggin, Sir Bill
 Wild, James
 Williams, Craig
 Williamson, rh Sir Gavin
 Wood, Mike
 Young, Jacob
 Zahawi, rh Nadhim

Tellers for the Noes:
 Amanda Solloway and
 Robert Lorgan

Question accordingly negatived.

Clause 2

DUTY TO MAKE ARRANGEMENTS FOR REMOVAL

Amendments made: 89, page 2, line 41, at end insert—

“(ba) the person has entered or arrived in the United Kingdom at a time when they were an excluded person within the meaning of section 8B of the Immigration Act 1971 (persons excluded from the United Kingdom under certain instruments) and—

- (i) subsection (5A) of that section (exceptions to section 8B) does not apply to the person, and
- (ii) an exception created under, or direction given by virtue of, section 15(4) of the Sanctions and Anti-Money Laundering Act 2018 (power to create exceptions to section 8B) does not apply to the person.”

This amendment expands the category of persons to whom the duty to make arrangements for removal in clause 2 applies to cover certain persons who are subject to a travel ban imposed by the United Nations or the United Kingdom and to whom section 8B of the Immigration Act 1971 applies.

Amendment 185, page 3, line 42, at end insert—

“(ba) a Minister of the Crown has made a determination under section (Interim measures of the European Court of Human Rights)(2) in relation to the person,”—(*Robert Jenrick.*)

This amendment is consequential on NC26.

Clause 3

UNACCOMPANIED CHILDREN ETC

Amendments made: 174, page 4, line 11, at end insert—

“(2A) The power in subsection (2) may be exercised only—

- (a) where the person is to be removed for the purposes of reunion with the person's parent;
- (b) where the person is to be removed to a country listed in section 80AA(1) of the Nationality, Immigration and Asylum Act 2002 (safe States for the purposes of section 80A of that Act) which is—
 - (i) a country of which the person is a national, or
 - (ii) a country in which the person has obtained a passport or other document of identity;
- (c) where the person has not made a protection claim or a human rights claim and the person is to be removed to—
 - (i) a country of which the person is a national or citizen,
 - (ii) a country or territory in which the person has obtained a passport or other document of identity, or
 - (iii) a country or territory in which the person embarked for the United Kingdom;
- (d) in such other circumstances as may be specified in regulations made by the Secretary of State.

(2B) Regulations under subsection (2A)(d) may confer a discretion on the Secretary of State.”

This amendment limits the power in clause 3(2) to make arrangements for the removal of an unaccompanied child from the United Kingdom so that it may only be exercised for the purposes of reunion with the child's parent, where the person is to be removed to a safe country of origin, where the person has not made a protection claim, or in other circumstances specified in regulations made by the Secretary of State.

Amendment 106, page 4, line 24, at end insert—

“, in consequence of the application of the exception to that person”.

This amendment clarifies that the power in clause 3(6) for regulations under clause 3(5) to modify the Bill or any other enactment in its application to a person is a power to make modifications in consequence of an exception created by regulations applying to a person.

Amendment 107, page 4, line 24, at end insert—

“(b) for an exception, or for any provision made by virtue of paragraph (a), to be treated as having had effect from a time before the coming into force of the regulations.”

This amendment enables regulations which contain exceptions from the duty in clause 2(1) to make arrangements for a person's removal from the United Kingdom to provide for an exception to be treated as having had effect from a time before the coming into force of the regulations.

Amendment 108, page 4, line 24, at end insert—

“(6A) Regulations made by virtue of subsection (6)(a) may, in particular, disapply any provision of this Act or any other enactment in relation to a person to whom an exception applies.”

This amendment clarifies that regulations under clause 3(5) may disapply any provision of the Bill or another enactment in relation to a person to whom an exception applies.

Amendment 109, page 4, line 25, leave out “subsection (6)” and insert “subsections (6) and (6A)”.

This amendment is consequential on Amendment 108.

Amendment 110, page 4, line 26, at end insert—

“(b) an enactment contained in, or in an instrument made under, an Act of the Scottish Parliament;

- (c) an enactment contained in, or in an instrument made under, a Measure or Act of Senedd Cymru;
- (d) an enactment contained in, or in an instrument made under, Northern Ireland legislation.”

This amendment has the effect that regulations under clause 3(5) which contain exceptions from the duty in clause 2(1) may modify devolved legislation.

Amendment 175, page 4, line 26, at end insert—

“(8) In this Act—

“human rights claim” has the meaning given by section 113(1) of the Nationality, Immigration and Asylum Act 2002;

“protection claim” has the meaning given by section 82(2) of that Act.”—(*Robert Jenrick.*)

This amendment is consequential on Amendment 174 and moves the definitions of “human rights claim” and “protection claim” from clause 4 to clause 3.

Clause 4

DISREGARD OF CERTAIN CLAIMS, APPLICATIONS ETC

Amendment made: 176, page 5, leave out lines 21 to 23.—(*Robert Jenrick.*)

This amendment is consequential on Amendment 175.

Clause 5

REMOVAL FOR THE PURPOSES OF SECTION 2 OR 3

Amendment made: 177, page 5, line 42, leave out “as follows” and insert—

“to section 3(2A)(c) and to the following provisions of this section”.—(*Robert Jenrick.*)

This amendment is consequential on Amendment 174.

Clause 7

FURTHER PROVISIONS ABOUT REMOVAL

Amendments made: 79, page 8, line 30, leave out paragraph (b) and insert—

“(b) the condition in subsection (2A) is met.”

This amendment and Amendment 80 provide that a person may be removed from the United Kingdom under the Bill before the end of the claim period for a suspensive claim where the person has notified the Secretary of State that they do not intend to make such a claim.

Amendment 80, page 8, line 32, at end insert—

“(2A) The condition in this subsection is that—

- (a) the claim period for any suspensive claim that may be made by P has expired, or
 - (b) P has notified the Secretary of State (orally or in writing) that P does not intend to make a suspensive claim.
- (2B) The giving of a notification by P under subsection (2A)(b) does not affect any ability of P to make a suspensive claim before P is removed from the United Kingdom under this Act (and accordingly if P makes such a claim, clauses 37 to 50 apply in relation to the claim).
- (2C) But where P has been removed from the United Kingdom under this Act following such a notification, P may not make a suspensive claim (regardless of whether the claim period has expired).”

See Amendment 79.

Amendment 81, page 8, line 33, leave out subsection (3) and insert—

“(3) A notice under subsection (2)(a) must—

- (a) contain details of any right P has to make a suspensive claim under this Act, and
- (b) set out the claim period for any such suspensive claim.”

This amendment is consequential on Amendments 79 and 80.

Amendment 82, page 8, line 36, at end insert—

“(3A) In this section—

“claim period” —

- (a) in relation to a suspensive claim within section 37(2)(a) (serious harm suspensive claims), has the meaning given by section 40(7), and
- (b) in relation to a suspensive claim within section 37(2)(b) (factual suspensive claims), has the meaning given by section 41(7);

“suspensive claim” has the meaning given by section 37 (suspensive claims: interpretation).”—(*Robert Jenrick.*)

This amendment is consequential on Amendments 79 and 80.

Clause 8

REMOVAL OF FAMILY MEMBERS

Amendment made: 83, page 9, line 33, leave out clause 8.—(*Robert Jenrick.*)

This amendment leaves out clause 8, which enables the Secretary of State to give directions for the removal from the United Kingdom of family members of persons who are being removed pursuant to clause 2.

Clause 10

OTHER CONSEQUENTIAL AMENDMENTS RELATING TO
REMOVAL

Amendments made: 90, page 11, line 17, at end insert—

“(A1) The Immigration Act 1971 is amended in accordance with subsections (A2) and (1).

(A2) In section 27(1) (offences by persons connected with ships or aircraft)—

(a) after paragraph (a) insert—

“(aa) if, being the captain of a ship or aircraft, the train manager of a train or the driver of a vehicle, the person knowingly permits a person to disembark in the United Kingdom when required under section 7(8)(a) of the Illegal Migration Act 2023 to prevent it;”

(b) after paragraph (b) insert—

“(ba) if, as owner or agent of a ship, aircraft, train or vehicle, the person fails, without reasonable excuse, to make arrangements for or in connection with the removal of a person from the United Kingdom when required to do so by directions given under section 7(4) or (5) of the Illegal Migration Act 2023;”

This amendment inserts into the Bill some amendments to section 27 of the Immigration Act 1971, which provides for offences by persons connected with ships or aircraft, so that the offences apply to the removal of a person under the Bill.

Amendment 91, page 11, line 18, leave out “to the Immigration Act 1971”

This amendment is consequential on Amendment 90.

Amendment 139, page 12, line 6, leave out from “removal” to end of line 11.—(*Robert Jenrick.*)

This amendment is consequential on Amendment 83.

Clause 11

POWERS OF DETENTION

Amendments made: 140, page 14, leave out lines 1 to 40.

This amendment is consequential on Amendment 83.

Amendment 134, page 14, line 40, at end insert—

“(2EA) The powers in sub-paragraph (2C) may be exercised in respect of an unaccompanied child only in the circumstances specified in regulations made by the Secretary of State.

(2EB) The Secretary of State may, by regulations, specify time limits that apply in relation to the detention of an unaccompanied child under sub-paragraph (2C)(d)(iv) (detention of unaccompanied child in relation to removal).

(2EC) Regulations under sub-paragraph (2EA) may confer a discretion on the Secretary of State or an immigration officer.

(2ED) Regulations under sub-paragraph (2EA) or (2EB)—

- (a) may make different provision for different purposes;
- (b) may make consequential, supplementary, incidental, transitional or saving provision;
- (c) must be made by statutory instrument.”

This amendment limits the powers in inserted sub-paragraph (2C) in paragraph 16 of Schedule 2 to the Immigration Act 1971 to detain unaccompanied children so that they may only be exercised in the circumstances specified in regulations made by the Secretary of State. It also allows the Secretary of State to make regulations specifying time-limits for detaining unaccompanied children under sub-paragraph (2C)(d)(iv).

Amendment 141, page 14, line 41, leave out “or (2D)”.

This amendment is consequential on Amendment 83.

Amendment 142, page 14, line 44, leave out “or (2D)”.

This amendment is consequential on Amendment 83.

Amendment 135, page 14, line 46, at end insert—

“(2H) A statutory instrument containing regulations under sub-paragraph (2EA) or (2EB) is subject to annulment in pursuance of a resolution of either House of Parliament.

(2I) In sub-paragraphs (2EA) and (2EB), “unaccompanied child” has the same meaning as in the Illegal Migration Act 2023 (see section 3 of that Act).”—(*Robert Jenrick.*)

This amendment is consequential on Amendment 134. It applies the negative procedure to regulations under sub-paragraph (2EA) or (2EB) and inserts a definition of “unaccompanied child”.

Amendment proposed: 2, page 14, line 46, at end insert—

- “(2H) Sub-paragraphs (2C) to (2G) above do not apply to any person who—
- (a) entered the United Kingdom as an unaccompanied child;
 - (b) has at least one dependant child; or
 - (c) is a pregnant woman.”—(*Dame Diana Johnson.*)

This amendment would prevent an immigration officer’s detention powers from being used to detain unaccompanied children, families with dependant children or pregnant women.

Question put, That the amendment be made.

The House divided: Ayes 231, Noes 286.

Division No. 225]

[6.55 pm

AYES

Abbott, rh Ms Diane (*Proxy vote cast by Bell Ribeiro-Addy*)
 Ali, Rushanara
 Ali, Tahir
 Allin-Khan, Dr Rosena
 Amesbury, Mike
 Anderson, Fleur
 Ashworth, rh Jonathan
 Bardell, Hannah
 Barker, Paula
 Beckett, rh Margaret
 Begum, Apsana
 Benn, rh Hilary
 Betts, Mr Clive
 Black, Mhairi

Blackford, rh Ian
 Blackman, Kirsty
 Blake, Olivia
 Blomfield, Paul
 Bonnar, Steven
 Bradshaw, rh Mr Ben
 Brennan, Kevin
 Brown, Alan
 Brown, Ms Lyn
 Brown, rh Mr Nicholas
 Bryant, Sir Chris
 Buck, Ms Karen
 Burgon, Richard
 Butler, Dawn
 Byrne, Ian
 Byrne, rh Liam

Cadbury, Ruth
 Callaghan, Amy (*Proxy vote cast by Brendan O’Hara*)
 Cameron, Dr Lisa
 Campbell, rh Sir Alan
 Carmichael, rh Mr Alistair
 Chamberlain, Wendy
 Champion, Sarah
 Chapman, Douglas
 Charalambous, Bambos
 Cherry, Joanna
 Clark, Feryal (*Proxy vote cast by Chris Elmore*)
 Cooper, rh Yvette
 Cowan, Ronnie
 Coyle, Neil
 Crawley, Angela
 Creasy, Stella
 Cruddas, Jon
 Cryer, John
 Daby, Janet
 Dalton, Ashley
 Davey, rh Ed
 David, Wayne
 Davies-Jones, Alex
 Day, Martyn
 De Cordova, Marsha
 Debbonaire, Thangam
 Dhesi, Mr Tanmanjeet Singh
 Dixon, Samantha
 Docherty-Hughes, Martin
 Dodds, Anneliese
 Doogan, Dave
 Dorans, Allan (*Proxy vote cast by Brendan O’Hara*)
 Doughty, Stephen
 Dowd, Peter
 Eagle, Dame Angela
 Eagle, rh Maria
 Eastwood, Colum
 Edwards, Jonathan
 Efford, Clive
 Elmore, Chris
 Eshalomi, Florence
 Esterson, Bill
 Farry, Stephen
 Fellows, Marion
 Ferrier, Margaret
 Fletcher, Colleen
 Flynn, Stephen
 Foord, Richard
 Fovargue, Yvonne
 Foxcroft, Vicky
 Foy, Mary Kelly
 Furniss, Gill
 Gibson, Patricia
 Gill, Preet Kaur
 Grady, Patrick
 Grant, Peter
 Green, Sarah
 Greenwood, Lilian
 Greenwood, Margaret
 Griffith, Dame Nia
 Gwynne, Andrew
 Haigh, Louise
 Hamilton, Fabian
 Hamilton, Mrs Paulette
 Hanna, Claire
 Hardy, Emma
 Harman, rh Ms Harriet
 Harris, Carolyn
 Hayes, Helen

Healey, rh John
 Hendry, Drew
 Hillier, Dame Meg
 Hobhouse, Wera
 Hodgson, Mrs Sharon
 Hollern, Kate
 Hopkins, Rachel
 Hosie, rh Stewart
 Howarth, rh Sir George
 Huq, Dr Rupa
 Hussain, Imran
 Jardine, Christine
 Jarvis, Dan
 Johnson, rh Dame Diana
 Jones, Darren
 Kane, Mike
 Kendall, Liz
 Khan, Afzal
 Kinnock, Stephen
 Kyle, Peter
 Lake, Ben
 Lammy, rh Mr David
 Lavery, Ian
 Leadbeater, Kim
 Lewell-Buck, Mrs Emma
 Lewis, Clive
 Lightwood, Simon
 Linden, David
 Lloyd, Tony (*Proxy vote cast by Chris Elmore*)
 Long Bailey, Rebecca
 Lucas, Caroline
 Lynch, Holly
 MacAskill, Kenny
 MacNeil, Angus Brendan
 Madders, Justin
 Mahmood, Mr Khalid
 Mahmood, Shabana
 Malhotra, Seema
 Maskell, Rachael
 Mc Nally, John
 McCabe, Steve
 McCarthy, Kerry
 McDonald, Stewart Malcolm
 McDonald, Stuart C.
 McDonnell, rh John
 McFadden, rh Mr Pat
 McGovern, Alison
 McKinnell, Catherine
 McLaughlin, Anne (*Proxy vote cast by Brendan O’Hara*)
 McMahan, Jim
 McMorin, Anna
 Miliband, rh Edward
 Monaghan, Carol
 Moran, Layla
 Morden, Jessica
 Morgan, Helen
 Morris, Grahame
 Murray, Ian
 Murray, James
 Newlands, Gavin
 Nichols, Charlotte
 Nicolson, John (*Proxy vote cast by Brendan O’Hara*)
 Norris, Alex
 O’Hara, Brendan
 Onwurah, Chi
 Oppong-Asare, Abena
 Oswald, Kirsten
 Owatemi, Taiwo
 Owen, Sarah

Peacock, Stephanie
 Pennycook, Matthew
 Perkins, Mr Toby
 Phillips, Jess
 Pollard, Luke
 Qaisar, Ms Anum
 Qureshi, Yasmin
 Rayner, rh Angela
 Reed, Steve
 Rees, Christina
 Reeves, Ellie
 Reeves, rh Rachel
 Reynolds, Jonathan
 Ribeiro-Addy, Bell
 Rimmer, Ms Marie
 Rodda, Matt
 Saville Roberts, rh Liz
 Shah, Naz
 Shannon, Jim
 Sheppard, Tommy
 Siddiq, Tulip
 Slaughter, Andy
 Smith, Alyn
 Smith, Cat
 Smith, Nick
 Sobel, Alex
 Spellar, rh John
 Starmer, rh Keir
 Stephens, Chris
 Stevens, Jo
 Stone, Jamie
 Streeting, Wes

Sultana, Zarah
 Tami, rh Mark
 Thewliss, Alison
 Thomas, Gareth
 Thomas-Symonds, rh Nick
 Thompson, Owen
 Thomson, Richard
 Thornberry, rh Emily
 Timms, rh Sir Stephen
 Trickett, Jon
 Turner, Karl
 Twigg, Derek
 Twist, Liz
 Vaz, rh Valerie
 Wakeford, Christian
 Webbe, Claudia
 Western, Andrew
 Western, Matt
 Whitehead, Dr Alan
 Whitford, Dr Philippa
 Whitley, Mick
 Whittome, Nadia
 Williams, Hywel
 Wilson, Munira
 Winter, Beth
 Wishart, Pete
 Yasin, Mohammad
 Zeichner, Daniel

Tellers for the Ayes:

**Mary Glindon and
 Gerald Jones**

NOES

Adams, rh Nigel
 Afolami, Bim
 Afriyie, Adam
 Aiken, Nickie
 Aldous, Peter
 Anderson, Lee
 Anderson, Stuart
 Andrew, rh Stuart
 Argar, rh Edward
 Atherton, Sarah
 Atkins, Victoria
 Bacon, Gareth
 Badenoch, rh Kemi
 Bailey, Shaun
 Baker, Duncan
 Baker, Mr Steve
 Baldwin, Harriett
 Barclay, rh Steve
 Baynes, Simon
 Bell, Aaron
 Benton, Scott
 Beresford, Sir Paul
 Bhatti, Saqib
 Blackman, Bob
 Blunt, Crispin
 Bone, Mr Peter
 Bottomley, Sir Peter
 Bowie, Andrew
 Brady, Sir Graham
 Braverman, rh Suella
 Brereton, Jack
 Brine, Steve
 Bristow, Paul
 Britcliffe, Sara
 Browne, Anthony
 Bruce, Fiona
 Buchan, Felicity

Burghart, Alex
 Butler, Rob
 Cairns, rh Alun
 Carter, Andy
 Cartledge, James
 Cash, Sir William
 Caulfield, Maria
 Chisht, Rehman
 Churchill, Jo
 Clark, rh Greg
 Clarke, rh Mr Simon
 Clarke, Theo (*Proxy vote cast
 by Mr Marcus Jones*)
 Clarke-Smith, Brendan
 Clarkson, Chris
 Cleverly, rh James
 Coffey, rh Dr Thérèse
 Colburn, Elliot
 Collins, Damian
 Costa, Alberto
 Courts, Robert
 Coutinho, Claire
 Cox, rh Sir Geoffrey
 Crabb, rh Stephen
 Crosbie, Virginia
 Daly, James
 Davies, rh David T. C.
 Davies, Gareth
 Davies, Dr James
 Davies, Mims
 Davies, Philip
 Davis, rh Mr David
 Davison, Dehenna
 Dinanage, Dame Caroline
 Dines, Miss Sarah
 Djanogly, Mr Jonathan
 Docherty, Leo

Donelan, rh Michelle (*Proxy
 vote cast by Mr Marcus
 Jones*)
 Dorries, rh Ms Nadine
 Double, Steve
 Drax, Richard
 Duddridge, Sir James
 Duguid, David
 Duncan Smith, rh Sir Iain
 Dunne, rh Philip
 Eastwood, Mark
 Edwards, Ruth
 Ellis, rh Michael
 Elphicke, Mrs Natalie
 Eustice, rh George
 Evans, Dr Luke
 Evennett, rh Sir David
 Everitt, Ben
 Fabricant, Michael
 Farris, Laura
 Fell, Simon
 Firth, Anna
 Fletcher, Katherine
 Fletcher, Mark
 Ford, rh 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
 Garnier, Mark
 Ghani, Ms Nusrat
 Gibb, rh Nick
 Gibson, Peter
 Gideon, Jo
 Glen, rh John
 Goodwill, rh Sir Robert
 Gove, rh Michael
 Grant, Mrs Helen
 Gray, James
 Grayling, rh Chris (*Proxy vote
 cast by Mr Marcus Jones*)
 Green, Chris
 Green, rh Damian
 Griffith, Andrew
 Grundy, James
 Gullis, Jonathan
 Halfon, rh Robert
 Hall, Luke
 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
 Heapey, rh James
 Henderson, Gordon
 Henry, Darren
 Higginbotham, Antony
 Hinds, rh Damian
 Holden, Mr Richard
 Hollinrake, Kevin
 Hollobone, Mr Philip
 Holloway, Adam
 Holmes, Paul

Howell, Paul
 Huddleston, Nigel
 Hudson, Dr Neil
 Hughes, Eddie
 Hunt, Jane
 Hunt, rh Jeremy
 Hunt, Tom
 Jack, rh Mr Alister
 Javid, rh Sajid
 Jayawardena, rh Mr Ranil
 Jenkin, Sir Bernard
 Jenkinson, Mark
 Jenrick, rh Robert
 Johnson, Dr Caroline
 Johnson, Gareth
 Johnston, David
 Jones, Andrew
 Jones, Fay
 Jones, rh Mr Marcus
 Jupp, Simon
 Kawczynski, Daniel
 Keegan, rh Gillian
 Knight, rh Sir Greg
 Kruger, Danny
 Lamont, John
 Leadsom, rh Dame Andrea
 Levy, Ian
 Lewer, Andrew
 Lewis, rh Brandon
 Lewis, rh Sir Julian
 Loder, Chris
 Logan, Mark (*Proxy vote cast
 by Mr Marcus Jones*)
 Lopez, Julia (*Proxy vote cast
 by Mr Marcus Jones*)
 Lopresti, Jack
 Lord, Mr Jonathan
 Mackinlay, Craig
 Mackrory, Cherilyn
 Maclean, Rachel
 Mak, Alan
 Malthouse, rh Kit
 Mangnall, Anthony
 Mann, Scott
 Marson, Julie
 Mayhew, Jerome
 Maynard, Paul
 McVey, rh Esther
 Mercer, rh Johnny
 Merriman, Huw
 Metcalfe, Stephen
 Millar, Robin
 Miller, rh Dame Maria
 Milling, rh Amanda
 Mills, Nigel
 Mitchell, rh Mr Andrew
 Mohindra, Mr Gagan
 Moore, Damien
 Moore, Robbie
 Morris, Anne Marie
 Morris, James
 Morrissey, Joy
 Mortimer, Jill
 Mullan, Dr Kieran
 Mundell, rh David
 Murrison, rh Dr Andrew
 Nici, Lia
 O'Brien, Neil
 Offord, Dr Matthew
 Opperman, Guy
 Pawsey, Mark
 Penrose, John

Percy, Andrew
 Philp, rh Chris
 Poulter, Dr Dan
 Pow, Rebecca
 Prentis, rh Victoria
 Pritchard, rh Mark
 Pursglove, Tom
 Quin, rh Jeremy
 Quince, Will
 Randall, Tom
 Redwood, rh John
 Rees-Mogg, rh Mr Jacob
 Richards, Nicola
 Richardson, Angela
 Roberts, Rob
 Rowley, Lee
 Russell, Dean
 Rutley, David
 Sambrook, Gary
 Saxby, Selaine
 Scully, Paul
 Seely, Bob
 Selous, Andrew
 Shapps, rh Grant
 Shelbrooke, rh Alec
 Simmonds, David
 Smith, rh Chloe
 Smith, Greg
 Smith, Henry
 Smith, rh Julian
 Smith, Royston
 Spencer, Dr Ben
 Spencer, rh Mark
 Stafford, Alexander
 Stephenson, rh Andrew
 Stevenson, Jane
 Stewart, rh Bob
 Stewart, Iain
 Streeter, Sir Gary
 Stride, rh Mel

Stuart, rh Graham
 Sturdy, Julian
 Sunderland, James
 Swayne, rh Sir Desmond
 Syms, Sir Robert
 Thomas, Derek
 Throup, Maggie
 Timpson, Edward
 Tolhurst, rh Kelly
 Tomlinson, Justin
 Tomlinson, Michael
 Tracey, Craig
 Trevelyan, rh Anne-Marie
 Trott, Laura
 Tugendhat, rh Tom
 Vara, rh Shailesh
 Vickers, Martin
 Vickers, Matt
 Villiers, rh Theresa
 Warburton, David (*Proxy vote cast by Craig Mackinlay*)
 Warman, Matt
 Watling, Giles
 Webb, Suzanne (*Proxy vote cast by Mr Marcus Jones*)
 Whately, Helen
 Wheeler, Mrs Heather
 Whittaker, rh Craig
 Whittingdale, rh Sir John
 Wiggin, Sir Bill
 Wild, James
 Williams, Craig
 Williamson, rh Sir Gavin
 Wood, Mike
 Young, Jacob
 Zahawi, rh Nadhim

Tellers for the Noes:
Amanda Solloway and
Robert Langan

Question accordingly negated.

Clause 11

POWERS OF DETENTION

Amendments made: 143, page 15, line 11, leave out “or (2D)”.

This amendment is consequential on Amendment 83.

Amendment 144, page 15, line 15, leave out “or (2B)”.

This amendment is consequential on Amendment 83.

Amendment 145, page 16, leave out lines 9 to 47.

This amendment is consequential on Amendment 83.

Amendment 136, page 16, line 47, at end insert—

“(2CA) The powers in subsection (2A) may be exercised in respect of an unaccompanied child only in the circumstances specified in regulations made by the Secretary of State.

(2CB) The Secretary of State may, by regulations, specify time-limits that apply to the detention of an unaccompanied child under subsection (2A)(d)(iv) (detention of unaccompanied child in relation to removal).

(2CC) Regulations under subsection (2CA) may confer a discretion on the Secretary of State or an immigration officer.

(2CD) Regulations under subsection (2CA) or (2CB)—

(a) may make different provision for different purposes;

(b) may make consequential, supplementary, incidental, transitional or saving provision;
 (c) must be made by statutory instrument.”

This amendment limits the powers in inserted subsections (2A) in section 62 of the Nationality, Immigration and Asylum Act 2002 to detain unaccompanied children so that they may only be exercised in the circumstances specified in regulations made by the Secretary of State. It also allows the Secretary of State to make regulations specifying time-limits for detaining unaccompanied children under subsection (2A)(d)(iv).

Amendment 146, page 17, line 1, leave out “or (2B)”.

This amendment is consequential on Amendment 83.

Amendment 147, page 17, line 3, leave out “or (2B)”.

This amendment is consequential on Amendment 83.

Amendment 137, page 17, line 4, at end insert—

“(2F) A statutory instrument containing regulations under subsection (2CA) or (2CB) is subject to annulment in pursuance of a resolution of either House of Parliament.

(2G) In subsections (2CA) and (2CB), ‘unaccompanied child’ has the same meaning as in the Illegal Migration Act 2023 (see section 3 of that Act).”

This amendment is consequential on Amendment 136. It applies the negative procedure to regulations under subsection (2BA) or (2BB) and inserts a definition of “unaccompanied child”.

Amendment 148, page 17, line 12, leave out “or (2B)”.—
 (*Robert Jenrick.*)

This amendment is consequential on Amendment 83.

Clause 12

PERIOD FOR WHICH PERSONS MAY BE DETAINED

Amendments made: 149, page 17, line 30, leave out “(2D)”.

This amendment is consequential on Amendment 83.

Amendment 86, page 18, line 10, at end insert—

“(6) In the application of this paragraph in relation to detention under paragraph 16(3), references to ‘the removal’ are to—

(a) the removal of the person from the ship or aircraft on which the person is detained so that the person may be detained under paragraph 16, or

(b) the removal of the person from the United Kingdom in that ship or aircraft.

(7) In the application of this paragraph in relation to detention under paragraph 16(4), references to ‘the removal’ are to the removal of the person from the United Kingdom in the ship or aircraft on which the person is detained.”

This amendment clarifies how new paragraph 17A of Schedule 2 to the Immigration Act 1971 operates in relation to detention under paragraph 16(3) and (4) of that Schedule to that Act.

Amendment 150, page 19, line 7, leave out “(2B)” and insert “(2A)”.—(*Robert Jenrick.*)

This amendment is consequential on Amendment 83.

Clause 13

POWERS TO GRANT IMMIGRATION BAIL

Amendments made: 87, page 20, line 29, leave out “as follows” and insert

“in accordance with subsections (2) to (4)”.

This amendment is consequential on Amendment 88.

Amendment 151, page 20, line 32, leave out “, (2C) or (2D)” and insert “or (2C)”.

This amendment is consequential on Amendment 83.

Amendment 152, page 20, line 33, leave out “, (2C) or (2D)” and insert “or (2C)”.

This amendment is consequential on Amendment 83.

Amendment 153, page 21, leave out lines 1 to 6.

This amendment is consequential on Amendment 83.

Amendment 154, page 21, line 9, leave out “or (2D)”.

This amendment is consequential on Amendment 83.

Amendment 155, page 21, line 10, leave out “or (2B)”.

This amendment is consequential on Amendment 83.

Amendment 156, page 21, line 20, leave out “or (2D)”.

This amendment is consequential on Amendment 83.

Amendment 157, page 21, line 23, leave out “or (2B)”.

This amendment is consequential on Amendment 83.

Amendment 85, page 21, line 29, at end insert “or tribunal”.

This amendment clarifies that inserted paragraph 3A(2) of Schedule 10 to the Immigration Act 2016 applies in relation to a tribunal as well as a court.

Amendment 88, page 22, line 13, at end insert—

“(5) In Schedule 3 to the Special Immigration Appeals Commission Act 1997 (bail: modifications of Schedule 10 to the Immigration Act 2016), in paragraph 3(a), after ‘(3),’ insert ‘(3A),’”—(*Robert Jenrick.*)

This amendment ensures that the restriction on when bail can be granted set out in paragraph 3(3A) of Schedule 10 to the Immigration Act 2016 (inserted by clause 13(3)(b)) also applies to the Special Immigration Appeals Commission, in cases where section 3(2) of the Special Immigration Appeals Commission Act 1997 applies.

Clause 14

DISAPPLICATION OF DUTY TO CONSULT INDEPENDENT FAMILY RETURNS PANEL

Amendments made: 84, page 22, line 18, after “2” insert “or 3(2)”.

This amendment applies the exception from the requirement to consult the Independent Family Returns Panel under section 54A of the Borders, Citizenship and Immigration Act 2009 to removal under clause 3(2).

Amendment 158, page 22, line 19, leave out from “removal” to end of line 20.

This amendment is consequential on Amendment 83.

Amendment 159, page 22, line 23, leave out “or (2D)”.

This amendment is consequential on Amendment 83.

Amendment 160, page 22, line 26, leave out “or (2B)”.—(*Robert Jenrick.*)

This amendment is consequential on Amendment 83.

Clause 16

TRANSFER OF CHILDREN FROM SECRETARY OF STATE TO LOCAL AUTHORITY AND VICE VERSA

Amendments made: 124, page 23, line 6, leave out “receive the child on” and insert

“provide accommodation to the child, under section 20 of the Children Act 1989, from”.

This amendment amends the current reference in clause 16(2) to the Secretary of State directing a local authority to receive an unaccompanied migrant child so that it is clear that the direction is for the local authority to provide accommodation to the child pursuant to its duties under section 20 of the Children Act 1989.

Amendment 125, page 23, line 10, leave out subsection (4).

This amendment removes the provision to the effect that, when a local authority receives a child in compliance with a direction, the child becomes a child within the area of the local authority for the purposes of Part 3 of the Children Act 1989. This change is in consequence of Amendment 124 but is also made on the basis that the child will have been within the area of a local authority when provided with accommodation and support by the Secretary of State.

Amendment 126, page 23, line 15, leave out first “looked after” and insert “provided with accommodation”.

This amendment and Amendments 127, 128, 129, 130 and 131 are consequential on Amendment 124 and replace references to child who is being looked after by a local authority in compliance with a direction with references to a child who is being provided with accommodation in compliance with a direction.

Amendment 127, page 23, line 15, leave out “looked after by the local authority” and insert “provided with that accommodation”.

See Amendment 126.

Amendment 128, page 23, line 18, leave out “looking after the child on” and insert—

“providing the child with accommodation from”.

See Amendment 126.

Amendment 129, page 23, line 22, leave out “looking after a child” and insert—

“providing a child with accommodation”.

See Amendment 126.

Amendment 130, page 23, leave out lines 31 to 33.—(*Robert Jenrick.*)

See Amendment 126.

Clause 17

DUTY OF LOCAL AUTHORITY TO PROVIDE INFORMATION TO THE SECRETARY OF STATE

Amendment made: 131, page 24, line 3, leave out from “the” to “by” in line 4 and insert—

“accommodation and support provided to children”.—(*Robert Jenrick.*)

See Amendment 126.

Clause 21

PROVISIONS RELATING TO REMOVAL AND LEAVE

Amendment made: 95, page 26, line 14, leave out subsection (5) and insert—

“(5) The Secretary of State must assume for the purposes of subsection (3)(b) that it is not necessary for the person to be present in the United Kingdom to provide the cooperation in question unless the Secretary of State considers that there are compelling circumstances which require the person to be present in the United Kingdom for that purpose.

(5A) In determining whether there are compelling circumstances as mentioned in subsection (5), the Secretary of State must have regard to guidance issued by the Secretary of State.”—(*Robert Jenrick.*)

This amendment requires the Secretary of State to assume for the purposes of clause 21(3)(b) that it is not necessary for a person to be present in the United Kingdom to cooperate with an investigation or criminal proceedings unless there are compelling circumstances which require the person to be present for that purpose. It also provides for the Secretary of State to have regard to guidance in determining whether there are compelling circumstances.

Clause 23

PROVISIONS RELATING TO SUPPORT: SCOTLAND

Amendment made: 96, page 28, line 22, leave out subsection (5) and insert—

“(5) The Secretary of State must assume for the purposes of subsection (3)(b) that it is not necessary for the person to be present in the United Kingdom to provide the cooperation in question unless the Secretary of State considers that there are compelling circumstances which require the person to be present in the United Kingdom for that purpose.

(5A) In determining whether there are compelling circumstances as mentioned in subsection (5), the Secretary of State must have regard to guidance issued by the Secretary of State.”—(*Robert Jenrick.*)

This amendment requires the Secretary of State to assume for the purposes of clause 23(3)(b) that it is not necessary for a person to be present in the United Kingdom to cooperate with an investigation or criminal proceedings unless there are compelling circumstances which require the person to be present for that purpose. It also provides for the Secretary of State to have regard to guidance in determining whether there are compelling circumstances.

Clause 24

PROVISIONS RELATING TO SUPPORT:

NORTHERN IRELAND

Amendment made: 97, page 30, line 4, leave out subsection (5) and insert—

“(5) The Secretary of State must assume for the purposes of subsection (3)(b) that it is not necessary for the person to be present in the United Kingdom to provide the cooperation in question unless the Secretary of State considers that there are compelling circumstances which require the person to be present in the United Kingdom for that purpose.

(5A) In determining whether there are compelling circumstances as mentioned in subsection (5), the Secretary of State must have regard to guidance issued by the Secretary of State.”—(*Robert Jenrick.*)

This amendment requires the Secretary of State to assume for the purposes of clause 24(3)(b) that it is not necessary for a person to be present in the United Kingdom to cooperate with an investigation or criminal proceedings unless there are compelling circumstances which require the person to be present for that purpose. It also provides for the Secretary of State to have regard to guidance in determining whether there are compelling circumstances.

Clause 28

DISAPPLICATION OF MODERN SLAVERY PROVISIONS:

PERSONS LIABLE TO DEPORTATION

Amendments made: 114, page 33, line 6, at end insert—

“(A1) Section 63 of the Nationality and Borders Act 2022 (identified potential victims of slavery or human trafficking: disqualification from protection) is amended as follows.

(A2) In subsection (1)—

(a) for ‘may’ substitute ‘must’, and

(b) after paragraph (b) insert—

‘This is subject to subsection (2A).’

(A3) After subsection (2) insert—

‘(2A) A competent authority may not determine that subsection (2) is to apply to a person if the competent authority considers that there are compelling circumstances which mean that subsection (2) should not apply to the person.’”

This amendment has the effect that a competent authority must determine under section 63 of the Nationality and Borders Act 2022 that certain modern slavery protections are not to apply to a person who is a threat to public order, or who has claimed to be a victim of modern slavery in bad faith, unless compelling circumstances require them to apply.

Amendment 115, page 33, line 7, leave out from “In” to end of line 8 and insert “subsection (3)—

(a) for paragraph (f) substitute—

“(f) the person—

(i) is not a British citizen,

(ii) has been convicted in the United Kingdom of an offence, and

(iii) has been sentenced to a period of imprisonment for the offence;”, and”.

This amendment and Amendment 116 modify the circumstances in which a person is to be treated as a threat to public order for the purposes of section 63 of the Nationality and Borders Act 2022 to include a case where the person has been convicted of an offence and sentenced to an immediate term of imprisonment.

Amendment 116, page 33, line 16, at end insert—

“(1A) After subsection (5) insert—

‘(5A) In subsection (3)(f)—

(a) “British citizen” has the same meaning as in section 3(5) of the Immigration Act 1971 (and section 3(8) (burden of proof) applies), and

(b) the reference to a person who has been sentenced to a period of imprisonment—

(i) does not include a reference to a person who receives a suspended sentence (unless a court subsequently orders that the sentence or any part of it is to take effect), and

(ii) includes a reference to a person who is sentenced to detention, or ordered or directed to be detained, in an institution other than a prison (including, in particular, a hospital or an institution for young offenders).

(5B) For the purposes of subsection (3)(f) a person subject to an order under section 5 of the Criminal Procedure (Insanity) Act 1964 (insanity etc) has not been convicted of an offence.”

See Amendment 115.

Amendment 117, page 33, line 17, leave out

“The amendment made by subsection (1)”

and insert

“An amendment made by a provision of this section”.

This amendment is consequential on Amendments 114, 115 and 116.

Amendment 118, page 33, line 21, leave out “this section” and insert

“the provision making the amendment”.

This amendment is consequential on Amendments 114, 115 and 116.

Amendment 119, page 33, line 22, leave out subsections (3) and (4).—(*Robert Jenrick.*)

This amendment removes the regulation-making powers in clause 28(3) and (4) in consequence of Amendments 115 and 116.

Clause 29ENTRY INTO AND SETTLEMENT IN THE
UNITED KINGDOM

Amendments made: 161, page 33, line 35, leave out from “Kingdom;” to end of line 40.

This amendment is consequential on Amendment 83.

Amendment 162, page 34, line 7, leave out from “Kingdom)” to end of line 12.

This amendment is consequential on Amendment 83.

Amendment 104, page 34, leave out lines 26 to 36 and insert—

“(3) The Secretary of State may give the person limited leave to enter the United Kingdom, or grant to the person an entry clearance or an ETA, if—

- (a) the person has left or been removed from the United Kingdom after having become a person within subsection (1), and
- (b) the Secretary of State considers that—
 - (i) failure to give the leave or grant the entry clearance or ETA would contravene the United Kingdom's obligations under the Human Rights Convention, or
 - (ii) there are other exceptional circumstances which apply in relation to the person which mean that it is appropriate to give the leave or grant the entry clearance or ETA."

This amendment clarifies the persons in relation to whom the power in section 8AA of the Immigration Act 1971 to give leave or grant an entry clearance or ETA may be exercised, and narrows the grounds on which the power may be exercised.

Amendment 105, page 34, leave out lines 37 to 45 and insert—

- “(4) The Secretary of State may give the person limited leave to remain in the United Kingdom if—
 - (a) the Secretary of State considers that failure to do so would contravene the United Kingdom's obligations under the Human Rights Convention or any other international agreement to which the United Kingdom is a party, or
 - (b) the Secretary of State has exercised the power in subsection (3) in respect of the person, and the Secretary of State considers that there are other exceptional circumstances which apply in relation to the person which mean that it is appropriate to give the person limited leave to remain.”

This amendment narrows the grounds on which the Secretary of State may give a person to whom section 8AA of the Immigration Act 1971 applies limited leave to remain.

Amendment 122, page 35, line 2, leave out from “that” to end of line 7 and insert

“failure to do so would contravene the United Kingdom's obligations under the Human Rights Convention.”

This amendment narrows the grounds on which the Secretary of State may give a person to whom section 8AA of the Immigration Act 1971 applies indefinite leave to remain.

Amendment 92, page 35, leave out lines 8 to 20.—(*Robert Jenrick.*)

This amendment applies to a person who, by virtue of the Bill, may not be given leave to enter or remain or granted entry clearance or an electronic travel authorisation. It removes the requirement for Immigration Rules to secure that certain applications by the person for any of those things is void.

Clause 30

PERSONS PREVENTED FROM OBTAINING BRITISH CITIZENSHIP ETC

Amendments made: 163, page 35, line 28, leave out “or (4)”.

This amendment is consequential on Amendment 164.

Amendment 164, page 35, line 34, leave out subsection (4).

This amendment leaves out subsection (4) of clause 30, by which the provisions in the Bill on citizenship apply to a person born in the United Kingdom on or after 7th March 2023 if either of their parents has ever met the conditions in clause 2.

Amendment 165, page 36, line 24, leave out subsection (8).—(*Robert Jenrick.*)

This amendment is consequential on Amendment 164.

Clause 31

BRITISH CITIZENSHIP

Amendments made: 166, page 36, line 31, leave out paragraph (a).

This amendment is consequential on Amendment 164.

Amendment 167, page 36, line 33, leave out “that Act” and insert

“the British Nationality Act 1981”.—(*Robert Jenrick.*)

This amendment is consequential on Amendment 164.

Clause 32

BRITISH OVERSEAS TERRITORIES CITIZENSHIP

Amendments made: 168, page 37, line 17, leave out paragraph (a).

This amendment is consequential on Amendment 164.

Amendment 169, page 37, line 19, leave out “that Act” and insert—

“the British Nationality Act 1981”.—(*Robert Jenrick.*)

This amendment is consequential on Amendment 164.

Clause 35

DISAPPLICATION OF SECTIONS 31 TO 34

Amendment made: 123, page 38, line 10, leave out from “that” to end of line 14 and insert—

“the application of those sections in relation to the person would contravene the United Kingdom's obligations under the Human Rights Convention.”—(*Robert Jenrick.*)

This amendment narrows the grounds on which the Secretary of State may determine that a person is not to be an “ineligible person” (which means that clauses 31 to 34 will not apply in relation to that person).

Clause 36

AMENDMENTS RELATING TO SECTIONS 31 TO 35

Amendments made: 170, page 38, line 17, leave out subsection (2).

This amendment is consequential on Amendment 164.

Amendment 171, page 39, line 12, leave out subsection (10).—(*Robert Jenrick.*)

This amendment is consequential on Amendment 164.

Clause 37

SUSPENSIVE CLAIMS: INTERPRETATION

Amendments made: 33, page 40, line 4, leave out “38 to 48” and insert—

“(serious harm suspensive claims: interpretation) to 50”.

This amendment provides that the definitions in clause 37 apply to a wider range of clauses in the Bill.

Amendment 34, page 40, line 6, after “claim” insert—
“(see section (serious harm suspensive claims: interpretation))”.

This amendment is consequential on NC17.

Amendment 35, page 40, line 8, leave out subsection (3).

This amendment is consequential on NC17.

Amendment 172, page 40, line 17, leave out from “removal” to end of line 18.

This amendment is consequential on Amendment 83.

Amendment 173, page 40, line 28, leave out from “removal)” to end of line 30.

This amendment is consequential on Amendment 83.

Amendment 36, page 40, line 31, leave out subsection (9).

This amendment is consequential on NC17.

Amendment 37, page 41, line 6, leave out “38 to 48” and insert—

“(serious harm suspensive claims: interpretation) to 50”.—(*Robert Jenrick.*)

This amendment provides that the interpretative provision about removal notices in clause 37(13) applies in relation to a wider range of clauses in the Bill.

Clause 38

MEANING OF “SERIOUS AND IRREVERSIBLE HARM”

Amendment made: 38, page 41, line 9, leave out “37” and insert—

“(serious harm suspensive claims: interpretation)”.—(*Robert Jenrick.*)

This amendment is consequential on NC17.

Clause 40

SERIOUS HARM SUSPENSIVE CLAIMS

Amendments made: 39, page 42, line 11, leave out paragraphs (a) and (b) and insert—

“(a) that the serious harm condition is met in relation to the person, or

(b) that the serious harm condition is not met in relation to the person.”

This amendment is consequential on NC17.

Amendment 40, page 42, line 30, leave out from “that” to end of line 33 and insert—

“the serious harm condition is met in relation to the person”.—(*Robert Jenrick.*)

This amendment is consequential on NC17.

Clause 42

APPEALS IN RELATION TO SUSPENSIVE CLAIMS

Amendments made: 41, page 44, line 18, leave out from “claim,” to end of line 21 and insert—

“the serious harm condition is met in relation to the person;”.

This amendment is consequential on NC17.

Amendment 42, page 44, line 34, leave out from “whether” to end of line 37 and insert—

“the serious harm condition is met in relation to the person”.—(*Robert Jenrick.*)

This amendment is consequential on NC17.

Clause 43

PERMISSION TO APPEAL IN RELATION TO SUSPENSIVE CLAIMS CERTIFIED AS CLEARLY UNFOUNDED

Amendment made: 43, page 45, line 14, leave out from second “that” to end of line 17 and insert “—

(a) the serious harm condition is met in relation to the person, and

(b) the risk mentioned in section (serious harm suspensive claims: interpretation)(3) is obvious.”—(*Robert Jenrick.*)

This amendment is consequential on NC17.

Clause 46

UPPER TRIBUNAL CONSIDERATION OF NEW MATTERS

Amendments made: 18, page 48, line 9, leave out from “unless” to end of line 10 and insert

“the condition in subsection (4A) is met”.

This amendment provides that the Upper Tribunal must not consider a new matter in an appeal or a permission to appeal case unless the condition in new subsection (4A) of clause 46 is met (see Amendment 19).

Amendment 19, page 48, line 16, at end insert—

“(4A) The condition in this subsection is that—

(a) within the relevant period the Secretary of State has given the Upper Tribunal consent to consider the new matter, or

(b) where the Secretary of State has not given such consent within the relevant period, the Upper Tribunal determines that there were compelling reasons for the person not to have provided details of the matter to the Secretary of State before the end of the claim period.”

This amendment sets out the condition that must be met in order for the Upper Tribunal to consider a new matter in an appeal or a permission to appeal case.

Amendment 20, page 48, line 17, leave out “(3)” and insert “(4A)(a)”.

This amendment is consequential on Amendment 19.

Amendment 21, page 48, line 19, at end insert—

“(5A) In subsection (4A) ‘relevant period’ means the period of 3 working days beginning with day after the day on which the new matter is raised by the person in the course of the appeal or application.”

This amendment defines “relevant period” for the purposes of new subsection (4A) of clause 46.

Amendment 22, page 48, line 20, leave out subsections (6) to (8).

This amendment is consequential on Amendment 19.

Amendment 23, page 48, line 36, leave out “on an application under subsection (6)” and insert—

“to make or not to make a determination under subsection (4A)(b)”.—(*Robert Jenrick.*)

This amendment is consequential on Amendments 19 and 22.

Clause 47

APPEALS IN RELATION TO SUSPENSIVE CLAIMS: TIMING

Amendments made: 24, page 49, line 24, leave out “or 46(6) (consideration of new matters)”.

This amendment is consequential on Amendment 22.

Amendment 25, page 49, line 37, at end insert “and

(b) without prejudice to paragraph (a), secure that the Upper Tribunal may order that any period of time mentioned in subsection (1)(b) or (2)(b) is to be extended by a period of up to 3 working days where a new matter (within the meaning of section 46(4)) is raised in the course of the appeal or application.”—(*Robert Jenrick.*)

This amendment provides for the Upper Tribunal to extend the period for determining an appeal or a permission to appeal by up to 3 working days where a new matter is raised in the course of the proceedings.

Clause 48FINALITY OF CERTAIN DECISIONS BY
THE UPPER TRIBUNAL

Amendments made: 26, page 49, line 39, leave out subsection (1) and insert—

- “(1) Subsections (2) and (3) apply in relation to a decision by the Upper Tribunal—
- (a) to grant or refuse permission to appeal in response to an application under section 43(2) (permission to appeal: claims certified as clearly unfounded),
 - (b) to grant or refuse an application for a declaration under section 44(4) (out of time claims), or
 - (c) to make or not to make a determination under section 46(4A)(b) (new matters).”

This amendment is consequential on Amendments 19 and 22.

Amendment 27, page 50, line 12, leave out “44(4) or 46(6)” and insert “or 44(4)”.

This amendment is consequential on Amendment 26.

Amendment 28, page 50, line 14, after “application” insert—

“or, in the case of a decision mentioned in subsection (1)(c), for the purpose of making the decision”.—(*Robert Jenrick.*)

This amendment is consequential on Amendment 26.

Clause 50

SPECIAL IMMIGRATION APPEALS COMMISSION

Amendments made: 29, page 51, line 20, leave out “(8)” and insert “(5A)”.

This amendment is consequential on Amendment 22.

Amendment 30, page 51, line 32, leave out from “to” to “of” in line 33 and insert—

“make or not to make a determination under section 46(4A)(b)”.

This amendment is consequential on Amendments 19 and 22.

Amendment 31, page 52, leave out lines 6 to 8.

This amendment is consequential on Amendment 30.

Amendment 32, page 52, line 10, leave out “dealing with the application” and insert “making the decision”.—(*Robert Jenrick.*)

This amendment is consequential on Amendment 30.

Clause 51INTERIM MEASURES OF THE EUROPEAN COURT OF
HUMAN RIGHTS

Amendment made: 186, page 52, line 31, leave out Clause 51.—(*Robert Jenrick.*)

This amendment leaves out clause 51.

Clause 53CAP ON NUMBER OF ENTRANTS USING SAFE AND LEGAL
ROUTES

Amendment made: 11, page 55, line 19, at end insert—

- “(3A) The Secretary of State must begin the consultation under subsection (2) in relation to the first regulations to be made under this section before the end of the period of 3 months beginning with the day on which this Act is passed.”—(*Robert Jenrick.*)

This amendment relates to the first regulations under clause 53(1) specifying the maximum number of persons who may enter the United Kingdom annually using safe and legal routes. It requires consultation on the regulations to begin before the end of 3 months beginning with Royal Assent to the Bill.

Clause 56

REGULATIONS

Amendments made: 178, page 56, line 37, at end insert—

- “(za) regulations under section 3(2A)(d) (circumstances in which power to make arrangements for removal of unaccompanied child applies),”

This amendment is consequential on Amendment 174 and applies the affirmative procedure to regulations under clause 3(2A)(d).

Amendment 98, page 57, line 3, leave out paragraph (c).

This amendment is consequential on Amendment 95.

Amendment 99, page 57, line 5, leave out paragraph (d).

This amendment is consequential on Amendment 96.

Amendment 100, page 57, line 9, leave out paragraph (f).

This amendment is consequential on Amendment 97.

Amendment 120, page 57, line 13, leave out paragraph (h).

This amendment is consequential on Amendment 119.

Amendment 187, page 57, line 17, leave out paragraph (j).

This amendment is consequential on Amendment 186.

Amendment 133, page 57, line 22, at end insert—

- “(m) regulations under paragraph 10 of Schedule (Electronic devices etc) (powers relating to relevant articles containing items subject to legal privilege).”—(*Robert Jenrick.*)

This amendment provides that regulations under paragraph 10 of the new Schedule moved by NSI are subject to the draft affirmative procedure.

Clause 57

DEFINED EXPRESSIONS

Amendments made: 179, page 58, line 3, leave out “4(6) and insert “3(8)”.

This amendment is consequential on Amendment 175.

Amendment 180, page 58, line 7, leave out “4(6)” and insert “3(8)”.—(*Robert Jenrick.*)

This amendment is consequential on Amendment 175.

Clause 58

EXTENT

Amendments made: 93, page 58, line 22, at end insert—

- “(6A) His Majesty may by Order in Council provide for any of the provisions of this Act to extend, with or without modifications, to any of the Channel Islands or the Isle of Man.

(6B) Subsection (6A) does not apply to—

- (a) sections 3(5) to (7) and 54, so far as they extend to the Channel Islands and the Isle of Man by virtue of subsection (5), or
- (b) sections 30 to 36.”

This amendment would enable an Order in Council to be made which extends any of the freestanding provisions in the Bill to any of the Channel Islands or the Isle of Man, to the extent that the Bill does not expressly provide for them to extend there.

Amendment 94, page 58, line 24, at end insert—

- “(8) A power under any provision listed in subsection (9) may be exercised so as to extend (with or without modifications) to any of the Channel Islands or the Isle of Man any amendment or repeal made by or under this Act of any part of an Act to which the provision listed in subsection (9) relates.

- (9) Those provisions are—
- (a) section 36 of the Immigration Act 1971,
 - (b) section 9(3) of the Special Immigration Appeals Commission Act 1997,
 - (c) section 170(7) of the Immigration and Asylum Act 1999,
 - (d) section 163(4) of the Nationality, Immigration and Asylum Act 2002,
 - (e) section 49(3) of the Asylum and Immigration (Treatment of Claimants, etc) Act 2004,
 - (f) section 60(4) of the UK Borders Act 2007,
 - (g) section 57(5) of the Borders, Citizenship and Immigration Act 2009,
 - (h) section 60(6) of the Modern Slavery Act 2015,
 - (i) section 95(5) of the Immigration Act 2016, and
 - (j) section 86(4) of the Nationality and Borders Act 2022.”—(*Robert Jenrick.*)

This amendment would enable an Order in Council to be made which extends to any of the Channel Islands or the Isle of Man textual amendments made by the Bill to another Act.

Clause 59

COMMENCEMENT

Amendments made: 103, page 58, line 31, at end insert—

“(za) sections 29 to 36;”.

This amendment provides for clauses 29 to 36 (entry, settlement and citizenship provisions) to come into force on Royal Assent, rather than being commenced by regulations.

Amendment 138, page 59, line 4, at end insert—

- “(ba) section 11(2) (detention under authority of immigration officer);
- (bb) section 11(6) (detention under authority of Secretary of State);”.

This amendment is consequential on Amendments 134 and 136 and provides for the powers to make regulations inserted by those amendments to come into force on Royal Assent.

Amendment 101, page 59, line 9, leave out paragraph (e).

This amendment is consequential on Amendment 95.

Amendment 102, page 59, line 11, leave out paragraph (g).

This amendment is consequential on Amendment 97.

Amendment 121, page 59, line 12, leave out paragraph (h).

This amendment is consequential on Amendment 119.

Amendment 188, page 59, line 18, leave out paragraph (m).

This amendment is consequential on Amendment 186.

*Amendment 189, page 59, line 22, leave out subsection (6).—(*Robert Jenrick.*)*

This amendment is consequential on Amendment 186.

New Schedule 1

ELECTRONIC DEVICES ETC

“Introduction

1 In this Schedule “relevant person” means a person who—

- (a) is liable to be detained under paragraph 16(2C) of Schedule 2 to the Immigration Act 1971 (illegal migrant), and
- (b) entered or arrived in the United Kingdom as mentioned in section 2(2) of this Act on or after the day this Schedule came into force.

2 (1) In this Schedule—

“appropriate adult”, in relation to a person, means—

- (a) a person appearing to an immigration officer to be the person’s parent or guardian,
- (b) if the person is in the care of a local authority or voluntary organisation, a person representing that authority or organisation,
- (c) a social worker of a local authority, or
- (d) if no person within a preceding paragraph is available, any responsible person aged 18 or over who is not an immigration officer or a person employed for, or engaged on, purposes relating to a relevant function;

“container” has the meaning given by section 1 of the Customs and Excise Management Act 1979;

“intimate search” has the meaning given by section 28H of the Immigration Act 1971;

“item subject to legal privilege” has the meaning given by section 65(1) of the Criminal Justice and Police Act 2001;

“relevant article” means anything which appears to an immigration officer to be a thing on which relevant information is or may be stored in electronic form;

“relevant function” means—

- (a) any function of an immigration officer, or
- (b) any function of the Secretary of State in relation to immigration, asylum or nationality;

“relevant information” means any information which appears to an immigration officer or the Secretary of State to be relevant to a relevant function;

“ship” has the meaning given by section 28Q of the Immigration Act 1971;

“vehicle” includes—

- (a) any ship, train (including any locomotive and railway rolling stock of any description), aircraft or bicycle, and
- (b) anything designed or adapted for towing by a vehicle.

(2) In paragraph (d) of the definition of “appropriate adult”, the reference to purposes relating to a relevant function does not include the purpose of performing the functions of an “appropriate adult” for the purposes of this Schedule.

Power to search relevant persons

3 (1) An immigration officer may search a relevant person for any relevant article, if the officer has reasonable grounds to suspect that the relevant person is in possession of a relevant article.

(2) The power of an immigration officer under this paragraph to search a person—

- (a) authorises the search of their mouth;
- (b) authorises the officer to require the person to remove an outer coat, jacket or glove (but no other clothing) in public;
- (c) if the conditions in sub-paragraph (3) are met, authorises the officer to require the person to remove any clothing;
- (d) does not authorise the carrying out of an intimate search.

(3) The conditions referred to in sub-paragraph (2)(c) are—

- (a) that the search is not carried out in public;
- (b) that the person carrying out the search is of the same sex as the person searched;
- (c) that the only persons present when the search is carried out are immigration officers, any person present at the request of the person searched, and any person present as a result of paragraph (e);
- (d) that, subject to any exceptions made at the request of the person searched, the persons present when the search is carried out are of the same sex as the person searched;
- (e) that if it appears to the person carrying out the search that the person searched is under the age of 18, an appropriate adult is present when the search is carried out.

Power to search vehicles and containers

4 (1) An immigration officer may search a vehicle or container listed in sub-paragraph (2) for any relevant article, if the officer has reasonable grounds to suspect that a relevant article that is or has been in the possession of a relevant person is in the vehicle.

(2) The vehicles and containers referred to in sub-paragraph (1) are—

- (a) a vehicle or container in which the relevant person was when encountered by an immigration officer or constable;
- (b) a vehicle or container which an immigration officer has reasonable grounds to suspect the relevant person was in at the time of their arrival in the United Kingdom;
- (c) a ship or container which an immigration officer has reasonable grounds to suspect the relevant person was in at any time during a journey which ended with their arrival in the United Kingdom.

Power to search premises

5 (1) This paragraph applies to premises in which a relevant person was when, or immediately before being, encountered by an immigration officer or a constable.

(2) An immigration officer may search the premises for any relevant article if—

- (a) the officer is lawfully on the premises, and
- (b) the officer has reasonable grounds to suspect that a relevant article that is or has been in the possession of the relevant person is on the premises.

Power to search property

6 (1) This paragraph applies to property which an immigration officer has reasonable grounds to suspect has been in the possession of a relevant person.

(2) An immigration officer may search the property for any relevant article if the officer has reasonable grounds to suspect that the property includes a relevant article.

Power of seizure

7 An immigration officer may seize any relevant article that—

- (a) is found on a search under this Schedule, or
- (b) appears to the officer to be, or have been, in the possession of a relevant person.

Power of retention

8 (1) A relevant article seized under paragraph 7—

- (a) may be retained by an immigration officer or the Secretary of State, for so long as the officer or Secretary of State considers its retention necessary for a purpose relating to a relevant function;
- (b) must, subject to any provision made under sub-paragraph (2), be returned when it ceases to be retained under this paragraph.

(2) The Secretary of State may by regulations make, in relation to a relevant article retained under sub-paragraph (1)—

- (a) provision applying (with or without modifications) section 49 of the Immigration Act 2016 (duty to pass on certain seized items), or
- (b) provision corresponding, or similar, to the provision made by that section.

Power to access, copy and use information stored on relevant article

9 The Secretary of State or an immigration officer may—

- (a) access and examine any information stored on a relevant article that is retained under paragraph 8;
- (b) copy and retain any relevant information that is stored on the relevant article;
- (c) use any information retained under paragraph (b) for any purpose relating to a relevant function.

Relevant articles containing items subject to legal privilege

10 (1) The Secretary of State may by regulations make provision about relevant articles that contain (or may contain) items subject to legal privilege.

(2) The provision that may be made includes in particular—

- (a) provision modifying this Schedule as it applies in relation to such relevant articles;
- (b) provision applying (with or without modifications) any provision made by or under Part 2 of the Criminal Justice and Police Act 2001 (powers of seizure);
- (c) provision corresponding, or similar, to any provision made by or under that Part.

Extension of powers to other persons

11 (1) The Secretary of State may by regulations provide—

- (a) that references in this Schedule to an immigration officer include a person of a description specified in the regulations;
- (b) that a person of a description so specified may, if necessary, use reasonable force in the exercise of any function conferred by virtue of the regulations.

(2) The descriptions of person that may be specified in the regulations include persons designated by the Secretary of State, in accordance with the regulations.

If they do so, the regulations must contain such safeguards relating to the designation of persons as the Secretary of State considers appropriate.”—(*Robert Jenrick.*)

See the statement for NC23.

Brought up, and added to the Bill.

Title

Amendment made: 78, line 9, at end insert

“to make further provision about the credibility of claimants making asylum and human rights claims;”.—(*Robert Jenrick.*)

This amendment is consequential on NC19.

7.9 pm

Question put forthwith (Standing Order No. 83E),
That the Bill be now read the Third time.

The House divided: Ayes 289, Noes 230.

Division No. 226]

[7.10 pm

AYES

Adams, rh Nigel
Afolami, Bim
Afriyie, Adam
Aiken, Nickie
Aldous, Peter
Anderson, Lee
Anderson, Stuart
Andrew, rh Stuart
Argar, rh Edward
Atherton, Sarah
Atkins, Victoria
Bacon, Gareth
Badenoch, rh Kemi
Bailey, Shaun
Baker, Duncan
Baker, Mr Steve
Baldwin, Harriett
Barclay, rh Steve
Baynes, Simon
Bell, Aaron
Benton, Scott
Beresford, Sir Paul
Bhatti, Saqib
Blackman, Bob
Blunt, Crispin
Bone, Mr Peter
Bottomley, Sir Peter
Bowie, Andrew
Brady, Sir Graham

Braverman, rh Suella
Brereton, Jack
Brine, Steve
Bristow, Paul
Britcliffe, Sara
Browne, Anthony
Bruce, Fiona
Buchan, Felicity
Burghart, Alex
Butler, Rob
Cairns, rh Alun
Carter, Andy
Cartlidge, James
Cash, Sir William
Caulfield, Maria
Chishti, Rehman
Churchill, Jo
Clark, rh Greg
Clarke, rh Mr Simon
Clarke, Theo (*Proxy vote cast by Mr Marcus Jones*)
Clarke-Smith, Brendan
Clarkson, Chris
Cleverly, rh James
Coffey, rh Dr Thérèse
Colburn, Elliot
Collins, Damian
Costa, Alberto
Courts, Robert

Coutinho, Claire
 Cox, rh Sir Geoffrey
 Crabb, rh Stephen
 Crosbie, Virginia
 Daly, James
 Davies, rh David T. C.
 Davies, Gareth
 Davies, Dr James
 Davies, Mims
 Davies, Philip
 Davison, Dehenna
 Dinenage, Dame Caroline
 Dines, Miss Sarah
 Djanogly, Mr Jonathan
 Docherty, Leo
 Donelan, rh Michelle (*Proxy vote cast by Mr Marcus Jones*)
 Double, Steve
 Drax, Richard
 Duddridge, Sir James
 Duguid, David
 Duncan Smith, rh Sir Iain
 Dunne, rh Philip
 Eastwood, Mark
 Edwards, Ruth
 Ellis, rh Michael
 Elphicke, Mrs Natalie
 Eustice, rh George
 Evans, Dr Luke
 Evennett, rh Sir David
 Everitt, Ben
 Fabricant, Michael
 Farris, Laura
 Fell, Simon
 Firth, Anna
 Fletcher, Katherine
 Fletcher, Mark
 Ford, rh 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
 Garnier, Mark
 Ghani, Ms Nusrat
 Gibb, rh Nick
 Gibson, Peter
 Gideon, Jo
 Glen, rh John
 Goodwill, rh Sir Robert
 Gove, rh Michael
 Grant, Mrs Helen
 Gray, James
 Grayling, rh Chris (*Proxy vote cast by Mr Marcus Jones*)
 Green, Chris
 Green, rh Damian
 Griffith, Andrew
 Grundy, James
 Gullis, Jonathan
 Halfon, rh Robert
 Hall, Luke
 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
 Heappey, rh James
 Heaton-Harris, rh Chris
 Henderson, Gordon
 Henry, Darren
 Higginbotham, Antony
 Hinds, rh Damian
 Holden, Mr Richard
 Hollinrake, Kevin
 Hollobone, Mr Philip
 Holloway, Adam
 Holmes, Paul
 Howell, Paul
 Huddleston, Nigel
 Hudson, Dr Neil
 Hughes, Eddie
 Hunt, Jane
 Hunt, rh Jeremy
 Hunt, Tom
 Jack, rh Mr Alister
 Javid, rh Sajid
 Jayawardena, rh Mr Ranil
 Jenkin, Sir Bernard
 Jenkinson, Mark
 Jenrick, rh Robert
 Johnson, Dr Caroline
 Johnson, Gareth
 Johnston, David
 Jones, Andrew
 Jones, Fay
 Jones, rh Mr Marcus
 Jupp, Simon
 Kawczynski, Daniel
 Keegan, rh Gillian
 Knight, rh Sir Greg
 Kruger, Danny
 Lamont, John
 Leadsom, rh Dame Andrea
 Levy, Ian
 Lewer, Andrew
 Lewis, rh Brandon
 Lewis, rh Sir Julian
 Loder, Chris
 Logan, Mark (*Proxy vote cast by Mr Marcus Jones*)
 Lopez, Julia (*Proxy vote cast by Mr Marcus Jones*)
 Lopresti, Jack
 Lord, Mr Jonathan
 Loughton, Tim
 Mackinlay, Craig
 Mackrory, Cherilyn
 Maclean, Rachel
 Mak, Alan
 Malthouse, rh Kit
 Mangnall, Anthony
 Mann, Scott
 Marson, Julie
 Mayhew, Jerome
 Maynard, Paul
 McCartney, Jason
 McVey, rh Esther
 Mercer, rh Johnny
 Merriman, Huw
 Metcalfe, Stephen
 Millar, Robin
 Miller, rh Dame Maria

Milling, rh Amanda
 Mills, Nigel
 Mitchell, rh Mr Andrew
 Mohindra, Mr Gagan
 Moore, Damien
 Moore, Robbie
 Morris, Anne Marie
 Morris, James
 Morrissey, Joy
 Mortimer, Jill
 Mullan, Dr Kieran
 Mumby-Croft, Holly
 Mundell, rh David
 Murrison, rh Dr Andrew
 Nici, Lia
 O'Brien, Neil
 Offord, Dr Matthew
 Opperman, Guy
 Pawsey, Mark
 Penrose, John
 Philp, rh Chris
 Poulter, Dr Dan
 Pow, Rebecca
 Prentis, rh Victoria
 Pritchard, rh Mark
 Pursglove, Tom
 Quin, rh Jeremy
 Quince, Will
 Randall, Tom
 Redwood, rh John
 Rees-Mogg, rh Mr Jacob
 Richards, Nicola
 Richardson, Angela
 Roberts, Rob
 Rowley, Lee
 Russell, Dean
 Rutley, David
 Sambrook, Gary
 Saxby, Selaine
 Scully, Paul
 Seely, Bob
 Selous, Andrew
 Shannon, Jim
 Shapps, rh Grant
 Shelbrooke, rh Alec
 Simmonds, David
 Smith, rh Chloe
 Smith, Greg
 Smith, Henry
 Smith, rh Julian

Smith, Royston
 Spencer, Dr Ben
 Spencer, rh Mark
 Stafford, Alexander
 Stephenson, rh Andrew
 Stevenson, Jane
 Stewart, rh Bob
 Stewart, Iain
 Streeter, Sir Gary
 Stride, rh Mel
 Stuart, rh Graham
 Sturdy, Julian
 Sunderland, James
 Swayne, rh Sir Desmond
 Symms, Sir Robert
 Thomas, Derek
 Throup, Maggie
 Timpson, Edward
 Tolhurst, rh Kelly
 Tomlinson, Justin
 Tomlinson, Michael
 Tracey, Craig
 Trevelyan, rh Anne-Marie
 Trott, Laura
 Tugendhat, rh Tom
 Vara, rh Shailesh
 Vickers, Martin
 Vickers, Matt
 Villiers, rh Theresa
 Warburton, David (*Proxy vote cast by Craig Mackinlay*)
 Warman, Matt
 Watling, Giles
 Webb, Suzanne (*Proxy vote cast by Mr Marcus Jones*)
 Whately, Helen
 Wheeler, Mrs Heather
 Whittaker, rh Craig
 Whittingdale, rh Sir John
 Wiggin, Sir Bill
 Wild, James
 Williams, Craig
 Williamson, rh Sir Gavin
 Wood, Mike
 Young, Jacob
 Zahawi, rh Nadhim

Tellers for the Ayes:
Amanda Solloway and
Robert Largan

NOES

Abbott, rh Ms Diane
 (*Proxy vote cast by*
Bell Ribeiro-Addy)
 Ali, Rushanara
 Ali, Tahir
 Allin-Khan, Dr Rosena
 Amesbury, Mike
 Anderson, Fleur
 Ashworth, rh Jonathan
 Bardell, Hannah
 Barker, Paula
 Beckett, rh Margaret
 Begum, Apsana
 Benn, rh Hilary
 Betts, Mr Clive
 Black, Mhairi
 Blackford, rh Ian
 Blackman, Kirsty
 Blake, Olivia
 Blomfield, Paul
 Bonnar, Steven
 Bradshaw, rh Mr Ben
 Brennan, Kevin
 Brown, Alan
 Brown, Ms Lyn
 Brown, rh Mr Nicholas
 Bryant, Sir Chris
 Buck, Ms Karen
 Burgon, Richard
 Butler, Dawn
 Byrne, Ian
 Byrne, rh Liam
 Callaghan, Amy (*Proxy vote cast by Brendan O'Hara*)
 Cameron, Dr Lisa
 Campbell, rh Sir Alan
 Carmichael, rh Mr Alistair
 Chamberlain, Wendy

Champion, Sarah
 Chapman, Douglas
 Charalambous, Bambos
 Cherry, Joanna
 Clark, Feryal (*Proxy vote cast by Chris Elmore*)
 Cooper, rh Yvette
 Cowan, Ronnie
 Coyle, Neil
 Crawley, Angela
 Creasy, Stella
 Cruddas, Jon
 Cryer, John
 Daby, Janet
 Dalton, Ashley
 Davey, rh Ed
 David, Wayne
 Davies-Jones, Alex
 Day, Martyn
 De Cordova, Marsha
 Debbonaire, Thangam
 Dhesi, Mr Tanmanjeet Singh
 Dixon, Samantha
 Docherty-Hughes, Martin
 Dodds, Anneliese
 Doogan, Dave
 Dorans, Allan (*Proxy vote cast by Brendan O'Hara*)
 Dougherty, Stephen
 Dowd, Peter
 Eagle, Dame Angela
 Eagle, rh Maria
 Eastwood, Colum
 Edwards, Jonathan
 Efford, Clive
 Elmore, Chris
 Eshalomi, Florence
 Esterson, Bill
 Farry, Stephen
 Fellows, Marion
 Ferrier, Margaret
 Fletcher, Colleen
 Flynn, Stephen
 Foord, Richard
 Fovargue, Yvonne
 Foxcroft, Vicky
 Foy, Mary Kelly
 Furniss, Gill
 Gibson, Patricia
 Gill, Preet Kaur
 Grady, Patrick
 Grant, Peter
 Green, Sarah
 Greenwood, Lilian
 Greenwood, Margaret
 Griffith, Dame Nia
 Gwynne, Andrew
 Haigh, Louise
 Hamilton, Fabian
 Hamilton, Mrs Paulette
 Hanna, Claire
 Hardy, Emma
 Harman, rh Ms Harriet
 Harris, Carolyn
 Hayes, Helen
 Hendry, Drew
 Hillier, Dame Meg
 Hobhouse, Wera
 Hodgson, Mrs Sharon
 Hollern, Kate
 Hopkins, Rachel
 Hosie, rh Stewart

Howarth, rh Sir George
 Huq, Dr Rupa
 Hussain, Imran
 Jardine, Christine
 Jarvis, Dan
 Johnson, rh Dame Diana
 Jones, Darren
 Kane, Mike
 Kendall, Liz
 Khan, Afzal
 Kinnock, Stephen
 Kyle, Peter
 Lake, Ben
 Lammy, rh Mr David
 Lavery, Ian
 Leadbeater, Kim
 Lewell-Buck, Mrs Emma
 Lewis, Clive
 Lightwood, Simon
 Linden, David
 Lloyd, Tony (*Proxy vote cast by Chris Elmore*)
 Long Bailey, Rebecca
 Lucas, Caroline
 Lynch, Holly
 MacAskill, Kenny
 MacNeil, Angus Brendan
 Madders, Justin
 Mahmood, Mr Khalid
 Mahmood, Shabana
 Malhotra, Seema
 Maskell, Rachael
 Mc Nally, John
 McCabe, Steve
 McCarthy, Kerry
 McDonagh, Siobhain
 McDonald, Stewart Malcolm
 McDonald, Stuart C.
 McDonnell, rh John
 McFadden, rh Mr Pat
 McGovern, Alison
 McKinnell, Catherine
 McLaughlin, Anne (*Proxy vote cast by Brendan O'Hara*)
 McMahon, Jim
 McMorris, Anna
 Miliband, rh Edward
 Mishra, Navendu
 Monaghan, Carol
 Moran, Layla
 Morden, Jessica
 Morgan, Helen
 Morris, Grahame
 Murray, Ian
 Murray, James
 Newlands, Gavin
 Nichols, Charlotte
 Nicolson, John (*Proxy vote cast by Brendan O'Hara*)
 Norris, Alex
 O'Hara, Brendan
 Onwurah, Chi
 Oppong-Asare, Abena
 Oswald, Kirsten
 Owatemi, Taiwo
 Owen, Sarah
 Peacock, Stephanie
 Pennycook, Matthew
 Perkins, Mr Toby
 Phillips, Jess
 Pollard, Luke

Qaisar, Ms Anum
 Qureshi, Yasmin
 Rayner, rh Angela
 Reed, Steve
 Rees, Christina
 Reeves, Ellie
 Reeves, rh Rachel
 Reynolds, Jonathan
 Rimmer, Ms Marie
 Rodda, Matt
 Saville Roberts, rh Liz
 Shah, Naz
 Sheppard, Tommy
 Siddiq, Tulip
 Slaughter, Andy
 Smith, Alyn
 Smith, Cat
 Smith, Nick
 Sobel, Alex
 Spellar, rh John
 Starmer, rh Keir
 Stephens, Chris
 Stevens, Jo
 Stone, Jamie
 Streeter, Wes
 Sultana, Zarah
 Tami, rh Mark
 Thewliss, Alison
 Thomas, Gareth

Thomas-Symonds, rh Nick
 Thompson, Owen
 Thomson, Richard
 Thornberry, rh Emily
 Timms, rh Sir Stephen
 Trickett, Jon
 Turner, Karl
 Twigg, Derek
 Twist, Liz
 Vaz, rh Valerie
 Wakeford, Christian
 Webbe, Claudia
 West, Catherine
 Western, Andrew
 Western, Matt
 Whitehead, Dr Alan
 Whitford, Dr Philippa
 Whitley, Mick
 Whittome, Nadia
 Williams, Hywel
 Wilson, Munira
 Winter, Beth
 Wishart, Pete
 Yasin, Mohammad
 Zeichner, Daniel

Tellers for the Noes:

Gerald Jones and
 Mary Glindon

Question accordingly agreed to.

Bill read the Third time and passed.

Alison Thewliss: On a point of order, Mr Deputy Speaker. We have just passed a Bill for which the Home Secretary is unable to make a declaration under section 19 of the Human Rights Act 1998 that it will be compatible. Others have suggested that it will break the refugee convention, the Council of Europe convention on action against trafficking in human beings, the United Nations convention on the rights of the child and the UN convention relating to the status of stateless persons. I seek your guidance, Mr Deputy Speaker. I am sure that none of our constituents sent us to this place to break the law, and it seems to me that we have perhaps done so in voting for the Illegal Migration Bill. Given that we have a very special duty in this place to be guarantors of human rights in this Parliament, collectively and individually, can you advise what we might do?

Mr Deputy Speaker (Mr Nigel Evans): I thank the hon. Lady for her point of order and forward notice of it. I can only respond to the bits for which the Chair is responsible, and I am content that the House has proceeded perfectly properly, but her comments are on the record.

Peter Grant (Glenrothes) (SNP): Further to that point of order, Mr Deputy Speaker. Have you or Mr Speaker had any contact from the Leader of the House to indicate whether in future the Government intend to allow sufficient time for major pieces of legislation to be properly considered before being pushed through?

Mr Deputy Speaker: I thank the hon. Gentleman for his point of order. I can only speak for myself—I have not spoken to Mr Speaker—but no one has been in touch with me.

Business without Debate

VOTING BY PROXY (EXTENSION OF PILOT ARRANGEMENTS)

Ordered,

That the amendment to Standing Order No. 39A (Voting by proxy) made by the Order of 12 October 2022 (Voting by proxy (amendment and extension)) shall continue to have effect for the period up to and including 30 June 2023.—(*Fay Jones.*)

CORONATION OF HIS MAJESTY (SPEAKER'S ATTENDANCE)

Ordered,

That the Speaker, in accordance with the gracious invitation of His Majesty, represent the House at His Majesty's Coronation on Saturday 6 May.—(*Fay Jones.*)

PETITION

Syresham Truck Stop

7.23 pm

Dame Andrea Leadsom (South Northamptonshire) (Con): I rise to present a petition.

The petition states:

The petition of residents of Syresham and surrounding villages (Crowfield, Pimlico, Biddlesden, Helmdon, Wappenham, Whitfield, Silverstone and Whittlebury),

Declares that the petitioners object to the construction of a Truck Stop with a fuelling station on land next to the A43 slip road for Syresham on the rural B4525; further declares that its construction would be detrimental to the community; further that it would cause dangerous traffic issues due to its close proximity to A43 slip road, alongside permanent ecological and environmental harm, including noise, air and light pollution; notes that this will create a worrying precedent for more industrial development on greenfield land in open countryside that is contrary to West Northamptonshire Council's Local Plan; further notes that while residents understand the pressures endured by HGV drivers, they suggest that there are far more appropriate locations in the vicinity.

The petitioners therefore urge the House of Commons to work with the local residents to ensure this planning application permission be refused.

And the petitioners remain, etc.

[P002827]

Asylum Seeker Accommodation: South Dorset

Motion made, and Question proposed, That this House do now adjourn.—(*Fay Jones.*)

7.24 pm

Richard Drax (South Dorset) (Con): It is a pleasure to speak in the House tonight, and I am delighted to see the Minister in his place, with whom I have had a few words. I apologise to him, because he has had a hard day already, but I am afraid it is going to get even harder in the next few minutes.

Stop the boats—stop the boats! Following today's debate, the timing of my Adjournment debate could not be more apt and ironic. It is apt because I wholly support the Illegal Migration Bill and its intent, and it is ironic because before there is any chance of illegal migrants being sent to Rwanda or anywhere else, they are being dumped on a barge in my constituency. To be fair—and I try my utmost to be fair—the situation is completely out of control and tens of thousands of illegal migrants have to go somewhere. However, where they go needs careful thought, consultation, preparation and execution. I regret to say that, in our case, none of these things has been taken into account—not one.

What has happened is this. Portland port is approached by the Home Office and sees a commercial opportunity. All negotiations are done in private and none of the statutory authorities is consulted. On 21 March, the Home Secretary rings me to say that a barge for 500 migrants will be placed in the port. The chief executive of Dorset Council has a similar call from Home Office officials. Please note that we were told the barge was coming; we were not asked, "What's your opinion, how will you cope, what support do you need?" We were not told who will provide the healthcare, what extra funding will be available for the police, what responsibilities Dorset Council will have for the migrants, or what consideration has been given to the effect that such an influx of young men might have on a sensitive seaside resort—I could go on and on.

Instead, this contentious plan was imposed on us, with the Home Office now desperately claiming that it has consulted widely. It is true that, realising that it has gone about this in the wrong way, it is now calling Dorset Council, the health authorities and the police, but after the decision was made. None of these organisations supports the plan, and they have repeatedly made that very clear to Home Office officials, as I have to the Minister and the Home Secretary.

At the first multi-agency meeting, Dorset Council stated its clear position that it was opposed to the proposal, as did health representatives, who raised concerns with Home Office officials about the risk of an outbreak of infection on the barge, and the likely possibility of the severe mental health issues, including post-traumatic stress disorder, that some of these young men might have. They just do not have the resources to cope, and any effort now by Ministers to suggest that these organisations are supportive and helpful is not correct. Dorset Council and statutory organisations, which are polite and professional, are constantly challenging the Home Office for more information, which is frequently not forthcoming.

Let me ask the Minister a question. Who are these migrants, where are they from and can he guarantee that they have not committed any crime—robbery, rape,

[Richard Drax]

assault or whatever? I would be most grateful if, when he sums up, he could guarantee that none of the 506 young men coming to us has committed a crime.

I have now received the first answer to the many written questions I am submitting to the Home Secretary. I asked how long individual migrants would stay on the barge, whether they would have to be on the barge overnight, whether there would be a curfew and what would happen if they did not return. This is the reply I received:

"The site is self-contained, although those living at the site would be free to come and go. If an asylum seeker were not back on site by 11pm the team would make a call to check on their welfare. This would not be under curfew conditions; it would be based on following up on the safety and welfare of the individual."

I am not sure that a migrant who wants to disappear is going to answer the phone. Does the Minister? Were they accommodated in a hotel, as many are now, I can see that an 11 pm deadline might just work, but the barge is located in a highly restricted port. The only way out and back in is via one checkpoint on a bus. How many migrants will be allowed out of the port at any one time, there being only one bus? Where will they be dropped in Dorset, or anywhere else? Who will monitor them? How much money will they have? In the summer, the beaches will be packed with families and young people. Have cultural differences been taken into account? What happens to the hundreds of other migrants still stuck on the barge? How long before there is trouble on the barge?

On the barge itself, can the Minister confirm that it is designed to accommodate 222 people? If so, as we believe is the case, how will it house 506 people? It must mean doubling up in the rooms, but that still leaves 62 people without one. Surely overcrowding only increases the risk of a disturbance? Is it realistic to expect 500 young men to meekly return to their quasi-prison—that is what it will be—at 11 pm?

Worryingly, the police and crime commissioner, my hon. Friend the Member for West Dorset (Chris Loder), who is here tonight, and I were told by Home Office officials that it was in the migrants' interests to behave, as it would help their asylum applications. So, come to the UK illegally, be a good boy and you can stay! I hope I am not being cynical, but that is certainly how it came across. That is really going to deter those wishing to come here. We also heard from the Minister's officials that they were considering private healthcare for the migrants. When my constituents struggle to see a doctor and hunt for a dentist, I am not sure they will understand why those who have come here illegally should have preference.

Although the port is no longer a naval base, it is still home to Royal Fleet Auxiliaries and accommodates visits from His Majesty's ships and nuclear submarines. So I ask the Minister, to what extent has the Ministry of Defence been consulted on the impact of the barge, including on emergency planning arrangements under radiological protection legislation, evacuation measures and site security?

In a similar vein, where is the Home Office risk assessment that I assume the Minister and his team have completed? If so, where is it? The police, who do not support the barge either, have calculated that enhanced

community policing will cost about £700,000 a year. Who will meet that cost? Dorset police already struggles financially, being the second worst-funded force in the country. As our police and crime commissioner, David Sidwick, said in a letter to the policing Minister:

"it is disappointing that there was an absence of community or stakeholder consultation prior to the site proposal being launched and I note the impact upon public trust and confidence resulting from that omission."

He went on to say:

"This means that without prior knowledge of the intent there has been no planning at all in regard of policing resources."

As the Minister well knows, Weymouth is a sensitive, family-based seaside resort. Hoteliers, bed and breakfasts, and other small coastal businesses rely almost entirely on the summer for their revenue. As far as I know, no thought—there is certainly no evidence of it—has been given to the impact that a large influx of migrants might have on them.

The Minister told me on Monday evening that the Home Office had consulted widely. His interpretation of consultation is very different from the council's. I have asked the council for a schedule of meetings in order to check the facts. As I have said, the council and I were first told that the barge was coming on 21 March. On 27 March, the chief executive of Dorset Council, the chief executive of Portland port and Home Office officials had their first initial conversation about the proposal. That was 10 days after the port's board gave the project the green light. At the first multi-agency meeting on 29 March, Dorset Council stated clearly that it opposed the plan, as I have said. Since then, there have been about 10 virtual meetings of one kind or another.

In response to all those meetings, Dorset Council said to me:

"As with all these meetings our attendance is in the main to seek to gain answers to questions that to date have either not been answered or have not been answered with enough details to be meaningful. Our attendance should not be characterised as taking a supportive position but one of enquiry to gain facts."

It is clear that the Home Office made its decision before consulting with anyone other than the port. Now, bombarded by questions that it cannot answer and opposed by all the statutory bodies, the Home Office is trying to smooth troubled waters. Regrettably, diplomacy is not the Home Office's strong point, and a lot of goodwill has been squandered. It has been handled in the most discourteous way, and I am afraid that the Minister has not exactly covered himself in glory, either.

I understand that a contract has been signed. We would like to know when. Officials told us that withdrawing from it now would be a breach of contract. The Home Office has dug itself a hole—and worse, given that Dorset Council has no option other than to consider taking legal action. We know that the contract is for 18 months. However, the Home Office website states that it will be kept under review, which is pretty open-ended. Bearing in mind the scale of the problem nationally, I fear that the barge could be in place for years.

The website also explained why Portland port was chosen:

"The site will create new jobs and will bring investment into the area."

What jobs, Minister? What new investment? The likelihood is that it will bring trouble. I have received no information whatsoever from the Home Office, other than, "You're getting a barge." *[Interruption.]* Would the Minister listen rather than interrupting again? Back on 21 March the Minister offered a meeting, but I was in no position to accept the invitation without consulting all those that the Home Office had singularly failed to consult.

This is an unholy mess not totally of the Minister's doing, but the way that the proposal has been forced on us certainly is. I only hope that our plans to deter illegal migrants can be enacted soon. Most importantly, it will save lives and counter the trafficking gangs who ply their vile trade. In the meantime, I advise the Government to start building secure reception centres, and fast, as this problem is not going away. Placing more barges in sensitive ports such as mine is certainly not the answer.

7.39 pm

The Minister for Immigration (Robert Jenrick): I am grateful to my hon. Friend for securing the debate. I will come to the specific points he raised in relation to his constituency in a moment. There is an important local dimension to the matter. The Home Office is acutely aware of that, as I will set out, but at the outset it is important to briefly set out the national context.

The situation in the channel has placed the UK's asylum system under unsustainable pressure. The rise of illegal, dangerous and wholly unnecessary small boat crossings has left us in the invidious position of having to accommodate over 48,000 individuals in hotels, at eye-watering expense to the taxpayer. It is simply wrong that British taxpayers are footing the bill of almost £2.3 billion per year to accommodate illegal migrants. Those hotels are valuable assets that have been taken away from communities and the situation is placing pressures on local public services. The public are quite rightly demanding that we grip the problem and end the use of hotels.

The enduring solution is to stop the boats, which is what we are focused on. We have introduced the Illegal Migration Bill, which goes further than any previous immigration legislation, to fix this problem, and we substantially increased illegal working raids and returns. We have elevated our co-operation with France to unprecedented levels in order to drive up interception rates and arrests. However, as I have said before, we must suffuse the entire system with deterrents, and that includes our national approach to how we accommodate illegal migrants.

In the short term, that means switching to cheaper and more appropriate forms of accommodation, such as disused military sites and vessels. Such measures are in keeping with action being taken across Europe, with France, Germany, Italy, Ireland and the Netherlands all taking similar steps. The UK cannot risk being left behind and becoming a magnet for millions of people who are displaced and seeking better prospects. These alternative sources of accommodation, including the one we will locate in my hon. Friend's constituency, are therefore undoubtedly in the national interest.

The Home Office is determined to work closely with my hon. Friend and key local stakeholders to ensure that the site in his constituency at Portland Port is delivered in a way that minimises the impact on the local community. We understand entirely the concern that his constituents

will feel and that he is articulating this evening, and we want to ensure that we allay those fears, wherever possible, in the weeks and months ahead, and certainly do as much as possible in advance of the arrival of the barge at Portland Port later this year.

When looking at proposals for new sites, the Home Office takes the impact on a local community into account, which is why we are working now with local partners, through the multi-agency forum that my hon. Friend referred to, and holding regular meetings with representative groups in the community.

Richard Drax: I am grateful to the Minister for giving way. I know that the debate is not easy for him, and I appreciate that. As he rightly said, the Home Office is now talking to all the bodies it should have been speaking to, but that is not the point. The point I am making is that all that should have happened before he imposed the plan on us. At least we could have then had an honest and frank conversation about whether it would be possible to cater for, look after and deal with all the issues associated with the migrant barge that I have raised in my speech. That has not happened.

Robert Jenrick: I hope that in the time I have available, which I appreciate is not a great deal, I can answer as many of his questions as possible.

As soon as it became apparent that Portland Port could provide the support required, and before a contract was signed or a decision made by the Home Secretary, Home Office officials reached out to Dorset Council and had an initial meeting with the chief executive on 21 March. The multi-agency forum, which we have both referenced, met on 29 March, and has met at least four times since then.

These forums are a way to bring together the public and community agencies, including the NHS, the police and emergency services, alongside elected officials, such as town councillors, and residents groups. We at the Home Office will do everything we can to ensure that process is as successful and constructive as possible, accepting that many of those stakeholders and residents will come to those meetings from a position of either strong opposition or a preference that we were not proceeding in the first place.

Richard Drax: The reason that people object is simply that we do not have the resources to cope with this. The Minister is putting a potential landmine into a highly restricted port, where young men will be trapped in a barge for many hours a day, with a few being let off God knows where. Where are they going to go, Minister? What are they going to do? What happens if they do not come back—a telephone call? I hardly think that that is going to work. It is just totally impractical, and the health services cannot provide the resources. For example, if an infection suddenly rages through the boat, as happens on big boats, the health services simply will not be able to cope. These are the sort of questions that should have been asked before the decision was made to put this boat, or barge, in the port.

Robert Jenrick: Perhaps I can answer some of those questions, because we do have answers and we did think carefully about each of those questions prior to making the decision to proceed with the policy and to apply it to my hon. Friend's constituency.

[Robert Jenrick]

With respect to healthcare, we have worked with the UK Health Security Agency. We have taken its advice to ensure that no infectious diseases can spread on the barge or, where they do, that appropriate steps are taken. My hon. Friend referred to the decision to provide basic primary care on or adjacent to the barge. That decision was not taken, as he suggests, to privilege migrants residing on the barge. Quite the opposite: it was to ensure that those migrants place the least possible burden on local public services and so that it is not regularly necessary for migrants to register with GPs or take the appointments at GP surgeries that his constituents rightly demand. Given that the cohort of individuals will be relatively young, it is unlikely that they will place significant pressure on the local NHS, but we are working with it and with the local integrated care board to work through those challenges.

My hon. Friend asked about the regime on the boat. Again, it is designed to ensure that there are as few issues for the local community as is possible within the confines of the current law, which states that the vessel has to be a non-detained one. That means that we will implement a regime that very strongly encourages the migrants to return to the vessel for 11 pm and not, as my hon. Friend suggests, to roam the streets of the area. There will be a secure cordon around the vessel, which, again, will discourage people from walking into the community. There will be a bus that takes the migrants to agreed places where they might spend some free time or go to a shop—again, to discourage them from making journeys throughout the community and to carefully control their movements as far as one can within the limits of the law.

My hon. Friend asked about the Ministry of Defence. We have worked with it; we sought its advice before proceeding, and we have considered the particular sensitivities of Portland port.

My hon. Friend asked about the police. We want to work closely with them. We have made it clear that we will provide a special grant to Dorset police that will cover the additional burden that this special national endeavour will have on their very limited resources, because obviously we want to ensure that the local community is reassured as much as possible. That means that there will be extra neighbourhood policing and further support for the police that is not coming out of the coffers of the local constabulary.

We have offered significant funding to Dorset council. It will receive at least £3,000 per asylum seeker residing on the vessel per year, which will enable it to provide extra resources and personnel to manage the project—albeit that we will not be placing many burdens on it, as the vessel will be managed by the Home Office and its suppliers. Wherever possible, we will pay for the services required for those individuals. So a significant proportion of that funding—which, as I have said, will run to millions of pounds—will be available to Dorset Council to do whatever it wishes. One would hope that it will choose to devote the lion's share to the needs and desires of the immediate population, who will be most affected by this project.

Richard Drax: Can the Minister confirm that this Stockholm Biddy—I think that is what it is called—is designed to accommodate 222 people, as it is according

to the internet, and will be taking 506? How will the barge be refurbished to accommodate these young men? How many rooms will be in fours, sixes or twos to accommodate that huge number?

Robert Jenrick: I am not sure of the source to which my hon. Friend is referring, but we will not be putting more migrants on the vessel than is safe and appropriate. I do know that barges of this kind can accommodate either one individual per room or, in many cases, two. That may be the explanation. In some circumstances, organisations making use of the barge, such as construction companies or offshore oil and gas businesses, might choose to accommodate one individual per room, but the barge itself can comfortably accommodate two or more. We will obviously abide by the relevant laws to ensure that the migrants are properly accommodated, but—this is relevant to my hon. Friend's point—it is equally important for us to minimise the potential for disturbances on the boat that would have an impact on his constituents and the local police.

My hon. Friend may not appreciate this, but in each of the actions that we are taking, the choices we are making are guided by how we can reduce the impact of the barge on the local community. If he, or the stakeholders with whom we are engaging, can think of any further steps we could take, we will obviously consider them and try to ensure that we take them whenever possible, unless there is a very good reason not to.

Chris Loder (West Dorset) (Con): As my right hon. Friend will know, my neighbouring constituency is in many respects—although not entirely—affected in the same way as that of my hon. Friend the Member for South Dorset (Richard Drax). I am grateful for the brief dialogue that I had with civil servants a couple of weeks ago, but I am keen to see the risk assessments that have informed the points that my right hon. Friend is making. I have been asking for them for a couple of weeks, and I should be grateful if he could tell me when they will be available and can be presented to my hon. Friend and me.

Robert Jenrick: I know that my hon. Friend met my officials, and I am sorry I could not be there as well; I was at a Cobra meeting to discuss the Border Force presence in Sudan this week. However, I think we will be meeting again soon so that my officials and I can discuss those points with my hon. Friend. We have considered the challenges, and will be pleased to answer as many questions as we can.

I see that there is only a very short time left, so let me draw my remarks to a close. We all appreciate that while this policy is undoubtedly in the national interest, it has a particularly serious impact on the community that both my hon. Friends represent. The Home Secretary, the Government and I stand ready to work with them to make this policy as successful as possible, to listen to the views of their constituents, and to mitigate the negatives as far as possible. My hon. Friend the Member for South Dorset has our assurance that we will also do everything we can to stop the boats, and to stop this problem at source.

Question put and agreed to.

7.53 pm

House adjourned.

Westminster Hall

Wednesday 26 April 2023

[ESTHER McVEY in the Chair]

Antisocial Behaviour in Town Centres

9.30 am

Robbie Moore (Keighley) (Con): I beg to move,

That this House has considered the matter of antisocial behaviour in town centres.

It is a privilege to serve under your chairmanship, Ms McVey, in a debate on an important issue. Antisocial behaviour is a plague that haunts many of our town and city centres, our villages and our countryside. We all feel passionately about the issue, and I am sure we all receive much correspondence about it. Therefore, we all need to get on top of it. If we are to deliver real, positive change for our constituencies, it is important that we tackle antisocial behaviour in all its forms.

As Members of Parliament, we like to sing from the rooftops about the positives in our communities—how well our businesses are doing, how safe it feels to go around our town centres—but we need to tackle darker issues such as antisocial behaviour, fly-tipping and physical assaults taking place on our streets. I want to use the debate to outline some of the challenges that I unfortunately face in Keighley and in Ilkley, as well as some of the positive work that the Government are doing and further work that I would like them to do.

According to the Office for National Statistics, the police recorded 1.2 million incidents of antisocial behaviour in the year ending June 2022, which is a 16% decrease compared with the year ending March 2020. Antisocial behaviour, while decreasing, remains a problem for us all to face, and I want to describe some examples of antisocial behaviour in Keighley. There is a huge problem around the bus station. Young people are being approached and mobile phones taken off them. Assaults are taking place in the centre of Keighley where people are coming and going, and wanting to access businesses. Sometimes, the environment is intimidating and unsafe. I receive a lot of correspondence about that particular hotspot.

There are various hotspot streets, particularly around the Lund Park area of Keighley, and I have received correspondence about Westburn Avenue. The incidents that take place are localised micro-incidents. Nevertheless, they build the fear factor that we all associate with antisocial behaviour.

We have had some darker incidents as well, such as vehicles being targeted, and petrol being poured on vehicles and set alight. That happened only a couple of weeks ago outside a location in Keighley that I know well. We have also had speeding and the antisocial behaviour associated with it, extreme speeding and cars with loud exhausts going up and down particular streets in Keighley, such as North Street, Cavendish Street, Oakworth Road and Fell Lane. I have received a lot of correspondence about drivers purposely accelerating way beyond the speed limits that have been put in place. The police have been doing their level best to try to tackle those incidents.

Another issue in Keighley is cars being driven without insurance and parked cars that are way beyond having

passed their MOT test. Some of those cars are parked at the roadside, particularly where drug drops and distribution take place.

Anthony Mangnall (Totnes) (Con): My hon. Friend is making a good speech and giving us an A to Z of road names in his constituency. Does he agree that tackling the list of problems he faces in Keighley, which I also see in south Devon, is about enforcement, police visibility and ensuring that young people have things to do—options and opportunities to go out and achieve?

Robbie Moore: My hon. Friend makes a good point. I want to paint a picture of the challenges that we all face as MPs and describe the nature of the correspondence that is arriving in our inboxes, whether it is about speeding, antisocial behaviour or physical assault. We have to get to grips with why such incidents take place. It is predominantly those of a younger age who are participating in them, whether because of boredom or a lack of activities on offer to them.

One of the things that I have been doing—I believe that my hon. Friend has been doing this as well—is engaging in dialogue in community meetings. I hold large constituency surgeries and invite the police along, so that the issues can be raised. It is always fed back to me that police prioritisation relies on data collection. How many meetings do MPs go to and hear that, while residents know that these issues are happening on their streets, they have not necessarily been reported via the 101 system or email, or to the community police station so that data is collected and police enforcement targeted in specific areas?

On the outskirts of Keighley, the Utley safer streets group holds regular meetings. It is organised at community level by local residents and provides me as the MP, district councillors and the local police with the opportunity to go along, receive information and provide feedback on what the local police forces do, while also serving as a means to hold them to account.

Margaret Ferrier (Rutherglen and Hamilton West) (Ind): I congratulate the hon. Member on securing today's debate. A pub in Rutherglen in my constituency has faced awful harassment from teenagers who loiter and drink on the street outside, spoiling for a fight, and they have actually physically assaulted customers coming out of the pub. The pub has spent tens of thousands on preventive security measures, but the presence of a bouncer actually exacerbated the problem. The police have done a lot in this case, but a cross-agency approach is needed. Does the hon. Member share my concern about the lack of funding for these teams?

Robbie Moore: The hon. Member makes a valid point: street drinking is a big problem. It is one that we have in Keighley, particularly around the Church Green area, where groups hang around, causing issues for local businesses that want to grow, thrive and improve their customer base. However, street drinkers are putting people off going to those businesses. In my constituency, the police are doing a lot to try to alleviate the issues, including engaging in dialogue and correspondence. Sometimes it is up to the pubs and venues themselves to address the drink-related issues that spill out from them and the issues caused by some wishing to access their facilities. It is very much about having a joined-up approach, which I will come on to later in my speech.

Anthony Mangnall: My hon. Friend is being gracious in giving way again. I have set up a police hub initiative in my constituency where the police use local spaces to enhance visibility. That ensures that they can get out into the community more readily, rather than having to go back to HQ each time. It has been very effective in driving down crime and antisocial behaviour in local areas, at no extra cost to the state. Does my hon. Friend approve of that model?

Robbie Moore: It is an exceptionally good idea. Before I became an MP, the police station was in the centre of Keighley, but, frustratingly, our previous Labour police and crime commissioner decided to move it to an industrial estate just outside Keighley, which is not a good location. Everyone in Keighley knows that the police station is now out of the town centre as a result of that bad decision by the previous Labour PCC. I want that police station to be moved back to the centre of town.

Sarah Jones (Croydon Central) (Lab): We all suffer from the closure of police stations. Will the hon. Member also condemn his own Government, who have overseen the closure of nearly 800 police stations across the country?

Robbie Moore: Our police station was not closed. The Labour PCC decided to move it out of the town centre to an industrial estate outside Keighley, making it less accessible to many of my constituents.

In addition, in the run-up to the 2019 general election, the then Labour PCC, the then Labour MP for Keighley and the Labour leader of Bradford Council gave false hope and false promise that the police station would be moved back to the centre of town. That false hope just happened to be announced in the run-up to the general election, but what happened? All those plans are now off the table as a result of our new West Yorkshire Mayor deciding that we cannot facilitate that move. I hope we will get an instruction, or as much help from the Government as possible, to move the police station back into the centre of Keighley, from which it should have never been moved in the first place.

On the point that my hon. Friend the Member for Totnes (Anthony Mangnall) made, police hubs are an excellent idea. In many rural parts of my constituency, facilities such as village halls have been used for community-wide engagement. A police officer, a sergeant or the neighbourhood policing team can go along and have dialogue with residents, and communicate and provide reassurance at a micro-local level. We can use such facilities across our constituencies to enable dialogue and better reporting of issues and concerns.

On drug taking, I am very pleased that the Government have taken a stance on nitrous oxide—laughing gas—cannisters, which I have been campaigning to ban since being elected. In the summer months, and particularly on bank holiday weekends, a lot of people get the train from Bradford and Leeds to Ilkley to sit at the riverside and enjoy the sunshine, but sometimes the area is used for antisocial behaviour, and that is not fair for Ilkley residents.

We all face many, many issues with antisocial behaviour. I will quickly touch on fly-tipping. I represent an urban fringe-type constituency, and we have a lot of fly-tipping, particularly in the Worth Valley ward, where Councillor

Rebecca Poulsen has been fighting incredibly hard, working with the police, to deal with fly-tipping-related incidents. We must not forget that dumping used construction material, or whatever else it might be, in our beautiful environment is a form of antisocial behaviour in its own right. It was horrifying that, at the back end of last year, our Labour-run Bradford Council decided to close the Keighley tip—a ridiculous decision that would have resulted in more fly-tipping across the constituency. I am pleased to say that after I brought a petition to this House, signed by more than 7,000 people, which Laura Kelly and Martin Crangle heavily campaigned for, Labour-run Bradford Council finally listened and overturned that ridiculous decision. It has now decided to keep the Keighley tip open.

I very much welcome the Government's plan to put more police officers on our streets. As a Conservative MP, at the last election I campaigned to get 20,000 police officers back on to our streets, and West Yorkshire police has recruited more than 1,000 since I was elected. I want to ensure that they are prioritised in dealing with the many concerns that my constituents across Keighley raise. I urge the Mayor of West Yorkshire, Tracy Brabin, to ensure that as many as possible of those police officers are on the streets of Keighley, Ilkley, Silsden and Worth Valley to tackle antisocial behaviour and give our neighbourhood policing teams the means that they need.

It is a complete myth that Labour is the party of law and order, and that it actually cares about clamping down and being tough on those who commit offences that cause harm to others and try to rule the streets through fear. I can categorically say that that is not the case at all. Labour will not pull the wool over the eyes of residents across Keighley and Ilkley. It was so determined to secure power in Keighley a couple of years ago that it actively selected as a candidate for Labour-run Bradford council Mohsin Hussain, who only seven years earlier had been given a 12-month sentence, suspended for two years with 250 hours of unpaid community work, after being convicted of an armed street assault in Keighley with a pickaxe handle, causing bodily harm. Another of his gang used a baseball bat. When that individual was released on bail, he was caught accelerating to 77 mph in a 30 mph zone in Keighley, driving through a series of traffic lights at speed and going around the wrong side of a roundabout. Those are the types of antisocial behaviour issues that I get contacted about time and time again. These are unfortunately the very issues that are still happening in Keighley today—physical assaults and extreme speeding. Yet Labour's answer to all of that is to select and actively campaign for a candidate who a few years previously had been handed a two-year suspended sentence. What is worse is that our West Yorkshire Mayor, Tracy Brabin, who is in charge of implementing our local police and crime strategy, John Grogan, who wants to be the next MP for Keighley, and the current Labour leader of Bradford Council all came to Keighley to campaign, knock on doors and deliver leaflets to get that individual into power. And now, unfortunately, he is a district councillor on the Labour-controlled authority.

What does that say to the victims of antisocial behaviour, the victims of street crime, those who have to put up with physical abuse and those who live near the streets where extreme speeding regularly takes place? My view

is that Labour does not care about implementing a strong and robust police and crime strategy. Labour will use any means possible to secure the votes to secure power, taking the votes of people in Keighley and Ilkley for granted.

I say to the Minister that I appreciate the work of the Home Secretary and her predecessors in taking a robust approach to antisocial behaviour. It is an issue that impacts all our constituencies time and again. It is probably one of the biggest issues to fill my inbox. We cannot sing from the rooftops about the good things in our constituencies and promote our businesses without tackling the plague that continues to haunt our town centres. On that, I will hand over to other speakers, as I know that many want to take part in this debate.

Esther McVey (in the Chair): I remind Members that they need to bob if they wish to be called in this debate. I will not put a time limit on speeches, but be mindful that we will go to Front Benchers at 10.28 am, and that Robbie Moore will have a couple of minutes at the end to wind up.

9.47 am

Ian Lavery (Wansbeck) (Lab): I wish I had prepared my contribution as a response to the hon. Member for Keighley (Robbie Moore), because some of the outrageous statements he made were frankly unbelievable. Anyone would think that the Conservative party had not been in office for 13 years. Is it just me, or would anyone think there is an election around the corner? He hit back at the democratic processes in his constituency about who is elected. It is the people who elect their representatives. The MP does not select councillors—it is the people who do that. Criticism of the people in his own constituency might not go down well.

However, I seriously thank the hon. Member for bringing this timely debate on a massive subject, though it is shame he used it simply to try to attack the Labour party. That is extraordinary, to be honest. His closing remarks were along the lines of, “Thank you, Minister, for the wonderful robust approach that the Government have taken to antisocial behaviour on the high street.” If they are doing a great job, what is there to debate? There is either a problem that needs to be dealt with, or everything is okay. He cannot have it both ways, I am afraid.

The common denominator to the huge issues that I describe as high street anarchy is that the Conservative party in 2010 reduced the police by 20,000 officers.

Jon Trickett (Hemsworth) (Lab): As always, my hon. Friend is making a powerful contribution. I was in Northfield Primary School in South Kirkby on Monday, where there is a serious antisocial problem. The policing is lacking because of the cuts that he just referred to. I do not think we should be demonising a whole generation of young people. The Tories cut £1 billion or more of funding for youth services, so there is no youth provision in the villages I represent—there are no youth clubs—and all sorts of other facilities simply closed down as a result of those cuts. Does he agree that the backdrop to this problem of antisocial behaviour is, first, inadequate policing because of poor funding and, secondly, cuts to services upon which so many people depend?

Ian Lavery: Absolutely. I thank my hon. Friend for that intervention, because it is so true. Are these young people bored? Perhaps it is boredom, but the hon. Member for Keighley should recognise that it is because of the reduction in youth provision and the withdrawal of funding to local authorities, charities and lots of other organisations that used to fund youth networks right the way through our communities. They are gone. That does not mean to say that, because people are bored, they can create havoc on the high streets, because that is not acceptable at all.

If we look at Northumbria police, I have to place on record that the police in my constituency do a marvellous job—every one of them—and they know that they are really under-resourced. That is the real issue on the high street: the police are under-resourced, and they have to assess and deal with crimes as they happen in real time. Do the police go to where the assaults are happening, or do they go to where somebody is pulling plants out of flowerbeds on the high street? I do not want to trivialise what is happening on the high street, because it is very, very important. There is theft taking place in the shops. There is vandalism. There is antisocial behaviour, and there is unruly behaviour. We have also noticed in my constituency an increase in racist abuse.

I put a survey out to retailers in Ashington, Newbiggin, Morpeth and Bedlington asking them about antisocial behaviour, and I got a fantastic response. They all have huge criticisms, and they all have different issues. We then had a meeting with the police on Friday night, and the sad fact of the matter was that very few people turned up, because there is absolutely no confidence at all in the criminal justice system. There is a recognition that the police do what they can, but there is a bigger recognition that they are not doing anything that is addressing the huge issue of antisocial behaviour on the high street.

Let me give a few examples of what is happening in my patch. We have people going into the bigger stores on the high street—into Boots and Co-op—and stealing stuff, and they are basically stealing, first, items to sell on, and secondly, items to keep themselves healthy and clean. People never used to go pinching to keep themselves clean and keep their babies’ clothes well washed, but that is one of the things that is happening now. There are people walking into some of the bigger stores on a daily basis and just picking up what they want and walking out. The people there are instructed by the management, and rightly so, that they cannot stop people stealing, because it is not their role—and if they do, goodness knows what the consequences might be.

We had a situation in my constituency where someone was stabbed trying to prevent somebody else from stealing from the shop. We have security guards in the bigger stores, but then we have the smaller retailers. We had a chap who mentioned that somebody just walked in last week, picked 24 cans of beer up and just walked out. They rang the police, and they got a response four days later. The response was: “Well, can you explain which direction the gentleman went in?” That was infuriating. The police might have had good reason to ask such a question, possibly for CCTV, but if someone just walks into a shop—into someone’s else business on the high street, which they depend on for themselves and their family—pick something up and walk out, the owner will want some action, for heaven’s sake. They want the police to come, not to ring four days later.

[*Ian Lavery*]

I would imagine that, at the very same time, there were other crimes assessed by the police to be a priority compared with what is happening on the high street. We have all sorts of issues on the high street. They have mentioned racism. I live in a constituency that I think is roughly 99.1% white, and racism has never, ever been an issue, but it is becoming an issue. The people themselves are asking the police to deal with the racial abuse—and again, it is not a priority. I mentioned the 20,000 police being taken off the streets in 2010, and we should never forget that. It really galls me, by the way, when we hear the Conservatives, time after time, saying, “We are putting police back on the street.” They should not have taken the police off the street in the first place. Since 2010, Northumbria police has lost 1,000 police officers. Because of the inflationary crisis, next year it will have to find a further £12 million, which will cause extra pressures.

People do not just want their crimes to be recorded and for somebody to perhaps ring up and say, “We will look at this,” or, “We’ll look at that”; they want to see the police on the high street. I have seen videos—Al Vaziri, who has been a businessman in Ashington in my constituency for decades and a pillar of society, showed us CCTV videos only last month of young people throwing a brick at his window. Everybody knows who the individual was; it is on CCTV. We need convictions. Mr Vaziri took the decision to retire, because he cannot put up with it any more—racial abuse was also a contributing factor. He has decided that he and his wife will retire, away from what they see happening on the high street.

We must realise that the system is entirely broken. On one side, we have the retailers, the hard-working people and the businesspeople, on high streets in different towns and villages in the community, who are suffering as a consequence of this unruly anarchy from young people who think they can do whatever they want—because they can do whatever they want, because they are not being challenged at any stage. Then we have the many retailers who are being forced out of business. This fella told me, “They come in, Mr Lavery, pinch these things and walk out. It’s robbery—they’re robbing me and robbing my family.” It is just not acceptable.

Retailers and people on the high streets are suffering greatly from abuse, bad behaviour, unruly behaviour, theft and robbery, and it is the police’s job to remedy the situation and tackle these issues. I give full praise to the police in my constituency for the fantastic work they do, but they simply do not have the resources. They have not said this to me, but I feel that they understand that they are having to undertake a tick-box exercise. They realise how broken the system is, because they say that they have to prioritise other issues. A startling fact that the inspector told me on Friday night is that just above 50% of the call-outs in my constituency are connected to mental health issues. The police are not social workers; they are there to tackle the issues I have raised, which will surely also be mentioned in other contributions to the debate.

Is it too much to ensure that the police are properly resourced to walk through communities, so that people see them? We very rarely see police officers on the beat. Again, I am not criticising the force; the police have had to face under-resourcing from the Government. It isn’t

any wonder that if we take 20,000 police officers off the streets, there will be an increase in crime—that is logical. It is not really difficult to come to terms with or understand. The system is completely and utterly broken. This is about how we put that right.

To conclude, I simply praise police officers. We have to think about how we can address the huge issues affecting small and bigger businesses on the high street, because they are facing a ridiculous situation. This is going to be very difficult, but we need more police, we need more youth provision, and we need people to be held to account for what is happening on our high streets. Only when that happens will we begin to see a reduction in antisocial behaviour.

10.3 am

Mrs Paulette Hamilton (Birmingham, Erdington) (Lab): It is a pleasure to serve with you in the Chair, Ms McVey. I thank the hon. Member for Keighley (Robbie Moore) for securing this important debate.

For many of my constituents, the sad reality of living in Tory Britain is that antisocial behaviour is increasing in our town centres, and there has been a loss of confidence in the police. The Government have hollowed out neighbourhood policing, allowed vulnerable young people to be drawn into crime, and let confidence in the police and the criminal justice system collapse. Criminals are being let off, and victims are being let down. In my constituency-wide survey, the main concerns raised were policing and tackling crime, which constituents tell me is a massive issue. We need more police on our streets to make us feel safe. Young people no longer have faith in the police, and one of my constituents told me that a lot of people do not report crimes because they do not think the police will even bother to come out.

Antisocial behaviour is increasing in my communities in Erdington, Kingstanding and Castle Vale. A constituent told me that Erdington High Street at times feels lawless. Another told me that his 70-year-old father carries a personal attack alarm when he goes on his morning walk. A third is scared to walk with his dog in the local park. It is shameful that, after 13 years of Conservative Government, anywhere we look in Britain, nothing is working.

Erdington High Street is the beating heart of my community. Last August, Birmingham City Council and I put in a bid to the Government levelling-up fund for £11 million, which would have totally transformed our town centre and gone a long way to reducing antisocial behaviour in our area. But the Tory Government let us down yet again, rejecting ours and the four other Birmingham bids. While Erdington will not receive a single penny from the Government’s £2.1 billion fund, despite ranking in the top 10% of deprived areas in the country, the Prime Minister’s own affluent constituency received £19 million.

At the same time, I have been campaigning relentlessly alongside local residents to oppose an application to open an eighth betting shop on our high street. Sadly, the Government decided to back the gambling bosses and overturn local wishes. I am helping thousands of constituents with casework; I am holding meetings with local retailers concerned about antisocial behaviour on the high street; and I supported two great bids to the Government levelling-up fund that Ministers shamefully rejected. Sadly, Erdington feels left behind.

Councils are committed to tackling antisocial behaviour in town centres, but it is essential that the Government adequately resource policing and community safety officers to enforce restrictions put in place. It is no good saying the Government have put 20,000 police back on the streets when, 13 years ago, they literally hollowed out those services. I am doing my bit. Can the Minister tell me why the Government are not doing theirs?

10.7 am

Alex Davies-Jones (Pontypridd) (Lab): It is an honour to speak in this morning's debate and serve under your chairship, Ms McVey. I am not usually one for superstition, but I must say that this debate is incredibly timely. Sadly, only last weekend, my community was hit by a particularly violent bout of antisocial behaviour in our town centre of Pontypridd, while last night, another incident of unprovoked violence occurred in our town. At the time of preparing my comments for this debate, a distressing video of last Friday's violent brawl is circulating online in which one individual can be seen laying on the floor literally having his head kicked in.

This is the sad reality of our high streets, but let me be clear: Pontypridd is not ordinarily a violent community. Antisocial behaviour is a blight on communities up and down the country—my area is not alone. Today's debate is about an important national issue that our constituents rightly expect us to take seriously. But for me, this is also a persistent local issue, as my constituents are sick and tired of being intimidated by antisocial behaviour.

Last weekend, I was shocked and saddened to learn of such an incident taking place in a part of town that is usually—especially on market day—bustling with activity, as locals shop around for a bargain or enjoy a bite to eat at one of our many offerings. It is precisely because Pontypridd's town centre is so often a vibrant place that I have my constituency office just seconds away from where the market traders set up their stalls.

Following recent events in Pontypridd, I want to place on record my heartfelt thanks for the swift actions of South Wales police and our local Pontypridd policing team, including Chief Inspector Helen Coulthard, Inspector Leigh Parfitt and Constable Liam Noyce among many others. South Wales police does phenomenal work to keep us safe, especially when much of its work happens thanklessly and tirelessly behind closed doors. However, the frustrating reality is that South Wales police is doing the best it can with extremely limited resources.

Embedded, preventive neighbourhood policing is such a vital part of keeping our streets safe. But let me be clear: after more than a decade of Tory budget cuts to policing across the UK, we have weakened our country's capacity to deal with antisocial behaviour, both in a preventive capacity and, too often, when responding to it. I need not remind colleagues that this UK Tory Government have cut police officer numbers across the UK by thousands. Across the UK, charges have collapsed, antisocial perpetrators are getting away with their behaviour, and criminal damage and arson attacks have skyrocketed. We can, and we must, do better.

Proper neighbourhood policing is vital, but another important part of preventing antisocial behaviour is, of course, the adequate provision of youth services to get teenagers away from the streets. Shamefully, funding for those sorts of services has also been cut to the bone thanks to 13 years of Conservative rule in Westminster.

Our communities up and down the country are facing undeniable funding pressures. Youth services have been completely slashed, which increases the chances of antisocial behaviour, and with neighbourhood policing on its knees, perpetrators are more likely to get away with their disgraceful behaviour.

I am proud to say that in Wales our Labour-led authority, despite the impossible challenge thrown at it by the UK Tory Government, is trying to make a difference for its communities. Indeed, we are fortunate that on Ponty high street, at the site of our old YMCA building, our town centre will soon boast an incredible £4.4 million arts and youth centre zone. The project will deliver true community spaces and provide much-needed youth services for a generation. I am also lucky to be well supported by a fantastic business improvement district. Pontypridd BID has been vital in championing antisocial behaviour prevention measures, where the UK Government funding has barely scratched the surface. But as with local authorities across the nation, it is overstretched and having to do more with less and less.

Colleagues will be aware that I am a proud and vocal champion for fair funding for Wales. The inadequacy of the Barnett funding formula is very much a topic for another day, but it is an important truth that the UK Government have a responsibility to support ASB-related projects across the UK. I put on record my thanks to the Welsh Labour Government, who with the limited powers available to them have committed to more police community support officers, and I look forward to welcoming the officers on the streets of Pontypridd this summer.

I also look forward to hearing the Minister's responses to my points, and I sincerely hope that there is a strategy to tackle antisocial behaviour once and for all. We need an ambitious strategy to tackle it, but the Department has clearly failed thus far to act appropriately, which is having serious consequences for people across the UK. I sincerely hope that the Minister is listening and I look forward to her remarks.

10.12 am

Jim Shannon (Strangford) (DUP): It is a pleasure to speak in this debate, and I thank the hon. Member for Keighley (Robbie Moore) for leading it. In the short time that he has been here, he has had many Westminster Hall and Adjournment debates on similar issues to this one. They are critical issues—the issues that people contact us about most—so it is good that he has set the scene. I thank him for his commitment to bringing such issues to Westminster Hall and the main Chamber for consideration. He deserves credit for that.

I am pleased to speak in the debate, because I have—as others do; I am not different from anybody else—such pride in the town centres in my constituency; Newtownards, Comber and Ballynahinch are the largest towns there. I have mentioned before that my main constituency office is in the town centre of Newtownards, and the sense of community there is so real. It is an area where people learn to know everyone. Of course, the fact that I have lived in the area for all but four years of my life, and have had a fairly long life, means that I know it well. I know the people well and get to know the people who come in. I have become incredibly proud of the area's reputation.

[*Jim Shannon*]

It is good to see the Minister in her place. She will not have to answer any of the questions that I will pose, because she has no responsibility for them. I always give a Northern Ireland perspective, if I can, because what I say replicates what others have said, and what those who will speak afterwards will say. In Northern Ireland, we are no strangers to having different rules and different council policy. One issue that has become prevalent in more recent years is the antisocial behaviour of youths in Newtownards town centre. We deal with issues of antisocial behaviour every week, unfortunately, and they are critically important for my constituents, be the issue under-age drinking or graffiti.

Margaret Ferrier: A problem that has recently resurfaced in parts of my constituency is sectarian graffiti. The perpetrators of a recent spate of graffiti were identified, and they were only teenagers. Does the hon. Member agree that that behaviour can often be generational, and that angle should be given greater consideration?

Jim Shannon: As always, the hon. Lady makes a very apt intervention and I thank her for that. In my town of Newtownards, on the Ards peninsula, we have recently witnessed gang warfare, for want of a better description, in which graffiti has been prominent. It has been specific to many people and has been unhelpful, dangerous, vindictive and cruel. She is right to highlight graffiti and the role that needs to be played. At times, we ask: who is responsible for removing the graffiti? It is a very simple issue, but one that crops up. We usually find that the building's owner paints over it, or if the graffiti is specific and nasty, the council can come out and remove it. So that becomes an issue.

Other problematic issues in my constituency are loitering, loud music and, in some rare cases, drugs. There is absolutely no place for that in our local communities. There is a street in my constituency called Court Street where there are a few derelict houses. On most weekends, there will be youths inside those homes drinking and blasting out music until the early hours; not to mention that the glass in the properties had to be broken at some stage, so there is a real health threat to the young people, too. The police and local councils have boarded up the windows numerous times, as have the owners. A local councillor who works in my office has been contacted out of hours and rung the police numerous times to make them aware of what was happening, but there does not seem to be any strategy to tackle the issue. We need better co-operation between local councils and police to ensure a better response, first, on the issue of building control and who is responsible for making the building safe, and secondly, so the police can give appropriate warnings and take relevant action, should this not stop.

I wish to put on record my thanks to the Police Service of Northern Ireland back home for what it does and, in particular, to the community police officers who do such great work. They interact with community groups, organisations and individuals, and that interaction has been incredibly helpful; on many occasions, it addresses the antisocial issues, and it builds the confidence and the relationship between the general public and the police. It also gives the police a better idea of who is involved.

Another issue in the town that has proven to be a major problem is suspected under-age drinking and drugs in local parks and leisure centres, which is also potentially dangerous for young children. I have highlighted that many times back home. Discarded bottles and sometimes other items, for want of a better description, are left in the children's playground. It can be a mess of broken glass, takeaway wrappers, litter, cigarette butts and other things, and can also be dangerous.

Lastly, I have no doubt that in some cases parents are completely unaware of where their children are. I am a parent of three boys. They are well grown up now and I have six grandchildren, but we are no strangers to the fact that our children, in the past, fabricated, or could have fabricated, their whereabouts and what they were doing, because sometimes they did not want us to know. Parents can play a huge role in ensuring that their children are responsible and, if they are out and about on weekends, not creating a risk for themselves or other people by behaving antisocially.

I have a great relationship with my local policing team, which will frequently carry out patrolling checks in hotspots to deter any antisocial behaviour. In an intervention, the hon. Member for Totnes (Anthony Mangnall) referred to police hubs. That is one of the things we should look at. It was a wise and helpful intervention, which I think can make a difference. Could the Minister comment on that? I have mentioned before the relationship between councils and local police; there needs to be greater power for the two to work together. For example, councils should be able to renovate buildings that are being abused, and make real use of them to boost the local economy, forcing antisocial behaviour out.

I want to mention something that I think will be helpful for the Minister and which operates across the whole of the United Kingdom of Great Britain and Northern Ireland. We have a very active street pastors group. I have been involved with them from the very beginning, when a lady called Pam Williamson came to see me. I had always had an interest in them. It started because all the churches came together to address a social issue. It is the sort of reaching out that I love to see—I know that you would as well, Ms McVey. The churches see that they can do something practical on the streets. It was a local group, but it expanded from Newtownards across to Bangor, and down the Ards peninsula to Comber and elsewhere. It is really active and it brings together so many good people with good intentions, who go out at night and reduce antisocial behaviour. The figures have dropped, and that is one of the reasons why. The Minister may wish to refer to that in her speech, and the hon. Member for Keighley, who introduced this debate, may wish to refer to it in his wind-up.

I have seen what the group do. They offer people a bottle of water or a pair of sandals. They help young people who are unfortunately inebriated and do not know what they are doing, and get them home safely. How critical that is for ladies, women and young girls! It is critical for people to have someone there when they are feeling emotionally vulnerable. How important it is to ensure that parents know where their children are! Those are the things that street pastors do. I am a great supporter of street pastors. I think that all Members present have street pastors in their area

who do marvellous work. They are an instrument that we can all use, because they have a deep interest in the community.

Mrs Hamilton: I absolutely agree. I have street pastors in my constituency. This is not their fault, but the problem with street pastors is that, because we lack the police and people from other local agencies to work with them, it is becoming unsafe at certain times of the day and night for them to do their valuable work. Given the lack of police and other services on the high street, does the hon. Member feel that the environment is safe enough for street pastors?

Jim Shannon: I thank the hon. Lady for her intervention. It is difficult for me to answer that, because I cannot speak for other areas. I can speak only for mine, and I must say that in my constituency, the police are never too far away. The issue for street pastors is that they are not police. That is probably why they are approachable, which is one of their advantages. I know from my constituents that they have probably saved people from abuse and physical and other harm, and that they have got people home safely. Street pastors have a working relationship with the police, but they are not the police. They are there to help, and I think people recognise that; the street pastors' years of involvement in this work on the streets of Newtownards, Bangor, the Ards peninsula, Comber and elsewhere in my constituency have shown that to be the case. The hon. Lady is right; street pastors need to be safe, but in my area, I think they are.

I conclude with this: these issues are prevalent in all constituencies across the United Kingdom. An antisocial behaviour plan has recently been introduced in England, which it seems will tackle the worst of antisocial behaviour in England. I am grateful to the Minister, for whom I have the utmost respect. What discussions could she have with our Department of Justice back home? I believe wholeheartedly that we can do things much better together, because this is a national issue. That is why the debate is important, and that is why I am speaking in it—not that I can necessarily add anything more for the Minister to reply to. I just wanted to let her know that we have some ideas in Northern Ireland. It is good to exchange those ideas, and thereby do better for everyone.

Esther McVey (in the Chair): We move now to the Front-Bench spokespeople.

10.24 am

Marion Fellows (Motherwell and Wishaw) (SNP): It is a pleasure to serve under your chairmanship for the first time, Ms McVey. I congratulate the hon. Member for Keighley (Robbie Moore) on securing this important debate. I will not stand here and say that everything is wonderful in Scotland. We have already heard from the hon. Member for Rutherglen and Hamilton West (Margaret Ferrier), and there are issues in my constituency, too, many of them linked to local housing issues. In North Lanarkshire Council, police and local housing officials work closely together to solve those problems.

In spite of that, the Scottish Government actually recognise how much antisocial behaviour can, as many hon. Members have said this morning, blight people's lives. The Scottish Government remain committed to

tackling all forms of antisocial behaviour via legislation, and fixed penalty notices for things such as littering, which is another bad antisocial behaviour issue. I am reliably informed that there is no Scottish equivalent to section 59 of the Anti-social Behaviour and Policing Act 2014, but we have our own Act—the Antisocial Behaviour etc. (Scotland) Act 2004—and some stringent operating procedures for police.

As in other parts of the United Kingdom, it is not always possible for police in Scotland to attend every incident of antisocial behaviour, because there is simply no capacity after 13 years of austerity. Importantly, according to the Scottish Community Safety Network, 12-year-olds living in the 20% most deprived areas, as measured by the Scottish index of multiple deprivation, are more likely than those in the 20% least deprived areas to have engaged in antisocial behaviour. As the hon. Member for Wansbeck (Ian Lavery) asked, is antisocial behaviour about boredom? In some cases, it is simply about not having a decent life chance because of poverty.

Those living in more deprived areas, socially rented housing and urban areas are more likely to think that antisocial behaviour and neighbourhood problems are issues in their area. However, perceived levels of antisocial behaviour differ from actual levels, and that is a real issue as well. There is a lot of perception about antisocial behaviour. What is antisocial behaviour for one person is not always antisocial behaviour to someone else, and we need to look at things differently in some areas.

I reiterate that the root of the problem is a lack of resources for police, local authorities and organisations that help. In my area of Scotland, there are still street football leagues. The police in Scotland act differently, it is fair to say. They are much more community-based; there is a much wider sense in which they use consent to police their areas, and they work much more closely with local authorities. However, some of the great work they have been doing has been affected by real-terms cuts to funding, which is a huge pity.

In spite of the UK Government's austerity cuts, Scotland still has a higher number of officers with better pay than at any time during the last Administration, and more police per head of population than England and Wales; that is a priority for the Scottish Government, and will continue to be. We have increased the number of police officers in Scotland, and they get paid about £5,000 more per annum as a starting salary. Also, fewer police officers resign voluntarily in Scotland because their conditions are better. The UK Government should look at that.

It is important that people look to not just the police to solve antisocial behaviour issues, but proper local organisations that work with police and other agencies. The hon. Member for Strangford (Jim Shannon) talked about street pastors; we know what good work they do across the UK. Churches in my area are also involved in that good work. The whole thing comes down to money. I am probably the oldest Member present. I can remember when there was a zero-tolerance approach to any crime in New York; I believe it was in the 1980s. I think we all recognise, as we should, that small crimes can lead to larger crimes. We should not simply label that as antisocial behaviour at the outset. As well as providing support for victims, we need to provide outlets for younger people, who are mainly, but not always, the ones exhibiting

[*Marion Fellows*]

antisocial behaviour. We need to look at what we do, take a zero-tolerance approach, and work with organisations to try to prevent such behaviour.

The hon. Member for Wansbeck was right to say that boredom leads to a lot of antisocial behaviour, but we cannot tackle antisocial behaviour at its root without adequate Government funding. Government funding in England will lead to Barnett consequential for Scotland, so will the Minister talk about how the Government will improve funding to help to fight this scourge across the United Kingdom?

10.31 am

Sarah Jones (Croydon Central) (Lab): It is a pleasure to serve under your chairmanship, Ms McVey, and I am delighted that the hon. Member for Keighley (Robbie Moore) was able to secure this debate on an incredibly important topic. Perhaps we can forgive him for some of his colourful attacks on his Labour party colleagues because sometimes there is a direct correlation between an MP's majority and the scale of their exaggerations against their opponents. However, the hon. Gentleman made some good points, and I agree 100% that antisocial behaviour is a plague that haunts many of our communities.

It is a shame that the Government have only recently woken up to the challenges of antisocial behaviour. I have attended debates at which Ministers have described antisocial behaviour as low level and not something they had chosen to prioritise in the past, and if Members look at the strategies that the Government have published in recent years, they will see that antisocial behaviour barely got a mention. The Labour party takes antisocial behaviour seriously. It is not low level; it is ruining lives.

Robbie Moore: I note that the shadow Minister says the Labour party takes antisocial behaviour extremely seriously. I am interested in her views on the selection of Labour party candidates for local elections. Does the Labour party think it appropriate to select candidates with previous convictions, such as a two-year suspended sentence, to stand for election to positions of responsibility?

Sarah Jones: I do not know about that particular case, but I do not think it acceptable that over the past 13 years the Government have not taken antisocial behaviour seriously and that the lives of people across the country have been ruined as a result. The hon. Gentleman is perhaps sad that he did not become a police and crime commissioner when he stood for election—I am sure he would have done an excellent job—but he cannot deny, and did not deny in his speech, the damage that has been done to our town centres and our communities over the past 13 years.

People across the country know exactly what antisocial behaviour feels like. They know what changes in their neighbourhood when community respect is worn down, and they know what broken Britain feels like. Parents worry about their children playing in the park or being targeted online. Pensioners worry about scams. Small businesses worry they will be targeted by thieves or vandals. Knife crime plagues communities, women feel less safe on the streets and antisocial behaviour ruins lives without consequence.

Labour's driving mission is to deliver safer streets. If a family does not have a big house with a garden, the kids play on the streets, or hang out in the parks or the town centre, and it is vital that people feel they are safe enough to enjoy their local area. Criminal damage to shops, schools, leisure centres and businesses has increased by more than 30% in the past year alone. That is an extraordinary figure. There are 150 incidents of criminal damage to non-residential buildings a day. Antisocial arson went up 25% last year. Knife possession is up 15% on pre-pandemic levels. More than 6 million Brits are witnessing drug deals on their streets. That is 6 million people seeing drug dealing and drug taking on our streets.

Some town centres have been particularly hard hit by vandalism, harassment and abuse. Do not be fooled by the Government's announcement today that they have met their arbitrary police recruitment target of 20,000. The Tories should hang their heads in shame that they decimated policing. Replacing some of the officers cut by the Government is not a victory. A press release will not suddenly make the public see police officers on the streets who are not there. Nobody will be fooled.

My hon. Friend the Member for Wansbeck (Ian Lavery) made a powerful speech about how people just want to see action; they want something done when a crime is committed. He rightly paid tribute to the police in his area. They are trying to do the right thing, but they do not have the resources. How insulted will they be when they hear the Home Secretary say in her speech today that the police need to stop concerning themselves with political correctness and get on with basic policing? It is nonsense that the police are not doing the things we want them to because of the way they approach their job. They are trying but they are massively overstretched. We have seen such cuts that it is very difficult for them to do the things that we all demand of them. They will not praise the Home Secretary for what she says today.

In her shocking 300-page report on the Met, Louise Casey made it really clear that visible neighbourhood policing is crucial to restoring confidence in police. Neighbourhood policing has been slashed. There are 10,000 fewer neighbourhood police and PCSOs on our streets today than there were eight years ago. The population has also increased, so we have fewer officers per person in this country by some margin than when the Tories came to power.

Charge rates are plummeting, victims are dropping out of the process in record numbers, the Conservative Government scrapped the major drug intervention programme that the last Labour Government had in place, and support services for kids have been decimated. YMCA says that £1 billion has been taken out of youth work across the country. As my hon. Friend the Member for Wansbeck mentioned, the police spend hours, if not days, dealing with mental health cases, simply because there is no one else to pick up the pieces. Community penalties have halved and there is a backlog of millions of hours of community payback schemes, not completed because the Government cannot even run the existing scheme properly.

Far from punishing perpetrators of antisocial behaviour, the Government are letting more and more of them off. The Conservatives weakened Labour's antisocial behaviour powers 10 years ago, and brought in new ones that are barely used. They got rid of powers of arrest, despite

being warned not to, and they introduced the community trigger, which is sadly something most people have not heard of. When polled, the public say there is no point in investing in improving the community if it is just going to be vandalised by criminals. It is impossible to level up without tackling crime.

Labour announced months ago our action plan to crack down on antisocial behaviour that blights communities. Respect orders will create a new criminal offence for adults who have repeatedly committed antisocial behaviour and are ignoring warnings by the courts and police. Labour will introduce new town centre patrols, and a mandatory antisocial behaviour police lead for every local neighbourhood, as part of our neighbourhood police guarantee, with 13,000 extra neighbourhood police and PCSOs.

We should, of course, pay tribute to the Welsh Government, as my hon. Friend the Member for Pontypridd (Alex Davies-Jones) did, for committing more PCSOs, because they are the eyes and ears on antisocial behaviour and can stop things escalating. They can find out the problems, they know people's parents, they know where people live, and they can go round communities to stop antisocial behaviour escalating. The hon. Member for Keighley's force, West Yorkshire police, has the second highest proportion of PCSOs by population in England, which I am sure he is pleased about.

We will bring tough action against town centre drug dealing, with tough powers for the police to shut down crack houses, and local neighbourhood drug teams to patrol town centres and lead data-driven hotspot policing targeted at common drug-dealing sites. We will introduce a national register of private landlords, and a duty for local partners to tackle antisocial behaviour, with mandatory antisocial behaviour officers in each area.

Under a Labour Government, if somebody wants to commit vandalism or dump rubbish on our streets, they had better be prepared to clean up the mess. We will bring in fixed-penalty cleaning notices and tough penalties for fly-tippers, and establish clean-up squads, where offenders will clear up litter, fly-tipping and vandalism that they have caused. The next Labour Government will not let another generation of lost boys and girls grow up without hope. That is why Labour will introduce full prevention and diversion programmes, with new youth mentors for the children and young people most vulnerable to crime, and access to mental health professionals in every school.

What are the Government proposing to do about the 13 years of neglect? Recently they called for hotspot policing, faster community payback, and stronger powers of arrest. That sounds familiar—because it is exactly what Labour has been calling for, and is already in Labour's plans. However, the Government have left out the most important part, which is putting our neighbourhood police and PCSOs back on the streets. They are not investing in that. Labour's plans to support victims have also been neglected. On the community trigger that is not working, the Government have decided to rename it, and they have re-announced plans on youth support that the Levelling Up Secretary announced more than a year ago.

The Government have said that 500 young people will get one-to-one support. There were 1.1 million incidents of antisocial behaviour last year. Supporting 500 people just will not cut it. The Government are still not changing their weakened enforcement powers on antisocial behaviour, and neighbourhood policing is not

even mentioned in their action plan. The Minister knows that hotspot policing cannot be a replacement for neighbourhood policing. Neighbourhood teams made up of officers, PCSOs and specials are the eyes and ears of our communities. They are the Catherine Cawoods of policing. They know what is going on in their communities, and are trusted to understand and fix problems.

I hope that the Minister can answer a few questions. What is the plan for the police workforce now that the uplift programme has finished? Will she back Labour's plan to put 13,000 more police officers, PCSOs and specials back in our neighbourhoods? Will she support Labour's respect orders, so that the police can have the powers that they need to arrest and deal with persistent antisocial behaviour, and can she confirm whether cutting the number of PCSOs by half was a deliberate policy measure or just an accident of no planning?

Where the Conservatives have dismantled neighbourhood policing, Labour will bring it back. Where the Conservatives have weakened antisocial behaviour powers, Labour has a tough new plan to tackle it. Where the Conservatives forgot about our young people, Labour will prioritise them. Labour will revive the reassurance that if you are a victim of a crime, something will be done.

10.42 am

The Parliamentary Under-Secretary of State for the Home Department (Miss Sarah Dines): It is a pleasure to serve under your chairmanship, Ms McVey. I thank my hon. Friend the Member for Keighley (Robbie Moore) for securing the debate. He knows, as we all do, that these issues matter to a great many of our constituents in all parts of the country. Antisocial behaviour is a menace that must be reckoned with. It causes untold distress, concern, frustration and fear. It ruins people's enjoyment of public spaces, and at worst it destroys lives and gnaws at the fabric of communities. It is totally unacceptable.

Town centres should be bustling and energetic, but they should also be safe. My hon. Friend mentioned Keighley bus station. Transport is crucial. People should be able to walk to get a bus or train, and his work in that area is really important. The Government are committing a large sum of money—an extra £2.5 million—for a pilot to extend transport safety officers. Conservatives feel very strongly about such issues.

No one should feel threatened when walking alone at night or during the day. Nor should they have to dodge litter or drug paraphernalia on the streets, endure persistent unruly behaviour or excessive noise, or see their local areas disfigured by graffiti and vandalism. Those are just a few of the many examples Members have raised of how antisocial behaviour manifests. Different areas have different problems, as is clear from Members' contributions, but a recurring theme is the harm done to the physical environment and the impact on decent, law-abiding citizens, who suffer as a result of the actions of a selfish minority. Antisocial behaviour affects lives.

Alex Davies-Jones: Will the Minister give way?

Miss Dines: I will make a little more progress first. Antisocial behaviour is not low level or minor, and I do not accept the characterisation that the Government view it as somehow petty. That is an unfortunate narrative. I am sure that we all agree that antisocial behaviour is very impactful on people's everyday lives. We need to attack it head-on.

[Miss Dines]

In relation to the police uplift, today's debate is obviously very timely, for two reasons. At 9.30 this morning, just as my hon. Friend the Member for Keighley was rising to start his remarks, the latest statistics on the police uplift programme were published. Let me confirm to hon. Members what those figures tell us. I am delighted to say—we should be proud—that from the end of March 2023, 20,951 additional police officers have been recruited from funding from the police uplift programme. That brings the current police officer headcount in England and Wales to 149,572, an increase of 3,542 compared with 2010.

The upshot is that there are now more police officers in England and Wales than at any point in history. The Opposition spokesperson, the hon. Member for Croydon Central (Sarah Jones), is inaccurate in saying that that is not the case. We will have more police on the beat to prevent violence—more police out about in their communities, solving burglaries and, yes, tackling antisocial behaviour on the ground. It is of course for police forces to determine how they use their own money and the additional officers at their disposal. Let me say in response to some of the contributions we have heard that West Midlands police has closed 20 police stations and chosen to spend £33 million of its money refurbishing a head office. But there is no doubt that the police have a crucial role to play in tackling antisocial behaviour. A responsive and visible police presence can have a strong deterrent effect as well as helping to provide reassurance for communities.

This debate is timely for a second reason: it was only at the end of last month that the Government published their bold and ambitious action plan to tackle antisocial behaviour. The difference between our plan and Labour's is that ours actually has some depth, narrative and detail. The hon. Member for Croydon Central will remember that detail and figures are really important.

As has been made clear today, constituents all over the country are sick and tired of antisocial behaviour. The Government hear their concerns and we are determined to step up the response. Our action plan will give police and crime commissioners and local authorities and their agencies the tools to stamp out antisocial behaviour across England and Wales. It targets the callous and careless few whose actions ruin public spaces and amenities on which the law-abiding majority want to depend.

Alex Davies-Jones: The Minister mentioned the impact of antisocial behaviour on communities and she also mentioned transport. A big problem that we have is the antisocial noise from the exhausts of modified cars racing up and down our bypasses and through our town centres. Last April, the former Transport Secretary, the right hon. Member for Welwyn Hatfield (Grant Shapps), announced a pilot of noise cameras to capture that antisocial behaviour, but we have heard very little since. Will the Minister go back to the Transport Secretary to find out what is happening with the noise cameras and see whether they can be rolled out across the UK, because that antisocial behaviour is a major problem in Pontypridd and Taff-Ely?

Miss Dines: I am certainly willing to do that. Anecdotally, there are similar issues in my constituency of Derbyshire Dales, and I have written to the Transport Secretary

myself in that regard. There are pilots, and I think there is a consideration as to whether there should be more.

The Government's action plan outlines a radical new approach and is split across four key areas. There will be stronger punishment for perpetrators. The Opposition say that the Government have disregarded that, but that is not the case; the Government are going to bring forward stronger punishment for perpetrators. The hon. Member for Motherwell and Wishaw (Marion Fellows) mentioned experiences of zero tolerance in the USA. There are historical and academic reasons why that is of interest and why it works in some areas and not in others, but the Government will introduce stronger punishment for perpetrators in this country.

We are cracking down on illegal drugs, making offenders repair the damage that they cause, increasing financial penalties, and evicting antisocial tenants. Drugs are harmful to health, wellbeing and security, and they devastate lives. That is why we have decided to ban nitrous oxide, known as laughing gas, which is currently the third most used drug among 16 to 24-year-olds. How many of us have stumbled across the canisters broken on the ground? That really is antisocial behaviour. The Government will put an end to the hordes of youths loitering in parks and littering them with empty canisters.

Furthermore, under our new plan, the police will be able to undertake drug testing of suspected criminals in police custody for a wider range of drugs, including ecstasy and methamphetamine—medical testing is moving onwards. They will test offenders linked to crimes such as violence against women and girls, serious violence, and antisocial behaviour. We will ensure that the consequences for those committing antisocial behaviour are toughened up. Our immediate justice pilots will deliver swift, visible punishment for those involved. Members who have contributed are right that we need to see more officers on the street, and the Government are delivering that.

Offenders will undertake manual reparative work that makes good the damage suffered by victims. I am pleased that the Opposition agree with that plan, which is part of their own plan. Communities will be consulted on the type of work undertaken, and the work should start swiftly—ideally, within 48 hours of notice from the police. Whether it is cleaning up graffiti, picking up litter or washing police cars while wearing hi-vis jumpsuits or vests, people caught behaving antisocially will have to make swift reparations to the community.

The upper limits of on-the-spot fines will be increased to £1,000 for fly-tipping, which I know is a scourge for many Members present, including my hon. Friend the Member for Keighley. Another notable absence from the Labour party's plan is proper figures. Facts and figures are really important, so we have announced that the fine for fly-tipping will be increased to £1,000, and to £500 for litter and graffiti. We will support councils to hand out more fines to offenders, with the money going back into local authority investment on activities such as cleaning up and enforcement, which is essential.

Nobody should have to endure persistent antisocial behaviour from their neighbours, which is why we plan to halve the delay between a private landlord serving notice for antisocial behaviour and eviction. We will

also broaden the scope of harmful activities that can lead to eviction and make sure that antisocial offenders are de-prioritised for social housing.

Secondly, we are making communities safer. We are funding an increased police and other uniformed presence focused on antisocial behaviour in targeted hotspots where it is most prevalent. Initially we will support 10 trailblazer areas, before rolling out the hotspot enforcement across all forces in England and Wales. Hon. Members have mentioned their areas. Northumbria, West Midlands and South Wales police and crime commissioners will be piloting the enhanced hotspot response in 2023-24.

We will also replace the 19th-century Vagrancy Act with tools to direct vulnerable individuals towards appropriate support, such as accommodation, mental health or substance misuse services. We will criminalise organised begging, which is often facilitated by criminal gangs to obtain cash for illicit activity. We will prohibit begging where it causes blight and public nuisance, for example, where there are cashpoints, in shop doorways or when people are approached directly by someone in the street. We will also give police and local authorities the tools to address situations where rough sleeping is a public nuisance, such as the obstruction of doorways or the build-up of debris and tents, while ensuring that those who are genuinely homeless are directed towards appropriate help. We will build local pride in places by giving councils stronger tools to revitalise communities, bring more empty high street shops back into use, and restore local parks.

Youth have been mentioned by the hon. Members for Wansbeck (Ian Lavery) and for Pontypridd (Alex Davies-Jones), and prevention and early intervention is of course important. It is an issue on which we can all agree. We need to have young people properly engaged to steer them away from crime, which is why the Government have committed to the third strand of our plan: prevention and early intervention. Around 80% of prolific adult offenders begin committing crimes as children.

We are funding 1 million more hours of provision for young people in antisocial behaviour hotspots and expanding eligibility for the turnaround programme, which will support 17,000 children—not just 500, as has been suggested—who are on the cusp of the criminal justice system. Our £500-million national youth guarantee also means that, by 2025, every young person will have access to regular clubs, activities and opportunities to volunteer. It would be useful if all Members, including Opposition Members, read the Government's antisocial plan, because it addresses many issues raised by all parties. Because we are funding 1 million more hours of provision for young people, that really is going to be a turnaround for them. We are working with youth offending teams, the Probation Service and local authorities to intervene very early on behalf of children at particular risk.

Fourthly, we will improve accountability. A new digital tool will mean that members of the public have a simple and clear way to report antisocial behaviour and receive updates on their case. We have also launched a targeted consultation on community safety partnerships, with the aim of making them more accountable and effective.

I am particularly interested in the points made by the hon. Member for Strangford (Jim Shannon) from a Northern Ireland perspective. He is always insightful.

Although the Government are putting such a lot of money into making streets safer, that is only possible with the assistance of the community. Sometimes the state is not very good at it, but the community is. It is only with the assistance of those working in the community—such as street pastors, who were mentioned by the hon. Member for Birmingham, Erdington (Mrs Hamilton)—that we can move forward.

I thank my hon. Friend the Member for Keighley for securing the debate and everyone who has participated. We can all agree that antisocial behaviour is a scourge, but it is all about how best to address it. I suggest that the Government, in a properly costed and thought-through way, have addressed the issue. It has been underlined again today just how enormously important tackling antisocial behaviour is to people up and down the country. The Government hear and understand those concerns, and we are acting on them. As I have set out, we are implementing a very wide-ranging, carefully thought-out plan that is backed by proper statistics, thought and planning. It is also backed by £160 million of funding, and it will bring benefits to every part of England and Wales, including town centres. As ever, our focus is on doing what is right for the decent, hard-working and law-abiding majority. We will do everything in our power to protect them from harm and to deliver them the safe and peaceful streets they deserve.

10.55 am

Robbie Moore: I thank all hon. Members who have participated in this important debate. Like them, I thank my local neighbourhood policing team. We all know how hard those teams work on the ground and that they face many challenges across our town centres, cities and villages.

It is very good to hear from the Minister that today we can announce that 20,951 extra police officers have been recruited since 2019—an uplift of 3,542 since 2010. I also thank the Minister for recognising the challenges that I have faced in Keighley bus station. I know that she will follow that through with interaction with West Yorkshire police in working out how to get to grips with some of those examples and other challenges that we all face. Without a doubt, it is important that the Government are being strong by introducing increased penalties, tougher sentences and swifter interaction between arrest, conviction and sentences coming to fruition.

I thank my hon. Friend the Member for Totnes (Anthony Mangnall) and the hon. Member for Strangford (Jim Shannon) for mentioning policing hubs, the importance of engaging police officers with constituency meetings, and a community buy-in and community partnership approach that works with our local authorities. Some antisocial behaviour issues are related to challenges that partnership-led approaches can deal with. I thank them for mentioning that, and I also thank the hon. Member for Rutherglen and Hamilton West (Margaret Ferrier) for mentioning the specific issue of street drinking.

Of course, the hon. Members for Wansbeck (Ian Lavery), for Pontypridd (Alex Davies-Jones) and for Birmingham, Erdington (Mrs Hamilton) all have Labour police and crime commissioners. It is disappointing to hear that the Labour PCC for the West Midlands is spending £33 million on refurbishing the office at Lloyd House rather than protecting 20 police stations. I see

[Robbie Moore]

that in my constituency as well: a lack of prioritisation of what police officers should be focusing on because of a lack of direction and approach from our West Yorkshire Mayor, who does not have the right strategy.

It was disappointing that the Labour spokesman, the hon. Member for Croydon Central (Sarah Jones), could not answer my question about whether political party candidates' previous convictions should be properly referenced. It is disappointing that the Labour party is putting up candidates who have previously had suspended prison sentences. On that note, I thank the Minister very much for her time in this debate on an important issue that we all want to raise.

Question put and agreed to.

Resolved,

That this House has considered the matter of antisocial behaviour in town centres.

Abingdon Lodge Hill Junction and Local Infrastructure

11 am

Layla Moran (Oxford West and Abingdon) (LD):
I beg to move,

That this House has considered Abingdon Lodge Hill junction and local infrastructure.

It is a pleasure to serve under your chairmanship, Ms McVey. I start by sincerely thanking the Minister for coming today. I am delighted to have secured this debate, because Lodge Hill junction is infamous among local people in and around Abingdon, but I rather expect less so in Westminster. For the uninitiated, I will explain why this is important.

Lodge Hill junction is between Abingdon and Oxford on the A34. The A34 is part of the strategic road network; it connects Oxfordshire to both the south and the north. Currently, the junction only has north-facing slips. That means that all the traffic from the north of Abingdon wishing to travel south to places such as Didcot, Newbury and Southampton has to pass through the centre of the town to the next junction that has southern-facing slips.

For well over 30 years, local people and politicians have been calling for the completion of the junction with south-facing slips. In that time there have been many promises made and broken by Governments. Frankly, local residents have all but lost hope that this is going to be completed. However, I am confident that today we can give them some hope.

The issue is primarily to do with funding, but before we get to that, I will set out why the scheme is vital to Abingdon and its surrounding areas. Abingdon-on-Thames is a delightful town. It is the oldest continuously occupied settlement in England, with a charming town centre and river frontage. I would encourage anyone to visit, if they have not already done so. However, residents are plagued by the sheer volume of traffic clogging up the town's central arteries.

Lifelong Abingdon resident, Jim, told me:

"Abingdon is at breaking point with traffic and it's only going to get worse".

Another resident, Victoria, said:

"The traffic in this town is out of control! It makes shopping in town very unpleasant at certain times and it's difficult for elderly residents to safely cross the road. It puts people off coming into town!"

The air pollution can be dangerous when traffic along Stert Street or Ock Street becomes gridlocked. The solution is clear to everyone involved. As my constituent, David, put it:

"Anything that can be done to stop cars having to come through town in order to get to the A34 will make Abingdon a safer and more attractive town for residents, and therefore better for businesses."

The scheme will also help boost active travel. The one-way system is usually at standstill during rush hour, which does not make for a pleasant cycle or commute to school or work. Local resident, David, told me:

"We try to walk around town whenever possible but the atmosphere is unpleasant and unhealthy with stationary traffic and exhaust fumes."

Another constituent, Mary, said:

"As a cyclist I feel that there are already far too many cars in Abingdon and it worries me that there will soon be even more."

Supporting active travel is a key part of local Liberal Democrat policy for Oxfordshire. Our councillors have worked tirelessly to ensure that the plans for Lodge Hill include cycle lanes and pedestrian crossings. Less traffic flowing through the town centre will encourage more people to cycle and walk into the town, and the changes to the junction itself will improve connections with surrounding villages. I know that residents in Sunningwell and Kennington are concerned that the completion of the junction will lead to their roads becoming a rat run. I want to assure those residents that I am working with the county council to ensure that that does not happen.

The issue where Lodge Hill is absolutely critical is building. An unpopular local plan, adopted by the then Conservative-led district council in 2017, planned for 1,100 homes to be built in north and north-west Abingdon, with an additional development of 1,200 homes planned at Dalton Barracks. That was part of a wider plan to build 100,000 homes across Oxfordshire, which was pushed very hard by the Government. Local Liberal Democrats raised concerns at the time, and a major part of those concerns was that local infrastructure needed to be improved before the large housing developments were completed. That is what the Conservatives promised residents at the time, but sadly it was not delivered. After a huge community campaign, plans for the developments in north Abingdon included, on the planning application, a Grampian condition stating that no more than 400 homes could be occupied before this junction is improved.

The houses have started to go up. If people come to Abingdon, they will see that we have diggers everywhere. That is causing its own problems, but the houses are happening—they are coming. Residents in the area look on, and see more and more houses springing up and being occupied, but we are not seeing improvements to the infrastructure. Carol, who lives in north Abingdon, said:

“I am very much in favour of housing in my backyard but am worried there is...little in the way of infrastructure”.

I think she speaks for many. Another resident, Patricia, said:

“I did not think the noise and disruption would have begun so early and before the construction of the new slip road! As far as I understood the negotiation process, this was a condition of the ‘Deal’”.

Should the Lodge Hill scheme be delayed, the proposed development of 1,200 homes at Dalton Barracks would also be in trouble, and so would the other 700 homes proposed for Abingdon. That is 1,900 more homes in the local plan that are reliant on this scheme. The Minister knows very well what happens when we fail to meet targets set by local plans. I hope that, with her help today, we can avoid any more delay, because that is critical.

More important is the intense frustration felt by the whole community about the broken promise to deliver infrastructure ahead of the development. I do not blame residents for that frustration—frankly, I share it—because if we look at the history of the funding announcements in particular, it has been a story of overpromising and underdelivering. Back in 2017, the Government did commit £9.5 million of funding from what was then the Ministry of Housing, Communities and Local Government. At the time, and notwithstanding our wider concerns about infrastructure, I and my Lib Dem colleagues of

course welcomed that commitment, but we expressed a level of scepticism about the funding materialising. The then Conservative leader of Oxfordshire County Council said in response:

“It won’t fall through. A lot of people are being very disingenuous saying that.”

But sadly we were right, and fall through it did.

Last year, the Department dropped the funding, apart from the £1.87 million that had already been spent. I nearly cried, because as soon as I was elected in 2017 I made it my top priority to help to deliver this scheme—it was in my maiden speech. Since then I have raised it in relation to countless issues—in debates on infrastructure and the Oxford to Cambridge expressway, in oral questions, in countless letters to many different Secretaries of State and in numerous written questions asking for updates and pressing for funding. I have attended every available ministerial surgery that I could, sent countless emails and had meetings with Highways England. I pressed, year on year, for Government to bring forth the money. I am sorry to say that, while I was doing that, the county council seemed to give up.

It took an historic change in Oxfordshire—May 2021 saw the Lib Dems at the helm of the county council—for the project to again become a priority locally. I am pleased to report that, in October 2022, thanks to the hard and persistent work of local Lib Dem councillors, a planning application for the scheme was submitted to the county council. A decision is expected in June this year—it is just a few weeks away. This is the furthest that Lodge Hill junction has ever progressed. In a recent meeting, county council leader Liz Leffman confirmed that the council is literally shovel-ready and raring to go, so if the rest of the funding is not secured by June, it will be the Government holding up the process, and I am confident that that is not what they want to do.

I will break this down. The scheme costs £33 million in total. Some £6.5 million of section 106 money from the developers is now secured. As I mentioned, we already had the £1.8 million-odd from the Department for Levelling Up, Housing and Communities, and that has been spent. We also have £12 million of funding allocated as part of the growth deal; that is theoretically in place, and I hope the Minister will release it to the county as soon as possible. But there remains a £13 million gap. The county council is in discussion with Homes England about unlocking that piece. I was disappointed to see in the response to my written questions this week that the Secretary of State has not engaged—yet—with Homes England on the issue. My ask of the Minister is to please help me do that, although if she could do it herself, that would be even better. Imagine—over 30 years of promises would be fulfilled if we delivered this.

It may feel like this is just a junction, but it is not; it has become an allegory of why we cannot trust Government to deliver for people. Today we have an opportunity to change that for thousands of people. This proposal has been talked about, cross-party, for years. Local people are tired of their voices being ignored, and frustrated at promises being broken, but the Minister can help to fix that today. It is high time that this Conservative Government listened to the people of Abingdon, made good on their promise to release the funding for Lodge Hill and

[Layla Moran]

delivered the infrastructure that will make the lives of the residents and businesses of England's oldest town better.

11.11 am

The Minister of State, Department for Levelling Up, Housing and Communities (Rachel Maclean): It is a great pleasure to serve under your chairmanship, Ms McVey, and to listen to the hon. Member for Oxford West and Abingdon (Layla Moran) as she ably sets out her case on Lodge Hill junction. She has been an assiduous representative, and I am happy to work with her. I will set out the position, as she said, and provide a little more context.

I am grateful for the chance to talk about what the Government are doing to back these ambitions through significant funding for local leaders of all parties in Oxfordshire. The hon. Member for Oxford West and Abingdon sketched out a little of the landscape and the political colours involved, and it is fair to say that everybody needs to work together in these times to deliver these significant infrastructure projects, which have such a huge impact on her constituents. The Government stand firmly behind local leaders, in Oxfordshire and elsewhere, through upcoming measures such as legislative changes supporting sustainable housing growth.

I think the hon. Lady started from 30 years ago, but I will not go quite that far back—I will go back just to 2017. Oxfordshire has long been pivotal to the UK economy, with nationally significant assets and world-leading strengths in science and innovation. That was underlined by the critical role played by its university and research facilities in the development of the covid-19 vaccine. Its success is central to cementing our whole country's reputation as a science superpower, which is one of the Prime Minister's key priorities, and our wider ambitions to level up innovation and opportunity throughout the country.

We agree with the hon. Member that a lack of affordable housing could make it harder for the area to attract and retain talent when competing in a global market. That is why the Government have gone to such lengths to drive housing and growth in Oxfordshire. In March 2017, the Government agreed a £215 million housing and growth deal with Oxfordshire councils to deliver 100,000 homes, including more affordable housing, as well as infrastructure improvements to support sustainable development across the county. That underlines our commitment to championing local leaders, who are rightly elected to represent their local communities and dedicated to tackling the challenges facing their areas. It is right to put those local communities in the driving seat when it comes to making decisions about how best to allocate taxpayer resources that have been allocated to them from central Government.

That deal is just the start. Oxfordshire is also benefiting from £107 million of housing infrastructure funding for the A40 smart corridor scheme and £35 million of local growth funding for the Oxford science transit project, which will unlock substantial infrastructure investment along the key corridor west of Oxford. I do not think anybody can claim that this Government are not backing Oxford's ambitions for its local economy.

I will turn specifically to the Lodge Hill junction, which the hon. Lady discussed in a lot of detail. She is absolutely right to highlight the concerns of local residents, who rightly want to see infrastructure delivered. In the main, they do support housing, because they understand the need for it, but they make the case every time that the infrastructure must be there. That is also the position of the Government. The project that the hon. Lady talked about is to deliver an upgraded interchange on the A34 trunk road north of Abingdon-on-Thames—a new, grade-separated dumb-bell junction. I am not a transport expert, but I am sure people listening to the debate will know exactly what I mean when I say that. It is a junction over the A34 on the A4183 Oxford Road, with new south-facing slip roads on and off the A34. That is required, along with pedestrian, cycle and traffic-calming works and a lay-by on the A34.

The existing Lodge Hill junction provides northbound on-slip and southbound off-slip only, which means that all residents of north Abingdon who commute to and from major employment centres including Didcot, Milton Park science and technology park, and Harwell science and innovation campus, or to the M4 and beyond, travel through Abingdon's historic town centre to the Marcham interchange to the south to access the A34, causing congestion and delay. I understand the frustration of the hon. Lady's residents, which she has described.

This long-standing strategic highway project has been included in successive local transport plans and is supported by Vale of White Horse District Council. The responsibility for delivering the scheme lies with Oxfordshire County Council, subject to technical approval from National Highways. Oxfordshire County Council—as you might be aware, Ms McVey, and as I understand it—is run by a coalition involving a working arrangement between the Liberal Democrats, Labour and the Green party.

In autumn 2022, my Department asked Homes England to explore whether the funding shortfall that had emerged could be funded from the brownfield, infrastructure and land fund. The latest is that the business case for that brownfield, infrastructure and land fund programme is expected to be submitted shortly to the Treasury for final approval.

It is right to pause for a second to reflect on what we are talking about. May I gently correct the hon. Lady? This is not a question of the Government blocking funding. Funding is required beyond the initial business case. That needs to be met from somewhere, and we all understand, as we have seen it across the country, that sometimes infrastructure projects are delayed for covid or other reasons, and costs go up. When that happens, naturally, and as we would expect, a responsible Government and a responsible Department must undertake discussions around the business case. After all, we are talking about taxpayers' money.

If we were to find a shortfall for a project in the hon. Lady's area, the money would have to be taken from a project somewhere else. No doubt the residents of that area would ask why £13 million, or whatever the figure, had been taken from their project, which they, too, desperately needed, and been allocated to a project in the hon. Lady's area. It is right that the Treasury and the Government take a responsible view.

Those discussions are taking place and, as I understand it, there are cost estimates in the project plan. I am happy to have further meetings with the hon. Lady on

that point because I understand that there is an awful lot of detail involved and it is not possible for us to get into it here. We do not have the time to consider the detail of a project of such long standing.

The hon. Lady referred to Homes England, which is continuing to engage with Oxfordshire County Council and Vale of White Horse District Council to achieve some of the clarifications required to develop the business case. That involves, as I think she said, agreeing an approach to grant recovery via developer contributions and clarifying other elements of the scheme.

The hon. Lady is right to point to the link with the housing project, because the funding for the junction unlocks further funding for the houses that are required to be built. There are wider transport and economic benefits, and we do not want much-needed future housing to be blocked for any reason, least of all with respect to important transport infrastructure.

I will draw my remarks to a close unless the hon. Lady wants further clarification in the time remaining.

Layla Moran *indicated dissent.*

Rachel Maclean: The hon. Lady is indicating that she does not seek further clarification. Therefore, I thank her once again.

I am happy to have a meeting in the Department with the relevant people so we can see what else we can do. I would encourage the hon. Lady to work with her local partners—lots of local authorities are involved in this process—because they bear a responsibility to do their part and to get the much-needed business cases in place so we can all work collaboratively.

Question put and agreed to.

11.19 am

Sitting suspended.

Artificial Intelligence and the Labour Market

[DAME MARIA MILLER *in the Chair*]

[*Relevant document: Tenth Report of the Business, Energy and Industrial Strategy Committee, Post-pandemic economic growth: UK labour markets, HC 306.*]

2.30 pm

Mick Whitley (Birkenhead) (Lab): I beg to move,

That this House has considered the potential impact of artificial intelligence on the labour market.

It is a privilege to serve under your chairmanship, Dame Maria. I am grateful to all hon. Friends and Members who have taken the time to participate in this important debate. It is a particular pleasure to see my hon. Friend the Member for Ellesmere Port and Neston (Justin Madders) in his place. I wish to draw the attention of the House to my entry in the Register of Members' Financial Interests.

The rapid advance of artificial intelligence technology poses a severe threat to the labour market and to workers' rights. The negative effect of AI on the workforce cannot be ignored, as it has the potential to displace jobs, lead to economic inequality and erode the rights of workers. AI has the capability to automate jobs and various industries, which could result in widespread unemployment and exacerbate existing socioeconomic disparities. Low-skilled workers, who are already vulnerable to exploitation, are likely to be the most impacted, leading to a growing divide between the haves and the have-nots.

Furthermore, the implementation of AI in the workplace could result in the violation of workers' rights such as privacy, autonomy and fair pay. The use of AI to monitor and control workers could lead to increased exploitation, discrimination and the creation of a toxic work environment. If left unchecked, the rise of AI could lead to a future where workers are replaced by machines, and human dignity is sacrificed for the sake of corporate profits. The deployment of AI in the workplace must be accompanied by strong regulations and policies that prioritise the wellbeing and rights of workers.

Governments and companies must take responsibility for the harmful impact of AI on the labour market and take immediate action to prevent its negative effects. Failure to do so would result in an irreparable loss of jobs, economic inequality and a violation of workers' basic rights.

For Members who have heard me speak before in this House, that introduction must have felt unusually stilted, or perhaps uncharacteristically eloquent. That is because it was written entirely by ChatGPT—one of a number of increasingly sophisticated AI chatbots that have become readily accessible in the past few months. At this point, let me reassure my parliamentary researcher, who is watching this debate, that he does not need to worry about his P45—yet. The unusual distinction of being the first Member of Parliament to openly read AI-generated text into *Hansard* belongs to the hon. Member for Bosworth (Dr Evans). Like him, I have chosen to turn to one of the most widely used AI-powered technologies to illustrate the rapid advances taking place in the field

[Mick Whitley]

of artificial intelligence, and the potentially devastating consequences that this could have on workers in every sector of the economy.

Of course, the impacts of this AI revolution will be felt far beyond the labour market. Information is an increasingly valuable commodity; it is also a potential weapon of war. The danger is simple: technologies such as ChatGPT and DALL-E could be used to proliferate dangerous misinformation and subvert our already compromised democracy. We need further and extensive scrutiny of the risks and of the steps that we need to take to better protect our constituents' data privacy.

I have chosen to use the limited time available today to look at the impact of artificial intelligence on the labour market, and particularly on workers' rights. That is not only because I have spent my adult life fighting for workers' rights, but because it is in the labour market that that change is happening most rapidly, and it is in the everyday experience of work that the disruption of AI is being most keenly felt.

We have heard much in recent years about how we stand on the edge of a fourth industrial revolution. That revolution is now well under way; its effects will be profound and far-reaching. Every part of our public life will be transformed. I want to be clear: I am no enemy of progress. We should embrace the potential of AI to change our lives for the better, whether by improving diagnosis and treatment of disease or by driving sustainable economic growth that can benefit us all. Just as the first industrial revolution brought about an era of unprecedented wealth for an elite few but condemned the British working class and colonised people across the world to a life of precarity and poverty, the AI revolution will create again—if we allow it to do so—a world of winners and losers.

Dr Lisa Cameron (East Kilbride, Strathaven and Lesmahagow) (SNP): I thank the hon. Gentleman for making an impressive speech and extremely good points about the welfare of workers. As a union rep, I agree that we must have safeguards around AI developments. Does he agree that in order to make this new technology available to all, we should seek to level up across the UK and ensure that coding opportunities and the jobs of the future are available to young people in all areas, including deprived areas?

Mick Whitley: The hon. Member makes a good point. When it comes to AI, all workers need protections.

Research by PricewaterhouseCoopers suggests that AI will be responsible for 46% of the UK's long-term output growth. It promises job creation in sectors such as health, education, and science and technology. At the same time, it threatens devastating job losses in sectors such as manufacturing, transport and public administration. Some 7% of all UK jobs could be automated away within the next five years, and as many as 30% could disappear within 20 years.

The last time we experienced systemic economic displacement on anything like that scale was during the deindustrialisation of the 1980s and 1990s. The architects of that policy believed that nothing should be done to support those communities that carried the cost of the economic and social fallout, the legacy of which my

constituency of Birkenhead continues to live with to this day. They followed the ancient mantra that the strong do what they can and the weak suffer what they must. We must not repeat that mistake again. I have called today's debate to make an urgent plea for a rights-based and people-focused approach to artificial intelligence, and for a process that puts the voices and interests of workers at its heart. In this new machine age, we must assert more than ever the fundamental right of all people to a basic level of economic security and dignity at work.

Dr Caroline Johnson (Sleaford and North Hykeham) (Con): The hon. Gentleman makes an interesting point, much of which I support. It is not controversial to suggest that the NHS would benefit from more doctors or that digital tech has the potential to improve people's lives. The Health and Social Care Committee has been looking at both of those issues. As part of one of its inquiries, the Committee went to San Francisco about a month ago to look at how AI can help in medicine. We found that computers can be taught to read mammograms of breast screening tests. That means that, rather than having to be read by two independent doctors, the mammograms can be read by one doctor and one computer. Apparently, the process is more accurate than one involving two computers or, indeed, two doctors. Therefore, AI has the potential not just to cause the workforce issues raised by the hon. Gentleman, but to benefit areas with workforce shortages.

Mick Whitley: I thank the hon. Member for those points. I have already said that we must embrace AI and what it does for us. We are not here to stop progress, but my point is that the Government need to build in regulatory rights and protections.

The benefits of this new technological revolution must be shared by everyone, not just an elite few. I do not claim to have the answers to a challenge of such enormous magnitude—I look forward to hearing hon. Members' thoughts in a few moments' time—but a starting point must surely be guaranteeing support to those sectors and communities that will be most affected by the threat and reality of economic displacement. That means strengthening our collective social security net and seriously considering the role that a universal basic income might play in ensuring a decent standard of living in a labour market increasingly characterised by job scarcity. It means investing in skills and lifelong learning, ensuring that workers whose employment is lost to AI have the opportunity to find well-paid and similarly rewarding work.

In any democracy we have to recognise that technology is never ideologically neutral. Every technological system reflects the interests and biases of its creators and funders. Our challenge is to ensure that AI technologies reflect a multiplicity of voices, including those of workers, and not just in their application but in their conception and design as well. I hope we will continue to discuss how we can achieve that.

A people-focused approach to AI must also mean doing more to guarantee the rights of those workers who are already working alongside artificial intelligence and related technologies in their workplace. The AI working group set up by the Trades Union Congress surveyed thousands of workers in producing its report on the

worker experience of AI and associated technologies. It shows vividly how workers are increasingly managed by machines, how their rights and autonomy are being steadily eroded, and how automated processes often perpetuate human prejudice when making decisions on employees' performance, hiring and promotions.

The Government's response was set out in the Department for Science, Innovation and Technology's recently published AI White Paper, which advocates a light-touch approach and effectively leaves the market to regulate itself. Although Ministers have devised five fundamental principles that should inform the adoption and use of AI in workplaces, they do not intend to place those principles on a statutory footing. Instead, the implementation of those principles will be left to underfunded and overstretched regulators, such as the Information Commissioner's Office and the Equality and Human Rights Commission.

That contrasts starkly with the models adopted by other developed economies. The European Union's Artificial Intelligence Act is likely to be one of the most comprehensive pieces of legislation ever passed on this subject, while California—the very centre of global technology innovation—is preparing to implement measures to protect the privacy and civil liberties of workers. These measures include a new office for AI, with the authority to guide the development of new automated systems, as well as statutory restrictions on the use of automated decision making in the workplace.

The proposal set out by the TUC's AI manifesto, copies of which I have brought to Westminster Hall for Members today, involves taking a very different position from that taken by the Government. Building on the existing framework of equalities legislation, it calls for a rights-based approach to manage the transition to AI that would strengthen equality protections, guarantee workers the right to human contact and require a human review of high-risk decisions that have been automated, and protect the right to disconnect for all workers. It is also absolutely right to acknowledge the need to listen to workers—their voices and their experiences—in managing this transition. It is essential that we recognise and value the role of trade unions as a vehicle for getting those voices heard.

It is for those reasons that the manifesto proposes a statutory duty for employers to consult trade union representatives before adopting AI and associated technologies. It is also why the manifesto urges employers to agree collective agreements with unions to govern the use of AI in the workplace.

Last December, when I questioned the then Business Secretary—the right hon. Member for Welwyn Hatfield (Grant Shapps)—on the merits of introducing a statutory duty to consult, he expressed interest and offered to meet me to discuss it further. I think the Minister present today will remember that, and I am interested to hear whether he and the new Business Secretary share the right hon. Gentleman's interest.

Finally, the manifesto emphasises the fact that workers' participation can be achieved only if workers understand the processes and technologies at work. In environments in which decisions are increasingly dictated by machines, people need to know, more than ever, what data is being held on them and how it is used.

I am aware that time is short and I look forward to hearing other hon. Members' contributions. I will conclude my remarks by saying that on 17 May I will introduce a ten-minute Rule Bill that builds on the TUC's important work and which I hope will bring us a bit closer to the rights-based approach I am advocating and which we urgently need. I ask any colleagues interested in supporting that Bill to speak to me after this debate.

2.44 pm

Damian Collins (Folkestone and Hythe) (Con): It is a pleasure to serve under your chairship this afternoon, Dame Maria, and I congratulate the hon. Member for Birkenhead (Mick Whitley), both on securing this very important debate and on his excellent speech.

Artificial intelligence is an enabling technology. It is driving the digital age, but it is based on a series of points of data that are gathered by computer systems and processed in order to make decisions. It still requires a huge amount of human intervention in determining what data will be drawn on and therefore what decisions should be made. Consequently, there has to be a level of human responsibility, as well.

We can see already from the development of AI that it is not just question of computer systems learning from existing patterns of behaviour; they are also effectively thinking for themselves. The development of AI in chess is a good example of that. Not only are AI systems learning to make the moves that a human would make, always selecting the perfect combination and, therefore, being much more successful. When given the command to win the game, AI systems have also developed ways of playing that are unique, that the human mind has not thought of or popularised, and that are yet more efficient at winning. That is very interesting for those interested in chess. Perhaps not everyone is interested in chess, but that shows the power of AI to make autonomous decisions, based on data and information it is given. Humans invented the game of chess, but AI can learn to play it in ways not thought of by humans.

The application of AI in the defence space is even more scary, as touched on by the hon. Member for Birkenhead. AI-enabled weapons systems can be aggressive, make decisions quickly and behave in unpredictable ways. The human strategist is not able to keep pace with them and we would require AI-driven defence systems to protect ourselves from them. It would be alarming to live in a world where aggressive technology driven by AI can be combatted only by AI, with no human intervention in the process. It is scary to think of a security situation, like the Cuban missile crisis in the 1960s, where the strategies are pursued solely by AI. Therefore, we will have to think as we do in other areas of warfare, where we have bans on certain types of chemical weapons. There are certain systems that are considered so potentially devastating that they will not be used—there are moratoriums on their use and deployment. When thinking about AI in the defence space, we may well have to consider what security to build into it as well. We also need to think about the responsibility of companies that develop AI systems just for their commercial interests. What responsibility lies on them for the systems that they have created?

The hon. Gentleman was right to say that this is like an industrial revolution. With industrial revolutions comes great change. People's ways of living and working

[Damian Collins]

can be disrupted, and they are replaced by something new. We cannot yet say with certainty what that something new could be. There are concerns, which I will come to in a moment, about the regulation of AI. There could be amazing opportunities, too. One can imagine working or classroom environments where children could visit historical events. I asked someone who works in education development how long it could take before children studying the second world war could put on a headset, sit in a virtual House of Commons and watch Winston Churchill deliver one of his famous speeches, as if they were actually sitting there. We are talking about that sort of technology being possible within the next decade.

The applications for learning are immense. Astronauts who practise going to the international space station do so from metaverse-style, AI-driven virtual spaces, where they can train. At the same time as we think about the good things that it can do, we should also consider the fact that very bad spaces could be created. In our debates on the Online Safety Bill, we have been concerned about abusive online behaviour. What if such abusive behaviour took place in a video chatroom, a virtual space, that looks just as real as this room? Who would be responsible for that?

It is beholden on the companies that develop these new technologies and systems to have responsibility for the output of those systems. The onus should be on the companies to demonstrate that what they are developing is safe. That is why my right hon. Friend the Chancellor of the Exchequer was right to set out in the Budget statement last year that the Government would fund a new AI sandbox. We have seen AI sandboxes developed in the EU. In Washington state in the United States, AI sandboxes are used to research new facial recognition technologies, which is particularly sensitive. The onus should be on the developer. The role of the regulator should be to say, "There are certain guidelines you work within, and certain things we might consider unsafe or unethical. You develop your technologies and new systems and put them through a sandbox trial. You make it easy for the regulator to ask about the data you are drawing from, the decisions the system you have put in place is making, the outcomes it is creating and whether they are safe."

We have already seen that learned behaviour through data can create unfair biases in systems. There was a case where Amazon used AI to sift through CVs for recruitment. The AI learned that it was largely men hired for the roles, and therefore discarded the CVs of women applying for the position because it assumed they would not be qualified. We should be concerned about biases built into data systems being exacerbated by AI.

Some people talk about AI as if it is a future technology—something coming—but it exists today. Every one of us experiences or interacts with AI in some way. The most obvious way for a lot of people is through the use of apps. The business model of social media apps is driven by recommendation, which is an AI-driven system. The system—Facebook, TikTok, Instagram or whatever it is—is data profiling the user and recommending content to keep them engaged, based on data, and it is AI driving those recommendation tools.

We have to be concerned about whether those systems create unfair practices and behaviours in the workplace. That is why the hon. Member for Birkenhead is right to raise this issue. If a gig economy worker—a taxi driver or a delivery courier—is paid only when they are in receipt of jobs on the app, does the app create a false incentive for them to be available for work all the time? Do they have to commit to being available to the app for most of the day, because if they do not it drives the work to people who have high recommendation scores because they are always available? Do people who cannot make themselves available all the time find that the amount they can earn is much less, if they do not get paid for waiting time when they use such apps? If that becomes the principal way in which a lot of tasks are driven, AI systems, which are built to be efficient and make it easy for people to access the labour market, could create biases that favour some workers over others. People with other jobs or family commitment, in particular, might not be able to make themselves available.

We should consider not just the way the technology works but the rights that citizens and workers have if their job is based on using those apps. The employer—the app developer—should treat the people who work for them as employees, rather than as just freelance agency workers who happen to be available at any particular time of the day. They have some sort of working relationship that should be honoured and respected.

The basic principle that we should apply when we think about the future of AI and its enormous potential to create growth and new jobs, and build fantastic new businesses, is that the rights that people enjoy today—their rights as citizens and employees—should be translated into the future world of technology. A worker should not lose their working rights simply because their relationship with their employer or their customer is through an app, and because that experience is shaped by the collection and processing of data. Ultimately, someone is doing that processing, and someone has created that system in order to make money from it. The people doing that need to be responsible for the technology they have created.

2.52 pm

Dean Russell (Watford) (Con): It is a privilege to speak in this debate, and I thank the hon. Member for Birkenhead (Mick Whitley) for securing it. I wanted to apply for it myself—he beat me to the chase, which is a wonderful thing.

Before I became an MP, one of my final clients was in the AI space. It dealt with artificial intelligence and psychology—I believe that my first entry in the Register of Members' Financial Interests was my final bit of work for it—so I have seen this technology evolve over many years. We often talk about technology revolutions, but this has been an incredibly fast evolution.

We are seeing Moore's law, which related to the size and scale of technology, affect society. The scale of what is happening right now is both inspirationally amazing and terrifying at the same time. It will absolutely shape the job market and the type of jobs that come through over the next few years. It will shape how people interface with their co-workers, with technology, with society and with politicians. It will affect every aspect of our lives.

I am particularly concerned about the use of artificial intelligence for deception. I have long said—not necessarily in the Chamber, so I put it on the record now—that there should be in law something that I would call the Turing clause. It would mean that when technology is used to deceive somebody into believing that they are talking to a real person or engaging with a real business, whether for entertainment or for any other purpose—for instance watching a deepfake, which is perhaps for entertainment purposes—it must be crystal clear to them that they are being deceived.

I will give some examples. I was recently speaking to somebody who works in the entertainment industry, running studios where they record sound, voiceovers and music. They said—I should declare that I do not know the scale of this issue and have not looked into the numbers—that lot of the studios are often being used to record voiceovers for AI companies, so that the AI can learn how to speak like a real person. We all know about fraud and scams in which somebody gets phoned up from a call centre and told, “Your insurance is up,” or by someone pretending to be from the Government. We saw, awfully, during the covid crisis how those horrible people would try to scam people. Doing that requires a number of people in a space.

Now imagine that AI can pretend to be somebody we know—a family member, for instance—and imitate their voice. It could call up and say, “I need some money now, because I am in trouble,” or, “I need some support.” Or it could say, “This is somebody from the Government; your tax affairs are an issue—send your details now.” There are a whole load of things going on in society that we will not know about until it is too late. That is why a Turing clause is absolutely essential, so that we are ahead of the curve on deception, deepfakes and areas where technology will be used to fool.

One incredibly important area in relation to the labour market that is not often talked about is the role of AI in creativity. DALL-E 2 is one of the tools, and there are many others popping up now. They can create artwork and videos almost at the speed of thought—typing in a particular phrase will create amazingly beautiful pictures—but they are pooling those from places where real artists and real musicians, with particular styles, have contributed. That is then presented as AI creativity. That could kill the graphic design industry. It could prevent people who are in the early stages of life as an artist, in both the visual and music worlds, from ever having an opportunity to be successful.

Just recently, Drake and the Weeknd—if I have those artists correct—had a song that was put online. I think that it even went on Spotify, but it was definitely on some streaming services. Everybody thought, “Gosh, this is a fantastic new collaboration.” It was not. It was AI pretending to be both of those artists with a brand new song. Artificial intelligence had created it. It was not until after the fact, and after the song had been streamed hundreds of thousands of times, that the big music companies said, “Hang on—that isn’t real. We need to stop this.” Then it was stopped.

In the case of social media, it took us many years to get to the fantastic Online Safety Bill. I was very fortunate to be on the Draft Online Safety Bill Joint Committee. Its Chair, my hon. Friend the Member for Folkestone and Hythe (Damian Collins), is in the room today, and he did a fabulous job. Getting to that point took 10 or

15 years. We do not have 10 or 15 months to legislate on AI. We probably do not have 10 or 15 weeks, given where we will be in a matter of days, with the new announcements and tools that are coming out.

Dr Cameron: I thank the hon. Gentleman for making those extremely important points. Just last week, we had the Children’s Parliament at the all-party parliamentary group on the metaverse and web 3.0. The children were excited about the opportunities of AI and the metaverse, and we were told on the day that the World Economic Forum predicts that technology will create 97 million new jobs by 2025 alone. But like the hon. Gentleman, they were also very concerned about what is real and what is not, and they were concerned about the mental health impact of spending much of the day in an altered reality setting. Does the hon. Gentleman agree that we need much more research into the mental health impact on staff and young people who are engaged in AI?

Dean Russell: I thank the hon. Member for her comments. Mental health is a passion of mine—I had a ten-minute rule Bill about ensuring that mental health first aiders are in the workplace—and I agree wholeheartedly. We saw that in evidence given to the Draft Online Safety Bill Joint Committee; Rio Ferdinand talked, including in his documentary, about the fact that what is said online can affect a person’s real life. The challenge with artificial intelligence is that it will not just be able to say those things; it will probably know precisely how to do the most harm, how to hit the right triggers to make people buy things and how to fool and deceive people to ensure they hand over money or their rights.

I will move on because I am conscious of time. I know we have quite a long time for this debate, but I do not intend to use it all; I promise. I think that the creativity part is absolutely essential. A few weeks ago, I predicted in Parliament that, in the next year or so, a No. 1 song will be created by artificial intelligence for the first time. I have no doubt that a No. 1 bestselling book will be written by artificial intelligence. I have no doubt that new songs in the voices of artists who are no longer around, such as Elvis Presley, will be released, and that actors who are sadly no longer alive will play starring roles in new films. We are seeing this already on a soft scale, but it is going to become more and more pervasive.

It is not all negative. I do not want to be a doomsayer. There are great opportunities: Britain—this wonderful country—could be the home of identifying and delivering transparency within those industries. We could be the country that creates the technology and the platforms to identify where artificial intelligence is being used; it could flag up when things are not real. It could, for example, force organisations to say who they are, what they are doing and whether they have used artificial intelligence. I think that will create a whole new world of labour markets and industries that will stem from this country and create all the jobs that we talked about earlier.

I am also concerned that we do not often talk in the same breath about artificial intelligence and robotics. In the industrial world, such as in warehouses and so on, there has been a rise in the use of robotics to replace real people. Office jobs are changing due to artificial

[Dean Russell]

intelligence. The role of accountants, of back-office staff and of both blue and white-collar workers will change.

As was stated earlier, the challenge with robotics is on things such as defence. Artificial intelligence is being used in robotics to get way ahead of the scale of where we are now. We really need to take that seriously. ChatGPT was probed. People tried to catch it out on different aspects of its response. When asked how it would steal the nuclear codes, it outlined how it would do it. I am not trying to give any bad actors out there any ideas, but it explained how it would use AI to control drones, and how they would be able to go in and do certain things. Hopefully, it got it all wrong. However, if AI is in not just our computers and mobile phones, but in drones and new robots that are incredibly sophisticated, incredibly small and not always identifiable, we need to be really wary.

There are many positives, such as for detection in the health sector and for identifying things such as breast cancer. Recently, I have seen lots of work about how artificial intelligence could be layered on the human aspect and insight, which was mentioned earlier, and enable the identification of things that we would not normally be able to see.

There is huge positive scope for using data. I have said previously that, if we were to donate our health data to live clinical trials in a way that was legitimate and pseudonymised, artificial intelligence could be used to identify a cure for cancer and for diseases that have affected our society for many centuries. In the same way that it has found new ways of playing chess, it might find new ways of changing and saving lives. There is great opportunity there.

Many years ago, I wrote an article called, “Me, Myself and AI”. In it, I commented on areas where AI is dangerous, but I also mentioned opportunities for positives. I would like to make one final point on this: we must also make sure that the data that goes into the AI is tracked not only for things such as royalties in creative industries, but for bias. I wrote an article on that a while ago. If we take a sample, say within a health context, and take that data based on only one ethnicity or demographic, the AI will develop options and solutions for that group. If we do not have the right data, regarding diversity, going into the analysis, we risk not being able to identify future issues. For example, sickle cell disease might get missed because the data that the AI is using is based only on clinical trials with white people.

There is a wide-ranging issue about what is being fed into the systems around AI and how we ensure that we identify where AI is being used—hence my point about a Turing clause when it comes to deception. We also need to know where it is being used, including in Government. We need to look at the opportunities, too: whole new industries around how we monitor AI, apply it and use the science of it.

AI is already there in the spelling of “Great Britain”. We have a great opportunity to be ahead of the curve, and we need to be because the curve will be moving beyond us within a matter of weeks or months—and definitely within years.

3.6 pm

Richard Thomson (Gordon) (SNP): It is a pleasure to serve under your chairship this afternoon, Dame Maria, and to take part in this particularly timely debate. I congratulate the hon. Member for Birkenhead (Mick Whitley) on securing it.

I begin by declaring a rather tenuous interest—a constituency interest of sorts—regarding the computing pioneer Alan Turing. The Turing family held the baronetcy of Foveran, which is a parish in my constituency between the north of Aberdeen and Ellon. Although there is no evidence that Alan Turing ever actually visited, it is a connection that the area clings to as fast as it can.

Alan Turing, of course, developed what we now know as the Turing test—a test of a machine’s ability to exhibit intelligent behaviour equivalent to, or indistinguishable from, that of a human. One of the developments to come closest to that in recent times is, of course, ChatGPT, which several speakers have mentioned already. It is a natural-language processing tool driven by AI technology, which has the ability to generate text and interact with humans.

The hon. Member for Birkenhead was a bit braver than I was; I only toyed with the idea of using ChatGPT to produce some of my speech today. However, I was put off somewhat by a very good friend of mine, with an IT background, using the ChatGPT interface to produce a biography of me. He then shared it with his friendship group on Facebook.

I think it is fair to say that it shows up clearly that if ChatGPT does not know the answer to something, it will fill the gap by making up something that it thinks will sound plausible. In that sense, it is maybe no different from your average Cabinet Minister. However, that does mean that, in subject areas where the data on which it is drawing is rather scant, things can get quite interesting and inventive.

Damian Collins: The hon. Gentleman makes an incredibly important point. When AI systems such as that are asked questions that they do not know, rather than responding, “I don’t know,” they just make something up. A human is therefore required to understand whether what they are being showed is correct. The hon. Gentleman knows his own biography better than ChatGPT does, but someone else may not.

Richard Thomson: I thank the hon. Member for that intervention. He has perhaps read ahead towards the conclusion of my speech, but it is an interesting dichotomy. Obviously, I know my biography best, but there are people out there, not in the AI world—Wikipedia editors, for example—who think that they know my biography better than I do in some respects.

However, to give the example, the biography generated by AI said that I had been a director at the Scottish Environmental Protection Agency, and, prior to that, I had been a senior manager at the National Trust for Scotland. I had also apparently served in the Royal Air Force. None of that is true, but, on one level, it does make me want to meet this other Richard Thomson who exists out there. He has clearly had a far more interesting life than I have had to date.

Although that level of misinformation is relatively benign, it does show the dangers that can be presented by the manipulation of the information space, and I think that the increasing use and application of AI raises some significant and challenging ethical questions.

Any computing system is based on the premise of input, process and output. Therefore, great confidence is needed when it comes to the quality of information that goes in—on which the outputs are based—as well as the algorithms used to extrapolate from that information to create the output, the purpose for which the output is then used, the impact it goes on to have, and, indeed, the level of human oversight at the end.

In March, Goldman Sachs published a report indicating that AI could replace up to 300 million full-time equivalent jobs and a quarter of all the work tasks in the US and Europe. It found that some 46% of administrative tasks and even 44% in the legal professions could be automated. GPT-4 recently managed to pass the US Bar exam, which is perhaps less a sign of machine intelligence than of the fact that the US Bar exam is not a fantastic test of AI capabilities—although I am sure it is a fantastic test of lawyers in the States.

Our fear of disruptive technologies is age-old. Although it is true to say that generally what we have seen from that disruption is the creation of new jobs and the ability to allow new technologies to take on more laborious and repetitive tasks, it is still extremely disruptive. Some 60% of workers are currently in occupations that did not exist in 1940, but there is still a real danger, as there has been with other technologies, that AI depresses wages and displaces people faster than any new jobs can be created. That ought to be of real concern to us.

In terms of ethical considerations, there are large questions to be asked about the provenance of datasets and the output to which they can lead. As *The Guardian* reported recently:

“The...datasets used to train the latest generation of these AI systems, like those behind ChatGPT and Stable Diffusion, are likely to contain billions of images scraped from the internet, millions of pirated ebooks”

as well as all sorts of content created by others, who do not get reward for its use; the entire proceedings of 16 years of the European Parliament; or even the entirety of the proceedings that have ever taken place, and been recorded and digitised, in this place. The datasets can be drawn from a range of sources and they do not necessarily lead to balanced outputs.

ChatGPT has been banned from operating in Italy after the data protection regulator there expressed concerns that there was no legal basis to justify the collection and mass storage of the personal data needed to train GPT AI. Earlier this month, the Canadian privacy commissioner followed, with an investigation into OpenAI in response to a complaint that alleged that the collection, use and disclosure of personal information was happening without consent.

This technology brings huge ethical issues not just in the workplace but right across society, but questions need to be asked particularly when it comes to the workplace. For example, does it entrench existing inequalities? Does it create new inequalities? Does it treat people fairly? Does it respect the individual and their privacy? Is it used in a way that makes people more productive by helping them to be better at their jobs and work smarter, rather than simply forcing them—notionally, at least—to work harder? How can we be assured that at the end of it, a sentient, qualified, empowered person has proper oversight of the use to which the AI processes are being put? Finally, how can it be regulated as it needs to be—beneficially, in the interests of all?

The hon. Member for Birkenhead spoke about and distributed the TUC document “Dignity at work and the AI revolution”, which, from the short amount of time I have had to scrutinise it, looks like an excellent publication. There is certainly nothing in its recommendations that anyone should not be able to endorse when the time comes.

I conclude on a general point: as processes get smarter, we collectively need to make sure that, as a species, we do not consequentially get dumber. Advances in artificial intelligence and information processing do not take away the need for people to be able to process, understand, analyse and critically evaluate information for themselves.

Dean Russell: This is one point—and a concern of mine—that I did not explore in my speech because I was conscious of its length. As has been pointed out, a speech has been given previously that was written by artificial intelligence, as has a question in Parliament. We politicians rely on academic research and on the Library. We also google and meet people to inform our discussions and debates. I will keep going on about my Turing clause—which connects to the hon. Gentleman’s point—because I am concerned that if we do not have something like that to highlight a deception, there is a risk that politicians will go into debates or votes that affect the government of this country having been deceived—potentially on purpose, by bad actors. That is a real risk, which is why there needs to be transparency. We need something crystal clear that says, “This is deceptive content” or “This has been produced or informed by AI”, to ensure the right and true decisions are being made based on actual fact. That would cover all the issues that have been raised today. Does the hon. Member share that view?

Richard Thomson: Yes, I agree that there is a very real danger of this technology being used for the purposes of misinformation and disinformation. Our democracy is already exceptionally vulnerable to that. Just as the hon. Member highlights the danger of individual legislators being targeted and manipulated—they need to have their guard up firmly against that—there is also the danger of people trying to manipulate behaviour by manipulating wider political discourse with information that is untrue or misleading. We need to do a much better job of ensuring we are equipping everybody in society with critical thinking skills and the ability to analyse information objectively and rationally.

Ultimately, whatever benefits AI can bring, it is our quality of life and the quality of our collective human capital that counts. AI can only and should only ever be a tool and a servant to that end.

3.16 pm

Justin Madders (Ellesmere Port and Neston) (Lab): It is a pleasure to see you in the Chair, Dame Maria. This has been a thoughtful and engaging debate on an important subject, and the contributions have raised very important issues.

I particularly thank my hon. Friend the Member for Birkenhead (Mick Whitley) for introducing this debate. I thought his opening remarks about me were uncharacteristically generous, so I had a suspicion that it did not all come from him—if he wants to blame the computer, that’s fine! As he did, I refer to my entry in

[Justin Madders]

the Register of Members' Financial Interests. My hon. Friend has a long history in the workplace and has seen how automation has changed work—particularly the kind done at Vauxhall Motors in Ellesmere Port—dramatically over many years. What we are talking about today is an extension of that, probably at a greater pace and with greater consequences for jobs than we have seen in the past.

My hon. Friend the Member for Birkenhead said there will be winners and losers in this; that is very important. We must be cognisant of sectors affected by AI where there will probably be more losers than winners, including manufacturing, transport and public administration. My hon. Friend hit the nail on the head when he said that we must have a rights-based and people-focused approach to this incredibly complicated subject. He was right to refer to the TUC paper about the issue. We cannot go far wrong if we hold to the principles and recommendations set out there.

The hon. Member for Folkestone and Hythe (Damian Collins) made an excellent contribution, showing a great deal of knowledge in this area. He is absolutely right to say that there has to be a level of human responsibility in the decision-making process. His references to AI in defence systems were quite worrying and sounded like something from the “Terminator” films. It sounds like dramatic science fiction, but it is a real, live issue that we need to address now. He is right that we should ensure that developers are able to clearly demonstrate the data on which they are basing their decisions, and in saying that the gig economy is a big part of the issue and that the intervention of apps in the traditional employment relationship should not be used as a proxy to water down employment rights.

The hon. Member for Watford (Dean Russell) also gave a very considered speech. He summed it up when he said that this is both amazing and terrifying. We have heard of some wonderful things that can be done, but also some extremely worrying ones. He gave examples of deception, as well as of the wonderful art that can be created through AI, and encapsulated why it is so important that we have this debate today. Although the debate is about the potential impacts of AI, it is clear that change is happening now, and at a dramatic pace that we need to keep up with; the issue has been affecting workers for some time now.

When we survey the Government's publications on the impact of AI on the market, it is readily apparent that they are a little bit behind the curve when it comes to how technologies are affecting the way work is conducted and supervised. In the 2021 report, “The Potential Impact of Artificial Intelligence on UK Employment and the Demand for Skills”, and the recent White Paper that was published last month, there was a failure to address the issues of AI's role in the workplace. The focus in both publications was the bigger picture, but I do not think they addressed in detail the concerns we have discussed today.

That is not to downplay the wider structural economic change that AI could bring. It has the potential to have an impact on demand for labour and the skills needed, and on the geographical distribution of work. This will be a central challenge for any Government over the next few decades. As we have heard, the analysis already

points in that direction, with the 2021 Government report estimating that 7% of jobs could be affected in just five years and 18% in 10 years, with up to 30% of jobs over 20 years facing the possibility of automation. That is millions of people who may be displaced in the labour market if we do not get this right.

I will focus my comments on the impact on individual workers, because behind the rhetoric of making the UK an AI superpower, there are statements about having a pro-innovation, light-touch and coherent regulatory framework, with a desire not to legislate too early or to place undue burdens on business. That shows that the Government are, unfortunately, content to leave workers' protections at the back of the queue. It is telling that in last month's White Paper—a document spanning 91 pages—workplaces are mentioned just three times, and none of those references are about the potential negative consequences that we have touched on today. As we are debating this issue now, and as the Minister is engaged on the topic, we have the opportunity to get ahead of the curve, but I am afraid that the pace of change in the workplace has completely outstripped the pace of Government intervention over the last number of years.

It has been four years since we saw the Government's good work plan, which contained many proposals that might help mitigate elements of AI's use in the workplace. The Minister will not be surprised to hear me mention the employment Bill, which has been promised on many occasions and could have been an opportunity to consider some of these issues. We need an overarching, transformative legislative programme to deal with these matters, and the many other issues around low pay and chronic insecurity in the UK labour market—and we need a Labour Government to provide that.

With an absence of direction from Government, there is already a quiet revolution in the workplace being caused by AI. Workers across a broad range of sectors have been impacted by management techniques derived from the use of artificial intelligence. The role of manager is being diluted. Individual discretion, be it by the manager or worker, has in some instances been replaced by unaccountable algorithms. As we have heard, such practices carry risks.

Reports both in the media and by researchers have found that workplaces across a range of sectors are becoming increasingly monitored and automated, and decisions of that nature are becoming normalised. A report on algorithmic systems by the Institute for the Future of Work noted that that is ultimately redefining work in much narrower terms than can be quantified by any algorithm, with less room for the use of human judgment. Crucially, the institute found that workers were rarely involved in or even consulted about these types of data-driven technologies. The changes have completely altered those people's experience of work, with greater surveillance and greater intensification, and use in disciplinary procedures. Members may be aware that there is now a greater use of different varieties of surveillance, including GPS, cameras, eye-tracking software, heat sensors and body-worn devices, so the activities of workers can be monitored to an extent that was hitherto unimaginable.

Of course, surveillance is not new, but the way it is now conducted reduces trust, and makes workers feel more insecure and as if they cannot dispute the evidence

that the technology tells people. Most at risk of that monitoring, as the Institute for Public Policy Research has said, are those in jobs with lower worker autonomy, those with lower skills, and those without trade union representation. The latter is an area where the risk increases substantially, which tells us everything that we need to know about the importance of becoming a member of a trade union. The news today that the GMB is making progress in obtaining recognition at Amazon is to be welcomed in that respect.

Increased surveillance and monitoring is not only problematic in itself; it can lead to an intensification of work. Testimony from workers in one study stated that they are expected to be conducting work that the system can measure for 95% of the working day. Time spent talking to colleagues, using the bathroom or even taking a couple of minutes to make a cup of tea will not be registered as working, and will be logged for a manager to potentially take action against the individual. That pressure cannot be conducive to a healthy workplace in the long run. It feels almost like automated bullying, with someone monitoring their every move.

Many businesses now rely on AI-powered systems for fully automated or semi-automated decision making about task allocation, work scheduling, pay, progression and disciplinary proceedings. That presents many dangers, some of which we have talked about. Due to the complexities in the technology, AI systems can sometimes be a trusted black box by those who use them. The people using them assume that the outcome that emerges from the AI system is free of bias and discrimination, and constitutes evidence for the basis of their decisions, but how does someone contest a decision if they cannot question an algorithm?

As we have heard, there is potential for algorithmic bias. AI technology can operate only on the basis of the information put into it. Sometimes human value judgments form the basis of what is fed into the AI, and how the AI analyses it. As the hon. Member for Folkestone and Hythe mentioned, there are some famous examples, such as at Amazon, where AI was found to be systematically disconsidering women for particular job applications because of the way the algorithm worked. There is little transparency and a lack of checks and balances regarding how the technology can be used, so there is a palpable risk of AI-sanctioned discrimination running riot without transparency at the forefront.

I would like the Minister to commit to looking at how the technology works in the workplace at the moment, and to making an assessment of what it is being used for and its potential to discriminate against people with protected characteristics. The Data Protection and Digital Information (No. 2) Bill will create new rights where wholly automated decision making is involved, but the question is: how will someone know when a fully automated decision has been taken if they are not told about it? Is there not a risk that many employers will slot into the terms and conditions of employment a general consent to automated decision making, which will remove the need for the person to be notified all together?

A successful AI strategy for this country should not be built on the back of the poor treatment of workers, and it is the Government's role to create a legal and regulatory environment that shields workers from the most pernicious elements of these new technologies.

That cannot be fixed by introducing single policies that tinker at the edges; it requires a long overdue wholesale update to our country's employment laws. As the Minister will know, our new deal for working people will set out a suite of policies that address that. Among other things, it will help to mitigate the worst effects of AI, and will introduce measures that include a right to switch off, which will guard against some of the egregious examples of AI being used to intensify people's work.

As the organised representation of the workforce, trade unions should be central to the introduction of any new technologies into the workplace. Not only will that enable employers and their representatives to find agreeable solutions to the challenges raised by modern working practices, but it will encourage more transparency from employers as to how management surveillance and disciplinary procedures operate. Transparency has been picked up a few times and it is key to getting this right.

Artificial intelligence's impact is already being felt up and down the country, but the Government have not been quick enough to act, and its worst excesses are already out there. The need for transparency and trust with technology is clear, and we need to make sure that that has some legislative backing. It is time for a Labour Government to clear that up, stand up for working people and bolster our labour market so that new technologies that are already with us can be used to make work better for everyone.

3.31 pm

The Parliamentary Under-Secretary of State for Business and Trade (Kevin Hollinrake): I am grateful to be called, Dame Maria, and it is a pleasure to speak in the debate. I congratulate the hon. Member for Birkenhead (Mick Whitley) on bringing this timely subject forward. I thought it would be appropriate to type his question into ChatGPT. I put in, "What is the potential impact of AI on the labour market?" It said, "AI has the potential to transform many aspects of the economy and society for the better. It also raises concerns about job displacement and the future of work." That is it in a nutshell. It did not say that it was time for a Labour Government.

Justin Madders: Did the AI tell the Minister that the Conservative Government have got everything right?

Kevin Hollinrake: I have not actually posed that question, but perhaps I could later.

This is an important debate, and it is important that we look at the issue strategically. The Government and the Labour party probably have different approaches: the Labour party's natural position on this kind of stuff is to regulate everything as much as possible, whereas we believe that free markets have had a tremendous effect on people's lives right across the planet. Whether we look at education, tackling poverty or child mortality, many of the benefits in our society over the last 100 years have been delivered through the free market.

Our natural inclination is to support innovation but to be careful about its introduction and to look to mitigate any of its damaging effects, and that is what is set out in the national AI strategy. As we have seen, it has AI potential to become one of the most significant innovations in history—a technology like the steam engine, electricity or the internet. Indeed, my hon. Friend

[Kevin Hollinrake]

the Member for Folkestone and Hythe (Damian Collins) said exactly that: this is like a new industrial revolution, and I think it is a very exciting opportunity for the future. However, we also have key concerns, which have been highlighted by hon. Members today. Although the Government believe in the growth potential of these technologies, we also want to be clear that growth cannot come at the expense of the rights and protections of working people.

Only now, as the technology rapidly improves, are most of us beginning to understand the transformative potential of AI. However, the technology is already delivering fantastic social and economic benefits for real people. The UK's tech sector is home to a third of Europe's AI companies, and the UK AI sector is worth more than £15.6 billion. The UK is third in the world for AI investment, behind the US and China, and attracts twice as much venture capital investment as France and Germany combined. As impressive as they are, those statistics should be put into the context of the sector's growth potential. Recent research predicts that the use of AI by UK businesses will more than double in the next 20 years, with more than 1.3 million UK businesses using AI by 2040.

The Government have been supporting the ethical adoption of AI technologies, with more than £2.5 billion of investment since 2015. We recently announced £100 million for the Foundation Models Taskforce to help build and adopt the next generation of safe AI, £110 million for our AI tech missions fund and £900 million to establish new supercomputer capabilities. These exascale computers were mentioned in the Budget by my right hon. Friend the Chancellor. These developments have incredible potential to bring forward new forms of clean energy, and indeed new materials that can deliver that clean energy, and to accelerate things such as medical treatment. There are exciting opportunities ahead.

If we want to become an AI superpower, it is crucial that we do all we can to create the right environment to harness the benefits of AI and remain at the forefront of technological developments. Our approach, laid out in the AI White Paper, is designed to be flexible. We are ensuring that we have a proportionate, pro-innovation regulatory regime for AI in the UK, which will build on the existing expertise of our world-leading sectoral regulators.

Our regulatory regime will function by articulating five key principles, which are absolutely key to this debate and tackle many of the points that have been made by hon. Members across the Chamber. Regulators should follow these five principles when regulating AI in their sectors: safety, security and robustness; transparency and explainability; fairness; accountability and governance; and contestability and redress. That feeds into the important points made by my hon. Friend the Member for Watford (Dean Russell), who held this ministerial position immediately prior to myself, about deception, scams and fraud. We can all see the potential for that, of course.

Clearly, right across the piece, we have regulators with responsibility in those five areas. Those regulators are there to regulate bona fide companies, which should do the right thing, although we have to make sure that they do. For instance, if somebody held a database with inappropriate data on it, the Information Commissioner's

Office could easily look at that, and it has significant financial penalties at its disposal, such as 4% of global turnover or a £17 million fine. My hon. Friend the Member for Watford made a plea for a Turing clause, which I am, of course, very happy to look at. I think he was referring to organisations that might not be bona fide, and might actually be looking to undertake nefarious activities in this area. I do not think we can regulate those people very effectively, because they are not going to comply with anybody's regulations. The only way to deal with those people is to find them, catch them, prosecute them and lock them up.

Damian Collins: The Minister talks about safety, but does he agree that that has to be safety by design, and not just having response mechanisms built into the system so that a victim can appeal? I know he has looked at fraud a lot in the past, and there is a presumption that all will be done to combat fraud at its known source, rather than just providing redress to victims.

Kevin Hollinrake: That is absolutely right. We will not deal with everything in the world of AI in this respect, but there needs to be overarching responsibility for preventing fraud. That is something we have committed to bringing forward in another legislative vehicle—the Economic Crime and Corporate Transparency Bill, which is passing through Parliament now—but I agree with my hon. Friend that there should be a responsibility on organisations to prevent fraud and not simply deal with the after-effects.

Our proposed framework is aligned with and supplemented by a variety of tools for trustworthy AI, such as assurance techniques, voluntary guidance and technical standards. The Centre for Data Ethics and Innovation published its AI assurance road map in December 2021, and the AI Standards Hub—a world-leading collaboration led by the Alan Turing Institute with the National Physical Laboratory and the British Standards Institution—launched last October. The hub is intended to provide a co-ordinated contribution to standards development on issues such as transparency, security and uncertainty, with a view to helping organisations to demonstrate that AI is used safely and responsibly.

We are taking action to ensure that households, public services and businesses can trust this technology. Unless we build public trust, we will miss out on many of the benefits on offer. The reality is that AI, as with other general-purpose technologies, has the potential to be a net creator of jobs. I fully understand the points raised by the hon. Member for Birkenhead—of course, we do not want to see swathes of people put out of work because of this technology. I hasten to add that that has never been the case with other technologies. There have been many concerns over the ages about how new technologies will affect jobs, but they tend to create other jobs in different sectors. The World Economic Forum estimates that robotics, automation and artificial intelligence will displace 85 million jobs globally by 2025, but create 97 million new jobs in different sectors, which I will discuss in a second. I think the hon. Member for Birkenhead asked in his speech whether I would be willing to meet him to discuss these points; I am always very happy to do that, if we can convene at another time.

The hon. Member also raised the point about how AI in the workplace has the potential to liberate the workforce from monotonous tasks such as inputting data or scanning through documents for a single piece of information. I will address the bigger concerns he has around that, but in the public sector it would leave teachers with more time to teach, clinicians with more time to spend with patients and police officers with more time on the beat, rather than being behind a desk.

As was raised in a salient point by my hon. Friend the Member for Folkestone and Hythe, AI also has tremendous potential in defence and national security. That is absolutely critical. It was interesting that leading people in the world of technology, led by Elon Musk, recently wrote a letter asking for a six-month pause while we look at how we can properly moderate the impacts of AI. I am not sure that that is a good idea, because I am not sure China and Russia would play that game. It is important that we stay ahead of the curve, for exactly the reasons pointed out by my hon. Friend.

Damian Collins: The Minister is exactly right. That initiative also suggests that AI is not yet here but, actually, the issues we have discussed today exist already. We can look at them already; we do not need a six-month pause to do that.

Kevin Hollinrake: That is absolutely right. There is an opportunity but also a potential threat. It is important that we continue to invest, and it is great that the UK is ahead of the game in its investment, behind only the US and China, which are obviously much bigger economies.

The key thing is that we take action on skills, skilling up our workforce in the UK to take advantage of the potential of AI. Clearly, a good computing education is at the heart of that. We have overhauled the outdated information and communications technology curriculum and replaced it with computing, and invested £84 million in the National Centre for Computing Education to inspire the next generation of computer scientists. Our national skills fund offers to do just that, with free level 3 qualifications for adults and skills bootcamps in digital courses, including coding, AI and cyber-security, available across England.

On that point, as well as the opportunities in AI, we need to look at the new opportunities in the new economy. Some jobs will be displaced, so we need to ensure that we are skilling up our workforce for other opportunities in our new economy, be it data science or green jobs with the green jobs taskforce. Recently, in Hull, there were 3,000 new jobs in the wind turbine sector with a starting salary of £32,000, which illustrates the potential for green jobs in our economy. So although jobs might be displaced, others, hopefully better-paid jobs will replace them. We want a higher-wage, higher-skilled economy.

The Government are also supporting 16 centres for doctoral training, backed by an initial £100 million, delivering 1,000 PhDs. We expanded that programme with a further £117 million at the recent launch of the Government's science and technology framework. Last year, we invested an additional £17 million in AI and data science postgraduate conversion courses and scholarships to increase the diversity of the tech workforce, on top of the £13 million that has been invested in the programme since 2019-20. We also invested £46 million to support the Turing AI fellowships to attract the best and brightest AI talent to work in the UK.

The point about protections for workers' rights was raised by many Members in the debate, not least the hon. Members for Gordon (Richard Thomson) and for Birkenhead; the shadow Minister, the hon. Member for Ellesmere Port and Neston (Justin Madders); and my hon. Friends the Members for Folkestone and Hythe and for Watford. It is important to see the Government's position on workers' rights here. We are bolstering workers' rights, raising the national living wage, with the highest increase on record—a near 10% increase—and six private Members' Bills that increase workers' rights, including on flexible working and other issues. There is also the Employment (Allocation of Tips) Bill, which is the favourite Bill of my hon. Friend the Member for Watford, who was its sponsor prior to becoming the Minister.

On the concerns many raised about workplace monitoring, we are committed to protecting workers. A number of laws are already in place that apply to the use of AI and data-driven technology in the workplace, including in decision making, which was raised by the hon. Member for Ellesmere Port and Neston. The Equality Act 2010 already requires employers and service providers not to discriminate against employees, job applicants and customers. That includes discrimination through actions taken as a result of an algorithm or a similar artificial intelligence mechanism. Tackling discrimination in AI is a major strand of the Equality and Human Rights Commission's three-year strategy. Existing data protection legislation protects workers where personal data is involved, and that is one aspect of existing regulation on the development of AI systems and other technologies.

Reforms as part of the Data Protection and Digital Information Bill will cast article 22 of the UK GDPR as a right to specific safeguards, rather than as a general prohibition on solely automated decision making. These rights ensure that data subjects are informed about, and can seek human review of, significant decisions that are taken about them solely through automated means, which was a point raised by the shadow Minister. Employment law also offers protections. The Employment Rights Act 1996 provides that employees with two years of continuous service are protected from unfair dismissal, which would encompass circumstances where employees' article 8 and UK GDPR rights have been breached in the algorithm decision-making process that led to the dismissal.

Of course, all good employers—by their very nature—should use human judgment. The best way we can help employers in any workplace is to have a strong jobs market where employers have to compete for employees. That is the kind of market we have delivered in this economy, despite some of the difficulties that surround it.

I once again thank the hon. Member for Birkenhead for tabling this timely and important debate. To be clear again, we have a strong ambition for the UK to become a science and technology superpower, and AI is a key part of that. However, the Government recognise the concerns around these technologies and appreciate that, as with all new technologies, trust has to be built. We will continue to build our understanding of how the employment rights framework operates in an era of increasing AI use. AI has the potential to make an incredibly positive contribution to creating a high-wage, high-skill and high-productivity economy. I very much look forward to seeing the further benefits as matters progress.

3.48 pm

Mick Whitley: I thank Members for their contributions this afternoon, which were eloquent and well put. It is good that we are bringing this issue to the seat of power—the seat of Government—so that Ministers understand our fears. While we embrace AI, there must be built-in protections for people because not all employers are good employers. There are some bad employers about who will take advantage of AI. We need safeguards for workers and people being replaced by machines. At the end of the day, this issue is coming down our street, so we will need to revisit it again and understand it better.

Question put and agreed to.

Resolved,

That this House has considered the potential impact of artificial intelligence on the labour market.

3.49 pm

Sitting suspended.

Rail Services: Carshalton and Wallington

3.58 pm

Dame Maria Miller (in the Chair): I will call Elliot Colburn to move the motion, and then I will call the Minister to respond. There will not be an opportunity for the Member in charge to wind up, as is the normal convention for a 30-minute debate.

3.59 pm

Elliot Colburn (Carshalton and Wallington) (Con): I beg to move,

That this House has considered rail services in Carshalton and Wallington constituency.

It is a pleasure to serve under your chairmanship, Dame Maria. This is not the first time that I have had to raise rail provision in the Carshalton and Wallington constituency, and I am sure it will not be the last. First of all, I thought it might be useful for me to outline the situation that my constituents currently face when it comes to local public transport provision. Being situated in a London borough—the London Borough of Sutton—many people will assume that Carshalton and Wallington is incredibly well-connected in its public transportation. However, if anyone looked at my own casework inbox, they would see that that is far from the case.

Broadly, the borough has an average public transport accessibility level, or PTAL, of just 2, with parts of my constituency ranking at level 1 or even zero. What is more, Sutton continually ranks at the bottom of connectivity surveys and is the only London borough not to have access to an underground, overground or Crossrail station. As you can imagine, Dame Maria, that puts enormous strain on the existing public transport network, especially the rail service, which is not helped by the limited bus system.

The strain is felt across all four local train stations: Carshalton, Wallington, Hackbridge and Carshalton Beeches. It is not just the gap at Hackbridge station—I will talk more about that later—that my constituents have to consider, but the gap in overall service. That is because trains running through these stations take commuters north to central London, particularly London Bridge and Victoria, and south to Sutton, Epsom, Dorking, Horsham and further afield. Even before the pandemic, many of the peak services would already be at capacity by the time they reached one of our local stations, and well before they reached their intended destination. I had not been in this place for long before lockdown, but emails from constituents attested to cramped and uncomfortable journeys. I had experienced such journeys myself, as someone who used to commute from those stations. Indeed, I now commute every day to this place.

Fast forward to today, and post pandemic the situation is largely unchanged, just with fewer trains. Despite the return to user levels reminiscent of pre-lockdown levels—at least, that seems to be the case—commuters in Carshalton and Wallington still have to face very cramped peak-time trains.

I have met representatives from Govia Thameslink Railway—the parent company of both Southern and Thameslink, which operate in our four stations—and from Network Rail, and I have brought up the need for

more trains to call at Carshalton and Wallington stations during peak times. I would be grateful if the Minister could comment on the work the Government are doing to hold rail providers to account and bring back a full return to pre-pandemic services, and indeed to build upon them.

There are other issues that affect rail provision and the ability to boost the number of trains that can run effectively and on time, or even at all. For residents of Carshalton and Wallington, the train timetable tells one story, but the reality on the station platforms tells a very different one. Our lines are bedevilled with cancellations because of broken trains, a lack of drivers or signalling faults; at least, those are the reasons we are given. I hope that the Minister can shed some light on the work that the Government are doing to tackle those issues.

The other thing I find slightly confusing is that a reason that is often given for not reinstating peak service train timetables in the morning is that more people use the rail service at the weekend, and yet many of my constituents say that at weekends they cannot get a train and have to use replacement bus services, because engineering works are taking place. That becomes incredibly difficult, and I find it very confusing why engineering works cannot be done more efficiently.

I want to touch on infrastructure in a bit more detail. Much of the existing infrastructure is outdated and unreliable, which often means that trains that are scheduled to run are unable to do so, or that there are slower turnaround times for those that can run. Indeed, the infrastructure on the railway network in south London is preventing what is known as the metroisation of suburban rail services in London—the “turn up and go” service that we experience on the London overground. I know that there is an ambition to bring that to some national rail services, particularly in suburban London. With the infrastructure as it is, it is just not possible to achieve that.

I know the Government are already doing a number of things to try to ensure that not just Carshalton and Wallington residents, but the whole country, can reach its connectivity potential. Those things include electrification, digital signalling and better co-ordination between operators and Network Rail, the latter of which would hopefully alleviate many of the problems that we face with frequent service disruption. I would be grateful for an update from the Minister as to where we are in better fulfilling those connectivity challenges through advancements and improvements.

One of the biggest problems preventing us from having a more regular rail timetable is congestion on the railway line. That all comes down to the Selhurst junction—the so-called Croydon bottleneck. Network Rail has drawn up the Croydon area remodelling scheme to try to alleviate congestion at that junction, which is the main junction of the Brighton main line and suburban south London. Not only will the knock-on effects allow more trains and more frequent and reliable services on the Brighton main line, but suburban south London, including Carshalton and Wallington, will be able to run more trains, and more effective and longer trains. If finally implemented, the bottleneck scheme could not only unlock capacity in the south but improve economic output. I would be grateful if the Minister gave an

update on the Government’s position on the Croydon bottleneck scheme and what can be done to reignite its potential.

While I fully accept that solutions to some of these issues may take some time to implement, some issues can be dealt with a lot more quickly. Even if more trains appeared on our timetables overnight, there would still be the issue of the trains calling at our stations, particularly Hackbridge and Carshalton Beeches stations. I have spoken to the Minister about this before, so I hope he will forgive me for repeating it. Hackbridge station has two main problems. First, it can only accommodate seven cars, when most of the trains that go through it at peak times have eight cars or more. If the platform were extended to accommodate at least eight cars—preferably 10—it would mean more safety for commuters waiting on that platform, particularly in the morning when the northbound platform towards central London can get very cramped.

Secondly, the southbound platform at Hackbridge has a very serious safety concern at the front end, where the gap between train and platform is so big that it has led to a number of accidents involving constituents falling in that gap, and stalling the rail network as a result. Thankfully, GTR and Network Rail have agreed to lower the level of the track to make it safer. However, they have not committed to completing that work until 2027. I do not think that is fast enough, because this is a very serious safety concern. The gap is so big that even a ramp is an unsafe alternative for those who have mobility problems. I am concerned about someone really hurting themselves by falling down the gap. That has happened already; we have avoided something incredibly serious, but it is not beyond the realms of possibility.

At Carshalton Beeches station we have connectivity problems, because the southbound platform does not have step-free access. I have applied many times to the Access for All fund to try to make that right. Those who are travelling back to Carshalton Beeches from central London or other parts of the rail network have to carry on through to Sutton, change platforms and then come back to Carshalton Beeches to disembark safely. As someone who passionately believes that the rail network should be accessible to all, I do not think that those with mobility problems should be subjected to that. What opportunities might there be to apply for the funding to finally make all four of my local stations completely step-free, both northbound and southbound.

In a debate about public transport in my constituency, it would be remiss of me not to mention the ultra-low emission zone. Although it is not directly related to rail services, there is a problem here connected to public transport provision. My constituents are faced with the real possibility that in August they will have to pay £12.50 a day just to use their vehicles in Carshalton and Wallington, as will people planning to visit the local area. The retort of, “Just get on public transport” does not work if we consider the state of the public transport network, as I have set out. The lack of rail services and other public transport infrastructure, and the unreliability of the service that does exist, further adds to the headache my constituents face when going about their day-to-day business.

I reiterate my call to the Mayor of London to scrap plans to expand the ULEZ. My call is backed by the Liberal Democrats and the Green party, and I hope the

[*Elliot Colburn*]

Minister will join me in it, too. This is the wrong time, and the plans will not work. I sincerely hope that I have the Government's support on that. Yes, there are issues holding up full restoration of pre-pandemic peak services, but there are a number of solutions, too. These vary in implementation length, depending on the work needed to put them in place. However, solutions will free up capacity, increase usage and unleash unrealised potential across Carshalton, Wallington and further afield.

I sincerely hope that we can hear some Victorian-level ambition for our railway network from the Minister today. Rail does not have to be a relic of a bygone age. It can help super-charge our local economy and unlock new growth, not just for my area but for the rest of south London and the UK. The potential of a well resourced, well built and well serviced railway is exponential—so long, of course, as the Government's rail plans remain on track.

4.11 pm

The Minister of State, Department for Transport (Huw Merriman): It is a pleasure to serve under your chairship, Dame Maria. I thank my hon. Friend the Member for Carshalton and Wallington (*Elliot Colburn*) for securing this important debate on rail services in his constituency. He is right that, at every opportunity since I was appointed six months ago, he has got hold of me to champion the rights of his constituents. As he says, he is a constituency Member who has a lot of constituents who rely on rail. I am keen to work with him to make their service better.

I will start by setting the context, and talking about covid and changing demand. I am conscious that over the months, my predecessors and I have talked about the challenges, but I want to be more optimistic about the future for rail. I believe it has a great future. Over the past few months, there have been encouraging signs that passengers' confidence in our railway is beginning to be restored. Nationally, passenger numbers show signs of improvement, and have come close on several occasions to levels seen in equivalent weeks in 2019. There has also been some improvement in the revenue generated across the industry; in some weeks, it averages around 90% of what was generated in that week in 2019.

I believe there is a great future for rail. It is the greener way to travel, and we have a railway heritage. The great people who work on it deserve our support and thanks. I am keen to entice as many people as possible back on to the network, so that we can continue to improve it. However, the pandemic has caused unprecedented change in passenger travel habits. Many people now adopt a hybrid approach, working from home some days of the week, and travelling at different times of the day to avoid the peaks. That means it is quite difficult to make like-for-like comparisons with 2019.

In the light of that, my Department has been working with operators to ensure that they provide rail services that respond to new passenger travel patterns, are fit for the future, and carefully balance cost, capacity and performance. As has often been remarked, the Government have earmarked £16 billion of funding for rail services since the start of the pandemic. That is money from the taxpayer. That is clearly unsustainable in the long term. I am sure you would agree, Dame Maria, that it is

unfair to expect taxpayers to subsidise services that continue to exceed demand, and on which there are empty spaces, considering all the costs that over-provision would entail. We must ensure that services are balanced to meet the challenges.

In the constituency of my hon. Friend the Member for Carshalton and Wallington, off-peak and peak passenger use remains below pre-pandemic levels. The September 2022 timetable change saw the Monday to Friday off-peak and weekend service from Carshalton to London Victoria via Mitcham Junction reduced from four trains per hour to two. Those changes were made in response to our requirement for operators to balance capacity and demand. The weekday peak service remained at four trains per hour. There are no timetable changes in May 2023, but the Epsom to London Bridge route via Carshalton Beeches and Wallington service will now predominantly run as a four or five-carriage formation off-peak on weekdays and weekends, reflecting demand. Weekday peak services will continue to operate with eight or 10 carriages, to meet higher demand.

Let me turn to the performance of the operator. After some significant challenges in December, which were associated with continued driver availability constraints and high levels of annual leave, I am pleased to see that cancellations have reduced significantly this year, especially in recent periods. GTR retains a considerable focus on continuing that improving trend and delivering the reliability that customers expect and deserve. My Department is working closely with GTR, and as my hon. Friend might expect, closely monitors levels of short-notice cancellations and service delays. Any decrease in performance in those areas can negatively impact the management fee that the train operator receives.

My hon. Friend rightly expects closer working between the operator and Network Rail. GTR and Network Rail collaborate on plans for future investment, maintenance and operation of the railway in the area. Indeed, since I have been appointed, I have insisted on having meetings with both Network Rail's regional director and the head of the train operator, so that I can hear about their integration at first hand. The Department actively encourages closer working to improve the overall experience for passengers.

My hon. Friend rightly asked about infrastructure upgrades, including the Brighton main line upgrade programme. Of course, I understand the desire for an update on the Croydon area remodelling scheme, which seeks to address capacity constraints in the Croydon area. As he will be aware, following the autumn statement and the more recent Budget, we are reviewing the rail network enhancements pipeline, which is our programme for investment in future rail. In the economic context, it is more important than ever that the enhancement schemes that we take forward are affordable, and respond to the changes in demand for travel that I described. We are taking the proper time to ensure that schemes in the portfolio reflect those priorities. We will make the outcome public once the work is complete, thereby confirming the status of schemes across England and Wales, including the Croydon area remodelling scheme, so I ask my hon. Friend to give us a little more time before we update him.

My hon. Friend also asked about digital signalling, which I am very excited about. A programme is being rolled out on the London North Eastern Railway, on the east coast. I have seen the work that has been undertaken,

and have worked alongside those who are delivering it. The efficiencies that it will bring are incredibly exciting. Network Rail is considering conversion to digital signalling on the Brighton main line as part of its renewals process for control period 7; I will bring him further news on that front as and when we have it.

My hon. Friend rightly talks about how we can help those with mobility issues to access the railway. We want a railway network that provides disabled people with improved opportunities for work and leisure travel. Indeed, we want to help all those who struggle to get on the railway, including parents with children in buggies, so that the railway, rather than the car, is a choice for them. The Department is very proud to support the Access for All programme, which has provided step-free accessible routes at over 220 stations, and smaller-scale access improvements at 1,500 more stations. All available Access for All funding has been allocated to projects until March 2024, but we are assessing over 300 nominations with Network Rail for stations for future awards. I am pleased to say that those include a nomination for Carshalton Beeches station, in anticipation of further funding becoming available beyond 2024. I expect to make an announcement regarding successful schemes later this year. I hope that my hon. Friend will bear with us as we assess his scheme, and I wish him well in that regard.

With respect to the larger-than-usual gap between the platform and the front of the train at Hackbridge station, which my hon. Friend mentioned, I can report that Network Rail is actively considering a full renewal of the platform, which would come in a few years hence. That would reduce the gap. I hope to bring him more

news, and I thank him for bringing that to our attention. I can assure him that we are looking at the issue with Network Rail.

Finally—this is not in the rail portfolio, but it is right for me to respond for the Department for Transport—my hon. Friend made his views on the ULEZ expansion clearly known. I thank him for bringing the matter to Parliament and to the attention of the Government. All I would say is that if I were Mayor of London, which would be unlikely given that I am an East Sussex MP, I would not expand the ultra low emission zone, particularly given the financial impact on drivers and visitors to London, as my hon. Friend said. I will continue to use my role to work with him, and across Government, to ensure that the Mayor of London is held accountable for any decision that he makes. I am aware, as I know many Londoners and many people just outside London are—I am one of them, as I have mentioned—that cash barriers around London will have an impact on London as a whole and businesses in London. My hon. Friend makes the point well.

I hope that my hon. Friend has been reassured by the information that I have been able to give him, and that he can see the Government's ambition to improve journeys for passengers and create a better, more modern railway industry that delivers good value for money. He is a real champion for his constituents, so I am sure that he will continue to engage with me, stop me to talk to me at every opportunity, and hold further debates. I thank him for this debate.

Question put and agreed to.

4.20 pm

Sitting suspended.

Office for Students

4.25 pm

Emma Hardy (Kingston upon Hull West and Hessle) (Lab): I beg to move,

That this House has considered the Office for Students.

It is a pleasure to serve under your chairmanship, Dame Maria. Higher education is unanimous in recognising the need for effective regulation. The UK has an international reputation for the quality and strength of our higher education sector. Everyone involved in the sector I have spoken to or corresponded with understands the role that effective and proportionate regulation has to play in improving standards and maintaining that reputation. I thank everyone who has been in contact since they saw this debate timetabled.

The Office for Students was created in 2018 with the aim of ensuring that higher education in England delivers positive outcomes for students. Its mission statement is: “to ensure that every student, whatever their background, has a fulfilling experience of higher education that enriches their lives and careers.”

However, there are increasingly concerns that it has become overly bureaucratic, imposes increasingly high costs on providers, takes an inconsistent view on what does and does not affect the quality of student education, and has become more concerned with extending its areas of oversight to meet the desires of the Government of the day than the needs, experiences and views of the students for whom it is supposed to exist.

Regulation is vital for any sector, but it comes with financial and resource costs that must be proportional to the risk, and must represent value for money. The cost of regulation for providers should be an important concern for the OfS, as ultimately that cost is felt by the students. The HE sector has to contend with regulatory overlap; there are multiple regulators in the HE, further education and technical education sectors, as well as multiple subject-level, professional, statutory and regulatory bodies.

The Government’s own regulatory code outlines the principle that regulators

“should collectively follow the principle of ‘collect once, use many times’ when requesting information from those they regulate.”

It also says that regulators should

“share information with each other...to help target resources and activities and minimise duplication.”

It says:

“Regulators should avoid imposing unnecessary regulatory burdens through their regulatory activities”,
and

“should choose proportionate approaches to those they regulate, based on relevant factors including, for example, business size and capacity.”

Is the OfS adopting that approach? In the past few years, it has spent a great deal of time continually revising its regulatory frameworks and processes, including the B conditions of registration on quality and standards, the access and participation regime and the Teaching Excellence Framework.

In 2022, there were a number of significant consultations running simultaneously, and major consultations were run with very short response periods. For example, the consultations on quality and standards, B3, TEF and underpinning data all ran at the same time. The supporting documents for those consultations ran to a total of

more than 700 pages, and the sector had just eight weeks to respond to all of them. That approach results in a very high cost to institutions, and risks undermining the quality of data submitted due to the compressed timetable. For example, one Universities UK member had 10 full-time equivalent staff supporting regulatory compliance at an approximate staff cost of £444,000. Another institution estimated the cost of regulatory activities to be £1.1 million in 2022-23.

Such demands place a higher relative cost on smaller providers, which not only lack the resource of the larger providers but tend to offer a wider range of education, including higher education, degree apprenticeships—the Minister’s favourite—further education and other industry-specific continuous professional development. That means that they must deal with a large number of regulators in addition to the OfS, including the Institute for Apprentices and Technical Education, the Education and Skills Funding Agency and Ofsted. Unfortunately, that does not just mean reporting for some students to one regulator and for others to another. Degree apprenticeship students have to be reported to both the OfS and IFATE in significantly different ways. GuildHE reported that one provider needed separate data teams for the two bodies.

On average, the cost of regulation for a student studying HE in a FE college that has only a small HE provision is £289, compared with £14 for a student studying at a large HE institute. That cost is even more pronounced in the light of the lower tuition fees charged by many colleges—£6,165, in contrast with the higher education fees of £9,250.

In the same report on regulation in smaller universities and specialist colleges, GuildHE said:

“Overly-legalistic language in communications, delays in meeting their own deadlines, short consultation periods, consultations’ outcomes that rarely listen to the views of those consulted and political capture”

were regular complaints from their members. Those complaints are repeated in the results of the OfS’s own survey, “Report for the Office of Students: Provider engagement”. Its executive summary said:

“Providers are confused by the complexity of some OfS processes, communications and consultations, and related tasks require high levels of resource by providers.”

It went on:

“Providers would like a more transparent, collaborative, and consultative relationship with the OfS with a shared focus on student outcomes, including opportunities to contribute and share good practice.”

Specifically on smaller providers, it concluded:

“Small providers felt that the OfS was geared towards large established universities and didn’t acknowledge their different levels of resourcing and experience.”

Furthermore, the report read:

“Smaller and further education providers feel that their different circumstances and student audiences are not recognised by the OfS and that the regulator failed to adapt their approach accordingly.”

Those complaints go to the heart of the student experience. HE students are not a homogeneous group and a diverse HE ecosystem is required to meet their needs, but the OfS seems to be operating an overbearing, one-size-fits-all approach. It appears that that approach suits no one, as the report also said:

“Established providers felt they should be treated differently from newer providers and that communications they received didn’t reflect their low-risk track record.”

In the guidance for condition B4, all registered providers are now expected to retain—this is ridiculous—five years of all student assessment. Conservative estimates from Universities UK of what digitalising and storing work on such a scale might cost an institution resulted in figures of between £270,000 and more than £1 million a year. That does not include the environmental cost.

The requirement also poses difficulties for subjects such as art, design, performing arts, and medical and veterinary subjects. Such subjects use a range of approaches to assessment, including continuous assessment based on a series of exchanges. To digitally record all those exchanges would be inappropriate and would entail GDPR issues. The retention of students' work in the arts presents difficulties over intellectual property rights, which return to students on graduation.

I am not alone in being particularly concerned about the recent announcement that the Quality Assurance Agency for Higher Education will no longer be the Secretary of State for Education's designated quality body. That means that it will no longer be responsible for assessing quality and standards in English higher education to inform the OfS's regulatory decision making. The QAA has relinquished its role because the work it was being asked to undertake in England on behalf of the OfS was no longer compliant with recognised quality standards, namely the European standards and guidance that are monitored by the European Quality Assurance Register for Higher Education.

As the Minister will be aware, the QAA has been in existence for over 25 years. The system it has established is regarded by many countries as the gold standard in quality enhancement and benchmarking and it is still in operation in Wales. Its withdrawal in England is entirely due to the conditions that the OfS has insisted on how their reviews are undertaken.

Among the issues that led to non-compliance were the OfS's refusal to publish reports on providers, ending the cyclical review of all providers and the insistence that student representatives—remember that this is the OfS—should no longer be part of review teams. The sector is still waiting for clarification on how the OfS would replace the QAA's role in terms of breadth and activity beyond investigations. Will the OfS now become the regulator, the enforcer and the assessor of quality? If that is the case, how can there not be a conflict of interest?

Paul Blomfield (Sheffield Central) (Lab): My hon. Friend is making a fine speech. I apologise for missing the beginning, because the debate started surprisingly early. She made a really important point about the QAA. Does she not agree that it is rather extraordinary that the QAA is no longer providing that role on the basis that it wanted to provide student voice, significantly? The gold standard she described requires the presence of student voice within the regulatory framework. Does that not go to the heart of the problem with the OfS at the moment? I recall, in a Public Bill Committee, discussing with the Minister at the time the fact that the OfS was set up with too small a student voice. That voice has become consistently more marginalised through its life.

Emma Hardy: My hon. Friend is absolutely right, and I shall speak in more detail about how the voice of students has been marginalised. It seems fairly ridiculous that the Office for Students wants to exclude students

when its whole core purpose and mission statement is to represent and promote the needs of students. There is a serious disconnect. I think we should be slightly ashamed of the fact that the QAA is moving out of that role within English institutions.

Although only 6% to 7% of higher education is taught in English FE colleges, they make up around 37% of providers registered with the OfS, and there are more FE colleges on the OfS register than universities. The Education and Skills Funding Agency and the Department for Education are the chief regulators for FE colleges, and several agencies have funding, regulatory and inspectorial roles in the FE. OfS requirements on quality and standard of teaching, student support and wellbeing and financial sustainability overlap with those in many instances.

Large institutions are not unaffected. Universities UK provided an example of one member reporting a total of 99 data returns being required for the 2022-23 academic year across not only the OfS, which represents only a small proportion of this number, but also professional, statutory and regulatory bodies, the Student Loans Company and the Office for National Statistics. That is being supported by a team of seven full-time staff members. Indeed, concerns about multiple and potentially duplicate data collections were recognised by the DfE in the creation of the higher education data reduction taskforce in 2022. I am hoping the Minister will be able to feed back with progress on that.

It has been argued by some that the focused remit for the OfS, as set out in the Higher Education and Research Act 2017, was already quite wide-ranging and too broad, with 25 conditions of registration. Over the past five years, the OfS has expanded its responsibilities to include as priorities unexplained grade inflation, harassment and sexual misconduct, mental health and wellbeing, freedom of speech, diversity or provision, modular provision, transnational education, partnership and franchise provision and non-OfS-funded provision such as additional teacher training and degree apprenticeships. With the withdrawal of the QAA, we must now assume quality assurance is a priority. Where is the compelling evidence for this expansion of OfS priorities beyond its original remit in HERA?

In 2022, the Higher Education Policy Institute's student academic experience survey showed that the majority of students were comfortable about freedom of speech and showed a recovery in several aspects of students' wellbeing, with the life satisfaction, life feeling worthwhile and happiness categories all increasing. Tackling harassment and sexual misconduct is of course crucial, but is that really the role of the OfS regulator? It is already covered by legislation. The Government's summary of HERA suggests that the OfS's primary aim was to make it easier for new higher education providers to enter the market and raise teaching and quality standards. What has driven the OfS to move so quickly into these other areas, bringing increased financial and resource costs for both regulator and regulated?

It seems that the OfS is disproportionately influenced by ministerial pressure. We have just heard of how the increased OfS burden increased regulatory scope, but providers are paying for that twice—once through the extra costs of data collection and administration, and again through a 13% increase in OfS fees to cover its own costs of moving into these extra areas, as announced

[Emma Hardy]

in December last year. It is worth noting that the OfS was due a review of its fee model two years after its establishment, but that is yet to happen.

However, this is not an increase the OfS wanted in September 2020 when it committed to a 10% real-terms reduction in registration fees over two years. Then came guidance from the Secretary of State for Education and the Minister for Further and Higher Education in March 2022 advising that the fee reduction was not necessary in view of the priorities the OfS was being asked to pursue. This is neither the first nor the last incident of the priorities of the OfS not being set by the sector or, crucially, by the students, who it was set up for, but by the Government.

In November 2021, the Secretary of State and the Universities Minister write to the OfS requesting that it start requiring universities to work with schools to drive up academic standards. Three months later, the OfS puts out a press release saying that it will work with universities to

“put their shoulder to the wheel”

to increase attainment in schools. In March 2022, the Universities Minister writes to the OfS asking it to conduct on-site inspections. Two months later, the OfS puts out a press release saying—guess what?—that it will conduct on-site inspections. In March 2022, the Secretary of State and Universities Minister write to the OfS asking it to set conditions of registrations in relation to sexual harassment as soon as possible—and it goes on to do just that.

The OfS does not appear to be an independent regulator, driven by the needs of the student; it appears to be a regulator driven by the desires of the Government of the day. But it is not even when the OfS is directly required to do something, which I can understand. If the Minister just happens to mention that something is important, the OfS jumps to. In April 2018, Universities Minister Sam Gyimah is in the news announcing that he will keep a “laser-like” focus on vice-chancellors’ salaries. Guess what the OfS does two months later, without even being asked to? Two months later, it publishes a new requirement forcing universities leaders to justify their salaries.

In April 2021, the then Universities Minister, the right hon. Member for Chippenham (Michelle Donelan), is in the news for announcing that she is “appalled” by inclusive assessment practices that do not mark down students with incorrect grammar. Again, there was no direct request of the OfS, but guess what? Two months later, the OfS launches a review of inclusive assessment practices. In February 2022, the same Universities Minister is in the news, calling for universities to end all online learning. The next month, the OfS launches a review of blended learning.

Where is the regulatory independence that holds students at its very core? The Government do not even need to write to the OfS to get it to do what they want. They just need to issue a press release, and now they have a member of the Conservative party, who chooses to retain the party Whip, sitting in the House of Lords who is the chair of the OfS. As the Minister is aware, Lord Wharton had no previous experience in higher education. He did, however, run the leadership campaign for the man who appointed him.

Last year, while chair of the OfS, Lord Wharton spoke at the Conservative Political Action Conference in Budapest, Hungary. He endorsed the recent victory of the Hungarian Prime Minister, Viktor Orbán, a man who had been widely criticised for a host of restrictions on human rights and democratic practices—specifically, for attacks on academic freedom including, infamously, shutting down the independent Central European University. Lord Wharton said that CPAC was a

“great chance to pick up new ideas...reconnect with friends across the world”

and

“fight for the values that we all hold dear”.

I am not even going to quote the remarks of another speaker who attended the conference—Zsolt Bayer, a television talk show host in Hungary—because the language he used is not something I wish to repeat. Lord Wharton wrote an apology to staff, saying that he did not know who else was speaking and had never heard of Bayer, but that is hardly reassuring. The rest of the world can see and hear this. What conclusion does the Minister imagine it is drawing about our supposedly independent OfS?

So the OfS listens and responds to Government, but does it listen and respond to students? We have already heard that HEPI’s most recent student survey suggests a different set of priorities for students from those pursued on their behalf by OfS. The OfS will no doubt say that it has its own avenues to hear from students, but we only get answers to the questions we ask. In the most recent consultation on the national student survey, 90% of respondents told the OfS that they wanted to retain the summative question, “Overall, are you satisfied with your experience?” But out it went anyway. The majority told the OfS that they did not see the value of a question about freedom of expression, but in it went anyway.

With or without those alterations, the NSS only captures the views of final-year students—something that has contributed to both the Public Accounts Committee and the National Audit Office concluding that the OfS has an “incomplete picture” of student satisfaction. That dovetails with the evidence given in a hearing for the ongoing Lords Industry and Regulators Committee inquiry, when members of the OfS student panel said that the panel was threatened with a reassessment of its future if they continued to express views on inclusive curricula that did not conform to those of the OfS staff. Former panel member Francesco Masala said:

“we felt quite often that we were there potentially more as a tick-box exercise rather than genuinely providing active challenge”, and that if

“you are...a representative of students, there will still be someone in a boardroom who is going to tell you what you really think and what you really want.”

Their opinion was that the OfS made decisions that were opposite to the advice and views gathered through student surveys and consultations and that it then buried the outcomes of those consultations by rolling student feedback in with feedback from all other stakeholders. That was particularly the case on freedom of speech, which they felt was a Government priority and not a student priority. Add to that the OfS’s insistence that the QAA removed students from advisory teams and we might be forgiven for asking, “What does the s in the OfS stand for?” It is unclear to many in the sector

whether the OfS has sufficient expertise or capacity to meet its ever-expanding duties and operations. To make matters worse, while expanding its reach into areas where it is not needed, it appears to be falling at monitoring areas that are core to its mission.

Both the Public Accounts Committee and the National Audit Office have found that the OfS lacks an integrated system for assessing financial risk. These risks come from a multitude of external pressures on universities' financial sustainability, such as rising pension costs, inflation in the face of frozen tuition fees, the impact of the covid-19 pandemic and the risk of Government policy or geopolitical events affecting international student recruitment. The OfS does not focus on assessing the level of risk that these systematic risks pose to the sector or our students, despite the fact that the proportion of providers with an in-year deficit, even after adjusting for the impact of pension deficits, increased from 5% in 2015 to 32% in 2019-20. Some 26% of universities forecasted at the end of 2020-21 that their cash balance would fall below 30 days' net liquidity at some point in the next two years. Financial stress is not confined to one part of the sector: the 20 providers that have had an in-year deficit for at least three years range in size from 200 students to 30,000 students.

Universities UK has raised a number of issues with the way investigations are being undertaken, including a lack of clarity on the basis for the investigation, limited information on what a provider needs to do to comply with the investigation, the scope changing during the investigation, inconsistent methodologies when investigating similar issues within different providers, and the absence of an expected timescale with short deadlines for providers to supply large amounts of information, with delays in response to that information from the OfS. I was given one example where a single query requesting a range of data and information required 8,070 hours of staff time at a cost of £48,000, including external legal advice and a number of examples of requests for large volumes of information followed by changes in the focus of the OfS inquiry. This is undermining trust in the regulator when these requests have been felt to be fishing exercises and, of course, that adds to the time cost and burden of the work.

To conclude, we have heard from all areas of higher education, large and small, that the regulatory burden is too large and expensive. What steps will be taken to reduce it? For example, will the higher education data reduction taskforce be reconvened to assess and address data burdens across OfS and other relevant regulators, including the OfS counterparts in the rest of the UK? Fees are increasing by 13% with disproportionately higher costs for smaller institutions. Does the Minister believe the OfS provides value for money? Will the DFE consider working with the OfS to make specific provisions for smaller institutions by being less rigid in its data requirements, reforming its fee structure to reflect the number of students at an institution and improving two-way communication with the sector. As I know the Minister cares deeply about degree apprenticeships, will he look specifically at the amount of regulatory overlap required for that?

We have a political placeman as chair, constant ministerial direction of the OfS and an OfS no longer compliant with recognised international standards. How will the international standing of the UK HE sector, as one of

the high academic standards of excellence free from political interference, be maintained? This country has a higher education sector that is internationally regarded as maintaining the highest academic standards and being free from politically motivated Government interference. It needs and deserves a regulator to match. I do not believe we have it yet.

4.49 pm

Jim Shannon (Strangford) (DUP): It is a real pleasure to speak in this debate. I thank the hon. Member for Kingston upon Hull West and Hessle (Emma Hardy) for leading it. She gave a credible, comprehensible introduction—no one could doubt the knowledge she put forward today, and I congratulate her on that.

Higher education is so important for England, and indeed for all of us in the devolved Assemblies, where we have the ability to direct our different ways of doing things. Although the Office for Students does not apply to Northern Ireland—we have a different system back home—the Department for the Economy at the Northern Ireland Assembly has fantastic guidelines and direction in ensuring equality and diversity for every student. As I always do, I will give a Northern Ireland perspective to this debate—not because the Minister has responsibility for Northern Ireland, but to add another perspective, which will complicate what the hon. Member for Kingston upon Hull West and Hessle has put forward.

I want to honestly say what a joy it is to see the excellent and knowledgeable Minister in his place, and I very much look forward to his contribution. When we go to vote, I hear people from all parties saying that he is a really good Minister. There is consensus of support across the Chamber, which comes from the way he deals with the questions put to him. It is quite an achievement, and I congratulate him on that.

I am also very pleased to see the shadow Minister, the hon. Member for Warwick and Leamington (Matt Western), in his place. He brings a wealth of knowledge on this subject, and I look forward to his contribution as well.

In Northern Ireland, the higher education division formulates policy and administers funding to support education, research and related activities in the Northern Ireland higher education sector. Unlike other parts of the United Kingdom, Northern Ireland has no higher education funding council; the Department for the Economy fulfils the roles of both a Government Department and a funding council. In Northern Ireland, 77.8% of school pupils will go on to study in some form of higher education setting, whether that be through a regional college, university or education-based apprenticeships.

I have a very good working relationship with my local technical college and Ken Webb, its chief executive; we talk regularly about these matters. I understand that the students the college produces are excellent, and their potential to gain jobs is also there, so there is good continuity from education to employment. Within the higher education division in Northern Ireland, there are many sectors that fall into this category, including the student support branch, student finance branch, research and knowledge branch, and many more.

I am minded, as I often am when I talk about education—the hon. Member for Kingston upon Hull West and Hessle referred to this, and I am sure others will as well—that the students of today, after all, are the

[Jim Shannon]

leaders of tomorrow, whether they be politicians, teachers, business leaders or, as in my constituency, farmers. The opportunities are there. We need to encourage and assist the next generation and give them help along the way. That is important.

The Office for Students and other bodies aim to do their best to represent the individual student on many issues: student finance, employability opportunities—I am glad to say that I see evidence of just how good those are—careers advice, which is also excellent, partnerships, collaboration, and much more. Support for higher education is crucial, as it encourages pupils to stay in university and complete their course. According to the Education Data Initiative, around 40% of undergraduate students each academic year leave or drop out of their chosen university course. Those figures are crazy. It is so important that these opportunities are not wasted for others who have been dying—a word I often use—to go to university to gain the opportunity to do better educationally.

I am here to support the hon. Member for Kingston upon Hull West and Hessle. I want to conclude by saying that this subject is so important and this debate has been vital. The hon. Lady has illustrated its importance in all aspects of higher education, and I am pleased to add my contribution. I thank the Department for Economy back home for all the work it does in this sector. I know that the Minister always responds to these things, so I have only one question for him, which hopefully he can respond to here. Will he ensure that discussions are undertaken regularly with all the devolved Administrations, in particular the Northern Ireland Assembly, so that we can keep our support for him and the hon. Member for Kingston upon Hull West and Hessle at what is already an all-time high?

4.54 pm

Matt Western (Warwick and Leamington) (Lab): It is an absolute pleasure to serve under your chairmanship, Dame Maria. As has been mentioned, the Office for Students, which is the independent regulator for higher education providers, is a relatively new addition to the regulatory landscape in the UK and was formed back in January 2018. I think I am right in saying that this is the first opportunity that MPs have had to debate the regulator since the passage of the Higher Education and Research Act 2017. Here we are five years on, with this well-timed and possibly well overdue debate about what is happening in the landscape.

I congratulate my hon. Friend the Member for Kingston upon Hull West and Hessle (Emma Hardy) not just on securing the debate, but on her absolutely comprehensive and thorough dissection of the issues, which ranged from the burden of bureaucracy, the concerns about consultation and how it is handled, the questions about the future measurement of quality across the sector, and many points in between, which I will elaborate on. I thank my friend, the hon. Member for Strangford (Jim Shannon), for his contribution and for reminding us of some of the distinct characteristics of higher education provision in Northern Ireland.

Before I build on some of the points raised by my hon. Friend the Member for Kingston upon Hull West and Hessle, I want to stress the importance of good, fair-minded, proportional regulation, which is needed

in any sector, especially the higher education sector. For a sector that benefits from £30 billion in income from public money, educates over 2 million students and contributes £52 billion to our GDP, supporting more than 800,000 jobs, the need for regulation is clearly self-evident. To that end, the Higher Education and Research Act lays important foundations for the inception of the Office for Students. It is important to stress that almost no one I have met working in the sector has ever questioned the need for regulation. Indeed, as Universities UK says:

“we support the objectives of the OfS and believe its statutory duties are clear and appropriate”.

However, five years on from HERA, four of the main representative groups—MillionPlus, GuildHE, University Alliance and the Russell Group—have felt compelled to write to the Chair of the Education Committee, the hon. Member for Worcester (Mr Walker), expressing

“growing concerns that the OfS is not implementing a fully risk-based approach, that it is not genuinely independent and that it is failing to meet standards we would expect from the Regulators’ Code.”

The establishment of any regulator, especially one that so markedly departs from the role of the previous funding agency, is bound to have some teething problems. But when we have reached the point at which stakeholders are joining forces to raise concerns that the House of Lords Industry and Regulators Committee has launched an inquiry into, and when MPs feel compelled to raise the issue in Westminster Hall, then something has clearly gone awry. The question is: what?

Regulators are most successful when they are able to exercise a proportionate degree of authority over the sector they regulate. Authority stems from trust, which in turn reinforces the authority of the regulator. The two go hand in hand; they are mutually reinforcing. In part, this issue stems from the structure of the OfS—for example, in not having adequate avenues to allow stakeholders to offer feedback on its own performance as a regulator. The OfS’s provider refresh strategy is therefore broadly welcome, but part of the mistrust stems from a perception—and I think it is a perception—that the regulator is too easily at the beck and call of Ministers, stretching the epithet “independent regulator of higher education” to its very limit.

Most obviously, as we have heard, the chair of the Office for Students, Lord Wharton, is seen as a plainly political appointment, having little experience in the sector while maintaining the Conservative Whip in the Lords. The potential conflict of interest is plain. That he has visited only five universities since his appointment may suggest that his interest lies less in the promotion of the sector and more in occupying a public office to shape the sector to his party’s wishes. Certainly, his failure to declare an interest as a significant donor to Ben Houchen’s campaign to be the Tees Valley Mayor when interviewing and appointing Rachel Houchen as a non-executive director supports that hypothesis.

They say that a fish rots from the head down—incidentally, the last time that I used that expression in this House was in relation to the Government of the right hon. Member for Uxbridge and South Ruislip (Boris Johnson). There is a perception that the OfS is straying too far into the political fray at several levels. Take the student panel, for example, which was mentioned

earlier. Last week, the former student panel members gave evidence to the Lords Committee. They claimed that

“an acute focus on free speech in regulatory activities was politically motivated rather than being based on the concerns of the student body”,

and strongly indicated that the student voice, as expressed by panel members, was “actively suppressed” when trying to counter aims and policies that appeared to be political in nature.

My hon. Friend the Member for Sheffield Central (Paul Blomfield) talked about the student voice being marginalised. I have frequently thought that the Office for Students is a misnomer. Surely, if it was truly a regulator for students, they would be given greater priority in decision making and greater oversight, and they would turn to it more often and would feel that their priorities—such as the cost of living, student mental health, and sexual harassment and violence on campus—were being given the utmost priority. Given the seriousness of the accusations that have been made, I would welcome the Minister’s personal commitment that he will ensure that the student panel and voice are fully respected within the OfS structure and the regulations that it makes, as schedule 1 to HERA demands.

Another common theme emerging from my conversations around the sector concerns the regulatory burden. Under HERA, the OfS is required to ensure that ongoing registration conditions are proportionate to the OfS’s assessment of the regulatory risk posed by the institution. The OfS has termed this “risk-based regulation”. That is an eminently sensible approach to take, but unfortunately it is one that belies reality.

As we heard from my hon. Friend the Member for Kingston upon Hull West and Hessle, data gathering is being massively duplicated. To give some anonymous examples, as we have heard earlier, I am informed that, for the 2022 Higher Education Statistics Agency data return, one member reported having to provide 59,000 student records, which equates to 7.2 million individual data fields—an increase from 4.5 million in 2019. We have heard that another provider has 10 full-time equivalent staff supporting regulatory compliance, at a cost of £440,000. Another has estimated that the total cost in regulatory activities equates to £1.1 million in the year 2022-23. So the burden is both concentrated and widespread, particularly when taking into account the reporting requirements of other regulatory bodies.

When it comes to degree apprentices, as we have heard, apprenticeship providers are often subject to four, or possibly five, separate regulatory bodies and demands: the OfS, the Institute for Apprenticeships and Technical Education or IFATE, the Education and Skills Funding Agency, and Ofsted. The effects on smaller institutions are clearly greater, as these absorb more and more resources to the detriment of the student experience. Over a year ago, the Minister’s predecessor, the right hon. Member for Chippenham (Michelle Donelan), launched the HE data reduction taskforce, which of course is very welcome, to tackle this very issue. I would be grateful if the Minister updated us on when the taskforce last met, when it next plans to meet and what steps he is taking to ensure that new initiatives, most importantly lifelong learning, do not bog down providers in an even greater regulatory quagmire.

In raising these concerns, I do not intend to discredit the important work that the regulator has done in some areas. The recent work on access and participation plans, for example, and the launch of the equality of opportunity risk register could prove transformational in improving the experience of higher education for students from a widening range of backgrounds. Likewise, a good deal of work has to be done behind closed doors by necessity; managing the financial sustainability of providers is the clearest example. To that end, I was pleased to read the case study note provided by the OfS yesterday about how it is managing financially precarious institutions, which are increasing at an alarming rate under the current Government. I should not need to remind the Minister that the proportion of providers with an in-year deficit increased from 5% in 2015-16 to 32% in 2019-20.

In conclusion, the need for regulation is absolutely obvious; indeed, good regulation is needed to generate confidence, trust and investment in the sector from domestic students, international students, businesses, government and research bodies. However, the relationship between the OfS and the sector is at an all-time low. It did not start at a particularly high level. Trust and confidence is crucial in a regulator, and I am afraid that there are profound concerns across the piece. I have met with the OfS, and I appreciate that moves are afoot to try and reset the relationship and restore confidence. I very much welcome that. Trust and authority are hard-won and quickly lost. To that end, I would welcome the Minister’s response on the following points, as well as those I raised earlier.

What steps is the Minister taking to reassure the sector that the era of heavy-handed political involvement in the regulator is at an end? What plans does he have to raise the registration fees to accommodate additional duties on the OfS? What assessment has he made of any increase on institutional financial sustainability and the student experience? Finally, what assessment has he made of whether the OfS provides value for money, judged against the objectives that Parliament legislated for it, and by comparison with peers in the regulatory sector?

5.5 pm

The Minister for Skills, Apprenticeships and Higher Education (Robert Halfon): It is an honour to serve under your chairship, Dame Maria. I congratulate the hon. Member for Kingston upon Hull West and Hessle (Emma Hardy) on securing this debate. It feels a bit like groundhog day, because we served together on the Education Committee. I have the highest regard for her work, not just on higher education but on special educational needs and disabilities, mental health and post-16 education. I am very happy to be debating the important matter of the OfS with her. I have had the privilege of visiting Ron Dearing University Technical College in her constituency, which is doing an incredible job in transforming the lives of thousands of students.

Before following through on the OfS issues, I want to begin by setting out how I see higher education, because it very much forms the architecture of what we are talking about today. Higher education of course plays many important roles in our society—developing people’s education and academic talents, academic knowledge, and world-class research and innovation, which are absolutely important—but for me the three key things

[Robert Halfon]

are meeting the skills needs of the economy, providing high-quality qualifications leading to excellent, well-paid jobs, and advancing social justice. What I mean by that is ensuring that everyone, regardless of their background, can not only access high-quality education, but complete their studies and get good skills and knowledge, and jobs at the end. The OfS is essential to upholding the quality and ensuring the success of the higher education system and the aims that I have suggested.

Before I turn to the OfS specifically, it is important to briefly highlight the fact that we have an ambitious skills agenda, as the hon. Member for Kingston upon Hull West and Hessle pointed out, with £3.8 billion of extra investment over the Parliament. We are using that to expand and strengthen both higher education and further education. We are investing an extra £750 million in the HE sector up to 2025, to support high-quality teaching and facilities, particularly in science and engineering subjects, and to support NHS and degree apprenticeships. The hon. Member's university, the University of Hull, is receiving more than £10 million in the strategic priorities grant, so I hope that she is pleased about that.

There is also, of course, the money that goes to UK Research and Innovation, which is £25 billion over the spending review. That is £6.2 billion for Research England, which funds our higher education institutions. The latest estimate shows that the income of English higher education providers in 2021 from tuition fees in education was £21.6 billion, which was 55% of the total income of £39.77 billion.

I was going to talk about the Lifelong Learning (Higher Education Fee Limits) Bill, as I thought it would come up, but we have plenty of time next week when we discuss the Bill on Report and Third Reading. The Bill will be very important, because the lifelong loan entitlement will provide everyone with a loan of up to £37,000 to do flexible and modular learning. There will be level 4, level 5 and level 6 provision, and it will start with level 4 and level 5. The OfS and the new register of FE colleges will provide the LLE, and those owners will have an important role.

Let me turn to the OfS and its vital work to support the Government's priorities. I commend the activity of the OfS, for the most part, over the last five years to put in place the regulatory framework and to register providers. The hon. Member for Kingston upon Hull West and Hessle talked about the cost, which boils down to just under £13 per student. She also talked about regulation, and I completely get that. I am not a believer in small or big Government; I believe in good Government. I am not a believer in loads of regulation or low regulation, but in good regulation. To be fair to the shadow Minister, the hon. Member for Warwick and Leamington (Matt Western), he said that as well.

Of course, I recognise that regulation creates a burden for those being regulated, but it is important that the benefit of regulation outweighs the burden. Seeking to minimise the regulatory burden is a key focus. It is set out in the strategy to 2025. I wanted to go as far as possible in doing so. The OfS has already taken significant steps to reduce the data burden it places on providers. In 2022, it removed the need for all providers to send monitoring returns for access and participation plans. It significantly reduced its enhanced monitoring requirements,

which are now less than a quarter of what they were in 2019. It has published its intention to become increasingly risk-based in the way it monitors compliance. It also plans to vary further the regulatory requirements placed on individual providers according to the risks they pose, which will affect the impact of its regulation on those that pose the highest risk.

In terms of the regulation of small providers, of course the OfS does apply the same requirements for all types of providers. Whatever provider they go to, students should expect the same quality of education outcomes, protection and support to complete their courses. I accept that the regulatory burden should be minimised, including for small providers, and the OfS has a plan to minimise it. When it does so, it must have regard to the regulation code principles on determining general policy. The regulation code is less relevant to the work of the OfS when carrying out individual investigations and taking enforcement action, but it does take compliance very seriously.

OfS fees are tiered by student numbers, so providers with fewer numbers, such as FE colleges, will pay less in fees. In response to the question from the shadow Minister, the hon. Member for Warwick and Leamington, we are reviewing the high cost per student for smaller providers when we consider the fees for 2024-25. We are considering those general fees at this time.

On the important point about the QAA, it chose to withdraw consent for designation. If the English system is not in line with the European standard, it is because we do not have cyclical reviews, which we consider disproportionate in terms of regulation. As the hon. Member for Kingston upon Hull West and Hessle highlighted, the OfS will take on the quality assessment role in the interim, while consideration is given to a permanent arrangement. I have met university stakeholders to discuss those issues.

Paul Blomfield: Will the Minister give way?

Robert Halfon: I will in a minute. I have a fair bit to add and want to make the following point, because the hon. Member for Strangford (Jim Shannon) is so kind and comes to a lot of these debates on education and skills, as well as many other debates. I will have dialogue with the regulatory bodies. I was planning to visit them when visiting for the anniversary of the Northern Irish agreement, but unfortunately my slip was withdrawn because I had to vote in the House of Commons. Otherwise, I would have been there and visited universities and colleges in Northern Ireland. I very much hope that I will be able to make that visit. I note that at Queen's University Belfast, 99% of the research environment is world leading and internationally excellent. I think it is No. 108 in the world, so congratulations to Queen's University.

Jim Shannon: As far as we are concerned, it is No. 1.

Robert Halfon: I have a lot more to say, but I will give way to the hon. Member for Sheffield Central now.

Paul Blomfield: I thank the Minister for giving way. I agree with the hon. Member for Strangford (Jim Shannon) that the Minister is widely respected for his work on education and his appointment to this job was welcomed.

But I want to return to my earlier point about the OfS's regulatory approach. When I debated the establishment of the OfS in Bill Committee with the Minister's predecessor, I argued that we had a reasonable regulatory framework—the Higher Education Funding Council for England. The Minister at the time argued that it was important to put students at the heart of regulation. That is why it was called the Office for Students. Does the Minister agree that, if it is to live up to that name, it should do what it says and give a much stronger voice for students in the whole process of regulation? He does not agree with my concern that students have been marginalised, but will he set out how we could give students a stronger place in the OfS's approach to regulating the sector?

Robert Halfon: That is an important question, and the hon. Gentleman is one of the key higher education spokesmen in the House of Commons. I am absolutely supportive of student representation. The student panel is incredibly important. I made a decision as a Minister to interview one of the members of the student panel. I did not have to do that—I could have just ticked the submission and said that Mr X or Ms X is fine—but I took proactive interest, because it is incredibly important to do so.

I met the student panel, and I want it to have a voice. I went to an OfS event in the House of Commons a couple of weeks ago. I spent time chatting to the student panel, which is essential in this. As long as it is used properly and listened to, it is the best conduit for ensuring that student voices are heard. The student panel has teeth. I will keep a watch over it, even though the OfS is independent and I do not have operational control. It is a bit like the police: the Mayor of London might have a say over the chief constable, but he does not necessarily tell them what to do day by day. Nevertheless, the student panel is incredibly important, so I accept what the hon. Member for Sheffield Central (Paul Blomfield) says.

The hon. Member for Stretford and Urmston asked me about the taskforce. It last met in full in June 2022, and there has been a subsequent meeting of arms-length bodies, separately, to discuss progress and to identify areas of work to take forward.

There is plenty of evidence to suggest that higher education is preparing students for high-quality employment: three quarters of graduates from full-time first degree courses progressed into high-skilled employment or further study 15 months after graduating in 2020. But more must be done to tackle the pockets of poor quality that persist, and the OfS is committed to doing that. The OfS has revised its registration conditions in relation to quality and standards to ensure that they are robust, and it is rightly now taking action to investigate and enforce those conditions.

We want to ensure that students see returns on their investment in higher education. The Institute for Fiscal Studies estimates that the net lifetime return from an undergraduate degree is £100,000 for women and £130,000 for men, but it should be noted that the IFS has also found that 25% of male graduates and 15% of female ones will take home less money over their careers than peers who do not get an undergraduate degree. I think that graduates should be achieving outcomes that are consistent with the qualifications that they have completed and paid for.

To give an opposing example, it is a testament to the genuinely excellent teaching and leadership at the University of Hull that nursing and midwifery students experience the highest progression rate—98%—compared to all other OfS-registered HE providers with available progression data, and that the university has performed above the OfS threshold for continuation, completion and progression. I say those things to highlight not just the brilliant work of the University of Hull but the important work that the OfS is doing. Without the work of the OfS, we would not have that kind of information.

I talked about social justice, which is very important to the hon. Member for Kingston upon Hull West and Hessle and to me. I want to ensure that no student is excluded from higher education because of their background. A wider point has been made about us putting extra burdens on the OfS, but it has recently launched the equality of opportunity risk register to highlight key risks that can impact negatively on disadvantaged and under-represented student groups across the whole of the student lifecycle. That is an extra thing for the OfS to do, but I want it to happen. I am delighted with that. I do not like the name “risk register”, but nevertheless the principle is really important. It will empower higher education providers to develop effective interventions and support at-risk students, helping them not only get in but get on. I have a lot more to say about Hull University. It really is doing some remarkable things, and I hope to be able to go there one day and see it.

The hon. Member for Kingston upon Hull West and Hessle cares deeply about mental health. We have allocated £15 million from the strategic priorities grant to the OfS for mental health support. That is another OfS duty and its purpose is to support students' wellbeing when they transition to university, and to create opportunities for partnerships between providers and the national health service. The OfS has a role to play in funding Student Space, an online platform for mental health and wellbeing resources. The OfS also runs a mental health challenge competition with Northumbria University. It has supported projects to ensure that mental health needs are identified by providers. That is another important role for the OfS. Yes, the OfS has increased its role, but it is doing really important things that will make a difference to many students' lives.

I knew that the hon. Member for Kingston upon Hull West and Hessle would bring up degree apprenticeships. I have some sympathy with what she says; there is too much regulation, and all I can say to her is to please watch this space. I am looking at it very carefully to see what can be done. Of course, we also have to maintain quality, because if we do not have quality, I will have the shadow spokesman, the hon. Member for Warwick and Leamington, get up in Education questions and ask why apprenticeship provision is so poor. The hon. Lady will be pleased that over the next two years we will increase from £8 million to £40 million—£16 million in the first year, and £24 million in the second—the funding to promote degree apprenticeships among providers. I know she will support that extra funding.

A House of Lords inquiry has criticised the OfS registration fees for being too high. As I have mentioned, however, in the light of the Government's commitment to funding skills over the Parliament, the OfS registration fees offer value for money. It is currently around £26 million

[Robert Halfon]

a year, which is less than £13 per student. I do not think that feels like a high price to pay to ensure that we have a high-quality system working in the interests of students.

In conclusion, the work of the Government, which I have outlined, and of the OfS regulator will continue to deliver on skills, jobs and social justice. I accept that there is over-regulation—the hon. Member for Kingston upon Hull West and Hessle highlighted some unnecessary regulation that I will look at with officials at the Department for Education. However, we have a world-class higher education sector. I am not complacent about it. I acknowledge that there is not enough in some areas, and that some graduates are not getting good, skilled jobs, but many—in fact, most—higher education providers deliver a top-class education and equip students with the skills they need to get excellent jobs. I am clear that a robust and fair regulator—a good regulator—is vital to ensuring that our higher education sector remains world leading and protects students and the taxpayer.

I think that the OfS has achieved a fair bit in the first five years of its existence. It has registered 400 providers. It has also registered the new Dyson Institute, which is—

Emma Hardy: Hoovering up students!

Robert Halfon: Very good. I have been to that university. I met James Dyson some years ago when I was the Chair of the Education Committee. It was extraordinary. I hope that there will be many more examples of universities like that one. The Department will work closely with the OfS to ensure that we continue supporting a world-class higher education system. As I said, I remain committed to delivering on skills, jobs and social justice. The OfS will be an absolutely crucial part of that.

Matt Western: Will the Minister give way?

Robert Halfon: How could I say no to the hon. Gentleman?

Matt Western: I was hoping that the Minister could cover the three questions I raised at the end.

Robert Halfon: I thought I had answered most of the questions.

Matt Western: There was one about political interference, which may be difficult for the Minister to answer. Could I go back to the second question? It was about whether he had any plans to raise registration fees. I also had a question about an assessment of the value for money that the OfS represents, particularly in the context of other regulators.

Robert Halfon: I am happy to answer. I think I said that we are considering OfS registration fees and that I will come back about that matter in due course. I do not recognise any political interference. Since becoming a Minister, I have had meetings with the OfS chief executive and chair, and we have literally just discussed

what needs to be done to make sure that the organisation continues its work and that we continue to have a world-class university system.

I beg the hon. Gentleman's pardon—what was the third point?

Matt Western: Assessment of value for money.

Robert Halfon: Ah, yes. I think the OfS is providing value for money. First, as I mentioned, the cost to students is just under £13, which represents value for money. More importantly, what are the outcomes? If we have great universities, as we do, and we are meeting the country's skills needs, promoting degree apprenticeships and acting further on mental health and other areas, including social justice, to make sure that disadvantaged students have the right outcomes, as we are, then the OfS will absolutely be providing value for money.

5.27 pm

Emma Hardy: I thank everyone who has taken part in the debate. The Minister knows how to charm me: he talked about how good Hull University is, and of course I agree. That brings me to my favourite fact about it: there are more graduates from Hull University in the Houses of Parliament than from any other university, partly because of its internship programme.

Nobody minds bureaucracy and paperwork if their purpose is seen as improving outcomes for students; as a teacher, I never minded that. The core of the issue is that although some OfS bureaucracy does make a difference—I share the Minister's thoughts about the equality risk register—so much of it does not improve outcomes for students. In fact, it has a detrimental impact as it drives resources and energy away from the necessary focus on students. I welcome the fact that the Minister is going to look at some of my examples.

On the issue of the chair of the OfS, I should say that the Minister and I served together for a few years on the Education Committee—he cares about education, as does everyone in this room. I just believe that we deserve an OfS chair who genuinely cares about education as much as we all do.

Dame Maria Miller (in the Chair): Before I put the question, I offer a sincere apology to the hon. Member for Sheffield Central (Paul Blomfield). I started the debate six minutes early because I knew that we would fill every moment, but I could see that he had made every effort to be here by 4.30 pm. I hope he will understand that, in starting early as we did, we gave the debate an extra few minutes—including an extra few minutes' scrutiny of the Minister, which I am sure the Minister appreciated.

Question put and agreed to.

Resolved,

That this House has considered the Office for Students.

5.29 pm

Sitting adjourned.

Written Statements

Wednesday 26 April 2023

BUSINESS AND TRADE

Post Office Horizon Compensation

The Parliamentary Under-Secretary of State for Business and Trade (Kevin Hollinrake): On 23 March my Department launched its compensation scheme which aims to ensure that postmasters affected by the Post Office Horizon scandal who were part of the “GLO” High Court case get compensation on a similar basis to other postmasters.

To ensure that postmasters get fair, consistent and rapid compensation, the GLO Compensation Scheme Guidance and Principles document identifies the characteristics of moderate, serious and severe losses in some categories of compensation, including reputational damage and stigma, and gives figures indicating the likely range of awards. In the light of media comments on those figures I asked the Horizon Compensation Advisory Board to consider the matter. The group includes the right hon. Member for North Durham (Kevan Jones) and Lord Arbuthnot as well as two senior academics.

A report of the Board’s discussion is now available on the Department’s website. It recommends that the GLO Compensation Scheme’s guidance and principles should be amended to make it clear that:

The bands are not limits but indicative guidance to claimants, their lawyers and the Independent Panel.

Each case will be decided on its merits.

The GLO Compensation Scheme expects to find some cases where the facts of the case demand awards significantly higher than the upper figure for the top band.

If a claimant’s compensation cannot be agreed through the Alternative Dispute Resolution process, they have the right to have it considered by the Independent Panel including a KC and other experts.

As for other aspects of compensation, where the guidance and principles set out bands, decisions will be taken by DBT and the Independent Panel based on the facts of each case looked at “in the round” and guided by considerations of fairness.

I am happy to accept these recommendations. My Department will publish a revised version of the guidance and principles in due course.

[HCWS742]

EDUCATION

School Funding

The Minister for Schools (Nick Gibb):

Mainstream Schools Additional Grant

Today, the Department will publish the school-level allocations of the mainstream schools additional grant.

The autumn statement announced additional investment of £2 billion in each of 2023-24 and 2024-25, over and above funding announced at the 2021 spending review for schools in England. This means funding for both mainstream schools and high needs is £3.5 billion higher in 2023-24, compared to 2022-23.

Of the additional £2 billion provided at the autumn statement, £400 million is being allocated to local authorities’ high-needs budgets. The rest is being allocated to schools through a new grant for mainstream schools, the mainstream schools additional grant, and by increasing pupil premium funding rates.

The grant represents a significant funding increase for schools, worth an average 3.4% per pupil in 2023-24, on top of the allocations based on the schools national funding formula announced in July 2022. Through this new grant, a typical primary school with 200 pupils will receive approximately £35,000 in additional funding, and a typical secondary school with 900 pupils approximately £200,000.

National Funding Formula

Today the Department will also publish the Government’s response to the consultation on implementing the “direct” schools national funding formula.

Once the direct national funding formula is fully implemented, the Department will determine funding allocations for schools directly, without adjustment through local authorities’ funding formulae. The introduction in 2018-19 of the national funding formula for mainstream schools was a crucial step towards a fairer funding system. The changes set out in the Government’s response to the consultation will make the system fairer still and support the transition to the direct national funding formula.

The Government response summarises views raised by respondents to the consultation, and confirms two reforms that will commence in 2024-25, as part of the transition towards the direct national funding formula.

First, we are reforming funding for schools which operate across more than one site through a national formulaic approach to split sites within the national funding formula. This will ensure that funding is allocated consistently and fairly across England, and that all eligible schools attract funding towards the additional costs they face. This replaces the current system whereby only some of these schools receive additional funding, depending on local funding arrangements.

Secondly, we are making funding for schools which see significant increases in their pupil numbers more consistent across the country, by setting minimum levels of additional funding that every eligible school will receive.

I will place copies of the Government response on the national funding formula consultation in the Libraries of both Houses.

[HCWS744]

NORTHERN IRELAND

New Decade, New Approach: Third Update

The Secretary of State for Northern Ireland (Chris Heaton-Harris): During the passage of the Northern Ireland (Ministers, Elections and Petitions of Concern) Act in the House of Lords, the Government committed to making a written ministerial statement every six months setting out the commitments in New Decade, New Approach (NDNA) we have delivered on to date. The first of these statements was published on 23 March 2022 and the second on 20 October 2022. This is the third statement.

The NDNA agreement facilitated the restoration of the devolved institutions in January 2020 after three years of hiatus. It is deeply disappointing that Northern Ireland once again is in a period of political stalemate. Since the last statement, the UK Government have delivered the Windsor Framework, which fundamentally amends the text and provisions of the original Northern Ireland Protocol. This agreement delivers free-flowing trade within the whole United Kingdom, protects Northern Ireland's place in the United Kingdom and safeguards the sovereignty for the people of Northern Ireland. It is now for the Northern Ireland parties to move forward and deliver the strong, accountable devolved institutions that those who elect them expect and deserve.

The UK Government will always work to uphold the Belfast/Good Friday Agreement and support political stability in Northern Ireland. To that end, we have continued to implement the commitments we signed up to in NDNA. Since January 2020, the UK Government have:

- published four reports on the use of the Petition of Concern mechanism;

- passed the Northern Ireland (Ministers, Elections and Petitions of Concern) Act to implement the institutional reforms agreed in NDNA;

- passed the Internal Market Act 2020;

- held a meeting of the Board of Trade in Northern Ireland;

- announced an £18.9 million investment in NI's Cyber Security industry, supporting NI's development as a global cyber security hub and the target of achieving 5000 cyber security professionals working in Northern Ireland by 2030;

- renegotiated the Protocol and restored the free-flow of trade from Great Britain to Northern Ireland through a new green lane, ensuring that Northern Ireland remains an integral part of the UK internal market;

- ensured that Northern Ireland can access the trade deals the UK is striking across the world;

- invited representatives of the Northern Ireland Executive to all meetings of the UK-EU Joint and Specialised Committees;

- changed the rules governing how the people of Northern Ireland bring their family members to the UK, enabling them to apply for immigration status on broadly the same terms as family members of Irish citizens;

- appointed Danny Kinahan as the first Northern Ireland Veterans Commissioner in September 2020;

- passed the Armed Forces Act which further enshrines the Armed Forces Covenant in law; conducted a thorough review of the aftercare service, the purpose of which was to consider whether the remit of the service should be widened to cover all HM forces veterans living in Northern Ireland with service-related injuries and conditions;

- marked Northern Ireland's centenary in 2021 with a £3 million programme of cultural and historical events, including the delivery of the Shared History Fund and schools planting project; brought forward regulations to ensure designated Union Flag flying days remain in line with those observed in the rest of the UK;

- recognised Ulster Scots as a National Minority under the Council of Europe Framework Convention for the Protection of National Minorities;

- provided £2 million in funding for NI Screen's Irish Language and Ulster Scots Broadcast funds, which support a range of film, television and radio programming;

- established a new hub—Erskine House—in the heart of Belfast, increasing the visibility and accessibility of UK Government Departments in Northern Ireland;

- reviewed the findings of the Renewable Heat Incentive Inquiry Report to consider its implications for the use of public money in Northern Ireland; and

- continued to foster closer ties and better collaborative working across sectors such as tourism, sport and culture, including through the joint UK and Ireland bid to host the 2028 European Championships.

The UK Government have provided a total financial package of £2 billion for New Decade, New Approach. This financial package includes a £1 billion Barnett-based investment guarantee for infrastructure investment and £1 billion in funding across key priorities as set out in the deal. Of the £1 billion in funding, over £769 million has been spent towards such outcomes as:

- bringing an end to the nurses' pay dispute in January 2020;

- securing additional funding for the Executive in the 2020-21 financial year;

- the creation of a new Northern Ireland Graduate Entry Medical School in Londonderry;

- supporting the transformation of public services;

- supporting low carbon transport in Northern Ireland, enabling the Department for Infrastructure to commit to ordering 100 low-carbon buses to be deployed in Belfast and Londonderry; and

- addressing Northern Ireland's unique circumstances through projects and programmes that tackle paramilitarism, promote greater integration in education, support economic prosperity, and support linguistic diversity.

We have investigated options for the Connected Classrooms and Homecoming programmes and concluded that there is no viable delivery route for either programme that meets the key requirements of regularity, propriety, value for money and feasibility. Delivery of these programmes will, therefore, not be pursued at this time, although this will be kept under review.

Finally, in the absence of Executive progress on the matter, the UK Government passed the Identity and Language (Northern Ireland) Act in order to progress NDNA commitments relating to identity and language. This Act includes provisions to support the establishment of the Castlereagh Foundation.

The Government will continue to deliver their commitments and look forward to working with a restored Executive on the opportunities ahead.

[HCWS743]

Ministerial Correction

Wednesday 26 April 2023

LEVELLING UP, HOUSING AND COMMUNITIES

Parish and Town Council Precepts

The following is an extract from the Westminster Hall debate on Parish and Town Council Precepts on 18 April 2023:

Lee Rowley: My hon. Friend raises points about powers and in particular the disclosure of information. He references the local government transparency code of 2015. The code is a statutory instrument that contains two elements: a mandatory section and a section of recommendations. The requirement to publish invoices over £500 and to publish procurement card transactions is mandatory. Where that is not done, or where there is a concern that it is not done, we recommend in the first

instance that the authority is contacted, following their complaints procedure, and then the monitoring officer of the principal authority is contacted.

[Official Report, 18 April 2023, Vol. 731, c. 92WH.]

Letter of correction from the Under-Secretary of State for Levelling Up, Housing and Communities, the hon. Member for North East Derbyshire (Lee Rowley):

An error has been identified in the response given to my hon. Friend the Member for Morecambe and Lunesdale (David Morris) in the debate on Parish and Town Council Precepts.

The correct response should have been:

Lee Rowley: My hon. Friend raises points about powers and in particular the disclosure of information. He references the local government transparency code of 2015. The code is a statutory instrument that contains two elements: a mandatory section and a section of recommendations. The requirement to publish invoices over £500 and to publish procurement card transactions is mandatory **for parish councils with sufficient turnover**. Where that is not done, or where there is a concern **about compliance**, we recommend in the first instance that the authority is contacted, following their complaints procedure, and then the monitoring officer of the principal authority is contacted.

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MINISTERIAL CORRECTION

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**not later than
Wednesday 3 May 2023**

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