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**HOUSE OF COMMONS
OFFICIAL REPORT**

**PARLIAMENTARY
DEBATES**

(HANSARD)

Monday 2 December 2013

House of Commons

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The House met at half-past Two o'clock

PRAYERS

[MR SPEAKER *in the Chair*]

Oral Answers to Questions

HOME DEPARTMENT

The Secretary of State was asked—

Police Reform

1. **John Howell** (Henley) (Con): What steps she has taken to reform the police. [901333]

The Secretary of State for the Home Department (Mrs Theresa May): I am happy to tell my hon. Friend that we have scrapped national targets, improved police accountability, reformed pay and conditions, abolished bureaucracy, set up the National Crime Agency and College of Policing and brought in elected police and crime commissioners. Those are the most radical reforms in the history of policing.

John Howell: I thank my right hon. Friend for that answer. Will she also confirm that crime has fallen to the lowest level on record?

Mrs May: Again, I am happy to tell my hon. Friend that crime is down on both the reported measures of recorded crime and the crime survey. Recorded crime is down by more than 10% under this Government, and that is backed up by the independent crime survey, which shows that crime has halved since 1995 and is indeed at its lowest level since the survey began in 1981.

Stephen Twigg (Liverpool, West Derby) (Lab/Co-op): Has the Home Secretary had an opportunity to look at Lord Stevens' report, which was published last week? In it, he says that the police are in danger of "beating a retreat from the beat."

Is it not time for us to reaffirm the importance of neighbourhood policing and the wider social justice purpose of policing?

Mrs May: The figures show that the proportion of police on the front line has gone up under this Government.

Philip Davies (Shipley) (Con): The Home Secretary will know that I am a strong supporter of the police, but I hope she will bear in mind the lack of confidence that exists in the way that complaints about the police are investigated. For the public to have confidence in the police, it is important that complaints are properly

investigated. I have some serious issues in west Yorkshire about how a particular case has been dealt with. Will she look again at how West Yorkshire police investigates complaints about its own police officers?

Mrs May: My hon. Friend is right to raise the importance of ensuring that complaints against the police are dealt with properly and the concern that members of the public often have about the police investigating themselves. That is precisely why we are giving extra resources and powers to the Independent Police Complaints Commission. In future, the IPCC, rather than the police themselves, will investigate serious and sensitive complaints against the police. I am pleased to say that for the other complaints that will remain with the police at local level, many police and crime commissioners are looking at how they can introduce a degree of independent oversight or consideration of those complaints.

Barbara Keeley (Worsley and Eccles South) (Lab): Greater Manchester police is constantly having to reform because its numbers have been cut by more than 400 since 2010. For the next 12 weeks, our local police and 150 specialist officers are being deployed to control a very small protest against the development of shale gas at Barton Moss. I am concerned that the police response to what is a small protest is complete overkill and very costly and that crime could soar in my constituency given that our diminished force is now being diminished even more.

Mrs May: I am pleased to say that crime in the Greater Manchester area is down by 9%. The hon. Lady raises the issue of how a particular protest is being policed by Greater Manchester police. That of course is an operational matter, which is entirely for the chief constable and officers of Greater Manchester police.

Andrew Bridgen (North West Leicestershire) (Con): Will the Secretary of State assure the House that the Government are taking firm action to ensure that police forces accurately report crime statistics?

Mrs May: I am happy to tell my hon. Friend that the Home Office does ensure that there are rules about what particular crimes should be recorded. This is a matter that will be looked at, and is looked at, by Her Majesty's inspectorate of constabulary. Under our new arrangements, the police and crime commissioners have, in at least one case, taken action. In Kent, the PCC asked HMIC to come in and look at the recording of crime to see whether there were any problems and to ensure that lessons were learned.

Jack Dromey (Birmingham, Erdington) (Lab): In an unprecedented step commissioned by the Opposition and a royal commission in all but name, Lord Stevens reported last week with the most comprehensive analysis in half a century of British policing. He sounds the warning bell that the Government's reforms, cuts to the front line—10,460—and partnership working risk returning our police service to a discredited model of reactive policing. Does the Home Secretary agree with Lord Stevens and does she support his recommendation that there should be a guaranteed level of neighbourhood policing? It is what works and it is what local people want.

Mrs May: Of course, Lord Stevens produced a number of recommendations in his report and I am happy to say that the Government have put a number of them in place through all the reforms we have been making—reforms that have, I might say, been opposed at every stage by those on the Labour Front Bench.

Illegal Drugs

2. **Mr Robin Walker** (Worcester) (Con): What steps she is taking to tackle the supply of illegal drugs. [901334]

8. **Mr David Amess** (Southend West) (Con): What steps she is taking to tackle the supply of illegal drugs. [901340]

The Minister for Crime Prevention (Norman Baker): We are committed to tackling the supply of illegal drugs in the UK and overseas. Action to restrict drug supply is a priority for the police and the new National Crime Agency. The coalition Government's new serious and organised crime strategy emphasises the importance of tackling the organised crime that is associated with the drugs trade.

Mr Robin Walker: I thank the Minister for that answer. Does he agree that it is vital that the police target resources to crack down on the supply of drugs and will he therefore welcome the success of Operation Silence, recently launched by West Mercia police to target drugs in Worcester? Would he agree with the local police officer who said:

“To be as determined and tenacious as our drug dealers is morally the right thing to do”?

Norman Baker: Yes, I do agree with that. I am pleased to hear that robust action is being taken to damage that trade in my hon. Friend's area and elsewhere in the country. I agree that visible law enforcement activity can be effective in restricting the supply of drugs and I am pleased to see the partnership in West Mercia and Warwickshire to steer drug misusers into treatment.

Mr Amess: Will the Minister join me in congratulating the Border Force and the National Crime Agency on their recent seizure of 850 kg of cocaine and does he agree that that shows that our approach to securing borders and tackling organised crime is paying dividends?

Norman Baker: I congratulate the National Crime Agency and Border Force on that seizure, which is believed to be the largest cocaine seizure in Britain for more than two years. It is a good example of the benefits that intelligence sharing and partnerships between law enforcement agencies can bring about in disrupting drug traffickers and other criminals. That is a key element in our efforts to tackle organised and serious crime.

Andrew Gwynne (Denton and Reddish) (Lab): If tackling illegal drugs is a priority for his Government, can the Minister explain to the House why police seizures of drugs fell by 9% in the past year to the lowest level since 2005?

Norman Baker: The hon. Gentleman might also reflect on the fact that drug use is at its lowest level since 1996. The number of drug offences in 2012-13 was also down by 9%, so we are clearly making significant progress in these matters.

Paul Flynn (Newport West) (Lab): Are not the Government adding to the supply of illegal drugs by criminalising a relatively low-harm drug, khat? That action will drive a wedge of antagonism between the police and two already marginalised communities. Is not the experience that every drug that is banned has an increase in its use and supply?

Norman Baker: No, that last point is not true at all. Some of the action we have taken on so-called legal highs, for example, has been very successful in driving down the use of those substances. As for khat, the hon. Gentleman had the opportunity to exchange views with me at great length in the Select Committee on Home Affairs last week and I refer him to the comments I made on that occasion.

24. [901356] **Andrew Selous** (South West Bedfordshire) (Con): Can the Minister assure me that when new drugs or legal highs are discovered, he will take swift action? We do not want inordinate delay due to research, because of the harm done to people.

Norman Baker: I agree. We have a very good early warning system in this country, which is perhaps further ahead than those elsewhere in Europe. The hon. Gentleman will be pleased to know that as a consequence of the action we have been keen to see occur, last week we saw a week of action from the police, the National Crime Agency, Border Force and others that led to 39 arrests and the seizure of thousands of pounds of cash, a firearm and 9 kg of substances from a head shop in Kent.

Stephen Pound (Ealing North) (Lab): Further to the question asked by my hon. Friend the Member for Newport West (Paul Flynn), does the Minister personally agree that khat should be reclassified as an illegal drug?

Norman Baker: I am tempted to say that I refer the hon. Gentleman to the reply I gave some moments ago and at great length in the Home Affairs Committee. I went through the careful procedure that led the Home Secretary to conclude that the matter should be dealt with in the way that she dealt with it. That matter was decided long before I was a Minister in this Office.

Online Crime

5. **Stephen Mosley** (City of Chester) (Con): What steps she is taking to tackle online crime. [901337]

The Parliamentary Under-Secretary of State for the Home Department (James Brokenshire): The Government are taking a range of steps to combat online crime. They include significantly strengthening law enforcement's capabilities through the creation of the national cybercrime unit, the establishment of specialist regional policing teams and training 5,000 police officers in digital investigation skills.

Stephen Mosley: Investigating and preventing online crime often requires specialist technical skills. Will the National Crime Agency be able to bring in non-police specialists, to ensure that it has access to the widest range of technical skills to tackle cybercrime?

James Brokenshire: My hon. Friend makes an important point on the need for specialist capabilities in the new national cybercrime unit, and indeed in the National Crime Agency. The NCA has established a specials programme to encourage people to volunteer to provide specialist knowledge. I do not know whether my hon. Friend, who has a strong background in IT, is making his case for being a special in the National Crime Agency, but that is certainly something that we are seeking to encourage.

20. [901352] **Nick Smith** (Blaenau Gwent) (Lab): The Olympics were overseen by police Operation Podium to stop online criminal ticket touting. Will the Minister look into working with the Department for Culture, Media and Sport to make the rugby world cup an event of national significance, and to stop real fans being ripped off?

James Brokenshire: I think the hon. Gentleman will be aware that ticketing fraud has been looked at by colleagues in the Department for Culture, Media and Sport, and Operation Podium was a great success for the Metropolitan police. The economic crime unit in the National Crime Agency is very focused on combating all forms of fraud. Certainly, we will continue to reflect on the need to take firm action on all fraud, wherever it occurs.

Immigration: Romania and Bulgaria

6. **Nigel Mills** (Amber Valley) (Con): What assessment she has made of the expected level of immigration from Romania and Bulgaria between 2014 and 2018. [901338]

The Minister for Immigration (Mr Mark Harper): My hon. Friend will know that we consulted the Migration Advisory Committee on that question, and it advised us that making an estimate was not practical because of the number of variables, so we have not done so.

Nigel Mills: I am grateful for that answer. Having seen the numbers last week for the increase in migrants from the EU, does the Minister still believe that we can get total net migration down to the tens of thousands in this Parliament without having some restrictions on immigration by Romanians and Bulgarians next year?

Mr Harper: If my hon. Friend looked closely at the net migration statistics last week, he will have seen that what was interesting about them was not only the reduction in emigration by European Union nationals, but the fact that the increase in migration from the European Union involved people from not eastern Europe, or Romania and Bulgaria, but some of the southern European states, reflecting the weakness in their economy and the strength of ours.

Keith Vaz (Leicester East) (Lab): Yesterday was the national day of Romania, celebrated in Bucharest, and also in White Hart Lane, where a young, talented

Romanian, Vlad Chiriches, was man of the match. Is it still the Government's position, as set out on the website in Bucharest, that we want Romanians to come to this country to live and work, provided that they do not claim benefits? How many members of the Government support the retention of the restrictions?

Mr Harper: Of course, since 2007, Romanians and Bulgarians have been able to come to Britain to study, if they are self-sufficient, or to work in a skilled occupation, where they have asked for permission to do so. All that is happening at the end of the year is that the general restrictions are being lifted. Of course, if they want to come here to work and contribute, they are very welcome to do so; the changes set out last week by my right hon. Friends the Prime Minister and the Home Secretary make it clear that we do not want them coming here just to claim benefits. I think that those reforms are welcome and are supported by Government Members.

Mark Pritchard (The Wrekin) (Con): I congratulate the Government and the Minister on getting non-EU immigration figures down. I want to be helpful to him. He will know that the respected think-tank Migration Watch UK has predicted that between 30,000 and 70,000 Romanian and Bulgarian immigrants will come to the UK every year for five years. What figures, within those parameters, does he favour?

Mr Harper: As I said, we consulted the Migration Advisory Committee. I have seen a range of forecasts. I have seen the Migration Watch UK one, forecasts from the two countries concerned, which are much lower, and other forecasts that are much higher. The fact that there is such a range of forecasts from independent commentators demonstrates how sensible the Government's decision was not to join in.

Mr Kevin Barron (Rother Valley) (Lab): Three million Bulgarians have left their country to work in other countries over the last few years, because they have had the right to access 15 European countries. Is not a lot of the rhetoric that we have heard recently just scaremongering, following on from the disgraceful situation in the Eastleigh by-election? [Interruption.] I see a Member squinting; in that by-election, it was said that 3.1 million Bulgarians—more than half the population of Bulgaria—would be coming here in January next year. Why does the Minister not publish the actual number of Bulgarians who have come here to work in the past few years, so that we do not have this rhetoric running around the media?

Mr Harper: I wish that I could control the rhetoric running around the media, but unfortunately I cannot. Today I did an interview with the BBC in which I was more or less told that there is no problem, which was interesting, because, as I gently pointed out, it is running an entire week of programmes on the subject. That suggests it has a strange sense of priorities. To answer the hon. Gentleman's point seriously, the Government have been clear that if people want to come here to work and contribute, as Romanians and Bulgarians have done since 2007, that is absolutely fine. The changes we made last week are about ensuring that people do not come here to claim benefits. It is also worth noting that 79% of the new jobs created since the Government came to power have gone to British citizens.

Mr Julian Brazier (Canterbury) (Con): Although I welcome the measures that the Government have taken on benefits, which will have an effect, are not the concerns about immigration from Romania and Bulgaria really just the tip of a wider problem? With much of southern and eastern Europe still heading into recession, tolerance of the free movement of people is quite close to reaching its natural end.

Mr Harper: My hon. Friend makes a good point. It is why our right hon. Friend the Prime Minister said last week that we very much want to look at free movement and how we negotiate future accession arrangements for large countries. He set out a range of things we might want to consider, other than just time limits—for example, relative income levels in countries—which I think would have great merit.

Mr David Hanson (Delyn) (Lab): The Minister did not really answer the question from the hon. Member for Amber Valley (Nigel Mills), so let me give him another go. Given that figures published last week show that net migration rose to 182,000, from 167,000, over the previous year, before the impact of any Romanian and Bulgarian immigration in January, does he think that the target, as set out in the Prime Minister's solemn manifesto pledge, of having a net migration in the "tens of thousands," to quote the hon. Member for Amber Valley, by May 2015 will be met—yes or no?

Mr Harper: When the right hon. Gentleman's party was in power, net migration reached 2.1 million. I should also point out, to help the shadow Home Secretary, who was challenged on this yesterday by Andrew Neil, that most of that immigration was from countries outside the European Union. There was a large bar chart showing that on the television screen, but she denied what is reality.

Access to Benefits

9. **Mr Andrew Turner** (Isle of Wight) (Con): What steps she has taken to restrict access to benefits for immigrants. [901341]

The Minister for Immigration (Mr Mark Harper): My hon. Friend will have noted the steps set out last week by the Prime Minister and the Home Secretary to tighten up the benefits system and ensure that those coming to Britain do so to work and contribute, rather than to take out of the country.

Mr Turner: A thought-provoking article on migration published last week by Civitas shows that the British sense of fairness dictates that there should be some link between what people put into the welfare state and what they get out of it. Does my hon. Friend agree that in the case of new immigrants there is very little link at all, and does that not need to be looked at?

Mr Harper: My hon. Friend is spot on. A number of the changes we set out last week do exactly that. For example, we are limiting the period over which a jobseeker can keep claiming benefits to six months. Colleagues in the Department for Work and Pensions have strengthened the habitual residence test to ensure that it is tougher. We have also made sure that if people who come here

are not exercising treaty rights and we remove them from the United Kingdom, we can stop them returning unless they demonstrate that they are going to do so.

Ms Gisela Stuart (Birmingham, Edgbaston) (Lab): Much of the detail on access to benefits is determined locally, and it is quite difficult, even after checking with the House of Commons Library or the website, to understand what some of the precise definitions mean. What steps has the Minister taken to ensure that local authorities and the various agencies interpret what he thinks is a toughening consistently across the country?

Mr Harper: On the hon. Lady's point about benefits, those are not decisions for local authorities but for the Department for Work and Pensions, which trains its staff very carefully and gives them clear guidance. They are rolling out the new habitual residence test, which is robust and has a clear script with questions that people are asked. There will be further changes on access to housing benefit. We will make sure that where these decisions are for local authorities they are provided with clear guidance so that they can make the right decisions in the tougher regime.

Mr Philip Hollobone (Kettering) (Con): On 1 January, when the transitional controls on Romania and Bulgaria are lifted, will entry also be permitted to non-EU citizens who have Bulgarian or Romanian passports? If so, will the very large number of Moldovans who have Romanian passports be entitled to benefits, like Romanians and Bulgarians?

Mr Harper: I may be missing something, but if people have Romanian or Bulgarian passports and are citizens of Romania or Bulgaria, they are entitled to come to Britain because those countries are members of the European Union. Indeed, they could come to Britain today; the transitional restrictions are only about whether they can come here to work. People with a Romanian or Bulgarian passports—citizens of those countries—are of course able to come to Britain today.

Mr Barry Sheerman (Huddersfield) (Lab/Co-op): My constituents are pretty accepting of migration and have been for very many years, and I have always been liberal about migration to our country, but what does worry them is not just the benefit position but whether we have enough school places and social housing. Do we have enough public services to meet the challenge of a fresh wave of immigration?

Mr Harper: It is very good, of course, that the hon. Gentleman takes a very liberal approach; he will have been delighted, then, when his party was in power and had net migration of 2.1 million over its period in office, but I do not think that was the general view. On the availability of public services, it is exactly because of the pressures on school places and on access to GPs that the Government have reduced net migration by nearly a third since the election. We want to make sure that people who are coming here are doing so to contribute and to pay their way, and that that immigration is properly controlled.

Deportation Appeals System

10. **Christopher Pincher** (Tamworth) (Con): What changes she plans to make to the deportation appeals system. [901342]

The Minister for Immigration (Mr Mark Harper): We are making changes in the Immigration Bill to reduce the number of appeal rights and to ensure that those convicted of criminal offences will, in most cases, be able to be deported first and their appeal to take place from overseas.

Christopher Pincher: I am grateful to the Minister for tightening up the previous Government's deportation regulations so that the scandalous waste of time it took to deport Hamza and Qatada can never happen again. Can he confirm that the proposals he has tabled are unlikely to be struck down by the European Court of Human Rights? If they might be, is he prepared to take action against the European convention on human rights first?

Mr Harper: We have looked very carefully at this, and we are confident that the measures in the Immigration Bill, including the changes that clause 14 makes to article 8 to put it on a proper statutory basis, are robust. The Home Secretary has made it clear that at the election we will have to deal with the impact of the Human Rights Act 1998 and the convention. Indeed, that has been reinforced by comments from Lord Sumption, who pointed out that the Court is now engaged in judicial law-making, which is in constitutional terms remarkable, taking many contentious issues that should be questions for political debate and turning them into questions of law to be resolved by a tribunal. I could not agree with him more.

Domestic Violence

11. **Julie Elliott** (Sunderland Central) (Lab): What assessment she has made of trends in the number of referrals from the police to the Crown Prosecution Service for domestic violence offences. [901343]

The Minister for Crime Prevention (Norman Baker): The Home Office chaired a meeting with the former Director of Public Prosecutions in September. This has led to a six-point plan to increase the number of referrals from the police to the Crown Prosecution Service. I am meeting the new Director of Public Prosecutions this week to discuss what more we can do to secure more convictions. However, it should be noted that last year saw the highest ever conviction rate for domestic violence prosecutions.

Julie Elliott: I thank the Minister for that answer. However, as we know from the crime survey, instances of domestic violence are increasing quite dramatically at the moment, and there has been a 13% fall in the number of cases referred to the CPS from the police since the election. Is a six-point plan really enough to tackle this serious problem?

Norman Baker: I agree that it is a serious problem, and that is why the Home Secretary and I have been working to deal with it. The six-point plan includes Her

Majesty's inspectorate of constabulary looking specifically at police referrals to the CPS, reviewing the use of out-of-court disposals for these cases, and convening a national scrutiny panel to look at the trends in, for example, rape referral levels. We are taking these matters very seriously. As I said, I am meeting the DPP this week.

Pauline Latham (Mid Derbyshire) (Con): I welcome the Government's decision last week to introduce Clare's law and, in parallel, domestic violence protection orders. Does the Minister agree that those two steps will do a great deal to protect women against domestic violence?

Norman Baker: I entirely agree with my hon. Friend and welcome the action she has taken for a long time on these matters. The pilot schemes for both Clare's law and the protection orders demonstrated that they were useful. They were well used in the pilot areas and make a difference in driving down the incidence of domestic violence.

Mr Steve Reed (Croydon North) (Lab): Referrals are going down, but reported cases of domestic violence are going up. Today's *The Times* also reports leaked figures showing that other crimes, including burglary and street robbery, are going up. Does the Minister now regret the Government's complacency and the way in which they have undermined crime prevention specialist units, neighbourhood police and domestic violence support services?

Norman Baker: I think the hon. Gentleman is wrong on almost all counts. On the piece in this morning's *The Times*, the hon. Gentleman might want to know that crime recorded by north-west police has fallen by 17% since June 2010 and that West Yorkshire has seen a drop of 15% in the same period. We welcome the fact that we now have a system whereby people—and women in particular—have more confidence to come forward to report domestic violence. [Interruption.] I hope you can hear me above the hubble-bubble opposite, Mr Speaker. I hope the situation will lead in due course to an increase in the number of prosecutions and convictions. Given that the matters are now firmly in the public mind, as they should be, historical cases are also coming forward and they are pushing the figures up.

Immigration Status Inquiries

12. **Jeremy Corbyn** (Islington North) (Lab): How many random inquiries on immigration status have been made in public places in each of the last six months. [901344]

The Minister for Immigration (Mr Mark Harper): None.

Jeremy Corbyn: That is a surprising answer, because a number of us have witnessed immigration officers at Metropolitan line and other tube stations around London stopping people and asking them for their immigration status. Will the Minister assure me that no immigration officer would ever stop anyone randomly in a public place, ask them for identity documents and then call in the police to assist them with their inquiries, when there

is no requirement to carry identity cards at any time in this country? Indeed, such identity cards do not even exist.

Mr Harper: I can assure the hon. Gentleman that we do not conduct random operations; we conduct intelligence-led operations, as did the previous Government, and they are very successful. The street operations we have conducted this year have led to the arrest of almost a third of those encountered. They are very successful in enforcing our immigration laws. We do not stop people at random; we are not empowered to do so by law and even if we were, we would not do so as a matter of policy. We stop people when we think there is intelligence to indicate that they are breaking our immigration laws, and I make no apology for that.

Mr Russell Brown (Dumfries and Galloway) (Lab): I thank the Minister and his staff for the support they gave recently to a constituent of mine to clarify a situation and smooth over the problems.

The number of illegals being identified by the police at the ferry terminals in my area—which is part of the common travel area—has fallen only slightly. Is the Minister able to tell the House the number of people in that category who are stopped but who are not properly processed and who simply disappear?

Mr Harper: I am grateful for the hon. Gentleman's opening remarks.

I do not have the figures to hand, because I was not aware that he intended to ask that question. I will look at the issue in detail and write to him, but on the common travel area in general, my right hon. Friend the Minister for Policing, Criminal Justice and Victims signed an agreement with the Irish Justice Minister in, I think, December 2011. We are taking steps with the Irish Republic to strengthen the common travel area to make sure that our borders continue to get more secure.

Violence against Women and Girls

13. **Debbie Abrahams** (Oldham East and Saddleworth) (Lab): What recent discussions she has had with the Secretary of State for Education on preventing violence against women and girls. [901345]

The Secretary of State for the Home Department (Mrs Theresa May): The Department for Education routinely attends meetings of the violence against women and girls inter-ministerial group. We are committed to working in collaboration with the Department of Education to deliver actions from the violence against women and girls action plan to help young people better understand issues such as consent and healthy relationships.

Debbie Abrahams: Given that two women a week die at the hands of a partner or ex-partner and, alarmingly, that 50% of young men and 43% of young women feel it is acceptable for men to be aggressive towards their partners, the situation needs collective action. What in particular is the Home Secretary doing in conjunction with the Education Secretary about the introduction of compulsory relationship and sex education, not just in the secondary maintained sector, but in the primary and secondary sectors?

Mrs May: The hon. Lady is absolutely right to point to the appalling figures for the number of women who lose their lives each week in this country at the hands of a partner or former partner. Sadly, that figure has not changed for many years. Regularly, for a number of years, about two women a week have lost their lives in that way.

I share the hon. Lady's concern about the figures showing the number of young people who think that abuse within a relationship is normal. That is something that we must change. It is why the Home Office will shortly relaunch our very successful "This is Abuse" national campaign, which shows young people what actions constitute abuse and helps them to understand that.

Early next year, Home Office Ministers will meet Ministers from the Department for Education and teaching unions to raise awareness among staff and pupils about risks linked to violence against women and girls. I am pleased to say that the Department for Education is providing funding to the PSHE Association to work with schools that are developing their personal, social, health and economic education curricula, which includes sex and relationships education.

Human Trafficking

14. **Stephen Phillips** (Sleaford and North Hykeham) (Con): What steps she is taking to ensure that all appropriate powers are available to seize the UK and overseas assets of people engaged in human trafficking. [901346]

The Parliamentary Under-Secretary of State for the Home Department (James Brokenshire): The Government are committed to tackling human trafficking and are determined to build on the UK's strong record in supporting victims. The proposed modern slavery Bill, the first of its kind in Europe, will strengthen our response by increasing the number of successful prosecutions and convictions. The new serious and organised crime strategy makes it clear that attacking criminal finances is at the heart of our efforts to pursue all organised criminals. We are committed to strengthening legislation and ensuring that existing powers are effectively deployed both here and overseas.

Stephen Phillips: I am grateful to my hon. Friend for that answer. Given the challenges of seizing traffickers' assets, will he ensure that greater urgency is given to getting hold of them and making sure they go to compensate the victims of these horrendous crimes?

James Brokenshire: I think that it is important to underline to my hon. and learned Friend the steps that are being taken. Last year, about £1 million was taken off human trafficking offenders by way of enforcement of confiscation orders. Equally, I am absolutely clear on the need for more action. That is why the new National Crime Agency has been tasked with making the tackling of modern slavery one of its priorities, and why we are introducing the modern slavery Bill to up prosecutions and up such enforcement action. Indeed, the Bill will include provision for a new commissioner to get a stronger operational response on the recovery of assets and on other prosecutions.

Huw Irranca-Davies (Ogmore) (Lab): One of the poisonous sidelines in the deplorable trade of human trafficking is of course the existence of rogue and criminal gangmasters. Are the Government minded to support Labour's call to extend the gangmasters licensing regime to cover sectors to which this devastating trade has now spread, because it has gone beyond its traditional areas into construction, social care and other sectors where these rogues and criminals reside?

James Brokenshire: I can say to the hon. Gentleman that the National Crime Agency is working closely with the Gangmasters Licensing Authority and, indeed, has been involved in an important operation in Cambridgeshire in the past few weeks. Evidence is being taken by the Centre for Social Justice as part of our preparations for the modern slavery Bill. We are focusing on provisions that relate to enforcement by policing and law enforcement agencies, but we will clearly keep operational matters under review.

Mr David Burrowes (Enfield, Southgate) (Con): On the basis of figures about UK citizens receiving consular advice for alleged trafficking and the fact that very few seem to be brought to justice overseas, is the Minister giving proper attention and resources to ensuring that UK citizens who ply this evil trade abroad are properly brought to justice?

James Brokenshire: I absolutely agree with my hon. Friend on the need to look at this complex issue both domestically in the UK and overseas. That is why we are working with other Governments and our embassies to strengthen support services for victims and to prevent these appalling crimes from occurring. The National Crime Agency has a focus on looking internationally and co-ordinating its work with overseas law enforcement agencies, so ensuring that where there is evidence, those involved in these pernicious crimes will be brought to justice.

Immigration

15. **Gordon Henderson** (Sittingbourne and Sheppey) (Con): What steps she is taking to reduce net immigration. [901347]

The Minister for Immigration (Mr Mark Harper): We have reduced net migration by nearly a third since its peak in 2010. Immigration continues to fall, with immigration from outside the EU at its lowest level since 1998. We will continue to take steps to keep immigration under control, while allowing the best and the brightest to come to Britain to contribute to our economy.

Gordon Henderson: I welcome the Minister's answer, but will he assure me that the Government will remove people who are not here to work and prevent them from coming back, unless they have a very good, legitimate reason for doing so?

Mr Harper: From last week's announcements, my hon. Friend will have noted that we are changing the relevant regulations so that if EU citizens in Britain are, for example, involved in low-level criminality or rough sleeping, and not exercising their treaty rights, we will

be able to remove them and prevent them from coming back, unless they can demonstrate that they will immediately be exercising those treaty rights. I think that those changes will be welcomed in the country.

Mr Charles Kennedy (Ross, Skye and Lochaber) (LD): Will the Minister address that part of his responsibilities in this policy area as they affect would-be foreign students coming to study in this country? On 17 October, he painted a pretty positive picture in a written answer to me on this issue, but that stands in stark contrast to what the UK university sector is saying about a massive loss of income and of international good will for our country.

Mr Harper: I am surprised by that, because figures published last week showed a 7% increase—an increased increase on the previous statistics—in the number of such students going to our universities. There is no reason why a student who is properly qualified, who can speak English and who can pay their fees cannot come to a university, and if they get a graduate-level job, they can stay afterwards to work and to continue contributing, so I am not sure why the university sector is saying that. The increase in the number of students does not support its argument.

Sir Gerald Howarth (Aldershot) (Con): Although I can understand, given the grotesque underestimate of the previous Government, my hon. Friend's reluctance to predict the number of Bulgarians and Romanians likely to come to this country, may I encourage him to give the public and local authorities some indication so that they can plan? Furthermore, even at this late stage, may I invite the Government to support new clause 1 to the Immigration Bill to extend the transitional arrangements—and let us see the courts of these islands, or indeed the European Court of Justice, defy the will of Parliament?

Mr Harper: On the first point, predictions only have any value if they are accurate. I am sure that my hon. Friend was listening carefully to my earlier answer, but the figures from independent commentators—from the countries concerned to Migration Watch and other forecasters—are wide-ranging. Indeed, from what I think I heard an Opposition Member say, there is a political party in this country that thinks that all 29 million citizens of those two countries are going to arrive at Heathrow airport on 1 January. With that range of forecasts, it would not be wise to make any predictions.

Terrorism Prevention and Investigation Measures

16. **Kevin Brennan** (Cardiff West) (Lab): What changes she is considering to terrorism prevention and investigation measures. [901348]

The Secretary of State for the Home Department (Mrs Theresa May): TPIMs provide some of the most restrictive measures available in the democratic world and, unlike control orders, they have been consistently upheld by the courts. The Security Service and police believe they have been effective in reducing the threat posed by TPIM subjects, and the Government have

made it clear to the police and Security Service that every available power under TPIMs should be used to its fullest possible extent.

Kevin Brennan: In the last year under the Homes Secretary's scheme, Ibrahim Magag and Mohammed Ahmed Mohamed have absconded. Does she have any idea where either man is, and will she confirm that, contrary to what she said last time she was in the House, she has no idea where Mr Mohamed's passport is?

Mrs May: I am grateful to the hon. Gentleman for giving me the opportunity to make verbally the amendment I made in *Hansard*. In my statement to the House about Mr Mohamed, I told the right hon. Member for Leicester East (Keith Vaz), the Chairman of the Home Affairs Select Committee, that I thought the police had his passport. I wrote to him afterwards explaining that that information was incorrect. The police did not have his passport, because when he returned to the UK, he was not in possession of a passport and therefore it was not possible to remove it from him.

Diana Johnson (Kingston upon Hull North) (Lab): The Home Secretary's weak TPIMs regime reaches a milestone on 26 January 2014, when seven out of the eight TPIM orders expire and cannot be renewed. This includes the TPIM governing AY, who is believed to be a key member of the group behind attempts to blow up transatlantic flights with liquid bombs and who travelled to Pakistan to learn bomb making, and AM, who was involved in the same plot. Lord Justice Wilkie concluded that he was "highly intelligent" and "prepared to be a martyr in an attack designed to take many lives."

Will she explain why these individuals will be freed from all restrictions by the end of January 2014?

Mrs May: The hon. Lady is aware of the legislation, as is everybody else, but I take issue with her description of TPIMs. As she will have heard me say in answer to her hon. Friend the Member for Cardiff West (Kevin Brennan), TPIMs provide some of the most restrictive measures available in the democratic world. The independent reviewer of terrorism legislation stated:

"In terms of security, the TPIM regime continues to provide a high degree of protection against untriable and undeportable persons who are judged on substantial grounds to be dangerous terrorists."

The hon. Lady talks about people coming off TPIMs as if no one had ever come off a control order. In fact, 43 people came off control orders because the previous Government revoked them because they were quashed in court, or in six cases because people absconded and were never seen again.

Police Service

18. **Lorraine Fullbrook** (South Ribble) (Con): What steps she is taking to broaden entrance to the police service. [901350]

The Minister for Policing, Criminal Justice and Victims (Damian Green): We have moved away from a single point of recruitment and are introducing entry direct to senior police ranks to encourage the most able and those with strong evidence of delivery. There are now

different routes to enter as a constable, including having a level 3 qualification, a police qualification or relevant policing experience.

Lorraine Fullbrook: Some claim that a person cannot serve as a senior police officer without having served in the lower ranks, but direct entry is successful in the armed forces and the prison service. Does my right hon. Friend agree that the College of Policing should look at best practice in those professions to ensure that direct entry encourages the best and brightest talent from all walks of life to join the police service?

Damian Green: I am happy to assure my hon. Friend that the College of Policing will do exactly that. Clearly, many of the best and brightest people already join the police service, but we can always make it better. The proposals are designed to ensure that a wider talent pool is available to the police.

Project Spade

19. **Dr Julian Huppert** (Cambridge) (LD): What involvement the UK has had in Project Spade; and if she will make a statement. [901351]

The Minister for Policing, Criminal Justice and Victims (Damian Green): In July 2012, prior to its incorporation into the National Crime Agency, the Child Exploitation and Online Protection Centre received information via Interpol from Toronto police as part of Project Spade. The NCA CEOP command has now undertaken additional assessment of the data provided, and information was provided to police forces on 26 November. Investigations in the UK are therefore ongoing. Being part of the NCA brings advantages for CEOP, including the ability to draw on specialist skills, resources and the international network.

Dr Huppert: The Prime Minister and Home Secretary talk often about the need to combat child abuse images, and keep asking for more powers. We now know that when excellent police work happens in Canada, which released 386 young children, and 2,345 specific suspects are passed on to CEOP and the British police, the British police do nothing for 18 months. Does the Minister agree it is important for the police to get the basics right, not to keep asking for more powers?

Damian Green: That is precisely why CEOP has been moved to the National Crime Agency. Since its launch, the NCA can already demonstrate operational success in tackling child exploitation. As part of a recent operation by the NCA, which has been up and running for only a couple of months, 25 individuals were arrested on suspicion of involvement in the distribution of indecent images of children. The move to the NCA has made CEOP even more effective than it was in the past.

Topical Questions

T1. [901358] **Eric Ollerenshaw** (Lancaster and Fleetwood) (Con): If she will make a statement on her departmental responsibilities.

The Secretary of State for the Home Department (Mrs Theresa May): My Department continues its work to bring forward a modern slavery Bill, which will strengthen our response to that appalling crime. We propose to introduce new legislation as soon as parliamentary time allows, and will publish a draft Bill for pre-legislative scrutiny. The Bill will clarify existing legislation and enable the courts to restrict activity that puts others at risk, ensuring that more traffickers are identified, disrupted and brought to justice. We are determined to build on the UK's strong track record in supporting victims and fighting traffickers.

The House will be aware of Friday's tragic incident in Glasgow, in which a Police Scotland helicopter crashed into the Clutha pub. Our thoughts and prayers go out to the victims, their friends and families. The national police operational co-ordination centre stands ready to assist Police Scotland in any way it can, and the National Police Air Service has also offered air support to Scotland for critical incidents.

Eric Ollerenshaw: I am sure the whole House joins the Home Secretary in her condolences to those affected by the growing tragedy in Glasgow.

Recently in Fleetwood, a joint operation between Wyre borough council, Fleetwood police, and local pub landlords through Pubwatch targeted the illegal use of drugs. Interestingly, a drug sniffer dog was used among customers, which was totally welcomed by customers and landlords alike—except, perhaps, by the one person arrested. Does the Home Secretary welcome more of those joint and direct operations by police and local councils on the front line to bring back confidence in our communities?

Mr Speaker: I thought the hon. Gentleman was applying for an Adjournment debate, but then I realised he has already had it.

Mrs May: I am grateful to my hon. Friend, because he gives me the opportunity to welcome joint action at local level. I commend Wyre borough council, Lancashire police and publicans for their work. I am pleased to say that we will announce shortly a number of local alcohol action areas, which will seek to tackle alcohol-related crime and health harms, and diversify the night-time economy beyond businesses centred on selling alcohol.

Yvette Cooper (Normanton, Pontefract and Castleford) (Lab): I join the Home Secretary in sending our sympathy to those who have lost loved ones or been affected by the tragic helicopter crash in Glasgow. We pay tribute to the emergency services who are still working hard to help people.

The Home Secretary will be aware that before the election the number of prosecutions and convictions for rape, domestic violence and child abuse was going up year on year as a result of the bravery of victims and hard work by the police, Crown Prosecution Service, Government agencies and support workers. The police recognised today that the number of prosecutions and convictions for rape has fallen since the election, even though more crimes are being recorded. The number of cases being referred by the police to the courts has dropped by 33% since the election. Will she tell the House why that has happened?

Mrs May: The right hon. Lady is right to draw attention to the figures; they are a concern and the Government are looking at them. The Minister for Crime Prevention, my hon. Friend the Member for Lewes (Norman Baker), will be taking this issue forward. As he said in response to an earlier question, there was a meeting at the Home Office between Ministers and the Director of Public Prosecutions a couple of months or so ago to look at the issue and find out where the problem lies. Historic incidents are now being reported—we have seen a number of reports of claims of crimes in relation to Operation Yewtree and others—but it is right that we look carefully to ascertain what the issue is. That is exactly what the Minister for Crime Prevention will be doing when he takes this matter forward with the incoming Director of Public Prosecutions later this week.

Yvette Cooper: I have to say that there seem to be a lot of meetings that are just not working. The trouble is that this does not just concern rape: prosecutions and convictions are down for domestic violence and child abuse, too, even though the number of reported crimes in those areas is also increasing. The police are referring 13% fewer domestic violence cases and 28% fewer child abuse cases to the courts since the election, before which the figures were going up. Those are shocking figures: there are more crimes and more serious offenders are getting away with it. The police are being hollowed out and specialist units cut. The Home Secretary said three years ago that tackling violence against women was her priority. I urge her to start treating it as such.

Mrs May: I note that we are seeing higher conviction rates for rape, and we should all welcome that. I tried to answer the right hon. Lady's question in a way that was serious and sensible. This is a matter that we need to be concerned about and consider, but we cannot know what the answer is until we have identified why, for example, we have seen fewer referrals from the police. Until we—[*Interruption.*] The right hon. Lady is muttering from a sedentary position and making certain assumptions. I take a simple view: it is right and proper to consider the causes behind these figures. Only when we do that will we be able to ensure that the action we take will address the issue. I repeat that she must recognise, as I am sure she does, that the figures for higher reports of violence and abuse include a significant increase as a result of historical operations.

Mr Speaker: Order. I am extremely grateful to the Home Secretary. I remind the House that topical questions and answers are supposed to be brief. We can be led in that now by Mr Martin Vickers.

T2. [901359] **Martin Vickers (Cleethorpes) (Con):** My constituents are concerned about immigration from Romania and Bulgaria and would like to see the transitional period extended. Public opinion in neighbouring EU states shows that that view is widely shared. Have the Government had discussions with other EU Governments on united action?

The Minister for Immigration (Mr Mark Harper): It is not possible to extend transitional controls due to the terms of the accession treaties signed by the Labour party when it was in government. Eight other European countries will remove those controls at the end of the year. My right hon. Friend the Home Secretary has,

however, been working with our European colleagues to tighten the rules so that we see a reduction in the abuse of free movement.

Hazel Blears (Salford and Eccles) (Lab): I welcome that fact that now, under Clare's law, victims of serial perpetrators of domestic violence will be able to get disclosures from right across the country. The Home Secretary knows that victims are probably at their most vulnerable at the point of disclosure, so will she ensure that organisations such as Women's Aid and domestic violence advisers have sufficient resources to be able to protect those victims at that point?

Mrs May: I recognise the interest that the right hon. Lady has taken in the question of Clare's law and the work that she did to promote the concept behind it, following the sad and tragic death of one of her constituents who did not have access to information about their partner. What we have seen among the police forces that have been piloting Clare's law is a real understanding of the need to work closely with other organisations such as Women's Aid to ensure that there is support for victims. I am pleased to say that the Government have ring-fenced £40 million for local support, including for independent domestic violence advocates, who often play a key role in such cases.

T3. [901360] **Jack Lopresti** (Filton and Bradley Stoke) (Con): What steps is my right hon. Friend taking to stop illegal immigrants from getting driving licences?

The Minister for Crime Prevention (Norman Baker): We are indeed taking steps. It is not right that someone who is here illegally should be able to access UK driving licences, which are used not just for driving but to get access to benefits and services. The Immigration Bill strengthens our ability to issue licences only to those who are lawfully here and enables us for the first time to revoke licences held by those who should not be here.

Kate Green (Stretford and Urmston) (Lab): Does the Minister share my concern at reports that, because of pressure on police numbers, police officers are increasingly attending domestic violence incidents singly, which makes it more difficult for them to separate partners and puts the officers themselves at risk?

Norman Baker: I am confident that the police can deal with domestic violence incidents more effectively now that domestic violence protection orders are in place, which enable them to separate the perpetrator and victim immediately by requiring the perpetrator to leave the premises.

T4. [901361] **Priti Patel** (Witham) (Con): Does the Secretary of State agree that it is right for the Government to review the implications of the free movement directive, particularly for EU migration—and I welcome her remarks last week—and to look at individual measures such as imposing a cap on numbers of European migrants, once they reach a certain threshold?

Mrs May: I agree with my hon. Friend that we need to look at the issue of free movement—and it will be possible to do that because the Conservatives have a commitment as a party to renegotiate the treaty and to look at free movement within it. In future, we should

consider a number of measures regarding the accession of countries into the EU and into free movement, so that we can protect the public and other services that are available to our citizens.

Fiona Mactaggart (Slough) (Lab): The Secretary of State will be aware that the police and crime commissioner for the Thames Valley has blamed her 20% cut in spending on the police for the cuts he has made to the community safety funds for local government. My authority of Slough has been cut by £40,000, while the right hon. Lady's has been cut by nothing. Can that be fair in an era when Slough has already reduced crime by 5% and needs these resources to carry on making progress?

The Minister for Policing, Criminal Justice and Victims (Damian Green): I am happy to tell the hon. Lady what is fair. What is fair is that recorded crime in the Slough community safety partnership is down by 26% in the 12 months to June 2013, which is greater than the overall figure for England and Wales. That was between 2012 and 2013, so I am sure the hon. Lady will welcome this improved service to her constituents.

T5. [901362] **Mr Philip Hollobone** (Kettering) (Con): After the wave of mass immigration under the previous Labour Government, my constituents believe that this country is full, and do not want to see unrestricted immigration from Romania, Bulgaria and, as it now turns out, up to one third of Moldova. At this late stage with a month to go, I urge the Home Secretary to think again and not to waive the transitional controls.

Mr Harper: Obviously I understand why my hon. Friend's constituents are concerned, given the appalling job that was done by the Labour Government. In fact, under Labour twice as many people arrived from outside the European Union as arrived from within it. However, as I said earlier, the transitional controls under the accession treaties that Labour signed can last only until the end of the year, and eight other European countries are removing those controls. That is why we have announced changes to ensure that anyone who comes to this country comes to work and not to claim benefits.

Sheila Gilmore (Edinburgh East) (Lab): A number of my constituents who have been given leave to remain in this country, in some cases after appealing, are now spending several months waiting for the paperwork to come through, with the result that a number of them cannot take up job offers. What steps is the Department taking to deal with that?

Mr Harper: If the hon. Lady knows of any specific cases and has not already written to me about them, I suggest that she do so. Since we split up the UK Border Agency, UK Visas and Immigration has been concentrating on improving its customer service standards. We have already reduced the backlog of cases by a significant amount in the current financial year, and we will continue to do so. The new director general is focusing on improving performance for our customers.

T6. [901363] **Annette Brooke** (Mid Dorset and North Poole) (LD): What action is the Home Secretary taking to ensure that child victims of trafficking are receiving all the support to which they are entitled, and would she consider piloting a system of independent guardianship?

The Parliamentary Under-Secretary of State for the Home Department (James Brokenshire): Ultimately, child trafficking is a form of child abuse. When such crimes take place, not only should those responsible be brought to justice, but victims should receive all the support that they need. Local authorities have a strategy duty under the Children Act 2004 to safeguard and promote the welfare of children, and the Department for Education, recognising the specific needs of child victims of trafficking, is considering ways of strengthening support arrangements for them.

Kerry McCarthy (Bristol East) (Lab): The Home Secretary will, I hope, be aware of the tragic murder of my constituent Bijan Ebrahim, whose killer was sentenced last Thursday. He was attacked because his neighbours thought, quite unjustifiably, that he was a paedophile. I have written to the Home Secretary, but may I urge her to do all that she can to ensure that the Independent Police Complaints Commission has the resources that will enable it to report as quickly as possible? Resolving this matter is very important for community cohesion in the area.

Mrs May: The hon. Lady has made a very serious point about what is, as she says, a terrible case. I have not yet seen the letter that she sent to me, but I will look at it extremely carefully. We are providing extra resources for the IPCC to try to ensure that it can do its job effectively in looking into the way in which complaints about the police have been dealt with.

T7. [901364] **Paul Maynard (Blackpool North and Cleveleys) (Con):** What improvements are planned to exit and entry checks at ports of entry on the Irish sea which form part of the border area that we share with the Irish Republic?

Mr Harper: I know that this matter is of concern to my hon. Friend and his constituents, because he wrote to me about it early this year. As I said earlier during Home Office questions, we continue to work closely with the Irish Republic following the protocol signed by the Minister for Policing, Criminal Justice and Victims, my right hon. Friend the Member for Ashford (Damian Green). We work closely with the Republic in sharing intelligence to strengthen the controls that ensure that our country is properly protected.

Nic Dakin (Scunthorpe) (Lab): Given the record number of animal experiments that were recorded in 2012, what action are the Government taking to create a downward rather than an upward trend?

Norman Baker: I am pleased to say that we are taking strong action in that regard, in particular by promoting the alternatives to animal experiments to the National Centre for the Replacement, Refinement and Reduction of Animals in Research. We are leading the world in that regard.

T8. [901365] **Chloe Smith (Norwich North) (Con):** At a time when Britain is showing strong leadership against sexual violence internationally, is my right hon. Friend the Home Secretary aware of the work done domestically and locally by the Norfolk Says No campaign against domestic abuse, which completed a great week of work last week?

Norman Baker: I congratulate those who are involved in the Norfolk Says No campaign. We need more such examples of excellent local practice to ensure that our message reaches women in their daily lives, and police and crime commissioners have a role to play in the matter.

Energy Bills

3.34 pm

The Secretary of State for Energy and Climate Change (Mr Edward Davey): With permission Mr Speaker, I would like to make a statement on the action the Government are taking to reduce the impact of Government policies on energy bills.

British households pay some of the lowest prices for gas and electricity in Europe, but that is no comfort to those who have seen energy bills rise considerably over the past 10 years. The latest round of price rises announced by the energy companies has been particularly unwelcome, coming ahead of what is likely to be a cold winter. In such circumstances, it is right that people ask whether these rises are justified and what the Government are doing to keep energy bills affordable now and in the long term.

The main driver of the energy price rises has been rising wholesale energy costs, and the need to upgrade energy infrastructure to ensure security of supply in the long term. Wholesale and network costs make up over two thirds of bills. Supplier costs and profits make up around a fifth. Energy companies need to be more open about these costs so that consumers can judge which suppliers are acting responsibly and keeping their costs down.

Working with Ofgem, the Government are making this possible by forcing the energy companies to open up their books and justify price rises to their customers. We are increasing competition in the market to bear down on prices and provide people with a proper choice of supplier, and as I announced in the annual energy statement, Ofgem, working with the competition authorities, will report annually on the state of competition in the market, looking in depth and across the energy sector at profits and prices, barriers to entry and consumer engagement. Ofgem's reforms for competition in the retail market are already making it easier for people to understand their bills, work out where they can get the best deal, and switch providers easily.

But it is also right that the Government are open about their social and environmental policies, which make up just under a 10th of the average bill. Our policies provide for immediate help for the most vulnerable with direct cuts to bills, as well as long-term savings on bills through energy-efficiency programmes and support for low-carbon energy that boosts energy security and tackles climate change. For example, the warm home discount cuts the bills of 2 million vulnerable households by £135. The energy company obligation provides permanent long-term savings on bills, including to the most vulnerable, by helping people to upgrade their homes and making them easier and cheaper to keep warm.

Support for cleaner energy increases our energy security and boosts investment in our thriving renewable energy industry, with tens of thousands of green jobs being created, but unlike the winter fuel payment, which provides around 12.5 million pensioners with help with their bills, and cold weather payments, which last year provided over £146 million to cut bills for the most vulnerable, policies such as the renewables obligation, ECO and the warm home discount are paid for directly by consumers through their bills, rather than through general taxation. So it is right that Government keep

these social and environmental obligations paid for by energy bill payers under continuous review, and where we can act to reduce their impact on bills, while maintaining the integrity of our policy, we will, but as we do this, we must act responsibly. We must ensure—*[Interruption.]* We must ensure that the changes we make maintain the support provided to the most vulnerable, maintain the investment in clean energy and do not have a negative impact on our carbon reduction ambitions.

In this spirit, the Government have reviewed the cost profile of social and environmental policies and I can today announce proposals that would reduce the average household bill next year by £50 on average. First, the Government will provide £300 million—*[Interruption.]*

Mr Speaker: Order. Let us have a bit of order in the House. The Secretary of State is doing his best to plough on—*[Interruption.]* No, he is doing his best to plough on through his statement. Let me say to the House that the opportunity to question the Secretary of State will arise, and that is what he would expect, but the Secretary of State is entitled to be heard courteously from start to finish.

Mr Davey: Thank you, Mr Speaker.

First, the Government will provide £300 million in both 2014 and 2015, £600 million in all, for a new rebate to all domestic electricity customers worth £12. Secondly, we propose to consult on remodelling the ECO so that it is easier and cheaper to deliver. The changes to the ECO would result in between £30 and £35 off average bills next year, although the precise reduction in individual households' bills would depend on their energy supplier. The existing dedicated support in the ECO for low-income and vulnerable households—affordable warmth and the carbon saving communities obligations—will both be maintained at current levels and extended from March 2015 until March 2017. The other element of the ECO, the carbon emissions reduction obligation, will also be extended by two years but reduced by 33%. These changes are subject to consultation, which will be carried out early in the new year. In addition to Government action, the electricity distribution network operators are willing to take voluntary action to reduce network costs in 2014-15, which would enable suppliers to pass on an average one-off £5 reduction in domestic electricity bills.

I have been clear from the start that support for low-carbon energy should not change, and it will not. The Government recognise that green energy investment incentives such as the renewables obligation, contracts for difference and feed-in tariffs are essential for investment in future home-grown clean energy generation. Without this low-carbon investment, energy security would be jeopardised as Britain would become ever more dependent on imported oil and gas, and energy bills in the future would be increasingly subject to high and volatile fossil fuel prices. The Government will also ensure that their overall approach will cut just as much carbon as planned. New measures, worth more than £540 million over three years, will boost energy efficiency even further by introducing new schemes for home-movers, landlords and public sector buildings.

In future, when people buy a new home, they could get up to £1,000 from the Government to spend on important energy-saving measures—equivalent to half the stamp duty on the average house—or up to £4,000

for particularly expensive measures. The scheme will be available to all people moving house, including those who do not pay stamp duty, helping around 60,000 homes a year over three years. The Government will also introduce a scheme to support private landlords in improving the energy efficiency of their properties, which will improve some 15,000 of the least energy-efficient rental properties each year for three years. Together, the home buyers and private rental schemes will be worth £450 million over three years. In addition, £90 million over three years will be spent on improving the energy efficiency of schools, hospitals and other public sector buildings.

The Government will deliver a significant boost to the green deal, increasing the funds available to local authorities this year through the green deal communities scheme from £20 million to £80 million, to help support “street-by-street” programmes for hard-to-treat homes in a cost-effective way. We will keep the green deal cashback scheme open, which will protect jobs in the energy efficiency industry before the new measures take effect.

All the major energy suppliers have confirmed that they will pass the benefits of this package on to their customers. The reduction in individual household bills will depend on the energy supplier: some companies have not yet announced price rises for 2014, or have limited their rise until the Government’s review of green levies concluded. Others have announced price rises and have indicated that they will reduce their customers’ bills as a result of these changes. Energy companies will now make final detailed decisions about how to apply these measures, but these cost reductions will ensure that average energy bills are lower in 2014 than they otherwise would have been—on average, by £50 per household. As the major energy companies have now confirmed, there will be no need for price rises in 2014, unless of course there is a major change in wholesale or network costs. Some have gone further, with commitments to hold prices down for longer.

Today’s announcement of cuts to energy bills is just part of the concerted action the Government are taking to help hard-working families, including through income tax cuts, the council tax freeze and the fuel duty freeze. This help for people with energy bills is being achieved while we maintain and extend support for the fuel-poor and continue to back green energy, and by boosting energy efficiency. I commend this statement to the House.

3.43 pm

Caroline Flint (Don Valley) (Lab): May I start by asking the Secretary of State a very simple question: does he accept that the sum total of everything he said in his statement today, which includes spending £600 million of taxpayers’ money and weakening the obligation on energy companies to deliver energy efficiency, is that the energy companies will still be allowed to put up people’s bills this winter? Does he really think that is a good deal for consumers?

The Secretary of State claimed that today’s announcement would lead to a £50 reduction in people’s bills. To be clear, will he confirm that if the average increase in energy bills this winter is £120, even if the companies do pass on the reductions from the cut in levies, the average household bill will actually be £70 higher than last winter? As I understand it, one supplier has

announced that it will wait until March before passing on any price reduction, and another has made no commitment at all on reducing bills. What powers, if any, does the Secretary of State have to ensure that this reduction is passed on fully and immediately?

The Secretary of State will know that for the past two years we have said that the energy company obligation is bureaucratic, inefficient and poorly targeted. The scheme was designed and implemented under his Government. Indeed, the Prime Minister boasted in the House on 23 January that it was “bigger and better” than the schemes that had gone before it. When did the Secretary of State decide that the scheme needed to be cut? Was it this weekend? Could that explain why an impact assessment will not be published until next year? Will he also tell us how many fewer households will receive energy efficiency measures this year and next year than was originally planned under the scheme?

The Secretary of State wants to talk about the total number of households that will be helped, but if the scheme was meant to run for two years and will now run for four, does not that mean that half as many people will receive help in each year? Will he also tell us what discussions he has had with the insulation industry about the effect of this announcement, and what assessment he has made of any potential job losses in that industry?

As for the warm home discount, will the Secretary of State confirm that all he has actually done is move the cost from people’s bills to their taxes? Evidence that we published last month, and in our Green Paper last week, showed that increases in wholesale costs—which the Secretary State blamed in his statement for rising bills—cannot explain the price rises we have seen in the past two years, and neither can increases in network charges and policy costs.

Last month, the Secretary of State appeared to agree with our criticism of the way in which the energy companies had put up their prices, when he said that they were treating their customers like “cash cows”. In the light of that, will he confirm that there was not a single measure in the package that he announced today that will cost the energy companies a single penny? Hundreds of millions of pounds of taxpayers’ money is being spent, the energy companies are helping fewer households with energy efficiency, and people’s bills will still be higher this winter than last, yet the energy companies are still allowed to carry on overcharging people. Whatever the Secretary of State says today, if we genuinely want to get people’s bills down, nothing less than a price freeze and action to stop the energy companies overcharging will do.

Mr Davey: Members will notice that the right hon. Lady did not welcome this cut in energy bills for her constituents. Her constituents will want to know why she is not prepared to welcome it, and the constituents of every Labour Member who stands up to speak today will also want to know whether their Member of Parliament welcomes it.

We looked at the Opposition’s energy freeze proposal, and it was clear that it would not work. The energy companies would put up bills before it and afterwards. It was, and remains, a con. Worse than that, it would undermine competition and investment. Our proposals are real measures based on real facts, and they are going to help people across the country.

[Mr Davey]

The right hon. Lady asked about the big six. We made it clear in our discussions that we expect them to pass on these cuts so that average bills go down by £50, and that is what will happen. She wants to know what we have said about the big six. We have pushed real competition measures. The big six were created by Labour. In 2000, there were 17 companies in the sector. By the time Labour left office, there were just six. The big six are Labour's big six. This coalition has produced competition, which is really having an effect.

It was interesting to listen to the last Opposition day debate on this subject, in which the right hon. Lady revealed that she had not even read Ofgem's proposals for competition in the wholesale market. That shows how much she is not on top of her brief. On the ECO, she has tried to suggest that we are cutting support for fuel poverty, but it is quite the reverse. As I made clear in my statement, we are not only maintaining support for the fuel poverty schemes within the ECO but extending them for two more years.

The right hon. Lady asked what had happened to the impact assessment. I have made it clear that we are going to consult, as she would expect. We will publish the impact assessment when we publish the consultation paper, as we would normally.

The right hon. Lady talks about the insulation industry. I am extremely concerned to ensure that it keeps people employed and keeps investing in people's homes so that they can have permanently lower bills. Our proposal on the stamp duty—£1,000 off for people who move their homes, even if they do not pay stamp duty, to help the lowest-income home owners—will help the energy-efficiency industry, and it is welcoming it.

Finally, the right hon. Lady asked about shifting costs from bills to taxes. I would have thought she had spoken to the fuel poverty campaign groups, because it is they that have wanted this, as it is more progressive. So not only are our policies helping the fuel poor, but they are far more progressive than those we inherited from Labour.

Mr Tim Yeo (South Suffolk) (Con): Does my right hon. Friend agree that an even bigger proportion of average fuel bills is accounted for by the transmission and distribution charges, and that further cuts in fuel bills could therefore be achieved if there was more pressure on the monopoly providers of transmission and distribution, such as the National Grid Company, whose prices are currently not subject to any competitive pressure or any market forces?

Mr Davey: My hon. Friend will have heard in my statement that the electricity distribution network operators will indeed be contributing £5 to this package next year. He will also know that Ofgem has called in the plans of the DNOs and the transmission distribution companies to look at them again, and it is for the independent regulator to scrutinise them with the care we expect.

Glenda Jackson (Hampstead and Kilburn) (Lab): Despite the Secretary of State's ploughing, he has markedly failed to deliver a straight furrow. Despite his criticism of the big six—they were the big six for the three years of his coalition Government and Labour's big six

for a week—there is not one penny coming from those companies to help reduce costs now, and this delay in the implementation of the ECO scheme means that there will be even bigger bills to be paid in the future.

Mr Davey: I am afraid that the hon. Lady is completely wrong. The ECO scheme remains—let us be clear about that. The affordable warmth component of the ECO not only maintains at its current level, but is extended for two years. Similarly, the carbon saving community obligation continues in force now and is extended. The only part of the ECO that is being cut at all—but it still remains—is the carbon emissions reduction obligation. She ought to welcome that, not least because the proposals published by the right hon. Member for Don Valley (Caroline Flint) suggest that the Labour party would get rid of that part of the ECO.

Tessa Munt (Wells) (LD): Does the Secretary of State agree that moving towards general taxation means that the cost of the social and environmental measures he wishes to take will be borne by those who are better off, rather than by people with very low incomes and vulnerable households, whom we seek to help?

Mr Davey: My hon. Friend is absolutely right; moving some of the costs that were on the bill and having to be paid by all bill payers, no matter whether they pay tax or not, to taxation results in a more progressive system overall. One would have thought that the Labour party welcomed that.

Mr David Winnick (Walsall North) (Lab): Does the Minister understand that an increasing number of people in this country are now terrified to use their heating because they are frightened of what their bills will be as a result of the very large increases? We are returning to the fuel poverty that existed under the last Labour Government—[Laughter.] I thought the Tories would cheer at that. It is because they do not want to recognise the fuel poverty that existed under the Tory Government, and it was the Labour Government who brought in the necessary measures to help so many people. This inadequate statement would not even have been made without the pressure from the Leader of the Opposition.

Mr Davey: It was the last Labour Government's Energy and Climate Change Secretary who said that "alarming people about energy issues is not a mature way to conduct politics"—[Official Report, 13 January 2010; Vol. 503, c. 773.]

If only he had kept to his word. This coalition Government have taken energy bills seriously, unlike the previous Government. They killed competition, whereas we are increasing it. They did not take the measures that we are taking, and they should be ashamed of their appalling record.

Mr Christopher Chope (Christchurch) (Con): Why has the Secretary of State not taken the simple and straightforward option of abolishing VAT on household energy bills? That would deliver greater benefits to householders and be far less complex.

Mr Davey: I think my hon. Friend knows that that would be illegal.

Lilian Greenwood (Nottingham South) (Lab): Will the Secretary of State give me a personal guarantee that his hasty changes to the energy company obligation will not curtail or delay the ECO-funded Nottingham greener housing scheme, which is providing external wall insulation to the thousands of tenants and residents on Clifton estate who live in hard-to-treat solid wall houses? Will he meet me and representatives of the scheme to ensure that fuel-poor residents in hard-to-treat homes across Nottingham will be protected?

Mr Davey: As a lad of Nottingham and someone who has been on a visit with the hon. Lady to a number of homes that are benefiting from the ECO scheme, I agree with her. We must ensure that communities around the country are benefiting, which is why we have increased the money for the green deal communities from £20 million to £80 million. I am happy to look at the case that the hon. Lady has raised.

Sir Tony Baldry (Banbury) (Con): Does my right hon. Friend agree that if the Government had not increased cold weather payments and the basic state pension and had not protected winter fuel payments, many vulnerable people would be even worse off when facing increasing energy bills?

Mr Davey: The hon. Gentleman is absolutely right. One of the first acts of this Government was to confirm the trebling of cold winter payments, so that people who were on low incomes had the money when they needed it. Under the triple lock, we have seen some of the biggest ever increases in the basic state pension, which has been greatly welcomed by pensioners up and down the country. By contrast, when Labour was in power, it oversaw an increase in the state pension in one year of just 75p.

Hywel Williams (Arfon) (PC): How will these decisions help people in rural areas who depend on off-grid fuels?

Mr Davey: One of the things we have done is to look at the rural sub-obligation, which is a fourth component of the ECO, to ensure that it is working more effectively for people in rural areas, and we will be providing further details later.

Mrs Anne Main (St Albans) (Con): Does my right hon. Friend agree that these problems have built up over many years and were not tackled by the previous Labour Government? He may also wish to know that in 2006, under the previous Government, fuel poverty in St Albans was at 6.4%, and it rose to a height of 13.7%. Does he agree that freezing energy for one year only would do nothing and that we need a sustained approach to cutting the number of taxes on people?

Mr Davey: My hon. Friend is right that fuel poverty rose to record levels under the previous Government. On their definition, the figures have come down under this Government. It is also interesting to note that the average increases in gas and electricity prices in the last Parliament under Labour were higher than the average annual increases in gas and electricity prices under this Government.

Derek Twigg (Halton) (Lab): The fact is that many of my constituents will still struggle to afford to put on their heating, because this is an inadequate response to rising prices. I asked the Secretary of State in June whether he had raised with the energy companies the issue of profits. He said that he had not. Since then, in any other such meetings, has he raised any concerns about their level of profits?

Mr Davey: As I recall, the hon. Gentleman asked me whether I had raised the matter in a previous meeting. Since being Secretary of State, I have raised the issue of profits and prices with the big six energy companies on many occasions.

Dr Phillip Lee (Bracknell) (Con): In 2010, EDF sold its three English networks for £5.8 billion at a 27% premium on Ofgem's value. In 2011, E.ON sold its networks at a 40% premium. Does the Secretary of State think that returns allowed on UK-regulated energy networks have been and are too generous. If so, is Ofgem fit for purpose.

Mr Davey: Ofgem is fit for purpose. It needs to ensure that the returns on network business are fair to enable profits, but not beyond that. That is why it has acted. It has asked the network companies to justify the current investment programmes that they have put to it.

Mr David Anderson (Blaydon) (Lab): Is it not true that we were sold the privatisation of utilities on the supposed knowledge that there was a transfer of risk from the public sector to the private sector? What we have seen today is a transfer of risk from the billed utility customer to the taxpayer, so the same people are paying the same money through a different route while the companies get off scot-free and with a £600 million taxpayer bung.

Mr Davey: I do not recognise anything that the hon. Gentleman has just said. If he does not understand the difference between bill payers and tax payers, he needs to ask the fuel poverty lobby groups that are saying that people in his constituency on low incomes will benefit from this change, which moves some of the cost from bills to taxes. He really ought to talk to the fuel poverty lobby groups.

Mr Anderson: What about the companies doing their bit?

Mr Speaker: Order. The hon. Member for Blaydon (Mr Anderson) is now squawking like a parrot with indigestion. He must calm himself. He is normally a calm man and he aspires to statesmanship.

Mr David Heath (Somerton and Frome) (LD): Last week during Energy questions, I pressed the Minister of State, Department of Energy and Climate Change, the right hon. Member for Sevenoaks (Michael Fallon), on the insulation of solid wall properties in rural areas, and he made some comforting remarks. Further to the Secretary of State's answer to the hon. Member for Arfon (Hywel Williams), may I be assured that the programme to insulate solid wall properties in rural areas will not be slowed down by what he has announced today?

Mr Davey: I said that the rural sub-obligation would be improved to ensure that people are benefiting from it. We have some evidence that during the first year of ECO it was not getting through to rural people, so reforming that would be a real benefit. It is true that there will almost certainly be fewer solid wall insulations done as a result of the changes. We have not hidden that, but we have ensured that there is a minimum floor to give the industry confidence. The measures we are proposing for the energy efficiency industry—the stamp duty incentive and the money for private sector landlords—will also help to ensure that the solid wall insulation industry continues to get support.

John Healey (Wentworth and Dearne) (Lab): You may well be right that the Energy Secretary is doing his best, Mr Speaker, but it is simply not good enough. After today, people will still see their energy bills going up, so would they not be right to conclude that he and the Prime Minister are simply too weak and unwilling to stand up to the big energy companies?

Mr Davey: Not at all. People will look at the Labour party and see a party that is offering a con, a party that will undermine competition and reduce choice, meaning that they end up paying higher bills, and a party that is going against the national interest. We need to see investment in our energy industry to ensure that we keep the lights on. People around the country would not thank any Government who did not ensure that we had the investment for energy security.

Philip Davies (Shipley) (Con): The Leader of the Opposition hiked up energy prices when he was Secretary of State for Energy and Climate Change and is now trying to claim credit for keeping them at that hiked-up level. Unfortunately, we have heard the same clap-trap from the Secretary of State today as we heard from the Leader of the Opposition when he was Secretary of State. My constituents want the Government to source the cheapest energy rather than the greenest energy. When is the Secretary of State going to start doing that?

Mr Davey: I am grateful to my hon. Friend for his contribution, as always, but I must say that the most secure and effective policy is a mixed diverse approach. The mixed diverse approach ensures energy security but as, over time, we see reductions in the cost of alternative energy, such as clean energy, it also becomes increasingly good value for money.

Fiona O'Donnell (East Lothian) (Lab): That was like a bad sketch in “The Fast Show”, with the Secretary of State saying, “The consumer gives the energy companies £120. I will give them £600 million and they can give the consumer £50 back.” He repeatedly referred to the most vulnerable consumers. Many of those in my constituency are forced to use expensive prepayment cards; what is the Secretary of State doing to protect them?

Mr Davey: They will get this benefit.

Andrew Jones (Harrogate and Knaresborough) (Con): Does my right hon. Friend not think that problems with the energy market, such as those relating to long-term

generating capacity, built up over many years but had been ignored, including when the Leader of the Opposition was Secretary of State for Energy and Climate Change?

Mr Davey: My hon. Friend is absolutely right. One of the reasons why we have to increase investment so much over a relatively short time, which comes at a price, is the failure of the last Government to invest in energy infrastructure. People warned them, and warned the former Secretary of State for Energy and Climate Change, currently the Leader of the Opposition, to do something; he failed.

Bill Esterson (Sefton Central) (Lab): The Secretary of State says that he is spreading the money for the energy company obligation over an extra two years. That delays measures that would help people to keep their bills down. Is not the truth that people in fuel poverty will pay higher bills for longer after this statement?

Mr Davey: Not only did I not say what the hon. Gentleman said I did, but that is not true. Fuel poverty programmes, such as the affordable warmth programme and the carbon saving community obligation, remain in place, remain at the same rate in each year, and are being continued for two more years, so this is more investment to tackle fuel poverty.

Christopher Pincher (Tamworth) (Con): Within the next decade, we must invest £110 billion, probably more, in our energy infrastructure—the pipes, pylons and power stations—to keep our lights switched on. Does my right hon. Friend agree with energy experts and industry players that a freeze would jeopardise that investment, which would mean that the poor old taxpayers were even more hard-pressed because they would have to foot the bill?

Mr Davey: It would be worse than that: it would be the poor old consumers who did so, because the cost of capital would go up. There would also be a reduction in investment in green energy, which the Opposition claim to support, so the Opposition's policy is both irresponsible and reckless.

Alex Cunningham (Stockton North) (Lab): Around 100 people from my constituency, and hundreds more, face two extra hours on their working day after npower announced it was closing its Thornaby office, and that those people would therefore have further to travel. The company says that it is doing that, and sacking hundreds more and transferring the jobs to India, to help keep bills down. Has npower told the Secretary of State how much bills will come down by, at the expense of those lost and transferred jobs?

Mr Davey: This was discussed in a little more depth in oral questions to the Department of Energy and Climate Change last week. I made it clear that other Secretaries of State, particularly my right hon. Friend the Secretary of State for Business, Innovation and Skills, and I will look at what we can do to help people who are affected by npower's redundancy package.

Mark Pritchard (The Wrekin) (Con): I welcome the Energy Secretary's announcement, and congratulate him on the robust defence that he has rightly made of the

Government's position. Further to an earlier question, may I ask him what more can be done for those in rural areas who rely on oil to heat their homes?

Mr Davey: The Minister of State, Department of Energy and Climate Change, my right hon. Friend the Member for Sevenoaks (Michael Fallon), has been doing a huge amount of work on this. There will be a new code, or protocol, on working with industry to make sure that a lot of the policies that we have introduced, such as the "buy early" campaign, really help people who are off-grid in rural areas and who are dependent on fuel sources like oil.

Barbara Keeley (Worsley and Eccles South) (Lab): The Energy Secretary talked about there being no need to alarm people, but I have never known a time when older people in my constituency were more alarmed, probably because of the £300 by which their bills have already gone up. Despite the cut to green energy levies, bills will still go up by £70, so those older people do not need alarming; they are already alarmed. Is it not time that the Secretary of State stood up to the energy companies and supported a price freeze?

Mr Davey: I was quoting the leader of the hon. Lady's party when I talked about not alarming people; I was making it clear that he said one thing when he was in government and changed his mind in opposition. The hon. Lady, like many of her hon. Friends, failed to welcome the announcement of an average of £50 off household energy bills; she should welcome it, and welcome the fact that this Government, through our tough competition policies, are taking on the big six that Labour created.

Sir Robert Smith (West Aberdeenshire and Kincardine) (LD): I welcome the positive response to the Select Committee on Energy and Climate Change's recommendation that some of the costs of the levies be transferred to general taxation, as a fairer way of funding those levies. What is being done to assist people in switching, and to ensure that they realise that that is now meant to be simpler, and the best way for them to get the best deal?

Mr Davey: I am grateful for my hon. Friend's welcome. He is quite right: we looked at what the Select Committee said on those issues, and considered it carefully. He is also right to say that switching is a really important part of the way to help people, because there are some good deals out there. In the annual energy statement, I talked about our ambition to improve and make switching easier, and we are already working with the industry to bring about quicker switching.

David Wright (Telford) (Lab): The Secretary of State said that he wanted to make bills easier for the public to understand, but the public know that even after this reduction their bills will rise over Christmas and rise next year. Exactly what has he got out of the energy companies and, as we say in Telford, when are they going to do some money in?

Mr Davey: The really important thing for the hon. Gentleman's constituents is that the average energy bill in his constituency will go down by £50, compared with

what it otherwise would have been. If we had listened to the Labour party and continued its policies, for example with the renewable heat incentive, bills would be £179 higher.

Robert Halfon (Harlow) (Con): My constituents will see through the crocodile tears of Opposition Members, because they know that energy prices doubled under the previous Government. Is my right hon. Friend aware that EDF, the local energy company in my constituency, is offering customers significant decreases through fixed-term tariffs? It is also ensuring that customers know about other companies' deals? Does that not show that increased competition is the best way to get energy prices down?

Mr Davey: My hon. Friend is absolutely right. When we came to power we found that there were far too few energy companies and that the big six had it all their own way. As a result of the measures we have taken, through deregulation and the retail market review, we are seeing independent suppliers come in and offer some really good deals. He mentioned making energy bills simpler, which will help people know their options and be able to choose to switch to lower prices and better deals.

Dr Alan Whitehead (Southampton, Test) (Lab): Is there any part of his statement that the Secretary of State might wish to review in the light of what his own Minister of State, the right hon. Member for Bexhill and Battle (Gregory Barker), said yesterday, which was that the cuts in ECO will result in far less carbon being saved over the next period? Does he accept that ECO's original intention, which was to cut bills by up to £400 for those who benefited from it permanently, is now seriously at risk as a result of what he has undertaken today?

Mr Davey: We approached the review with the intention of ensuring not only that we kept the support for the fuel-poor and the investment for green energy, but that it was carbon neutral. The package we have put together, not only with the energy efficiency investments we have announced today but with announcements that will be made in the autumn statement, will show that it is indeed carbon neutral.

Bob Stewart (Beckenham) (Con): Would it be possible to tackle the problem of VAT on fuel by ignoring a European Union directive and saying that we are just not going to collect it?

Mr Davey: I think that would be very unwise. I am sure that the Chancellor's lawyers would explain that it is not legally possible.

Mr Jim Cunningham (Coventry South) (Lab): We need to ask what the Secretary of State has been doing for the past three and a half years. He has blamed everybody but himself. When the issue first arose, he told people to wear pullovers. What he is offering people today is less than 90p a week off their energy bills. How does that square with the bedroom tax? It will affect a hell of a lot of poor people in this country. This must be one of the cruellest Governments we have ever had.

Mr Davey: I must say that the hon. Gentleman, to whom I normally listen with attention, is wrong on every point. For example, he did not draw attention to the fact that the warm home discount is delivering £130 directly off the bills of the 2 million lowest income households in our country, including over 1 million of the poorest pensioners, something that I thought he would welcome.

Guy Opperman (Hexham) (Con): It is this Government who have introduced a code of practice for off-grid suppliers, raised the basic pension and increased cold weather payments in a multiple way. Does my right hon. Friend agree that this reduction will help the vulnerable and elderly, in particular, in my constituency?

Mr Davey: The hon. Gentleman is absolutely right. He is also right to put this announcement in the context of all the other things the Government are doing, whether it is the income tax cut that is taking some of our lowest paid out of income tax altogether, delivering a £700 tax cut for people on the basic rate of tax, the council tax freeze or the fuel duty freeze. These things are never admitted to by Labour Members, but our constituents are benefiting from them every day in every way.

Nia Griffith (Llanelli) (Lab): Many of my constituents who get their energy from SSE saw their prices rise on 15 November. They now understand that they will be paying more through taxation and probably will not see any money from the energy company until April at least. The question they will be asking is whether this Secretary of State ever actually asked any of the energy companies for a price freeze—and if not, why not?

Mr Davey: I am surprised that the hon. Lady mentions SSE, because it has announced a £50 price cut from next year and a pledge to keep prices flat until spring 2015, subject obviously to wholesale energy costs. I would have thought that she would welcome SSE's announcement.

Mr Philip Hollobone (Kettering) (Con): The best way to cut electricity and gas bills would be to abolish VAT on them. Will the Secretary of State, as an enthusiast for the European Union, confirm that it is the European Union that prevents VAT from being removed? What efforts have he and the Chief Secretary to the Treasury made in Brussels to get a derogation from those restrictions?

Mr Davey: I am being tempted by my colleagues on the Back Benches. I hope they can cast their minds back to a former Conservative Government who wanted to put VAT at 17.5% on energy bills while my party campaigned against that. As I want to ensure that our coalition parties are working closely together, I respectfully repeat that that proposal would be against the law.

Chris Bryant (Rhondda) (Lab): All one needs to know about this Government is summed up in the first few words of the Secretary of State's statement when he said that this Government were taking action "to reduce the impact of Government policies on energy bills." I want to increase the effect of Government policies on energy bills, because I want a Government who are

going to stand up to the energy companies and make sure that we reduce bills. Why will the Government not do that?

Mr Davey: The hon. Gentleman shows his lack of understanding of the policy. It is very important that we have Government policies to tackle fuel poverty and boost energy efficiency, and I would have thought he would welcome that. We are combining those policies with our very strong policies on competition. I only wish that when Labour was in government it had pursued competition policies as rigorous as ours.

Dame Angela Watkinson (Hornchurch and Upminster) (Con): Will my right hon. Friend describe to the House just how much control he has over global gas wholesale prices?

Mr Davey: My hon. Friend makes a very good point. Neither I nor my predecessor, nor the Leader of the Opposition when he was doing my job, has any control over international gas markets. That is why Labour's policy of a price freeze makes no economic sense whatsoever. During that freeze we could find some small suppliers making serious losses or going out of business if wholesale prices went up. That would reduce competition and we would be back to the big six. Of course, that is what Labour wants, because it created the big six.

Stephen Doughty (Cardiff South and Penarth) (Lab/Co-op): Hundreds of people in Splott and Tremorfa in my constituency who suffer from some of the highest levels of fuel poverty and energy debt in Cardiff have signed a petition calling for a freeze in energy bills, but instead they will see their bills continue to rise. Is the Secretary of State just telling them to pipe down and settle for his announcement?

Mr Davey: It would be interesting to see the petition, because I am sure that the hon. Gentleman did not show the people who signed it the small print, which shows that the price freeze would reduce competition, reduce investment, and is a complete con.

Mr David Nuttall (Bury North) (Con): Does the Secretary of State agree that the best way to secure lower energy bills and more investment in the energy sector in the long term is for Government to cut corporation tax further, to cut the regulatory burden on companies, to increase competition, and to scrap altogether Government-imposed green and social levies on energy bills?

Mr Davey: There were moments in that question when I thought my hon. Friend was doing a good job, but I am afraid I cannot agree with everything he says.

Tom Blenkinsop (Middlesbrough South and East Cleveland) (Lab): Is it not the case that this Minister and the Prime Minister only dare ask the big six to freeze energy prices, while the Leader of the Opposition will make the big six freeze energy prices?

Mr Davey: I am more impressed by what people do when they are in office. The Leader of the Opposition did nothing on competition when he was in office. He

helped create the big six and he kept them in business. Frankly, we would like an apology from him and his party for the way they sucked up to the big six.

Andrew Bridgen (North West Leicestershire) (Con): Does my right hon. Friend agree that, while it is right to take action to reduce energy bills, the only sustainable way to raise the living standards of hard-working families is by sticking to this Government's long-term economic plans of deficit reduction and creating a responsible recovery?

Mr Davey: My hon. Friend hits the nail on the head. It is vital that we do everything we can on energy bills, as we have announced today, but it is equally vital that we make sure we run the economy in a sustainable way. When we came to power, inflation was 3.5% and rising; now it is 2% and falling. By tackling the cost of living and inflation, we are delivering real help to people. That is why disposable incomes for UK households are higher now than in any year between 1997 and 2010.

Cathy Jamieson (Kilmarnock and Loudoun) (Lab/Co-op): I have been contacted by companies in my constituency that are very concerned about the chaotic way in which the Government's latest policy has emerged. Will the Secretary of State tell us exactly how many additional replacement energy-efficient boilers will be installed in households as a result of today's announcement?

Mr Davey: There are likely to be a lot more, because we are extending the affordable warmth scheme: we are keeping its current rate for this year and next year and we are extending it for two years. That will mean more boilers in the homes of people who are fuel-poor.

Mr John Leech (Manchester, Withington) (LD): I welcome any measures such as this that help families who are struggling with the increased cost of living, but in the longer term has my right hon. Friend considered a complete separation of the retail and wholesale markets and the impact that that would have on retail gas and electricity prices?

Mr Davey: My hon. Friend raises an interesting point. Certainly, we and, indeed, Ofgem have been looking at how we can reform the wholesale market in a way that deals with the problems. Ofgem's suggested "secure and promote" reforms—which the Labour party appears not to have read—will ensure that we will have much greater competition in the wholesale market, which means that independent generators will be able challenge the big six and their vertically integrated model. There are, therefore, alternative models to ensure that we get competition working in the generation markets, which has not happened for far too long.

Toby Perkins (Chesterfield) (Lab): More than 5,000 people in Chesterfield signed a petition urging the Government to freeze energy prices. They will be mystified as to why the Minister thinks it is a good idea to put money saved from energy bills on to the tax bill instead. In answer to the question asked by my hon. Friend the Member for Halton (Derek Twigg), the Secretary of State said that he had discussed profits and prices with the big six energy companies. Did he tell them that he thought that profits and prices were too high?

Mr Davey: We have actually gone further than the hon. Gentleman wants. We have asked Ofgem to do a full review of the financial transparency of the big six so that their customers, this House and the public can see where and how they are making their profits. That is exactly what the hon. Gentleman ought to be welcoming.

Mr Russell Brown (Dumfries and Galloway) (Lab): The Secretary of State has been asked twice about rural areas such as mine, where many households are off the gas grid and use liquefied petroleum gas and heating oil. Not only that, but they are desperately low-income households. The Secretary of State's statement gives nothing to those people, apart from telling them to continue to pay their tax, which will subsidise the energy companies.

Mr Davey: When I was asked that question on the two previous occasions mentioned by the hon. Gentleman, I replied that one of the components of the energy company obligation has not been working, namely the rural sub-obligation of the carbon saving community obligation. We are reforming that to try to make sure that it works better for rural areas. We are doing an awful lot for people in rural areas, not least through the renewable heat incentive, which will be launched next March or April. We have not announced the actual date, but it is designed to help people who are off the gas grid.

John Robertson (Glasgow North West) (Lab): I do not know whether the Secretary of State is being conned by the big six or whether he thinks he is conning us, but I know one thing: the poor are the ones who will suffer more than anybody else. What is the Secretary of State doing to those energy companies that force prepaid meters on people who can hardly afford to pay their bills and who, because they are on a prepaid meter, get themselves cut off and who may then die as a result of poor weather? What does his statement do for those people?

Mr Davey: It is worth pointing out to the hon. Gentleman, first, that disconnections are at an historical low and, secondly, that he is wrong about the impact of the statement for the fuel-poor. It is actually very good news for the fuel-poor: not only are we maintaining the programmes as previously planned, but we are extending them for two additional years, which one would have thought the Labour party would welcome.

Huw Irranca-Davies (Ogmore) (Lab): On energy efficiency, we know that contractors who sometimes literally bet their house on green deal installations have tragically been let down by this Government, with only just over 200 out of an anticipated 10,000. Precisely how many fewer solid wall external cladding insulations will there be next year because of the reforms that the Secretary of State has announced today?

Mr Davey: First, the hon. Gentleman is wrong about the green deal; he was referring to green deal finance plans. He talked about insulations, but an awful lot more have gone on because of the green deal, with the

[Mr Davey]

success of green deal assessments—more than 100,000 of them—even though they have not necessarily been financed by a green deal finance plan, so he is completely wrong.

One thing we have done to reassure the industry is to have a minimum of 25,000 solid wall insulations a year for the next four years. I hope and believe that there will be a lot more than that, but that will give the industry the reassurance and confidence that I think it needs.

Andrew Gwynne (Denton and Reddish) (Lab): The Secretary of State has panicked because he knows that Labour's two-year price freeze has struck a popular chord. Is not the inconvenient truth of his fix with the big six energy companies that consumers across Tameside and Stockport, as well as the rest of the country, will still pay much more in energy prices, and that his plans do absolutely nothing to reset the energy market, which Labour's price freeze would allow?

Mr Davey: I am afraid that the hon. Gentleman is wrong on every count. This Government—working positively with the independent regulator, Ofgem—are delivering reforms to reset the failed market that we inherited from the last Government. It is a shame that not a single Labour Member has welcomed the average £50 cut that will help households.

Diana Johnson (Kingston upon Hull North) (Lab): I listened to the Secretary of State announcing his policy of a £50 cut on Radio Humberside at 9 o'clock this morning. For people in Hull, will he confirm that they will still end up paying higher energy bills under his Government? The average bill is going up by £120 a year, so they will still pay £70 extra this year.

Mr Davey: The hon. Lady is right to say that electricity and gas prices have been going up for some time, but we do not have a magic wand to say to international gas markets, "No, the prices cannot go up." If Labour Members have found a magic wand, perhaps they would like to lend it to us.

Kate Green (Stretford and Urmston) (Lab): If the Secretary of State is so confident about the impact of his measures, why are the Government trying to water down the fuel poverty target?

Mr Davey: We are not trying to water down the target. We have had a two and a half year analysis and consultation, as I would have thought the hon. Lady would know. My predecessor commissioned Professor John Hills to do a detailed and independent study on fuel poverty, which was not done under the previous Government. If she looks at the proposals that we have come up with, having consulted widely, she will see that they have been welcomed by fuel poverty groups. Why? They have been welcomed because the proposals will ensure that our resources are much better targeted on people in real fuel poverty—in what I call deep fuel

poverty. Again, I would have thought that the Labour party would welcome that; it is a shame that it is not doing so.

Paul Flynn (Newport West) (Lab): Are not future rip-offs very likely, given the extraordinary deal on Hinkley Point nuclear power station which guarantees compensation to a French Government-owned company if British Government energy policy changes at any time over the next 35 years? Will the Secretary of State give us a promise of full transparency on the conditions of that extraordinary deal, so that we can know who is deciding it? Will it be decided by Parliament or by the Government in a private deal, in secret, with a nationalised company?

Mr Davey: I disagree with the hon. Gentleman's analysis of the impact of the nuclear deal, and actually he is disagreeing with his own Front-Bench team, who welcomed the deal. We have said in the Energy Bill and I have said at the Dispatch Box that we will be transparent. When the final investment contract is signed, which we expect to happen halfway through next year, it will be published, making it the most open and transparent nuclear deal done by any Government in history, not just in this country but across the world. He ought to welcome that.

Kerry McCarthy (Bristol East) (Lab): My constituents will take two things away from today's statement. One is that they will still be paying much more for their fuel bills this winter, and the other is that the big six energy companies, despite a 75% rise in profits last year, will still be making more money. Why does the Secretary of State expect my constituents to share the pain, but the energy companies not to share the gain?

Mr Davey: I am afraid that the hon. Lady is mixing up two things. Today, following our detailed review of Government policy costs, we can announce that on average households will see their bills fall by £50, which she ought to welcome. Our policy for the big six and other energy companies is to have fierce, robust competition. One of the best ways to ensure that energy bills come down is to enable people in the retail markets to switch and to ensure that the big six face real competition in the generating market. It is competition that will push bills down in the long term.

Debbie Abrahams (Oldham East and Saddleworth) (Lab): My hon. Friend the Member for Bristol East (Kerry McCarthy) is absolutely right. The profits of the big six energy companies rose by 75% last year, while average household costs increased by £100, yet the £50 cut in fuel bills will come at no cost to the energy companies. Why are the Government not prepared to stand up to these big companies?

Mr Davey: I am never quite sure where the Labour party stands on profit. One of its number said in 2009:

"The energy companies need to make sufficient profits in order to invest in the future".

That was the Leader of the Opposition when he was doing my job.

Helicopter Crash (Glasgow)

4.31 pm

The Secretary of State for Scotland (Mr Alistair Carmichael): With permission, Mr Speaker, I should like to make a statement to update the House on the crash of the helicopter in Glasgow on the evening of Friday 29 November.

As the House will be aware, at approximately 10.25 pm on Friday evening, a helicopter operated on behalf of Police Scotland crashed on to the roof of the Clutha bar in Stockwell street, Glasgow. It was reported that about 120 people were in the bar at the time of the accident. Police Scotland has overnight confirmed nine fatalities, including the pilot of the helicopter and the two police officers onboard. A further 32 people were injured in the crash and 12 remain in hospital. Three of those casualties are being treated in intensive care, where their conditions are described as serious but stable. The search of the building continues, and it remains possible that more casualties will be found.

I am sure the House will wish to recognise the outstanding work of the emergency services for the speed, professionalism and courage of their response on Friday night and into the early hours of Saturday. The police, fire and ambulance services all responded magnificently, working in difficult and dangerous circumstances. In particular, we should recognise that police officers had to deal with the deaths not only of members of the public, but of two of their colleagues, PC Kirsty Nelis and PC Tony Collins.

Some of the most remarkable stories of courage and selflessness from Friday night and Saturday morning have come from staff and customers of the Clutha bar and passersby who came to their assistance in the immediate aftermath of the accident. They responded with no thought for their personal safety. Hon. Members will know that among them was the right hon. Member for East Renfrewshire (Mr Murphy), who happened to be one of the first on the scene. He is not in the House today, because he is in the Philippines in the course of his duties as shadow Secretary of State for International Development. He has been characteristically understated in describing his role, but I am sure I speak for the whole House when I say that his response, which was instinctive, did him credit.

In addition to meetings with members of all three emergency services in the command centre this morning, I met Councillor Gordon Matheson, the leader of Glasgow city council, at the city chambers, where I also signed the book of condolence. Glasgow city council will now take up much of the burden of caring for and comforting those affected by this incident.

My right hon. Friend the Transport Secretary has been in regular contact and his Department, through its air accidents investigation branch, now has the duty to investigate and report on the causes of the accident. Investigations of that sort are inevitably complex and can be lengthy. I know that all those affected will be looking for answers, but the gathering of evidence, especially at this early stage, will be vital to that investigation. I hope the police and other investigatory agencies will be given time and space to do their job. The House will also wish to know that there has been close contact

between Her Majesty's Government and the Scottish Government since the incident. The Prime Minister spoke to the First Minister on Saturday and offered any assistance from the emergency services or other agencies south of the border, should that be required.

Today, I wear a badge that was given to me this morning by Councillor Matheson. It reads simply: "People make Glasgow." The response of the people who make Glasgow has demonstrated all the courage and character that has made that city famous throughout the world. We in this House, and the people we represent in communities throughout the United Kingdom, today stand in solidarity with the people of Glasgow as they mourn their loss and start to come to terms with their grief. People make Glasgow, Mr Speaker, and today I wear that badge with pride.

4.36 pm

Margaret Curran (Glasgow East) (Lab): I thank the Secretary of State for advance sight of his statement. This has been a dark weekend for Glasgow and our whole country. When we should have woken to celebrate St Andrew's day on Saturday, we were instead met with unexpected tragedy, and when I attended mass on behalf of Her Majesty's Opposition in St Andrew's cathedral on Saturday, yards from the site, there was a real sense of shock.

I have lived all my life in Glasgow, and I know that when we hurt, we grieve together and we mourn together. Today, all Glasgow and all Scotland are united in grief. I echo the Secretary of State's tributes to the nine people whose deaths have been confirmed, and the whole House joins together to send a message of deep sympathy to their loved ones. We also remember the people who are still being treated in hospital.

Today, with the Secretary of State and my hon. Friend the Member for Glasgow Central (Anas Sarwar), I visited the command centre in Glasgow to thank the representatives of the police, fire and rescue and ambulance services. Their response to this tragedy has been exemplary. We also thank staff in Glasgow's hospitals who provided care and comfort to the injured and their families. I pay tribute to them and to those who are still at the Clutha Vaults bar leading the recovery. I also pay tribute to my right hon. and personal Friend the Member for East Renfrewshire (Mr Murphy), who assisted at the site on Friday night and was very moved in his television appearances. He has asked me to pass on his apologies today as he is on parliamentary business in the Philippines.

Our minds are still focused on those who died and suffered injuries, but we must establish what happened on Friday night to prevent such tragedies in the future. The Secretary of State noted in his statement that the air accident investigation has begun, and the deputy chief inspector of the air accidents investigation branch has said we can expect an initial report soon. Will the Secretary of State tell the House whether we can expect that report before Christmas?

Questions are beginning to be asked in Glasgow, and families and others need answers. Will investigations now under way cover the manufacture and operation of this helicopter, including the circumstances of the incident but also implication for its future and further use? I recognise that the Secretary of State has embraced a strong cross-party approach to this issue, which I appreciate. Will he continue the cross-governmental and cross-party

[Margaret Curran]

work that I think has united our country in showing that, whatever divides us, in moments such as this, we are prepared to work together?

Finally, the Secretary of State indicated that Glasgow city council and the Scottish Government have already offered practical support to the residents of the city, particularly to those most involved. What support will the UK Government offer to Glasgow and to the families of the victims of the crash?

The whole city of Glasgow and the people across Scotland and the United Kingdom are joined together in grief and shock. It has been a dark weekend, but as we heard at the Church of Scotland sermon at Glasgow cathedral on Sunday:

“Darkness shall not snatch everything from us.”

I know the people of my city of Glasgow. Out of this weekend, I know that it is not the darkness that will live on; it is the spirit of the people who did not turn and run from the Clutha Vaults pub, but who ran towards the danger and worked arm in arm to lift men and women to safety. Out of this tragedy, that is the most powerful tribute.

Mr Carmichael: I commend the hon. Lady for her response and for the approach that she has taken. We have been in close contact throughout the course of this weekend and I very much expect that to continue. If I may say so, the ability of the Government, the Opposition and the Scottish National party to work together is the very least we can do in these circumstances. To take any other approach would be wholly inappropriate, given the magnificent response we have seen from the people of Glasgow.

On the question of the early report of the air accidents investigation branch, it would be impossible to give any undertakings at the moment. I can say that the earliest possible publication of the interim report will be made. I very much hope that in the course of the investigation any information that can be supplied to the families will be supplied. Should there be any difficulties in that regard, my office, and I am sure the office of the Secretary of State for Transport will stand ready to address any issues.

On the support to be given by Glasgow city council, the council is best placed to deliver that support. It has all the facilities in the communities and knows best where to find the people who need assistance and comfort. I am in regular contact with the leader of Glasgow city council and I value the strength of the working relationship between his office and mine. I am confident that should there be need for assistance from Her Majesty's Government in Westminster, he will not be slow in asking. We will do everything within our power to give him the assistance he needs.

Mr Charles Kennedy (Ross, Skye and Lochaber) (LD): On behalf of my right hon. and hon. Friends, I thank the Secretary of State for Scotland for his well-judged comments and for the content of his statement, which we all endorse completely. He and I share a strong empathy and ongoing attachment to the city, through the university of Glasgow. I am sure he and others will agree that the sentiment and sense of the song popular down the generations, “I Belong to Glasgow”, had a

particularly poignant ring to it in the heart of every Scot around the world during this sad St Andrew's weekend.

In rightly paying tribute to the emergency services and to ordinary citizens for what they have achieved, and are continuing to achieve, at considerable risk to themselves as a result of these appalling events, I ask my right hon. Friend to thank one other branch of public life that we, across the political spectrum, do not always praise in this House: the media. The broadcast media—BBC Scotland, in particular, but the commercial sector in Glasgow and the west of Scotland in general—and the print media have shown great responsibility and sensitivity to those involved, particularly to those who have lost loved ones. We hope that that will be maintained, and that the privacy of those who are having their loved ones returned to them will be respected in the future, too.

Mr Carmichael: My right hon. Friend reminds me that he and I share the experience of having gone from the west highlands in our latter teenage years to be students at the university of Glasgow. I revisited my own time there recently and carry with me to this day fond memories of the warmth of welcome that was given to me and the strength of community I found as a west highlander arriving in Glasgow in the early 1980s. I am sure my right hon. Friend's experience was the same, and I am certain that it is the strength of the community that has produced the remarkable response we have seen in the course of the last three or four days.

With regard to the self-denying ordinance of the media outlets, I think my right hon. Friend is correct to draw attention to the restraint exhibited thus far, and I am sure that he shares my hope that that approach will continue.

Anas Sarwar (Glasgow Central) (Lab): We will all have been shocked by the tragic scenes in my constituency at the heart of the great city of Glasgow on Friday night. Our thoughts and prayers are with all those individuals and families suffering at this really difficult time. Although we have seen the saddest of scenes, we have also seen the best of our citizens, with people not running away from the scene but running to it to help their fellow citizens—the perfect illustration of human kindness and human decency. I pay tribute to the brave men and women of our emergency services, who risk their own lives to protect the lives of others. We cannot even begin to thank them enough.

On behalf of the people of Glasgow, I would also like to thank people for the kind messages of support we have had from people right across the UK—whether it be from Edinburgh, Glasgow, Aberdeen, Cardiff, Liverpool, Birmingham, Manchester or London—all saying that this weekend “We were all Glaswegians.” Will the Secretary of State tell us what additional support his Government will give to the people affected by this incident to ensure that they get the love, care, support, and also the answers, that they need?

Mr Carmichael: I pay tribute to the hon. Gentleman, who has been an exceptionally eloquent advocate for his constituents and community over the course of this weekend. As to his question about extra support, as I said earlier, if the leadership of Glasgow city council sees an opportunity for us to assist, I stand open to do

so in any way, within our capability, that I can. I know that the city council leader will doubtless be in contact with us.

Bob Stewart (Beckenham) (Con): Like everyone else in England, Wales and Northern Ireland, we are deeply saddened by what happened in Glasgow, which happens to be my father's home town. Does the Secretary of State agree that, whatever happened to that helicopter, the pilot will have tried his level best to put it down safely and that it was probably a traumatic incident that disallowed him from putting it into the river or on a flat piece of ground?

Mr Carmichael: The hon. Gentleman, of course, has a distinguished service history, which doubtless informs his views. Obviously, the purpose of having an air accidents investigation branch is to have people who can carry out these investigations. It would probably be ill advised of me at this juncture to speculate about the actual circumstances, which will doubtless become clear in the fullness of time.

Pamela Nash (Airdrie and Shotts) (Lab): I associate myself with the comments made across the House; my thoughts have clearly been with the emergency services, the victims and their families. Understandably, it is taking a lot of time safely and thoroughly to search the remains of the Clutha. Sadly, that leaves many families in limbo. Has the Secretary of State had assurances that the emergency services had all the equipment and expertise they required to ensure that no one was left alive in the Clutha in the immediate aftermath of the crash?

Mr Carmichael: As I indicated in my statement, I understand that the search of the bar continues. The helicopter was removed from the roof while the hon. Lady and I were at the command centre this morning—we were able to watch it happening. The ongoing investigation will, of course, require a very delicate and detailed search. I completely understand the difficulties and frustration that that will cause for many people who remain anxiously waiting for news of their loved ones. In the long term, however, what we all want is to get to the truth of the matter. I know from my former professional experience, having worked at the Crown Office and Procurator Fiscal Service early in my career, that the early stages of evidence gathering are the most important and can have a significant bearing on the ability to establish the cause of these incidents. I have no reason to believe—and nobody has suggested—that there was any under-resourcing of the emergency services operation. In fact, I would be astonished if that turned out to be the case.

Mark Reckless (Rochester and Strood) (Con): The helicopter that came down so tragically has been described as a Scottish police helicopter. Will the Government, or the police, be able to add to any assistance that may be requested from Glasgow city council by helping Scotland to meet its operational requirement, either through the national service or with helicopters from England and Wales?

Mr Carmichael: I understand that an offer of that sort has already been made, and that, in the meantime, cover is being provided from a variety of different loci until a replacement helicopter comes into service later this week.

Mr Tom Harris (Glasgow South) (Lab): I am sure that the Secretary of State will wish to join me in paying tribute to the chaplains of the police and fire and rescue services, the Rev. Neil Galbraith and Father Jim Thomson, who did an outstanding job in offering comfort and spiritual support not only to officers but to the families of victims.

Have the Government, or, indeed, their accident investigators, a view in terms of risks versus value on the policy of requiring police helicopters to take part in routine air patrols over densely populated areas, rather than being deployed to deal with specific incidents?

Mr Carmichael: I echo the hon. Gentleman's comments about the chaplains. Today, I met social workers in Glasgow who have also been closely involved in giving comfort and counselling to those who need it, and I hope that they too may in time be able to avail themselves of any support that they may need. There is often a cost to those who have to give the counsel and the comfort, and not just to those who are most directly involved.

Use of the helicopter is an operational matter for the chief constable of Police Scotland, who would be accountable for his decision to the Justice Secretary in the Scottish Government.

Mr Philip Hollobone (Kettering) (Con): I associate myself entirely with the remarks of both the Secretary of State and his shadow. Rescuing victims from collapsed buildings is an extremely complicated task, which in this case is being made far worse by the fact that a very heavy upside-down helicopter is on top of the rubble. A few years ago, through the fire service parliamentary scheme, I had the privilege of visiting the Fire Service College at Moreton-in-Marsh and observing the specialist training given to fire officers to enable them to go into collapsed rubble, locate victims and extract them. Does the Secretary of State agree that we are fortunate indeed to have in our United Kingdom some of the very best specialist skills in the world to deal with incidents such as this?

Mr Carmichael: Indeed. Not only is there training of that sort, but rehearsals are conducted regularly by the city council, the various rescue services, the Procurator Fiscal Service, and all the other agencies. Since Friday night, we have seen the value of the work that is done in that regard. I am not familiar with the facility to which the hon. Gentleman referred, but in recent days we have observed the benefit of all the training that has been given to our emergency services.

John Robertson (Glasgow North West) (Lab): As a Glaswegian, may I thank everybody for all their kind words, particularly the two Front Benchers? Perhaps a book of condolence in this place might not be a bad idea, so that we can show solidarity as a nation with the people of Glasgow.

Mr Carmichael: The question of a book of condolence in this place would initially be a matter for the House authorities. It seems to me to be an entirely appropriate suggestion and anything I can do to assist it, I will happily do.

Pete Wishart (Perth and North Perthshire) (SNP): May I thank the Secretary of State for this very difficult statement and for allowing me early sight of it this

[*Pete Wishart*]

afternoon? May I also join him, from these Benches, in paying tribute to the magnificent response from the emergency services? I do not think any of us will forget the deepening chill we felt on Friday evening as the true horror of these events became apparent. The response from the people of Glasgow to this tragedy has been nothing short of tremendous—people rushing to the scene of the accident instead of running away, the many instances of human kindness we have witnessed throughout the weekend, and the way this tragedy has united us and brought us together in adversity. Will the Minister join me in expressing gratitude to the people of Glasgow for the way they have responded and offer condolences to those who have been bereaved by this tragedy?

Mr Carmichael: I have no hesitation in joining the hon. Gentleman and his colleagues in expressing that view. What he says about the instances of human kindness in Glasgow is absolutely correct. In Glasgow this morning, I met police officers who told me about instances where colleagues of theirs simply going about their duty, or even off-duty, were approached by ordinary members of the public in supermarkets, on the street or wherever to simply ask how they were. At its most basic level, that is the sort of warmth and concern that typifies the people of Glasgow, and we have seen it at its best in the last few days.

Mr Tom Clarke (Coatbridge, Chryston and Bellshill) (Lab): May I join those who have offered their commiserations to the victims and their families and friends, and who have expressed their gratitude to the emergency services who contributed to responding to the sad events of this weekend? No one could have predicted that something like this would happen within 10 miles of my own constituency, with the appalling repercussions. I would like to add to the tributes and, if I may, I would like to express the view that public representatives from all backgrounds behaved impeccably, none more so than our right hon. Friend the Member for East Renfrewshire (Mr Murphy). It is both poignant and appropriate that he is now in the Philippines witnessing aspects of another terrible tragedy. Glasgow itself contributed magnificently to the appeal for the Philippines, because it is a kind-hearted and a great-hearted city, and it knows that this House will be with it in good times and in bad.

Mr Carmichael: There really is nothing I can add to the comments concerning the right hon. Member for East Renfrewshire (Mr Murphy). It struck me when the right hon. Member for Coatbridge, Chryston and Bellshill (Mr Clarke) was speaking that his constituency and mine are just about as different as it is possible to get, but I am sure, knowing that helicopter incidents are by no means unknown in my constituency, that there would have been a shared experience and reaction to the news that broke on Friday night from Shetland all the way to the Mull of Galloway. It was something that united communities across Scotland.

Mr Nigel Dodds (Belfast North) (DUP): On behalf of my hon. and right hon. Friends, may I express our deepest sympathies and condolences to the bereaved and our best wishes for a speedy recovery to those who have been injured? May I tell the Secretary of State and

the House that, given the very close bonds that exist between the people of Northern Ireland and Scotland in particular, this morning in the Northern Ireland Assembly all the parties and all their representatives stood together in paying tribute to the emergency services and offering their deepest sympathies and best wishes to the people of Glasgow and Scotland?

Mr Carmichael: The right hon. Gentleman brings to our attention a very important aspect. The relationship between the west central belt of Scotland and Northern Ireland is a long and historic one which is not always the easiest, but it does bring with it links and connections that, at a time like this, are of great importance. It was for that reason that I was particularly pleased to receive a telephone call this morning from David Ford, the Justice Minister in Northern Ireland, expressing exactly the sentiments the right hon. Gentleman has just expressed.

Steve Rotheram (Liverpool, Walton) (Lab): The great cities of Liverpool and Glasgow stand together in times of adversity, and once again the people of my city stand shoulder to shoulder with those suffering loss, trauma or injury from the tragic events over the weekend. One of the lessons we have learned from disasters affecting our citizens is the need to provide ongoing counselling and support. Despite this being primarily a role for Glasgow city council, can the Secretary of State ensure that resources are made available, should they be requested?

Mr Carmichael: On the ability of Governments, be it here or in Edinburgh—or at local government level in Glasgow—to provide the facilities that are necessary, that is the very least that can be done, given the magnificence of the response we have seen from the people. The need for counselling is well understood and appreciated—as I have seen from my own professional experience—even in relation to the investigation of a much less dramatic road traffic accident. Such incidents can change the life of the police officer or ambulance person who has to attend them. That is well understood.

Glenda Jackson (Hampstead and Kilburn) (Lab): As someone who has had the privilege of working and living in Glasgow, the humanity and heroism demonstrated by Glaswegians came as no surprise to me, but my constituents would want me to add their prayers and condolences to mine. It is a cliché but a none the less powerful one: Glasgow is a candle in the dark.

Mr Carmichael: I fear that I may soon run out of superlatives when it comes to describing the behaviour of the people of Glasgow. I am sure that the hon. Lady's words will have been heard in the city and very much appreciated.

Jim Sheridan (Paisley and Renfrewshire North) (Lab): In recent years I have become a regular customer in the Clutha Vaults. In fact, last Saturday afternoon I was scheduled to meet some comrades there. I say “comrades” deliberately, because it was that kind of place. On many a Saturday afternoon, I solved the world's problems in the Clutha—only to wake up on a Sunday morning to discover they were still there.

Just recently, I met some firefighters in the Clutha Vaults who were expressing concern about the terms and conditions of their jobs. I hazard a guess that it was the same firefighters, and other emergency workers, who responded so quickly to what happened.

The first victim of the tragedy was a man from Paisley, Gary Arthur, and I am sure that the shadow Foreign Secretary, my right hon. Friend the Member for Paisley and Renfrewshire South (Mr Alexander), will join me in passing on our condolences to Gary's family. I want also to mention my right hon. Friend the Member for East Renfrewshire (Mr Murphy). He does not often frequent pubs, and I am sure he would be the first to admit that the Clutha Vaults would not have been on his list of priorities as a place to visit. But the important thing was that, although he could have driven by without anybody knowing, instead, he reacted. For me, that is a measure of the man.

Glasgow needs a Clutha, so I ask the Secretary of State to work with the commercial sector to rebuild the Clutha Vaults from the ashes, because Glasgow dearly needs it.

Mr Carmichael: I was privileged to meet the owner of the bar in Glasgow city chambers today, by happenstance as much as anything else, and he described to me the quite magnificent bar that I have heard described by others, which was famous in the city for being friendly and welcoming and for providing some great music and other sorts of entertainment. In fact, that is what was happening at the point when disaster struck. I am sure the hon. Gentleman would have been an adornment to it, and, like him, I want to see it resurrected.

Mr Iain McKenzie (Inverclyde) (Lab): Naturally, our thoughts and prayers extend to the people of Glasgow at this time, including those who have lost loved ones or whose loved ones are injured in hospital. Inverclyde is sharing in Glasgow's grief because we too have lost a member of our community. I speak of PC Kirsty Nelis, who lived in Inverkip in my constituency. Kirsty served with distinction as an officer in my constituency, and she had been commended for her bravery. Her family must be feeling a tremendous loss, and the community is grieving for her loss. She was well respected and a very good officer.

Mr Carmichael: When I was at the command centre this morning, I briefly met Sir Stephen House, the chief constable of Police Scotland, who had come directly from meeting members of the families of the two officers who were killed. He was clearly very affected by that meeting, and it struck me that the police exist very much as a family. That is why I thought it appropriate to make reference in my statement to the fact that the police in Glasgow are dealing not only with the loss suffered by members of the public, but with the loss of members of their own community and family. For that reason, their response, at a professional and an emotional level, deserves recognition. I am sure that they will get all the support they need from their chief constable and other senior officers in coming to terms with their loss.

Tom Greatrex (Rutherglen and Hamilton West) (Lab/Co-op): It was my privilege earlier this year to spend some of my police parliamentary scheme placement with the Police Scotland helicopter branch. Indeed, I

spent time with colleagues of those who have sadly lost their lives. I saw at first hand the incredibly important work that the branch does in urban and rural areas, often saving lives. We should not forget that today. While the Secretary of State for Transport is still in his place, may I also make a point about the air accidents investigation branch? It has been pointed out that the branch has a large amount of work to deal with on other incidents as well as this one. Can the House be assured that all the resources and support that the branch needs will be forthcoming?

Mr Carmichael: Yes, I can give the hon. Gentleman that assurance. Should he have any concerns about that at any stage, I would ask him to come directly to me or to my right hon. Friend the Secretary of State for Transport to let us know about them.

Michael Connarty (Linlithgow and East Falkirk) (Lab): I echo all the sentiments of condolence that have been expressed so far. My constituents from West Lothian in east Scotland, and from the Falkirk district of central Scotland, share the sense of shock at this tragedy that was thrust with violence into the scene of celebration at the Clutha Vaults in Glasgow on Friday night. We also share the appreciation of and pride in the courageous response of the citizens. In fact, I saw a clip on television in which I was sure I could see my right hon. Friend the Member for East Renfrewshire (Mr Murphy) in the doorway of the pub, handing people out who had been injured. The people who helped in that way did so without regard to the danger to themselves. I also pay tribute to the ongoing work of the police and rescue services.

Will the Secretary of State make every effort to ensure that the full information is given at the earliest opportunity to the families of the injured and deceased, including to the families of those who were missing for some time? I say that because I had a close family member who was involved in the terrible tragedy at Dunblane, and the lack of information at the time caused a great deal of hurt and anger. Will he also pass on to the editor of one Scottish newspaper what I hope will be the unhappiness of the House at the distasteful suggestion in his paper today that an act of malice involving a laser pen might have been part of the cause of the tragedy? That suggestion is distasteful and should be deprecated.

Mr Carmichael: Speculation at this stage of the proceedings serves no purpose, and I absolutely deprecate any suggestion of the kind that the hon. Gentleman has just outlined. However, as my right hon. Friend the Member for Ross, Skye and Lochaber (Mr Kennedy) said earlier, the media response so far has, by and large, been responsible and commendable, and I hope that that will continue.

I very much agree with the hon. Member for Linlithgow and East Falkirk (Michael Connarty) about the importance of passing information on to the families most directly concerned. I do not like coming back constantly to my professional experience, but I know how important that is because I have been there and seen the difference that that flow of information makes to families who are having to come to terms with their grief and loss. However, all the professionals must strike a balance

[Mr Alistair Carmichael]

between providing information at an early stage and providing information that they can be sure is accurate. That is not an easy balance, but I am sure it will be met by the air accidents investigation branch and the members of the Procurator Fiscal Service in the west of Scotland, who will doubtless have, at some stage, to conduct a fatal accident inquiry into this matter.

Gemma Doyle (West Dunbartonshire) (Lab/Co-op): This follows on from the answer given to my hon. Friend the Member for Airdrie and Shotts (Pamela Nash). I know that the Secretary of State appreciates the frustration and distress of families who were waiting over the weekend for news of their missing relatives, so can he provide an assurance that the search and rescue and recovery operation, which clearly was undertaken with great professionalism, was carried out as quickly as possible? If he is not in a position to give that assurance just now, will he do so at some point?

Mr Carmichael: What I can tell the hon. Lady is that that was very much at the heart of the discussions that the hon. Member for Airdrie and Shotts and I had with senior police officers at the command centre today. They must be scrupulous in the way in which they follow protocol, because, obviously, the consequences of their getting it wrong would be simply unthinkable. However, I can give the hon. Member for West Dunbartonshire (Gemma Doyle) the assurance that they very much understood the importance of getting information out to families at the earliest possible opportunity.

Mr Brian H. Donohoe (Central Ayrshire) (Lab): First, may I add my condolences to the friends and families of those who have lost their lives? Many years ago, along with the then convenor of police in Strathclyde, Jimmy Jennings, I fought hard for the maintenance of the helicopter service, so I would not want any possibility of a knee-jerk reaction grounding of these pieces of kit. As someone who has operated with that piece of kit, I can tell the Secretary of State that it is the best piece of kit that any police force can have. I would not want any knee-jerk reaction to ground any of the helicopters, even though this is the third accident within Strathclyde.

Mr Carmichael: I can give the hon. Gentleman the assurance from my right hon. Friend the Home Secretary that in other parts of the United Kingdom that helicopter remains in service. It is a helicopter that is widely used not just in this country, but elsewhere in the world, for this very sort of work—for police, ambulance service and other sorts of work. I might be wrong, but I think I am correct in saying that the Scottish ambulance service continues to use this same helicopter. Obviously, should the investigations of the AAIB disclose something that would require it to be grounded, I am certain that it would be. It is not that long since, on the same precautionary principle, there was a grounding for a very short period, which would be appropriate.

Fiona O'Donnell (East Lothian) (Lab): My mother and father grew up in the Gorbals area of Glasgow. They said it was where they learnt the meaning of the word “community”, and my goodness we have seen the strength of that community since the awful events of Friday. I am aware that the Secretary of State has had the opportunity to sign a book of condolence in Glasgow. May I add my voice to that of my hon. Friend the Member for Glasgow North West (John Robertson) in asking for a book of condolence to be opened here too, so that not only members in this place and the other place, but the whole Westminster community has the opportunity to send their condolences to all those people whose lives were shattered on Friday night and to express our admiration for that sense of community, and our gratitude and respect for the emergency services?

Mr Carmichael: As I said to the hon. Member for Glasgow North West, I very much welcome the idea, but it is a matter for the House authorities. Should there be any difficulty with that, I would be more than happy to make Dover house available for the same purpose.

Mr Jim Cunningham (Coventry South) (Lab) *rose*—

Mr Speaker: Just before I call the hon. Gentleman, I simply mention that I have heard what has been said and I can see no difficulty whatever with the idea. It makes a great deal of sense and should be capable of being introduced without delay. My understanding from past precedent is that ordinarily such a book of condolence would be lodged in the Library, and that might suit Members. An alternative might be that it could be lodged in my office. If we are agreed on the principle, it is simply a case of facilitating it in practice, and I will attend to that.

Mr Cunningham: On behalf of the people of Coventry, may I offer our condolences and support to the people of Glasgow? Coventry is no stranger to these situations, as we have seen from the war. More importantly, about 15 or 16 years ago, an aircraft came down on a Willenhall council estate and killed five people. Anybody who has experienced such an accident, particularly if they are an MP or a member of the public, will know that it is very traumatic and that it takes a long time to recover from, so the area needs all the help that it can get.

Mr Carmichael: I will, if I may, tie the hon. Gentleman's comments to your own, Mr Speaker. It is apparent that this is a shared experience. Across the United Kingdom, there are communities that have suffered loss and grief from similar such incidents. I know from the conversations I had with police officers in Glasgow this morning that they have been contacted by officers from other parts of the country. It is clear that the incident affects the whole of the United Kingdom. It is not for me to suggest how the House authorities make such decisions, but as a Member of this House, I personally would be very pleased if they were prepared to proceed in such a way.

Mr Speaker: I thank the Secretary of State and colleagues both for what they have said and for the way in which they have said it.

Point of Order

5.16 pm

Sir Gerald Kaufman (Manchester, Gorton) (Lab): On a point of order, Mr Speaker. You may recall that in October I raised a point of order with you, Mr Speaker, relating to the failure or refusal of the Minister for Immigration to reply to letters that I had sent him. You spoke very firmly indeed about the importance of the responsiveness of Ministers to Members of this House. I raised that point of order having advised the office of the Minister for Immigration that I would do so. After that point of order, on the two cases to which I referred, I got letters the next day signed by the Minister, although the content was unsatisfactory. Since then, all letters that have been sent to me on notepaper with the name on top of the Minister for Immigration have been signed by somebody called Lord Taylor of Holbeach. They have been signed with courtesy, but if they are on the notepaper of the Minister for Immigration, they are not authentic unless they are signed by that Minister. There is no doubt in my mind that what has happened in this past month or more is an act of petty spite by the Minister, because of the fact that I raised a point of order.

Mr Speaker, I do not mind the Minister insulting me; I have been insulted by better people than the Minister whose main claim for distinction was having sustained a fracture when dancing on a table, but it is an insult to my constituents that they are treated in that way and, after you spoke in the way that you did, Mr Speaker, it is an insult to you. That being so, I ask for your ruling and comments on the way in which the Minister for Immigration has been conducting himself so that in future my constituents can get the service to which they have a right. The Home Secretary has not signed a single letter to me in three and a half years, and I can put up with that, because she obviously regards herself as superior to me, but I do not regard the Minister as superior to me, and that being so I want him to sign the letters.

Mr Speaker: I am grateful to the right hon. Gentleman for his point of order, of which I did not have advance notice although I am, of course, aware of the chronological sequence of events about which he has just reminded the House. Whether any discourtesy was intended or not—I confess that I do not know, although I have no reason to think that a Minister would want to behave in

a way that could be thought to be petty or spiteful—it seems to me, frankly, to be proper form for a letter sent on the headed notepaper of a particular Minister to be signed by that Minister. Although not all Members will necessarily be as exacting in their requirements as the right hon. Gentleman, if he regards it as proper that he be addressed in such a way it would make a great deal of sense, in terms of making the world go round and treating with courtesy someone with 43 years' uninterrupted service in the House, to do things in the way that he has asked. It should not be a matter of any controversy from now on. I hope that the Home Secretary can pass on the message to the Minister for Immigration and that the Minister for Immigration will behave in a seemly manner both towards the right hon. Gentleman and towards other Members. Perhaps we can leave it there for today.

BILLS PRESENTED

DRIVING WHILST DISQUALIFIED (REPEAT OFFENDERS) BILL

Presentation and First Reading (Standing Order No. 57)

Rehman Chishti, supported by Henry Smith, Keith Vaz, Gordon Henderson, Mr David Ruffley, Jeremy Lefroy and Gareth Johnson, presented a Bill to allow Magistrates' Courts discretion to refer a third or subsequent offence for driving whilst disqualified to the Crown Court for sentencing; and to grant the Crown Court the jurisdiction to impose a custodial sentence of up to two years for such offences.

Bill read the First time; to be read a Second time on Friday 28 February, and to be printed (Bill 139).

CAUSING DEATH BY DRIVING WHILST DISQUALIFIED BILL

Presentation and First Reading (Standing Order No. 57)

Rehman Chishti, supported by Henry Smith, Keith Vaz, Gordon Henderson, Mr David Ruffley, Jeremy Lefroy and Gareth Johnson, presented a Bill to increase the maximum penalty for causing death by driving whilst disqualified to fourteen years and an unlimited fine.

Bill read the First time; to be read a Second time on Friday 28 February, and to be printed (Bill 140).

Mesothelioma Bill [Lords]

Second Reading

5.21 pm

The Minister of State, Department for Work and Pensions (Mike Penning): I beg to move, That the Bill be now read a Second time.

Before I start my speech on Second Reading, let me, too, pay tribute to the firefighters and professional emergency services in Glasgow. As a former firefighter, I know the training that those in the emergency services go through, but nothing prepares anyone for the scenes they will have encountered when they arrived. I have had a huge and devastating disaster in my constituency, at Buncefield, and the fact that the public went in rather than walking away proves what a great nation we all live in today.

As I am a Minister of the Crown and an MP who is dyslexic, it was an interesting experience to be given the Mesothelioma Bill. It is an honour and a privilege, however, and I hope that colleagues will bear with me if I occasionally get the word “mesothelioma” wrong.

I think we can all agree that working people should have proper protection from personal injury or disease arising as a result of their work. When the principle is breached through negligence or a breach of statutory duty, it is obviously right that that person should be compensated by their employer or their employer’s insurer. However, many sufferers of diffuse mesothelioma, the aggressive cancer caused by exposure to asbestos, are unable to find an employer or relevant insurer to claim compensation from. They developed a fatal disease through the fault of their employer yet they are still unable to seek compensation through the civil courts because the responsible employer no longer exists or the records are insufficient to show who the insurer might have been.

My brief states that the “previous Administration” made some noise about this issue over the years, but in fact previous Administrations have done so—yet there is still no provision on the statute book. I am confident, however, that we can get these measures on the statute book as soon as possible and I shall explain why in my speech.

John Healey (Wentworth and Dearne) (Lab): I am grateful to the Minister for giving way. I am pleased to see this Bill, only three years after the Labour consultation, and I am particularly pleased that the Minister is in charge of its progress through this House. Will he admit that this is not the scheme that Labour published in February 2010, that almost all the concessions the industry sought during the consultation have been conceded by the Government and that this is now a scheme that shows that the Government have not stood up to the interests of the big insurance companies?

Mike Penning: No, no and no. The previous Administration undertook their consultation just before the general election. I will not get into party politics, but as the former Minister started on the subject, I will continue on it. After 13 years, suddenly there was a consultation, which was very wide ranging and did not develop the scheme. I cannot find out exactly what the previous Government wanted to do, because under the rules I am not allowed to see that, but all the

indications are that what they would have proposed would not have passed into statute without huge cost to the taxpayer, or to people being insured today. None of that cost is incurred under the Bill.

The Bill is part of the ongoing commitment by the Government and the insurance industry to correct the market failure that everyone accepts there has been in respect of mesothelioma cases. It tackles the problem in two ways: first, by providing a power to set up a payment scheme and, secondly, by providing the possibility of establishing a technical committee that will, where there are disputes, make decisions that are binding on the insurance industry.

Diffuse mesothelioma is a fatal disease caused exclusively—this is crucial to the Bill—by exposure to asbestos. It has a long latency period, often of between 40 and 50 years, but after diagnosis average life expectancy is, sadly, only eight to nine months, with very few exceptions living beyond that. The long delay between exposure and developing the disease, combined with inconsistent record keeping in the insurance industry, means that too often people struggle to trace an employer—the employer may no longer exist—or the insurer who provided the employer’s public liability insurance, against which they can make a claim for civil damages. The insurance industry and the Government recognise that this is unjust, and that a provision must be brought forward in the Bill.

The obvious question is: why is legislation being introduced? Despite recognition of the failure of the market, the insurance industry has not been able to put forward a scheme of its own that would compensate those concerned. Disputes between insurers, and the different interests of companies that still offer employers’ liability cover, or active insurers, and those no longer offering cover, or run-off insurers, have prevented the industry from agreeing a voluntary levy; I think that was looked at in the consultation.

Mr Kevan Jones (North Durham) (Lab) rose—

Mike Penning: I want to make progress. I am very conscious of the time, so I will not take an awful lot of interventions. Colleagues will have the opportunity to speak, either later on Second Reading or in the later stages of the Bill.

Industry representatives asked for legislation imposing a levy to support the payment scheme. The Bill establishes a payment scheme that will make substantial lump-sum payments to eligible sufferers from mesothelioma—and, crucially, eligible dependants of sufferers. The scheme will be funded through a levy on insurers active in the employers’ liability market, meaning that the active employers’ liability insurance market will bear the cost of the scheme.

Mr Jones: I am grateful to the hon. Gentleman for giving way. I know that the insurance companies are trying to sell this as a generous scheme, but all estimates say that it will be worth about £350 million. Last year alone, the profits of Lloyd’s of London were £2.7 billion. Does he not think that, from that perspective, the insurance companies are getting away very cheaply?

Mike Penning: Nothing is perfect, but there was nothing there before, and if we had carried on the way we were going, nothing would be there, going forward,

for people who are suffering so much, and who need help today. [*Interruption.*] It is no good the hon. Gentleman chuntering; he has had an opportunity to intervene, and perhaps later he will make a speech. That would be more useful than chuntering. As a friend of mine, he should know better, because I will not respond to that sort of chuntering. It just wastes time in the House.

The scheme is intended to be an alternative to seeking civil damages, which we still want people to do, if the opportunity arises. The driving principle is that where adequate records are not available—this is why the scheme was developed—the disease has been diagnosed, and there has been negligence or a breach of the statutory duty, a person should still be able to access payment for their injury. That is the crucial part of the Bill. Payments should be made, wherever possible, to the sufferers themselves, while they are still alive; I think that everyone would want that, but sadly it has not been happening. The scheme will therefore be straightforward, simple, and quick to process claims.

Sadly, we expect roughly 28,500 deaths from mesothelioma between July 2012 and March 2024, when the scheme is expected to come to its conclusion. We are seeing a peak at the moment.

Mr Nigel Dodds (Belfast North) (DUP): Will the Minister give way?

Mike Penning: I will give way one last time, but then I will have to make some progress.

Mr Dodds: I simply wanted to say, given the Minister's experience in Northern Ireland—the Bill extends to Northern Ireland and the Assembly has passed a legislative consent motion—that many people there will warmly welcome the fact that legislation is being put in place. I would have liked it to go further, but I commend the Government for bringing it forward.

Mike Penning: I am very pleased that I gave way to the right hon. Gentleman. The legislative consent process has taken place in Northern Ireland and in Scotland, which is important in ensuring that the Bill can go forward.

If the Bill is passed before the end of the year, the first payments could be made by July 2014, which I think is what we all want. Around 300 people a year could receive an average payment of £115,000, less benefit recovery, which will be around £20,000 on average. Timing is key, because the number of mesothelioma cases is expected to peak in 2015. We must act now and launch the scheme as soon as we can, with the regulations made as soon as possible after Christmas. I expect the regulations to be in place by April 2014.

Let us look quickly at the eligibility criteria. First, an individual has to have been diagnosed with the disease on or after 25 July 2012. Secondly, they were employed at the time of exposure to asbestos, and that exposure was due to negligence or breach of statutory duty on the part of the employer. Thirdly, they have not brought a claim for civil damages against an employer or the employer's insurer. Fourthly, they are unable to do so—this is not a replacement for civil action. Fifthly, they are not already receiving damages or other payments relating to the disease from another source.

Eligible dependants of diffuse mesothelioma sufferers may apply to the scheme in cases where the person with the disease has died before making an application or while the application was being processed. Eligible dependants will receive exactly the same amount of money as the sufferer would have received.

A sufferer must have been diagnosed on or after 25 July 2012 to be eligible for the scheme. There are always difficulties with cut-off dates, but without one the costs would be unlimited. I know that it is unfortunate, but we have to be pragmatic as we move forward. With a cut-off date, we can proceed with the agreements.

John Woodcock (Barrow and Furness) (Lab/Co-op): Will the Minister give way?

Mike Penning: If the hon. Gentleman does not mind, I will make some progress.

The date of 25 July 2012 was when the Government announced that we would be setting up the payments scheme and so created a reasonable expectation that eligible people diagnosed with the disease on or after that date would receive a payment. The Bill does not, and cannot, look to respond to all the people who have been affected by asbestos diseases. The issue of individuals who have developed asbestos-related diseases but cannot trace a third party will have to be addressed outside the Bill. The Bill is not an appropriate instrument—I know that some people think that it is—for taking that forward.

Mesothelioma is a distinctive disease, because it is always fatal and always caused by asbestos. That allows for a straightforward scheme to be put in place as soon as possible. A streamlined scheme, such as the one we have brought forward, could not cover all the other diseases. It would otherwise be very complicated and expensive for the taxpayer.

Mr David Anderson (Blaydon) (Lab): Will the Minister give way?

Mike Penning: If the hon. Gentleman does not mind, I am not going to give way.

The costs of other schemes would be disproportionate and the agreements we have with the insurance companies—I know that some colleagues do not like them—would make that very difficult. We are 100% committed to delivering on the Bill. This measure represents a huge step forward, and it should be recognised as such. I thank the right hon. Member for Belfast North (Mr Dodds), who is no longer in his place, for doing so.

The scheme will make payments to eligible people according to a fixed tariff and according to the age of the person who has the disease. The payment will be based on roughly 75% of the amount of average civil damages. Those who have followed the Bill's progress through the other House will realise that it raised the figure from 70% to 75%. The figure of 75% is probably is not as important as the 3% levy, which is very important.

Nia Griffith (Llanelli) (Lab) *rose*—

Mike Penning: I will not give way.

Setting the payments at the right rate is crucial to the success of the Bill and the ultimate establishment of a payment scheme. The payment rate of 75% of average

[Mike Penning]

civil damages takes the levy right to limit of what insurers have indicated they could absorb without passing the costs on to new businesses—an absolutely crucial issue. It is the absolute maximum that would be realistic within a fixed-payment scheme.

The levy on insurers will be imposed on active employers' liability insurers at large today, not the individual insurers who took out the premiums, who were covered in cases that come under the scheme. The scheme could be jeopardised if the levy were set disproportionately high. That could delay the introduction of the scheme, preventing the payment mechanism from being in place at the time of the peak of mesothelioma deaths, which, according to the actuaries, will be around 2015. I am sure we will debate that as we go through the Bill, but I hope that that will not detract from the importance of ensuring that it gets on to the statute book as soon as possible. As everybody in the House will understand, the scheme must strike a careful balance in making a substantial payment to eligible people while ensuring that the contribution made by the insurers is fair and not excessive. Crucially, the proposed levy rate must not be so high as to risk increased costs on business, thereby adversely affecting British businesses, which no one in the House would want.

In addition to the payment scheme and the levy, the Bill makes provision for the possibility—I stress, the possibility—of establishing a technical committee to adjudicate on making binding decisions on disputes between insurers. I think we would all prefer that to these matters being in the courts.

The Bill and the principles behind it merit the support of the whole House.

Gemma Doyle (West Dunbartonshire) (Lab/Co-op): Will the Minister give way?

Mike Penning: I am coming to the end of my comments.

We have no doubt that the principle of the Bill—*[Interruption.]* It is no good Opposition Front Benchers chuntering; they will have their opportunity to speak in a minute. Let us just get on. If the hon. Member for West Dunbartonshire (Gemma Doyle) wants to speak, as lots of Members do, she will be welcome to do so. That is why I am not giving way every five seconds.

Chris Bryant (Rhondda) (Lab): On a point of order, Madam Deputy Speaker. The Minister is expecting to speak for a second time in this debate, but he is not prepared to give way during his speech now. Can you confirm that it is a matter of discretion for the whole House as to whether somebody is allowed to speak for a second time in a debate?

Madam Deputy Speaker (Dawn Primarolo): If a Minister seeks to speak for a second time, it is with the leave of the House. As the hon. Gentleman knows, whether any Members, including Ministers, decide to give way to an intervention is entirely a matter for them and not for the Chair.

Mike Penning: I am conscious that lots of colleagues want to speak in this debate, which has been shortened because of the two very important statements that took

place earlier. I have given way three times and there will be plenty of opportunities for Members to speak. The hon. Member for Rhondda (Chris Bryant) has probably got his press release, yet again, but that is unnecessary in this sort of debate.

I hope that the House will see the urgent need to push this Bill through and get it through its Committee and Report stages so that it goes on to the statute book and I am able to move the regulations that are under consultation as soon as possible. It can then provide compensation for our constituents who have been suffering from this terrible disease or, if they have died, for their dependants who need assistance from the scheme.

5.39 pm

Kate Green (Stretford and Urmston) (Lab): I am very pleased to follow the Minister in opening this debate. As he has said, this Bill marks an important step on the long road to justice for mesothelioma sufferers and their families. I welcome the progress that has been made so far, but the Minister is right to say that we should take this opportunity to see whether we can go a little further before the Bill completes its passage through the House.

I am very pleased to see so many colleagues present, many of whom represent constituencies where the disease is prevalent as a result of their industrial history. I know it will be important for colleagues on both sides of the House to be able to speak about their communities' experiences, over many decades, of the consequences of this terrible disease. Although I totally share the Minister's wish for the Bill to make progress through this House so that a scheme can be put in place and payments can flow to victims in the next few months, I do not think we are so pressed for time this evening that we should not give the opportunity to every one of our colleagues to make the case on behalf of their constituents, because this issue is felt very deeply in many of the communities they represent.

I know that many colleagues will want to join me in paying particular tribute to the asbestos victims support groups, which have done so much to campaign for a fairer deal for victims and to keep parliamentarians briefed, not only for this debate, but over many years.

Mr Kevan Jones: Will my hon. Friend also add the congratulations of the House to the trade unions, which have not only campaigned on behalf of asbestos victims, but won literally millions of pounds of compensation for people who would not have got it unless they had been members of a trade union?

Kate Green: I am very happy to join in that tribute to the work of trade unions, a number of which have worked over many years not only to advocate the cause of individual victims, but to maintain the pressure that has ultimately led to the scheme under discussion.

I also pay tribute to our colleagues in the House of Lords who have already carefully scrutinised and, as the Minister said, improved the Bill. In particular, I acknowledge the work of my noble Friend Lord McKenzie, who, under the previous Labour Government, launched the consultation that has resulted in this Bill. I pay tribute to his assiduousness and his determination to secure justice for the victims of this terrible disease. I also pay tribute to the noble Lord Freud, who has demonstrated

his equal determination and commitment to righting a long-standing and terrible wrong by introducing the proposed scheme.

The Bill follows a series of earlier pieces of legislation passed by previous Labour Governments to improve the lot of victims of asbestos-related and industrial diseases. In 1969, Labour introduced the Employers' Liability (Compulsory Insurance) Act 1969, requiring employers to insure against liability for injury or disease to their employees arising out of their employment. In 1979, Labour introduced and secured the passage of the Pneumoconiosis etc. (Workers' Compensation) Act 1979, which provides lump sum compensation payments to people suffering from certain dust-related diseases or, if they have died, to their dependants, when a claim for damages is not possible because the employer or employers are no longer in business. In 2008, we introduced the mesothelioma payment scheme, which provides lump sum payments for people suffering from diffuse mesothelioma who are unable to claim compensation from other sources.

John Woodcock: I am really glad that my hon. Friend has mentioned the progress made by the previous Labour Government, because so many of us, including those who became Members before me, have wanted to see faster progress and have pushed for it for so long. The Minister was simply not right to say from the Dispatch Box that nothing was done in the period leading up to this Bill.

Kate Green: It is right to say that progress could have been faster and that more could have been done, but we should not overlook the fact that, over four decades, it is Labour Governments who have, until now, made the progress that has been made. As I have said, it was my noble Friend Lord McKenzie who began the process of consultation that has brought us to where we are today.

Lorely Burt (Solihull) (LD): I am very supportive of the Bill, as I was of previous ones—my grandfather died of pneumoconiosis—but do the Opposition welcome the Bill and will they support it in the House tonight?

Kate Green: I am happy to answer that question, as I would have done during my speech. The Opposition welcome the progress that has been made, and we will not oppose the Bill this evening, because we share with the Minister and Members from both sides of the House a wish to process payments and get them to victims as quickly as we can. That is not, however, the same as saying that the Bill cannot be improved further. We believe that it can be improved, and I will outline some of our suggestions for how that might be achieved.

As I have said, the Bill has already passed through the House of Lords, and the work done in that place has undoubtedly improved it already. We will support the Bill on Second Reading, but it does not go quite as far as necessary in bringing justice for victims. We will therefore seek further improvements as the Bill continues its parliamentary passage. I want to make it very clear that we are not doing so to score political points or to delay the Bill unnecessarily. Everyone understands the importance of establishing a scheme and getting payments flowing as quickly as possible. However, this House will

fail the victims of this terrible disease if we do not do the best we can to recognise their appalling suffering through a fair system of payments.

Victims have been left for years without any compensation, while the insurance industry has continued to benefit from billions of pounds in premiums. It certainly seems to the Opposition that the Government have not yet done everything that could be done and all that needs to be achieved, despite the progress that has been made and the undoubted good intentions of the Minister and his colleague in the House of Lords.

Mr Anderson: The Minister spoke about the fact that insurance companies want to keep the 3% levy because they are worried about the ongoing impact on them. Is not the reality that, for 50 years at least, insurance companies got in money that they were not spending? That money has evaporated, but we should now turn to it so that people can get 100% compensation, not the paltry 75% that is on offer.

Kate Green: My hon. Friend is right. Over many decades, insurance companies have taken in premiums and in every way resisted paying out to victims. It is good to have reached the point at which the industry is finally facing up to its collective responsibility, but it still has a long way to go.

The Minister rightly described mesothelioma as a cruel and vicious disease that is caused by exposure to asbestos, and as a long-tail disease that is diagnosed years and often decades after it has been contracted. It is invariably fatal and, once a diagnosis is made, cruelly quick: following diagnosis, most victims have only about nine months of life left. The effects of the illness are horrifying for sufferers, and for the loved ones who watch them die. The true disgrace is that the link to asbestos has been known for many decades.

One consequence of the long period for which the disease can lie dormant is that, following a diagnosis, it is of course more difficult to attach liability, given that the circumstances that brought about the condition often took place many years previously. As a result, many sufferers have until now been forced to rely only on statutory payments and welfare benefits. Although I am pleased that the industry will at last take a small step towards meeting the obligations it owes to sufferers, it is only right and proper that it should finally do so.

I understand that, as the Minister said, the scheme will be established as one of last resort, which is to be relied on only if no employer or insurer can be traced. That might be a reasonable position for the industry, but we must ensure that it does not exacerbate the pain and difficulty for claimants.

During the short period from diagnosis to death, sufferers become desperately ill, yet at the same time they are expected to go to often huge lengths to trace a former employer, perhaps from many years back; to identify that employer's insurer, perhaps via the Employers' Liability Tracing Office; to obtain the necessary medical records and wait the 40 days that agencies have to respond to such requests; and then, ultimately, to take legal advice and access the scheme. I think we can see how that would eat into the tragically limited time remaining to sufferers following diagnosis, so we must do all we can to speed up and smooth the process.

[Kate Green]

I recognise the progress made in speeding up the process and helping victims to trace their employers' insurers. Following its introduction in 1999, many insurers signed up to a voluntary employers' liability code of practice, but none the less tracing rates remained deeply disappointing, never exceeding 50%. In 2012, the success rate was just over 34%; and even accounting for those cases now proceeding via ELTO, the success rate in 2012 still reached only 61%. Clearly, there is considerable scope for better support for victims to pursue insurers.

It seems, however, that the industry, in its negotiations with Ministers, has sought to do the very minimum it can get away with to make amends to sufferers. As noted, payments will be set at just 75% of average civil damages—admittedly, as the Minister said, an uplift on the 70% initially proposed. It is claimed that the industry cannot afford to pay more without passing on the additional cost to current employers' liability customers. The notion that this multi-billion-pound industry, which has been collecting premiums for decades while doing all it can to avoid payouts and which is to be gifted £17 million by the Government under this Bill and lent a further £30 million to help with the scheme's introduction and the smoothing of the first year's payments, cannot and should not be more generous is simply not credible.

Mr John Leech (Manchester, Withington) (LD): Does the hon. Lady have a view on what level of compensation could be paid without insurance companies passing on the cost to current policyholders?

Kate Green: There are two questions wrapped up in that one question. First, on present figures, what does it appear the industry can afford? I will say something about that in a moment. Secondly, does the industry have to pass on the cost to its customers, or could it choose to absorb it? We are talking about roughly 10% of the total value to the industry of the employers' liability market. I appreciate that that is not a small sum, but as colleagues have pointed out, the industry has had decades to accumulate profits as a result of the premiums it has collected.

Mr Kevan Jones: It is not just about the accumulated profits to which my hon. Friend and my hon. Friend the Member for Blaydon (Mr Anderson) have referred: insurance companies are still making huge profits. Lloyd's of London made £2.7 billion in 2012, Royal and Sun Alliance made £233 million between January and June 2012, and Aviva made £605 million between January and June 2013. These companies are not unprofitable, so their attitude to a levy costing £350 million is an insult to the victims.

Kate Green: I hope we bring the industry to understand that it would be right and proper for it to be more generous to the victims than the current scheme appears.

Hywel Williams (Arfon) (PC): In contrast to the previous speaker, the hon. Lady is being generous in giving way. She will be aware that compensation under the Pneumoconiosis etc. (Workers' Compensation) Act 1979 is 100% of liabilities available before the courts. Should that not be the guide?

Kate Green: I can say that the Opposition will be pushing for payment levels to be increased, and we believe they can be, given that the industry has accepted that a levy of 3% of gross written premiums is affordable and given that the impact assessment has shown that payments set at even 80% or 90% of average civil damages are affordable within a 10-year period. The Minister said that the proportion of GWP that the levy represented was more important than the 75% level derived from that 3% figure. It is our reading of the figures, however, that there is scope for the industry to be more generous, even within its own accepted cap of 3% of GWP. I hope to explore that in more detail with the Minister in Committee. As the hon. Member for Arfon (Hywel Williams) said, there is a strong moral argument, of course, for setting payment at 100%, as is the case, for example, for the Motor Insurers' Bureau scheme—all the more so because under the Bill recovery of any benefits paid will be set at 100%.

Debbie Abrahams (Oldham East and Saddleworth) (Lab): My hon. Friend is making a powerful speech. Is this not a familiar tune we are hearing from the Government? Whether it is, in this case, the insurance companies, or, in the case of the statement earlier, the energy companies, they do not seem prepared to stand up to powerful vested interests or to stand up for vulnerable people in need of support.

Kate Green: I hope that collectively the House can strengthen the Minister's arm and send a strong message to the industry that we do not consider the scheme yet to be good enough and that we expect and demand improvements.

Sir Edward Leigh (Gainsborough) (Con): Obviously, we want to try to help people who are suffering—everybody has accepted that—but these are complex areas. The hon. Lady has spent much of her speech attacking the insurance industry, which might be fair enough, but it rather raises the question: what was going on during the 13 years Labour was in power?

Kate Green: First, the hon. Gentleman might have missed the history I just rehearsed of the legislative process to date, and secondly, he is right that the condition and the legal circumstances surrounding it have been extremely complicated—there has been considerable litigation in this area, not just in the UK but internationally. I share his frustration that it has taken so many years to bring justice to victims, but it is not true that no efforts were being made. In particular, as colleagues have noted, in making what progress has been made, we have been powerfully supported by our colleagues in the trade union movement, so there has certainly not been utter indolence when it comes to securing justice for victims.

John Healey: This might help my hon. Friend. I am very impressed by the case she is making about the need for the scheme to be simple, smooth, speedy and more generous. Does she know that, in its briefing, the Association of British Insurers has said today that it would expect the scheme to run for about 40 years and therefore that any calculation of what could be afforded as a level of compensation—and to whom—should be seen in that context and not that of the short four-year term on which the Government have so far based their calculations?

Kate Green: Four years certainly seems a remarkably short period over which to cost the scheme, given the many decades over which the industry expects it to continue. It is a concern—one that we will discuss further in Committee—that the figures seem to have changed since the Bill moved from the Lords to the Commons, and changed back again, in a manner that might be said to favour a particular outcome that suits the industry. We will want to question that in more detail when considering the range of figures being presented.

While the Bill has been proceeding, the Ministry of Justice has been consulting on its proposals to expedite and streamline the process for taking legal action, and to introduce fixed fees for mesothelioma cases, and we have real concerns about the MOJ's plans for the fate of the scheme before us. Evidence suggests that fixed fees are likely to exert a downward pressure on the level of civil damages, notwithstanding the 10% uplift in damages that has not yet been applied to mesothelioma sufferers under the Legal Aid, Sentencing and Punishment of Offenders Act 2012. Indeed, our suspicions are borne out by the view of the insurance industry that this Bill and the MOJ process should be seen as part of a single package.

I recognise that the Minister cannot answer for changes that the MOJ will make to court rules, but it is of concern that there will be no parliamentary scrutiny of those changes. I warn him that as the Bill proceeds we will seek assurances that the MOJ's actions will not adversely affect the scheme in the Bill. Moreover we should remember that these already quite meagre payouts, which are already to be reduced by benefits recovery, will be further depleted by legal fees and fees for medical certificates. We are anxious that the deal looks less and less good for sufferers, and we will return to those points in Committee.

As has been noted, hundreds of sufferers will lose out because the scheme does not take effect until 25 July 2012, which was when the Government published their response to the consultation set up in 2010 under Labour. Although I recognise the time spent by Ministers in detailed negotiations with the industry, we must recognise that between February 2010 when the consultation opened and July 2012, more than 700 people will have died without access to justice. We therefore believe there is a strong argument for the earlier start date of February 2010, and we do not think it credible to suggest that an industry whose very purpose and lifeblood is the anticipation and management of potential risk has not been preparing for the likely introduction of a scheme such as this since the date of the initial consultation.

As the debate in the House of Lords exposed, this is not a matter of insurers reserving policy—I accept that a more rigorous framework might apply to provision for risk—but a simple matter of business planning. Surely it would have been prudent for insurers to have assumed from 2010 that there would be a payment system with which they would be required to comply, and to have made provision for best and worst-case scenarios. That, too, is a matter we expect to explore further in Committee.

I am sure the Minister will assert that there is a cost to the industry of an earlier start date, and I hope we will have some definitive figures for that. Lord Freud said the costs at 100% of civil damages would be £119 million, and he undertook to calculate figures at the lower percentage—then 70%—introduced by this

scheme. It would be helpful to know from the Minister before we go into Committee what progress has been made with those calculations at the level now proposed of 75%.

Steve Rotheram (Liverpool, Walton) (Lab): My hon. Friend, quite rightly, points out the faux concerns about cost and affordability. Does she agree that insurers are not doing this out of the goodness of their heart? For many years, they received payments for exactly this eventuality, and they should therefore be made to compensate those who are now sufferers.

Kate Green: I can only agree with my hon. Friend, and I hope the industry does not assume that the House will let it get away with the minimum it can propose. I assure the House that the mood of many colleagues from all sides is determinedly that we should do the best we can for victims—we and the industry owe them that.

As I think the Minister has alluded to, there is also a debate to be had about the scope of the Bill. It will exclude the self-employed unless they can determine they were de facto employees, and exclude family members who may have been contaminated—for example because they washed a brother's or husband's overalls. It will cover only mesothelioma and exclude all other asbestos-related illnesses. I heard what the Minister said about that, and again, I hope we can explore that issue further in Committee. Lord Freud offered welcome assurance about Ministers' intentions in relation to other forms of asbestos-related disease when the Bill passed through the House of Lords, and I hope we will be able to secure firm commitments from the Minister on that.

Mike Penning *rose*—

Kate Green: I sense he may be about to give me that assurance.

Mike Penning: I can certainly assure the hon. Lady on her second point. On her first point, it is right that the House has those calculations before we go into Committee, and I will ensure those figures are made available to her in the Library.

Kate Green: I am grateful to the Minister. Taking advantage of his generosity, he will see the amendments that the Opposition table in the next few hours, so will he bring forward figures for a range of different scenarios, including 75%, 80%, 90% and 100% of average civil compensation?

Mike Penning: I ask the hon. Lady please not to push me too far; but I accept those points and my civil servants are listening.

Kate Green: I would never push the Minister too far.

We had hoped to have received fuller details of the scheme's operation by now, but regrettably the regulations have yet to be published. I am sure, however, given the shameful history that precedes this Bill, that Members will agree it is vital that the scheme is seen to be run in a transparent and wholly independent manner. In the House of Lords, Lord Mackenzie asked for more information about the oversight committee, and I have seen the letter that Lord Freud wrote to peers on 4 September on that matter. That offers some reassurance,

[Kate Green]

but we would like to see provision for the oversight committee included in the Bill. That is of particular concern because, as I understand, the insurance industry could—and intends to—bid to run the scheme. I confess that I am not entirely comfortable with that notion, but if ultimately the industry is selected to manage the scheme, the role and make-up of the oversight committee becomes all the more important.

Huw Irranca-Davies (Ogmore) (Lab): May I suggest to my hon. Friend and the Minister that a precedent that could be considered is the miners compensation scheme for those with chronic obstructive pulmonary disease? That had clear oversight, including democratic engagement both at UK level and also in the regions, which gave the surety that every last penny piece was paid out to the people who deserved it.

Kate Green: I am grateful to my hon. Friend for that advice, and he is right to draw attention to the importance for local communities of a scheme that is transparent, credible, and which they are able to scrutinise and interrogate.

I expect that other issues will arise during our deliberations on the Bill, for example in relation to medical research, where I welcome the commitments made by the Government in the House of Lords, and on the differential between the levels of award made before a sufferer's death and the level that can be obtained afterwards by his or her dependants. Frankly, that difference has little to commend it for a condition where death is the certain outcome. I recognise that the situation arises not from this Bill but from existing fatal accidents legislation, but I hope there may be scope for a more generous and flexible approach to mesothelioma.

There remain many complex and important issues to explore, and while we share the Government's ambition to get the scheme in place and payments flowing, it would be a dereliction of our duty as parliamentarians if we did not scrutinise the full detail of the scheme and do all we can to maximise its generosity for sufferers. Victims have waited long for justice in the face of what can only be described as a hitherto intransigent industry. Now it is time to right a long-standing wrong, and give some small peace of mind to victims and their families in the midst of the most terrible suffering.

Let me conclude with the words of my constituent, Mrs Elaine Haskins, who first drew my attention to the terrible injustice and cruelty that victims have long lived with. Her husband died of mesothelioma in 2005—a death she describes as

“very stressful and painful. Two of the insurance companies were not traceable and the others did everything possible to get out of paying a penny. The sad thing was my husband died before he could see justice for his suffering and death.”

For too long we have let down too many victims of this cruel and terrible disease. Let us resolve today that we will right that wrong, and at last give justice to those victims.

6.10 pm

Tracey Crouch (Chatham and Aylesford) (Con): It is a pleasure to speak on this issue, on which I have a great deal of knowledge from working in the insurance industry for five years before I became a Member of Parliament

and from representing a constituency with very high levels of mesothelioma. Britain has the highest rate of mesothelioma in the world and sadly that rate is rising. In the past five years, the south-east of England has had the highest rates of deaths from mesothelioma compared with anywhere else in the UK. Medway, with its heavy industry and dockyard history, is a particular hot spot.

Mesothelioma is a horrific disease that is contracted exclusively by exposure to asbestos. Those who are diagnosed are often dead within a year. For many years, lawyers and insurers have taken their time to settle claims through civil procedures, leaving great financial uncertainty for sufferers and their families. A great deal has been done to speed up civil claims for victims and tribute ought to be paid to the work of Senior Master Whitaker for making that happen. However, there remains a small yet significant group of people who contracted mesothelioma but could not be compensated either because of poor record keeping by their employer or their employer's insurer, or because neither existed any more.

The Bill will help to rectify that and is therefore welcome, but it still contains shortcomings that, if Ministers, insurers and lawyers were open-minded, could be rectified at little extra cost to them. Before going into detail, I congratulate Lord Freud on his sterling efforts to introduce the Bill. From my own experience of working in the insurance industry and alongside lawyers, I know that the negotiations would have been very difficult. He deserved the praise he received from peers on both sides of the House as the Bill progressed through the other place, but it still lacks fair compensation for victims of this dreadful disease.

In my preliminary discussions with interested parties, there was consensus on one point: the Bill will give sufferers something. That is true and something might be better than nothing, but the Bill puts the something squarely in the pockets of the insurers and lawyers, and not as much as there should be in the hands of the victim. The victim is the one who turned up to work and was exposed to asbestos. The victim is the one who happened to work for a company that kept shoddy records. The victim is the one who will die through no fault of his own. The Bill has room for improvement, based on further compromise.

Their lordships debated the Bill on a set of assumptions that have been revised since it has progressed to this place. The goalposts have moved. It is a shame that what should be a simple piece of legislation has become so mired in suspicion and confusion regarding what is and is not included in the levy. When the Bill was discussed in the Lords, Lord Freud made it clear that the levy could not be more than 3% gross written premium. That was to ensure that insurers financing the scheme would not incur additional costs that would be passed on to their existing customers. At that point, the levy agreed with the insurance industry was 75% and equated to, as illustrated in the Department for Work and Pensions' own analysis in support of the Bill, 2.79% GWP in the first four years of the scheme and 2.27% GWP in the first 10 years of the scheme.

Since the debate in the Lords, the assumptions relating to legal costs have changed. Their lordships debated a fixed legal fee of £2,000, but we are now debating a fee of £7,000. In truth, there is total confusion about who will pay the fee. As the Association of British Insurers understands it, it will be paid by claimants out of their compensation which the Government will uplift accordingly.

Not only is it unclear what precisely the fee is for, but what the other 25% is paying to administer. It would be helpful if the Government clarified who pays the legal fees. Is it the claimants out of their compensation or the insurance companies out of the administration fee? If it is the claimants, we need to be absolutely clear that when they are awarded £57,000 of compensation, £7,000 of legal fees will have to be deducted from that award.

Lawyers, insurers and the Government are, unsurprisingly, at loggerheads on the fixed fee, presumably because if it is acceptable for this scheme, why could it not be applied to civil claims? Where would it fit into the LASPO review that the Ministry of Justice is expected to complete and report on next year? At the heart of the Bill is supposed to be the fact that the victim is coming into the scheme at last resort. A lot of what is required will have already been done, so lawyers in a civil claim might not be as necessary as they would be in this scheme. Senior Master Whitaker has helped a great deal and the Department is clear that in some circumstances a medical report would be enough. The underlying point, however, is that because of the revised estimates, about which I remain sceptical, there is no room to raise the compensation limit from 75% to 80%—a much fairer level of financial recompense for victims of the disease. In his introduction, the Minister said that 75% is not the important figure and that the 3% levy is. With the greatest respect to the Minister, it is the level of compensation that is important to the victim, not what the level of GWP is to the insurance industry.

Mark Reckless (Rochester and Strood) (Con): My hon. Friend mentioned that Medway is a hot spot for the disease. There have been 42 deaths in my constituency in the past five years—a greater number even than in her constituency, and about three times the national average. She mentioned the 3% and 75% figures. Is it not the case that the changes to which she referred will affect the sums relating to the 3% cap? If that is so, will it not be open to Ministers to show some compromise or movement in the direction that she is so ably arguing for?

Tracey Crouch: My hon. Friend is right that our constituencies are particularly affected and I am delighted to see him in his place to debate this important issue. He makes an important point. The Government have set a cap of 3% and there is no room for manoeuvre unless they are willing to stand up to the insurance industry and say that there is a firm view on both sides of the House that the 75% they have currently negotiated is not good enough. They need to agree on another figure. I believe that 80% would be appropriate as a good compromise between the 90% being called for by the lawyers—they cite the financial services compensation scheme as a useful comparator—and the 70% the insurers were originally willing to accept. Furthermore, with the previous assumptions under which their lordships debated the Bill, 80% would have been 2.98% GWP over the first four years and 2.42% over 10 years. Now, with the 3% cap, under the new legal costs associated with the scheme, there is no room for manoeuvre. I find that disappointing, unless the Minister is willing to stand up to the insurance industry and discuss this.

Mr Anderson: The hon. Lady is making a compelling case. Does she agree that, as the Minister said, the employers were 100% to blame, that the insurance

companies have had 100% contributions for many years, that the Government are asking for 100% clawback on DWP benefits and that, sadly, 100% of the victims are dead? Is there not a clear moral case for this House to accept nothing less than 100% compensation for the people who have died?

Tracey Crouch: I am grateful to the hon. Gentleman for his intervention. I was persuaded by the 100% argument, but having read the House of Lords debate, I now think that 100% would not be right. There is room for compromise on the percentage and we need to ensure that we put the victim at the heart of the compensation scheme—not the insurers and lawyers who may ultimately benefit from it.

I am also concerned about the lack of clarity on assumptions relating to the age of people diagnosed with mesothelioma. Some think that those accessing the scheme will be younger than the current age group of claimants going through civil schemes, whereas the Department has assumed that there will be an older age group. I tend to believe that, as employers' liability insurance has been compulsory since 1972, and given this disease's latency, those unlikely to be able to trace their insurer, making them eligible for this scheme, would surely be older and the younger workers would be fewer. Again, there is room for negotiation with the insurance industry over the compensation levy.

I understand that the industry is worried about a cohort of younger people who might access the scheme because of exposure in schools and other areas with a less obvious asbestos risk. I am afraid that that is bunkum, because not only would schools have some form of liability insurance, but it would be possible to access compensation via civil procedures. For me, the current 25% running cost of the scheme is far too high, and I genuinely think that this is a poor outcome for the sufferer and a good outcome for the industry, which, as the hon. Member for Blaydon (Mr Anderson) said, has behaved poorly over many decades in this area.

Mike Penning: I am conscious that during the course of the debate I may be able to alleviate some concerns across the House about how the scheme is proceeding. Earlier in her comments, my hon. Friend asked whether the legal fees would be in addition or inclusive. They are clearly in addition to any payments that the person receives from the scheme.

Tracey Crouch: We will have an interesting discussion about that in Committee. The representations I have received are contrary to what the Minister says, suggesting that the fees would still come from the claimant, albeit that the Government will uplift the amount of compensation payable in the first place. A victim might get £57,000, for example, but would then have to pay the £7,000 fee out of it—unless the legal fee comes in lower than that, in which case they get to keep the difference.

Mike Penning: Let me clarify once and for all that the legal fee of £7,000 is outside the payment. If people do not spend £7,000, they keep the difference. It is outside, not part of, the compensation.

Tracey Crouch: As I say, we will have an interesting debate in Committee. Is the Minister saying that the insurance industry will pick up the legal fee? Where is

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this magic legal fee coming from? Who is paying for it? If it is not the claimant, it must surely be in the 25% administration costs. Officials have said that it is not within those costs, so we are going to have an interesting debate about where this £7,000 is coming from and, indeed, what it actually equates to.

Stephen Phillips (Sleaford and North Hykeham) (Con): The Bill went through the other place on the basis that the legal fees would be £2,000, yet we are now told that they are £7,000. The Minister needs to respond to my hon. Friend's earlier point that one could move to an 80% level of compensation and accommodate it if the legal fees were indeed £2,000 within the 80% of gross written premium. One could not do it otherwise. It could not be accommodated if the legal fees were £7,000. There is room for manoeuvre if the assumption on which the other place proceeded—namely that the legal fees would be £2,000—is correct, but the Minister needs to be clear in the concluding speech about where this £7,000 figure has come from.

Tracey Crouch: I am grateful for my hon. and learned Friend's intervention. The irony is that, when the Bill first started in the House of Lords, the figure of £7,000 was debated, but the assumption was subsequently revised down to £2,000 and then back up to £7,000. Under the original £7,000 assumption, however, the DWP calculations were exactly the same as they were when £2,000 was being discussed. Unfortunately, it is completely unclear to anyone who has paid any attention to this Bill precisely who is paying for this, what it includes and how the victim can still be put at the heart of it all.

On one particular point, I pay tribute to the insurance industry. It improved over the years in its financing of research into mesothelioma. This began when I was working at Aviva—I am not talking all the credit for it, but it did—as an attempt to stop the last Government from following the lead of Scotland and legislating too harshly on other asbestos diseases such as pleural plaques. As it happens, I supported the last Government's resistance to following Scotland and was pleased that the top four insurers contributed to research funding into mesothelioma instead. That said, the funding runs out next year, and there has currently been no voluntary commitment—not just from the top four, but from all EL insurers—to contribute further money into research. I think that is a dreadful shame, which will have a major impact on future treatments to alleviate suffering at a time when we expect meso-diagnosis to spike. I share the views of the British Lung Foundation—supported, I believe, by the Association of British Insurers—about building the continuation of funding directly into the Bill. It is sad that a £4 billion EL industry cannot make a voluntary offering, spread equally across all insurers. If that is so, we parliamentarians now have a statutory opportunity to force them to do so.

Mr Anderson: The hon. Lady is generous in giving way. Is she aware that when the pleural plaques legislation went through the other place and the Law Lords decided that it would no longer be compensated, KPMG estimated that the insurance companies had a £1.4 billion windfall, so surely a little bit of that could go into the research that she is talking about?

Tracey Crouch: I do, indeed, remember that. I remember having long conversations about pleural plaques with the hon. Member for Jarrow (Mr Hepburn), who has been a long-time campaigner on the issue. As it happens, I disagreed with the idea of compensating pleural plaques. Everybody involved with this Bill well knows that I am passionate about mesothelioma—a disease from which people will die, and quickly—but I have never thought of extending the provisions to other diseases. I supported what the industry did on pleural plaques, but I understand the hon. Gentleman's point.

Let me quickly turn to the issue of benefit recovery. While I agree that this scheme should follow civil procedures and recover benefits from those who have received payments until their compensation has been paid, I think it incredibly unfair that a claimant who is getting the equivalent of 75% compensation to that from a civil claim must repay 100% of his benefits. To return to the main point of the Bill, the claimant is accessing the scheme because of poor practices by employers and insurers after having been negligently exposed to asbestos. I feel that the victim is the one who will lose out here, so I hope we get an opportunity to look carefully at the recovery issue in Committee.

Finally, let me briefly mention secondary exposure. I understand why diagnosis of mesothelioma caused by secondary exposure from asbestos is excluded from this Bill, but this is an area that I genuinely hope the Department is looking at pursuing. The numbers are small, but I would hazard a pretty good guess that most victims of secondary exposure will be women, who are sufferers of this dreadful cancer purely because they did their wifely duty and washed their husband's overalls. These women deserve to be compensated, too. They receive payment under the Child Maintenance and Other Payments Act 2008, so it is an accepted cause of suffering, but a proper compensation scheme should be considered for the future.

While I worked in the industry, I campaigned hard for better, faster justice for those who would die from mesothelioma. I may have been an irritant in the industry, but I was passionate that, after decades of poor behaviour, something had to change. Improvements were made and I was proud to be a part of those small, but important developments. However, in the middle of a constant stand-off between insurers and lawyers remains a person who will die a most horrible death, and at present this Bill, while welcome in principle, still puts too much in the pockets of other interested parties. I hope that Ministers both in this place and the other place will remain open-minded and listen to the concerns of colleagues on both sides and ultimately be willing to go back to the insurers and lawyers and fight just a little harder for the victims of mesothelioma. To my mind, it is the very least that they deserve.

6.28 pm

Mr Stephen Hepburn (Jarrow) (Lab): Let me first pay tribute to the hon. Member for Chatham and Aylesford (Tracey Crouch) for the genuine interest and compassion she has shown on this subject for a number of years. I am sure that, at the end of the day, we will get the outcome that we are all looking for.

Last Friday, I sadly attended the funeral of a great and old friend, Terry Smith, a local lad from Hebburn, a town in my constituency. He was a local activist,

secretary of the local social club, the Iona club, of which I am a member, too. He was a member of the local church, St Aloysius. He was very active in the Society of St Vincent de Paul, and visited the sick. He was a long-term member of the Labour party, and would go out and distribute leaflets whenever he was needed. I am sure that we all know men of his kind—men who do a lot of work but who are unsung heroes, and who never ask for anything in return. Terry left school and went to work in the shipyards, but after a while he changed his career. He went to college, and then managed to get a job teaching. He taught for 28 years, until he retired.

Two years ago, Terry went to the doctor. After being given a medical, he was told that he had mesothelioma and had three months to live, or, if he had treatment and if he was lucky, he would make it to a year. However, because of his determination, his obvious faith and his medical treatment, he got through two years. It was very sad to be at his funeral last Friday: it was very sad for his friends, and, more important, it was very sad for his family.

Terry has now become part of a statistic. Every week, three people in the north-east die of mesothelioma. What most of those people have in common is that they are working-class, and were employed by a negligent employer who exposed them to the poisons of asbestos.

I welcome the scheme, and I think that the Minister has done a great job, because it has been kicking around in the long grass for long enough. It will impose a levy on the insurance industry, which will compensate victims who cannot trace an employer for whom they may have worked many decades ago and who may have gone bust since then, and cannot trace the employer's insurance company either. The regional media welcome the scheme because they see it as an end to an injustice that we have witnessed for a long time, and, as I have said, I welcome it because it is an improvement on the status quo. However, the Bill falls far short of what the last Labour Government intended.

Mr Kevan Jones: I agree with what my hon. Friend has said about the regional media, but did he feel as concerned as I did about a headline in the *Sunderland Echo* which referred to a £300 million bonanza for asbestos victims? In fact, many of his constituents and mine will not be covered by the Bill, and will be short-changed.

Mr Hepburn: I think that many issues of that kind will be exposed as the Bill proceeds through its stages. The media gave the scheme a warm welcome because they did not know the details and the nitty-gritty.

The Bill falls short of what we intended when we issued our consultation document. It falls short in regard to the cut-off time—in its present form, it will deny compensation to thousands of mesothelioma victims and save the insurance companies millions—and it falls short in regard to the payments, which will be 75% of the average payment made following a civil claim. I think that the proportion should be 100%, and that insurance companies should be fined a further 25% for ignoring their responsibilities over the years. The money could then be used to establish some proper research on a cure for mesothelioma.

Why has the Bill been diluted, and why was it kicked into the long grass? Why has this taken so long? The answer is, quite simply, that the insurance companies'

fingerprints are all over the Bill. That shows the unhealthy relationship that the Tory party has with the insurance industry, which has pumped millions into the party's coffers over the years. It also shows the value that the Government place on working people, especially those in the north-east. I wonder what would have happened if those people had been professionals in the south-east of England. I wonder what would have happened if, for example, judges had all of a sudden developed an occupational cancer as a result of inhaling hairs from their wigs. We know exactly what would have happened. Those would not have been working-class people breathing in asbestos fibres, and the Tories would have looked after their own people.

Mark Reckless (Rochester and Strood) (Con): I do not make this point from a partisan perspective, but the hon. Gentleman said that the scheme was not as generous as the one that the previous Government had planned. Is there something about the disease, about the insurance industry or about politics in this country that explains why it has taken so long for us to reach this stage?

Mr Hepburn: This came about because of the Labour party's links with the trade unions, which brought the issue to our attention. Labour Members in the last Parliament—many of whom are sitting here now—had a number of meetings with the then Prime Minister and with justice Ministers. The Bill has been a long time coming. It could have been here two years ago, but because the insurance industry was crawling around and because the Government wanted to appease it, it was kicked into the long grass. Eventually, however, the Minister—and all credit to him—took over the brief and, very recently, enabled us to make progress.

Hywel Williams: There is a long history of delayed compensation for such diseases. In the early 1960s, a campaign for compensation for slate workers began in Wales. It eventually led to the Pneumoconiosis etc. (Workers' Compensation) Act 1979, but for 20 years or so, nothing at all happened.

Mr Hepburn: Indeed.

Let me end by saying that the Bill can be improved. There is time. However, if it is to be improved, the Government must stand up to the employers who have literally got away with murder, and they must stand up to the insurance companies which have literally robbed dead people of £1 billion. They must stand up for what is right. We are convinced that we are on the right side, and we want to know whether the Government will be on the right side. If they do not get on to the right side, they will be seen for what they are. They will be seen to be on the side of the privileged, the powerful and the wealthy, and, ultimately, to be letting cancer sufferers down.

6.36 pm

Mr Robert Buckland (South Swindon) (Con): It is a pleasure to follow the hon. Member for Jarrow (Mr Hepburn), who spoke with understandable passion. All of us who know something about industrial life in this country are aware that for too long we were literally in a state of ignorance. I think of industrial deafness, which affected members of my family, and of other respiratory diseases. In particular, I think of mesothelioma, and of the date of knowledge in law, which is deemed to

[Mr Robert Buckland]

be 1969. It is assumed for the purposes of liability that, until that date, employers, businesses and industries throughout the country—and the people who worked in those businesses, delivering productivity and profit for year after year—were labouring in a state of ignorance. That is a tragedy when we consider the individual stories of the workers and what they went through.

Mr Kevan Jones: I agree with the hon. Gentleman's point about the date of knowledge, but, as he knows, mesothelioma was originally identified in the Meriwether report of 1931. After the second world war, the Government wrote to the British shipowners' confederation drawing attention to the dangers of asbestos. For all those years the fact that it is a danger to health was denied, although that was known to be the case.

Mr Buckland: I was coming to that point. Although for the purposes of liability knowledge of the dangers is defined as having started in 1969, we know that the debate had been going on for many years before that. It is a tragedy that the decision was not made for a generation. Thousands of workers, many of whom are no longer with us, were working in dangerous conditions.

I represent Swindon, a railway town which had the Great Western Railway at its heart, and had a railway works until 1986, and I have heard stories from many former railway workers who worked in and around asbestos every day of their working lives. Asbestos was being transported along the railway system, but it was also being used to line the boilers and pipes, and to insulate the heat generators which are an integral part of a locomotive. More than that, however, asbestos was being used to line all the carriages built at the Swindon works, and asbestos was used in sprays that were applied to surfaces within and without those carriages. It was very much part of the essence of working life in Swindon. For very many people whom I know exposure to asbestos has been a reality, and that means that many people are still carrying a latent disease—a latent disease that can manifest itself as late as 40 or even 50 years after exposure.

I am going to single out one person, not because he would have regarded himself as an exceptional man, but because he rose to become the mayor of our town and because he died this year from mesothelioma. Rex Barnett worked for British Rail from 1953 to 1961. It was while he was there that he was exposed to asbestos and went on to develop what was for many years a latent disease. He was diagnosed with pleural plaques back in the mid '90s and then was one of the unfortunate people who went on to develop mesothelioma right at the end of his mayoral year in 2011. Rex battled on. He was an indefatigable character who in his mayoral year raised over £60,000 for local charities, an exceptional feat in itself. He battled on for another two years, but finally, sadly and tragically, succumbed this year. In his memory and the memory of thousands of other people who worked alongside him, this measure is a welcome one.

I pause now for a moment to think about the memorial garden we have in Queen's park in Swindon to the victims of mesothelioma, which is marked by a very simple memorial, and which gives members of my community an opportunity to contemplate and consider the sacrifice—

the unwitting sacrifice—that was made by those who were exposed for all that time to lethal amounts of asbestos.

In my early legal career I was trained in personal injury work, which included industrial compensation, and therefore have some, albeit limited, experience of dealing with claims relating to conditions such as mesothelioma. I think that perhaps we are in danger of oversimplifying the position when talking, perfectly naturally, about the need for a swift resolution to the claims made by victims of this disease and their families. There is a danger that seeking to resolve claims before death could lead to a significant under-settlement of claims, which would deprive dependants of the victims of a substantial proportion of the damages they could recover in a posthumous claim.

I think it is right to talk very briefly in this Second Reading debate about the wider position and principles, while recognising the fact that this Bill will deal with a relatively small cohort of people for whom traceability of employer or insurer has not been possible. The following important point has been raised with me by claimants' solicitors, some of whom have years of experience in practice in Swindon. The regime that applies to posthumous claims for damages is still dramatically different in England and Wales from that which applies to those made during the lifetime of the claimant. For example, bereavement damages are not payable during the lifetime of claimants, claimants cannot recover for future funeral expenses during their lifetime, and living claimants cannot recover damages for services provided to dependants after death; that is recoverable only as a services dependency under the Fatal Accidents Act 1976. It is clear that under that Act income dependency claims will usually be significantly more for dependants than a lost years claim made under common law for a living claimant. It is clear that claims that are brought by widows after death will be about 20%—a fifth—more valuable than equivalent claims made during life. So the dilemma for mesothelioma sufferers going through all the pain and struggle they have to endure is: do they resolve their claims during their lifetime for what will be a lesser sum, or do they die with a claim unresolved?

It is interesting to note that the Scots have legislated to bring the rights of relatives before and after death into some alignment. That is one of way of dealing with this, but there are alternatives that could, and do, deliver a practical solution.

Bob Stewart (Beckenham) (Con): I probably am thick, but will my hon. Friend explain why there is a difference between claiming before death and after death, because I have not quite understood that?

Mr Buckland: I am certainly not going to insult my hon. Friend, but what I will say is that payments after death are governed by the 1976 Act and payments before death fall under common law, so different rules and regimes apply. As I have said, in Scotland there has been some move to try to align certain aspects—but not by any means all aspects—of the rights of dependants, relating to mesothelioma in particular.

There are practical alternatives, and in her excellent speech my hon. Friend the Member for Chatham and Aylesford (Tracey Crouch) made a point that deserves re-emphasis. The work of the senior master of the

Queen's bench division, master Whitaker, should be singled out for particular praise because he and his colleagues have developed specialist lists that, in effect, create a fast-track procedure for the efficient resolution of liability issues. The fast-track procedure allows for summary judgment to be passed where sufficient evidence has been demonstrated by claimants about exposure to asbestos in breach of duty and where defendants then have to show cause—reversing the burden, as it were—on evidence why that liability should not be proved. With the resolution of liability, interim payments can be made to claimants and their families to meet the claimants' needs during life, but that interim payment does not bring resolution or quantum to a close. That can be achieved by a stay of the claim until after death, to allow the full quantum—the final value—of that claim to be properly assessed.

It is important that we make these points because if we are truly to address the needs of victims and their families, we have to understand what they need, rather than just make glib assumptions about brevity and the need to tie things up before the tragic event of the death of a victim.

We know that over the next 30 years mesothelioma will claim about 60,000 lives, and that means about 2,500 people will be dying every year from this aggressive cancer. This particular scheme deals with last-resort claims where there is no other alternative. Already we have seen welcome changes by the Government in the other place, by conceding the 70% levy and raising it to 75%, on figures that at the time in question still represented under 3% of the gross written premium for employer liability insurance. I know that these figures have been updated, but when this Bill reaches Committee more particularity must be given as to the basis for those updated figures, because it is crucial if we are to have a meaningful continuing negotiation with the insurance industry—which I think we should—that we know precisely what we are dealing with.

I know my hon. Friend the Minister cannot commit himself and the Government to particular figures today, but I urge him—and I know he will listen—to keep those figures open and to look to see if we can get a greater proportion, and whether we can achieve 80% as my hon. Friend the Member for Chatham and Aylesford suggested. The more we get, the more justice we will deliver for the victims and their families.

Tracey Crouch: Does my hon. Friend agree that the insurance industry is unlikely to walk away from this scheme because of a very small uplift to 80%, given that it already has an incredibly bad reputation, thanks to the way it has dealt with mesothelioma victims? The notion that, all of a sudden, the entire scheme is going to fall apart because of a small, continuous uplift to 80%, and that the insurance industry is just going to walk away, is absolute nonsense.

Mr Buckland: I agree with my hon. Friend. I do not believe that the industry, which has rightly been criticised for lack of action and lack of resolution, would dare risk further opprobrium by appearing to be even more unreasonable at the end of what has already been a lengthy—some would say over-prolonged—negotiation process.

My hon. Friend made an interesting point about the industry's argument regarding the likely age of claimants. Her point has real merit and force, because as she rightly says, given the changes in the law—the Employers' Liability (Compulsory Insurance) Act 1969 and the introduction of compulsory employers' liability some 41 years ago—the issue of traceability of insurers surely belongs to a period before the introduction of such legislation. That must mean that the cohort of claimants who would be eligible under this scheme will be older, rather than younger. I fail to see any clear basis for the assertion that we will be dealing with a younger group of claimants. It is important that we as legislators, both here and in Committee, seek to challenge and probe at every stage glib assertions made on behalf of an industry that, although it is now coming to the table, should have done so some years ago.

I welcome the Bill and all measures that create a degree of justice for those who, as a result of unfortunate accident, are unable to trace employers or insurers. But at the very least, when we make such legislation, it is our duty to ensure that we drive the best possible deal for our constituents and that they get in fullest possible measure the justice they so clearly deserve.

6.52 pm

Paul Goggins (Wythenshawe and Sale East) (Lab): It is a pleasure to follow the hon. Member for South Swindon (Mr Buckland), who has once more shown his expert understanding and knowledge of this issue. I also compliment the hon. Member for Chatham and Aylesford (Tracey Crouch), who has again shown her utter determination to ensure that the right thing is done for those who have suffered so terribly from mesothelioma and for their families. I also congratulate my hon. Friend the Member for Jarrow (Mr Hepburn), who has been a redoubtable campaigner on this issue for many years, on all the work he has done.

Every July on action mesothelioma day, in Lincoln square, Manchester, the Greater Manchester Asbestos Victims Support Group, ably co-ordinated for many years by Tony Whitston, brings together Members of Parliament, other community leaders and the families and loved ones of those who have died as a result of mesothelioma. It is a profoundly moving occasion, and I see in the House hon. Friends who have attended this event in previous years. Doves are released into the sky as a symbol of peace and reconciliation for those families who have faced so much difficulty, and the message goes out that there is still a need for justice for those who have suffered so much.

One of the most profoundly moving things is that many of the women there hold up photographs of their husbands and loved ones, who worked hard in heavy industry or as electricians or joiners, and who lost their lives to mesothelioma because an employer—an irresponsible, negligent employer—did not remove the risk, did not alert them to the risk they faced. I think of people such as Mr Fryers, a constituent of mine, whose voice is included in the excellent Asbestos Victims Support Group's "Forum UK" briefing. He says:

"I never thought I would be exposed to asbestos diseases and suffer mesothelioma. During my apprenticeship from the age of fourteen as these diseases were never talked about you just did the job given to you. No tradesman knew much about asbestos due to the neglect of the employers who exposed them to it."

[Paul Goggins]

At the event in Manchester—I am sure they take place throughout the United Kingdom—we have a particular focus on the 6,000 innocent mesothelioma sufferers who were unable to find a former employer or insurance company before they died: who were unable, in other words, to get any form of redress or compensation for the illness and eventual death they suffered. The Bill enables us to focus on that group and on those who still struggle to find an employer or an insurance company.

I welcome the Bill, which is a huge and important step forward. It will bring a measure of justice to those who have been unable to trace employers or insurance companies. However, my message to the Minister—one that is coming loud and clear from all parts of the House this evening—is that if we are going to enact this Bill, we should do it properly and gain the maximum possible justice for those who have been affected.

Let us remember that the insurance companies start well ahead on this issue. The estimated value of payments that ought to have been made but never were to those who have suffered and died is at least £800 million. We should also add to that the premiums the insurance companies have collected but have never had to pay out on. I encourage them to participate in the development of this scheme; but we should remember that they start ahead, not behind. Throughout the debate on the Bill through its various legislative stages, we should also remember that the voice and experience of those most affected—the loved ones, the families—must be heard. Over many, many years, they have felt ignored and betrayed, and we have to emerge at the end of this process with something that they feel offers them a measure of justice.

I want to make four brief points, the first of which concerns the level of compensation, which everybody has spoken about this evening. Seventy-five per cent. may be better than 70%, but it is not good enough, and we simply have to do better. Here, there are technical arguments, some of which have already been aired, but in this regard I rely for my view on the view of Parliament. That view was clearly demonstrated during the debate on what became the Legal Aid, Sentencing and Punishment of Offenders Act 2012, which brought about changes to the conditional fee agreement. It was very clear in the debates in this House and the other place that to expect mesothelioma claimants to pay more than 25% of their compensation to lawyers was completely unacceptable. That argument was had here and in the Lords, which passed an amendment to prevent the new conditional fee agreements from applying to mesothelioma claims. Members may recall that we entered a period of ping-pong, and eventually there was a compromise and section 48 of the Act was inserted.

The will of Parliament was very clear on those occasions, and my argument is that if it was wrong to expect mesothelioma claimants to pay 25% of their fee to lawyers, why is it fair to expect them to pay 25% of the fee that they should have to the insurance companies? That is the practical effect of having a cap at 75%. My starting point is 100%. Other figures have been mentioned—90%, 80%—but the message to the Minister is that the figure has to be substantially higher than 75%. We do not want political game-playing here; there has to be a sensible, proper, grown-up discussion with

the industry, Ministers and Members of this House to make sure that we get the best level of compensation that is available. The hon. Member for Chatham and Aylesford was right to suggest that the level of compensation that is agreed on, whatever it might be, should be the level at which benefits are repaid. It would be grossly unfair to set a compensation level of less than 100% and then to expect claimants to repay 100% of their benefits. That would be quite wrong.

My second point relates to the start date from which people should be paid compensation. I make no criticism of Lord Freud. He made his statement to the House of Lords in July 2012, in the last days before the summer recess. If he had not cared about the issue, he could have left it until October when the House returned, but he wanted to make the statement in July because he does care. The start date should be set further back, however—at least to February 2010—and the reason for that is clear. When the Labour Government published the consultation document, it became clear to the industry that things were going to change and that a compensation scheme funded by the industry would be put in place. From that moment on, the industry has had every opportunity to make the necessary arrangements.

Mr Kevan Jones: I agree with my right hon. Friend that the date needs to be put back. Does he agree with the point made by the hon. Members for Chatham and Aylesford (Tracey Crouch) and for South Swindon (Mr Buckland) that, because the date of knowledge is 1969 and most of the claimants are likely to be elderly, there is a reasonable case for putting the start date back at least to 1969 because the number of cases involved will be quite small?

Paul Goggins: My hon. Friend is very knowledgeable about these issues and he makes an important point. I am saying that the date should be put back to at least February 2010, and there are arguments for going back further. I hope that we will have an opportunity to examine those arguments in Committee.

Mike Penning: On the point raised in the intervention by the hon. Member for North Durham (Mr Jones), the dependants of those who have been affected by this terrible illness will be compensated—I nearly used the word “compensated”; we are not supposed to use it. Payments will go to them. It is not the case that no payment will be made just because someone has sadly died. The dependants will get payments as well, and that has to be taken into account. I understand what the hon. Gentleman was saying, but that has to be taken into consideration.

Paul Goggins: I am happy to be the conduit for a conversation between the Minister and my hon. Friend the Member for North Durham. I hope that we will be able to have a sensible discussion about this in Committee. Whatever the start date is, it should predate July 2012.

My third point relates to section 48 of the Legal Aid, Sentencing and Punishment of Offenders Act 2012, to which I referred earlier. Last week, I received a copy of a letter sent by Lord McNally to Lord Alton of Liverpool. One or two other Members who took part in the debates during the passage of the LASPO Act also received a copy. Section 48 prevents sections 44 and 46 from coming into force in relation to mesothelioma

claimants. That means that the new conditional fee agreements cannot operate in relation to mesothelioma claims.

Ministers keep making the point that the review that has to be carried out under the LASPO Act has somehow to be dovetailed with the arrangements in this Bill. In the letter, Lord McNally says:

“I can absolutely guarantee that we will work in a synchronised way with the DWP”.

However, there is no relationship between the review set out in the LASPO Act and the provisions of this Bill. As I have made clear, the provisions in the Act cover civil claims and the arrangements for conditional fee agreements. They will ensure that claimants have to pay back 25% of their success fee to the lawyer who represented them. There have been arguments about that, and the Government clearly have their point of view, but Parliament has expressed the view that that provision should not operate in relation to mesothelioma claimants.

The Bill, on the other hand, deals with a fund of last resort for people who cannot find their former employer or insurance company, and who have no one against whom to make a civil claim. The two issues are therefore completely separate, and I ask the Minister please to clarify that when he responds to the debate. If there is to be a decision in relation to section 48 of the Act, let us have that debate and make that decision, but let us not confuse that issue with the provisions of the Bill that we are debating today.

My final point relates to research, which the hon. Member for Chatham and Aylesford also mentioned. It is shameful that we spend so little on researching the causes and treatment of mesothelioma. It is a disease that will kill 2,400 people this year, and in the region of 60,000 people over the next 30 years, and we should be devoting much more to research. I applaud the initiative that a small number of insurance companies took to set up the research fund that is being managed by the British Lung Foundation. Some good, promising work has been done as a result of that, and Lord Alton and his colleagues in the House of Lords wanted to make that arrangement more sustainable, better funded and more reliable in the long term so that we could get some proper research done and some good outcomes. Indeed, Lord Alton pressed an amendment to that effect, but it was narrowly defeated. However, that does not remove the argument, or the need for Ministers to do much more in regard to the funding of research.

I was struck by Lord Freud's comment in Committee in the other place, when he was asked about his own efforts to improve investment in research, from the Government and from other sources. He said:

“I have hit a brick wall at every turn.”

He is a Minister who was trying to get a better outcome for research but clearly found it difficult. Earl Howe also spoke on Report about how he was trying to improve the research programme, and I would be grateful if the Minister could update us on progress tonight, because the promises were made in July and it is now November. I hope that some progress has been made, but we cannot get away from the fact that the Bill should contain a provision for the long-term funding by the insurance industry of research into the causes and treatment of mesothelioma.

I welcome the Bill, but it could be and must be improved. The families of those who have suffered and died as a result of this dreadful disease must be better compensated, and we need a scheme that is affordable and in which those people can have confidence.

7.7 pm

Dr Sarah Wollaston (Totnes) (Con): It is a pleasure to follow the right hon. Member for Wythenshawe and Sale East (Paul Goggins). He has put forward some compelling arguments.

I welcome the Bill. Mesothelioma is a terrible disease, and I have seen at first hand the indignity and pain that it has inflicted on many of my former patients. Perhaps it is because I have been there in the room while they have suffered repeatedly having fluid drained from their lungs that my main complaint about the Bill is that it does not go far enough in its scope. It would be a terrible shame if we were to pass it without taking the opportunity to act on this important area of prevention.

There is no safe lower exposure limit for asbestos, and children are particularly at risk. A child who is exposed to it at the age of five is between two and a half and five times more likely to develop mesothelioma than an adult aged 30. Since 1980, 228 teachers have died in this country as a result of negligent exposure to asbestos. Let us remember that every one of those teachers had 30 children in the classroom with them. Let us also remember that 75% of our schools contain asbestos, and evidence from the Health and Safety Executive shows that about 13,000 out of 23,800 schools were built at the time when asbestos use was at its peak. That asbestos is now crumbling. Every time a drawing pin is stuck into an asbestos board and taken out again, it releases about 6,000 asbestos fibres.

The trouble is that the argument we take in this country that we should literally cover up asbestos is not good enough. The evidence shows that slamming doors and children kicking kick-boards around the classroom edges can increase the level of asbestos fibres in the air by about 6,000 times. We should go far further than we are doing; that is what happened in the United States. In 1980, the US conducted its first major audit of asbestos and introduced stringent regulations in 1986. As a result, the level of mesothelioma in the US has stabilised since 1999; there are now about 14 deaths per million per year, whereas in 2009 in the UK there were 37.8 deaths per million—and unfortunately, that level continues to rise. I know that the Minister has said he expects it to peak in 2015, but we do not yet know what the future impact of asbestos exposure in schools will be.

Mike Penning: This is a good opportunity for me to address a slight hiccup. The number of mesothelioma victims will peak in 2014—the claims will peak in 2015.

Dr Wollaston: I thank the Minister for clarifying the point. The trouble is that the Bill is about compensating people who have been negligently exposed in the course of their work. What will we be saying to future victims who are negligently exposed in the classroom? They will not have an employer; they are being negligently and knowingly exposed by the state, and it is simply not good enough that we take a view that there is nothing we can do.

Ian Lavery (Wansbeck) (Lab): Does the hon. Lady agree that there should be a phased, managed removal of all asbestos from schools, rather than relying on management plans, as prevention is always better than cure?

Dr Wollaston: I completely agree with the hon. Gentleman, and I think we should be starting with the schools with the highest risk. Since the original decisions were made, when air sampling tests for asbestos were technically difficult, could detail only a single pinpoint in time and were immensely expensive, the technology has moved on significantly. I call on the Minister to examine the new technology that is emerging in air sampling for asbestos, which gives real-time data on exposure and could be widely rolled out in schools—prototypes are available. I ask the Minister to review during the passage of the Bill whether we could bring such new technology into the scope of the Bill.

I know that the property data survey was designed to be light touch, but it is extraordinary that not only the most expensive aspect of future building programmes in schools—asbestos removal—but the most dangerous aspect have been completely omitted. At the moment, parents have little knowledge of where their children are at risk. I wrote to all the schools in my constituency to ask about their asbestos policies, and one school replied that it had had an asbestos survey carried out a few years ago and that

“There is very little asbestos in the school, just in a few floor tiles and in the artex”.

I am sorry, but asbestos in the floor tiles and in the artex is exactly the kind of thing I am most concerned about, because it is raining down on children in our classrooms. As I say, technology is now available that allows us to look in real time for any dangers, rather than spot-check after building work. What happens when 30 children charge round over floor tiles containing asbestos? I urge the Minister to take an opportunity during the passage of the Bill to examine that matter. Without acting to protect children from asbestos now, we will not see a long-term falling off in the incidence of mesothelioma and this terrible disease will affect those children in decades to come.

7.14 pm

Hywel Williams (Arfon) (PC): It is a pleasure to follow the hon. Member for Totnes (Dr Wollaston), who speaks knowledgeably and movingly from her own experience, making some extremely telling points.

I, too, welcome this Bill as a step in the right direction but, as has been said many times, it needs to be strengthened, particularly in respect of the level of compensation. I pay tribute to the work done in the other place on this Bill by Lord Wigley. As I have said, he worked tirelessly for many years to get the Pneumoconiosis etc (Workers' Compensation) Act 1979 on to the statute book.

I have a special constituency reason to be interested in the Bill, because I represent a former slate quarrying area that has benefited from the provisions of the 1979 Act; it provided compensation to slate workers whose former employers had gone out of business and could not therefore be sued. My area also, at one time, had a Ferodo/Turner and Newall factory, which used asbestos for many years from the 1960s onwards. Recently, I have heard dreadful tales from former employees of workers

in the 1960s having snowball fights with fistfuls of asbestos during tea breaks and at lunch time. I was also told that the factory was a dust trap from one end to the other and that it was rarely cleaned properly. Some hon. Members will know that the factory later morphed into the infamous Friction Dynamics concern, which provoked and then lost the longest-running industrial dispute of recent times. The owners lost and then evaded their responsibilities—it is a lesson to us all—and the wrongly sacked workers still have not received a single penny piece in compensation for wrongful dismissal. Some of those people are also suffering from the effects of asbestos.

The incidence of mesothelioma in my constituency is much lower than elsewhere; Gwynedd is a rural area, and therein lies the clue. Mesothelioma is less prevalent there, but among the particular group of workers I mention it is as prevalent as elsewhere. The effects on the individual are, of course, as bad as anywhere else, whatever the incidence in the general population. We know that it can take many years for symptoms of this awful disease to be manifest, and people in seemingly unconnected industries and occupations can be sufferers. They include a former constituent of mine who had never worked near an asbestos plant but had worked as a boiler maker on submarines, and someone who had many years before been a sub-contractor removing asbestos from redundant buildings before fully realising the danger to which he was exposed.

As we have heard, mesothelioma strikes people in later life and, for me, the case for compensation could not be clearer. Many people may have lost out on compensation because of the delay between 2010 and this scheme being announced in 2012. As I said, however, my main concern, and the main concern that has been conveyed to me, is about the level of compensation. Sufferers face 100% of the effects of this dreadful disease, so how can it be right that they are offered a lesser degree of compensation? In the other place, Lord Wigley tabled an amendment that would have brought the level up to 80%. As other hon. Members have noted, Lord Freud said that it was impossible to get the insurers to agree. I made the point in an earlier intervention that the 1979 Act provides for 100% of the compensation available before the courts, and of course recovery of already paid benefits will be at 100%.

I am glad that progress has been made, but the Bill is narrower in scope than some of us would like. It offers recourse to those suffering from diffuse mesothelioma only—and to eligible dependants—and it is available only to those diagnosed on or after 25 July 2012. The Bill makes provision for a scheme that will make payments to those persons, provided that they have brought no action against an employer or the employer's liability insurer because they were unable to do so. Surely that date should be at least three years earlier, in line with the three-year limitation period in law.

I draw the Minister's attention to the fact that conditions excluded from the provisions—presumably because of the difficulty in proving causation—have already been included in an administrative scheme that pays compensation to all asbestos victims at Turner and Newall asbestos factories. If that company can do it, why cannot the Government do it?

It seems unfair, cruel and inhuman to impose—as insurance industry insiders have suggested—a lower rate to encourage people to persevere in identifying

insurers so that claims will be brought to the scheme only once all other avenues have been exhausted. People will be experiencing the distressing and incapacitating symptoms at a time when they are likely to be seeking compensation and will often not be in any condition to pursue extensive research, not least because of their very short life expectancy. That is the grim reality.

Finally, I echo the points made by other hon. Members in respect of the research that is so desperately needed. As has already been said, the UK has the highest rate of mesothelioma in the world, and the small amount of money invested in research compares very badly with the research into other cancers. New funding for research over the past three years has produced good results. I have read about new researchers and new expertise, but long-term funding must be secured for this important research.

7.21 pm

Jim Sheridan (Paisley and Renfrewshire North) (Lab): The one constant I find from people who suffer from mesothelioma is that it covers all disciplines. Although my hon. Friend the Member for Jarrow (Mr Hepburn) is right that the disease is mainly concentrated in the industrial towns and cities, we now see incidents of mesothelioma in other disciplines, such as in teaching.

Before we go into the pros and cons of the Mesothelioma Bill, it might be appropriate to look at the effects of mesothelioma on people. The best description of the disease comes from one of my constituents, who said that it was like having a tree growing inside him. He said the branches spread and eventually choke the sufferer to death. There are people out there who, when they cough, are anxious that they could be suffering from mesothelioma. When that person catches a heavy cold, their families are worried that they have mesothelioma or pleural plaques, which is the start of the disease.

When I worked in the shipyards in Glasgow, we used to make fun of the asbestos workers, or pipe coverers as we called them. They then became known as ladders and were then upgraded to insulating engineers. We used to mock them and make fun of them, not knowing that we were swallowing the same particles of asbestos that covered everyone who worked in that industry. I warmly welcome the work of asbestos support groups, and none more so than Clydeside Action on Asbestos, which does a tremendous job in helping people cope with that difficult disease.

There has been much criticism of the insurance companies during this debate, and I am sure that much of it is right, but perhaps I can take colleagues back to some years ago in Scotland. When a person died in Scotland their claim for asbestosis or mesothelioma died with them. The insurance companies used to invite the sufferer to court, because the thought was that if a person was diagnosed with mesothelioma, they did not have long to live. These people decided to cut to the chase and try to get as much money as they could from the insurance companies before they died, so they went to court to get a judgment.

During the court case, the insurance people had doctors sitting beside them, trying to ascertain how long that person had to live. Then they would find some technical reason to postpone the case, hoping that in the intervening period the person would die and they would not have to pay out. I know that the trade unions

came in for a lot of criticism, but the Transport and General Workers Union campaigned hard and successfully to get rid of that heinous legislation. It is important that we understand those events. Even today, producers export asbestos to some of the most vulnerable countries in the world. There is no protection whatever on offer. These people are now being subjected to what we were subjected to some 10, 20 or 30 years ago.

As chair of the all-party group on occupational health and safety, I welcome the Bill. As the Minister of State, Department for Work and Pensions, the hon. Member for Hemel Hempstead (Mike Penning) knows, the process began under the previous Labour Government, with the consultation in February 2010, and I am pleased that the coalition has at least in part kept the sentiment of those original proposals. Sadly, the Bill does not go anywhere near far enough and the Government are well and truly siding with the insurers, who have profited from the collection of premiums over many decades and who will now continue to be subsidised by people suffering from diseases other than mesothelioma.

It would be remiss of us not to recognise the excellent work that was done by Michael Clapham, the former Member for Barnsley West and Penistone, who worked extremely hard not just on mesothelioma cases but on all industrial cases. He fought hard to get the compensation that people deserved. That responsibility has now been taken up by my hon. Friend the Member for Wansbeck (Ian Lavery), who is secretary of the all-party group and who does equally important work on these issues.

In our all-party group, we recognised that there was a real need to address the issue of asbestos-related illnesses as a consequence of working in certain environments. For that reason, we set up the asbestos sub-committee. It is devastating that, even though we have known of the dangers of this chemical, workers have continued to be exposed to it and are only now, decades later, discovering the consequences of their employers' negligence.

Almost every week, there are plumbers, trade workers, electricians and joiners who die from this hidden killer. Their work has been the bedrock of our society. They have built the infrastructure that we rely on, and so it is only right that they are compensated for the sacrifices that they have made.

The hon. Member for Totnes (Dr Wollaston), who is no longer in her place, talked about teachers suffering from mesothelioma. The all-party group produced an excellent booklet, highlighting both the problems and solutions of the disease. She was right that we should deal with the old schools first and then build up the effort to try to get rid of the diseases. We are talking about not just teachers but administrative staff, janitors and even children. I do not want to frighten people, but this is an issue that must be addressed. Unfortunately, the Education Department has chosen to ignore the information that we have provided.

About one in eight sufferers cannot trace their employer or insurer to lodge a complaint. That is completely unjust, and it is luck of the draw whether a person's records have been lost due to the widespread misplacement of them by the insurance industry. Indeed, in bringing forward the Bill, the Government have acknowledged that. It seems strange that they accept the unfairness, to an extent, but will not allow these people to claim the same amount as those who can trace their employer or insurer. Those people who are suffering from mesothelioma

[Jim Sheridan]

and other industrial diseases through no fault of their own, and who cannot get access to their records, again through no fault of their own, are being penalised by losing 25% of their damages. Not only that, but through this decision, asbestos victims will absorb 25% of the ongoing cost because insurers lost or destroyed their policy records. That is simply not fair: not only is that money necessary to these people, but it is only right that they should receive it.

Obviously, we would welcome higher compensation and would raise it to 90%. That is not the full 100%, but I am convinced that the Government would be more than happy to accept that rise as it is still affordable according to their own figures. It still falls within the 3% levy on gross written premiums, which not only the Government but the industry are happy with. The figure would also work as there is a precedent for it in the financial services compensation scheme, which covers the liabilities of insolvent insurers in circumstances where compulsory insurance is involved. That compensation level is legal, established and much fairer than the one proposed by the Government.

Mesothelioma is a dreadful disease, but it is not the only asbestos-related disease and the Government's choice to focus only on it is another injustice of the Bill. Lord Freud said in the other place that other asbestos-related diseases need to be considered and I, as well as my colleagues, would like to hear the Minister affirm that comment and explain the steps that will be taken to look into those diseases, too. It is frankly offensive that the Bill has neglected all but one group of people who have been exposed to asbestos. That limitation excludes 50% of asbestos victims and adding them would represent just 20% of the cost. I ask the Government what are those suffering from asbestos-related lung cancer, asbestosis and pleural thickening supposed to do?

The Government say that proving causation is simpler for mesothelioma as asbestos is the only known cause, but I would point the Minister towards a successful precedent: the T&N UK asbestos trust and the payment of claims not just for mesothelioma but for other asbestos diseases.

As the Minister will be aware, Opposition Members feel that the cut-off date for the proposed scheme is another unfairness. The consultation was issued in 2010 and its objective was very clear, as it stated:

"The Employers' Liability Insurance Bureau...would be a compensation fund of last resort and would ensure that some individuals who are unable to trace...insurance records would receive compensation".

That is clear to me and I have no doubt that the insurance companies panicked at that point and began to prepare immediately. They spent thousands of pounds on public affairs officials, which might explain why the Government seem to be on the side of the insurance industry in this case, and those officials will be calculating and planning how to react to each and every policy proposal. They will not have missed this and the companies are well and truly ready.

The companies argue that if the legislation was based as far back as 2010, that would amount to "unlawful interference with insurers' property rights", but they are happy to put their rights ahead of the far more important right to life and loss of property rights of the victims we are speaking about today. Surely the

Government cannot accept that; surely even they can see the complete injustice. The date of 25 July 2012 is arbitrary and it would make far more sense to choose February 2010 as a start date for the scheme.

In yet another example of the Government favouring the industry over our constituents, it is becoming clear that the scheme will be administered by the insurance industry in one way or another. We have seen time and again that industry regulation does not work and it is important that an independent body is established to take charge. A scheme administered and run by the industry would have a clear conflict of interest between assessing the eligibility of applicants and keeping the levy on insurers low. How could we be sure that a fair number of applicants was being considered if the industry was in charge? Lord Freud commented that the Government would explore the options for an independent oversight committee and I would be keen to hear the same assurances today.

We are concerned that the scheme awards claimants only 75% of civil compensation rates while clawing back 100% of previously awarded benefits and lump-sum payments. It is unclear why the Government will claw back a greater percentage than is being paid, which will mean that the applicant will receive a net sum that is substantially less than 75% of the net sum he would have received in the courts if the insurer could have been traced. It is somewhat immoral that the state is being given a greater right of financial recovery than the victim and it is grossly unjust that victims are being penalised twice. I hope that the Minister will outline exactly how he will think about changing that.

Finally, let me say a word on research. I do not want to spend too much time on that, as the Bill already needs a lot of work to make it a fair and just solution to a disgraceful situation, but until recently very little was spent on research into mesothelioma in the UK. In the other place, we were promised a joint strategy with the Department of Health on how to encourage proposals for high-quality research into mesothelioma and it is clear that more money should be spent on finding a cure for the disease. I hope that the Government have not forgotten those issues.

As I said earlier, I welcome the Bill. We have worked long and hard to secure it, but it has flaws. I hope that the Government will see that it should be fair and just. Insurance companies can afford the risk, but asbestos victims have already paid with their health. Do not make them pay financially as well.

7.35 pm

Eric Joyce (Falkirk) (Ind): Members on both sides of the House have made excellent speeches and I will not repeat their points, except one. The Minister will be used to hearing about the 75% figure and the timings.

A close family member of mine died from mesothelioma a few months ago and I got the chance to reflect on it with him over a period of months while he could still speak. It was my brother, Ray, who talked a lot at the best of times, although people obviously cannot do that towards the end of this disease. During the course of the disease, I would visit him and we would talk through the scheme. He was lucky, as some Scottish workers are, to have worked on the rigs, so his family was relatively well cared for and prepared for the future.

One thing we discussed at the time has not yet been mentioned, and although it might perhaps not have an immediate bearing on the legislation, I think that it should. The folk who are primarily affected are the wives of husbands who worked on shipyards, building sites and so on. They are primarily women who have not paid full pension contributions over their lives, so they have relatively low incomes. Some of those who are householders or house owners—the ones whose husbands might have been unlucky when they were still in their late 50s—will not have paid off their mortgages. If they have relatively modest insurance provision outside that, that will affect them for the rest of their lives, as will their modest pension contributions—if, indeed, they have made any.

Many of those people live in rented or council accommodation and £100,000, which they will not get if their cases are from between 2010 and 2012, would have paid for a wee house, which would have made them substantially better off. These are human beings we are talking about—mainly women, as we know—and that would make a big difference to the rest of their lives. They will be seriously ill affected by the period for which they will not be compensated between February 2010 and July 2012.

A second point occurred to us as we were chatting earlier this year. The Minister alluded to the fact that insurance companies will negotiate and argue—that is a legitimate point, and I guess that is what government is about to a substantial degree—but the idea that insurance companies were unable to plan for this from 2010 is manifestly ridiculous. They must have offset the risk, because it was clear that such a provision was coming.

I wonder whether, if the figure were greater than 75%, the insurance industry might say that it would not be able to absorb the cost and that it would pass it on to consumers and so on. I wonder whether in future the industry might give this scheme as an example of a liability where costs are slightly higher because of that 75% figure. We should not hear that, because the industry says that it will absorb the cost, but it behoves all of us to watch to see whether the industry gives the 75% scheme as an example of something that increases people's premiums, even slightly, in future.

Another thing that struck me as the disease unfolded was that most people who have mesothelioma are not diagnosed with it at the start, but they pretty much know that they have it, that they have about two years, and that it will be very bad at the end. The hon. Member for Totnes (Dr Wollaston), who is no longer in the Chamber, may be aware of this issue: it occurred to me and my brother that doctors may have known that the scheme would be given a start date at some point in, say, the next six or nine months, and so would slightly delay the final “You’ve got mesothelioma” gig—the black spot. My brother was diagnosed officially in the first week of August, a week after the scheme came into play; I do not wish to invalidate his family’s claim. Most sufferers in the very early stages of mesothelioma who Google their symptoms and think about what job they had know what is going to happen to them about two years in advance. If doctors help in modest ways in that respect, administratively, good on them.

I have two final points. The first is about a moment of black humour. Again, this is on a point that the hon. Member for Totnes talked about. People with public

budgets will look at the relatively modest risk, as they see it, of people contracting asbestosis as a result of there being small amounts of asbestos still in buildings. From a budgetary point of view, I understand how it happens that people with modest public budgets that are very squeezed will sometimes allow a very small amount of asbestos that is within the limits to remain in place. In the hospital where my brother was treated—very well, I should say—there was a sign that said “Danger—*asbestosis*”, and that was where the smokers gathered to have a fag. It made me reflect on the nature of risk; it was a darkly humorous moment.

Several Members have alluded to the fact that the industry may well administer the scheme. I do not have any personal enormous objection to that, but as hon. Members have said, if the industry is to administer the scheme, oversight will be a critical element, certainly from the point of view of public confidence. I am sure that the Government and the industry will pay careful attention to that.

7.42 pm

Mr Iain Wright (Hartlepool) (Lab): It is a pleasure to follow my hon. Friend the Member for Falkirk (Eric Joyce), who spoke movingly about his brother and talked with knowledge about his constituency. I rise to speak about my constituency, too. Like hon. Members on both sides of the House who have spoken, I think that the Bill is welcome but does not go far enough to help victims and their families in my constituency.

Far too many of my constituents are severely affected by asbestos-related disease. Thousands of them have died painful deaths as a result of dangers that they were exposed to at work. Families have seen their loved ones die in agony, often while worrying about the financial impact of their death on those whom they left behind, and without seeing proper justice done, or compensation for their illness. Tragically, we know that more deaths as a result of exposure to asbestos in the workplace will come to Hartlepool.

We in Hartlepool suffer more than our fair share of mesothelioma and asbestos-related deaths because of our industrial legacy. My town was a major centre for heavy manufacturing, which was based around the docks, shipyards and steelworks. Firms such as Richardsons, Westgarth and Co.—Richies—and William Gray and Co. are long gone, but are engrained in the social history of my town, having provided employment for many generations of Hartlepudlians. However, asbestos was regularly used in those environments for lagging and other purposes, and employees were far too often not provided with proper protective clothing or equipment.

According to the Health and Safety Executive, in the last 30 years, the number of deaths per million people arising from mesothelioma in England has risen from 26.6 to 67.1. I am pleased to see many hon. Friends from the north-east here; our region is the worst-affected in the country, reflecting the legacy of our heavy manufacturing industry. In the same 30-year period, the figures for the north-east rose from 56.1 to 105. Hartlepool is the 16th worst-affected constituency in the entire country.

However, those are just statistics; we should think about the families, and the tragedy that we have seen. When I do, it brings to mind one of the most tragic cases that I have heard of in my constituency. A woman

[Mr Iain Wright]

who was brought up in a community of ladders lost her father, then her husband, then her son, and finally her own life, to mesothelioma—all because of exposure to asbestos in the workplace as a result of negligent employers. Far too many of my constituents are suffering from this disease, and to make matters even worse, they are not seeing justice done or getting compensation for their suffering.

As I say, the Bill is welcome, but it is far from perfect. Amendments were tabled in the other place, but the Government did not listen to the arguments for them. The Minister in charge of the Bill—the Minister of State, Department for Work and Pensions, the hon. Member for Hemel Hempstead (Mike Penning)—is on the Treasury Bench; he is a decent, honourable man who cares about working people, so I hope that during the Bill's passage in the House, he will reconsider many of the amendments that were tabled in the other place. Otherwise, the Bill will not help my constituents. There has been very clear consensus in this debate that we need to make changes to the Bill to ensure that all our constituents are provided with proper compensation.

Clause 2, which sets out the criteria for compensation, is the key part of the Bill. The criteria include the person being first diagnosed with diffuse mesothelioma on or after 25 July 2012, and being employed at the time of exposure. Those criteria are not good enough. As hon. Members have said, the arbitrary cut-off date of 25 July 2012 is grossly unfair, and will mean that many of my constituents who should, if there is any sense of decency, be compensated for diseases caught at work will miss out because they were diagnosed before that date. How can that be fair? There is no possible justification or sensible rationale for that. My constituents will be penalised because their symptoms were diagnosed early. How is that fair? At the very least, as hon. Members have said, the Government should make the cut-off date February 2010, which is when the last Government consulted on introducing a scheme. At that point, the intention and direction of travel were clear. People will be let down if the Government continue to have 25 July 2012 as the cut-off date.

Mr Anderson: I thank my hon. Friend for making a valuable contribution, as usual. The Minister said in his opening remarks that the people to blame were the employers, 100%. Regardless of when somebody was diagnosed, if they were in employment, surely there is a moral duty on the employer. The employer is to blame; their insurer should carry the cost. The employee should be awarded compensation, regardless of when they were diagnosed.

Mr Wright: My hon. Friend makes an important and eloquent point. He has been a passionate champion on this issue for many years, and I pay tribute to him. I will come to the Bill's impact on the insurance industry in a moment—

Mr Kevan Jones *rose*—

Mr Wright —but I will first give way to my fellow north-eastern MP.

Mr Jones: I am grateful to my hon. Friend for giving way. I have heard the argument about accepting the February 2010 date, but that, too, is an arbitrary date, and that is why I do not agree with it. A more sensible way forward would be to go back to 1969 and the date of knowledge. The Minister says that families will be included in the scheme, and that there will be a huge bow wave of claims; my experience in this area makes me think that there will not be, but at least that would be a more logical way of deciding on the date.

Mr Wright: Any cut-off date will be arbitrary. We just want compensation for victims in our constituencies. That issue will have to be explored, and I hope it is explored at length in Committee.

Secondly, I am concerned about the fact that only diffuse mesothelioma is included in the scheme. Workers have contracted a variety of diseases as a result of exposure at work, including pleural plaques and asbestosis. It is not good enough that only one, narrowly defined condition can be included. Again, I hope that the Minister will amend that in Committee.

My third point was touched on by the shadow Minister, my hon. Friend the Member for Stretford and Urmston (Kate Green), and by the hon. Member for Chatham and Aylesford (Tracey Crouch). I have great concerns about the fact that clause 2 confines the scheme to those employees who were employed at the time of exposure. In Hartlepool I have had at least two cases—I referred to one earlier—in which the wife of a worker developed pleural plaques, then asbestosis and then mesothelioma as a result of washing her husband's work clothes, which released the fibres and allowed them to enter her lungs. Those women—there are probably many more—suffered and died as a direct result of asbestos exposure caused by an employer. Surely it is only fair and just that they should be included in the scheme. I hope that the Government will accept that secondary exposure is an important part of what the Bill should provide for.

The third way in which the Bill must be improved relates to the amount of compensation provided. We have heard time and again from hon. Members on both sides of the House that the payments will be only 75% of the value of civil claims. That really is a mean-spirited and petty act from the Government against people facing a terrible, terminal disease. There can be no possible justification for the scheme paying less than 100% compensation. Why should victims in Hartlepool miss out on what could be several thousand pounds in compensation, which could provide a little dignity and comfort in their final days or—let us be frank—provide their families with the money to bury them, just because a deal has been struck with the insurance industry, an industry that might have lost or destroyed the policies for which they took the cash from those employees in the first place? Let us be under no illusions: the insurance industry has got a hell of a good deal out of this Government and out of this Bill.

Steve Rotheram: I am president of the Merseyside Asbestos Victims Support Group. I know from the people I have spoken with—I am sure that the same is true in my hon. Friend's constituency—that most victims want the recognition that someone is being held accountable for their suffering or that of their loved ones. The

financial compensation will help them in their last days or alleviate the financial hardship that losing them, perhaps the breadwinner, might bring to their family.

Mr Wright: My hon. Friend makes such an important point. My constituents are victims. They have done nothing wrong. They just tried to do a good day's work for a good day's pay. They did not want the trauma and tragedy that exposure to asbestos caused. It is the negligent employers who should be held accountable for that negligence.

The insurance industry should have a key role to play but—let us be honest—has been let off. It has negotiated a scheme that excludes approximately half of all asbestos victims, it can ignore liability for all claims prior to 25 July 2012, its costs are reduced because the average compensation agreement will mean that individually negotiated and assessed costs will not have to occur, and the fault is laid at the door not of negligent employers, but of victims.

On top of all that, the insurance industry is planning to reduce average compensation by 25%, compared with civil cases, and the Government are giving insurers £17 million to set up the scheme. Given that employers' insurance was compulsory from 1972, the insurance industry has already received the premiums from firms and banked the cash for over 40 years. It has had the money, so now it is time for the victims to receive their fair share.

The insurance industry must have seen the Government coming. The Government have been rolled over by the industry. As a result, my constituents will miss out on justice and compensation at precisely the time in their lives when they need it most. For far too long we have let those people down. My constituents have been let down by a failure to act quickly. The Bill is a step forward, but it does not go far enough for victims of this horrific disease in Hartlepool and elsewhere.

7.53 pm

Ian Lavery (Wansbeck) (Lab): It is a pleasure to follow my hon. Friend the Member for Hartlepool (Mr Wright), who spoke so passionately about the situation in the north-east. Mesothelioma is a tragedy. It is a global tragedy, but in the UK alone it cuts short the lives of some 2,500 people annually. The disease has a devastating impact on all it touches, both the victims and their loved ones. It is a fatal disease, with life expectancy of between nine and 15 months following diagnosis. It is a horrendous disease, described earlier as being like a tree growing inside the sufferer, with branches reaching out. We cannot begin to understand what that must mean for them. The people of the north-east suffer greatly from the disease, as a result of the region's history of heavy industry, including shipbuilding, coal mining and steel manufacturing.

This horrendous disease, as a number of Members have explained today, is a form of cancer caused by exposure to asbestos. It is a long-tail disease, meaning that people exposed to asbestos decades ago are only now discovering the consequence of their employers' negligence. One of the huge problems with mesothelioma is the latency period. Someone can work in industry, perhaps for many different employers, and be in contact with asbestos either unknowingly, as was generally the case, or knowingly, as was the case in the tales recited by

hon. Members on both sides of the House about young workers throwing snow balls of asbestos. Whether someone was throwing snow balls of asbestos as a young man or woman or whether they were unaware that they were coming into contact with it, the result is the same: mesothelioma 30, 40 or 50 years later.

There are individuals who feel absolutely fine and have worked all their lives—this disease mainly hits hard-working people—but then 30 years later they begin to get that feeling, like a tree growing inside them, and start to wonder where it is coming from and what has caused it. They think about their occupation and what could have created the problem, because many people were in and out of different occupations. When someone realises they have a condition, they don't think, "This must just be mesothelioma," but when the doctor explains that they are suffering from that disease, that really is the end of their days.

Mesothelioma is not like many other types of cancer that the NHS has proved tremendously successful in treating. The NHS can identify many different cancers at early stages and survival rates are much higher, but that does not happen with mesothelioma. When the doctor tells someone that they have the disease, they are basically saying in round about terms that their life expectancy has been cut drastically. Several Members mentioned different life expectancy rates, from between nine and 15 months to two years. Let us just say that the maximum is two years, and that is for working hard in industry and being subjected to asbestos unknowingly or knowingly.

The payments scheme will be funded by the industry through a levy on currently active insurers in the UK employers' liability market. The scheme is intended as a fund of last resort. Claimants who are unable to trace their employer or their employer's insurer can apply to the fund. Successful applicants will receive 75% of the average compensation. That is important to note, and I will touch on that in a few moments.

Andy McDonald (Middlesbrough) (Lab): My hon. Friend touches on the very important issue of the 75% payment. Does he understand the thinking behind saying that someone is going to receive only 75% of the damages they are entitled to, with a 75% loss of their earnings but 100% being recouped by the Department for Work and Pensions? Where is the equity in that proposal?

Ian Lavery: There is no equity; 75% of average compensation is totally unacceptable for the individuals concerned. Huge amounts of finance will be involved, by the way—we are not talking about pennies.

The Labour party has a history of fighting for those with mesothelioma. I could spend all day and night putting on record my thanks to Members of Parliament, members of the public and organisations such as the GMB and Unite unions that have worked tirelessly to get compensation for those with asbestos-related prescribed diseases. The Labour party's history in this area is fantastic. In February 2010, we launched the original consultation; in 2008, we introduced the mesothelioma payment scheme; and in 1979 we introduced the Pneumoconiosis etc. (Workers' Compensation) Act 1979, which has been tremendously successful for many people suffering from, in the main, coal dust-related incidents in the north-east and across the coalfields of the UK.

Steve Rotheram: My hon. Friend mentions the part that the Labour movement has played, but there is also the part played by the insurance industry, which has abrogated responsibility from day one and kicked back at every single push that the unions and the Labour movement have made. Does he see any parallels between large industries such as the insurance industry and construction industry that have failed to take responsibility for things they have done such as blacklisting and, much worse, possibly killing people through their irresponsible behaviour?

Ian Lavery: I have been involved for many years in trying to claim compensation for people in work, whether from insurance companies or employers, and it has always been a difficult challenge because they try to abrogate their responsibility at every opportunity. They try to run away from it and to put as many obstacles in the way of any form of compensation as they possibly can. Unfortunately, that is how they operate.

Thank goodness we have trade unions that stand up for individuals who are hurt and who suffer from prescribed diseases such as mesothelioma and other asbestos-related diseases, industry-related diseases and injuries at work. Thank goodness that ordinary people have behind them the security of trade unions, which have the finance at least to try to get the compensation that lots of families should have had.

I welcome the scheme as a massive move forward, but I hope that we can come together in Committee and iron out a few major problems. I will mention four items of concern, but that is not to say that there are not others: first, the level of the percentage payment; secondly, the exclusion of other asbestos-related diseases; thirdly, the cut-off date of 25 July 2012; and, lastly, the claw-back of 100% of DWP benefits when the Bill provides for payment at only 75%—a point raised by my hon. Friend the Member for Middlesbrough (Andy McDonald).

On the level of payment, why should anybody who will have two years to live, max, be happy with 75% of any compensation? These people are dying.

Mr Anderson: They are being killed.

Ian Lavery: Yes, they are being killed.

Why should 75% be acceptable? Someone has said that 80% would be a better figure; of course it would, but it is absolutely vital to have 100% compensation for somebody who has very little lifetime left. Claimants to the scheme have to meet the same standards of evidence and burden of proof that apply in a court action, but those with a successful civil claim will get paid 100%. Why should there be a difference?

Employers' liability insurance is one of two compulsory insurances in the UK; the other is motor insurance. Insurers collected premiums in full and invested them for decades. The insurance companies used these finances for generations. They put the money in the bank and paid themselves dividends. People made themselves rich while at the same time stashing away the policies—hiding them, burning them, and getting rid of them. The only people who will suffer as a result are those who are set to die 30 or 40 years later due to the latency period and the activities of the insurance companies, which had the money but decided not to keep it for future generations in case something like this occurred. They paid out

nothing on the untraced policies that they lost or destroyed. This could have saved the insurance companies billions of pounds, yet we are debating whether to pay these people and their families three quarters of what they are due.

Somebody said that the Minister is an honourable man who looked after honest, hard-working people, and I really do not doubt that. I appeal to him by saying that we cannot give people three quarters of what they are due and think we are being fair—that does not square the circle.

Andy McDonald: I think my hon. Friend shares my puzzlement that we are talking about 75% being awarded to people under this scheme, welcome though it is, because it is better that we compensate people in full. Yet when this Government go to the European Union they go into bat for an 100% uplift in bankers' bonuses. For goodness' sake, does that not tell us everything we need to know about the values that are at play?

Ian Lavery: I thank my hon. Friend. I will cover that during the next 30 minutes of my speech.

The regulatory impact assessment estimates that approximately 6,000 mesothelioma sufferers lost about £800 million in compensation due to untraced insurance. If we add the cost to victims of other asbestos-related diseases, the deal cooked up between the Government and their friends in the insurance industry represents a saving to insurers of some £1 billion. On average, the 75% figure means that individuals will lose up to £43,000 in each claim and that victims are absorbing 25% of the ongoing costs due to insurers losing or destroying their policy records.

Secondly, there is the exclusion of other diseases. Why is this about mesothelioma only? The employers' liability insurance for which the employers paid premiums covered them for claims arising from all "bodily injury or disease", not just asbestos-related disease, and certainly not just mesothelioma. By limiting the scheme to mesothelioma, the Bill excludes 50% of all victims. Those suffering from asbestos-related lung cancer, asbestosis and pleural thickening have been cast aside. Among other industrial prescribed diseases that might be considered—I pick this one out of the air—is baker's asthma, a disease that is crippling for people who work in the baking industry, whereby they suffer the same conditions although it does not have such drastic problems with regard to latency and shortened life expectancy. There are all sorts of different diseases, including baker's asthma and other asbestos-related diseases, that should be covered by the Bill. It is a decent Bill, but we do not want a decent Bill: we want a good Bill.

If the Bill included 50% of asbestos victims, that would represent just 20% of the total cost. It is not acceptable that the scheme is limited to just mesothelioma. The Government's justification for excluding other diseases is to say that proving causation is simpler for mesothelioma, because asbestos is its only known cause. However, there is already a successful precedent, namely the Turner and Newall Asbestos Trust, which administers payments of claims for not just mesothelioma, but other asbestos-related diseases. The Bill should be extended to cover all long-tail latent industrial diseases prescribed under the Pneumoconiosis etc. (Workers' Compensation) Act 1979.

The third issue is the cut-off date, which has been mentioned by many Members. The cut-off date of 25 July 2012 is unbelievable, especially given that the consultation began in February 2010. I agree with my hon. Friend the Member for North Durham (Mr Jones) that the cut-off date should be 1969, which was the date of guilty knowledge.

Mr Kevan Jones: I have checked the date and I think the hon. Member for South Swindon (Mr Buckland) was wrong. I think that the actual date was 1965.

Ian Lavery: I wondered why 1969 was mentioned; I think that 1965 would be more appropriate.

The cut-off date will have a huge impact on lots of people. Geoffrey Leonard Bradshaw was from Pegswood in my constituency. He died of mesothelioma aged 66. He did everything necessary to try to find out which employer and insurance companies were to blame. He approached the Association of British Insurers and sent letters to employers. Mr Bradshaw did everything, but sadly he died before the cut-off date with minimal compensation from the pneumoconiosis compensation scheme. The civil-claim value of his case was in excess of £350,000, but he got less than £25,000. The cut-off date is really important and we need to look at it. It is not fair. I think that 1965 is probably the right date.

The fourth issue is the clawback of 100% DWP benefits when the Bill pays out only 75% in compensation. Why claw back a greater percentage than what is being paid? I want someone from the Government Front Bench to explain that. Why should we accept that under the premise of fairness? It is not and cannot be fair. Why should the state have a greater right of financial recovery than the victim? Why should the state get 100% back and the victim only 75%? I would be glad to listen to any explanation and perhaps even accept it if there is a valid argument behind it. To depart from a principle of like-for-like offset is both illogical and grossly unjust.

I want to place on record my thanks to the Mick Knighton Mesothelioma Research Fund, which was set up by the wife of Mick Knighton, who died of mesothelioma at a very young age. It operates from Wallsend in north Tyneside and has raised more than £1 million for mesothelioma research. It does a fantastic job and continues to help everyone who suffers from this horrible, horrendous disease.

Ideally, the Bill will be enacted before the end of the year. It is broadly welcomed, but it needs to be strengthened for the sake of people who have suffered for so long and those who have paid the ultimate sacrifice, such as Mr Bradshaw in my constituency and the thousands of hard-working people who, through no fault of their own, contracted this deadly disease. Let us hope that, in the name of fairness, decency and justice, this House can bridge the gaps.

8.15 pm

Mr David Anderson (Blaydon) (Lab): It is not very often that I disagree with my hon. Friend the Member for Wansbeck (Ian Lavery), but I want to start by agreeing with the Minister, who was right to say that we should not have had to be here tonight. This issue should have been resolved no later than when the previous Government were in office and probably much earlier than that. As my hon. Friend the Member for North

Durham (Mr Jones) has said, this has been known about since at least 1965. We should have done something about it. Lots of us had meeting after meeting with the previous Prime Minister and others in the previous Government as we tried to find a way forward. I believe that he was genuine in his approach but that he was badly advised by civil servants and special advisers who were frightened that the cost would escalate. As a result, we did not take the action we should have taken.

Mike Penning: I did not put the blame on any particular previous Government. I referred to Administrations and I am sure the hon. Gentleman appreciates that.

Mr Anderson: I did not say that the Minister said that. The issue should have been resolved, because the facts have not changed between then and now.

My hon. Friend the Member for Wansbeck mentioned the Mick Knighton Mesothelioma Research Fund. I have been a patron of that fund for more than a decade. When I was president of Unison I was approached by a former colleague I used to work with in the mines who asked, "Can you help these people out, Dave?"

It is worth listening to the story of Chris Knighton, whose husband was a classic sufferer of mesothelioma. He would think nothing of getting on a pushbike and riding from Newcastle to Berwick and back again on a Sunday morning before going to the club to see his mates, who had just staggered out of bed. They would be standing at the bar, bleary-eyed, asking, "Where have you been, Mick?" He had done a 100 mile bike ride on a Sunday morning.

On one of those Sunday mornings, the lad fell on the floor. The following day he went to see his doctor, who told him he had mesothelioma. "What's that, doctor?" asked Mick. He told him it was asbestos of the lungs. "What can you do?" asked Mick. "Nothing," said the doctor.

Within a matter of months, the lad was dead. His widow set up the research fund with a good friend, Anne Craig, and they pledged to raise £100,000. Two years ago they raised £1 million, and all that money has been put into research into this disease. It is people like them and the men, women, children, daughters, wives and husbands who have suffered that this debate should really be about.

There is a history of people exploiting asbestos throughout the world. I was proud when a member of my trade union went to South Africa and worked alongside Thompsons Solicitors to litigate against companies there. One of the stories they heard in Namibia was that one of the ways in which companies ensured maximum output was by filling big plastic bags with raw asbestos. How did they make sure they were full? They put young Namibian kids in them to tamp down the asbestos as if they were pressing grapes. Those kids were exposed to raw asbestos at the ages of six, seven, eight and nine. Those are the sorts of people behind the desperate negligence under discussion.

Other diseases have been mentioned. When compensation for plural plaques was challenged in the courts in 2007, the case was won and people stopped getting compensation. As I said in an intervention on the hon. Member for Chatham and Aylesford (Tracey Crouch), KPMG announced a £1.4 billion windfall on that same day.

[Mr Anderson]

That is what the insurers got as a result of the Law Lords' ruling. Members on both sides of the House tried to get our Government to change the law so that those people could get compensation again.

Other parts of this nation have managed to change the law. Earlier, the right hon. Member for Belfast North (Mr Dodds) intervened on the Minister in relation to Northern Ireland, and the Scottish Parliament has been able to do it, but we were told that it could not be done in this part of the world. We should have done it.

Equally, people may not have mesothelioma or anything life threatening, but the truth is the same: they were negligently exposed at work to substances that the employer knew would be damaging. Employers have known that since 1892, when asbestos was first recognised as a poisonous substance. As we have heard, they have known since 1965 that it should have been illegal to do so, but they kept on exposing people to the substance for days, weeks, months and years.

We are now told that people can have 75% of their compensation. One thing always sticks in my mind in talking about this. I first had real evidence of mesothelioma when I spoke to a lawyer dealing with it, a guy called Ian McFall, who works in the Thompsons north-east office and is a renowned expert on the issue. He told me that the fibres lie dormant for decades, but all of a sudden they become active, the person suffers horribly and then dies.

I used those words when there was a discussion about this issue some years ago. I was approached via e-mail by a woman who was not one of my constituents, who said that I had really upset her. Her family was sitting there, with their father going through the process, and she had tried to be careful to shield her family from knowing the truth.

I am sorry that I have to repeat those words today, but the people of this country need to understand how serious this disease is. It is to the credit of the Government and others that they have accepted that this is a very special case, because it is a killer. There are no two ways about it: if you get this, you are going to die. That is the main reason why the situation has been challenged to the extent it has over many years.

The insurance companies have put forward the compensation as somehow an act of benevolence: "We are being really nice to you, aren't we?" No, they are not; they have been caught on the hop and forced into a corner to put right what they should have done. The deal struck between the Government and the insurance companies is just that—a deal. It has not involved the people it should have involved to the extent that they should have been involved, whether they are claimants, their support groups or, crucially, the trade unions.

My hon. Friend the Member for Wansbeck spoke about the work of the trade unions, but that had an impact not only on trade union members but on every member of the public in this country. Many people are not in trade unions or in unionised workplaces, but they have the same rights to compensation and legal redress as those for whom the trade unions work.

Mr Kevan Jones: I read Lords *Hansard* last night. Does my hon. Friend agree that throughout all the negotiations the Government have had on the Bill,

those in the driving seat have been the insurance companies? The fact is that we are having to accommodate the situation to suit the insurance companies, rather than the victims.

Mr Anderson: That is absolutely right. The Government are saying that they can go only so far, because the companies cannot afford more, but they are forgetting the fact that companies have received millions and millions of pounds, which they could and should have put away since 1965, in the knowledge that this might come along one day. Is not the whole point of insurance that people should save for a rainy day? Well, the umbrellas are up now.

Andy McDonald: Does my hon. Friend agree that we are talking about sophisticated people, who have battalions of actuaries to look at the figures, and that they would have taken into consideration the possibility of having the cut-off date as 10 February 2010 rather than later? That would have been in their thinking, so why can they not be encouraged to step up to the mark and live up to their responsibilities?

Mr Anderson: Those people must obviously have realised that there was a potential for that. If the consultation had lasted for a short period, it would have been that date, but without a shadow of a doubt, they clearly could have thought that it might be the start date.

My hon. Friend the Member for North Durham spoke about some of the consultations. I went to some of the meetings, which Ministers opened and then virtually handed them over to members of the insurance companies to run and to answer questions. Civil servants and Ministers were not engaged; it was people from the Association of British Insurers who answered all the questions, and it was clearly in their interests to do what they have now got away with. It is clear that the scheme will not provide full protection or full compensation.

I share the concerns of other hon. Members about the level of payment. For the life of me, whatever the cut-off date, I cannot see why the payment should be anything less than 100%. I made the point earlier that there is 100% liability on the employer and the insurer, while 100% of those with this disease have died. If people go through all the hoops they have to go through, which are the same as those in civil litigation, it is not their fault that insurers, employers or both have disappeared; the fault lies with the industry, which collectively should be putting this right. The insurers have had the premiums and have invested them, so they should pay up.

We are talking about at least 6,000 people who, between them, have lost somewhere in the region of £800 million. Compensation of 75% means that people have to absorb 25% of the ongoing costs. My hon. Friend the Member for Wansbeck said that that is at least £43,000. To somebody who is probably on the sick, and whose family is probably not working because they are taking care of them, £43,000 is a life-changing sum of money. It might not be very much to insurance companies or to some of those funded by insurance companies, but it is clearly a lot of money for people at a time of grief.

I want to pick up what has been said about the exclusion of other diseases. If people have been criminally exposed to a poisonous substance, those who did that

should be brought to book, and the way to do that is to make them pay compensation. I hope that we would support that and that as the Bill goes forward we can make that case more and more strongly.

Again, why is the cut-off date not February 2010, which is when the consultation was announced? The written ministerial statement came out two and a half years after that consultation was announced. That was two and a half years of what—things gathering dust and people having discussions? What were civil servants doing? All of a sudden, there was a statement two and a half years later, followed by a discussion period to bring us to where we are now. That clearly is not fair. The minimum has to be February 2010, and I agree with my hon. Friend the Member for North Durham that if we really are serious, we should go back to 1965. My guess is that we probably will not, but we must address that issue in Committee as a matter of real urgency.

Mr Kevan Jones: Does my hon. Friend agree that there is at least some logic in that? The arbitrary date of 2010 is when the consultation started. The fact is that when that started in 2010, the companies knew about the liability. My hon. Friend has pointed out that they took the premiums and saved money by not paying out.

Mr Anderson: Absolutely. The truth is that the companies knew. What was happening was not a secret. It was not the case that all of a sudden the consultation found that mesothelioma was not caused by exposure at work or employers neglecting their duty in not providing proper safety equipment and so putting people at risk. They knew the likely outcome was that there would be implications for the industry. Clearly, they should have said, “Right, we need to start on this at least as a bottom line.”

The insurers have apparently said that they think the legislation will be retrospective and amount to unlawful interference with insurance property rights. What a load of gobbledegook. They mean, “We want to keep more money in our pockets. We want to deny people their rights.” They are denying people, either those seeing out their last few days or their families, the right to have a decent life.

Mr Jones: Does my hon. Friend agree that the sums are in stark contrast to some of the eye-watering figures paid out, for example, for the mis-selling of payment protection insurance? These groups of people clearly need the money, and in some cases the victims have suffered a very horrible and painful death.

Mr Anderson: There is absolutely no comparison between the two, and seeing what has happened for people abused by being wrongly sold PPI when they did not need it does not make this situation any better. This is about people deliberately being exposed to this substance at work. To reiterate, I see no logic in the state saying, “We want back 100% of DWP benefits”. Reading between the lines, my guess is that there is probably nothing else the state can do, but if so, it has to get its act together and change that part of the Bill.

Some say that we should feel sorry for the insurers and their balance sheets, because if we go beyond the 3% level they will struggle and so put the costs on to people buying insurance today. My hon. Friend the

Member for North Durham has already mentioned Lloyd’s making £2.77 billion; it clearly is not suffering too much. I would be much happier if the insurers were so strapped for cash that they were not donating huge sums to the Conservative party. Every Wednesday, our Prime Minister comes here, talks to my leader and accuses us of being in the pay of our paymasters, the trade unions. Let us look at the Tory party’s paymasters in the insurance industry.

It might be coincidental that the Tory party is bankrolled massively by the insurance industry, but it might not. Let us look at some of the figures. *[Interruption.]* If I can find my glasses, I might be able to tell hon. Members—aged 60 today, I’m not doing bad! Sir John Beckwith and the Beckwith family have donated £524,000 to the Conservative party at central and local level; Caledonia Investments and the Cayzer family have donated £275,300; Centrepoint Insurance has donated £10,000; Dickinson Insurance brokers has donated £2,000; General Insurance Brokers has donated £5,000; Hampden insurance has donated £16,800; Michael Spencer and IPGL—this is eye-watering—have donated £3,929,892.52; the Keswick family in Scotland have donated, between them, somewhere in the region of £523,000; Norwich Union has donated £8,500; R L Davison and Co., from Lloyd’s, donated £5,000; and Theodore Agnew, who founded Town and Country Assistance, has donated £134,000.

If someone today, instead of those names, was saying, “Unison, T&G, Amicus, Unite, the GMB”, we would be being told, “You’re being bought off by the trade unions”, but I could never be that callous towards the Minister or his friends. It does make us think though. This deal has been hatched between the Government and the insurance companies. The restrictions in the Bill are illogical. The clawback from the DWP, the start date for claims—they really say, “There’s something going on here.” Is the Conservative party worried about going too far and upsetting the insurance companies? I hope we can flush this out in Committee and say, “Listen, this has to be paid, because it’s a moral duty.”

We are in a cleft stick tonight. I will probably vote yes tonight, but I feel abused. I feel abused on behalf of the people I work with day in, day out and the families who are helping them to get through this thing. I feel as though I am being blackmailed, because if we do not support the Bill tonight, we will be accused of stopping the Bill and not supporting what we all need to do for these people. I support the Bill with huge reluctance, therefore, and hope that when it returns here, it is in much better shape than it is tonight.

8.32 pm

Nia Griffith (Llanelli) (Lab): I rise to speak to this extremely important Bill. I take a strong constituency and personal interest in the subject, having seen people and their families suffer from this terrible disease. Under the previous Government, I sat on the Committee for the Child Maintenance and Other Payments Bill, part 4 of which set up the mesothelioma payments scheme in 2008.

The Bill is the result of the consultation exercise that Labour set up in February 2010. I share with my hon. Friends the considerable concern that it has taken nearly two and a half years for the Bill to come to fruition, particularly given that the results of the consultation were already on Ministers’ desks when the Government

[Nia Griffith]

changed. It has taken a considerable time, and there is serious concern about the victims and families who will miss out as a result of the delay.

I want to talk, first, about an area that has not been mentioned particularly today, before adding my voice to some of the strong criticisms from the Opposition. I am concerned about the implications for reputable small businesses that are unable to trace insurance. It is very difficult for a victim trying to suss out exactly who their employer was when they contracted the disease, particularly if they worked for several different employers, and for them then to suss out who the insurer was for that particular employer. Victims are now finding that many of the companies they have worked for have disappeared or re-emerged under different names, and sometimes the only company a claimant can find will be one of a few family firms that have a good reputation in an area and which want to maintain good health and safety standards.

One case in my constituency concerns a highly reputable firm that probably never had any asbestos anywhere near the victim. Nevertheless, it has to prove that and defend itself, because none of the myriad other companies that the poor sufferer of mesothelioma worked for still exist. Even prior to 1969 when the Labour Government made employers' liability insurance compulsory, we are pretty certain that most companies had such insurance because there was no massive increase in the number of companies taking it out. Nevertheless, records seem difficult to trace. The case goes back a considerable number of years, and finding proof of that insurance is extremely difficult.

The Bill establishes a technical committee, and its remit will be to make decisions on questions that arise

“between a potential insurance claimant and an insurer about whether an employer maintained employers' liability insurance with the insurer at a particular time.”

A potential insurance claimant is defined in the Bill as a victim, a relative of a victim of mesothelioma who has passed away, or

“an employer alleged...to be liable for damages in respect of the disease or death.”

The technical committee has an extremely important role, and responsible employers are anxious that employers should be represented on it. If a potential insurance claimant can be defined in that way, it seems only fair that the technical committee set up to adjudicate on such matters should include employer representation. Will the Secretary of State or Minister confirm, either today or certainly before the Bill Committee, that employers will be represented on the technical committee?

Briefly, I will also mention the Employers' Liability Tracing Office, and ask that the Government continue to identify areas for improvement. We know that as a result of the consultation last year, the Government have already announced their intention to require employers' liability insurers to be members of the ELTO, and it is important that potential claimants can access from the ELTO the information they need as simply as possible. Promises have been made in the other place about improving the money available for research, and taking the issue extremely seriously. I know that a lot of good work has been done, not least by the former hon. Member for Barnsley West and Penistone, Michael Clapham.

Some areas of the Bill are not at the point they should be, including the percentage of payment—a point raised by a number of my hon. Friends. Insurance companies have said that they would consider figures that go up to 3% of gross written premium. Why on earth are the Government settling for 75% of average civil compensation claims when their team has produced figures to indicate that 90% would still mean that insurance companies are looking at a percentage of GWP of something like 2.9%—well within the 3% limit? Indeed, 95% of average civil compensation claims would be only 3.05% of GWP, and 100% would be 3.19%. The Government could clearly afford 90% of average civil compensation claims as a very minimum, rather than a measly 75% that leaves people up to £18,000 worse off than if the average were 90%. There is no excuse for plucking a figure out of the air rather than matching what insurance companies have said they could afford.

On the date from which the scheme should commence, it was clear back in February 2010 that we were looking at an insurance company-funded scheme. In other words, the insurance companies were fully aware of what was being discussed in the consultation. They knew it would be an industry-funded scheme, so there is no excuse for the funding not to start from then, if not considerably earlier, as a number of my hon. Friends have pointed out.

Other diseases related to asbestos—asbestosis, pleural plaques and cancers related to asbestos—account for 50% of cases, but would account for only 20% of the cost. Many sufferers could benefit, but they are not included in the provisions in the Bill. People ask how it is possible to identify those diseases and whether it is possible to trace them back, yet the T&N Asbestos Trust manages to do so and administers claims for other asbestos diseases, as well as mesothelioma.

Many of my hon. Friends noted the disparity between the Department for Work and Pensions' 100% clawback of benefits and the Bill allowing for a claim of only 75% of the average civil compensation. That is a huge disparity, with the state clawing back unfairly considerably more than a victim can claim in compensation.

I welcome the Bill and want to see it on the statute book as quickly as possible to help the victims and their families, but I have serious reservations. This is a missed opportunity: the Bill could be considerably more generous to claimants and ask a great deal more from insurance companies.

8.41 pm

Mr Kevan Jones (North Durham) (Lab): Many Members welcome the Bill. I welcome that a move has finally been made on compensation for mesothelioma victims, but I do not welcome the Bill in its present form. Irwin Mitchell, a firm of solicitors in Newcastle that deals with compensation cases, described this as “a second-rate Bill.” I totally agree. A lot has been said tonight on the history of mesothelioma claims. My hon. Friend the Member for Stretford and Urmston (Kate Green), speaking from the Opposition Front Bench, was clear that all the major changes on asbestos-related legislation have been made under Labour Administrations.

The hon. Member for Chatham and Aylesford (Tracey Crouch) is not in her place. She spoke well in summing up some of the issues. She admitted that she was a poacher turned gamekeeper, but her points were well

made. She talked about serving on the Public Bill Committee—I am not sure whether the Whips will allow her to be a member of the Committee after that speech. She mentioned the figure of 80% and I will come back to that later on in my contribution. I take the view that in negotiations one should never declare one's final figure at the beginning. If she is aiming for 80%, she should have started negotiating for a much higher figure. The current figure is totally unacceptable. I pay tribute to Lord McKenzie of Luton for his work when he was Parliamentary Under-Secretary of State at the Department for Work and Pensions under the previous Government, and for his work in the other place in trying to amend the Bill.

The tragedy—it is a tragedy—is that asbestos-related deaths have been known for many years, but they have been ignored. It is a cruel and painful death. I saw many cases when I was legal officer for the GMB northern region and no amount of money can compensate for suffering a long lingering death, literally gasping for air at the end, or for the pain that families go through while watching their loved ones die. My hon. Friend the Member for Hartlepool (Mr Wright) mentioned a number of cases relating to traditional industries in his constituency. One tragic case I had to deal with concerned a 44-year-old lagger—I think the proper title is thermal insulation engineer—who used to lag pipes in the shipbuilding and offshore industries. This chap, who was 43, had a wife and three young children, so it was terrible to be told that he was suffering from mesothelioma. The most tragic aspect of this case was mentioned by my hon. Friend the Member for Middlesbrough (Andy McDonald)—that it was a death sentence. This man had to face the fact that he would not live to see his children grow up or to continue the close relationship he had with his family and extended family within Hartlepool. This man was 43, but I have also dealt with cases of people who were a lot older.

Much reference has been made to the fact that the disease might take 30 or 40 years to develop, but in my experience it is quite arbitrary whether the disease develops following exposure to asbestos. I remember speaking to some old boilermakers—I am sure my hon. Friend the Member for Middlesbrough will have done so, too, in his previous life before coming here—who described dealing with asbestos as “lagging it on” and “blowing it on”. They would walk into double bottoms in ships and be surrounded by airborne asbestos, yet some of them have not developed a long-term, asbestos-related condition. I have also seen some very old gentlemen with asbestos still scarring their hands. The arbitrary nature of the disease makes it very difficult to predict who will ultimately develop mesothelioma or other asbestos-related cancers and conditions.

When I was elected in 2001, I shared an office for my first six months with my hon. Friend the Member for Midlothian (Mr Hamilton) and John MacDougall, the former Member for Glenrothes. Some colleagues may remember John—a larger than life character, a dedicated constituency MP and a former council leader. It was tragic that his career in this House was cut short by mesothelioma in 2008. John's attitude was very positive. He knew, deep down, that he was dying, but he came back to this Chamber, even after quite aggressive surgery on one of his lungs, and maintained the cheerful and positive manner for which we all knew him. Unfortunately,

he did succumb to that disease, showing that it can affect people like him who worked in the shipbuilding industry many years ago.

Much of our attention has quite rightly been focused on heavy industry, but this disease does not just affect people working in heavy industries. There are well-documented cases of people who have had very limited exposure to asbestos in hospitals or other public buildings, yet have gone on to develop mesothelioma. Again, that shows the arbitrary nature of this disease.

Personally, I think there are a lot of scare stories about asbestos. Some of the press could be labelled “asbestos deniers”, but asbestos is a safe product as long as it is not disturbed. As was said earlier, we need to educate people about how to use asbestos and how to react to it. As a minimum, asbestos should be marked on any public building. If it is not disturbed, it is not dangerous, but we must ensure that when it is removed, it is done professionally by people who know what they are doing. That should help to prevent any further damaging exposure, which is important for the future.

As I said earlier, the tragedy of this and other asbestos-related conditions is that the danger has been known for many years. Even the ancient Greeks and Romans worked out that if people worked for a while with asbestos, they developed a disease and died. Moving on to the 1930s, there was the Meriwether report, in which the term mesothelioma was first used. We have thus known from the 1930s that the condition was related to asbestos.

I know that the date of knowledge is 1965 for the purposes of the courts, but earlier cases have been documented. The Government wrote to the Confederation of Shipbuilders after the second world war, congratulating it on the work that it had done during the conflict but warning about the dangers of exposure to asbestos. However, nothing was done to protect people from those dangers. Our failure to take the warning more seriously and react to it at the time is a national scandal, and a dark stain on the nation's history. As my hon. Friend the Member for Jarrow (Mr Hepburn) said earlier, if this had been happening in a leafy suburb, Governments would have paid attention to it more quickly, but those affected were mainly poor working-class communities in areas such as the north-east.

I pay tribute to the campaigning work of the asbestos awareness groups, which have been tenacious in ensuring that the issue has remained in the public eye. They should be given credit for the fact that the Bill has at least reached its starting point. I am not afraid to say that I think we should also congratulate the trade unions on the work that they have done for many years in raising awareness. [*Interruption.*] The Secretary of State accused me of chuntering earlier, but he is chuntering now. That is obviously because the modern Conservative party considers trade unions to be universally bad. However, the test cases and the education about asbestos that followed them would not have been possible without the trade unions who championed those cases, and they ought to be thanked for that.

I also pay tribute to Ian McFall of Thompsons in Newcastle, who was mentioned earlier by my hon. Friend the Member for Blaydon (Mr Anderson). I worked with him closely when I was the GMB's legal officer, and he was very tenacious in his efforts to ensure that cases were heard and compensation was secured

[Mr Kevan Jones]

for people. A difficulty that used to confront me every week was caused by the fact that, in the case of many older men, it was not known that they had contracted mesothelioma until they died. It is awful to have to say to a family “There must be an autopsy to establish what this person has died of.” I remember one alarming occasion when someone rang two days before a funeral was due to take place, and Ian and I had to stop the funeral to ensure that there was an autopsy so that the evidence could be used. Ian has great expertise when it comes to compiling the history of where people worked and trying to trace the insurance companies. It is time-consuming, laborious work, but it can be done.

It is important for anyone who has worked with asbestos to make a record of where they worked with it. I pay tribute to those in GMB Northern Region who, along with their solicitors, set up an asbestos register on which people were asked to log that information. They might not have developed the disease yet, but if they developed it later, at least it would be possible to establish where they had worked. It was not uncommon for people to move around different shipyards on both Teesside and Tyneside, and before nationalisation it was sometimes very difficult to establish who their actual employer was. Another industry that proved notoriously difficult in that regard from the late 1980s onwards was the building industry, in which people moved from site to site—usually on a very casual basis—and were exposed to asbestos throughout their working lives. Trying to put together some of those long employment histories was very difficult. That is why I recommend that anyone who has worked with asbestos make sure that loved ones or solicitors know where they worked, because this disease can develop later on and that is vital information in order to be able to trace the employers and the insurers and companies involved.

My hon. Friend the Member for Hartlepool raised the issue of the north-east, as did my hon. Friend the Member for Wansbeck (Ian Lavery). The north-east has nearly 10% of England’s mesothelioma cases. That will not come as a surprise to anyone who knows anything about asbestos-related diseases, because of the north-east’s heavy engineering, coal mining, shipyards and other industries that dealt with asbestos. Between 1985 and 2005, some 2,387 people in the north-east died of mesothelioma, and that is not counting all the other asbestos-related illnesses people died from. In that period, 192 people died in Durham, 72 of them in my constituency.

I agree that it is very important to talk about the figures, but I have dealt with these individuals and have seen the awful way in which they die and the agony their families go through—and the poverty, because it is the breadwinner who goes from many of these families. I therefore know that we are not talking about people who have access to large amounts of discretionary income or expenditure. They need this compensation. It will not be a luxury for these individuals but something to support their loved ones in future.

The key thing people who are dying from mesothelioma say they want is help so they can leave money and know their families are taken care of. They want to be able to die with the knowledge that their families will be taken care of. That is not always possible. As has been said,

thoroughness in these cases is very important. There are certain firms with a specialism in doing asbestos work, but I have come across some atrocious solicitors as well, who have taken on cases but, frankly, should not have been let loose on them at all.

In many cases, these individuals would not have got access to justice through the courts system if it had not been for the trade union movement. That is true not only in terms of their individual cases, but also in taking forward some of the very expensive early test cases that established the case law in this area.

That we have a Bill is welcome, but it is a very disappointing Bill. Much has been said about the insurance companies and, having dealt with them over a number of years, I can tell Members that trying to get money out of them can be very difficult, as sometimes they will try anything in order not to accept a claim, not only in these areas but in other personal injury cases as well.

The insurance companies have done very well out of this Government. They have convinced everybody that there is a claims culture in this country, which there clearly is not if we cut away from the headlines and look at all the actual evidence. They have got assistance through changes in the law that help them rather than the victims in a whole array of personal injury cases, and they are going to get off the hook again under this Bill as it stands, because, basically, what it does is cap their liability.

The estimate is £350 million. That is a large sum of money to individuals, but we also need to consider that the insurance companies have not only not paid out for these cases that they took premiums for over many years, but they have had the premiums and then failed to pay out about £800 million of claims on them. If we add it all up, £350 million is not a great deal of money.

It is also not a great deal of money if we look at the profits the insurance companies have made over the previous few years. Let me mention a few, just to give a flavour. Lloyd’s of London posted pre-tax profits of £1.5 billion between January and June 2012 and its profits for the whole of 2012 were £2.77 billion. Royal Sun Alliance had pre-tax profits of £233 million between January and June 2012. The £350 million being offered here is therefore in stark contrast to the profits that some of these companies are making.

In fact, according to the Bill, these companies will not pay the money themselves anyway, because it will be a levy that they will get from future premiums. In the other place, Lord Freud said:

“The levy will be imposed on active employers’ liability insurers at large, not on the individual insurers who took the premiums and who were on cover in the cases that will come to the scheme.”
—[*Official Report, House of Lords*, 20 May 2013; Vol. 745, c. 691.]

So the insurance companies are not even dipping into their profits for the scheme as it stands. If that is not a good deal for them, I do not know what is. They have been in the driving seat, and the Government’s argument, certainly in the other place, has been that if we do what the hon. Member for Chatham and Aylesford wants to do—increase the compensation level to 80%—that would somehow be a show-stopping moment.

Andy McDonald: Does my hon. Friend agree that the insurers have already had a windfall in the form of cases that have been badly pursued—loss of services and

earnings claims that have not been pursued properly—and cases that have never emerged? The insurers have already had a windfall, therefore, several times over.

Mr Jones: I agree with my hon. Friend. It is true that there has been bad litigation, and certain solicitors have settled for woeful amounts. Also, there are a number of people who had claims but died and never pursued them.

I find it strange that we started with a figure of 70% and ended up at 75%. The hon. Member for Chatham and Aylesford, who was not present when I started speaking, said that she would like to see 80%, but I suggest that she should have started a bit higher and worked down from there. In negotiations, people should never start at the figure they actually want, so perhaps she should have started at 95%. If she is lucky enough to get on the Bill Committee, I suggest that she start at, say, 88% and work downwards to the 80% figure that she wants. There is no rationale for the 75% figure.

The hon. Lady made a very good point about future liability. Since 1972, such insurance has been compulsory, so most future cases will be covered by insurance policies. Potentially, the next biggest area is public buildings and schools, but most such cases will not come under this scheme because it will be possible to prove who the insurer is and who is liable for the risk. It is therefore not clear to me what the 75% figure is based on. The Minister said that he will produce the various figures. It would have been helpful to have had those during the debates in the other place and today, so that we could have examined the basis of the negotiations.

As I said earlier, it seems that the insurance companies have been in the driving seat in these negotiations, which is a very strange way of negotiating on behalf of the victims, which is what I expect the Government to be doing. They will have done the modelling and know exactly the various costs involved. As my hon. Friend the Member for Middlesbrough said, we are not talking about people who do not calculate risk. They calculate risk, and they also calculate the age profiles of the groups that will be affected. I therefore find it odd that we do not have the relevant figures before us today. Again, that should not be the starting point for the insurance companies. The starting point should be to ask what the maximum compensation could be for the victims of this missed justice, and I believe that 100% is the right figure. I know that the hon. Member for Chatham and Aylesford thinks differently, but if we at least start at 100%, we might end up with a better figure than the one that is on the table.

It was also pointed out that the figure is not simply 75%, but 75% of the average. People should not expect payments that are on a par with those resulting from litigation settlements or other insurance policies. These arrangements will not be like that at all, and many of the people who should rightly get compensation because they have been affected by the disease through no fault of their own are going to be short-changed. Let us remember that the insurance companies took the premiums and benefited from them for many years. There is a debate to be had in Committee on that.

Will the Minister tell us how the negotiations have taken place? If the rules were set by the insurance companies, rather than by the Government setting down the starting point, they will have been poor negotiations

because they will have started from the wrong premise. I know that my hon. Friend the Member for Blaydon wants to question the Government's motives in this regard, and he has every right to do so, but if we are on the victims' side, we should be trying to get the maximum compensation for them irrespective of our political party allegiance.

It is also remarkable that the insurance companies seem to have been in the driving seat in setting the date of diagnosis from which the scheme will apply—namely, 25 July 2012. Lord Freud spoke in the other place about how that decision would affect insurance companies. He said that if an earlier date were set, the levy would go up, which would be unaffordable. Like the hon. Member for Chatham and Aylesford, I would like to see the figures. How did the Government arrive at that position?

It has been pointed out that the insurance companies have known since February 2010 that this change was coming. I doubt that they are so bad that they will not make provision for this in their calculations, but the Government need to explain why that date of July 2012 has been stuck to. Was it at the insistence of the insurance companies? I guess it was, because it will limit their liabilities. Frankly, if I were them, I would be laughing all the way to the bank if I could cut my liabilities in that way.

I accept that, whenever we set an arbitrary date, there will be people who fall either side of the line, but many of those campaigning on behalf of loved ones who died from mesothelioma before that date will not get a penny out of this scheme. What is the logic in what has been decided? People have argued that it would be logical to set a 2010 date because that was when the consultation started and that it would be fair to the insurance companies to give them some warning, but that is complete nonsense. The insurance companies have known about this for years; it has not come as a surprise to them. There would at least be some logic in going back to the date of knowledge of mesothelioma, in regard to the other legal cases, because that argument has been formed in law.

When I suggested this approach earlier, the Minister intervened to say that a huge group would be included, because it would include families. There are two issues involved here. First, a number of people will have died in the intervening period, so we are not going to get any new cases from that—this is about historical cases. I accept that legacy cases could come from families who want to pursue a claim, but there will be very few of those. I have done asbestos work for a number of years and I know the detail of it. In these cases, someone needs detailed knowledge of where individuals worked and were exposed to asbestos. In addition, a lot of these people who died of asbestos-related diseases such as mesothelioma would have died without even knowing this. I find it difficult to believe that the insurance companies have not done some modelling to know what that figure could be. It would have been good for us today, and when the Bill was introduced, if someone had at least asked how many potential cases could be in that group, but that has not been asked. Again, we have just accepted that this would be onerous for the insurance companies—that may be true, but let us find out what the number is. That debate has not been had. That earlier date would be more defensible than even the 2010

[Mr Kevan Jones]

decision, which would be arbitrary in that respect. I am not a lawyer, so I look to the lawyers in the room to answer whether or not people will legally challenge a date, if it is agreed, of 2012 or 2010 on the basis that the date of knowledge goes back to 1965. There is a potential there for more delay.

One thing that the Minister said in opening was that we needed to get on with this, and I do not disagree. However, as the hon. Member for Chatham and Aylesford said, it is important that we get it right because once this deal is signed with the insurance companies, there will be no going back. There will be no trying to open this up later for other cases or trying to change the scheme, because the insurance companies will be wedded to this in terms of what they want.

Stephen Lloyd (Eastbourne) (LD): I have heard what the hon. Gentleman said, but am I right in saying that as a colleague in the other place laid this down as a regulation rather than a ministerial order, there is more flexibility for Parliament to improve, change or reorder the scheme as it goes forward? We could improve it specifically by laying it down that way.

Mr Jones: The hon. Gentleman is being very optimistic. I do not know whether he has ever dealt with insurance companies, but if he thinks they are going to reopen this one, he is being naive, to put it politely. He is a Liberal Democrat, after all, so that is possibly acceptable. The answer to his question is no, he is not; once this has been done, that will be it. That is the important point.

The other issue I wish to discuss is other conditions. Mesothelioma is clearly a death sentence. [Interruption.] Sorry, I am never fair to Liberal Democrats. The hon. Gentleman may be trying to get some sympathy from me on behalf of Liberal Democrats, but he is certainly not going to get any after what they have done in supporting this Government. If he is looking for sympathy for Liberal Democrats, he can forget it.

There are other diseases involved here, and it is very interesting to read what Lord Freud said in the other place. He said:

“The issue of individuals who have developed other asbestos-related diseases through negligence or breach of statutory duty and are unable to bring a civil claim for damages of course needs to be addressed.”—[Official Report, House of Lords, 20 May 2013; Vol. 745, c. 690.]

It would be interesting to know what other compensation schemes or other redress the Government are considering introducing. I would not hold my breath, given the record of other Conservative Governments. They have never done anything. This is the first time they have done something for asbestos victims. We do need to know though, because Lord Freud, who has a strange relationship with the Conservative party, is clearly sympathetic to looking at some of the other debilitating asbestos-related conditions.

Gordon Birtwistle (Burnley) (LD): The hon. Gentleman comments on what the Conservatives have done over many years. Will he, during his speech, explain what the Labour Government did on this issue for the 13 years they were in power?

Mr Jones: If there is one thing that annoys me it is people who wander into a debate, having not listened to any of the discussion. If the hon. Gentleman wants me to read out all the legislation, I certainly will, but it has already been done. If he could trouble himself to sit through and listen to the debate, he might find it a good way of understanding what is going on. If he reads *Hansard* tomorrow, he will see that my hon. Friend the Member for Wansbeck read out the long list of what the Labour Government have done for asbestos victims in the past. Not one single piece of that legislation was ever done on a Conservative Government's watch, apart from this one. Please read with interest *Hansard* tomorrow—[Interruption.] The Secretary of State is chuntering in a jovial sort of way; he is a jovial sort of chap. He has a nervous smile on his face, which is quite excusable as he has a lot to be nervous about.

The hon. Member for Chatham and Aylesford raised the issue of research. The research into mesothelioma under the previous Government was good but it is time-limited. When we look at the amount of money that has gone into cancer research, it is shocking to realise what a small amount has gone into mesothelioma. That funding has been important for the pioneering research that has been done with the British Lung Foundation. I agree with her that we need to insert some reference to research in the Bill. Without that—I know that she is poacher turned gamekeeper and clearly knows the inside track and how the companies operate—there is no way that the insurance companies will voluntarily give up any money to research unless they have to. I hope that the Bill gets amended in Committee and that the Government support such research, because it has been important in understanding the condition and in looking for possible treatments in the future.

In conclusion—[Interruption.] I can go on if the Minister wishes me to. I am glad that we finally have a Bill before us, but it is not the Bill that mesothelioma victims require. It needs huge change, and I hope that the hon. Member for Chatham and Aylesford is on the Committee and can argue from the Government Benches, in the articulate way that she did tonight, some of the points to improve the Bill as it goes forward.

9.18 pm

Gemma Doyle (West Dunbartonshire) (Lab/Co-op): It is always a pleasure to follow my hon. Friend the Member for North Durham (Mr Jones) no matter how long he speaks for. Anyone who watched “Britain and the Sea” last night—I think it was on BBC1—would have seen a great deal of my constituency, because it was all about shipbuilding on the Clyde. Unfortunately, that is now part of our history because the remaining yards on the Clyde are not in my constituency. Although we are proud of the industry, we have two quite stark reminders of our shipbuilding past that we would rather not have. One is a large derelict piece of land at Queen's quay, on which I hope we will soon see some houses built. The second is the scourge of asbestos exposure, which leads to, among other things, the horrible cancer that is mesothelioma. As we have heard this evening, people have also been exposed in a number of other industries—among other things, my constituency had an asbestos factory.

Being diagnosed with such a disease is bad enough, but having to fight not only it but for compensation is a double blow. The average life expectancy following diagnosis

with mesothelioma is about two years, which people should not have to spend battling to ensure that their family have a little financial security.

I welcome the Bill and want to see it become law as soon as possible, but I also want the House to work together, if possible—it looks like that will be possible—to make it better. The Bill could and should be better.

I want to reinforce a number of points that Members have already covered today. My first concern is the level of compensation. Why should it be set at only 75% of the average paid out? I wanted to ask the Minister that as he was making his opening speech, but he refused to take more interventions—I do not know whether he takes a daily allowance of three—and we did not get an answer to that question. I urge the Government to consider raising the level to at least 90%, although hon. Members have suggested other figures. According to the Government's own analysis, that would still fall within the 3% levy on premiums that the industry tells us it can afford. The pay-outs would be raised by an additional £18,000, and I hope that proposal is considered seriously in Committee.

Secondly, the cut-off date for those eligible for the scheme has simply been set far too late and does not kick in until a good two years after the consultation was launched. Whether the two-year delay is attributable to the wheels of the civil service turning slowly, or Ministers prevaricating with or placating the insurance industry, that is two years in which people will have been diagnosed who are now excluded from the scheme. There is a seriously twisted irony in the fact that, as I have said, the average life expectancy following diagnosis with mesothelioma is approximately the same length of time—two years.

As other Members have argued, it is entirely justifiable for the kick-in date to be put back to February 2010, when the consultation and the intention to legislate for an industry-funded scheme were first announced. An industry whose business is assessment and the management of risk would have made plans to meet that responsibility from the very first mention of it.

Thirdly, like other hon. Members I am concerned about the exclusion of other asbestos-related diseases from the scheme and see no reason why it is limited to mesothelioma only. Lord Freud said in the other place:

“The issue of individuals who have developed other asbestos-related diseases...and are unable to bring a civil claim for damages of course needs to be addressed.”—[*Official Report, House of Lords*, 20 May 2013; Vol. 745, c. 690.]

I hope that the Government and the Minister will deal with that issue at some point.

Fourthly, there is the inequitable situation of the compensation that is to be paid out compared with the clawback of previously awarded benefits or lump sum payments. There is no logic whatsoever in awarding claimants only 75% of civil compensation rates while clawing back 100% of previously awarded benefits or lump sum payments, and I hope that that issue will be dealt with in Committee.

Those are the four key points that need to be addressed. Research has been mentioned and I note that in the Lords a commitment was made to a joint strategy with the Department of Health on encouraging proposals for research on mesothelioma. I hope that will be taken forward. I also back the suggestion, made

by my right hon. Friend the Member for Wythenshawe and Sale East (Paul Goggins), that industry should contribute to research.

I pay tribute to Clydebank Asbestos Group in my constituency. The people who run it are volunteers; they are not paid, but—I am not overstating this—they genuinely dedicate their life to helping people who have been affected by asbestos-related diseases, wherever they live. They deal with victims and their families. They campaign, run very informative conferences in my constituency, and offer advice and support that is both professional and personal. They see people at various stages of the disease; some have literally just walked out of the doctor's surgery, having been diagnosed, and are afraid and confused, and do not know what their diagnosis means. They assist people who are battling for compensation. Everybody who walks through the door of the group's shop sees a friendly face, and gets a cup of tea, and advice and support that are absolutely second to none.

Some, if not all, of the volunteers have lost friends or loved ones to asbestos-related diseases. I want to share a few words of Joan Baird's. I know her well; she is one of the group's stalwarts, and she lost her husband some years ago. If anyone would like to read her story, it is on the group's website. This is what she said about her husband:

“How do I feel! Cheated, lonely and empty; denied the autumn of my years with my husband. The doctors confirmed that Willie most likely would have lived to a ripe old age had it not been for this devastating disease. Like thousands of others he was killed by corporate murder. UNFORGIVABLE.”

I hope that the Government will consider the improvements to the Bill that Members on both sides of the House have suggested this evening. I also hope that the Minister will enter more fully into the spirit of debate in his closing remarks, given his refusal to take interventions and answer legitimate questions during his opening remarks. He shakes his head, but he did not do justice to this very serious issue.

9.27 pm

Jim Fitzpatrick (Poplar and Limehouse) (Lab): I am grateful to have been called to speak so late in this debate. I apologise to both Front Benchers, and to most of the speakers who preceded me, for not having been here throughout the debate. I declare an interest as a former asbestos worker. I suspect that not many former asbestos workers have spoken in the debate. If they have, I suspect that they were from the Labour Benches. No disrespect to Government Members, but hearing from such speakers gives us greater insight into the issue.

I am a former fire brigade worker, and I suspect that I share the same background as the Minister of State, Department for Work and Pensions, the hon. Member for Hemel Hempstead (Mike Penning)—or is he right hon.?

Mike Penning *indicated dissent.*

Jim Fitzpatrick: He has not been promoted yet. When we worked in the fire service, we used asbestos anti-fire equipment; we had asbestos hoods and gloves. We are lucky: having worked for local authority fire brigades, we know our employers, know that they are insured, and can trace them. Should anything happen to us

[*Jim Fitzpatrick*]

—goodness forbid—our families could track back and seek appropriate compensation for our early demise. Clearly, that is not the situation for thousands of other asbestos workers, especially those who worked in industries and businesses that have gone out of business or become defunct.

On the comments made by my hon. Friend the Member for North Durham (Mr Jones) about being able to track people, when I was the senior health and safety official at London fire brigade, I got management to agree that every member of London fire brigade who served before the withdrawal of asbestos equipment would have “asbestos-exposed” on their personal record file, so thousands of firefighters are covered. London fire brigade was great in making sure that that happened.

I share the Labour Front Benchers’ five key concerns about the Bill: that the level of compensation is lower than it should be; that other asbestos-related diseases have been excluded; the decision on the cut-off date; the clawback of benefits; and, most importantly, the level of research into asbestos-related diseases. We have some very strong points to make. It is clear that there is support in the other place, especially from senior Members on the Government Benches. I would be very surprised if Government Front Benchers in this House did not have great sympathy with a number of the points raised by the British Lung Foundation and other charities that provided briefings for today’s debate.

I look forward to the Bill going into Committee and to having discussions with Government Front Benchers. I look forward to them being as accommodating as they can be, because bringing the Bill forward is a great signal of their intention to deal fairly with the victims of asbestosis and those suffering from mesothelioma. I think that the Bill can be improved and hope that the Government see it that way, too.

9.30 pm

Chris Bryant (Rhondda) (Lab): It was a great delight to hear my hon. Friend the Member for Poplar and Limehouse (Jim Fitzpatrick) provide that final rousing contribution, because even though he was not here for any of the debate, he managed to catch its whole flavour and repeat everything that has been said. I think that everyone agreed with my hon. Friend the Member for Stretford and Urmston (Kate Green) when she congratulated the Government on bringing forward the legislation. We warmly congratulate the Secretary of State and the Minister of State, the hon. Member for Hemel Hempstead (Mike Penning), on bringing forward the Bill. In all honesty, we hope that they will help us improve it, because we certainly intend to help them.

I thought that the Minister got off to a slightly bad start by not taking interventions. He ended up intervening on twice as many Members as he took interventions from in his speech. He intends to speak a second time, which is purely in the gift of the House and not just because he says so, but it might have been easier if he had taken more interventions. I sympathise that the first piece of legislation that he has to take through the House in his new role has a name that is quite difficult to pronounce. The hon. Member for Chatham and Aylesford (Tracey Crouch) came up with a good suggestion, which was that rather than bothering to say mesothelioma all the time, we should just call it meso.

Mike Penning: Is that not a soup?

Chris Bryant: I think that is spelt with an “i”, not an “e”.

As many Members have pointed out, cancer of the mesothelium is a particularly cruel disease. First, it affects some of the worst paid in society and some of those who do the hardest physical labour, who are not rewarded particularly well at all. That is why we have heard from so many hon. Members this afternoon about how the parts of the country and the communities most affected are those that have had some of the toughest industries, whether shipbuilding, as my hon. Friend the Member for West Dunbartonshire (Gemma Doyle) pointed out, or down on the Medway, as the hon. Member for Chatham and Aylesford pointed out, or in Totnes, as the hon. Member for Totnes (Dr Wollaston)—she is unable to be here at the moment, for understandable reasons—pointed out. Sometimes a whole family can be affected, as my hon. Friend the Member for Hartlepool (Mr Wright) explained. We heard a particularly sad story from the hon. Member for Falkirk (Eric Joyce), who told us about his brother, who recently died as a result of mesothelioma.

Mesothelioma is also cruel because of the long tail, which many Members referred to, which means that it is often almost impossible to track down the details of the company from which a victim might need to claim compensation, because it is such a long time since the asbestos was introduced into the body.

Mesothelioma is also cruel because the insurance industry, as many Members have pointed out, has behaved cruelly through its extreme reluctance to provide compensation. Sometimes it is the negligence of the industry in keeping proper records across the years that has made it all the more difficult for people to get redress. Finally, it is cruel because once a person has contracted the illness, as many Members have explained, the length of time before death is so short. Who in this House would want somebody to have to spend their last dying months trying vigorously to chase down lawyers and insurance companies?

Many issues were raised, but I will cover those that are particularly important and have been mentioned constantly. The hon. Member for Chatham and Aylesford, in an excellent speech that I could not fault—I hope one day to see her on the Labour Benches—made the very valid point that the 75% compensation that is being allowed for by the Government is not borne out by the figures to which the insurance industry has already signed up through its 3% commitment. As my hon. Friend the Member for Stretford and Urmston said, there is a perfectly good moral case for saying that it should be 100% compensation. We will want to tease out these issues in Committee. I am grateful for the Minister’s comments about being able to provide us with numbers and statistics before we get to the first Committee date, because it feels as though there has been a bit of jiggery-pokery over these numbers in the past few weeks while the Bill was in the other place and since then.

The second key issue is the earlier start date that many of us think would be suitable. That was mentioned by the hon. Member for Arfon (Hywel Williams), who is not in his place. It seems inconceivable that any part of the insurance industry was unaware that there was

going to be a scheme of this kind after the Labour Government started the consultation in February 2010, so it is only fair that we should go back to the earlier start date. Several other Members referred to this, including my right hon. Friend the Member for Wythenshawe and Sale East (Paul Goggins) and my hon. Friend the Member for Jarrow (Mr Hepburn), who had an interesting idea about how judges would have reacted if there were an illness that affected only judges and whether legislation would have been introduced rather more swiftly.

The third issue, which was raised by several Members, including the hon. Member for Totnes, is about self-employed people and people who manifestly fall outside the scheme as currently organised, including those who might have contracted mesothelioma by virtue of washing their partner's clothes. We will want to return to those matters in Committee.

Fourthly, as my right hon. Friend the Member for Wythenshawe and Sale East mentioned, there is the 25% that is apparently being allocated to lawyers. When I first arrived in the House, one of the big issues facing mining constituencies such as mine was the miners' compensation Bill. The biggest row we had was with lawyers who wanted to extract unnecessarily ludicrous fees for work that could already be paid for, and in fact was paid for, by the Government. We will want to shine some light on the precise statistics. If a significant amount of money—say £7,000, a figure that has been stated several times—ends up being taken out of people's compensation to pay for lawyers, that would not be the justice that people are looking for.

The fifth issue, which was raised by my hon. Friend the Member for Llanelli (Nia Griffith), is who runs the scheme and who will sit on the technical committee. She also referred to the very important requirement on us to consider how to ensure that that is not just a stitch-up between Government and the big players in the industry when much smaller players need to be considered as well.

The sixth issue, which my hon. Friend the Member for West Dunbartonshire mentioned, is the 100% clawback. It seems intrinsically unfair for the Government to say, "You can only receive 75% of the compensation that you would get if you were going through the civil courts in the normal way, but we will take back 100% of the money that you received in benefits." There may be arguments to be had about that, but it is something else that we will want to look at in Committee. It was also referred to by my hon. Friends the Members for Paisley and Renfrewshire North (Jim Sheridan) and for Wansbeck (Ian Lavery).

I hope the Minister will also address the question of the timetable for the Bill. The programme motion allows for the last Committee sitting to take place on 17 December. We have always wanted to help the Government get the Bill through as fast as possible, with the sole caveat that, while it is a good Bill, it could be immensely better. Of course, we want to ensure that there is adequate time not just for consideration in Committee, but for consideration on the Floor of the House on Report and Third Reading. My anxiety is that if the Committee finishes considering the Bill on 17 December, the Bill's Third Reading will be on 19 December—the day Parliament will rise. I hope the Minister will be able to reassure us about that, but I cannot see how else he will be able to get the Bill through before Christmas.

Finally, my hon. Friend the Member for Blaydon (Mr Anderson) made an extremely good point, namely that we should stop talking about whether the Bill is generous, generous enough or not generous enough. The most important thing to recognise is that this is not about generosity. It is not some kind of charitable act that we are doing; we are trying to right an injustice. It is a fairly simple point. We believe that it is only really possible to right that injustice if we improve the Bill by ensuring that people get a better deal with regard to the percentage of compensation on offer, as well as by going back to an earlier date and by looking at some of the many other issues that have been raised.

I assure the Minister that we will do everything in our power to help him get the Bill through, but at the moment it has only three stars and by the end we want it to have five. That will require amendments and his co-operation.

9.41 pm

Mike Penning: With the leave of the House, I will respond to the debate, which I opened earlier today.

May I say from the outset that my intention was for as many Members as possible to be able to take part in this important debate? Seventeen colleagues, including those on the two Front Benches, have taken part. I could have taken a few more interventions, but if I had taken too many the hon. Members for Poplar and Limehouse (Jim Fitzpatrick) and for West Dunbartonshire (Gemma Doyle) would certainly not have got in. Anyone in the House who knows me will know that that was my intention and that I was not trying to shirk my responsibilities in any way. Perhaps when the hon. Lady has been here a little bit longer, she will know me a bit better.

Interestingly, many Members have said that the Government are in bed with lots of different parties and that perhaps I am anti-trade union. Many Members will know that I am a proud member of the Fire Brigades Union and that I was a member of Unison's predecessor when I was a lifeguard in Castle Point in Essex after I first left the Army. It is important that we pay tribute to those who have worked so very hard over the years to introduce not just this Bill, but others. I pay tribute to the trade unions for the work they have done over the years and to the victim support groups across the country.

I also want to acknowledge something that my former colleague from the fire service, the hon. Member for Poplar and Limehouse, acknowledged in part, namely that, while this disease has massively affected areas of heavy industry—I understand fully what many Members from the north-east have said—it does not cherry-pick. It is possible for someone to glance past an area with asbestos one day, pick up the disease and not know about it for another 40 years. As has been said, many people who are in work do not know that they have been in contact with asbestos. In some cases, their employers might not even know, especially if they run the emergency services.

I am reminded of my former colleagues in Glasgow and the work they did over the weekend. They would not have thought about whether there was asbestos in there; they would have gone straight in, quite rightly, and dealt with it. What their employers have to do—I completely agree that it is much easier for the public

[Mike Penning]

sector to do this than the private sector—is address their own responsibilities. I agree with the hon. Member for North Durham (Mr Jones) that the unions and employees should have a register. Had they had a register, a lot of the issues under discussion would have been addressed a lot earlier.

Mr Anderson: I take exception to the Minister's comments. Why should it be easier for public sector employers to do this than private sector employers? They knew the dangers, they knew the risks and they were insured. Why should the way they manage this be any different?

Mike Penning: The hon. Gentleman makes an enormously important point. I can remember being in an asbestos suit not long ago, and the hon. Member for Poplar and Limehouse is a little older than me, and was in the fire service before me. So many lessons can be learned, and they need to be learned, because people have the disease and are suffering.

I think almost 100 different questions—some were very technical and nearly all of them were very important—have been asked during the debate, and it would be impossible for me to answer them all in the time I have been given. I will therefore write to hon. Members who have spoken, and for the benefit of those who have not taken part I will put the answers in the Library of the House so that everyone has an opportunity to read them.

I have listened very carefully to the debate, and I have tried not to be party political or partisan in any way, but nobody watching would think that the previous Administration had been in government for 13 years. The issue has been known about for many years and, as I said in my opening speech, Administrations should have dealt with it.

It is worrying that we have been asked why the Government have taken two years to sort out the problem. The consultation was very wide ranging, and no one would have known from it what the previous Government wanted. I cannot find out exactly what they wanted, because we are not allowed to see their papers. The consultation came out in February 2010, just before the general election, after which we had the purdah period, and then we came into office, and without knowing exactly what was intended, my predecessor and the very dedicated Lord Freud, the Minister in the other House, worked with the Secretary of State to bring forward this Bill.

Nothing is perfect, and I fully understand that hon. Members on both sides of the House want to table amendments in Committee and probably on Report. What is very important, however, is that the Bill is passed and regulations are laid, and that compensation gets out to the victims of this terrible disease and their loved ones. If even some points that have been discussed were put in, the Bill would have to go back to the Lords and that would mean a period of ping-pong. [Interruption.] I said some, not all points.

It is absolutely imperative to get the Bill through, or people who have waited for compensation, in some cases for decades, will not get it. If there is ping-pong on the Bill, we will be into the new year—the Leader of the

House is sitting next to me—and although I will be as open minded and pragmatic as I can, the Bill needs to be put on the statute book.

Mr Hepburn: What about the 6,000 victims prior to the cut-off date? Why should they be victimised?

Mike Penning: I am good friends with the hon. Gentleman, and I know him well. I do not see it that way, as he knows, but I understand why he does. There has to be an arbitrary cut-off date, and the hon. Member for Hartlepool (Mr Wright) said that the date will be arbitrary whatever we do.

We have been in deep negotiations—there is no argument about that; it will all come out—but the insurance companies did not just stroll up to Lord Freud's office and say, "By the way, can we do a deal?" They were dragged there, otherwise that would have been done under the previous Administration. The Bill is not perfect and it probably can be amended, but it must not be delayed.

Mr Kevan Jones: I am interested that the Minister says there has to be an arbitrary date. No, there does not; there has to be a date that is justifiable, and the only such date is the 1965 date of knowledge.

Mike Penning: That would be an arbitrary date too, because, as the hon. Gentleman said, mesothelioma was known about before 1965. Whatever happens, if we get bogged down in a legal argument, it will delay the Bill, and the compensation that everyone has worked towards for so many years will be massively and dramatically affected.

Chris Bryant: I am sorry to intervene on the Minister, but he seems to be saying that he will not countenance any amendment to the Bill—despite our having had a debate in which everyone who has spoken has said they want amendments—because such amendments would delay the Bill beyond Christmas. With his timetable, however, I cannot see how he can possibly get it out before Christmas anyway.

Mike Penning: That is the second time the hon. Gentleman has talked about my timetable. The Opposition insisted on three days in Committee; we said they could have less.

Chris Bryant *indicated dissent.*

Mike Penning: If the hon. Gentleman talked to his own Whips, he might get some sense. That is exactly what happened.

At the end of the day, however, some parts of the Bill can be amended without it going back to the Lords. Some parts, particularly on the percentage—[Interruption.] It is for regulations. It is not actually part of the Bill. If the hon. Gentleman reads the Bill, he will understand what is going on. He is trying to score party political points on a really serious issue, and he is wrong. We need to ensure that what can be amended, is amended, but I will not have the Bill, and therefore the compensation, delayed. With that, I hope the House will give the Bill a

Second Reading and that the Opposition will vote for it this evening. It is important that we get the Bill through the House.

Question put and agreed to.

Bill accordingly read a Second time.

Motion made, and Question put forthwith (Standing Order No. 83A(7)),

That the following provisions shall apply to the Mesothelioma Bill [Lords]:

Committal

(1) The Bill shall be committed to a Public Bill Committee.

Proceedings in Public Bill Committee

(2) Proceedings in the Public Bill Committee shall (so far as not previously concluded) be brought to a conclusion on Tuesday 17 December 2013.

(3) The Public Bill Committee shall have leave to sit twice on the first day on which it meets.

Consideration and Third Reading

(4) Proceedings on Consideration shall (so far as not previously concluded) be brought to a conclusion one hour before the moment of interruption on the day on which those proceedings are commenced.

(5) Proceedings on Third Reading shall (so far as not previously concluded) be brought to a conclusion at the moment of interruption on that day.

(6) Standing Order No. 83B (Programming committees) shall not apply to proceedings on Consideration and Third Reading.

Other proceedings

(7) Any other proceedings on the Bill (including any proceedings on consideration of any message from the Lords) may be programmed.

The House divided: Ayes 267, Noes 202.

Division No. 147]

[9.51 pm

AYES

Afriyie, Adam
Aldous, Peter
Amess, Mr David
Andrew, Stuart
Arbuthnot, rh Mr James
Baker, Steve
Baldwin, Harriett
Barclay, Stephen
Barker, rh Gregory
Barwell, Gavin
Bebb, Guto
Beith, rh Sir Alan
Bellingham, Mr Henry
Benyon, Richard
Beresford, Sir Paul
Berry, Jake
Bingham, Andrew
Binley, Mr Brian
Birtwistle, Gordon
Blackman, Bob
Blackwood, Nicola
Blunt, Mr Crispin
Boles, Nick
Bottomley, Sir Peter
Bradley, Karen
Brady, Mr Graham
Brake, rh Tom
Bray, Angie
Brazier, Mr Julian
Bridgen, Andrew
Brine, Steve

Brokenshire, James
Brooke, Annette
Browne, Mr Jeremy
Bruce, Fiona
Bruce, rh Sir Malcolm
Buckland, Mr Robert
Burley, Mr Aidan
Burns, Conor
Burns, rh Mr Simon
Burrowes, Mr David
Burt, rh Alistair
Burt, Lorely
Byles, Dan
Cable, rh Vince
Cairns, Alun
Carmichael, rh Mr Alistair
Carmichael, Neil
Carswell, Mr Douglas
Chope, Mr Christopher
Clarke, rh Mr Kenneth
Clifton-Brown, Geoffrey
Coffey, Dr Thérèse
Collins, Damian
Colville, Oliver
Cox, Mr Geoffrey
Crabb, Stephen
Crouch, Tracey
Davey, rh Mr Edward
Davis, rh Mr David
de Bois, Nick
Dinenage, Caroline
Dorrell, rh Mr Stephen
Doyle-Price, Jackie

Drax, Richard
Duddridge, James
Duncan, rh Mr Alan
Duncan Smith, rh Mr Iain
Dunne, Mr Philip
Ellis, Michael
Ellison, Jane
Ellwood, Mr Tobias
Elphicke, Charlie
Eustice, George
Evans, Graham
Evennett, Mr David
Fabricant, Michael
Featherstone, Lynne
Field, Mark
Foster, rh Mr Don
Francois, rh Mr Mark
Freeman, George
Freer, Mike
Fullbrook, Lorraine
Fuller, Richard
Garnier, Sir Edward
Garnier, Mark
Gauke, Mr David
Gibb, Mr Nick
Gillan, rh Mrs Cheryl
Glen, John
Goldsmith, Zac
Goodwill, Mr Robert
Gove, rh Michael
Grant, Mrs Helen
Gray, Mr James
Green, rh Damian
Griffiths, Andrew
Gummer, Ben
Gyimah, Mr Sam
Halfon, Robert
Hames, Duncan
Hammond, Stephen
Hancock, Matthew
Hands, Greg
Harper, Mr Mark
Harrington, Richard
Harris, Rebecca
Haselhurst, rh Sir Alan
Hayes, rh Mr John
Heald, Oliver
Heath, Mr David
Heaton-Harris, Chris
Hemming, John
Henderson, Gordon
Herbert, rh Nick
Hinds, Damian
Hoban, Mr Mark
Hollingbery, George
Hollobone, Mr Philip
Hopkins, Kris
Horwood, Martin
Howarth, Sir Gerald
Howell, John
Hughes, rh Simon
Huppert, Dr Julian
Jackson, Mr Stewart
Javid, Sajid
Jenkin, Mr Bernard
Johnson, Gareth
Johnson, Joseph
Jones, Andrew
Jones, Mr Marcus
Kawczynski, Daniel
Kelly, Chris
Kirby, Simon
Knight, rh Sir Greg
Kwarteng, Kwasi
Lamb, Norman
Lancaster, Mark
Lansley, rh Mr Andrew
Latham, Pauline
Laws, rh Mr David
Leadsom, Andrea
Lee, Jessica
Lee, Dr Phillip
Leech, Mr John
Lefroy, Jeremy
Leigh, Sir Edward
Lewis, Brandon
Lewis, Dr Julian
Liddell-Grainger, Mr Ian
Lilley, rh Mr Peter
Lloyd, Stephen
Lopresti, Jack
Lord, Jonathan
Loughton, Tim
Luff, Peter
Lumley, Karen
Macleod, Mary
Maude, rh Mr Francis
Maynard, Paul
McCartney, Jason
McIntosh, Miss Anne
McPartland, Stephen
McVey, Esther
Menzies, Mark
Metcalfe, Stephen
Mills, Nigel
Milton, Anne
Mitchell, rh Mr Andrew
Morgan, Nicky
Morris, Anne Marie
Morris, James
Mosley, Stephen
Mowat, David
Mundell, rh David
Munt, Tessa
Murrison, Dr Andrew
Newton, Sarah
Nokes, Caroline
Norman, Jesse
Nuttall, Mr David
Offord, Dr Matthew
Ollerenshaw, Eric
Opperman, Guy
Patel, Priti
Pawsey, Mark
Penning, Mike
Penrose, John
Percy, Andrew
Perry, Claire
Phillips, Stephen
Pincher, Christopher
Prisk, Mr Mark
Reckless, Mark
Redwood, rh Mr John
Rees-Mogg, Jacob
Reevell, Simon
Robathan, rh Mr Andrew
Robertson, rh Hugh
Robertson, Mr Laurence
Rogerson, Dan
Rosindell, Andrew
Ruffley, Mr David
Russell, Sir Bob

Rutley, David
 Sandys, Laura
 Scott, Mr Lee
 Selous, Andrew
 Sharma, Alok
 Shelbrooke, Alec
 Simmonds, Mark
 Skidmore, Chris
 Smith, Chloe
 Smith, Julian
 Smith, Sir Robert
 Soames, rh Nicholas
 Soubry, Anna
 Spelman, rh Mrs Caroline
 Spencer, Mr Mark
 Stewart, Bob
 Stewart, Iain
 Stewart, Rory
 Streeter, Mr Gary
 Stride, Mel
 Stuart, Mr Graham
 Stunell, rh Sir Andrew
 Sturdy, Julian
 Swales, Ian
 Swayne, rh Mr Desmond
 Swinson, Jo
 Syms, Mr Robert
 Tapsell, rh Sir Peter
 Teather, Sarah
 Thornton, Mike
 Thurso, John
 Timpson, Mr Edward

Tomlinson, Justin
 Truss, Elizabeth
 Turner, Mr Andrew
 Tyrie, Mr Andrew
 Uppal, Paul
 Vaizey, Mr Edward
 Vara, Mr Shailesh
 Vickers, Martin
 Walker, Mr Charles
 Walker, Mr Robin
 Wallace, Mr Ben
 Ward, Mr David
 Watkinson, Dame Angela
 Weatherley, Mike
 Webb, Steve
 Wharton, James
 Wheeler, Heather
 White, Chris
 Whittaker, Craig
 Whittingdale, Mr John
 Wiggin, Bill
 Williams, Mr Mark
 Williams, Stephen
 Williamson, Gavin
 Wilson, Mr Rob
 Wright, Jeremy
 Wright, Simon
 Yeo, Mr Tim
 Young, rh Sir George

Tellers for the Ayes:
Amber Rudd and
Jenny Willott

NOES

Abbott, Ms Diane
 Alexander, Heidi
 Ali, Rushanara
 Anderson, Mr David
 Ashworth, Jonathan
 Bailey, Mr Adrian
 Bain, Mr William
 Balls, rh Ed
 Banks, Gordon
 Barron, rh Mr Kevin
 Beckett, rh Margaret
 Benn, rh Hilary
 Benton, Mr Joe
 Berger, Luciana
 Betts, Mr Clive
 Blenkinsop, Tom
 Blomfield, Paul
 Blunkett, rh Mr David
 Bradshaw, rh Mr Ben
 Brennan, Kevin
 Brown, Lyn
 Brown, rh Mr Nicholas
 Brown, Mr Russell
 Bryant, Chris
 Buck, Ms Karen
 Burden, Richard
 Burnham, rh Andy
 Byrne, rh Mr Liam
 Campbell, Mr Alan
 Caton, Martin
 Champion, Sarah
 Chapman, Jenny
 Clark, Katy
 Clarke, rh Mr Tom
 Clwyd, rh Ann
 Coaker, Vernon

Cooper, Rosie
 Cooper, rh Yvette
 Crausby, Mr David
 Creagh, Mary
 Creasy, Stella
 Cryer, John
 Cunningham, Alex
 Cunningham, Mr Jim
 Cunningham, Sir Tony
 Curran, Margaret
 Dakin, Nic
 Danczuk, Simon
 David, Wayne
 Davies, Geraint
 De Piero, Gloria
 Dobbin, Jim
 Docherty, Thomas
 Dodds, rh Mr Nigel
 Donohoe, Mr Brian H.
 Doran, Mr Frank
 Doughty, Stephen
 Doyle, Gemma
 Dromey, Jack
 Dugher, Michael
 Eagle, Ms Angela
 Eagle, Maria
 Efford, Clive
 Elliott, Julie
 Ellman, Mrs Louise
 Engel, Natascha
 Esterson, Bill
 Evans, Chris
 Farrelly, Paul
 Field, rh Mr Frank
 Fitzpatrick, Jim
 Ffello, Robert
 Flint, rh Caroline

Flynn, Paul
 Fovargue, Yvonne
 Francis, Dr Hywel
 Gilmore, Sheila
 Glass, Pat
 Glendon, Mrs Mary
 Goggins, rh Paul
 Goodman, Helen
 Green, Kate
 Greenwood, Lilian
 Griffith, Nia
 Gwynne, Andrew
 Hain, rh Mr Peter
 Hamilton, Mr David
 Hamilton, Fabian
 Hanson, rh Mr David
 Harman, rh Ms Harriet
 Harris, Mr Tom
 Havard, Mr Dai
 Healey, rh John
 Hepburn, Mr Stephen
 Heyes, David
 Hillier, Meg
 Hilling, Julie
 Hodge, rh Margaret
 Hodgson, Mrs Sharon
 Hunt, Tristram
 Irranca-Davies, Huw
 Jackson, Glenda
 Jamieson, Cathy
 Jarvis, Dan
 Johnson, rh Alan
 Jones, Graham
 Jones, Helen
 Jones, Mr Kevan
 Jones, Susan Elan
 Joyce, Eric
 Kaufman, rh Sir Gerald
 Keeley, Barbara
 Kendall, Liz
 Khan, rh Sadiq
 Lammy, rh Mr David
 Lavery, Ian
 Lazarowicz, Mark
 Lewell-Buck, Mrs Emma
 MacNeil, Mr Angus Brendan
 Mahmood, Shabana
 Mann, John
 Marsden, Mr Gordon
 McCabe, Steve
 McCarthy, Kerry
 McClymont, Gregg
 McCrea, Dr William
 McDonagh, Siobhain
 McDonald, Andy
 McFadden, rh Mr Pat
 McGovern, Alison
 McGuire, rh Mrs Anne
 McKechin, Ann
 McKenzie, Mr Iain
 Meale, Sir Alan
 Mearns, Ian
 Miller, Andrew
 Moon, Mrs Madeleine
 Morris, Grahame M.
 (Easington)
 Munn, Meg

Murphy, rh Paul
 Murray, Ian
 Nandy, Lisa
 Nash, Pamela
 O'Donnell, Fiona
 Onwurah, Chi
 Osborne, Sandra
 Owen, Albert
 Perkins, Toby
 Pound, Stephen
 Powell, Lucy
 Qureshi, Yasmin
 Raynsford, rh Mr Nick
 Reed, Mr Steve
 Reeves, Rachel
 Reynolds, Jonathan
 Riordan, Mrs Linda
 Ritchie, Ms Margaret
 Robertson, John
 Robinson, Mr Geoffrey
 Rotheram, Steve
 Roy, Mr Frank
 Ruane, Chris
 Ruddock, rh Dame Joan
 Sarwar, Anas
 Sawford, Andy
 Seabeck, Alison
 Sharma, Mr Virendra
 Sheerman, Mr Barry
 Sheridan, Jim
 Shuker, Gavin
 Simpson, David
 Skinner, Mr Dennis
 Slaughter, Mr Andy
 Smith, Angela
 Smith, Nick
 Smith, Owen
 Spellar, rh Mr John
 Straw, rh Mr Jack
 Stringer, Graham
 Stuart, Ms Gisela
 Sutcliffe, Mr Gerry
 Tami, Mark
 Thornberry, Emily
 Timms, rh Stephen
 Trickett, Jon
 Turner, Karl
 Twigg, Derek
 Twigg, Stephen
 Umunna, Mr Chuka
 Vaz, Valerie
 Walley, Joan
 Watts, Mr Dave
 Whitehead, Dr Alan
 Williams, Hywel
 Williamson, Chris
 Wilson, Phil
 Winnick, Mr David
 Winterton, rh Ms Rosie
 Woodcock, John
 Wright, David
 Wright, Mr Iain

Tellers for the Noes:
Seema Malhotra and
Bridget Phillipson

Question accordingly agreed to.

MESOTHELIOMA BILL [LORDS] (MONEY)

Queen's recommendation signified,

Motion made, and Question put forthwith (Standing Order No. 52(1)(a)),

That, for the purposes of any Act resulting from the Mesothelioma Bill [Lords], it is expedient to authorise the payment out of money provided by Parliament of any expenditure incurred under or by virtue of the Act by the Secretary of State.—(*Mike Penning.*)

Question agreed to.

**MESOTHELIOMA BILL [LORDS]
(WAYS AND MEANS)**

Motion made, and Question put forthwith (Standing Order No. 52(1)(a)),

That, for the purposes of any Act resulting from the Mesothelioma Bill [Lords], it is expedient to authorise the imposition of a levy on active insurers to meet the costs of the Diffuse Mesothelioma Payment Scheme.—(*Claire Perry.*)

Question agreed to.

DEFERRED DIVISIONS

Ordered,

That, at this day's sitting, Standing Order No. 41A (Deferred divisions) shall not apply to the Motion in the name of Sajid Javid relating to Financial Services: Benchmark.—(*Claire Perry.*)

Business without Debate

Motion made, and Question put forthwith (Standing Order No. 119(11)),

FINANCIAL SERVICES: BENCHMARK

That this House considers that the draft Regulation on indices used as benchmarks in financial instruments and financial contracts (European Union Document No. 13985/13 and Addenda 1 and 2) does not comply with the principle of subsidiarity, for the reasons set out in the Annex to Chapter Five of the Twenty-third Report of the European Scrutiny Committee (HC 83-xxi); and, in accordance with Article 6 of Protocol (No. 2) annexed to the EU Treaties on the application of the principle of subsidiarity and proportionality, instructs the Clerk of the House to forward this reasoned opinion to the Presidents of the European Institutions.—(*Claire Perry.*)

Question agreed to.

Amendment of Standing Orders

[*Relevant documents: Second Report of the Procedure Committee, Session 2012-13, Review of the Backbench Business Committee, HC 168, and the Government response, Session 2012-13, HC 978.*]

Mr Speaker: Before I call Mr Charles Walker to move the first motion, I should inform the House that I have selected the amendments in the name of Mr Andrew Lansley and Mr Tom Brake. The motions will be debated together and the questions necessary to dispose of the amendments will be put at the end of the debate. To move the motion, I call the Chairman of the Procedure Committee.

10.6 pm

Mr Charles Walker (Broxbourne) (Con): I beg to move, That:

(1) Standing Order No. 152J (Backbench Business Committee) be amended in line 23, at the end, to add 'and to hear representations from Members of the House in public';

(2) Standing Order No. 14 (Arrangement of public business) be amended in line 50, at the end, by adding the words 'Provided that the figure of thirty-five days shall be increased by one day for each week the House shall sit in a session in excess of a year';

(3) the following new Standing Order be made:

'Allocation of time to backbench business

(1) Where proceedings to be taken as backbench business have been determined by the Backbench Business Committee in accordance with paragraph (8) of Standing Order No. 14 (Arrangement of public business), a motion may be made on behalf of that Committee at the commencement of those proceedings by the chair or another member of the committee allocating time to the proceedings; and the question on any such motion shall be put forthwith.

(2) A motion under paragraph (1)–

(a) shall be in the terms of a resolution of the Backbench Business Committee reported to the House in accordance with paragraph (9) of Standing Order No. 152J (Backbench Business Committee);

(b) may not provide for any proceedings to be taken after the expiration of the time for opposed business other than the decisions on any questions necessary to dispose of the backbench business, such questions to include the questions on any amendment selected by the Speaker which may then be moved.

(c) may provide that Standing Order No. 41A (Deferred divisions) shall not apply to the backbench business.'

(4) Standing Order No. 152J (Backbench Business Committee) be amended in line 42, at the end, by adding the words:

'(9) The Committee shall report to the House any resolution which it makes about the allocation of time to proceedings to be taken as backbench business on a day allotted under paragraph (4) of Standing Order No. 14 (Arrangement of public business), provided that such a resolution is agreed without a division.'

Mr Speaker: With this, it will be convenient to discuss the following:

That the following new Standing Order be made:

'Select Committee Statements

(1) (a) On any day allotted for proceedings in the House on backbench business (and not being taken in the form of a half-day), or on any Thursday sitting in Westminster Hall other than one to which sub-paragraph (b) applies, the Backbench Business Committee may determine that a statement will be made on the publication of a select committee report or announcement of an inquiry.

[Mr Speaker]

(b) The Liaison Committee may determine that such a statement may be made in Westminster Hall on any day appointed under paragraph (15) of Standing Order No. 10 (Sittings in Westminster Hall).

(2) A statement on the publication of a select committee report or announcement of an inquiry—

(a) shall be made by the chair or another member of the select committee acting on its behalf;

(b) shall take place—

(i) in the House, after questions and any ministerial statements, or

(ii) in Westminster Hall, at the commencement of proceedings.

(3) A statement made under paragraph (1) above may not take place later than 5 sitting days after the day on which the report is published or inquiry announced.

(4) The Member making a statement may answer questions on it asked by Members called by the Chair, but no question shall be taken after the end of any period specified by the Backbench Business Committee or the Liaison Committee in its determination.

Mr Walker: The first of the Procedure Committee's recommendations has been accepted by the Government—let us start on a positive note—as it is uncontentious and simply formalises the current practice of the Backbench Business Committee taking representations in public. I think all colleagues will agree that that fantastic occasion on Tuesday is well attended and extremely exciting. It portrays and presents Parliament at its absolute best. I know you share that view, Mr Speaker, if I may be so presumptuous as to involve you in this debate.

Our second suggestion does not meet with quite so much favour from the Government Front-Bench team—nor, I am sad to say, from the Chairman of the Backbench Business Committee—but I thought that for the sake of debate I would expand on the Procedure Committee's view on this matter. I should say at this early stage that I do not want to keep colleagues here until the small hours of the morning, so it is unlikely that I will put this to the vote tonight. Perhaps I have shown my hand too early, but I know colleagues have important things to be getting on with in their offices.

This second suggestion, which is opposed by the Government, is to amend Standing Order No. 40, so that it allows for 35 days of backbench business per Session or, when the Session is longer, a pro rata increase of one day per each additional week. It is possible to imagine a scenario after the general election when the incoming Government—whether it be the current coalition, a Conservative Government or, dare I say it, possibly a Labour Government—might decide that their business agenda is so expansive that it requires two years to put it into place. The Procedure Committee thus thought it would be helpful—nay, necessary—for the number of days given by the Government to be commensurate with the additional number of weeks for which that first Parliament ran.

The Front-Benchers have assured me—these assurances are taken at face value by the Chairman of the Backbench Committee—that I need not worry about these things, and that if there were additional weeks and Parliament lasted for more than the standard 35 weeks in the year, the Government would find it within their favour to provide some additional days.

Mr Philip Hollobone (Kettering) (Con): Do not the facts paint a very different picture? In the first part of this Parliament, when the first Session ran for two years, there were not the requisite number of days for the Backbench Business Committee as there should have been. These assurances, I would suggest, are completely worthless.

Mr Walker: In an ideal world, the Standing Order would be amended to ensure—so that there was no wriggle room—that the additional days would be provided, but at this point I do not feel that the House is with me. This is an argument in gestation, and we need to allow it longer in the womb before it bursts forth in its full glory.

Mr David Nuttall (Bury North) (Con): My hon. Friend is making a powerful case on behalf of our Procedure Committee. Does he agree that if the Government were to accept the motion—and I appreciate that they are reluctant to do so—there would be no reason for the Backbench Business Committee, in its present or a future incarnation, not to refuse to accept the extra day if it were offered, on a case-by-case basis?

Mr Walker: The Backbench Business Committee is known for its independence of thought. I rather agree with my hon. Friend, who is a stalwart of the Procedure Committee and one of its leading lights. Once again, he has made an incisive contribution.

Because we do not have all night, I am now going to make a little progress. We also propose a new Standing Order—again, resisted by the Government—allowing the Backbench Business Committee to organise its own time through a motion proposed at the commencement of one of its days of business, regulating the business that follows. Such a change would enable the Committee to make provision for decisions on a series of motions and amendments to those motions to be taken together at the end of a debate, at the normal moment of interruption or before.

I shall canter through the next part of my speech. I shall have to read it, because it is quite complex, and I would not want to make a deliberate or unnecessary mistake. Let me give two examples in which that power might have been useful. In the case of recent debates on the sitting hours of the House, the need to take a complex series of votes before the usual time of interruption required the sacrifice of an hour and a half of debating time. The debate on assisted dying, which was scheduled to last an hour and a half, had to be voluntarily stopped 20 minutes early so that the first amendment could be put and voted on, in order to allow a second vote to be taken before the 7 pm deadline. The power might also provide for a timetable for decisions to be made on a series of separate motions at fixed points, or for a day simply to be divided between two or three debates. That would be entirely convenient to the House because it would make everything reasonably predictable.

In anticipation of resistance from the Government, the Committee has proposed a fairly formidable set of constraints on the use of the power, which I shall set out now. I can see that the House is waiting with bated breath to hear about this series of protections.

First, the decision to use the power must be a unanimous decision by the Committee, made, obviously, at a quorate meeting with due notice given. Secondly, the Committee—

unlike the Government—is given no power to stretch a day, except in so far as Divisions might run past the normal moment of interruption. It cannot extend the length of a sitting on Thursday. Thirdly, and most importantly, the House would be free to disagree with any proposal made by the Committee at the start of the day to which it applied. The proposal would be put without debate, but could be divided on and defeated. If the House did not like it, the House could reject it.

So there is no possibility, in a perfect world—the world that I would like to see become a reality, although it is not going to become a reality tonight—of the Backbench Business Committee’s abusing its power to force the House to make unpalatable decisions in an unpalatable way. The whole Committee, and the whole House, must want the business to which this power might be applied to be conducted in a rational and predictable way. It is not applicable to anything other than Back-Bench business: it cannot affect Government business, Opposition business, or private Members’ Bills.

I appreciate that there is resistance to this. There are many here who feel that the Government, motivated by good will, would want to ensure whenever possible that the Backbench Business Committee was able to achieve its objectives, and that there would be helpful Whips supporting them in the process. This is where I diverge slightly from the view of my opposite number, the hon. Member for North East Derbyshire (Natascha Engel), who chairs the Backbench Business Committee. This is a point of principle and the—slow—direction of travel at the moment is for this House to take back more powers for itself. It was the case about 110 years ago that if the Government of the day wanted to transact their business in this place, they had to come and seek our permission. Over the past 110 years we have given up successive powers through Standing Orders so now we are in the position of begging the Government for time, or relying on the good will of Government to give us that time.

This is what I suggest: I am not going to press the House to a Division tonight, so the amendments put down by the Government will carry the day, but I am convinced that the day is coming—slowly—when this House will have the courage and desire to take back some of its own power and we will have the self-confidence not to rely on the Whips to transact our business for us on those days when it is our business. I accept that there will be Government days for business, and that is fine, but I think that on those days when there is Back-Bench business—those days when it is our business, when this place comes back to us—in a few years’ time we will have the self-confidence and courage to say, “Actually, we can handle our own affairs in a grown-up, mature and successful fashion.”

Helen Goodman (Bishop Auckland) (Lab) *rose*—

Mr Walker: Before I sit down, I shall give way to the hon. Lady.

Helen Goodman: I am grateful to the Chairman of the Procedure Committee for giving way. Surely what we are talking about here is the House growing up and our being treated like grown-ups—being able to vote as well as debate? I therefore wonder why the Chairman of the Procedure Committee—who chairs it absolutely marvellously—is not going to press the House to a Division this evening.

Mr Walker: I shall answer the hon. Lady in an honest way: quite frankly, I have been here since 10 o’clock this morning, and I have toured the Tea Rooms and I have toured the Library and all the other places where Members of Parliament work diligently through the day, and I do not feel that I have the support to carry the day, so it is better to live to take the fight to another day than to die on this day. I appreciate that that is a slightly over-dramatic statement of the position, but why not, because it is late and I have had far too much coffee?

I really now think it is time that I sat down and allowed others to participate in this important debate, because we have literally hundreds of colleagues here champing at the bit.

10.17 pm

Natascha Engel (North East Derbyshire) (Lab): It is, as always, a pleasure to follow the Chair of the Procedure Committee, the hon. Member for Broxbourne (Mr Walker), who has made some very arcane points, which were more entertaining than I could ever have imagined them to be. My disagreements with him are about bringing more powers to the House and what we do with those powers, rather than in judging what he has tabled in all good spirit against the Government’s wishes. I thank him and the Procedure Committee, and the previous Chair of the Committee, who undertook the review of the Backbench Business Committee. The Committee had been in existence for only one Session when it was reviewed and was therefore very much in its infancy. The report recognised an important truth about the Committee: it is a Select Committee in name only, and completely different from any other Committee of the House in what it does.

When the Backbench Business Committee was established, it was governed by a very basic set of Standing Orders. They said how many members there should be and the party make-up. They also said how many days Government were to allocate to us, and that we could not table any motions that affected the workings of the Committee, which was perfectly sensible. That was it—the day-to-day working and functioning of the Committee were not mentioned in Standing Orders.

When we started, there was nothing to stop the eight members of the Backbench Business Committee meeting in private session and deciding for ourselves what would be debated by our colleagues on one day every parliamentary week. Therefore, the very first founding principles we established were to ensure that any debate we scheduled came from our colleagues—came from ideas from other Back Benchers—and that we met in public so that everything we decided was open and transparent. These were very important founding principles.

We set some other founding principles, together with our excellent first Clerk, Andrew Kennon, one of which was that the Backbench Business Committee should take as many risks as possible as soon as possible, in order to see what worked and what did not. One of the risks we took, when the hon. Member for Kettering (Mr Hollobone) was a member of the Committee, was a new way of doing pre-recess Adjournment debates. That got mixed reviews and we have chopped and changed that around, but one of the more successful innovations, which is mentioned on the Order Paper, was enabling Select Committee Chairs to launch their reports on the Floor of the House. Interestingly, that

[*Natascha Engel*]

did not work in quite the way we wanted it to. They used to have to do it by taking interventions from Members, without being able to stand up like Ministers and take questions from the Floor. We felt that that really required a change to the Standing Orders, and we welcome the motion on the Order Paper today in the name of the right hon. Member for Berwick-upon-Tweed (Sir Alan Beith), who chairs the Liaison Committee.

Sir Alan Beith (Berwick-upon-Tweed) (LD): I welcome the hon. Lady's and the Government's support for this change. It has involved some discussion and there is an element of compromise about it, but it will be a much better procedure that will enable a Chair to table a report within five days of the Committee issuing it, and to take questions, rather than going through the contrived process of interventions that we have now.

Natascha Engel: I thank the right hon. Gentleman for that intervention.

We also wanted to keep to the principle of having as few rules as possible governing the Backbench Business Committee, in order to allow Back Benchers themselves to decide what they want to do within their own allocated time. Although we congratulate the hon. Member for Broxbourne on the paragraph in his motion that deals with allowing us to meet in public and to take representations from Members—as he said, it simply formalises current practice—we disagree with the points made in the following paragraphs. The honourable exception to that is the hon. Member for Birmingham, Yardley (John Hemming), who is a member of both the Backbench Business Committee and the Procedure Committee, and supports these changes. We are concerned that these changes impose rigorous rules on us that might have negative consequences. We have enjoyed the freedom resulting from there being no rules governing what we could and could not do.

The first point on which we really disagreed was the allocating of our time pro rata. At the moment, as the hon. Member for Broxbourne said, the Backbench Business Committee is allocated 35 days a Session. As he also pointed out, the first Session stretched to almost two calendar years. We demanded, quite vocally, that the Government extend our allocation of time pro rata, and they did. There was a slight dispute over one or two days that the Government had scheduled before we came into existence, but broadly, the arrangement worked very well.

At the moment, the 35-day allocation is a minimum; the Government are perfectly free to allocate us more than that. My worry is that if pro rata-ing is imposed, there is nothing to say that this allocation will become a fixed amount of time. By the same token, if a Session is shorter than a calendar year, there is nothing to say that the Government could not then pro rata downwards. As the Chair of the Backbench Business Committee, I would not want that to happen. Given that the arrangement only happened because of the introduction of fixed-term Parliaments, for which we were compensating, and given that we now have fixed-term Parliaments, it is highly unlikely that this situation will ever arise again. I just do not think it is worth taking the risk of an unforeseen consequence.

Mr Hollobone: I congratulate the hon. Lady on her speech, which I am listening to closely. Let us say there were a change of Government, and a Labour Government decided to do the same thing and have an initial Session over two calendar years, the then Leader of the House and the then Chief Whip might not be as amenable as the current ones, and if so, without the change to the Standing Order, her words would ring very hollow indeed.

Natascha Engel: The hon. Gentleman was present when we produced our first provisional report, and all I would say is that one of our founding principles was that we should consider changing rules as and when we found a problem. There was not a problem in that first Session. However, if there is a problem in the future, I will personally lead the charge to ensure that we change the rules in order to accommodate and rectify it.

Mr Hollobone: I am sorry to disagree with the hon. Lady, but there was a problem. She had to get up on her feet every week during questions to the Leader of the House and beg for the Backbench Business Committee to be given time. In the end, that begging worked, but there was a problem and it was only her active intervention that solved it.

Natascha Engel: I would say that I was assertively, or even aggressively, demanding rather than begging. The Government eventually realised that they had no option but to pro rata the days, because there would have been uproar if they had not done so.

That brings me to my next point. As has been said, the right hon. Member for Croydon South (Richard Ottaway) mentioned his debate on assisted dying in his submission to the Procedure Committee. A full day of debate was allocated. It was considerably longer than an hour and a half, but it is true that there would have been another 20 minutes of debate and that votes would have taken place at the end of the day. However, that problem was identified only in retrospect, so even if we had had the power to timetable a business motion, it would not have happened on that day.

I am concerned that the proposal could have unintended consequences. One of the things that I have witnessed working really well in Back-Bench debates is that, at the moment, Back Benchers control their own time by having flexibility. We are therefore able to respond to events such as urgent questions, statements and whatever else might happen in the House on the day. Unlike in debates in Government time, it is extraordinary how Back Benchers are aware and respectful of any subsequent debates and of the number of Members who have put their name down to speak. When time limits are imposed, Members take less time in order to allow others into the debate and to shorten the debate in order to allow the following debate enough time to be heard. We all know that, if we started to timetable our debates, that would no longer happen. When debates are timetabled, we fill that time. We go to the limit of the time that is permitted. That would take away something from the Backbench Business Committee that is working extremely well and that makes Back-Bench debates flexible.

The proposals could make the situation worse, which is why I oppose them. At the same time, I welcome the spirit in which the report was written and in which the motions were tabled by the Procedure Committee.

I take nothing away from any of that. I ask the hon. Member for Broxbourne to leave the door open so that, if I am wrong and there are problems of this nature in the future, we will be able to return to the Procedure Committee and ask it to table motions for us to help us out. I would appreciate that enormously. I am glad that he has said he will not press these matters to a vote today, because our two Committees work very well together to represent the best interests of the wide variety of Back Benchers in this House. I am therefore grateful that he has taken such a conciliatory attitude this evening.

10.29 pm

John Hemming (Birmingham, Yardley) (LD): I am in the unusual position of having divided loyalties, being a member of the Procedure Committee and of the Backbench Business Committee. In this instance, however, I support the Procedure Committee, because I wish to see more power for Parliament and less for the Executive.

I do not think that the question of the number of days per year is a massive issue of principle. If a Parliament were to have a forced caesarean, which none of us would want to see, rather than its normal gestation period, a reduction in the number of days would not be a big issue. It is entirely reasonable to have a system in Standing Orders that means that if Parliament goes on for a longer period, there is no need to come to say, "We need more time" and it is automatically delivered. That is a fair way of working. It is not a big issue of principle.

The second matter involves more of an issue of principle. The point is simple: why do only the Executive have the power to timetable Parliament and Parliament cannot timetable itself? Let us consider the changes that have happened since the Wright report. The first change meant that the Backbench Business Committee was accountable not to Parliament as a whole, but to the political groups—again, that increased the power of the Executive. Our proposal is to give the Backbench Business Committee a power—if it does not work, it does not have to be used—that is currently held only by the Executive. That is an important step forward, and it would give Parliament a power that it currently does not have.

Mr James Gray (North Wiltshire) (Con): I am listening carefully to what the hon. Gentleman is saying. Is he not struck by the argument put forward by the hon. Member for North East Derbyshire (Natascha Engel) a moment ago—if there is a timetable and a time by which the debate must end, that will become not the terminus ad quem, but something towards which we work? We will fill the time up to that point. She made a particularly good point.

John Hemming: The hon. Lady made a good point if we exercise the power. The idea is not that every debate should be timetabled; it is that the Committee should have this power. Her argument was that perhaps that power might be needed in the future, but we could give the Committee that power to use if it sees fit. Instead she recommends that the discretion should not be there. In the interests of democracy and of increasing the power of the representatives of the people—Parliament—and reducing the power of the Executive, that power should be given to the Committee and not just limited to the Executive.

Natascha Engel: That was not quite what I said. I said that if we were given the power, Members would demand it. I am worried that if we are given the power, that is what Members will constantly want and then the time will become filled to the timetable rather than by what is needed.

John Hemming: Members will only want it if they see a need for it. The Committee will have discretion over whether to give that power. As I said, this issue comes down to where someone sees the power resting between the Executive and the legislature. My view is that democracy is important and that we should give power to the legislature.

10.32 pm

Mr Philip Hollobone (Kettering) (Con): I congratulate the Chairman of the Procedure Committee, my hon. Friend the Member for Broxbourne (Mr Walker), on the way in which he opened this debate, and the Chairman of the Backbench Business Committee, the hon. Member for North East Derbyshire (Natascha Engel), on the way in which she responded.

If any Members present are regretting this debate taking place, they have only themselves to blame, because the House in its order of 26 November said that this motion should be debated for 90 minutes at the close of play today. Members should have objected to that at the time if they disagreed. The Chairman of the Procedure Committee says that he will not press the motion to a vote, so does he intend to withdraw it rather than just concede defeat to the Government amendments?

Mr Walker: My hon. Friend has identified my own weaknesses in matters of procedure. My understanding is that I will allow the Government amendments to go forward unchallenged, because Mr Speaker's intention was to put the amendments to the House. If I am wrong about that, I apologise, and my hon. Friend has exposed me as a charlatan and a fraud as Chairman of the Procedure Committee.

Mr Hollobone: I know for a certain fact that my hon. Friend is not a charlatan and a fraud.

Jacob Rees-Mogg (North East Somerset) (Con): On a point of order, Mr Speaker. Is it in order for an hon. Member to refer even to himself, who is by virtue an honourable Member, as a charlatan and a fraud?

Mr Speaker: It is not disorderly, but it is an example of unwarranted self-flagellation.

Mr Hollobone: I know for a certain fact that my hon. Friend the Member for Broxbourne is not a charlatan and a fraud. I very much hope that he withdraws his motion, because then the Government amendments could not be passed.

John Hemming: The hon. Gentleman made the point just before accepting my intervention: if the motion is withdrawn, the Government amendments cannot be passed. However, then we would not have any changes at all. It is a question for the House as to whether the House divides; it is not a question for the Chairman of a particular Committee.

Mr Hollobone: I strongly encourage my hon. Friend the Member for Broxbourne to withdraw his motion at the appropriate point and to come back to this matter on another day.

Jacob Rees-Mogg: As I understand it, Mr Speaker, for a motion to be withdrawn, it requires the consent of the whole House, and one Member opposing it can stop that withdrawal taking place. It is too late for my hon. Friend, the Chairman of the Procedure Committee, to withdraw his motion.

Mr Speaker: The hon. Gentleman's understanding is correct. The motion is now owned by the House, and withdrawal of it would require the assent of the House. It cannot be summarily withdrawn.

Mr Hollobone: In that case, I encourage my hon. Friend to seek the leave of the House to withdraw the motion. I gently say to him and to the hon. Member for North East Derbyshire that if ever the Procedure Committee and the Backbench Business Committee come to the Floor of the House divided on an issue, they are effectively allowing the Executive to walk all over both of them, which is a great shame as far as the whole House is concerned.

I disagree with the hon. Member for North East Derbyshire about her worries over the 35 days. I simply do not trust the Executive, whoever they might be, to honour their commitment to give 35 days to the Backbench Business Committee. There might be all sorts of excuses that a re-elected coalition Government, a majority Conservative Government or indeed a Labour Government might give to the House about not sticking to that ruling. In a Session longer than a calendar year, it would be very tempting, especially for an incoming Government, to seek not to give a pro rata adjustment to the Backbench Business Committee's allocation of time.

We have not spoken very much about the Select Committee statements motion, but I have some concerns about how it has been drafted. It says in paragraph (1)(a) of the proposed Standing Order that

"the Backbench Business Committee may determine that a statement will be made on the publication of a select committee report or announcement of an inquiry."

It does not make it clear that the Committee would do that only in response to a request from the relevant Select Committee. As I read that proposed Standing Order, the Backbench Business Committee could force a Select Committee to make a statement on the publication of one of its reports. I am sure that that is not the intention of the Backbench Business Committee for all the reasons that the hon. Lady outlined about its not seeking to become more powerful than it should be, but the way that the motion is drafted would give the Backbench Business Committee the power to do that, although I am sure it is not requesting it.

In paragraph (4) of the Select Committee statements motion, it says, in relation to the time given to such a statement, that

"no question"—

on the statement—

"shall be taken after the end of any period specified by the Backbench Business Committee or the Liaison Committee in its determination."

I do not agree with that, Mr Speaker. When we have statements on the Floor of the House from Ministers, you, through your wisdom, decide how long that statement should run, and you do that by seeing how many Members of the House are standing to ask questions. Sometimes those statement do not include all the Members who want to ask questions; sometimes they run for a very long time indeed. The point is that the allocation of time is not specified beforehand. It is in your wisdom and at your discretion how long a statement should last. If, under the proposed procedure, the Backbench Business Committee allows a statement on a Select Committee publication to take place, either in this Chamber or in Westminster Hall, it should be up to Mr Speaker, the Deputy Speaker or the Chairman in Westminster Hall to decide how long that statement should run depending on the level of interest in it shown by those Members who are standing to ask questions. I am disappointed in the rather sloppy wording of the Select Committee statements motion. The point about how long statements should run has been missed, and I am very worried that if we have an extended Session of Parliament the Government will not necessarily provide the pro rata entitlement to the Backbench Business Committee that this House would like.

10.39 pm

Mr David Nuttall (Bury North) (Con): I do not intend to go through the motions again, because the House has already heard about them in detail, but I want to place on record that it was not the intention of the Procedure Committee to fall out in any way with the Backbench Business Committee. If the hon. Member for North East Derbyshire (Natascha Engel) does not mind my saying so, we were only trying to be helpful. In many ways, it is a sadness and a disappointment that our attempt to be helpful has resulted in a debate that might appear to an onlooker to be a dispute between the two Committees. That certainly was not the intention of the Procedure Committee and, to be fair to my hon. Friend the Member for Birmingham, Yardley (John Hemming), I am sure that with his two hats on he would have made it clear if he thought that we were going down the wrong track. These are permissive powers, but I have listened carefully to the hon. Lady's arguments and they have some merit. If at any point in the future the hon. Lady and her Committee feel that the Procedure Committee can be helpful by introducing some changes, I for one would be amenable to suggesting that we gave that request careful consideration.

I have just listened carefully to the comments made by my hon. Friend the Member for Kettering (Mr Hollobone) and to his concerns about the proposed new Standing Order on Select Committee statements. I am inclined to agree that paragraph (1)(a) suggests that the Backbench Business Committee would have the authority to demand a statement and I wonder whether, even at this late stage, we might receive from the Leader of the House an oral clarification or even a manuscript amendment with which the whole House could agree that would put the words "if requested" after the words "may determine" in line 4. That might deal with that concern.

Finally, my hon. Friend the Member for Kettering raised a concern about paragraph (4), which states:

"The Member making a statement may answer questions on it asked by Members called by the Chair, but no question shall

be taken after the end of any period specified by the Backbench Business Committee or the Liaison Committee in its determination.”

When I read that the first time, I wondered whether it meant that there would be no vote on the statement as no question would be put to the House. I am inclined to agree with my hon. Friend that hon. Members on both sides of the House would expect that the sensible convention that has grown up under your chairmanship and since I have been a Member of this House, Mr Speaker, that as many Members as possible given the circumstances are allowed to question a Minister—or, in this case, the Chairman of a Select Committee—after a statement has been made should continue if at all possible.

10.43 pm

Mr Bernard Jenkin (Harwich and North Essex) (Con): I thank my hon. Friend the Member for Broxbourne (Mr Walker), the Chairman of the Procedure Committee, and the hon. Member for North East Derbyshire (Natascha Engel), the Chairman of the Backbench Business Committee, who have tabled these motions. I thoroughly support the changes to the arrangements for Select Committee statements in this House and in Westminster Hall. They will be much more practical, there will be much more discipline and flexibility and Select Committees will be able to make far more statements about the reports we produce, which can only be good for the profile of Select Committees and for understanding in the House of the work that Select Committees do.

On the other matter before us, it pains me that the most reasonable and sensible proposals that are brought forward—for example, on the House’s ability to manage its time in its own way—are still rejected by the Government. I will be very interested to hear what my right hon. Friend the Deputy Leader of the House says about that. When it comes to any proposal that started with the Wright Committee, getting people to accept reform has been like pulling teeth. We have come so far from the days when the House really controlled its own time.

The principle of the Wright Committee was that the Government are entitled to be able to obtain their business. I do not know why the Government have to micro-manage the time of the House to such an extent when there is no threat to their ability to obtain their business. So capable are modern Governments of obtaining their business that the House sits shorter days than at any time since before the first world war. The idea that the House sits for too many hours, or too late into the night, or that debates go on for too long, is an absolute travesty. We now have so many timed and curtailed debates, and so many truncated speeches. *[Interruption.]* I make no apology for provoking my right hon. Friend the Leader of the House into pointing at the clock, because it is rare for us to debate something that is important to the House, rather than the Government.

The authors of the Government amendments are standing against the tide of history. The British people want the House to have more, not less, power. They want more, not less, accountability. This is a tiny change to enable the House to ensure that things are debated in good time and in good order. I am interested to know the arguments against the proposals, which were unanimously supported by the Procedure Committee. I rather suspect that on both Front Benches, there is something of a reflex action against the Backbench Business Committee obtaining more discretion and influence over the way in which the House is run.

Mr Gray: Does my hon. Friend feel that this evening’s activities bode well for the oft-promised introduction of a House business Committee?

Mr Jenkin: I suspect that if I moved on to the question of the introduction of a House business Committee, Mr Speaker, you might begin to twitch and suggest that I was straying beyond the remit of the motions before us. I see absolutely no sign that the Government will fulfil their commitment, written into the coalition agreement, that after three years, a House business Committee would be established. Perhaps the Front Benchers could say today when they plan to table motions to do that.

It is worth reminding hon. Members that we in this House have no power to lay a motion before the House to change Standing Orders. We are entirely dependent on the Front Benchers’ beneficence in tabling motions to make such changes. That power was lost much more recently than people imagine; I cannot remember the exact date, but it was long after the beginning of the timetabling of business at the time of the Home Rule debates in the 19th century.

Mr Hollobone: My hon. Friend makes an extremely good point. Indeed, item 21 in today’s Order Paper is a helpful list of adjournment dates for the House going all the way through to the end of 2014, but it is an item about which there is no debate allowed whatever. It has been put on the Order Paper by the Executive, and the House is not even allowed to debate it.

Mr Jenkin: I have some sympathy with the idea that we do not debate everything that is on the Order Paper, because there is so much on a modern Order Paper that we would be here 24 hours a day, 365 days a year, if we did. However, it should be for this House to decide what is debated and what is important. It should not be stitched up between the two Front-Bench teams, or laid down by the Government of the day. We respect and fully understand the principle that any Government must be able to obtain their business, but the ability to manipulate the Order Paper in their interests is surely not right for a modern Parliament in a modern democracy in which people expect more accountability and more debate on important matters.

Finally, I counsel my hon. Friend the Member for Broxbourne, in whose name the motion stands, that he would be well within his rights to beg to ask leave to withdraw the motion. The Backbench Business Committee will continue to sit in public regardless of whether or not a Standing Order requires it to do so. This exercise has therefore become rather otiose, because of the Government’s amendments. If he begs to ask leave to withdraw the motion, I think that he will be making the point that the Government have made this exercise rather pointless.

10.50 pm

Angela Smith (Penistone and Stocksbridge) (Lab): I rise to support the motion on Select Committee statements and to offer our support to the Chair of the Backbench Business Committee, my hon. Friend the Member for North East Derbyshire (Natascha Engel), in relation to the amendments to the motion that was tabled by the Chair of the Procedure Committee, the hon. Member

[Angela Smith]

for Broxbourne (Mr Walker), which stand in the names of the Leader of the House and the Deputy Leader of the House.

I, too, pay tribute to the hon. Member for Broxbourne for opening the debate and explaining his thinking behind the motion. He is a treasured Member of the House and a staunch defender of Back-Bench Members' rights. He is deeply respected by all Members. On this occasion, however, I am afraid that, despite his erudite explanation of the rationale behind his amendments, we are unable to support them in their entirety, for reasons I will lay before the House shortly.

Before that, I want to acknowledge the Backbench Business Committee, an innovation that arose from the Wright Committee reforms, which has enjoyed a great deal of success since its initiation in 2010. That success has been in no small part due to the tireless work of its Chair and her open-minded approach to the selection of topics to be debated.

Another success of the Wright reforms has been the election of members of Select Committees and their Chairs. There is no doubt that the work of Select Committees has been given more credibility as a consequence of those reforms. How often now do we see the broadcast media giving priority to the coverage of Select Committee hearings? Who can doubt that the Public Accounts Committee, under the steely leadership of my right hon. Friend the Member for Barking (Margaret Hodge), is now seen as a really effective way of holding public services to account for the resources they spend on our behalf.

The changes to Standing Orders recommended in the motion are the next logical step in the process of improving the workings of the House and raising further the profile of the work of our Select Committees. There is no doubt that the present system of allowing Select Committee Chairs to make a statement to the House is cumbersome and that the proposed change to the Standing Orders will make it easier for Members of the House to draw out areas of interest in a Select Committee report by asking the relevant question, rather than by having to intervene. Interventions are good for the cut and thrust of a full-blooded debate, but in our view they are not the most appropriate mechanism for handling what is in effect a statement to the House by a Select Committee.

The proposed new Standing Order will also give the Backbench Business Committee discretion in allocating a specified period of time for a Select Committee statement. The same discretion will be made available to the Liaison Committee in relation to debates in Westminster Hall.

With regard to the amendments to the motion relating to Back-Bench business, we support the first change proposed by the hon. Member for Broxbourne, which would give the Backbench Business Committee the formal power to hear representations from Members of the House in public. My understanding is that that has become the norm. Indeed, I have been present when Members have made representations. I know, because I have seen it myself, that it really works, in the sense that it reflects entirely the slow but welcome progress to ever-greater transparency in this place. It would therefore be helpful to see that practice written into Standing Orders. However, we join the Chair of the Committee and the Leader of the House in opposing a formal

writing into Standing Orders of the principle of extending the number of days made available for Back-Bench business when the parliamentary Session extends beyond the usual year. This did not prove to be an issue in the first Session of this Parliament, which went on for what seemed like an almost interminable two years. We agree that that is unlikely to occur again given the legislation on fixed-term Parliaments that is now on the statute book.

We disagree with the part of the motion that would give the Backbench Business Committee the power to table business motions governing Back-Bench business days. The Chair of the Backbench Business Committee believes that it is important that it should not have the power to table programme motions. Back-Bench business days have always been more flexible and the time has generally been split on the day depending on the number of speakers for debates. This means that Members regulate themselves and almost always have respectful regard for subsequent debates. Her fear, as she clearly articulated, is that if the Committee were to start programming, debates would fill the space they are allocated rather than the space they need.

Mr Hollobone: Does the hon. Lady appreciate the dichotomy in her argument in that she is in favour of flexibility with regard to debates on the Floor of the House but not with regard to how long statements should run in Back-Bench time?

Angela Smith: The Chair of the Backbench Business Committee pointed out that for the greater part of the time Back-Bench business works on a consensual basis. I think she would want that spirit to be reflected in future arrangements rather than having written into Standing Orders a procedure that is unwieldy and may, in effect, start to distort the nature of the business that takes place on these days, which are typically sitting Thursdays.

We agree with this way of continuing Back-Bench business and encourage Members of the House to support the Chair of the Backbench Business Committee and the amendments. Of course, it is up to right hon. and hon. Members to make up their own minds on these changes, but I hope they can be guided by the Committee on these important matters. I am pleased that the Chair of the Procedure Committee has acquiesced in that view. On that basis, I hope that the House will agree to allow the amendments to stand.

10.57 pm

The Deputy Leader of the House of Commons (Tom Brake): I rise to speak on behalf of the Government in support of the motion relating to Select Committee statements and to speak to the motion on Back-Bench business moved by my hon. Friend the Member for Broxbourne (Mr Walker), to which I will wish to move the amendments standing in my name and that of the Leader of the House. I thank him for opening the debate as he did and for clearly setting out the effect of and the thinking behind his motion and for explaining that his moment has not come as the Tea Room was deathly silent in pledging support for it.

I agree with the first paragraph of the motion on providing the Backbench Business Committee with the formal power to hear representations from Members of

the House in public. As my hon. Friend explained, this merely brings Standing Orders into line with the Committee's existing practice. As a regular attender of its public meetings, I can say that they work very well. It is a real advance in this House for Back-Bench Members to be able to bid directly and openly for time to debate subjects of their choosing.

Turning to the rest of the motion, the House will be aware from the Backbench Business Committee's evidence to the Procedure Committee and the Government's response to that Committee's report that we both oppose the proposals for a pro-rata increase in the number of days allocated to the Backbench Business Committee in a parliamentary Session lasting longer than a calendar year and for the Committee to have the power to table business motions. We have tabled amendments to remove these provisions, in support of the Committee's stated views.

I listened carefully to the arguments put forward by the Chair of the Procedure Committee. While I understand the rationale behind the proposals, I do not believe that either is necessary. The first arose partly as a result of the unusually long first Session of this Parliament. We have now passed the Fixed-term Parliaments Act 2011, which ties us, other than in exceptional circumstances, to five-year Parliaments with an election in early May. As a result, a spring-to-spring one-year Session should be the norm, and I do not expect a repeat of the two year Session. If there is one—one can never rule it out—or if a Session extends slightly beyond one year, I assure the House that business managers will take account of the interests of the Backbench Business Committee and the House to ensure a balanced spread of business.

In fact, that is what happened during that long first Session. The Government did not seek to stick to the Standing Order requirement of 35 days, but allocated the Backbench Business Committee 58 days, which was—contrary to the point made by the hon. Member for Kettering (Mr Hollobone)—well above what a simple pro rata increase would have delivered. Members may recall that it took several weeks at the start of the Session for the Backbench Business Committee to become established, during which time the Government provided time for debates that would otherwise have come from their allocation. That demonstrates, as the Chair of the Committee has said, that an element of flexibility is helpful to the House in the unlikely event of future long Sessions.

I hope my hon. Friend the Member for Broxbourne will be able to accept those arguments and the Government amendment. Indeed, he has indicated as much. Should it come to a vote—although I understand that that will not be the case—I hope the House will support our position and that of the Backbench Business Committee and vote in favour of amendment (a), to leave out paragraph (2) of the motion.

On amendment (b) and business motions, I understand the case made by my hon. Friend but, again, the Government do not believe it is necessary to provide the Backbench Business Committee with the power to table business motions governing Back-Bench business days. There is already flexibility for the Committee to indicate on the Order Paper the amount of time it expects each debate to take. In these circumstances, as the Committee Chair has said, Members are generally very good at exercising restraint when necessary and respecting the

interests of others wishing to speak in subsequent debates. The occupant of the Speaker's Chair is also able to encourage Members to lengthen or shorten their speeches or even to impose formal time limits, having regard to the interest shown by Members in contributing to debates. That arrangement has worked very well. It provides maximum discretion for the Backbench Business Committee to organise the business as it sees fit and avoids the rigidity of a business motion.

The House may recall that there have been occasions nearer the start of the Parliament when the Government have provided a business motion at the request of the Procedure Committee and the Backbench Business Committee. It is also true that this Government have never refused a request for a business motion from either Committee. Furthermore, I can assure the House that we will continue to respond positively to similar requests from both Committees in the future.

Mr Jenkin: Has not my right hon. Friend defeated his own argument? If that is always going to be the case, why not let the Backbench Business Committee table the motions itself instead of having to ask his permission? Why does the Backbench Business Committee need to ask the Government's permission for a business motion?

Tom Brake: I thank my hon. Friend for that intervention. He has heard from the Chair of the Backbench Business Committee why she is not seeking that power. The risk is that if it were available, Members would start to exercise it, which would do away with the flexibility she has said is such an advantage to the Committee.

The Chair of the Backbench Business Committee has already said in evidence to the inquiry that she does not think the power is necessary and she cannot see the problem. I agree with her. Again, I hope that, given my assurances and the views of the Committee Chair, my hon. Friend the Member for Broxbourne will accept the Government's amendment—for the moment at least—until things move further and more quickly in the direction he seeks.

I will now turn to Select Committee launches and the motion standing in my name and those of the Leader of the House and the Chairs of the Liaison and the Backbench Business Committees. The motion provides for a new Standing Order governing the procedure relating to Select Committee statements. The Procedure Committee, in its second report of Session 2012-13, supported a new Standing Order for that purpose, an idea proposed by my right hon. Friend the Chief Whip when he was Leader of the House. I am sure he will be pleased that his good ideas continue to come to fruition.

Before briefly describing the effect of the motion, I would like to add that it has been tabled on the basis of much negotiation and discussion. I am grateful to the Chairs of the Liaison and the Backbench Business Committees for adding their names to the motion, signifying the degree of consensus achieved on it.

The Government agree that the present procedure, under which Members may contribute to the short debate by way of intervention only, is rather cumbersome. The launch of a Select Committee inquiry or report is more akin to a ministerial statement than a debate. It therefore makes sense for Members to be able to ask questions of the Member making the statement, rather

[Tom Brake]

than by seeking to intervene during a single speech. That will prove a more natural and convenient way of proceeding.

The proposed new Standing Order gives the Backbench Business Committee full discretion in allocating a specified amount of time to Select Committee statements, which can be set down on any of its allocated days. The Liaison Committee will enjoy a similar discretion in respect of its allocated days in Westminster Hall.

I want to respond to two points made by the hon. Member for Kettering. First, I want to reassure him that paragraph (1)(a) assumes that an application has been made by a Select Committee to the Backbench Business Committee for a statement, so the Backbench Business Committee cannot require one. I hope that he is reassured that the Backbench Business Committee will not force Select Committees to make statements that they do not intend to make.

Secondly, Select Committee launches can last any period determined by the Backbench Business Committee or the Liaison Committee, but they are not obliged to specify a time, and if they do not do so, the launch would be open-ended, and there would not be the constraining mechanism about which the hon. Gentleman expressed concern.

It is important that the House remains able to respond rapidly to new developments so as to be at the centre of political debate. That is why I believe that any Select Committee statements should be made no later than five sitting days after the day on which the report is published or inquiry announced, as provided in the Standing Order. I encourage Select Committees, wherever possible, to continue the current practice of launching reports on the day of publication.

The Select Committee statement provides Select Committees with an excellent opportunity to publicise their work either by launching their inquiries—that practice has found favour in the Scottish Parliament, as my right hon. Friend the Leader of the House found when he visited—or by explaining the contents of their reports to the House.

So far, 13 Committees have made a total of 14 statements. Committees now have the chance to ensure that their work becomes a staple feature of Back-Bench business, although they will have to compete with many other demands for time. No doubt Committees will wish to review how the new arrangements work in due course.

I hope that the House will find that the new Standing Order provides an improved procedure for this innovation. I welcome the support of the deputy shadow Leader of the House and that of the Chair of the Backbench Business Committee on a common position with the Government on these issues this evening. I hope that the House will support that motion when I move it.

Mr Walker: This has been an interesting and wide-ranging debate. I have learned a lot of procedure during its course, and it is good to know that, no matter how inexperienced we are, we can always become more experienced by listening to the wisdom of colleagues. If this is possible and acceptable to the House, I would ask to withdraw the motion on Back-Bench business—I understand that that is acceptable to the Chair of the

Backbench Business Committee—while of course leaving the motion on Select Committee statements alone. I have nothing further to add, but I beg to ask leave to withdraw the motion.

Hon. Members: No.

Mr Speaker: Permission has been refused. [Interruption.] One objection alone suffices, although I think I heard more than one. The hon. Member for Harwich and North Essex (Mr Jenkin) has been gesticulating as to the source of the objection, but that is not a matter of order for the Chair. We now come to the amendments to the motion, which remains the property of the House.

Amendments made: (a), leave out paragraph (2).

Amendment (b), leave out paragraphs (3) and (4).—(Tom Brake.)

Main Question, as amended, put and agreed to.

Resolved,

That:

(1) Standing Order No. 152J (Backbench Business Committee) be amended in line 23, at the end, to add 'and to hear representations from Members of the House in public'.

SELECT COMMITTEE STATEMENTS

Ordered,

That the following new Standing Order be made:

'Select Committee Statements

(1) (a) On any day allotted for proceedings in the House on backbench business (and not being taken in the form of a half-day), or on any Thursday sitting in Westminster Hall other than one to which sub-paragraph (b) applies, the Backbench Business Committee may determine that a statement will be made on the publication of a select committee report or announcement of an inquiry.

(b) The Liaison Committee may determine that such a statement may be made in Westminster Hall on any day appointed under paragraph (15) of Standing Order No. 10 (Sittings in Westminster Hall).

(2) A statement on the publication of a select committee report or announcement of an inquiry—

(a) shall be made by the chair or another member of the select committee acting on its behalf;

(b) shall take place—

(i) in the House, after questions and any ministerial statements, or

(ii) in Westminster Hall, at the commencement of proceedings.

(3) A statement made under paragraph (1) above may not take place later than 5 sitting days after the day on which the report is published or inquiry announced.

(4) The Member making a statement may answer questions on it asked by Members called by the Chair, but no question shall be taken after the end of any period specified by the Backbench Business Committee or the Liaison Committee in its determination'.—(Tom Brake.)

Business without Debate

DELEGATED LEGISLATION

Mr Speaker: With the leave of the House, I shall put motions 7 to 18 together.

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

TAXES

That the draft International Tax Enforcement (Marshall Islands) Order 2013, which was laid before this House on 16 July, be approved.

CORPORATION TAX

That the draft Double Taxation Relief (China) Order 2013, which was laid before this House on 16 July, be approved.

That the draft Double Taxation Relief and International Tax Enforcement (Brunei Darussalam) Order 2013, which was laid before this House on 16 July, be approved.

CAPITAL GAINS TAX

That the draft Double Taxation Relief and International Tax Enforcement (Spain) Order 2013, which was laid before this House on 16 July, be approved.

That the draft Double Taxation Relief and International Tax Enforcement (India) Order 2013, which was laid before this House on 16 July, be approved.

That the draft Double Taxation Relief and International Tax Enforcement (Albania) Order 2013, which was laid before this House on 12 September, be approved.

That the draft Double Taxation Relief and International Tax Enforcement (Panama) Order 2013, which was laid before this House on 12 September, be approved.

That the draft Double Taxation Relief and International Tax Enforcement (Norway) Order 2013, which was laid before this House on 12 September, be approved.

That the draft Double Taxation Relief (Netherlands) Order 2013, which was laid before this House on 12 September, be approved.

TAXES

That the draft Double Taxation Relief and International Tax Enforcement (Isle of Man) Order 2013, which was laid before this House on 25 October, be approved.

CAPITAL GAINS TAX

That the draft International Tax Enforcement (Jersey) Order 2013, which was laid before this House on 25 October, be approved

That the draft International Tax Enforcement (Guernsey) Order 2013, which was laid before this House on 25 October, be approved.—(*Claire Perry.*)

Question agreed to.

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

BETTING, GAMING AND LOTTERIES

That the draft Categories of Gaming Machine (Amendment) Regulations 2014, which were laid before this House on 15 October, be approved.—(*Claire Perry.*)

The Speaker's opinion as to the decision of the Question being challenged, the Division was deferred until Wednesday 4 December (Standing Order No. 41A).

BUSINESS OF THE HOUSE (4 DECEMBER)

Ordered,

That at the sitting on Wednesday 4 December paragraph (2) of Standing Order No. 31 (Questions on amendments) shall apply to the Motion in the name of Edward Miliband as if the day were an Opposition Day; proceedings on the Motion may continue, though opposed, for three hours and shall then lapse if not previously disposed of; and Standing Order No. 41A (Deferred divisions) shall not apply.—(*Mr Lansley.*)

ADJOURNMENT (FEBRUARY, EASTER, MAY DAY, WHITSUN, SUMMER, CONFERENCE RECESS, NOVEMBER AND CHRISTMAS)

Motion made, and Question put forthwith (Standing Order No. 25),

That this House—

(1) at its rising on Thursday 13 February 2014, do adjourn until Monday 24 February 2014;

(2) at its rising on Thursday 10 April 2014, do adjourn until Monday 28 April 2014;

(3) at its rising on Thursday 1 May 2014, do adjourn until Tuesday 6 May 2014;

(4) at its rising on Thursday 22 May 2014, do adjourn until Monday 2 June 2014;

(5) at its rising on Tuesday 22 July 2014, do adjourn until Monday 1 September 2014;

(6) at its rising on Thursday 11 September 2014, do adjourn until Monday 13 October 2014;

(7) at its rising on Tuesday 11 November 2014, do adjourn until Monday 17 November 2014; and

(8) at its rising on Thursday 18 December 2014, do adjourn until Monday 5 January 2015.—(*Mr Lansley.*)

Question agreed to.

Deaths in Custody (Black People)

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

11.11 pm

Mr Charles Walker (Broxbourne) (Con): On 27 June, I was invited by Matilda MacAttram, of Black Mental Health UK, to attend a conference in Wolverhampton. I did not know what to expect, but this was a woman I liked and trusted immensely, so I travelled up to Wolverhampton for a conference on deaths in custody. It was an extraordinary, moving and profound occasion. The conference comprised men and women, most of whom had lost sons, grandsons and nephews in custody, either in a mental health or a police setting. They bore their grief with great dignity and fortitude, but there was huge upset and anger in the room at how they had been treated by the establishment, by the system. I shall come to that in a moment.

Many relatives of the deceased bore witness to their treatment at the hands of the state and of authorities that we should trust. It was gruelling to hear. I am afraid that much of the commentary focused on the treatment meted out by certain police officers and the Independent Police Complaints Commission. I do not want this to be an attack on the police, so I want to say this now: there were many senior police officers at the conference, and the pain was etched on their faces as they listened to the experiences that families had been put through by some of their colleagues in the police force. It was a terribly moving day, but as I said, there were some very good police officers there. The police must be part of the solution, so we need to take them with us.

African-Caribbeans account for about 3% of the population of this country, but approximately 20% of deaths in custody. This has been a running sore and an open wound for 30 years, and it is incumbent on us, the political class, to address it, because if we do not, whatever side of the House we are on, we have no hope of engaging with this community constructively. They have lost trust in us. When I was preparing for this debate, I talked to several journalists, and one of them said, “But Mr Walker, isn’t it just about racism? Isn’t this an issue of racism?”, and I said, “Well, racism is an ugly, ugly word. It is a word I do not want to ascribe to people I do not know or institutions I am not experienced of”. But let me say this: for the past 30 years, since I became an adult, I have been aware of grieving black families on the steps of courts or inquests flashing across my television screen. I have seen the faces of those families and the young men they are mourning flash across my television screen, and up until this point I have chosen to do nothing. Now I am standing up and trying to do something. I may want to ask others this question, but I have to answer it: why, for 25 or 30 years, did I do nothing? Until I answer that question satisfactorily, I will not cast aspersions on others.

Another person said, “But Charles, you are talking about deaths in custody. You are a white male, why are you talking specifically about black people?” Well, I feel there is something very egregious about the treatment of black people in custody and detained environments. Any death in custody is regrettable, sad and tragic, but I am speaking as a parent because I think about what

would happen if it were my son or—hopefully—when I am a grandfather, my grandson. It would be too much to bear.

I have been helped to prepare for tonight by some fabulous people—I have mentioned Matilda MacAttram, and Lord Victor Adebawale has done great work with the police on restraint and how we look after people in a mental health crisis in a detained environment. I also pay tribute to Deborah Coles of Inquest who has been extraordinarily generous in the time she has given me when preparing for this debate. I know that I will not do this subject justice this evening, but at least I can start to do my bit.

We must address the whole system of inquests. In June I met families in Wolverhampton who had waited six, seven or eight years for an inquest into the death of their child, their brother. That is wholly unacceptable. I know the Government are committed to holding inquests in good time, but many families are still waiting for two or three years. We must ensure that inquests happen in good time, but an inquest is only as good as the information presented to it, so we must ensure that inquests deal with good information.

We must address the fact that police officers are not required to answer questions put to them by the Independent Police Complaints Commission. That is simply ridiculous; I am aware that many senior police officers in the Association of Chief Police Officers believe it is a nonsense and needs to be addressed. We must also have equality of arms. When there is a death in detention, the various parties of the state have legal representation—the mental health trust, the police, the chief constable may have legal representation, all funded by the taxpayer. The family of the deceased, however, will too often have their finances gone through with a fine toothcomb—not just the parents, but grandparents, aunts, uncles and extended family—to see whether they should pay for some or all of their legal costs. That is a disgraceful way to treat a mourning family, and if we do nothing else, it is incumbent on this House to end that inequality in arms.

When someone dies in a mental health setting, as opposed to a police custody environment, we must ensure an independent investigation that carries the confidence of the family of the deceased and the wider community. Let us be in no doubt about the sense of anger and frustration at the current state of play. I do not know how we do this in law, but we must also end the culture of briefings. When someone dies in custody, the organisation that had responsibility for that individual’s care and safety can go into a sort of institutional meltdown and lockdown. It goes into a default position of getting its side of the story across, and the names and reputations of good young men are trashed in such a way that that becomes the accepted narrative—“Because the inquest is so far away, if we go on and paint a wholly false picture of this young man, that will become the accepted story.”

Can one imagine how it affects a grieving family—the weaker party in all this—to see the reputation of their son, grandson or nephew destroyed, and they have no right of reply? I do not know how we do that in law, but off-the-record, unofficial briefings should be regarded as acts of gross misconduct, and those that participate in and promote them should lose their jobs.

An issue of great importance to Black Mental Health UK is the use of face-down restraint, which is a very aggressive way of controlling someone who is distressed.

Too often it can cause severe physical damage and can kill. We in this House should be in no doubt about the importance of this issue to those in the African-Caribbean community. They feel that it is used disproportionately on their young men, and we need to address that concern in a serious way.

I want to go back to the need for inquests. I am dealing with one family whose son called the police—there was a domestic dispute and he felt that he and his child were being threatened—and ended up being arrested. He was taken to a detained mental health environment. His sister came to see him. He said, “Please get me out of here. If you don’t, they will kill me.” He was dead the next day. It took the family a year and a half to recover the body of their son and brother. When they did recover his body, it was beaten, bruised and covered in Taser marks. That is a tragedy. I can understand why that upsets people so much. It upsets me today and I know that it upsets my colleagues who are here for the debate.

I do not pretend to understand the African-Caribbean community, but from the people who came to see me there is a total loss of trust in the establishment. There is a feeling that for the past 30 years we have allowed the causes of these deaths to go unaddressed. Somehow, we have turned away. The establishment has turned its back; it has chosen to walk on the other side of the road. If we are to bring the community closer to us we need to understand the sense of hurt we in this place, and the institutions of the state, have caused. The healing process needs to start at the very top. We need the Prime Minister and the Leader of the Opposition to stand up and say, “I want to hear your stories. I want to listen. I am so sorry that we allowed this to happen for so long. Please tell us your experiences and let us work together to ensure that we do not allow these injustices to continue.”

When I left the conference in Wolverhampton on 27 June I had one overriding emotion as I sat on the train: I felt ashamed that the country I love so much, and which has given me so much, could let a group of good people down so badly. It is quite something to have that emotion at the age of 45. I always knew that we do not live in a perfect place, but I always thought that it was a good place and that, if challenged, this country did the right thing. We have not done the right thing by the African-Caribbean community. All is not lost: we have the opportunity to do the right thing. I know I have not done this subject justice, but I hope that the Government hear the growing number of voices from all communities and lead the nation to a better place.

Mr David Lammy (Tottenham) (Lab): I congratulate the hon. Gentleman on the way in which he has made his remarks on this very important issue. Does he agree that one of the great sores in this debate is not just that no police officers have been prosecuted for the many deaths—hundreds—that have taken place in the past 20 years or so, but that the police continue effectively to investigate themselves because so many IPCC staff are police officers? That issue continues to be raised consistently in relation to deaths in police custody.

Mr Walker: I thank the right hon. Gentleman for his intervention. I am aware that since 1991, although there have been nine verdicts of unlawful death passed

down by inquest courts, there has not been a single successful prosecution. When I was at the conference at Wolverhampton and heard Dame Anne Owers of the Independent Police Complaints Commission present, I felt that perhaps the organisation was not fit for purpose. I had this terrible vision that this was the Care Quality Commission in front of me—we know that it is trying to address the failings of the past—but I felt that the IPCC was not in a good place. Now it is under new leadership, but I fear that it has so much ground to make up that it will never recover the credibility required to make it the force it should be.

With that, I shall conclude. I know that the hon. Member for Hackney North and Stoke Newington (Ms Abbott) is going to say a few words.

11.25 pm

Ms Diane Abbott (Hackney North and Stoke Newington) (Lab): The hon. Member for Broxbourne (Mr Walker) has hit on one very important issue—the pain that this matter causes among communities. Deaths in custody have been an issue in the east end of London for the 25-plus years I have been a Member of Parliament. A number of names come to mind—Trevor Monerville and Shiji Lapite, for example. A number of aspects of the issue of deaths in custody cause pain in communities, one of which is the disproportionate number of such deaths in the black and the Irish communities. Another is the briefing that has always gone on in the wake of a death in custody—that the dead person had drugs in their system, for example. Then, months later, the facts emerge and we find that the briefing was completely misleading.

There is no sadder thing—I have had to do it more times than I care to remember—than sitting with a woman who said goodbye to her son in the morning and later that night had a call from the police to say that he had died in their care. The hon. Member for Broxbourne is quite right that this is not an issue for any one community; it is an issue for the political class as a whole, which has not been prepared to listen to communities and families that remain in great pain—very often for years after these deaths happen.

11.26 pm

The Minister for Policing, Criminal Justice and Victims (Damian Green): I thank my hon. Friend the Member for Broxbourne (Mr Walker), the hon. Member for Hackney North and Stoke Newington (Ms Abbott) and, indeed, the right hon. Member for Tottenham (Mr Lammy) for their powerful speeches and remarks. They are powerful because every death in police custody—irrespective of race, ethnicity or nationality—is a tragedy that this Government take very seriously. Every effort should be made by the police to ensure that those they come into contact with are treated proportionately, humanely and lawfully, and that their personal well-being is of paramount importance when they are detained against their will in whatever custody setting.

This debate has focused particularly on the treatment of black people in police custody, and I would like to go through a number of important points that my hon. Friend made, starting with his remark that the number of black people of Afro-Caribbean origin dying in police custody is disproportionately high, when the

[Damian Green]

overall population is taken into account. In that regard, we need to step back. Looking at custody populations as a whole, we see that there is an over-representation of black people. The reasons for this are complex and at this stage we do not fully understand them. Indeed, there appears to be an over-representation of black people across the whole of the criminal justice system. The Ministry of Justice is conducting work to look more closely at the reasons for this, identifying where there is real disproportionality in the system and seeking to develop an appropriate response to it. That is where the disproportionality lies; it is not necessarily, as in the most tragic cases, only the deaths of black people in police custody that are relevant.

There is no statistically significant difference among those who die in custody based on membership of any particular racial or ethnic group. The IPCC statistics for 2012-13 show that there were 15 deaths in or following police custody, of which 14 were white and one was mixed race. Looking further back at the 2011-12 period, there were also 15 deaths, of which one was a black person and one of mixed race. The 2011 IPCC report on long-term deaths in police custody concluded that the ethnic breakdown of deaths in custody appeared to be broadly in line with the make-up of detainees more generally. I entirely accept that there is disproportionality in the criminal justice system, but it does not occur only in the context of deaths in custody.

My hon. Friend the Member for Broxbourne rightly raised the issue of mental health and policing. I am aware that black people are one and a half times more likely to be detained under section 136 of the Mental Health Act 1983. In response to the fact that such a high proportion of people with mental health problems—and of all or any racial origins—are being dealt with by the police, we have introduced a series of measures to improve the way in which they are handled.

People with mental health problems deserve care, support and treatment, particularly if they have not committed a criminal act. They have a right to expect to be treated by the health service rather than finding themselves in the hands of the police, who will always go to help in an emergency, but who are clearly not trained as mental health professionals. The Home Office has been conferring closely with the Department of Health, and we will shortly publish a concordat agreed by nearly 30 national organisations, agencies and Departments. It will provide national leadership by setting out the standard of response that people suffering mental health crises and requiring urgent care should expect, and key principles on the basis of which local health and criminal justice partners should be organised. It will leave not just the health service but the criminal justice agencies in no doubt about what is expected of them. It is precisely because a disproportionate number of black people are finding themselves sectioned under mental health legislation that the coming improvements in mental health provision will have a particular impact on those people.

One of the standard—and perfectly correct—complaints is that too often the police are relied on to transport people who would be better transported by ambulance. The Association of Ambulance Chief Executives is drawing up a national protocol on the transport of

people suffering mental health crises—section 136 detainees—which I hope and expect will act as a catalyst for wider change and improvements.

The underlying point made by my hon. Friend was that any death in custody is one too many. Of course there needs to be continuous scrutiny, and work of that nature is now overseen by the Ministerial Council on Deaths in Custody. The council was established in 2009, and was initially intended to exist for three years. However, we have demonstrated our commitment to this essential work by agreeing to fund it for a further three years.

Richard Fuller (Bedford) (Con): My right hon. Friend has heard from my hon. Friend the Member for Broxbourne (Mr Walker) and from the hon. Member for Hackney North and Stoke Newington (Ms Abbott) about a long-term trend. He talks of changes happening, but, given that the trend has been continuing for a long time, can he give us an assurance that change will indeed come? Change is often promised, but it rarely comes into effect. I think that tonight's debate is about change actually occurring, rather than being promised.

Damian Green: My hon. Friend has made a valid point. I hope to explain to him in a moment about the changes that are happening and those that have already happened, but let me first say a little more about the Ministerial Council on Deaths in Custody, because it is an extremely important institution. As well as a practitioner and stakeholder group, it has an independent advisory panel on deaths in custody. The panel has just created a two-year research project for the University of Greenwich, which will deal systematically with a number of the current problems. The university will conduct a review of the role of mental illness and deaths in all state custody, and an evaluation of the efficacy of information sharing between youth offending teams and the secure estate in relation to the assessment and management of the risk of self-harm and suicide among children and young people. Tonight's debate, and other conversations in which I have taken part, suggest to me that I should consider whether the ethnicity of individuals who lose their lives in custody should also be included in that research project.

Let me move on to the changes and the specifics. My hon. Friend the Member for Broxbourne had some harsh words to say about the IPCC, which must be notified of any death that occurs in police custody. Following the investigation into the death of Sean Rigg and the findings of the Home Affairs Committee inquiry into the IPCC, it is carrying out a review into how deaths in, or following, police custody are investigated. A progress report was published in September, and the final report is due to be published next year.

Changes are happening. The Anti-social Behaviour, Crime and Policing Bill includes new powers for the IPCC, which it has requested to strengthen its remit and functions. I agree with my hon. Friend that it has not been a perfect institution in the past. It has had failings, so we have strengthened its functions and we have increased its funding. The functions include powers to enable the IPCC to recommend and direct that a police force instigates unsatisfactory performance procedures in cases that involve death or serious injury. It will have extra resources from the police, too.

My hon. Friend mentioned the time it has taken for the deceased to be returned to their families as a result of inquests. Under the Coroners (Investigations) Regulations 2013, which came into force in July as part of a package of reforms, coroners must release the body of the deceased for burial or cremation as soon as possible. If the coroner cannot release the body within 28 days, he or she must notify the known next of kin or personal representative of the reasons for the delay. When there is a criminal investigation into the death, there may be more than one post-mortem examination, but the coroner will make every effort for the body to be released at the earliest opportunity.

I should also draw the House's attention to the recent appointment of His Honour Judge Peter Thornton QC as the first chief coroner of England and Wales, who is playing a key part in setting new national standards in the coroner system. I hope that will have a direct effect on the important questions we are debating tonight.

My hon. Friend talked about the requirement for police officers to answer questions posed to them by the IPCC. In December last year the Government brought forward emergency legislation to ensure police officers were required to attend interviews when requested by the IPCC. If we went further, as my hon. Friend suggested, and compelled police officers to answer questions in criminal investigations, that would put them in a worse position than members of the public, who have to attend but are not required to answer questions. It would seem perverse to have fewer rights for police officers than for other members of the public.

My hon. Friend also talked about the end of face-down restraint. In health settings, this is obviously a matter for the Department of Health. I understand it plans to end its use in health settings, which I am sure will be extremely welcome to my hon. Friend.

My hon. Friend and the hon. Member for Hackney North and Stoke Newington talked about the practice of off-the-record briefings, which can often stain the reputation of someone in a way that persists even when it is unjustified. The Leveson inquiry reset and clarified the boundaries of the relationship between the police

and the media and covered recommendations relating precisely to off-the-record briefings. The Government have accepted all the recommendations relating to the police and, together with partners, are continuing to implement them.

My hon. Friend also talked about equality of representation. I would simply say that inquests are not trials. Unlike other proceedings for which legal aid might be available, there are no parties in inquests, only interested persons, and witnesses are not expected to present legal arguments. Legal advice and assistance before the inquest hearing via the legal help scheme is available to interested persons. Legal help can be used, for example, to assist in the preparation of a list of written questions that they wish the coroner to explore with other witnesses.

My hon. Friend also talked about the independent investigation of deaths in NHS mental health settings, as opposed to police settings. NHS England is working to make the investigation of deaths in hospital settings more independent. The work will conclude shortly, and guidance to NHS commissioners will be published early in the new year. I hope that he can therefore see that, across the board in this sensitive and vital area, there is a significant amount of change.

I want to conclude by reassuring the House that the Government are working to ensure that people are treated proportionately and humanely when in police custody. The number of people losing their lives in police custody has fallen. In 1998-99, there were 49 deaths; last year there were 15, and there were the same number this year. However, there is still a lot of work to be done. I can absolutely assure the House that, through the Ministerial Council on Deaths in Custody, and through working with other Government Departments, campaign groups and, indeed, the families of the deceased, I will make sure that this issue remains high on the Government's list of priorities.

Question put and agreed to.

11.40 pm

House adjourned.

Written Statements

Monday 2 December 2013

EDUCATION

Education Reform: National Curriculum

The Secretary of State for Education (Michael Gove): On 11 September 2013, I published the new national curriculum for all subjects except for English, mathematics and science at key stage 4.

Today, I am publishing for consultation the programmes of study for English and mathematics at key stage 4. The consultation will run until 3 February 2014. On 1 November we published the new GCSE subject content for English language, English literature and mathematics. It is important to consider these programmes of study alongside the GCSE subject content to ensure that the curriculum and qualifications are fully coherent.

The programme of study in mathematics at key stage 4 is more challenging. It has been drafted by experts to ensure that it sets expectations that match those in the highest performing jurisdictions. There is broader and deeper mathematical content with a focus on application of mathematical knowledge and skills to solve problems. The content is closely aligned to GCSE content. More challenging content specifically for higher achieving students is explicitly identified. There is a focus on consolidation and building on key stage 3, emphasising that mathematics is an interconnected subject. The proposals will provide better preparation for post-16 mathematics by providing foundations for advanced topics like calculus.

In English, the programme of study has been strengthened to ensure all pupils read a wide range of high-quality, challenging and classic English literature. There is a renewed focus on the reading of whole texts which should include at least one play by Shakespeare, works from the 19th, 20th and 21st centuries and poetry since 1789, including romantic poetry. The language requirement is also more demanding and pupils will be expected to speak fluently and use linguistic and literary terminology effectively and confidently in their written and spoken English.

The programmes of study for English and mathematics will be introduced from September 2015, alongside first teaching of the new qualifications. We will be consulting on science at key stage 4 in the spring of 2014 in line with the timetable for the development of the new science qualifications.

Copies of the consultation on programmes of study for key stage 4 English and mathematics will be placed in Libraries of both Houses.

ENVIRONMENT, FOOD AND RURAL AFFAIRS

Bovine TB

The Secretary of State for Environment, Food and Rural Affairs (Mr Owen Paterson): A key element in the comprehensive strategy this Government are finalising to eradicate bovine TB (bTB) in England within 25 years is successfully tackling the disease reservoir in the badger population.

Culling is only one part of our approach to tackle the spread of TB. We are using every tool available including tougher movement controls for cattle (the latest of which I announced to the House on 28 November, 2013, *Official Report*, column 23WS), better biosecurity on farms and working to develop effective and usable cattle and badger vaccines. We continue to make good progress on all aspects of our draft strategy to eradicate the disease in England within 25 years.

The two badger control pilots, in Somerset and Gloucestershire, were designed to test the assumption that controlled shooting is a safe, humane and effective means of reducing badger numbers.

Natural England granted an eight-week extension in Gloucestershire on 23 October, in line with the chief veterinary officer's (CVO's) advice.

Today I am announcing to the House that the extension period in Gloucestershire concluded on Saturday 30 November at the behest of the cull company and the National Farmers Union (NFU), with the agreement of Natural England to coincide with the end of the open season for cage trapping.

The aim of the extension was to achieve the earliest and greatest possible impact on bTB in the area, in line with the CVO's advice that a further significant reduction of the badger population in the first year would increase the likelihood of disease benefits in cattle over the full four years of the cull.

The decision to extend has been shown to be the right one, with significant numbers of badgers removed at the point that the extension was ended. In the additional five weeks and three days of culling, 213 badgers have been removed, giving an overall total of 921. This represents a reduction of just under 40% in the estimated badger population before culling began.

The extension in Gloucestershire has therefore been successful in meeting its aim in preparing the ground for a fully effective four year cull. In the randomised badger culling trial there was a range of culling effectiveness across the 10 areas in the first year of the culls, but the trial still showed overall benefits at the end of sustained culling and these benefits have been maintained for at least a further seven years. The two pilots in Gloucestershire and Somerset have similarly shown a range of culling effectiveness and at the end of four years of sustained culling long-term overall benefits can be expected to be delivered.

The independent panel of experts will now consider the information collected during the pilots on the safety, effectiveness and humaneness of controlled shooting. This will inform my decision on the wider roll-out of badger control in those parts of England most severely affected by this disease. The independent panel of experts report will be made available to Parliament and the general public at that time.

While there are important lessons to learn, completing two pilots this year has been a significant achievement and is another major step towards halting the spread of bTB.

I would like to pay tribute to the local farmers and landowners who have undertaken the pilots in both areas, often in difficult terrain and weather, and often in the face of intimidation by a small minority who resorted to widespread criminality in their determination to stop this disease control policy.

It is unacceptable that in the ten years to 31 December 2012, more than 305,000 cattle were compulsorily slaughtered as reactors or direct contacts in Great Britain. Moreover, since 1 January to August, a further 22,512 otherwise healthy cattle have been slaughtered solely because of bovine TB.

Controlling the disease in wildlife is and will remain a key part of our TB strategy—no country has successfully dealt with TB without tackling the disease in both wildlife and cattle. This Government are resolved to do this.

Achieving this aim will require long-term solutions and considerable national resolve. This Government are committed to tackling the disease in all reservoirs and by all available means.

FOREIGN AND COMMONWEALTH OFFICE

Eastern Partnership Summit

The Minister for Europe (Mr David Lidington): My right hon. Friend the Prime Minister attended the third Eastern Partnership summit on 28 and 29 November 2013 in Vilnius, Lithuania. My right hon. and noble Friend Baroness Warsi accompanied him. The summit was attended by Heads of State and Government or representatives of the European Union member states and Eastern Partnership member countries. President of the European Commission, Jose Manuel Barroso; President of the European Council, Herman Van Rompuy; President of the European Parliament, Martin Schulz; the High Representative of the European Union for Foreign Affairs and Security Policy, Baroness Ashton of Upholland; Commissioner for Enlargement and European Neighbourhood Policy, Stefan Füle; and the Commissioner for Trade, Karel De Gucht were also in attendance for parts.

28 November 2013

The President of the Republic of Lithuania, Dalia Grybauskaitė, chaired a working dinner for the Heads of State and Government, which the Prime Minister attended. The High Representative of the European Union for Foreign Affairs and Security Policy, Baroness Ashton of Upholland, also chaired a working dinner for Ministers of Foreign Affairs. My right hon. Friend, Baroness Warsi attended. Both dinners focused on the future of the Eastern Partnership. The Prime Minister welcomed the signing and initialling of the agreements (listed below) due to take place on the 29 November; they mark a significant step forward in the EU's relationship with the region. He expressed disappointment with Ukraine's decision to put on hold the preparations for signature of its association agreement the EU, but made it clear that the door is still open in the future.

29 November 2013

In the presence of the Heads of State and Government, the agreement between the EU and the Republic of Azerbaijan on facilitating visas (relevant for Schengen member countries only); the agreement between the EU and Georgia establishing a framework for the participation of Georgia in EU crisis management operations; the agreements between the EU and the European atomic energy community and their member states and Georgia and the Republic of Moldova were signed. The association agreements, incorporating deep and comprehensive free trade areas, between the EU and Georgia and the Republic of Moldova were also initialled.

Heads of delegation then convened at the plenary Session where the UK was represented by my right hon. Friend the Prime Minister and subsequently by my right hon. Friend Baroness Warsi. The discussion focused on welcoming the progress made by Georgia and Moldova and looking to the future of the Eastern Partnership. The majority of EU member states also expressed disappointment that Ukraine was not signing its association agreement with the EU. All delegations agreed that the Eastern Partnership offers opportunities for increased prosperity and support for reform in eastern partner countries, which should enhance their wider relationships in the region.

In discussion with other Heads of State and Government, the Prime Minister made the case for the need to reform welfare rules and return the concept of free movement of people within the EU to a more sensible basis, as an essential step to regain the trust of people in member states in future enlargement of the EU.

HOME DEPARTMENT

National Fraud Authority

The Secretary of State for the Home Department (Mrs Theresa May): As part of the Government's reforms to policing and the fight against serious and organised crime, I have decided to close the National Fraud Authority and realign its responsibilities to reflect the creation of the National Crime Agency.

The National Crime Agency, with its economic crime command, will bring a single national focus to cutting economic crime and will lead and co-ordinate the national fight against fraud, working with law enforcement agencies, regulators, Government and the public, private and voluntary sectors. While the National Fraud Authority has been successful in raising awareness of fraud and improving co-ordination, the focus should now be on cutting economic crime. The National Fraud Authority will close by 31 March 2014 and its functions will be transferred as follows:

Strategic development and threat analysis will be led by the National Crime Agency;

Action Fraud, the national fraud and financially-motivated internet crime reporting centre, will become the responsibility of the City of London police, to create a stronger end-to-end fraud reporting and analysis system;

Work to raise awareness of fraud, including delivery of the national e-confidence campaign, will transfer to the Home Office; and

Development of the counter fraud checking service will be led by the Cabinet Office.

The closure of the National Fraud Authority will strengthen the Government's fight against economic crime by concentrating effort into law enforcement bodies and improving the fraud reporting and analysis service. The changes will further support the National Crime Agency's role in leading the fight against serious and organised crime.

Eurojust

The Parliamentary Under-Secretary of State for the Home Department (James Brokenshire): The Government have decided not to opt in to the European Commission's

proposal for a regulation on the European Union Agency for Criminal Justice Co-operation (Eurojust) at this time. The Government will, however, conduct a thorough review of the final agreed text to inform active consideration of opting into the Eurojust regulation post adoption.

The Government value UK membership of Eurojust as currently established where Eurojust's role is about providing support and co-ordination to investigations and prosecutions in cases of cross-border crime. That is why the Government are seeking to rejoin those arrangements as part of the 2014 opt out decision. However, the Commission's new proposal creates substantial concerns; most notably by extending the mandatory powers of Eurojust national members and through the proposed interaction between Eurojust and the parallel proposal for the establishment of a European Public Prosecutor's Office (EPPO).

As confirmed in the coalition agreement, the Government will not participate in the establishment of any EPPO.

We will remain a full and active participant in both the Eurojust and EPPO negotiations to defend our national interests.

WORK AND PENSIONS

Child Support Regulations

The Minister of State, Department for Work and Pensions (Steve Webb): On 5 November 2013, the Government published their response to the consultation "Supporting separated families; securing children's futures" (Cm 8742). This response outlines important changes that we have made to our proposed strategy for closing existing Child Support Agency cases and introducing fees for the new 2012 child maintenance scheme.

Today we intend to lay the draft Child Support Fees Regulations 2014 and the draft Child Support (Ending Liability in Existing Cases and Transition to New Calculation Rules) Regulations 2014, the primary effects of which will be to introduce application, collection and enforcement fees for the 2012 child maintenance scheme and to begin the process of ending liability on all 1993 and 2003 scheme Child Support Agency cases.

These draft regulations are subject to the affirmative procedure and I look forward to discussing them with colleagues in the new year.

Written Answers to Questions

Monday 2 December 2013

DEFENCE

Afghanistan

Mr Kevan Jones: To ask the Secretary of State for Defence (1) what estimate he has made of the cost of additional security measures which were given consideration but not adopted at Camp Bastion before September 2012; [170637]

(2) what the annual running cost of providing security at Camp Bastion has been in each year since 2010; [170648]

(3) what additional expenditure his Department has incurred on increased security measures at Camp Bastion since September 2012; [170660]

(4) what discussions (a) he and (b) Ministers in his Department had with military leaders responsible for security at Camp Bastion on security measures at the base prior to the attack of 14 September 2012; [170661]

(5) what changes have been made to the security arrangements at the Camp Bastion base since the attack on the night of 14 September 2012; [170662]

(6) how many and what proportion of the guard towers at Camp Bastion were empty on the night of 14 September 2012 immediately prior to the attack on the base; [170663]

(7) what internal investigations his Department will be undertaking regarding the actions of British officers responsible for security at Camp Bastion on the attack on the base on the night of 14 September 2012; [170680]

(8) how many of the British officers responsible for security at Camp Bastion in September 2012 have since been promoted; [170683]

(9) if he will provide details of the current security measures at Camp Bastion. [170684]

Mr Francois: The Chief of Defence Staff is currently reviewing the findings of the U.S. report on the review of security at Camp Bastion. Once this is complete, I will write to the hon. Member with the information he has requested.

Substantive answer from Mark Francois to Kevan Jones:

I undertook to write to you in response to the recent questions you tabled in the House on the subject of the attack on Camp Bastion in September 2012.

I am sure you understand that my reply is constrained by the fact that, for reasons of operational security, I cannot describe specific force protection measures publicly.

In the aftermath of such an attack, it is important to take a clear-eyed, dispassionate approach to the analysis of the circumstances in order that the right lessons are identified and learnt, and that is exactly what we have done in detail. However, much of the media reporting on this subject has omitted the fact that United States Marine Corps and UK personnel (from 51 Sqn RAF Regiment, 5 RAF Force Protection Wing) responded to the incursion decisively

and with great courage. Having contained the insurgent assault, this combined force counter-attacked and proceeded to clear the airfield, killing 14 of the 15 attackers and capturing the remainder. During this brave action in difficult circumstances, two US personnel were killed and 17 US and UK personnel were wounded. Their sacrifice undoubtedly prevented greater loss of life and equipment.

Turning to your questions. Security of all our overseas bases is a key focus for the Staff and the Defence Ministerial team. In this specific case, over the last 13 months, there has been a considerable amount of activity devoted to increasing understanding of what happened during the attack, the reasons why the attack was partially successful and what action was needed to prevent a recurrent. The UK has played its part in this activity to the full, both in conducting its own reviews and contributing to work carried out by ISAF and the US. As the recently published US Review acknowledges, much has been done to strengthen force protection measures at Camp Bastion since September 2012; as a direct result of this work. I can confirm that these measures have cost in the region of £3.0M¹, are considered by our Force Protection experts to be appropriate to the assessed level of threat, and that threat is kept under constant review.

In response to your question about the manning of the watch towers at Camp Bastion at the time of the attack, I can confirm that 11 of the 24 guard towers were manned. This was a similar level of manning as that in operation on the US side of the camp, where a 50% manning profile was used. This information is available in the published version of the US Review.

You asked how many British officers responsible for security at Camp Bastion at the time of the attack have since been promoted. In answering this, I have defined "security at Camp Bastion" as referring to those activities around the Camp perimeter and without the confines of the base that contribute to the security of the Camp perimeter. Using this definition we assess the number of officers to be around 20 of which less than half have been promoted in the last 13 months.

You also asked about the cost of providing security at Camp Bastion. Security at the base has been progressively strengthened since the base was established in 2006 and a range of options has been considered over the period to meet our developing assessment of the threat, not least as we have moved back from a network of bases across Central Helmand to a single Main Operating Base and as the Insider Threat has developed. In terms of specific physical security measures, it has not been practicable to review all decisions in order to identify options not followed up; for most upgrades, there was an evolving case that refined understanding of the threat and the measures appropriate to meet this, assessing the relative benefits of a range of options to address the threat, against cost, practicability and time to deliver.

In terms of running costs, we have not been able to identify manpower costs from Financial Year (FY) 2009-2010. From 2010, the annual manpower costs² for the security element at Bastion, covering the base itself but excluding the broader area-protection, has been:

<i>Financial year</i>	<i>Cost (£)</i>
2010-11	8,541,792
2011-12	9,159,792
2012-13	11,839,587
2013-14 (April to September)	8,211,421

The costs of maintaining security structures and of running and maintaining security related systems cannot be broken out separately and are not included.

I note that the question of the cost of security upgrades at Camp Bastion has been something of a focus for recent press reporting of the US Review. I am pleased, therefore, to take this opportunity to point out that the US report contains an erroneous assertion that specific risk mitigation measures identified following a security incident on the Bastion flight line in March 2012 were rejected by the UK chain of command. In fact, not only were the improvements made by the US and UK staffs in theatre at the time, they were also fully supported by the Permanent Joint

Headquarters. We make a firm commitment to our Armed Forces that we will provide them with the equipment appropriate to the job we ask them to do.

You asked some questions about the US Review and subsequent UK action. While the US Review was intended to examine US actions only and not those of coalition forces, the UK has carefully considered its findings. As a result, the Chief of the Defence Staff is confident that all significant lessons have been identified and acted upon.

I hope this is helpful.

¹ These measures do not include those taken over the period in response to our assessment of increased risks from Indirect Fire and Improvised Explosive Devices.

² The marginal extra costs of the personnel involved in perimeter security.

Paul Flynn: To ask the Secretary of State for Defence what recent assessment he has made of the effectiveness of the presence of British forces in Helmand province, Afghanistan, in reducing the production of opium in that country. [177386]

Mr Francois: The Ministry of Defence has made no formal assessment of the direct correlation between British Forces in Helmand and the production of opium in Afghanistan. The main effort of British Forces is in training, advising and assisting the Afghan security forces as they take the lead for security. Until August 2013, this included two military advisors in the Provincial Reconstruction Team (Lashkar Gah) who were involved in capacity building in the provincial Counter Narcotics Police of Afghanistan and Ministry of Counter Narcotics.

Armed Forces: Bullying

Alex Cunningham: To ask the Secretary of State for Defence how many incidents of beasting or other bullying have been reported in relation to recruits at AFC Harrogate and ATFC Winchester in each of the past five years; and what action was taken in each such case. [177898]

Anna Soubry: The term 'beasting' is not clearly defined or formally recognised. At the former Army Technical Foundation College (ATFC) Winchester, 16 instances of assault were recorded in the last five years. 13 instances involved assault or battery of a junior soldier by one or more other junior soldiers. Three instances involved permanent staff, including one incident of bullying of one member of permanent staff by another. All cases resulted in sanction through service law, with the exception of one case of assault on a junior soldier by a member of permanent staff, which resulted in appropriate warning and sanction.

All training for junior entrants transferred from ATFC Winchester to Army Foundation College (AFC) Harrogate in 2012. ATFC Winchester was renamed Army Training Regiment, Winchester and now trains senior entrants only. AFC Harrogate is now the sole location for junior entrant training. All incidents described above predate this move, with the exception of the incident involving permanent staff only, which occurred in December 2012.

At AFC Harrogate, records show that there were five incidents of discipline involving permanent staff in the last five years: two involving battery and three involving ill treatment. Four cases resulted in warning and sanction and one case of ill treatment was dismissed.

An allegation of an incident involving junior soldiers only at AFC Harrogate in May 2012 was fully investigated and for details of this incident I refer the hon. Member to the answer given by my predecessor, my right hon. Friend the Member for Rayleigh and Wickford (Mr Francois), on 10 June 2013, *Official Report*, column 4W, to the hon. Member for Kilmarnock and Loudoun (Cathy Jamieson).

Where there is any accusation of ill treatment involving permanent staff then the relevant staff member is suspended, pending investigation by the Royal Military Police.

Armed Forces: Civilians

Angus Robertson: To ask the Secretary of State for Defence how many civilians have completed the condensed Initial Officer Training course; how many such civilians are currently serving in the armed forces; and what roles they have. [177251]

Mr Francois: The Ministry of Defence holds no information which would indicate that civilians have completed any condensed Initial Officer Training courses. However, there are five AirTanker Sponsored Reservists who have undertaken the Reserve Officer Initial Training course. A further two are scheduled to take this course in March 2014. RAF Voyager is a pioneering example of the integration of RAF Reserves alongside full-time Squadrons. It includes a dedicated team of Sponsored Reservist pilots and engineers who are recruited and employed by AirTanker.

Armed Forces: Coroners

Emily Thornberry: To ask the Secretary of State for Defence whether he plans to restrict the use of narrative verdicts in inquests into deaths of members of the armed forces. [179099]

Mr Francois: Coroners are independent judicial office holders and it would therefore not be appropriate for Ministers to comment on their judicial decisions, Coronial law and policy is the responsibility of the Ministry of Justice, with judicial oversight and guidance provided by the Chief Coroner.

Armed Forces: Redundancy

Dr Julian Lewis: To ask the Secretary of State for Defence (1) if he will take steps ensure that long-serving members of the armed forces, who have been scheduled for redundancy very shortly before their 18-year pension entitlement date, will be allowed to pass that date before being required to leave; [175219]

(2) what estimate he has made of the number of armed forces personnel who have been scheduled for redundancy on dates falling within (a) one week, (b) one month and (c) six months of reaching their pension entitlement dates. [175220]

Anna Soubry [*holding answer 18 November 2013*]: I refer my hon. Friend to the answers given by my predecessor, the Minister for the Armed Forces, my right hon. Friend the Member for Rayleigh and Wickford (Mr Francois) on 1 March 2013, *Official Report*, columns 716-18W, to my hon. Friend the Member for South Swindon

(Mr Buckland), the hon. Member for Coventry South (Mr Cunningham), and the hon. Member for North Durham (Mr Jones), and the right hon. Member for East Renfrewshire (Mr Murphy).

For Other Ranks who are members of Armed Forces Pension Scheme 1975 (AFPS 75), the normal requirement to serve for 22 years before receiving an immediate retirement income is reduced to 18 years on redundancy, a concession of four years. Officers on AFPS 75 will still qualify for an immediate income after 16 years. Personnel on Armed Forces Pension Scheme 2005 will continue to receive early departure payments after serving for 18 years, provided that they have reached the age of 40.

In order to ensure that the redundancy programme is fair to all involved, clear selection criteria have been published by each of the Services. While rank and seniority are factors which are reflected in selection fields, length of reckonable service (which is closely associated with age) is not. It is therefore possible that individuals might be made redundant either just before or just after the length of service at which they qualify for an immediate pension. Allowing those who fall short of the 18-year service point to remain in service until they had passed that point would not resolve the issue of discharge in proximity to their immediate pension point (IPP), as there would still need to be a time limit defining who will qualify. Wherever we draw that line somebody will always be just over it, and facing the possibility of perceived disadvantage. Changing where the line falls to encompass those close to it will simply mean others fall close to the new line.

The armed forces redundancy schemes recognise those who miss out on immediate incomes by paying them significantly enhanced tax-free redundancy compensation lump sums. On average, this figure is around £73,000 and for an Army Major it can on average be around £100,000. Where people leave before the qualification point, any pension rights that have been earned will also give them preserved pensions and further tax-free lump sums which they will receive at age 60 or 65, depending on the pension scheme of which they are members.

No estimate has been made of the numbers of personnel falling short of their IPP in the time periods specified.

Mr McCann: To ask the Secretary of State for Defence how many members of the armed forces have been made redundant within six months of their scheduled retirement date since May 2010. [175237]

Anna Soubry: The scheduled retirement date for those members of the armed forces selected for compulsory redundancy is, for applicants, six months from the day of notification of being selected, and 12 months for non-applicants. The scheduled retirement date may not be the same as the date at which an individual will be eligible to receive an immediate retirement income. However the armed forces redundancy scheme recognises these individuals by paying them an enhanced tax free compensation lump sum.

An individual can ask to bring their exit date forward, subject to agreement by their Service. Since May 2010, some 40 personnel have left the armed forces on compulsory redundancy in the six months preceding their scheduled retirement date.

Army

Mr Ellwood: To ask the Secretary of State for Defence how many regular infantry and reserve infantry battalions there will be (a) before and (b) after the introduction of Army 2020; and if he will make a statement. [177774]

Mr Francois: Under Army 2020 the number of regular infantry battalions will reduce from 36 to 31. The number of reserve infantry battalions will not change and remains at 14.

Conditions of Employment

Alison Seabeck: To ask the Secretary of State for Defence whether the proposed changes to the Transfer of Undertakings (Protection of Employment) Regulations will be applied to the transfer of staff to a government-owned, contractor-operated organisation under the Defence Reform Bill. [177630]

Mr Dunne: The Materiel Strategy programme is currently in the assessment phase and is considering two options; Defence Equipment and Support Plus (DE&S+) and a Government Owned Contractor Operated (GOCO) model. A final decision on which option will be taken forward is currently due in summer 2014. If a GOCO is the chosen option, the Transfer of Undertakings (Protection of Employment) Regulations in place at the time of transfer would apply to those Ministry of Defence civil service staff in-scope for transfer of their employment to the GOCO.

Defence Equipment and Support

Alison Seabeck: To ask the Secretary of State for Defence whether the assessment phase of DE&S-Plus provides for consideration of recruitment of civil servants into key positions on the basis of specialism rather than grade. [177629]

Mr Dunne: I refer the hon. Member to the answer I gave on 25 November 2013, *Official Report*, column 36W, to my hon. Friend the Member for Mid Worcestershire (Peter Luff).

Defence: Procurement

Mr Jenkin: To ask the Secretary of State for Defence what lessons-learned exercises have been conducted following the (a) cancellation of MRA4, (b) cancellation of Forward Rapid Effects System and (c) reversal of Joint Strike Fighter decision back to VSTOL variant; and if he will publish any reports from such exercises. [177552]

Mr Dunne: The rationale behind each of the decisions cited was different, although they all represent examples of where the Government has had to make difficult decisions to focus resources where they are most needed and balance the Defence budget. They are also examples where we had a clear understanding of the problems which allowed us to take those decisions. As we said when we published the Defence Equipment Plan 2012, we now have the assurance of a stable, well managed budget with disciplined processes, and confidence that the equipment programme is affordable and deliverable.

The MRA4 project suffered from repeated delays and cost overruns and only one airframe had been delivered to the RAF, but it was the aircraft's projected future support costs that ultimately contributed to the decision not to bring it into service. The Strategic Defence Security Review (SDSR) did assess the options for reducing the fleet size, but found that the significant fixed costs meant that only limited savings could be realised by reducing the fleet compared with those from not bringing it into service at all.

The FRES programme was not cancelled but our strategy for delivering the capability has evolved as our understanding of the requirement has matured. During the campaign in Afghanistan a wide range of new vehicles have been purchased for the Army and a large number are now being brought into the core programme. In addition the Scout SV, considered as part of the FRES programme, is progressing with its demonstration phase.

The policy decision taken in the 2010 SDSR to purchase the carrier variant of the Joint Strike Fighter was right, based on the information available at the time. But more detailed technical work subsequently revealed that the costs had spiralled, from £950 million to £2 billion, risks had increased and the delivery timescale for a converted carrier would be longer than previously anticipated. In light of that assessment we took the decision to revert to the Short Take-Off Vertical Landing (STOVL) variant of the Joint Strike Fighter.

Firing Ranges: Tipner

Mr Mike Hancock: To ask the Secretary of State for Defence what preparations his Department has made for relocating activities currently held at Tipner firing range to an alternative site; when he expects that relocation to begin; and if he will make a statement. [177615]

Dr Murrison: Preparatory work to scope alternative facilities for Tipner Ranges has only just commenced and it is therefore too early to say when the relocation of activities currently undertaken at the ranges will begin. In the meantime the ranges remain in regular defence use.

Future Strategic Tanker Aircraft

Angus Robertson: To ask the Secretary of State for Defence what proportion of Voyager aircraft crews will be civilians. [177249]

Mr Francois: For military registered RAF operated Voyager aircraft of 10 Squadron and 101 Squadron the planned number of RAF and AirTanker Sponsored Reserve air crews is set out in the following table:

	<i>Number of Air Crews¹</i>
RAF (including Full-Time Reserve Service Royal Auxiliary Air Force)	30
AirTanker Sponsored Reserves	7

¹ A flight deck crew consisting of approximately three personnel.

For military air transport tasks, there are also 14 sets of RAF cabin crew and six sets of all civilian cabin crew.¹

Under the terms of the Voyager contract, AirTanker Services also operate aircraft on the civil aircraft register under a Civil Aviation Authority Air Operator Certificate. Crewing of these civil registered aircraft would be a matter for AirTanker.

¹ A cabin crew consisting of approximately eight personnel.

Military Aircraft

Rehman Chishti: To ask the Secretary of State for Defence pursuant to the answer of 4 November 2013, *Official Report*, column 202W, on military aircraft, how many recorded laser-related events have resulted in accidents taking place. [179238]

Mr Francois: None of the laser-related events referred to in my response of 6 November 2013, *Official Report*, column 202W, resulted in accidents.

Ministers' Private Offices

Mr Jenkin: To ask the Secretary of State for Defence whether he (a) has appointed or (b) intends to appoint an enlarged ministerial office. [177511]

Mr Philip Hammond: I refer the hon. Member to the answer given on 28 November 2013, *Official Report*, column 398W, by the Minister for the Cabinet Office and Paymaster General, my right hon. Friend the Member for Horsham (Mr Maude).

Philippines

Mr Ellwood: To ask the Secretary of State for Defence how much of his Department's budget is committed to assistance in the Philippines in the aftermath of Typhoon Haiyan; and if he will make a statement. [177772]

Mr Francois: None of the Ministry of Defence's budget is committed specifically to assistance in the Philippines. Under the terms of an existing memorandum of understanding concerning humanitarian relief after natural disasters, the net additional costs of military support to the Philippines will be met from the budget of the Department for International Development. Net additional costs are those which the Department would not have incurred had the operation not taken place.

Secondment

Chris Ruane: To ask the Secretary of State for Defence (1) how many of his Department's civil servants have been seconded to (a) the private sector and (b) trades unions in each year since 2010; [177710]

(2) how many secondees from (a) trades unions and (b) the voluntary sector have worked in his Department since 2010. [177733]

Anna Soubry: The Ministry of Defence has seconded eight employees to the private sector, two in 2011, five in 2012 and one in 2013. No one has been seconded to a trades union. We have had no inward secondees from either trade unions or the voluntary sector.

WALES

Older People: Crime Prevention

Paul Murphy: To ask the Secretary of State for Wales what assessment his Department has made of the recommendations of Age Cymru's Scams and Swindles campaign. [177592]

Stephen Crabb: The Wales Office is very supportive of the work being undertaken by Age Cymru to address financial scams and their impact on older people.

My noble Friend Baroness Randerson hosted a roundtable event on 25 November to explore in more detail how partners across Wales can work together to address such scams. A range of organisations attended, including Age Cymru, the Police, Royal Mail, British Telecom, Trading Standards, and Citizens Advice, and agreed to look at how their organisations can change current working practices as well as agreeing to support next year's Scams Awareness Month headed by Age Cymru.

Secondment

Chris Ruane: To ask the Secretary of State for Wales how many of his Department's civil servants have been seconded to (a) the private sector and (b) trades unions in each year since 2010. [177726]

Stephen Crabb: The Wales Office has had no civil servants seconded to (a) the private sector and (b) trade unions since 2010.

Chris Ruane: To ask the Secretary of State for Wales how many secondees from (a) trades unions and (b) the voluntary sector have worked in his Department since 2010. [177749]

Stephen Crabb: The Wales Office has had no secondees from (a) trade unions and (b) the voluntary sector working in the Department since 2010.

NORTHERN IRELAND

Energy: Prices

Mr Ivan Lewis: To ask the Secretary of State for Northern Ireland what discussions she is having with (a) the Northern Ireland Executive and (b) her Irish counterpart on the effect of changes in the cost of energy on older people in Northern Ireland. [179249]

Mrs Villiers: These are devolved matters and have not therefore been raised with me by Executive Ministers.

The Northern Ireland Executive published its fuel poverty strategy in March 2011 which runs until March 2015. Under the plans £31 million will be spent in energy efficiency improvements and a boiler replacement scheme will further help those in greatest need.

Until March 2015, £16.5 million will be spent on the Warm Homes Scheme which has helped in excess of 80,000 households with insulation since it started in 2001. In certain circumstances Warm Home Plus can provide up to £6,500 per household.

The strategy introduced new schemes—such as the pilot Boiler Replacement Scheme, a Benefit Uptake campaign and oil stamp saving schemes.

In addition, the UK Government has kept its pledge to protect winter fuel payments of up to £300 for 12.7 million pensioners in more than 9 million homes across the UK. We have increased funding for cold weather payments by £50 million so that they are now worth £25 a week. As a result of our triple lock we have delivered a £650 increase in the basic state pension.

Secondment

Chris Ruane: To ask the Secretary of State for Northern Ireland how many of her Department's civil servants have been seconded to (a) the private sector and (b) trades unions in each year since 2010. [177721]

Mrs Villiers: No civil servants in my Department have been seconded to the private sector or trade unions since 2010.

Chris Ruane: To ask the Secretary of State for Northern Ireland how many secondees from (a) trades unions and (b) the voluntary sector have worked in her Department since 2010. [177744]

Mrs Villiers: No secondees from trade unions or the voluntary sector have worked in my Department since April 2010.

Staff

Mr Dodds: To ask the Secretary of State for Northern Ireland how many members of staff of each grade in her Department work in (a) Great Britain and (b) Northern Ireland. [179105]

Mrs Villiers: Based November 2013 data, the breakdown, by rank, of staff in my Department working in (a) Great Britain and (b) Northern Ireland is as follows:

<i>(a) Great Britain</i>	
	<i>Number</i>
Senior Civil Service	5
Band A/Grade 7	7
Band B/Deputy Principal	5
Band C/Staff Officer	11
Band D/Executive Officer	11
Band E/Administrative Officer	5
Band F/Administrative Assistant	1
<i>(b) Northern Ireland</i>	
	<i>Number</i>
Senior Civil Service	4
Band A/Grade 7	12
Band B/Deputy Principal	12
Band C/Staff Officer	20
Band D/Executive Officer	25
Band E/Administrative Officer	19
Band F/Administrative	23

These figures include both staff employed by my Department and those on inward secondment.

PRIME MINISTER

Gibraltar: Spain

Tom Blenkinsop: To ask the Prime Minister what recent discussions he has had with his Spanish counterpart on the situation on the Spanish-Gibraltarian border. [179245]

The Prime Minister: I raised the issue with Prime Minister Rajoy when we met in Vilnius on 29 November and made clear our deep concern about the incident in which British Government bags containing official correspondence and communications were opened by Spanish officials while in transit.

Iraq Committee of Inquiry

Caroline Lucas: To ask the Prime Minister with reference to his letter to Sir John Chilcot of 5 November 2013, to which Government Departments he refers when mentioning the scale of the declassification task; and what the reasons are for the time taken to conclude the Government's response to the disclosure requests. [177778]

The Prime Minister: I have nothing further to add.

TRANSPORT

Cycling

Chris Heaton-Harris: To ask the Secretary of State for Transport what steps he is taking to promote cycling proficiency for the deaf community. [179288]

Mr Goodwill: The Department for Transport promotes "Bikeability" cycle training in England. Bikeability is "cycling proficiency" for the 21st century, giving people the skills and confidence to cycle safely and competently in modern road conditions. Bikeability is underpinned by the National Standard for Cycle Training. The National Standard is built upon similar principles to training for motorcycle riders and car drivers, teaching the importance of assessing the likely risks faced by road users.

To supplement the National Standard, the Department has published guidance called "Delivering Inclusive Cycle Training—A good practice guide for disability cycle training". The guidance provides advice to National Standard instructors on how to help people with a disability, including hearing impairments, achieve National Standard cycle training outcomes.

The Department provides £11 million per annum grant funding for Bikeability training for children in England (outside London), enabling training for around 275,000 children. Some local authorities also provide free or subsidised cycle training for adults.

High Speed 2 Railway Line

Andrew Bridgen: To ask the Secretary of State for Transport what discussions have taken place between HS2 Ltd and the Coal Authority on mining subsidence and unreported bell pits along the proposed route of High Speed 2. [R] [177557]

Mr Goodwill: HS2 Ltd has obtained historical mapping from the Coal Authority which helped inform the route selection for Phase One. In addition, HS2 Ltd has also liaised with Network Rail and the Highways Agency regarding planning for HS2 in areas of historic mining activity. Once Phase Two of the project moves into the hybrid Bill development stage, which is due to commence in early 2015, further engagement with the Coal Authority as well as detailed geotechnical studies will be undertaken for this stage of the project.

Mrs Gillan: To ask the Secretary of State for Transport how many properties in the entire safeguarded area for phase one of High Speed 2 are not to be demolished. [179222]

Mr Goodwill: HS2 Ltd estimate the number of properties within the safeguarding zone for HS2 phase one, which are not to be demolished as a result of construction or operation, is 3730.

Of this number, some 3,450 are within sub-surface safeguarding, which normally means that the route is in tunnel at that point.

Note:

Safeguarding numbers were calculated using Royal Mail data cross matched with HS2 Ltd's mapping information.

Mrs Gillan: To ask the Secretary of State for Transport how much Deloitte LLP was paid for producing the HS2 Property bond option report; and whether this report was reviewed by either an external independent panel or his Department. [179223]

Mr Goodwill: Deloitte LLP was paid £66,447.42 inclusive of VAT to produce the HS2 Property bond option report. The report was not reviewed by an external independent panel. The report was, however, reviewed internally to inform the current consultation on long-term property compensation measures for Phase One of HS2. The output from that internal review is incorporated into chapter 5 of the Property Compensation Consultation.

Mrs Gillan: To ask the Secretary of State for Transport when Deloitte LLP and Robert Colley were appointed to the new HS2 Ltd Economic Advisory Panel; and whether Deloitte had been commissioned to undertake any work for (a) HS2 Ltd and (b) his Department before this date. [179224]

Mr Goodwill: HS2 Ltd appointed Rob Colley to the HS2 Ltd Economic Advisory Panel on 26 September 2012. At the time of appointment, Rob Colley worked for Deloitte LLP.

(a) Prior to 26 September 2012, Deloitte LLP had been commissioned under the HS2 Ltd Estates Professional Services Framework for the following contracts, to provide re-location and acquisition advice:

Work Package 2-TNT

Work Package 3-UK Mail

Deloitte LLP has not been commissioned to undertake any economic advisory work.

(b) The Department for Transport has not commissioned any work from Deloitte in relation to HS2 before this date.

Mrs Gillan: To ask the Secretary of State for Transport what involvement Robert Colley had in Deloitte LLP's report on a property bond option for High Speed 2. [179225]

Mr Goodwill: Robert Colley helped to proof-read and sense-check Deloitte Real Estate's compulsory purchase team's technical reporting. He also assisted in crafting and proofing the words for a non-technical summary. He did not advise on the design of the scheme or the mechanics of implementation.

Mrs Gillan: To ask the Secretary of State for Transport whether a tendering process was undertaken to determine who would produce the report into a property bond option for High Speed 2. [179226]

Mr Goodwill: The report on a property bond option for High Speed Two was undertaken through an existing contract and not subject to a separate tendering process.

Andrea Leadsom: To ask the Secretary of State for Transport whether his Department will provide (a) financial support and (b) advice to individuals and communities petitioning against the HS2 Hybrid Bill. [179315]

Mr Goodwill: Petitioning is a parliamentary process and as such guidance and contact information can be found on Parliament's website:

<http://www.parliament.uk/documents/commons-committees/HS2-leaflet.pdf>

This guidance leaflet has already been provided to individuals who received landowner's notices when the Hybrid Bill was deposited.

The Department has no plans to offer financial support to petitioners. The only cost that a petitioner needs to incur is the £20 fee to cover the administration costs to the House authorities of the petitioning process.

ICT

Mrs Moon: To ask the Secretary of State for Transport how many people are employed within centralised IT departments or teams in his Department; and if he will make a statement. [179173]

Stephen Hammond: The Department for Transport and its six executive agencies employ 522 people within centralised IT departments or teams. In full-time equivalents this is 509.4 posts.

Motor Vehicles

Stephen Barclay: To ask the Secretary of State for Transport what estimate he has made of the number of foreign vehicles which have entered the UK to date. [179374]

Mr Goodwill: The Department does not have an estimate of the number of foreign registered vehicles that have entered the UK to date.

Stephen Barclay: To ask the Secretary of State for Transport what estimate he has made of the number of foreign registered vehicles there are on UK roads. [179375]

Mr Goodwill: The Department does not have an estimate of the number of foreign registered vehicles that are on UK roads.

Offshore Industry

Grahame M. Morris: To ask the Secretary of State for Transport which air fields in the UK are used by companies contracted to provide transportation services for the offshore oil and gas industry in the North Sea; how many helicopters are licensed for transportation services at each facility; which models of helicopters are based at each facility; and how many offshore workers were transported to and from each facility in each of the last five years for which figures are available. [177855]

Mr Goodwill: The following is a table of operating bases providing commercial air transport services in support of the oil and gas industry in the North sea by UK Air Operators. Alongside each is the number of aircraft of each type operated from that base.

Base	Type	Number
Aberdeen	Sikorsky S92	15
Aberdeen	Eurocopter AS332 Super Puma	21
Aberdeen	Eurocopter AS332 Super Puma Mk II	20
Aberdeen	AgustaWestland AW139	4
Humberside	Sikorsky S76	2
Humberside	AgustaWestland AW139	3
Norwich	AgustaWestland AW139	3
Norwich	Eurocopter C155	1
Norwich	Sikorsky S76	2
Norwich	Eurocopter AS365 Dauphin	1
North Denes	AgustaWestland AW139	4
Scatsta	Sikorsky S92	6
Sumburgh	Sikorsky S92	1

For each base, the number of passengers carried to and from offshore facilities was as follows:

	2008	2009	2010	2011	2012
Aberdeen	519,079	474,856	458,783	498,326	512,839
Humberside	43,022	55,925	54,660	52,097	52,235
Norwich	64,571	75,609	50,931	57,139	48,250
Scatsta	114,385	127,052	131,760	135,116	139,671
Sumburgh	9,092	3,556	4,170	4,042	5,731

Neither the Department nor the Civil Aviation Authority does not hold passenger data for North Denes as it does not meet the criteria to report passenger data to the CAA.

Grahame M. Morris: To ask the Secretary of State for Transport when he expects the Civil Aviation Authority's (CAA) review of offshore helicopter operations in the North Sea to be published; and whether the CAA have met with (a) ministers, (b) officials and (c) representatives of his Department's executive agencies as part of this review. [177856]

Mr Goodwill: The CAA review of North Sea helicopter operations is expected to be published in the first quarter of 2014. The CAA has met with officials of the Department for Transport, the Transport Select Committee, and is liaising with the Scottish Government.

Grahame M. Morris: To ask the Secretary of State for Transport what discussions he has had with the Scottish Government on a public inquiry into the fatal helicopter crash in the North Sea on 23 August 2013; and what his general policy is on holding a public inquiry into this incident and its effect on the offshore energy sector. [179124]

Mr Goodwill: The Secretary of State has had no discussions with the Scottish Government on a public inquiry into the fatal helicopter crash in the North Sea on 23 August 2013.

The Government thinks that it is premature to call for a public inquiry when the outcome of the ongoing Air Accidents Investigation Branch investigation and Civil Aviation Authority Review are not known.

Parking: Urban Areas

Sir Greg Knight: To ask the Secretary of State for Transport with reference to his Department's press release entitled Eric Pickles calls for more town centre parking spaces, published in August 2013, what safeguards he has put in place to prevent integrated transport schemes being used by some local authorities to introduce anti-car measures. [177761]

Mr Goodwill: The joint Department for Transport and Department for Communities and Local Government press release emphasised the importance of appropriate parking policies for the vitality of our town centres. It also highlighted that councils should not be using parking policies as an anti-car measure.

Equally, the Department believes that integrated transport schemes have an important role to play in providing choice to the travelling public. The Department's 'Door to Door Strategy', published in March 2013 sets out this objective, and calls for an inclusive transport system that works for everyone, including motorists.

Ultimately it is the role of local authorities and relevant highway authorities to determine how best to address the specific needs of their communities.

Railway Stations: Parking

Mr Denham: To ask the Secretary of State for Transport what estimate he has made of the average increase in station car parking charges in each English region since 2009. [177810]

Stephen Hammond: The car parking charges at stations are a commercial matter for the station operator. The Department does not generally hold information with regard to costs of parking and any rises in that cost.

Railways: Finance

Mr Meacher: To ask the Secretary of State for Transport what public subsidies each train operating company received in each of the last five years. [179096]

Stephen Hammond: The required figures for the last four years are published (under the heading 'subsidy per passenger mile Excel file') by the Department at:

<https://www.gov.uk/government/publications/rail-subsidy-per-passenger-mile>

while all years are published by the Office of Rail Regulation at:

<http://www.rail-reg.gov.uk/server/show/nav.1528>

Railways: Franchises

Kelvin Hopkins: To ask the Secretary of State for Transport what account was taken of the Rail Franchising Competition Guide in designing the Invitation to Tender for the Thameslink, Southern and Great Northern passenger franchise. [179353]

Stephen Hammond: I refer the hon. Member to the reply provided on 4 November 2013, *Official Report*, column 44W, when I answered this question.

Rescue Services

Mr Marsden: To ask the Secretary of State for Transport how many hours of shift time were staffed below risk-assessed level at (a) Humber, (b) Belfast, (c) Liverpool and (d) Swansea maritime rescue coordination centres in September 2013. [179371]

Stephen Hammond: During September 2013 the following Maritime Rescue Coordination Centres (MRCC) were staffed below risk assessed levels for the following amount of 'shift time':

(a) Humber—408 Hours (34 out of 60 Shifts)

(b) Belfast—408 Hours (34 out of 60 Shifts)

(c) Liverpool—240 Hours (20 out of 60 Shifts)

(d) Swansea—84 Hours (seven out of 60 Shifts)

Where there are specific issues at a MRCC Her Majesty's Coastguard are using the current long established pairing arrangements between MRCCs. This enables each MRCC to be connected to at least one other MRCC which is available to provide mutual support.

Rescue Services: Liverpool

Mr Marsden: To ask the Secretary of State for Transport how many staff of Liverpool Maritime Rescue Coordination Centre have so far signalled intention to transfer to another MRCC upon the Liverpool centre's closure; how many new staff have been recruited at that centre in the last 12 months; and what the current level of staffing is compared to its risk-assessed level. [179368]

Stephen Hammond: Five members of staff at Liverpool Maritime Rescue Coordination Centre (MRCC) have indicated that transferring to the National Maritime Operations Centre (NMOC) or a Coastguard Operations Centre (CGOC) is one of the options they would consider upon the closure of Liverpool MRCC.

Four members of staff have been recruited at Liverpool MRCC in the last 12 months.

During October 2013 Liverpool MRCC was staffed at below risk assessed levels on 20 of 62 shifts. These situations are mitigated by MRCC pairing where each MRCC is connected to at least one other MRCC which

is available to provide mutual support. In respect of Liverpool MRCC mutual support is available through a fixed link from Holyhead MRCC and dial up links from the MRCCs at Milford Haven, Swansea, Belfast or Aberdeen.

Rescue Services: Portland

Mr Marsden: To ask the Secretary of State for Transport how many staff of Portland Maritime Rescue Coordination Centre have so far signalled intention to transfer to another MRCC upon the Portland centre's closure; how many new staff have been recruited at that centre in the last 12 months; and what the current level of staffing is compared to its risk-assessed level. [179370]

Stephen Hammond: Eight members of staff at Portland Maritime Rescue Coordination Centre (MRCC) have indicated that transferring to the National Maritime Operations Centre (NMOC) or a Coastguard Operations Centre (CGOC) is one of the options they would consider upon the closure of Portland MRCC.

Three members of staff have been recruited at Portland MRCC in the last 12 months.

During October 2013 Portland MRCC was staffed at below risk assessed levels on 16 of 62 shifts. These situations are mitigated by MRCC pairing where each MRCC is connected to at least one other MRCC which is available to provide mutual support. In respect of Solent MRCC mutual support is available through a fixed link from Solent MRCC and dial up links from the MRCCs at Falmouth, Brixham, Dover or Thames.

Rescue Services: Solent

Mr Marsden: To ask the Secretary of State for Transport how many staff of Solent Maritime Rescue Coordination Centre have so far signalled intention to transfer to another MRCC upon the Solent centre's closure; how many new staff have been recruited at that centre in the last 12 months; and what the current level of staffing is compared to its risk-assessed level. [179369]

Stephen Hammond: 15 members of staff at Solent Maritime Rescue Coordination Centre (MRCC) have indicated that transferring to the National Maritime Operations Centre (NMOC) or a Coastguard Operations Centre (CGOC) is one of the options they would consider upon the closure of Solent MRCC.

Three members of staff have been recruited at Solent MRCC in the last 12 months.

During October 2013 Solent MRCC was staffed at below risk assessed levels on three of 62 shifts. These situations are mitigated by MRCC pairing where each MRCC is connected to at least one other MRCC which is available to provide mutual support. In respect of Solent MRCC mutual support is available through a fixed link from Portland MRCC and dial up links from the MRCCs at Falmouth, Brixham, Dover or Thames.

Rescue Services: Swansea

Mr Marsden: To ask the Secretary of State for Transport how many staff of Swansea Maritime Rescue Coordination Centre have so far signalled intention to transfer to another MRCC upon the Swansea centre's closure; how many new staff have been recruited at that centre in the last 12 months; and what the current level of staffing is compared to its risk-assessed level. [179367]

Stephen Hammond: 10 members of staff at Swansea Maritime Rescue Coordination Centre (MRCC) have indicated that transferring to the National Maritime Operations Centre (NMOC) or a Coastguard Operations Centre (CGOC) is one of the options they would consider upon the closure of Swansea MRCC.

No members of staff have been recruited at Swansea MRCC in the last 12 months.

During October 2013 Swansea MRCC was staffed at below risk assessed levels on nine of 62 shifts. These situations are mitigated by MRCC pairing where each MRCC is connected to at least one other MRCC which is available to provide mutual support. In respect of Swansea MRCC mutual support is available through a fixed link from Milford Haven MRCC and dial up links from the MRCCs at Falmouth, Brixham, Holyhead or Liverpool.

Transport: Finance

Sir Greg Knight: To ask the Secretary of State for Transport what the name, number and amount of each grant given to local authorities by his Department for integrated transport schemes was in the last 12 months. [177760]

Stephen Hammond: In 2012-13, around £211.5 million was paid from the Local Sustainable Transport Fund to deliver 95 sustainable transport projects in 11 authorities across England. This funding was granted under section 31 of the Local Government Act 2003, through grant determination numbers: 31/2063, 31/2067 and 31/2083. This year the Department will pay approximately £175.8 million from the fund under the same statutory arrangements but through grant determination number: 31/2178.

The Department also provides Integrated Transport Block Funding to authorities for small scale transport improvement schemes. It is allocated to all local transport authorities, in England, outside of London, by formula. The funding formula, and the amounts awarded to each authority in 2011-12 and 2012-13 can be found at:

<https://www.gov.uk/government/publications/local-transport-capital-block-funding>

ENVIRONMENT, FOOD AND RURAL AFFAIRS

Climate Change

Julie Elliott: To ask the Secretary of State for Environment, Food and Rural Affairs what recent assessment he has made of the benefits of climate change to the UK environment and food supply. [177790]

Dan Rogerson: The UK Climate Change Risk Assessment, which was laid before Parliament in January 2012, contains a full analysis of the opportunities and threats from our changing climate, including in relation to the environment and agriculture. The report is available at:

www.gov.uk

Discrimination

Mrs Hodgson: To ask the Secretary of State for Environment, Food and Rural Affairs how many complaints of sexual discrimination or harassment have been lodged against employees of his Department

or its executive agencies by (a) employees and (b) other individuals in each of the last five years; and how many such complaints resulted in disciplinary action.
[176675]

Dan Rogerson: There have been no formal complaints of sexual discrimination or harassment lodged against employees of DEFRA and its executive agencies by employees or other individuals in the last five years.

The Rural Payments Agency have had no complaints formally lodged since October 2012 but to answer for the period prior to this date would be of disproportionate cost.

Mrs Hodgson: To ask the Secretary of State for Environment, Food and Rural Affairs how many complaints of homophobic or transphobic discrimination or harassment have been lodged against employees of his Department or its executive agencies by (a) employees and (b) other individuals in each of the last five years; and how many such complaints resulted in disciplinary action.
[176709]

Dan Rogerson: There were no formal complaints of homophobic or transphobic discrimination or harassment lodged against employees of DEFRA and its executive agencies by current employees or other individuals in the last five years.

The Rural Payments Agency have had no complaints formally lodged since October 2012 but to answer for the period prior to this date would be of disproportionate cost.

Dogs: Electronic Training Aids

Dr Offord: To ask the Secretary of State for Environment, Food and Rural Affairs what progress he has made on banning electric shock collars on dogs following the publication of research funded by his Department on that issue.
[179281]

George Eustice: DEFRA commissioned and has published research which provides evidence that electronic training aids can have a negative impact on the welfare of some dogs. However, the evidence from these studies is not strong enough to support a ban under the Animal Welfare Act 2006. The Government therefore has no plans to ban such devices in England. However, we have asked the industry to draw up guidance for dog owners and trainers advising how to use e-collars properly and to develop a manufacturers' charter to ensure any e-collars on sale are made to high standards.

Employment Tribunals Service

Mrs Hodgson: To ask the Secretary of State for Environment, Food and Rural Affairs how many claims at employment tribunals have been lodged against his Department on the grounds of pregnancy or maternity discrimination in each of the last five years; and how many such cases were found against his Department.
[176554]

Dan Rogerson: There have been no employment tribunals claims lodged against core DEFRA or its executive agencies in the last five years on the grounds of pregnancy or maternity discrimination.

The Rural Payments Agency have had no complaints formally lodged since October 2012 but to answer for the period prior to this date would be of disproportionate cost.

Floods: Insurance

Lady Hermon: To ask the Secretary of State for Environment, Food and Rural Affairs what steps he took to consult individual Ministers in the Northern Ireland Executive in relation to the flood insurance provisions within the Water Bill; and if he will make a statement on the process of consultation.
[179358]

Dan Rogerson: DEFRA has regularly updated Ministers in the Northern Ireland Executive and has also held regular meetings with officials in the Northern Ireland Executive to discuss the flood insurance provisions within the Water Bill.

The public consultation sought views on the Government's approach to flood insurance in the summer. The Government's response to the public consultation was published on 18 November 2013.

Fly-grazing

Chi Onwurah: To ask the Secretary of State for Environment, Food and Rural Affairs pursuant to the answer to the hon. Member for East Hampshire of 21 November 2013, *Official Report*, column 995W, on horses, if he will make an assessment of the effect of fly grazing on the local environment.
[179384]

George Eustice: There are no plans to make such an assessment. Where a landowner has a horse fly grazing on their land, it is possible under section 4 of the Animals Act 1971 for the landowner to secure reasonable costs incurred from the owner of the horse for any damage it may cause.

Food: Waste

Dr Offord: To ask the Secretary of State for Environment, Food and Rural Affairs if he will estimate the amount of food waste created by the hospitality and food service industry annually.
[177851]

Dan Rogerson: The total annual food waste produced across the hospitality and food service sector is 920,000 tonnes, according to recent research by the Waste and Resource Action Programme (WRAP).

A copy of WRAP'S research is available at:
<http://www.wrap.org.uk/node/17924>

In order to reduce this waste, the Hospitality and Food Service Agreement has been developed with WRAP. It is a voluntary agreement between the UK and devolved Governments and the hospitality and food service sector, to prevent food waste and increase recycling. The agreement now has over 170 signatories and supporters signed up.

The Agreement has two targets:

(a) Waste Prevention: To reduce food and associated packaging waste arising by 5% by the end of 2015.

(b) Waste Management target: To increase the overall rate of food and packaging waste being recycled, composted or sent to anaerobic digestion to at least 70% by the end of 2015.

Dr Offord: To ask the Secretary of State for Environment, Food and Rural Affairs what assessment his Department has made of the success of the Courtauld Commitment in reducing household waste from groceries. [179108]

Dan Rogerson: Under the Courtauld Commitment a 3.7% absolute reduction in total household food waste was achieved (270,000 tonnes per year) against a target of 4% (92% of the target was achieved). This was despite an increase of 4% in the number of households since 2007.

The final results of the second phase of the Courtauld Commitment were published on 28 November 2013:

<http://www.wrap.org.uk/node/9297/>

ICT

Mrs Moon: To ask the Secretary of State for Environment, Food and Rural Affairs how many people are employed within centralised IT departments or teams in his Department; and if he will make a statement. [179167]

Dan Rogerson: As at 29 November 2013, 58 employees (56.06 full-time equivalents) were employed in core DEFRA's ICT teams.

Ministers' Private Offices

Mr Jenkin: To ask the Secretary of State for Environment, Food and Rural Affairs whether he (a) has appointed or (b) intends to appoint an enlarged ministerial office. [177515]

Dan Rogerson: I refer the hon. Member to the Minister for the Cabinet Office's answer of 28 November 2013, *Official Report*, column 398W.

Reservoirs

Stephen Barclay: To ask the Secretary of State for Environment, Food and Rural Affairs pursuant to the answer of 26 November 2013, *Official Report*, column 205W, on reservoirs, if he will publish his Department's estimate of potential costs presented to HM Treasury on 12 March 2012. [179372]

Dan Rogerson: The report to which I referred to in my previous answer of 26 November 2013 will consider the costs and benefits of on-farm reservoirs. It is not Government practice to publish internal communications between Departments concerning policy formulation.

Secondment

Chris Ruane: To ask the Secretary of State for Environment, Food and Rural Affairs how many of his Department's civil servants have been seconded to (a) the private sector and (b) trades unions in each year since 2010. [17714]

Dan Rogerson: As at 31 October 2013, core DEFRA staff have been seconded to the following private sector organisations since 2010:

<i>Name of company seconded to</i>	<i>Number of outward secondees</i>
College of Europe	1
Fairtrade Foundation	1
LOCOG	4
ASDA	1
EBRD	1
Gardline	1
J Sainsburys	1
National Non-Food Crops Centre	1
North Sea Marine Cluster Gardline	1
SERCO	1
UK Financial Investments	1
URS Infrastructure and Environment	1

During the same period, no core DEFRA staff have been seconded to any trade unions.

Chris Ruane: To ask the Secretary of State for Environment, Food and Rural Affairs how many secondees from (a) trades unions and (b) the voluntary sector have worked in his Department since 2010. [17737]

Dan Rogerson: As at 31 October 2013, staff have been seconded into core DEFRA from the following voluntary sector organisations since 2010:

<i>Name of company seconded from</i>	<i>Number of inward secondees</i>
ENCAMS (Environmental Campaigns)-Keep Britain Tidy	1
Hampshire and Isle of Wight Wildlife Trust	1
National Trust	1

During the same period, no staff have been seconded into core DEFRA from any trade unions.

Waste and Resources Action Programme

Dr Offord: To ask the Secretary of State for Environment, Food and Rural Affairs when his Department will announce the conclusions of its review of the Waste and Resources Action Programme's funding and function. [177852]

Dan Rogerson: DEFRA published the summary report of the review, and responses to the 'Opportunity to comment' document, on 6 November at:

www.gov.uk

This report contains the conclusions of the review. I have placed a copy in the Library of the House.

WORK AND PENSIONS

Annual Reports

Stephen Pound: To ask the Secretary of State for Work and Pensions when his Department's most recent annual report will be published. [179120]

Esther McVey: The Department has not yet published its 2012-13 annual report and accounts. The Department plans to lay and publish later this year, in advance of the statutory deadline on the 31 January 2014.

Debt Collection

Mr Frank Field: To ask the Secretary of State for Work and Pensions whether his Department has referred a constituent of the right hon. Member for Birkenhead, Mr Thomas Balchin, to Akinika Debt Recovery. [177628]

Mike Penning: As my answer contains personal information I am communicating privately with the right. hon. Member.

Housing Benefit

Mr Denham: To ask the Secretary of State for Work and Pensions if he will estimate the expenditure on housing benefit in each English region as (a) total expenditure and (b) expenditure per claimant in each year since 2009-10. [177817]

Steve Webb: The total expenditure on housing benefit in each region in England since 2009-10 for which data are available is shown in the following tables:

	<i>Nominal (£ million)</i>			
	<i>2009-10</i>	<i>2010-11</i>	<i>2011-12</i>	<i>2012-13</i>
North East	863	924	992	1,050
North West	2,206	2,372	2,540	2,654
Yorkshire & Humber	1,384	1,497	1,609	1,701
East Midlands	1,035	1,112	1,194	1,272
West Midlands	1,614	1,735	1,850	1,970
East	1,516	1,632	1,743	1,848
London	5,185	5,539	5,890	6,089
South East	2,374	2,537	2,696	2,830
South West	1,424	1,526	1,623	1,707
Total England	17,600	18,874	20,137	21,120

	<i>Real terms (£ million)</i> <i>(2013-14 prices)</i>			
	<i>2009-10</i>	<i>2010-11</i>	<i>2011-12</i>	<i>2012-13</i>
North East	939	978	1,028	1,074
North West	2,401	2,510	2,632	2,715
Yorkshire & Humber	1,507	1,584	1,667	1,740
East Midlands	1,127	1,177	1,238	1,302
West Midlands	1,757	1,836	1,917	2,015
East	1,650	1,728	1,806	1,890
London	5,643	5,862	6,104	6,229
South East	2,584	2,685	2,794	2,895
South West	1,550	1,615	1,682	1,746
Total England	19,157	19,976	20,868	21,606

Note:

Figures may differ slightly to those previously published due to updated outturn data from local authorities.

Source:

Local authority subsidy returns

Details on average amount of housing benefit paid to claimants in each region in England since 2009-10 can be found at:

<https://stat-xplore.dwp.gov.uk>

Guidance on how to extract the information required can be found at:

https://sw.stat-xplore.dwp.gov.uk/webapi/online-help/Stat-Xplore_User_Guide.htm

Housing Benefit: Social Rented Housing

Chris Ruane: To ask the Secretary of State for Work and Pensions how many children with special educational needs live in households affected by the under-occupancy penalty. [177526]

Esther McVey: The information requested is not available.

Chris Ruane: To ask the Secretary of State for Work and Pensions how many disabled children live in households affected by the under-occupancy penalty. [177527]

Esther McVey: The information requested is not available.

Chris Ruane: To ask the Secretary of State for Work and Pensions pursuant to the answer of 20 November 2013, *Official Report*, columns 919-20W, on housing benefit: social rented housing, if he will list the geographical locations where the independent evaluation will take place. [177899]

Esther McVey: An independent consortium has been commissioned by DWP to carry out a two year monitoring of the effects of the removal of the spare room subsidy across Great Britain. The consortium is led by Ipsos-MORI and includes the Cambridge Centre for Housing and Planning Research.

The research includes effects of the measures on supply issues, impacts in rural areas as well as effects on financial circumstances and vulnerable individuals. The evaluation includes research with claimants, social landlords, local authority staff and voluntary organisations.

Case study areas have been selected to ensure a geographical spread across England, Wales and Scotland and a range of local authority and housing stock characteristics. To protect the integrity and robustness of the evaluation evidence, following advice from the independent consortium, details of the specific case study areas participating will not be identified publicly, at least not until completion of all planned fieldwork by the consortium in autumn 2014.

The evaluation is, taking place over a two year period, and commenced in April 2013. Initial findings will be available in 2014 and a final report will be published in late 2015.

Tim Loughton: To ask the Secretary of State for Work and Pensions what assessment he has made of the effect of the under-occupancy penalty on non-resident fathers; and if he will make a statement. [179231]

Esther McVey: A general principle of domestic social security law is to prevent double provision.

A child is taken into account in the housing benefit assessment when the claimant or partner has primary responsibility for them. This will be the person that the child normally resides with or where the child spends an equal time in different households, the person in receipt of child benefit.

The rules relating to size criteria have been in place in the private sector since 2008 and the Government does not see why minority carers in the social sector should be treated differently to minority carers in the private sector.

ICT

Mrs Moon: To ask the Secretary of State for Work and Pensions how many people are employed within centralised IT departments or teams in his Department; and if he will make a statement. [179175]

Mike Penning: The Department for Work and Pensions employs 1,633 people in its central IT functions.

Industrial Health and Safety

Stephen Timms: To ask the Secretary of State for Work and Pensions what assessment he has made of the consequences for workplace health and safety of ending the requirement for written risk assessments for small and medium-sized enterprises. [179324]

Mike Penning: The Government is focused on effective and proportionate management of real safety or health risks. Written risk assessments can play a role but are not necessary in all circumstances. The Government therefore agrees with the recommendation of the business-led EU task force that national governments should have flexibility to decide when small, low risk businesses need written risk assessments.

Stephen Timms: To ask the Secretary of State for Work and Pensions what assessment he has made of the value of written risk assessments for small and medium-sized enterprises operating in high risk sectors. [179325]

Mike Penning: The Government is not proposing changes to risk assessment requirements for high risk activities undertaken by small and medium-sized enterprises.

Jobcentre Plus

Mr Frank Field: To ask the Secretary of State for Work and Pensions what estimate he has made of the number of separate claims processed by Jobcentre Plus centres using an 0845 number in each parliamentary constituency in 2012-13. [177537]

Esther McVey: The Department does not use any 0845 numbers to process calls for new claims to working age benefits.

Oliver Colvile: To ask the Secretary of State for Work and Pensions what training is given to Jobcentre Plus staff on dealing with people who are discharged from the armed forces on medical grounds. [177596]

Esther McVey: There is no specific training but we do have our network of armed forces champions who are there to help advisers understand the range of support available to service leavers and to actively signpost to appropriate organisations.

Specific health conditions are included as part of mainstream disability training for DEAs/ESA advisers.

Jobcentre Plus: Scotland

Dr Whiteford: To ask the Secretary of State for Work and Pensions how many claimants' cases are currently being investigated by Jobcentre Plus (JCP) offices in Scotland for breaches of jobseeker agreements with regard to the application of retrospective sanctions, by (a) JCP office in Scotland and (b) month since May 2010. [177601]

Esther McVey: The reply assumes that the question relates to jobseeker's allowance sanctions for failure to participate in DWP's back to work schemes under the Jobseeker's Allowance (Employment, Skills and Enterprise Scheme) Regulations 2011 and in the Mandatory Work Activity scheme which were delayed as a result of the *Reilly v. the Secretary of State for Work and Pensions* judicial review.

As a result of the High Court and Court of Appeal judgments in that case, the DWP had to stockpile sanction referrals for failures to participate in these schemes where no decision had been made at the time of those judgments.

The passing of the Jobseekers (Back to Work Schemes) Act 2013 allowed DWP to make decisions on these cases and this process was completed in the summer of 2013.

Official statistics covering this time period will not be available until early 2014.

Jobseeker's Allowance

Charlie Elphicke: To ask the Secretary of State for Work and Pensions if he will estimate the savings accrued to the Exchequer as a result of the fall in the number of people (a) in total and (b) aged 18 to 24 years old who claimed jobseeker's allowance in the last 24 months; and if he will make a statement. [177600]

Esther McVey: The estimated total reduction in spending on jobseeker's allowance between September 2011 and September 2013, compared to a position where the jobseeker's allowance caseload stayed at 2011 levels, is:

(a) £226 million for all claimants

(b) £295 million for claimants aged 18 to 24.

This estimate does not take account of the effects on spending on other benefits, tax credits or tax and national insurance revenue, as it is not possible to estimate these with any degree of certainty.

Savings for ages 18 to 24 are higher than those for the total caseload because the 18 to 24 caseload falls further from September 2011 levels than the overall caseload. The estimated saving is summed over 24 months and due to seasonality the starting month can have a large impact on this.

The estimate assumes any reduction in the caseload is evenly spread across the distribution of payments of jobseeker's allowance.

Notes and sources:

Office for National Statistics claimant count, Great Britain, non-seasonally adjusted.

Work and Pensions Longitudinal Study, and internal DWP projections, of the age breakdown, and average amounts of benefit.

DWP accounting data.

Jobseeker's Allowance: Barrow in Furness

John Woodcock: To ask the Secretary of State for Work and Pensions what the average length of time in receipt of jobseeker's allowance is for current claimants in Barrow and Furness constituency who are (a) women, (b) men, (c) aged between 16 and 24 and (d) aged over 50. [179317]

Esther McVey: Statistics on the number of jobseeker's allowance claimants in Barrow and Furness, by age, sex and duration of claim can be found at:

<https://www.nomisweb.co.uk/default.asp>

Guidance for users can be found at:

<https://www.nomisweb.co.uk/home/newuser.asp>

Means-tested Benefits

George Galloway: To ask the Secretary of State for Work and Pensions how many working households are also claiming means-tested benefits. [177751]

Esther McVey: There are 4,200,000 families (benefit units) in the United Kingdom in receipt of at least one income-related benefit in which at least one person in the family is in work in 2011-12.

Entitlement to some benefits is based on the circumstances of an individual, while others are based on the circumstances of a benefit unit. Therefore it is more appropriate for the analysis requested to be presented at benefit unit level rather than at household level.

Income related benefits includes the following: housing benefit, council tax credit,

pension credit, jobseeker's allowance, employment and support allowance, income support, maternity grant from social fund, funeral grant from social fund, community care grant from social fund, return to work credit, working tax credit, child tax credit.

Working benefit units include all benefit units in which at least one member of the benefit unit is either an employee or self-employed in full-time or part-time work. This includes those doing unpaid work in their own business or a business that a relative owns.

The FRS is known to under-record benefit receipt. Please see table M.6 in the methodology section for more information:

https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/206887/frs_2011_12_report.pdf

Following standard FRS practice, the figures have been rounded to the nearest 100,000. This would result in a number between 50,000 and 149,999 being rounded to 100,000 while a number between 150,000 and 249,999 would be rounded to 200,000.

George Galloway: To ask the Secretary of State for Work and Pensions what the total amount of means-tested benefits paid to claimants in working households was in the latest period for which figures are available. [177752]

Mike Penning: The information requested is shown in the following table:

Expenditure 2011-12

	Benefits paid to claimants in working families (£ million)
Housing Benefit	3,820
Council Tax Benefit/Rates Rebate	473
Pension Credit	50
Income Support	145
Jobseeker's Allowance (Income Related)	326
Employment and Support Allowance (Income Related)	113
Social Fund Maternity Grant	8
Social Fund Funeral Grant	12
Social Fund Community Care Grant	12
In-Work Credit	116

Source:

Family Resources Survey 2011-12 and DWP Statistical and Accounting Data.

Housing benefit and council tax benefit figures are based on claimants not in receipt of any other DWP benefit. All of in-work credit expenditure is included.

The Family Resources Survey has been used to estimate how much spending on the other benefits in the table is on claimants who are in benefit units where at least one person is in work.

A benefit unit is defined as a single adult or a married or cohabiting couple and any dependent children. An adult is defined as those individuals aged 16 or over, unless defined as a dependent child. An individual may be defined as a child if aged 16 to 19 years old and they are not married nor in a Civil Partnership nor living with a partner; and living with parents; and in full-time non-advanced education or in unwaged Government training.

The Family Resources Survey is a nationally representative sample of UK households. The figures from the Family Resources Survey are based on a sample of households which have been adjusted for non-response using multi-purpose grossing factors which align the Family Resources Survey to former Government Office Region population by age and sex. Estimates are subject to sampling error and remaining non-response error.

Entitlement to many benefits is based on the circumstances of a benefit unit, rather than the individual. Therefore it is more appropriate for the analysis requested to be presented at benefit unit level rather than individual level.

Pensioners: Social Security Benefits

Jim Shannon: To ask the Secretary of State for Work and Pensions what steps the Government is taking to inform people of pensionable age of their entitlement to benefits. [179153]

Steve Webb: The Government are committed to ensuring pensioners receive the benefits they are entitled to.

The Department for Work and Pensions (DWP) makes information available in various locations (for example, our website at www.gov.uk, and leaflets available from our DWP Information Line on 0845 7313233) to ensure that people are aware of the benefits to which they may be entitled and how to claim them. In addition DWP's

National Partnerships Team works with over 4,400 customer representative organisations, both nationally and locally, to provide a wide range of advice and support for pensioners.

For contributory pensions, the Department writes to people at the address held on record up to four months before they reach their state pension age explaining their options, including how to claim their state pension or how to defer receiving it until later. State pension can be claimed online, by phone, or by submitting a claim form.

With respect to income-related benefits, when a customer makes a claim to state pension or reports a change in their circumstances, a customer adviser also discusses a pension credit application with those who may be entitled. There is also a visiting service available to support vulnerable customers who are unable to access services through other channels, such as telephony, post or online. Furthermore, a web-based pension credit toolkit:

<http://www.dwp.gov.uk/pension-credit-toolkit/>

also provides customer representative organisations with all the information needed to talk to pensioners about pension credit. This includes members of the Age Action Alliance and UK Advisory Forum on Ageing, who work at local level with older people and providers of services to older people. Pensioners can, where eligible, claim housing benefit alongside pension credit in a single phone call, without the need for a signed claim form. Calls to the 0800 claims number from a BT landline or from the six largest mobile phone networks are free.

With respect to disability benefits, attendance allowance is available to severely disabled people aged 65 and over. Attendance allowance is widely referenced in the information products referred to above, particularly those directed at older people. People receiving disability living allowance or personal independence payment when they reach age 65 or state pension age, whichever is the later, can retain that entitlement rather than being required to claim attendance allowance so long as they continue to meet the entitlement conditions.

For winter fuel payments, warm home discounts and cold weather payments, in most cases the Department provides automatic payment based on records it already holds.

Further information on benefits is also available on the Department's website:

<https://www.gov.uk/browse/benefits>

Secondment

Chris Ruane: To ask the Secretary of State for Work and Pensions how many of his Department's civil servants have been seconded to (a) the private sector and (b) trades unions in each year since 2010. [177727]

Mike Penning: The records held centrally do not enable us to identify whether the individual is seconded out to a private sector organisation or a trade union. In general secondments out of the Department are usually to local authorities, county councils, educational bodies or charitable organisations.

Information from payroll records, indicate that as at 20 November 2013 DWP has 66 employees who are currently on an outward secondment that commenced in 2010 or later.

Chris Ruane: To ask the Secretary of State for Work and Pensions how many secondees from (a) trades unions and (b) the voluntary sector have worked in his Department since 2010. [17759]

Mike Penning: The information on secondees into DWP is not held centrally therefore we cannot state how many there are. Secondees into DWP from any external organisation do not have a civil service contract and are not paid through the Department's payroll.

Skilled Workers: Training

Julian Sturdy: To ask the Secretary of State for Work and Pensions what steps he has taken to provide support and training for those who have been made redundant so that they can return to high skilled occupations. [17759]

Esther McVey: The Jobcentre Plus Rapid Response Service provides support to people in a redundancy situation to help them move into alternative work without the need to claim welfare benefits. The support includes advice, guidance and signposting to sources of help relevant to individual circumstances. Where appropriate, funding may be provided by Partners or Jobcentre Plus to enhance transferrable skills aligned to jobs in the local labour market. Partners will vary according to location and the specific requirements of each redundancy situation, but may include: Skills Funding Agency, Skills Development Scotland (Partnership Action for Continuing Employment), Welsh Assembly Government—Redundancy Action Scheme, Acas, HMRC, Money Advice Service, local colleges.

Unemployment

Charlie Elphicke: To ask the Secretary of State for Work and Pensions what recent estimate he has made of the total cost to (a) the Exchequer and (b) individuals caused by lost earnings and youth unemployment in (i) each year between 2005 and 2010 and (ii) each region. [179118]

Esther McVey: The available information is shown in the following tables. Young people who were unemployed have been classified as people aged under 25 claiming jobseekers allowance. Housing benefit expenditure data split by region are not available prior to 2008-09.

On this basis the cost to the Exchequer and the cost to individuals is the same.

Calculating the total cost caused by lost earnings is not possible. This is because it would require making assumptions on salary if the youth were in employment, and assumptions about the circumstances of other members of the benefit unit.

JSA expenditure under 25

	£ million, cash terms					
	2005-06	2006-07	2007-08	2008-09	2009-10	2010-11
Total under 25	601	644	590	756	1,185	1,071

JSA expenditure under 25

	£ million, cash terms					
	2005-06	2006-07	2007-08	2008-09	2009-10	2010-11
<i>Government office region</i>						
North East	38	40	40	49	71	67
North West	81	90	86	109	164	144
Yorkshire and the Humber	59	65	61	81	128	117
East Midlands	41	46	43	57	93	81
West Midlands	71	79	73	91	144	127
East of England	41	45	41	56	88	79
London	94	96	79	88	135	126
South East	48	52	47	66	113	96
South West	31	33	30	44	72	63
Wales	34	36	35	47	72	64
Scotland	61	61	54	67	105	106
Unknown	—	—	—	—	—	—

JSA expenditure under 25

	£ million, real terms (2013-14 prices)					
	2005-06	2006-07	2007-08	2008-09	2009-10	2010-11
Total under 25	718	749	670	835	1,290	1,133
<i>Government office region</i>						
North East	45	47	46	54	77	70
North West	97	105	98	120	178	153
Yorkshire and the Humber	71	76	70	90	139	124
East Midlands	49	54	48	63	101	86
West Midlands	85	92	83	101	157	134
East of England	49	52	47	62	96	84
London	113	11	90	97	147	133
South East	58	61	53	73	123	101
South West	37	39	34	49	79	67
Wales	41	42	40	52	78	67
Scotland	72	71	61	74	115	112
Unknown	—	—	—	—	—	—

HB expenditure on JSA claimants under 25

	£ million, cash terms		
	2008-09	2009-10	2010-11
Total under 25	300	438	461
<i>Government office region</i>			
North East	15	20	22
North West	31	46	50
Yorkshire and the Humber	26	39	43
East Midlands	20	30	32
West Midlands	31	45	48
East of England	25	36	38
London	61	83	81
South East	32	51	53
South West	19	31	33
Wales	15	21	22
Scotland	25	36	41
Unknown	—	—	—

HB expenditure on JSA claimants under 25

	£ million, real terms (2013-14 prices)		
	2008-09	2009-10	2010-11
Total under 25	331	476	488
<i>Government office region</i>			
North East	16	22	23
North West	34	50	53
Yorkshire and The Humber	29	42	46
East Midlands	22	33	34

HB expenditure on JSA claimants under 25

	£ million, real terms (2013-14 prices)		
	2008-09	2009-10	2010-11
West Midlands	34	49	51
East of England	28	39	40
London	67	90	85
South East	36	55	56
South West	21	34	35
Wales	16	22	23
Scotland	28	40	43
Unknown	—	—	—

Source:

DWP Statistical and Accounting Data and statistical data from local authorities

Unemployment: Young People

Charlie Elphicke: To ask the Secretary of State for Work and Pensions what recent estimate he has made of the total cost in welfare payments to young people who were unemployed in each region in each year between 2005 and 2010. [177599]

Esther McVey: The information requested is shown in the following tables. Young people who were unemployed have been classified as people aged under 25 claiming jobseekers allowance. Housing benefit expenditure data split by region is not available prior to 2008-09.

	Nominal (£ million)					
Jobseeker's allowance expenditure on under 25s	2005-06	2006-07	2007-08	2008-09	2009-10	2010-11
Great Britain	601	644	590	756	1,185	1,071
North East	38	40	40	49	71	67
North West	81	90	86	109	164	144
Yorkshire and The Humber	59	65	61	81	128	117
East Midlands	41	46	43	57	93	81
West Midlands	71	79	73	91	144	127
East of England	41	45	41	56	88	79
London	94	96	79	88	135	126
South East	48	52	47	66	113	96
South West	31	33	30	44	72	63
Wales	34	36	35	47	72	64
Scotland	61	61	54	67	105	106
Unknown	—	—	—	—	—	—

	(£ million) 2013/14 prices					
Jobseeker's allowance expenditure on under 25s,	2005-06	2006-07	2007-08	2008-09	2009-10	2010-11
Great Britain	718	749	670	835	1,290	1,133
North East	45	47	46	54	77	70
North West	97	105	98	120	178	153
Yorkshire and The Humber	71	76	70	90	139	124
East Midlands	49	54	48	63	101	86
West Midlands	85	92	83	101	157	134
East of England	49	52	47	62	96	84
London	113	11	90	97	147	133
South East	58	61	53	73	123	101
South West	37	39	34	49	79	67
Wales	41	42	40	52	78	67
Scotland	72	71	61	74	115	112
Unknown	—	—	—	—	—	—

	Nominal terms £ million		
Housing benefit expenditure on jobseeker's allowance claimants aged under 25,	2008-09	2009-10	2010-11
Total under 25	300	438	461

<i>Nominal terms £ million</i>			
<i>Housing benefit expenditure on jobseeker's allowance claimants aged under 25,</i>	<i>2008-09</i>	<i>2009-10</i>	<i>2010-11</i>
North East	15	20	22
North West	31	46	50
Yorkshire and The Humber	26	39	43
East Midlands	20	30	32
West Midlands	31	45	48
East of England	25	36	38
London	61	83	81
South East	32	51	53
South West	19	31	33
Wales	15	21	22
Scotland	25	36	41
Unknown	—	—	—

<i>£ million</i>			
<i>2013-14 prices</i>			
<i>Housing benefit expenditure on jobseeker's allowance claimants aged under 25</i>	<i>2008-09</i>	<i>2009-10</i>	<i>2010-11</i>
Total under 25	331	476	488
North East	16	22	23
North West	34	50	53
Yorkshire and The Humber	29	42	46
East Midlands	22	33	34
West Midlands	34	49	51
East of England	28	39	40
London	67	90	85
South East	36	55	56
South West	21	34	35
Wales	16	22	23
Scotland	28	40	43
Unknown	—	—	—

Note:

Figures do not include other benefits that may be received by jobseeker's allowance claimants aged under 25, such as disability living allowance.

Source:

DWP Statistical and Accounting Data and Statistical data from local authorities.

Universal Credit

Stephen Gilbert: To ask the Secretary of State for Work and Pensions how many hours each week (a) a single parent or (b) a second earner in a couple will have to work at the minimum wage to be eligible for the 85 per cent rate of childcare costs support under universal credit; and if he will make a statement. [179218]

Esther McVey: In the 2013 Budget the Government announced its intention to increase childcare support within universal credit in 2016 to provide up to 85% of childcare costs for a household where the lone parent or both parents in a couple are working and paying income tax.

Once fully rolled out, universal credit will provide support towards the costs of child care for around 500,000 working families. Around 200,000 families would benefit from the proposed introduction of the 85% rate of child care support. It is estimated that a lone parent, or a second earner in a couple, would need to work 31 hours a week at the national minimum wage to be eligible for the 85% rate of child care support under universal credit.

Notes:

1. This analysis is based on the current national minimum wage and the income tax personal allowance of £10,000 per year that will be introduced in April 2014.

2. We have assumed that the lone parent or second earner is aged 21 or over and gets the current national minimum wage rate of £6.31 an hour.

Stephen Timms: To ask the Secretary of State for Work and Pensions what penalties his Department is able to impose for non-delivery under the contracts of IT suppliers working on the universal credit IT system; and if he will make a statement. [179276]

Mike Penning: All the IT being delivered for universal credit is being sourced via robust contracts with IT suppliers. Each of these contracts enables the Department to impose penalties for non-delivery and poor performance. The specific remedies differ according to the terms of each contract, however a range of options is available to the Department, including delay payments for failure to achieve pre-defined delivery milestones, service credits for poor performance against service levels, rights of refund related to failure to meet specific milestones, rights of step-in by the Department or its appointed third party representative (which can be exercised where certain performance or other triggers are met), and ultimately termination rights for breach of contract, where there has been a significant failure to comply with contract obligations.

Stephen Timms: To ask the Secretary of State for Work and Pensions what discussions his Department

has had with the Cabinet Office over implementation of the universal credit IT system; and if he will make a statement. [179326]

Esther McVey: The Department and Cabinet Office have many and frequent discussions on the implementation of the universal credit IT system. In particular the Government Digital Service, has played a key role in shaping the delivery of the new digital solution for universal credit and will be supporting the Department in mobilising the right team to develop it further to a full solution.

Winter Fuel Payments

Richard Burden: To ask the Secretary of State for Work and Pensions if he will revise the eligibility for higher winter fuel payments to allow people turning 80 after 22 September 2014 to receive a higher entitlement. [179204]

Steve Webb: Since winter 1999-2000, the qualifying week for winter fuel payments has been set in legislation as the third full week in September. Payment is made according to people's circumstances in that week. We use this date in order to establish entitlement and make payments before Christmas. The process to establish the entitlement of over 12 million pensioners takes six weeks and the first payments, to the poorest pensioners, are sent in early November. Payments continue to be sent through to December.

The winter fuel payment is a simple to administer scheme. Introducing separate eligibility rules for people age 80 and over would make the scheme more complex. The process of establishing the amount of entitlement in individual cases would delay payments, and add significant expense.

Dr Francis: To ask the Secretary of State for Work and Pensions what criteria are currently used to trigger winter fuel payments; and if he will make a statement. [179352]

Steve Webb: The main winter fuel payment qualifying conditions are that people must have reached state pension age for women and be ordinarily resident in Great Britain during a legislatively defined qualifying week (the week beginning on the third Monday in September for any year). There is no need to be in receipt of a social security benefit in order to qualify.

Over 95% of winter fuel payments are made automatically, without the need to claim, based on information held in DWP records. The remaining 5%, primarily men who have reached women's state pension age and who are not getting a DWP-administered benefit, need to make a claim if they want to get a winter fuel payment.

HOME DEPARTMENT

Neighbourhood Policing

21. **Fiona Mactaggart:** To ask the Secretary of State for the Home Department what steps she is taking to achieve safer and better policed neighbourhoods; and if she will make a statement. [901353]

Damian Green: This Government has freed the police from central control. By slashing red tape and sweeping away central targets we have empowered chief constables, in association with their Police and Crime Commissioners, to respond to the needs of their communities.

These reforms are working. Crime is down and victim satisfaction is up.

Animal Experiments

22. **Nic Dakin:** To ask the Secretary of State for the Home Department how many animal experiments were conducted in the UK in 2012. [901354]

Norman Baker: In 2012 there were 4.1 million (4,110,028) procedures undertaken on animals under the Animals (Scientific Procedures) Act. Nearly half (48%) of these related to the breeding of genetically modified animals, mainly mice and fish.

Domestic Violence

23. **Ian Mearns:** To ask the Secretary of State for the Home Department what assessment she has made of the use of legally owned firearms in domestic violence incidents. [901355]

Norman Baker: The coalition Government shares concerns about perpetrators of domestic violence legally owning firearms. This is why we have brought in new, detailed guidance for the police on firearms and domestic violence. This guidance makes it clear that evidence of domestic violence will generally indicate that a person should not be permitted to possess a gun.

Organised Crime

25. **Paul Uppal:** To ask the Secretary of State for the Home Department what steps she is taking to tackle organised crime. [901357]

James Brokenshire: The new National Crime Agency has been operational since October. It has new powers, capabilities and a stronger mandate to lead the fight to cut serious and organised crime. Our new Serious and Organised Crime Strategy focuses on the relentless disruption of organised criminals by bringing the full force of government, law enforcement and our private sector partners to bear.

Visa and Immigration System

Glyn Davies: To ask the Secretary of State for the Home Department what steps she is taking to ensure that the visa and immigration system works in the national interest. [901335]

Mrs May: The Government has been working to build an immigration system that works in the national interest, supporting growth, investment and jobs in the UK that will benefit hard-working people, while still deterring those who have no right to be here. We are reforming immigration routes, tackling abuse and improving customer services.

Immigration Offences

Stephen Doughty: To ask the Secretary of State for the Home Department what assessment she has made of trends in the number of people arrested for immigration offences. [901339]

Mr Harper: Arrests for immigration offences have been increasing since 2010. Trends in arrests do change, mainly related to the types of enforcement activity, rather than identifying specific problems. The rise in arrests reflects the Home Office's intent to use intelligence effectively, taking robust action to target criminals profiting from illegal migration.

Relocation Powers

Mark Tami: To ask the Secretary of State for the Home Department what assessment she has made of the effectiveness of her Department's relocation powers. [901349]

James Brokenshire: The TPIMs Act allows subjects to be moved within their local area and to be excluded from particular locations as part of a powerful range of restrictive measures. David Anderson, the Independent Reviewer of Terrorism Legislation, has reported that in terms of security, the TPIM regime continues to provide a high degree of protection.

Kings Science Academy

Kevin Brennan: To ask the Secretary of State for the Home Department if she will publish the review carried out by Action Fraud in relation to its handling of the reporting to them by her Department of the outcome of its investigation into the Kings Science Academy, Bradford. [177764]

James Brokenshire: The National Fraud Authority are taking steps to improve staff awareness and training across the service. In addition to this work, the current audit programmes are under a more detailed review to establish if more audits or call monitoring would be beneficial and whether such activity would be cost effective. I will write to the hon. Member and place a copy in the Library when this work is complete.

Offences Against Children

Dr Huppert: To ask the Secretary of State for the Home Department (1) when information on Project Spade was passed to the Serious Organised Crime Agency (SOCA); and whether SOCA was involved in Project Spade; [177415]

(2) whether information relating to Project Spade was passed from the Serious Organised Crime Agency to the National Crime Agency; [177416]

(3) whether any investigation relating to Project Spade is taking place in the UK; [177417]

(4) whether any suspects implicated by Project Spade are living in the UK; [177418]

(5) whether any child victims are living in the UK whose status as victim has been revealed to the authorities as a result of Project Spade. [177419]

Damian Green [*holding answer 27 November 2013*]: In July 2012 the Child Exploitation and On-line Protection Centre (CEOP) received information, via Interpol, from the Toronto Police as part of Project SPADE (a Toronto Police investigation into the distribution of child abuse imagery, videos and DVDs).

The information was not passed to the Serious Organised Crime Agency (SOCA) as, while CEOP was affiliated to SOCA, it operated independently.

All the intelligence and information held by CEOP, including in respect of previous investigations involving CEOP, transferred to the National Crime Agency (NCA) on 7 October.

Responsibility for such matters now rests with the NCA.

The NCA CEOP Command has undertaken additional assessment of the data provided by the Canadians and information was provided to police forces on 26 November 2013.

As the enquiries are ongoing it would be inappropriate to comment on suspects or victims linked to this investigation.

Organised Crime: Currencies

Tom Blenkinsop: To ask the Secretary of State for the Home Department what discussions the National Crime Agency has had with (a) HM Treasury and (b) the Financial Conduct Authority about the potential use of distributed virtual currencies for serious and organised crime. [177661]

James Brokenshire: The potential criminal use of virtual currencies is highlighted for action in the new Serious and Organised Crime Strategy and is an issue which the National Crime Agency (NCA) is taking seriously. The Economic Crime Command (ECC) within the NCA is in discussions with a range of partners—both in the UK and overseas, including HM Treasury and the Financial Conduct Authority—on the criminal use of virtual currencies and work to tackle it.

Police: Information

Tim Loughton: To ask the Secretary of State for the Home Department what guidance she has issued on the repeat issuing of police information notices to the same person on the basis of similar allegations. [179230]

Damian Green: I refer my hon. Friend to the answer given on 12 November 2013, *Official Report*, column 547W.

DEPUTY PRIME MINISTER

Ministers' Private Offices

Mr Jenkin: To ask the Deputy Prime Minister whether he (a) has appointed or (b) intends to appoint an enlarged ministerial office. [177512]

The Deputy Prime Minister: I refer my hon. Friend to the answer given by the Minister for the Cabinet Office and Paymaster General the right hon. Member for Horsham (Mr Maude), on 28 November 2013, *Official Report*, column 398W.

ATTORNEY-GENERAL

Crown Prosecution Service

Emily Thornberry: To ask the Attorney-General whether he plans restrictions on the power of the CPS to dispose of an offence, whether summary, indictable-only or triable either way, with a simple caution. [179101]

The Solicitor-General: The recent review of simple cautions published by the Ministry of Justice on 14 November 2013 reinforced the need for the police to refer any decision to issue a simple caution for an indictable only offence to the CPS.

The police may make the decision to offer a simple caution for any summary only offence or either way offence without reference to the CPS.

Harassment: Prosecutions

Emily Thornberry: To ask the Attorney-General how many cases of harassment have been referred to the Crown Prosecution Service by the police in each of the past seven years. [179297]

The Solicitor-General: The Crown Prosecution Service (CPS) maintains no central record of the number of cases of harassment referred to it for a charging decision. This information could be obtained only by examining all of the files sent to the CPS for charging advice, which would incur disproportionate cost.

Policing and Crime Act 2009

Helen Jones: To ask the Attorney-General how many people have been (a) arrested, (b) charged and (c) convicted under Section 14 of the Policing and Crime Act 2009 in each year since the Act came into force. [179332]

The Solicitor-General: The records held by the Crown Prosecution Service (CPS) identify the number of offences, in which a prosecution commenced and reached a first hearing in magistrates courts, rather than the number of defendants prosecuted and convicted. A single defendant may be prosecuted for multiple offences.

Section 14 of the Policing and Crime Act 2009 inserted a new offence of paying for the sexual services of a prostitute who had been subjected to force, under section 53A of the Sexual Offences Act 2003. The following table shows the number of these offences charged and reaching a first hearing in each of the last three years since the Act came into force.

	<i>Offences</i>
2010-11	40
2011-12	7
2012-13	8

The CPS does not hold a record of the number of people arrested for this offence. The official statistics on crime and policing are maintained by the Home Office.

Protection From Harassment Act 1997

Helen Jones: To ask the Attorney-General how many Crown prosecutors have received training on sections 2 and 4 of the Protection From Harassment Act 1997. [179312]

The Solicitor-General: The Crown Prosecution Service (CPS) has developed an online e-Learning course on cyber stalking which was launched in September 2012 and includes training on the relevant offences and their identification, as well as covering other issues which may arise in the prosecution of stalking cases. The course was refreshed in June 2013 and has been completed by 1,472 CPS employees to date.

The CPS is currently developing further training on the relevant offences, with emphasis on building a strong case, working closely with the police and engaging with victims throughout the legal process.

Secondment

Chris Ruane: To ask the Attorney-General (1) how many of the Law Officers' Departments civil servants have been seconded to (a) the private sector and (b) trades unions in each year since 2010; [177706]

(2) how many secondees from (a) trades unions and (b) the voluntary sector have worked in the Law Officers' Departments since 2010. [177729]

The Solicitor-General: Since 2010 only the Crown Prosecution Service has seconded employees to (a) the private sector. No staff have been seconded to a trade union. Details on these secondees are contained in the following table.

	<i>Name of company seconded to</i>	<i>Number of outward secondees</i>
2011-12	LOCOG ¹	6
2012	LOCOG ¹	2
2010-15	Road Safety Support Ltd (ACPO Affiliation)	1

¹ London Organising Committee for the Olympic and Paralympic Games

Two staff members in the Treasury Solicitor's Department have also been seconded out of the UK civil service since 2010; one to a public corporation from December 2008 to August 2011, and one to a charity in the voluntary sector from September 2008 to August 2013.

During this same period the Law Officers' Departments have had no external secondees from either trade unions or the voluntary sector.

Sentencing

Oliver Colville: To ask the Attorney-General if he will make an assessment of the reasons for which unduly lenient sentences are handed down. [179377]

The Solicitor-General: In broad terms, the test that is applied in all cases is whether the sentence falls outside the range which a judge, taking into account all relevant considerations, could reasonably consider appropriate and is a gross error.

In the last year for which figures are available 88 cases were sent by the Attorney-General and I to the Court of Appeal. Leave to refer as unduly lenient was granted in 73 cases. The sentence was quashed and an increased sentence passed in 62 cases.

INTERNATIONAL DEVELOPMENT

Africa

Andrew Stephenson: To ask the Secretary of State for International Development what assessment she has made of the effectiveness of the Investment Climate Facility for Africa; and what her policy is on creating a similar programme for other continents. [177566]

Lynne Featherstone: DFID conducted an Annual Review of the Investment Climate Facility for Africa (ICF) in 2013 and assessed that the ICF was performing well and on track to meet its targets for 2014, the final year of its current phase. The Annual Review found that 90% of partner Governments were satisfied with the quality, speed and results of ICF projects.

At this point, DFID has no plans to establish an Investment Climate Facility for Asia or other continents. However, DFID does fund a portfolio of programmes that work at the national level to improve the investment climate. In South Asia, for example, DFID supports the Bangladesh Investment Climate Facility, the Nepal Investment Climate Reform Programme, and the Pakistan Alternative Dispute Resolution Project. These programmes work with national partners to support legal, regulatory and institutional reforms that reduce the costs of doing business in these countries, in turn generating much needed investment and jobs.

Democratic Republic of Congo

Alison McGovern: To ask the Secretary of State for International Development what assessment she has made of the effectiveness of the ceasefire in the Democratic Republic of Congo; and what impact the ceasefire has had on the humanitarian situation. [179316]

Lynne Featherstone: The M23 leadership announced a cessation of violence on 5 November, but no formal ceasefire was agreed during talks in Kampala. The military defeat of M23 should therefore be greeted with cautious optimism. The Kampala process needs to be brought to a successful conclusion. All signatories to the Peace, Security and Cooperation Framework need to ensure its effective implementation to address the causes of conflict, thereby bringing sustained peace. We continue to monitor the humanitarian situation in North Kivu with concern. Armed groups remain active in parts of the province and challenges remain to resolve the humanitarian situation.

Developing Countries: Rape

Dame Tessa Jowell: To ask the Secretary of State for International Development what steps her Department takes to ensure that non-discriminatory healthcare is provided to survivors of rape in conflict. [179515]

Lynne Featherstone: In conflict situations UK-funded medical care is provided through humanitarian organisations. These organisations work according to humanitarian principles including the provision of non-discriminatory aid, provided according to need alone.

Ministers' Private Offices

Mr Jenkin: To ask the Secretary of State for International Development whether she (a) has appointed or (b) intends to appoint an enlarged ministerial office. [177519]

Justine Greening: I refer my hon. Friend to the Minister for the Cabinet Office and Paymaster General, my right hon. Friend the Member for Horsham (Mr Maude)'s answer of 28 November 2013, *Official Report*, column 398W.

Pakistan

Andrew Stephenson: To ask the Secretary of State for International Development what support her Department gives to the promotion of animal welfare in Pakistan. [177619]

Justine Greening: The UK Government supports the proposed Universal Declaration on Animal Welfare (UDAW) as an important means of raising awareness of this issue.

Secondment

Chris Ruane: To ask the Secretary of State for International Development how many of her Department's civil servants have been seconded to (a) the private sector and (b) trades unions in each year since 2010. [177719]

Mr Duncan: Since 2010 there has been one outward secondment to the private sector and none to trade unions.

Chris Ruane: To ask the Secretary of State for International Development how many secondees from (a) trades unions and (b) the voluntary sector have worked in her Department since 2010. [177742]

Mr Duncan: Since 2010 there have been five such secondees from the voluntary sector and none from trade unions.

CABINET OFFICE

Defence: Procurement

Alison Seabeck: To ask the Minister for the Cabinet Office what external advice was sought by his Department during the drafting of the joint report to the Secretary of State for Defence on the Viability of the Materiel Strategy Procurement. [177631]

Mr Hurd: The review was conducted by a Crown Commercial Lead in the Cabinet Office, and Commercial Operations Director in the Ministry of Defence, both of whom have external commercial backgrounds.

The reviewers consulted widely among parties involved in the GoCo procurement and the Ministry of Defence's operations.

ICT

Mrs Moon: To ask the Minister for the Cabinet Office how many people are employed within centralised IT departments or teams in his Department; and if he will make a statement. [179161]

Mr Maude: As part of the transparency agenda, my Department publishes an organogram and structure charts twice each year. The latest organogram may be viewed at:

<http://data.gov.uk/organogram/cabinet-office>

and structure charts, where you will find more detailed information on junior posts, are available at:

<https://www.gov.uk/government/publications/cabinet-office-staff-and-salary-data-as-at-31-march-2013>

The organogram and structure charts will next be updated in December 2013.

Immigrants

Mr Denham: To ask the Minister for the Cabinet Office if he will estimate the number of migrants into each English region since 2004 from (a) other English regions and other parts of the UK, (b) the EU and (c) outside the EU. [177812]

Mr Hurd: The information requested falls within the responsibility of the UK Statistics Authority. I have asked the authority to reply.

Letter from Glen Watson, dated November 2013:

As Director General for the Office for National Statistics (ONS), I have been asked to reply to your Parliamentary Question asking the Secretary of State for Communities and Local Government, if he will estimate the number of migrants into each English region since 2004 from (a) other English regions and other parts of the UK, (b) the EU and (c) outside the EU. [177812]

The tables provide estimates for the years ending June 2004 to June 2012.

With regards to the number of migrants into each English region from other English regions and other countries within the UK, estimates are derived from the National Health Service Central Register administrative data.

With regards to the number of long-term migrants into each English region from the EU and from outside the EU, estimates are derived from International Passenger Survey (IPS) data. The IPS is a continuous voluntary sample survey conducted by the Office for National Statistics and therefore is subject to sampling variability. This is shown in the tables by confidence intervals.

Confidence intervals provide an estimated range within which the true value of a population is likely to fall. The confidence intervals around the IPS estimates in the table are 95 per cent confidence intervals; this means that this range is expected to contain the true value of the number of migrants around 95 per cent of the time. Caution should be exercised when using an estimate which has a large confidence interval.

A copy of the table will be placed in the Library of the House.

Local Government

Mr Frank Field: To ask the Minister for the Cabinet Office what estimate he has made of the number of people employed by private and voluntary sector providers of local government services in the UK. [179195]

Mr Hurd: The information requested falls within the responsibility of the UK Statistics Authority. I have asked the authority to reply.

Letter from Caron Walker, dated November 2013:

On behalf of the Director General for the Office for National Statistics, I have been asked to reply to your Parliamentary Question asking the Minister for the Cabinet Office what estimate he has made of the number of people employed by private and voluntary sector providers of local government services in the UK. 179195.

ONS does not hold this information.

Secondment

Chris Ruane: To ask the Minister for the Cabinet Office (1) how many of his Department's civil servants have been seconded to (a) the private sector and (b) trades unions in each year since 2010; [177707]

(2) how many of his Office's civil servants have been seconded to (a) the private sector and (b) trades unions in each year since 2010; [177711]

(3) how many of No. 10 Downing Street's civil servants have been seconded to (a) the private sector and (b) trades unions in each year since 2010; [177722]

(4) how many secondees from (a) trades unions and (b) the voluntary sector have worked in his Department since 2010; [177730]

(5) how many secondees from (a) trades unions and (b) the voluntary sector have worked in his Office since 2010; [177734]

(6) how many secondees from (a) trades unions and (b) the voluntary sector have worked in No. 10 Downing Street since 2010. [177745]

Mr Maude: The Prime Minister's Office and Deputy Prime Minister's Office are an integral part of the Cabinet Office.

Five or fewer civil servants in my Department have been seconded to the private sector in each year since 2010, and none have been seconded to trade unions.

In line with the practice of previous Administrations exact numbers are not usually disclosed to protect individual privacy when the numbers are five or fewer.

Since 2010, my Department has employed no secondees from trade unions and nine from the voluntary sector.

The Cabinet Office secondment and interchange policy encourages individuals from outside the civil service to bring expertise, knowledge and skills generally unavailable within the civil service for a set period of time, providing an opportunity for knowledge transfer. I would like to see the number of secondments increase.

EDUCATION

Adult Education: Carers

Kerry McCarthy: To ask the Secretary of State for Education (1) what steps he is taking to help young adult carers continue their education; [177843]

(2) what assessment he has made of the ability of (a) schools and (b) local authorities to identify young adult carers; and what assessment he has made of the support available for young adult carers. [177844]

Mr Timpson: The Government is committed to protecting young people from excessive or inappropriate caring roles that could impact on their own health, education or well-being.

Evidence from the National Young Carers' Coalition suggests that only around a third of identified young carers undergo any local authority assessment and only a third of those then get sufficient support to address their needs. As part of the Children and Families Bill the Government has put forward a clause that will make it easier for young carers to get an assessment. Local authorities will have to carry out an assessment of a young carer's needs for support—on request or on the appearance of need.

We are also joining up a young carer's support with the assessment of adults being introduced under provisions in the Care Bill. Our aim is to ensure that the support needs of the person being cared for are met. The provision of these services will protect young carers from having to undertake or continue in a potentially harmful caring role.

On school identification of young carers, the picture is mixed. There are some excellent examples of good practice in schools, such as having a nominated lead teacher. However, we know that good practice is not universal. That's why the Department for Education has worked with the Children's Society and the Carers Trust since 2011 to share existing tools and good practice, including an e-learning module for school staff that we developed to increase awareness in schools of young carers' issues. The Department of Health has recently started training school nurses to be champions for young carers. They will speak up on their behalf and help head teachers and governors decide how best to support them at school.

As part of the Children and Families Bill and the Care Bill we are also strengthening the legislative framework on duties to support young carers with their transition into adulthood, so that they can continue to access the support they need to have good health and educational outcomes.

Bristol University

Kevin Brennan: To ask the Secretary of State for Education when he will release the data requested by the university of Bristol in their Freedom of Information request of 6 June 2013 which was used in the document, A comparison of GCSE results and AS level results as a predictor of getting a 2.1 or above at university which was published in May 2013. [177354]

Elizabeth Truss: The Secretary of State for Education has no express legal powers to share individual student data owned by the Higher Education Statistics Agency (HESA), unless work is being done directly on behalf of the Department.

Officials are working with colleagues in the HESA and Higher Education Funding Council for England on a solution that will open up access to this data and enable independent third parties, such as the university of Bristol, to apply for access. Our current plans are to launch this service in due course.

Children: Hyperactivity

Chris Ruane: To ask the Secretary of State for Education what assessment he has made of the effects of attention deficit disorders on educational attainment. [179107]

Mr Timpson: The Department for Education makes no specific assessment of the effects of attention deficit disorders on educational attainment but we publish extensive information on special educational needs (SEN) annually.

Pupils can face multiple issues. We are currently consulting on a new SEN Code of Practice. This makes it clear that schools should seek to identify underlying causes for behaviour problems, including any attention deficit hyperactivity disorder, in deciding what SEN provision to put in place, working with families and, where necessary, specialists to identify desired outcomes and appropriate interventions.

Priority School Building Programme

Tom Blenkinsop: To ask the Secretary of State for Education if he will meet the hon. Member for Middlesbrough South and East Cleveland and representatives of Handale Primary School to discuss the Priority School Building Programme. [179235]

Mr Laws: Yes.

Tom Blenkinsop: To ask the Secretary of State for Education which schools were (a) initially informed they would and (b) subsequently informed they would not receive funding for under three provision from the Priority School Building Programme by the Education Funding Agency. [179261]

Mr Laws: I am not aware of any school that has been informed that they would receive funding for under three provision from the Priority Schools Building Programme. However, we have allocated £200 million to local authorities for this specific purpose, and we expect them to contribute a proportion of this funding where they wish to provide under three places.

Tom Blenkinsop: To ask the Secretary of State for Education how many (a) free schools, (b) academies and (c) maintained schools will receive funding from the Priority School Building Programme; and what total funding each such category of school will be allocated under this programme. [179263]

Mr Laws: 261 schools were successful in their applications to the Priority School Building Programme (PSBP) and a full list is available on the Department's website.

In the PSBP there are 62 academies; 199 community, foundation, voluntary aided and voluntary controlled schools; and no free schools.

These figures are accurate as of 22 November 2013. It should be noted that when some of these schools applied they were not academies—they have since converted to academy status.

We cannot currently provide the total funding that each of the categories will be allocated under this programme. A feasibility study is carried out at each of the 261 schools in order to define exact costings and this process has not yet been completed on all schools.

Science: Education

Meg Munn: To ask the Secretary of State for Education (1) what monitoring and evaluation mechanisms are in place for organisations who have received funding from his Department for education and outreach in science, technology, engineering and mathematics; [179259]

(2) what monitoring his Department undertakes of awareness in schools of projects promoting science, technology, engineering and mathematics and their engagement with such projects; [179260]

(3) which organisations have received funding from his Department for education and outreach in science, technology, engineering and mathematics in each of the last three years. [179322]

Elizabeth Truss: The Department monitors and evaluates the performance of projects through regular contract or grant management meetings. The regularity of the meetings varies according to need. Certain contracts include provision for independent evaluation, where deemed appropriate and proportionate.

Contract and grant managers ensure that the reports provided by the organisations give clear indications of the involvement of schools, evaluations of the impact of their projects and any other relevant information, such as responses to questionnaires.

The Department also has regular meetings with representatives of relevant bodies, such as Mathematics in Education and Industry (MEI), the National Centre for Excellence in the Teaching of Mathematics (NCETM), Science Community Representing Education (SCORE), the National Science Learning Centre and STEM NET, where the engagement of schools is discussed.

The following organisations have received funding from the Department for Education in respect of Science, Technology, Engineering or Mathematics education and outreach in the last three years:

*Science/Technology/Engineering**2011-12*

British Computer Society
British Science Association
The Design and Technology Association (DATA)
Engineering UK
Institute of Physics
The Meteorological Office
Myscience.co Ltd
Royal Academy of Engineering
The Royal Society
Smallpeice Trust
STEMnet

2012-13

British Computer Society
British Science Association
The Design and Technology Association (DATA)
Engineering UK
Institute of Physics
The Meteorological Office
Myscience.co Ltd
The Open University
Prolog
Royal Academy of Engineering

The Royal Society
STEMnet
University of Cambridge

2013-14

Bloodhound SSC
British Computer Society
British Interplanetary Society
British Science Association
Engineering UK
Institute of Physics
Janet Network
The Meteorological Office
Myscience.co Ltd
Royal Academy of Engineering
The Royal Institution
The Royal Society
STEMnet
University of Cambridge

*Maths**2011-12*

Edge Hill University
Institute for Education
Manchester Metropolitan University
Mathematics in Education and Industry (MEI)
The Open University
Sheffield Hallam University
Think Tank Mathematics
Tribal
The University of Brighton
The University of Northampton
The University of Winchester

2012-13

Edge Hill University
Imperial College
Institute for Education
Manchester Metropolitan University
Mathematics in Education and Industry (MEI)
National Foundation for Educational Research (NFER)
The Open University
Sheffield Hallam University
Tribal
The University of Brighton
The University of Northampton
The University of Winchester

2013-14

Imperial College
Mathematics in Education and Industry (MEI)
Tribal
United Kingdom Mathematics Trust
University of Cambridge

Social Services: Birmingham

Tim Loughton: To ask the Secretary of State for Education when he expects to make an announcement on the future management of Birmingham Children's Services. [179151]

Mr Timpson: I wrote to the leader of Birmingham city council, Sir Albert Bore, on 29 November. This letter has been published on the Department's website at:

https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/262416/Letter_to_Sir_Albert_Bore_-_29.11.pdf

Teachers: Trade Unions

George Galloway: To ask the Secretary of State for Education what meetings he has planned with representatives of teaching trades unions relating to their grievances following his recent correspondence with them. [179184]

Mr Laws: The Secretary of State for Education is meeting organisations representing the teaching profession in December. This is the first meeting in a programme of talks to discuss implementation of education policy. He has invited the general secretaries of the NUT, the NASUWT and UCAC—teaching unions which are in dispute with him, to attend this programme of talks, among others.

George Galloway: To ask the Secretary of State for Education if he will publish all recent correspondence with teaching trades unions and the NUT and NASUWT. [179185]

Mr Laws: The recent letters of the Secretary of State for Education, the right hon. Member for Surrey Heath (Michael Gove), to the NUT and NASUWT have been published in the House Library.

George Galloway: To ask the Secretary of State for Education if he will meet the NUT and NASUWT as part of an attempted dispute resolution. [179186]

Mr Laws: The Secretary of State for Education, my right hon. Friend the Member for Surrey Heath (Michael Gove), has invited the General Secretaries of the NUT and the NASUWT to attend a programme of talks about the implementation of education policy, including in those areas covered by their trade disputes.

Chris Williamson: To ask the Secretary of State for Education what steps he is taking to resolve outstanding industrial disputes with the NASUWT and the NUT. [179264]

Mr Laws: The Secretary of State for Education, the right hon. Member for Surrey Heath (Michael Gove) has invited the General Secretaries of the NUT and the NASUWT to attend a programme of talks about the implementation of education policy, including in those areas covered by their trade disputes.

Chris Williamson: To ask the Secretary of State for Education by what date he expects to have resolved outstanding industrial disputes with the NASUWT and NUT. [179265]

Mr Laws: The Secretary of State for Education, the right hon. Member for Surrey Heath (Michael Gove) has invited the General Secretaries of the NUT and the NASUWT to attend a programme of talks about the implementation of education policy, including in those areas covered by their trade disputes.

The programme of talks will begin in December.

Teachers: Training

George Galloway: To ask the Secretary of State for Education what proportion of trainee teachers who are in (a) the School Direct programme and (b) tertiary institutions are from a Black and minority ethnic community. [179190]

Mr Laws: Provisional data on new entrants to initial teacher training programmes in the academic year 2013-14 were published in a statistical first release (49/2013)—the initial teacher training census for the academic year 2013-14. The ethnicity breakdown of new entrants can be found in the following table and is available online at:

<https://www.gov.uk/government/publications/initial-teacher-training-trainee-number-census-2013-to-2014>

Table A4: Initial teacher training new entrants (provisional as at 13 November 2013)—Ethnicity breakdown of new entrants^{1,2,3}. Coverage: England. Academic year: 2013-14

Ethnicity breakdown of new entrants on initial teacher training programmes	Provider led	Percentage		
		School direct (Fee)	School direct (Salary)	Total
Black and minority ethnic (BME) entrants on ITT programmes	12	9	10	12
Non-BME entrants on ITT programmes	88	91	90	88
Total	100	100	100	100

Notes:

1. Percentages for 2013-14 are based on data about actual new entrants at the time of the census, and are provisional and subject to change.

2. Percentages are rounded to the nearest whole percentage, and summed percentages are derived from the unrounded components.

3. Teach First are excluded.

Source:

NCTL Initial Teacher Training Census

HEALTH

Accident and Emergency Departments

Mr Denham: To ask the Secretary of State for Health how many and what proportion of patients waited longer than the target for admission to accident and emergency in each English region in the most recent month for which figures are available. [177813]

Jane Ellison: Data on performance against the operational standard that 95% of patients attending accident and emergency (A&E) should be admitted, transferred or discharged within four hours of their arrival in an A&E department, are collected and published on a weekly basis, by NHS England. Monthly figures are not available. NHS England publishes aggregate figures for the four NHS Commissioning Regions.

The following table shows performance against the operational standard by NHS Commissioning Regions for the five week period between the week ending 6 October 2013 and the week ending 3 November 2013.

NHS Commissioning Region	Performance for the period between week ending 6 October 2013 and week ending 3 November 2013		
	Number of attendances at A&E	Number of patients who waited more than four hours	Proportion of patients who waited more than four hours (percentage)
North of England	620,627	24,595	4.0
Midlands and East of England	569,572	25,325	4.4

Performance for the period between week ending 6 October 2013 and week ending 3 November 2013

NHS Commissioning Region	Number of attendances at A&E	Number of patients who waited more than four hours	Proportion of patients who waited more than four hours (percentage)
London	425,970	21,374	5.0
South of England	436,635	16,915	3.9

Source:

NHS England weekly A&E sitreps.

Care Homes: Abuse

John McDonnell: To ask the Secretary of State for Health (1) what steps his Department is taking to tackle abuse by carers employed within the home setting to care for people with disabilities or the elderly; [177543]

(2) what procedures his Department has put in place to monitor abuse by carers employed within the home setting, caring for people with disabilities or the elderly; [177544]

(3) what information his Department holds on the incidence of abuse by carers employed within the home setting, caring for people with disabilities or the elderly. [177545]

Norman Lamb: The Government is committed to protecting people from abuse and neglect. Our policy objective is to prevent and reduce the risk of harm to adults with care and support needs from abuse, neglect or other types of exploitation, while supporting them to maintain control over their lives and to make informed choices without coercion.

We are strengthening the Care Quality Commission's (CQCs) regulatory function. The new chief inspector of Adult Social Care, Andrea Sutcliffe, will have widespread powers to take firm action on poor care and to hold both councils and providers to account for the quality of services, including the possibility of prosecution. The Care Bill will also give the CQC the power to publish performance ratings on the quality of social care provision, which will give the public a clear and simple way of determining which providers are offering the best services.

Since 2010, all councils with adult social services responsibilities have been required to submit Abuse of Vulnerable Adults returns to the NHS Health and Social Care Information Centre (HSCIC). This is a mandatory data collection, which records safeguarding activity relating to vulnerable adults aged 18 and over in England and includes information about the volume of safeguarding activity taking place, the characteristics of adults who may be at risk of harm and the locations in which alleged abuse has taken place. It is intended to provide information which can assist stakeholders in recognising and preventing future harm. The most recent report, which presents provisional data for 2012-13, is available on the HSCIC website at:

www.hscic.gov.uk/pubs/abuseva1213prov

Measures need to be in place locally to protect those who may not be able to protect themselves. The Care Bill places the establishment of Safeguarding Adults Boards on a statutory footing, to ensure that local

authorities, the NHS and police, together with any other agency that may be appropriate, work together to develop and implement adult safeguarding strategies.

The Bill also places Safeguarding Adults Reviews on a statutory footing for the first time. If abuse or neglect does take place, it is essential that the relevant professionals and organisations involved in the case improve future practice and minimise the possibility of it happening again. Conducting safeguarding adult reviews in serious cases will help ensure lessons are learned and applied and better equip local agencies with care and support functions to prevent abuse and to respond should it occur.

John McDonnell: To ask the Secretary of State for Health whether the Government's forthcoming legislative proposals to reform the care sector will ensure that procedures are put in place to protect people with disabilities or the elderly from abuse by carers employed not through a statutory body or an agency but directly by the person cared for. [177546]

Norman Lamb: The Disclosure and Barring Service (DBS) is designed to help employers make safer, more informed recruitment decisions. It also prevents unsuitable people from working with vulnerable groups through its criminal record checking and barring functions. Under current legislation, individuals employing people directly are not entitled to ask for a standard or enhanced DBS check about the carers they hire. The Government is aware that measures need to be put in place to ensure the safety of individuals who employ carers directly.

Self-employed individuals could obtain a DBS check by registering with an agency under which they would then be contracted, or by 'porting' their DBS certificate from other employment or voluntary work.

Responsibility for the legislation which defines whether individuals are able to request a person to reveal their full criminal history, rests with the Secretary of State for the Home Department, the right hon. Member for Maidenhead (Mrs May).

Chlamydia

Alison Sebeck: To ask the Secretary of State for Health what steps he is taking with the devolved Administrations to agree a screening programme for Chlamydia. [177598]

Jane Ellison: The National Chlamydia Screening Programme (NCSP) has operated in England since 2003. To date, the NCSP has delivered around 7.5 million tests, diagnosing over 470,000 infections in young adults (15 to 24 years old).

Policy on the provision of health services including Chlamydia screening is a matter for the individual devolved Administrations who decide what works best for their particular populations. The Department is not currently working with the devolved Administration on Chlamydia screening.

Eyesight: Injuries

Rehman Chishti: To ask the Secretary of State for Health how many instances of eye injury inflicted by laser pens have been recorded in the last five years. [179237]

Norman Lamb: This data is not collected as part of Hospital Episode Statistics.

Genito-urinary Medicine

Luciana Berger: To ask the Secretary of State for Health (1) how many (a) women have received transvaginal mesh implants, (b) women had transvaginal mesh removed and (c) adverse reports relating to transvaginal mesh implants were recorded in each year since 2005; [179385]

(2) what recent assessment he has made of the prevalence and severity of complications resulting from transvaginal mesh implants; [179386]

(3) what assessment he has made of the effectiveness of voluntary reporting of complications relating to transvaginal mesh implants; and what his policy is on the introduction of mandatory reporting. [179388]

Norman Lamb: The information is not available in the format requested. Such information as is available is in the following tables.

Finished consultant episodes for women who have received a primary or secondary operative procedure for the insertion of transvaginal mesh, transobturator tape, transvaginal slings and transvaginal tape

Procedure	2005-06	2006-07	2007-08	2008-09	2009-10	2010-11	2011-12	2012-13
Insertion of transvaginal mesh	—	222	1,515	1,827	1,849	1,636	1,524	1,310
Insertion of transobturator tape	—	2,580	5,045	5,750	5,569	5,426	4,885	4,476
Insertion of transvaginal sling	279	277	210	151	141	130	134	135
Insertion of transvaginal tape	—	6,137	8,817	8,503	8,397	8,087	8,172	7,627

Note:

Activity in English NHS Hospitals and English NHS commissioned activity in the independent sector.

Source:

Hospital Episode Statistics (HES), Health and Social Care Information Centre

Finished consultant episodes for women with a primary or secondary operative procedure for the removal of transobturator tape and transvaginal tape

Procedure	2005-06	2006-07	2007-08	2008-09	2009-10	2010-11	2011-12	2012-13
Removal of transobturator tape	—	68	79	96	128	95	96	124
Removal of transvaginal tape	—	287	417	506	475	508	565	581

Notes:

1. Activity in English NHS Hospitals and English NHS commissioned activity in the independent sector

2. There is no clinical coding available for the removal of Transvaginal Mesh or Transvaginal Slings.

3. The Figures do not represent the number of different patients, as a person may have more than one episode of care within the same stay in hospital or in different stays in the same year.

Source:

Hospital Episode Statistics (HES), Health and Social Care Information Centre

Adverse events that have been reported to Medicines and Healthcare products Regulatory Agency (MHRA) since 2005 concerning vaginal tape and mesh implants are as follows:

	Vaginal tapes for stress urinary incontinence	Vaginal mesh for pelvic organ prolapse	Vaginal mesh for unknown indication ¹	Total
2005	9	0	0	9
2006	25	1	0	26
2007	3	2	0	5
2008	10	3	0	13
2009	9	3	0	12
2010	38	4	0	42
2011	38	13	3	54
2012	58	38	2	98
Up to June 2013	37	23	2	62

¹ The reporter did not provide enough information on what type of mesh it was.

Number of patient safety incidents relating to mesh used in gynaecological procedures reported to the National Reporting and Learning System (year of occurrence by reported degree of harm)

	No harm	Low	Moderate	Total
2006	2	0	0	2
2007	1	0	0	1
2008	1	0	1	2
2009	1	2	0	3
2010	1	2	6	9
2011	0	2	4	6

Number of patient safety incidents relating to mesh used in gynaecological procedures reported to the National Reporting and Learning System (year of occurrence by reported degree of harm)

	No harm	Low	Moderate	Total
2012	7	4	3	14
2013	4	1	1	6
Total	17	11	15	43

Source:

NHS England

The MHRA's current view is that for the vast majority of women, mesh and tape implants are a safe and effective operation, but as with all surgery, there is an element of risk. While a small number of women have experienced distressing and severe effects, the current evidence shows that when these products are used correctly they can help with the very distressing symptoms of these conditions and as such the benefits still outweigh the risks.

The Department is currently engaged in work to assess the effectiveness of the existing arrangements for reporting complications relating to transvaginal mesh implants. NHS England is facilitating this work, which also involves the MHRA, the Royal College of Obstetricians and Gynaecologists, and the relevant professional societies (British Society of Urogynaecology and British Association of Urological Surgeons).

The MHRA continues to encourage voluntary reporting of adverse incidents from all health care workers, as well as carers, patients and members of the public,

although we acknowledge that there is considerable under reporting of complications. There are currently no plans in place to introduce mandatory reporting of medical device adverse incidents by health care professionals, however the situation is under constant review to ensure that appropriate systems are in place to facilitate the reporting of adverse incidents from all sources.

Luciana Berger: To ask the Secretary of State for Health what the total number of surgeons trained to remove transvaginal mesh implants is. [179387]

Norman Lamb: This information is not held centrally.

The content and standard of medical training is the responsibility of the General Medical Council informed by the relevant Medical Royal College.

Where additional training is required for individual posts it is delivered by continuing professional development (CPD). CPD is the responsibility of individual practitioners and their employers.

Health Services: Greater London

Mr Lammy: To ask the Secretary of State for Health how many health services in each London borough have achieved "You're Welcome" accreditation. [179180]

Norman Lamb: The Department does not keep a record of health services that have achieved the You're Welcome standard.

Malnutrition: Bradford

George Galloway: To ask the Secretary of State for Health what the reasons are for the changes in the number of inpatient diagnoses of primary or secondary malnutrition in Bradford Teaching Hospitals NHS Foundation Trust between (a) 2008 and 2010 and (b) 2010 and 2013. [177793]

Norman Lamb: This information is not collected centrally.

Maternity Services

Dr Wollaston: To ask the Secretary of State for Health (1) what recent assessment he has made of progress made by his Department in implementing the (a) four national choice guarantees and (b) other policies set out in its publication, *Maternity Matters: choice, access and continuity of care in a safe service*; [177534]

(2) with reference to his Department's publication, *Maternity Matters: choice, access and continuity of care in a safe service*, published in April 2007, what changes have been made to the roles and responsibilities set out in part four of that publication following the implementation of the reforms under the Health and Social Care Act 2012. [177590]

Norman Lamb: It is for the national health service locally to determine how best to implement the commitments set out in *Maternity Matters*. Prior to April 2013, strategic health authorities (SHAs) were responsible for performance managing primary care

trusts (PCTs). At the end of 2009, SHAs reported that 99% of PCTs were able to offer women a choice of how to access maternity care, a choice of the type of antenatal care, choice of place of birth and 92% of PCTs were able to offer choice of place of postnatal care.

The National Audit Office recently conducted a value for money audit of maternity services. Its report, "Maternity Services in England", published in November 2013, assessed progress against the *Maternity Matters* commitments and highlighted improvements and identified areas where further progress is needed.

In the reformed health and care system, the Department, as system steward, has set national priorities for maternity services in the mandates for NHS England and Health Education England (HEE), and in the NHS and Public Health Outcomes Frameworks. NHS England and HEE are required to provide assurances to the Department against the delivery of these priorities.

Clinical commissioning groups (CCGs) are responsible for commissioning, maternity services. NHS England provides guidance to CCGs on the commissioning of high quality maternity services in line with the policy framework set by the Department.

Information on the roles and responsibilities in the new system following the reforms instituted under the Health and Social Care Act 2012 can be found in the Department's publication "The Health and Care System Explained". It is available at:

www.gov.uk/government/publications/the-health-and-care-system-explained/the-health-and-care-system-explained

Mental Health

Chris Ruane: To ask the Secretary of State for Health pursuant to the answer of 25 November 2013, *Official Report*, column 152W, on mental health (1) what assessment he has made of the recent publications that have considered the effect of the economic downturn on mental health and well-being; and whether that consideration has led to any changes in policy; [179345]

(2) what additional resources he has allocated to deal with the mental ill health that has resulted from the economic downturn; [179346]

(3) if he will place in the Library a copy of his Department's most recent research and publications on the effect of the economic downturn on mental ill health. [179347]

Norman Lamb: The Department has not made any assessment of recent publications on the effect of the economic downturn on mental health.

Mental health and wellbeing is a priority for this Government. We have made improving mental health, and treating mental illness, a key priority for NHS England.

Public Health England are currently working with stakeholders to develop their work plan and priorities, which will include promoting the public's mental health, preventing mental illness and suicide, and improving the health and wellbeing of people living with mental health problems.

Mental Health Services

Tim Loughton: To ask the Secretary of State for Health (1) what the per capita spend on mental health services in West Sussex has been in each of the last five years; and how this spend compares to the national average in that period; [179228]

(2) what the per capita breakdown of spending on mental health services in each local authority area has been in each of the last five years. [179229]

Norman Lamb: Information is not available in the format requested. The following tables provide information on reported investment in mental health services covering the areas requested. Prior to 2013-14, primary care trusts (PCT) were responsible for commissioning services to meet the health care needs of their local populations, taking account of national and local priorities.

Reported investment for working age adults—England

	Total reported investment					£000
	2011-12	2010-11	2009-10	2008-09	2007-08	
Total	6,628,570.71	6,550,146.26	6,001,114.96	5,849,105.67	5,512,262.49	

Reported investment for working age adults—West Sussex Primary Care Trust

	Total reported investment					£000
	2011-12	2010-11	2009-10	2008-09	2007-08	
Total	65,277.85	73,904.80	68,618.22	65,725.50	58,304.54	

Reported investment per head of weighted adult population for England

	2011-12	2010-11	2009-10	2008-09	2007-08	£
England average	198.3	195.9	193.4	181.0	169.47	

Source:

National Survey of Investment in Adult Mental Health Services, Mental Health Strategies 2011-12.
 Report of National Survey of Investment in Adult Mental Health Services, Mental Health Strategies 2011-12.
 Report of National Survey of Investment in Adult Mental Health Services, Mental Health Strategies 2010-11.
 Report of National Survey of Investment in Adult Mental Health Services, Mental Health Strategies 2009-10.
 Report of National Survey of Investment in Adult Mental Health Services, Mental Health Strategies 2008-09.
 Report of National Survey of Investment in Adult Mental Health Services, Mental Health Strategies 2007-08.

We do not collect information centrally on per capita breakdown of spending on mental health services in each local authority area.

Nutrition: Low Incomes

Mr Frank Field: To ask the Secretary of State for Health (1) what steps his Department takes to monitor low-income households' dietary habits and ability to eat healthily; [179299]

(2) what steps his Department takes to monitor low-income households' dietary habits and ability to eat healthily. [179300]

Jane Ellison: Public Health England, in partnership with Health Departments across the United Kingdom, monitors the food consumption and nutrient intakes of the general population using data from the National Diet and Nutrition Survey (NDNS)¹. Further results from the ongoing survey programme are due to be published in early 2014, building on the previous report published in July 2012. These will include an analysis of findings by equivalised income. Results from the NDNS are reviewed by the Scientific Advisory Committee on Nutrition.

¹ Bates B, Lennox A, Prentice A, Bates C, and Swan G (Eds.) (2012) National Diet and Nutrition Survey. Headline results from Years 1, 2 and 3 (combined) of the rolling programme (2008-09 to 2010-11).

Prescriptions

Miss McIntosh: To ask the Secretary of State for Health what progress has been made on negotiations between NHS employers and the British Medical Association on the reimbursement system for drugs dispensed by doctors; and when he expects these negotiations to be completed. [177621]

Norman Lamb: Responsibility for agreeing the reimbursement for drugs sits with NHS England. Acting on behalf of NHS England, NHS Employers have established together with the British Medical Association's (BMA) General Practitioners Committee, a technical group to consider the issue of the reimbursement system for drugs dispensed by doctors, rather than at pharmacies. This work is at an early stage. Once complete it will be for the BMA and NHS Employers to negotiate any changes to the current arrangements.

Miss McIntosh: To ask the Secretary of State for Health for what reasons patients who want to continue to have prescription drugs dispensed by their local GP cannot use the Electronic Prescription Service; and what steps his Department plans to take to change those arrangements for patients in rural areas. [177624]

Norman Lamb: The National Health Service Pharmaceutical and Local Pharmaceutical Service Regulations 2013 make provision for dispensing general

practitioner practices to use the Electronic Prescription Service for their dispensing patients. However, we understand that wide-scale adoption is limited due to implementation issues. These should be explored with NHS England, which is responsible for the Electronic Prescription Service and commissioning NHS primary care services.

Secondment

Chris Ruane: To ask the Secretary of State for Health pursuant to the answer of 21 November 2013, *Official Report*, column 1010W, on secondment, what estimate he has made of the cost of collecting data on the number of private sector secondees for his Department.

[177691]

Norman Lamb: The estimated cost of collecting data on the number of private sector secondees for the Department is £5,425.

Chris Ruane: To ask the Secretary of State for Health how many of his Department's civil servants have been seconded to (a) the private sector and (b) trades unions in each year since 2010.

[17717]

Norman Lamb: Five or fewer individuals have been seconded from the Department to the private sector since 2010; none are seconded to the private sector at present.

The Department's trade union side confirm that no civil servants have been seconded out to any trade union since 2010.

Chris Ruane: To ask the Secretary of State for Health how many secondees from (a) trades unions and (b) the voluntary sector have worked in his Department since 2010.

[17740]

Norman Lamb: The Department does not hold information centrally about the organisations from which it seconds individuals. Gathering that information could be done only at disproportionate cost.

The departmental trade union side have, however, confirmed that no individuals have been seconded in to the Department from any trade union since 2010.

Social Workers: Training

Steve McCabe: To ask the Secretary of State for Health (1) what estimate he has made of potential shortfalls in placements available for social work students to work in NHS settings in the next year; and if he will make a statement;

[177823]

(2) how many placements were available for social work students to work in an NHS setting in each of the last three years.

[177824]

Norman Lamb: It is the responsibility of higher education institutions (HEIs), in partnership with employers, to determine the size of the student intake for social work qualifying courses. As part of that decision making process, HEIs will need to consider the number and availability of placement days required. Placements can take place at any social work employer including the national health service, local authorities and private

and voluntary organisations. Government provides a contribution to the costs of employers hosting a placement through the education support grant. We are currently consulting on the resource allocation formula for the education support grant.

It is estimated that there were 22,500 social work practice placements in the NHS in the 2011-12 academic year. Data are not yet available for the current academic year.

COMMUNITIES AND LOCAL GOVERNMENT

Council Housing: Hampshire

Mr Mike Hancock: To ask the Secretary of State for Communities and Local Government (1) how many people (a) are currently on the housing waiting list and (b) have been on a housing waiting list for over two years in (i) Hart district council area, (ii) Rushmoor borough council area and (iii) Basingstoke and Deane borough council area;

[177560]

(2) how many people (a) are currently on the housing waiting list and (b) have been on that list for over two years in (i) Test Valley borough council area and (ii) New Forest district council area.

[177864]

Kris Hopkins: The latest statistics on housing waiting lists by local authority, for 1 April 2012, can be found in Table 600 on the Government's website here:

<https://www.gov.uk/government/statistical-data-sets/live-tables-on-rents-lettings-and-tenancies>

They show the number of households, rather than people, on waiting lists. Information on the number of these which have been on the waiting list for two years is not available.

Local authorities sometimes maintain a common waiting list with housing associations in their area. However, no information is available where a housing association maintains a separate waiting list to the local authority. Also local authorities may review their lists from time to time which can reduce the list greatly whereas other local authorities may not have reviewed their list. These issues with the data mean comparisons between authorities' housing waiting lists can be misleading.

The Department will be publishing statistics for 1 April 2013 on 19 December 2013 in the Local Authority Housing Statistics release.

The Localism Act has given back to local authorities the freedom to decide who qualifies to go onto their housing waiting list.

Disabled Facilities Grants

Chris Ruane: To ask the Secretary of State for Communities and Local Government what the average amount is of a disabled facilities grant award.

[177524]

Kris Hopkins: In 2011-12 (the latest figures available), 44,000 grants were made in England and the average amount of a disabled facilities grant awarded was around £6,700.

The Government secured £725 million for the disabled facilities grant in the 2010 spending review for the period 2011-12 to 2014-15 and over the last two years

the Government has invested a further £60 million, bringing the total amount to £785 million. In the 2015-16 spending round announcement, a further £220 million has been allocated to the disabled facilities grant.

Details about the disabled facilities grants are published on the following link:

<https://www.gov.uk/government/publications/disabled-facilities-grant>

Discrimination

Mrs Hodgson: To ask the Secretary of State for Communities and Local Government how many claims at employment tribunals have been lodged against his Department on the grounds of pregnancy or maternity discrimination in each of the last five years; and how many such cases were found against his Department.

[176549]

Brandon Lewis: There have been no employment tribunals lodged against DCLG or its executive agencies on the grounds of pregnancy or maternity discrimination in each of the last five years.

Mrs Hodgson: To ask the Secretary of State for Communities and Local Government how many complaints of discrimination related to pregnancy or maternity have been lodged against employees of his Department or its executive agencies by (a) current employees and (b) prospective employees in each of the last five years; and how many such complaints resulted in disciplinary action.

[176566]

Brandon Lewis: There have been no complaints of discrimination related to pregnancy or maternity against employees of DCLG or its executive agencies by (a) current employees and (b) prospective employees in each of the last five years.

Mrs Hodgson: To ask the Secretary of State for Communities and Local Government how many complaints of age discrimination or harassment have been lodged against employees of his Department or its executive agencies by (a) employees and (b) other individuals in each of the last five years; and how many of those complaints resulted in disciplinary action.

[176600]

Brandon Lewis: There have been no complaints of age discrimination or harassment lodged against employees of this Department or its Executive agencies by (a) employees and (b) other individuals in each of the last five years.

Mrs Hodgson: To ask the Secretary of State for Communities and Local Government how many complaints of racial discrimination or harassment have been lodged against employees of his Department or its executive agencies by (a) employees and (b) other individuals in each of the last five years; and how many such complaints resulted in disciplinary action. [176617]

Brandon Lewis: There have been no complaints of racial discrimination or harassment lodged against employees of this Department or its Executive agencies by (a) employees and (b) other individuals in each of the last five years.

Mrs Hodgson: To ask the Secretary of State for Communities and Local Government how many complaints of sexual discrimination or harassment have been lodged against employees of his Department or its executive agencies by (a) employees and (b) other individuals in each of the last five years; and how many such complaints resulted in disciplinary action. [176670]

Brandon Lewis: There have been no complaints of sexual discrimination or harassment lodged against employees of this Department or its Executive agencies by (a) employees and (b) other individuals in each of the last five years.

Mrs Hodgson: To ask the Secretary of State for Communities and Local Government how many complaints of disability discrimination or harassment have been lodged against employees of his Department or its Executive agencies by (a) employees and (b) other individuals in each of the last five years; and how many such complaints resulted in disciplinary action. [176687]

Brandon Lewis: There have been no complaints of disability discrimination or harassment lodged against employees of this Department or its Executive agencies by (a) employees and (b) other individuals in each of the last five years.

Mrs Hodgson: To ask the Secretary of State for Communities and Local Government how many complaints of homophobic or transphobic discrimination or harassment have been lodged against employees of his Department or its Executive agencies by (a) employees and (b) other individuals in each of the last five years; and how many such complaints resulted in disciplinary action. [176704]

Brandon Lewis: There have been no complaints of homophobic or transphobic discrimination or harassment lodged against employees of this Department or its Executive agencies by (a) employees and (b) other individuals in each of the last five years.

Families: Disadvantaged

Mr Steve Reed: To ask the Secretary of State for Communities and Local Government what assessment she has made of whether her Department's troubled families programme has led to a change in the levels of anti-social behaviour; and if she will make a statement. [179221]

Kris Hopkins: Information published by my Department on 25 November 2013 shows that, as at the end of October 2013, local authorities had turned around the lives of 22,104 troubled families. The criteria by which a family is deemed turned around are published in the Financial Framework for the Troubled Families Programme's Payment by Results Scheme:

<https://www.gov.uk/government/publications/the-troubled-families-programme-financial-framework>

This shows that 20,674 families have been turned around on the basis of reduction in levels of antisocial behaviour and/or youth crime and/or truancy.

Mr Steve Reed: To ask the Secretary of State for Communities and Local Government pursuant to the answer of 25 November 2013, *Official Report*, columns 82-3W, on disadvantaged families and with reference to the statement in the answer that his Department does not hold the information requested relating to employment and incidence of anti-social behaviour (ASB), through what mechanisms his Department monitors (a) the effectiveness of the programme against its stated criteria including employment and ASB and (b) its cost-effectiveness in terms of use of public funds; and if he will make a statement. [179227]

Kris Hopkins: Progress information showing the effectiveness of the troubled families programme is published regularly by my Department. The most recent publication on 25 November 2013 shows that, as at the end of October 2013, local authorities have successfully turned around the lives of 22,104 troubled families. Of this number, 20,674 have achieved the combined education/crime/antisocial behaviour result and 1,430 have achieved the continuous employment result. A breakdown of these results by upper-tier local authority is published here:

https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/260612/131122__PI_ResultsOct13_final_.xls

In addition, my Department has commissioned an independent evaluation of the Troubled Families programme which will look at outcomes achieved beyond those claimed under the terms of my Department's "Financial Framework for the Troubled Families programme's payment-by-results scheme for local authorities"

https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/11469/2117840.pdf

This will include the measurement of employment and antisocial behaviour outcomes and a fiscal evaluation. Details of the evaluation are available here:

<https://www.gov.uk/government/news/study-to-assess-impact-of-troubled-families-work>

Growing Places Fund

Emma Reynolds: To ask the Secretary of State for Communities and Local Government (1) how many successful applications have been made to the Growing Places Fund since its introduction; [179380]

(2) how many projects which were given funding under the Growing Places Fund have been started; and how many homes have been completed as a result. [179381]

Kris Hopkins: An analysis of progress updates submitted by local enterprise partnerships in England, 'The Growing Places Fund: investing in infrastructure', was published on 13 November 2013 and is available at:

<https://www.gov.uk/government/publications/the-growing-places-fund-investing-in-infrastructure>

As set out in that document, progress updates submitted in June 2013 show that £652 million of capital funding has been allocated to 305 projects across England. 159 projects (52% of the 305 approved projects across England) with an estimated total value of £1.5 billion are already under way; local enterprise partnerships expect these projects to create 4,900 businesses, 94,000 jobs and 27,000 houses. Data on housing units completed to date are not yet collected centrally.

Housing

Emma Reynolds: To ask the Secretary of State for Communities and Local Government pursuant to the answer of 25 November 2013, *Official Report*, column 11, on New Homes Bonus, if he will set out the purpose of the New Homes Bonus. [179379]

Kris Hopkins: The New Homes Bonus is a powerful, simple and transparent incentive to reward local councils and communities for helping build more homes. It match funds the additional council tax raised for new homes and empty properties brought back into use, for six years with an enhancement for affordable homes.

This extra funding ensures people with new homes in their neighbourhood experience the benefits of growth, and local councils can choose to spend the money however they like. That could be providing new facilities, protecting frontline services or simply freezing council tax. Indeed, this is why the New Homes Bonus is included in the spending power figures we publish as part of the Local Government Finance Settlement.

I note that Her Majesty's Opposition have recently criticised the fact that councils have not spent the monies on house building. But this is a straw man argument—it was never intended to be ring-fenced for housing. As my right hon. Friend the Member for Welwyn Hatfield (Grant Shapps) told the House previously:

"The Government do not propose to tell local authorities how and when to spend the funding received from the New Homes Bonus."

Official Report, 24 November 2010, column 307W

"The New Homes Bonus is not ring-fenced...The priorities of local communities and barriers to growth are different across the country and the Government will not dictate where the Bonus should be spent."

Official Report, 4 July 2011, column 997W

The New Homes Bonus was originally drawn up by the Conservative party in Opposition in its policy Green Paper, Control Shift. I appreciate that having actual policies on local government may be an alien concept for the current Opposition. So it may assist the hon. Member if I cite the original explanation for the policy:

"Labour's approach has been to impose a variety of Whitehall master plans on local government, wrapped in a thick layer of bureaucracy and studded with detailed housing targets. And when those targets are inevitably missed, the reaction is simply to announce new, yet more ambitious targets. This top-down approach has failed to provide the housing we need."

"Under the current system, when families move into new houses built in an area, the local authority receives additional council tax receipts from these properties. However, in addition to having to fund the extra services and infrastructure for these new residents and properties, local authorities that acquire larger council tax bases as a result of house-building in their areas will in many cases find that the amount of formula grant they receive from central government is reduced by the equalisation process."

"We can meet the housing challenge only if we acknowledge that local support for new development is the crucial missing element. The solution lies in giving local councils and local communities incentives for house building, not targets. By creating a real and substantial financial incentive to reward communities that accept house building, we guarantee that those directly affected by development are those that benefit"

Conservative party, Control Shift, October 2008

The incentive of the New Homes Bonus is complemented by the local retention of business rates and Community Infrastructure Levy, to ensure that local communities can share the benefits of new development.

Housing Benefit: Social Rented Housing

Chris Ruane: To ask the Secretary of State for Communities and Local Government how many households affected by the under-occupancy penalty have previously been in receipt of a disabled facilities grant. [177525]

Kris Hopkins: This information is not collected centrally.

Non-domestic Rates: Valuation

Mrs Hodgson: To ask the Secretary of State for Communities and Local Government (1) how many businesses in (a) Washington and Sunderland West constituency, (b) the North East and (c) England have been awaiting a determination from the Valuation Tribunal for (i) up to three months, (ii) three to six months and (iii) over six months; [176006]

(2) how many businesses in (a) Washington and Sunderland West constituency, (b) the North East and (c) England are currently awaiting a determination from the Valuation Tribunal. [176007]

Brandon Lewis: As was the case under the last administration, business rates appeals are listed in accordance with the Valuation Office Agency's programming protocols for dealing with appeals. The Valuation Tribunal Service lists for hearing those business rates appeals that have not been settled by the target date set by the Valuation Office Agency; this is the point when the negotiation period between the ratepayers and the Valuation Office Agency should end.

A table has been placed in the Library of the House, which shows the total number of appeals that the Valuation Tribunal Service is aware of after the target date. Before the target date, the Valuation Office Agency will be in discussion with the appellant with a view to resolving the issue.

The Valuation Tribunal Service does not record business rates appeals by parliamentary constituency. The table instead notes the relevant cases in the area of the local billing authority—Sunderland city council. As outlined in the written statement of 18 September 2012, *Official Report*, column 32WS, my Department does not publish statistics by the former Government office regions. I am happy to provide information on other local billing authorities on request.

The postponement of the 2015 rates revaluation has allowed the Valuation Office Agency to allocate more resources to clearing appeals. The agency cleared 24% more appeals than in the previous year (224,000 in England in 2012-13, up from 181,000 in 2011-12). The number of outstanding rating appeals has fallen in six successive quarters.

Three quarters of all appeals to the 2010 list which have been decided to date have resulted in no change to the rateable value.

Notwithstanding the extra resources being allocated to tackle the backlog thanks to the postponement of the 2015 revaluation, this Government wants to improve transparency in the valuation system, including improving

the system for challenging rateable values. We are currently considering how best to do this, and will consult as appropriate.

Public Lavatories

Paul Flynn: To ask the Secretary of State for Communities and Local Government what assessment he has made of the effect on the availability of public toilets of the reduced resources made available to local authorities since May 2010; and what steps he is taking to restore public conveniences closed during this period. [167233]

Brandon Lewis: The Government has urged councils to protect local services by sharing back office functions, cutting wasteful expenditure, improving procurement to get more for less, and bringing senior pay under control. We have published a best practice document, "50 ways to save", to encourage councils to make sensible savings and protect frontline services:

<https://www.gov.uk/government/publications/50-ways-to-save-examples-of-sensible-savings-in-local-government>

The Department continues to support the Changing Places campaign which is proving effective in driving up provision of these important toilet facilities and we have recently updated Part M (Access to and use of Buildings) of the Building Regulations to highlight where changing places are needed and link to guidance available from the campaign website.

We are continuing to work with industry and members of the Changing Places campaign to develop a range of initiatives including a joint project to map the location of Changing Places toilets across the UK.

Right to Buy Scheme

Stephen McPartland: To ask the Secretary of State for Communities and Local Government what assessment he has made of local authorities' compliance with their statutory obligations under the right-to-buy scheme; what reports he has received on Stevenage borough council's compliance with these obligations; and if he will take steps to improve the performance of Stevenage borough council with its obligations under right-to-buy. [177465]

Kris Hopkins [*holding answer 27 November 2013*]: Social housing landlords have a statutory duty to process right-to-buy applications within set timescales. Where landlords are failing in this duty, I would encourage tenants to make use of the delay response mechanisms available, including serving landlords with statutory notices of delay where appropriate.

Continual delays can result in a reduction in the purchase price (rent paid during the delayed period is treated as an advance payment towards the purchase price of the property under the right to buy). Statutory notice of delay forms and guidance can be found here:

www.gov.uk/right-to-buy-buying-your-council-home/delays

I am pleased that my hon. Friend is committed to helping his constituents fulfil their dreams of home ownership. While my Department has made no such assessment, I would welcome any representations from any hon. Member if they have concerns about particular local authorities.

CULTURE, MEDIA AND SPORT

BBC

Oliver Colvile: To ask the Secretary of State for Culture, Media and Sport what mechanisms are available to hon. Members to hold the BBC to account on management issues. [177455]

Mr Vaizey: The BBC is an independent body governed by the Royal Charter, which is its constitutional basis. The Charter sets out the public purposes of the BBC, guarantees its independence, and outlines the duties of the Trust and the Executive Board. Under the terms of the BBC's Charter and Agreement, the BBC is operationally and editorially independent of Government and there is no provision for the Government to intervene in the Corporation's day-to-day operations. Ultimately, it is for the BBC Trust to hold the Executive to account for managerial decisions, and to ensure value for money in the spending of the licence fee.

As a public body, the BBC lay their annual report and accounts in Parliament, and Members of the BBC and BBC Trust are invited to appear before the Public Accounts Committee (PAC) and Select Committees.

This Government has also opened up the BBC to a greater degree of scrutiny by the National Audit Office than ever before, and the NAO's reports—such as that into the remuneration of senior executives—have been scrutinized by the Public Accounts Committee. The Government is currently working with the NAO and the BBC Trust to amend the Agreement and provide greater flexibility and scope for the NAO's value for money work at the BBC.

Digital Broadcasting: Radio

David Morris: To ask the Secretary of State for Culture, Media and Sport how many radio stations with an FM licence broadcasting to a total survey area of fewer than 500,000 adults currently also broadcast on DAB. [177860]

Mr Vaizey: The licensing of commercial radio stations is a matter for Ofcom, which works independently of Government. According to figures from Ofcom, there are 56 stations with an FM licence which broadcast to a total survey area of fewer than 500,000 adults and currently also broadcast on DAB.

ICT

Mrs Moon: To ask the Secretary of State for Culture, Media and Sport how many people are employed within centralised IT departments or teams in her Department; and if she will make a statement. [179163]

Mrs Grant: The Department has three people who are employed within centralised IT departments or teams.

Rugby: World Cup

Clive Efford: To ask the Secretary of State for Culture, Media and Sport what steps she is taking to prevent rugby fans wishing to attend the 2015 Rugby World Cup from being exploited by ticket touts through the secondary ticketing market; and if she will make a statement. [179334]

Mrs Grant: We are in very regular contact with the CEO of England Rugby 2015 and her team and have provided advice on a range of options available to them to manage the risk of ticket touts at venues. We have also encouraged them to look at ways to make tickets available both for rugby fans, as well as those interested in attending a rugby match for the first time, through their club structures and other mechanisms.

Clive Efford: To ask the Secretary of State for Culture, Media and Sport what discussions she has had with the organisers of the 2015 Rugby World Cup regarding problems relating to tickets reaching the secondary ticketing market; and if she will make a statement. [179335]

Mrs Grant: I met England Rugby 2015 recently and am aware of their concerns about the secondary ticketing market.

Clive Efford: To ask the Secretary of State for Culture, Media and Sport what assessment she has made of the implications for rugby fans wishing to attend the 2015 Rugby World Cup of tickets reaching the secondary ticketing market; and if she will make a statement. [179336]

Mrs Grant: This is a matter for the event organisers.

Clive Efford: To ask the Secretary of State for Culture, Media and Sport what assessment she has made of the potential threat to the success of the 2015 Rugby World Cup of tickets being resold through the secondary ticketing market; and if she will make a statement. [179337]

Mrs Grant: I have not seen any evidence that suggests the success of the 2015 Rugby World Cup is under threat from tickets being resold on the secondary market.

UK City of Culture: Londonderry

Mr Dodds: To ask the Secretary of State for Culture, Media and Sport what assessment she has made of the effect on tourism from overseas of the Londonderry City of Culture 2013 events. [179277]

Mrs Grant: This is not a matter for this Department since tourism is a devolved issue. Tourism statistics relating to Northern Ireland are maintained by the Northern Ireland Department for Enterprise, Trade and Investment.

World War I: Anniversaries

Mr Ellwood: To ask the Secretary of State for Culture, Media and Sport what assistance her Department is providing to help local authorities mark the 100 years since the start of the First World War; and if she will make a statement. [177771]

Mrs Grant: The Government is leading a wide-ranging centenary commemoration programme with opportunities for all. Commemorative paving stones to mark Victoria Cross recipients in their home towns are being made available to local authorities, including Montague Moore, Cecil Noble and Frederick Riggs from Bournemouth.

Local authorities can apply for Heritage Lottery Fund grants for community projects and become members of the Imperial War Museum's Centenary Partnership. Several from Bournemouth have done so.

TREASURY

Bank Cards

Andrew Stephenson: To ask the Chancellor of the Exchequer what guidance his Department is giving to those asked to vote on the Scheme of Arrangement the FCA has agreed with Card Protection Plan Limited and high street banks. [179112]

Sajid Javid: This is a matter for the Financial Conduct Authority (FCA). The FCA will reply to my hon. Friend directly by letter. A copy of the response will be placed in the Library of the House.

Bank of England

Mr Bain: To ask the Chancellor of the Exchequer whether it is possible for another sovereign state to possess a shareholding in the Bank of England. [177617]

Sajid Javid: The Bank of England is the central bank of the UK. Pursuant to the Bank of England Act 1946, on 1 March 1946 all capital stock of the Bank of England, or 'Bank stock', was transferred into the name of the Treasury Solicitor, to be held on behalf of HM Treasury.

That legislation does not authorise the stock to be held for any person, including any foreign state, except the Treasury.

Bradford and Bingley

Richard Harrington: To ask the Chancellor of the Exchequer how many former shareholders of Bradford & Bingley Building Society at the time of its nationalisation in 2008 lived in (a) the UK and (b) Watford constituency. [179216]

Sajid Javid: HM Treasury does not hold the information requested.

Business: Loans

Mr Denham: To ask the Chancellor of the Exchequer if he will estimate the level of net bank lending to small and medium-sized enterprises in each English region in each quarter since 2009. [177811]

Sajid Javid: The Government does not collect data on bank lending by region. However, as part of the Better Business Finance taskforce agreed between the Government and the banks in 2011, the British Bankers' Association now publishes an enhanced SME lending dataset that includes a regional breakdown. The first dataset was published on 20 March 2012, and data are published on a quarterly basis.

The Government also announced in July that it had reached an agreement with the major UK banks to publish lending data across 10,000 individual postcodes on a bank by bank basis. The first dataset will be published in December.

The postcode lending data will be published on a quarterly basis and show the outstanding stock of lending that has been committed to customers across three categories: loans and overdrafts to SMEs, mortgages and unsecured personal loans.

Corporation Tax

Mr Meacher: To ask the Chancellor of the Exchequer if he will take steps to ensure that multinational corporations are not able to deduct payments made to settle legal disputes from their profits for the purposes of calculating their UK corporation tax liability. [179095]

Mr Gauke: Companies can generally claim a deduction against taxable profits for expenditure incurred in the ordinary course of business. It is well established that punitive fines and damages paid to compensate for illegal actions are not incurred in the ordinary course of business and are not, therefore, allowable.

Additionally, in the context of multinational enterprises (MNEs) and payments made to settle legal disputes, it should be understood that, for each company within the MNE group, only expenditure incurred wholly and exclusively for the purposes of the company's own trade can be claimed. This means that no tax relief is available to a UK company for such a payment, or a proportion of the payment, which is proper to a separate company, such as an overseas fellow group company, for example.

These long-standing principles provide equitable tax treatment for all businesses and, as such, no further steps are currently required.

Debts: Barrow in Furness

John Woodcock: To ask the Chancellor of the Exchequer what estimate he has made of levels of consumer debt in Barrow and Furness constituency in each of the last five years. [179306]

Mr Hurd: I have been asked to reply on behalf of the Cabinet Office.

The information requested falls within the responsibility of the UK Statistics Authority. I have asked the authority to reply.

Letter from Jil Matheson, dated December 2013:

As National Statistician, I have been asked to reply to your recent Parliamentary Question to ask the Chancellor of the Exchequer, what estimate he has made of levels of consumer debt in Barrow and Furness constituency in each of the last five years 179306.

The Office for National Statistics publishes details of consumer debt, in the form of short and long term loans, at a UK level only. The most recent analyses can be found in table A53 of the United Kingdom Economic Accounts (UKEA) 2013 Q2, published on 26 September 2013. The UKEA is available on the National Statistics website at:

<http://www.ons.gov.uk/ons/rel/naa1-rd/united-kingdom-economic-accounts/q2-2013/index.html>

Excise Duties: Fuels

David Simpson: To ask the Chancellor of the Exchequer for how long he intends to continue with the current rural fuel rebate. [177473]

Danny Alexander: The European Commission has provided approval for a reduced rate of fuel duty to be applied on the Scottish Islands and the Isles of Scilly until 31 October 2017, after which the Government will need to review the approval of the scheme.

Finance Act 2008

Mrs Main: To ask the Chancellor of the Exchequer what assessment he has made of the implications for HM Revenue and Customs of the recent High Court judgement in respect of section 58(4) of the Finance Act 2008. [177815]

Mr Gauke: UK residents are taxable on their worldwide income wherever it arises—including situations where it arises by way of foreign partnerships. Section 58 of Finance Act 2008 was enacted to help put that beyond doubt and in so doing, made clear that a wholly artificial tax avoidance scheme involving a foreign partnership comprised of foreign trustees did not work. As section 58 retrospectively clarified existing legislation, its introduction had no effect on any taxpayer's tax position.

HMRC is not aware of any recent High Court decision in respect of section 58 and therefore no assessment has been made.

Individual Savings Accounts

Mr Gregory Campbell: To ask the Chancellor of the Exchequer if he will bring forward proposals to (a) allow individuals to utilise the full annual ISA allowance in either cash or stocks and shares and (b) enable people to convert from one type of ISA to the other. [179327]

Mr Gauke: At present, individuals are permitted to save their full annual ISA allowance of £11,520, in a stocks and shares ISA, with the option to save half of this amount in a cash ISA,

It is also already possible for ISA investors to transfer funds invested in a cash ISA to a stocks and shares ISA outside of the annual subscription limits.

The Government has no plans to allow an individual to save their full ISA allowance in a cash ISA or to convert a stocks and shares ISA into a cash ISA, although all areas of tax policy are kept under review.

Lord King of Lothbury

Mr Nuttall: To ask the Chancellor of the Exchequer what money from the public purse was spent on retirement parties and retirement gifts for Baron King of Lothbury on his retirement as Governor of the Bank of England. [177553]

Sajid Javid: The Treasury purchased one autograph book, which was signed and presented to the previous Governor of the Bank of England by the G20 finance Ministers in July. The value of this gift was below the transparency return threshold of £140.

Any funding committed by the Bank of England for such purposes is a matter for the Bank.

Ministers' Private Offices

Mr Jenkin: To ask the Chancellor of the Exchequer whether he (a) has appointed or (b) intends to appoint an enlarged ministerial office. [177522]

Nicky Morgan: I refer my hon. Friend to the Minister for the Cabinet Office's answer of 28 November 2013, *Official Report*, column 398W.

National Insurance Contributions

Mr Brady: To ask the Chancellor of the Exchequer if he will consider replacing the separate primary and secondary National Insurance thresholds with a single threshold; and if he will make a statement. [179241]

Mr Gauke: The autumn statement on 5 December will set out the levels of the primary and secondary thresholds for 2014-15. All tax and NICs policy is kept under review, and any changes for years beyond 2014-15 will be announced by the Chancellor at future fiscal events.

Overseas Companies

Mr Meacher: To ask the Chancellor of the Exchequer what estimate he has made of the total (a) cash and (b) accumulated profits held currently by UK companies overseas. [179097]

Mr Gauke: Neither the Treasury nor HMRC have made such estimates.

Revenue and Customs: Newry

Ms Ritchie: To ask the Chancellor of the Exchequer how many cases were processed by the HM Revenue and Customs office in Newry in each of the last five years. [177634]

Mr Gauke [*holding answer 28 November 2013*]: HMRC does not record processing figures by case but uses system generated work items.

The following numbers of system generated work items have been processed by Customs House, Newry over the last five tax years. These figures may include a number of inquiries made by an individual customer in respect of their account and so do not represent case numbers.

<i>Tax year</i>	<i>Work Items processed</i>
2012-13	413,833
2011-12	524,986
2010-11	600,922
2009-10	198,874
2008-09	59,241

Taxation: Self-assessment

Catherine McKinnell: To ask the Chancellor of the Exchequer how many additional people completed a self-assessment tax return as a result of the high-income child benefit tax charge in the most recent period for which figures are available. [177669]

Mr Gauke: This information is not currently available. Self assessment returns for the 2012-13 tax year—the first year for which the High income child benefit charge is payable—do not have to be filed with HM Revenue and Customs until 31 January 2014.

Welfare Tax Credits: EU Nationals

Mr Brady: To ask the Chancellor of the Exchequer what estimate he has made of the cost to the public purse of paying tax credits to citizens of other EU member states who are employed in the UK in the most recent year for which data are available. [179242]

Nicky Morgan: The information is available only at disproportionate cost.

Mr Brady: To ask the Chancellor of the Exchequer what plans he has to bring forward changes to the eligibility criteria for citizens of other EU countries employed in the UK who apply for tax credits. [179243]

Nicky Morgan: HM Revenue and Customs (HMRC) is working closely with other Government Departments to ensure that the rules for tax credits align, where appropriate, with the measures recently announced by the Prime Minister.

FOREIGN AND COMMONWEALTH OFFICE

Central African Republic

Mr Gregory Campbell: To ask the Secretary of State for Foreign and Commonwealth Affairs if he will make representations to the UN, the African Union and his French counterpart on steps that can be taken to tackle current problems in the Central African Republic and prevent a situation of genocide developing. [179328]

Mark Simmonds: We are working with our partners in the UN and EU to support the work of the Economic Community of Central African States and the African Union as they seek a lasting solution to the Central African Republic's instability.

We welcome the proposed African-led security mission and are working with fellow members of the UN Security Council to agree a resolution on how the international community should support this.

China

Kerry McCarthy: To ask the Secretary of State for Foreign and Commonwealth Affairs what discussions he has had with the Prime Minister on the Government's action plan on business and human rights ahead of the Prime Minister's visit to China. [17753]

Mr Swire: The Prime Minister is very supportive of the business and human rights agenda.

The UK published the world's first cross-Government national action plan in September, providing clear messaging to UK businesses on the importance of responsible behaviour which respects the rights of those employed by, or affected by operations, including through local supply changes.

We engage with companies operating in China and their local suppliers through Chambers of Commerce and our diplomatic posts. Much of our project work supports delivery of the business and human rights agenda, for example labour rights and dispute resolution.

We encourage all countries to join us in developing a national action plan as the first step towards implementing the UN Guiding Principles on Business and Human Rights.

European Azerbaijan Society

Paul Flynn: To ask the Secretary of State for Foreign and Commonwealth Affairs how many meetings (a) he and (b) Ministers in his Department have had with the European Azerbaijan Society in each of the last three years. [17791]

Mr Lidington: Foreign and Commonwealth Office Ministers have had no official meetings with representatives of the European Azerbaijan Society (TEAS) in the last three years. It is possible that Ministers have met representatives of (TEAS) at events, at which they were both present.

Iran

Dr Offord: To ask the Secretary of State for Foreign and Commonwealth Affairs what recent representations he has made to the Iranian government on stopping the use of capital punishment. [177847]

Hugh Robertson: The Government remains deeply concerned at the extensive use of capital punishment by Iran: at least 270 people were officially executed in 2013. A high number of death sentences are applied for charges that do not amount to the most serious crimes under international law, such as drug trafficking. The Secretary of State for Foreign and Commonwealth Affairs, my right hon. Friend the Member for Richmond (Yorks) (Mr Hague), raised Iran's poor human rights record with Foreign Minister Zarif in the margins of UNGA in September 2013.

Dr McCrea: To ask the Secretary of State for Foreign and Commonwealth Affairs what reports he has received on the existence of secret nuclear testing facilities in Iran. [179122]

Hugh Robertson: I am aware of recent press reports about the National Council of Resistance of Iran (NCRI's) allegations that a complex of tunnels near Mobarekeh in Iran is a secret nuclear site, including allegations that it was a 'nuclear bomb test site'. The location of the named site, in a functioning military establishment, and its proximity to a major city means that we assess it is unlikely that it is used for nuclear weapon testing. It is not clear whether the named facility is used for other nuclear-related purposes.

Iran and France

Paul Flynn: To ask the Secretary of State for Foreign and Commonwealth Affairs what discussions he has had with the (a) Iranian and (b) French delegation during the most recent P5+1 meeting with Iran in Geneva about the joint Iranian-French involvement in the uranium enrichment consortium Sofidif. [177840]

Hugh Robertson: Neither Sofidif nor Eurodif were discussed with either the French or Iranian delegations at the recent nuclear negotiations in Geneva. Discussions focussed solely on securing a first stage agreement between the E3+3 and Iran which addresses our most important concerns about the Iranian nuclear programme.

Iraq

Katy Clark: To ask the Secretary of State for Foreign and Commonwealth Affairs whether the UK has blocked at the United Nations Security Council any proposals by the World Health Organisation to undertake research funded through the Oil for Food Programme into rates of health problems in Iraq. [177775]

Hugh Robertson: Our initial inquiries have not provided any evidence of the UK having blocked the use of Oil For Food funds for World Health Organisation (WHO) research at the UN Security Council. However, Foreign and Commonwealth Office records covering the period of the Oil for Food Programme are not held centrally, and accessing our archives would incur disproportionate costs. We are aware that the WHO has carried out research in Iraq using its own funds.

Nuclear Disarmament

Jeremy Corbyn: To ask the Secretary of State for Foreign and Commonwealth Affairs what assessment he has made of the work of the Open-ended working group on nuclear disarmament. [177690]

Hugh Robertson: I refer the hon. Member to the reply given by the Senior Minister of State at the Foreign and Commonwealth Office, my right hon. and noble Friend the Baroness Warsi, in the other place on 15 July 2013, *Official Report*, column WA93.

Nuclear Weapons

Jeremy Corbyn: To ask the Secretary of State for Foreign and Commonwealth Affairs what assessment he has made of the statement on the humanitarian consequences of the use of nuclear weapons at the UN General Assembly First Committee. [177688]

Hugh Robertson: A number of member states, including the UK, delivered statements on the humanitarian consequences of the use of nuclear weapons at the UN General Assembly First Committee.

We share the concern over the humanitarian consequences of any use of nuclear weapons, expressed by nuclear non-proliferation treaty (NPT) states parties at the 2010 review conference. The UK continues to attach the greatest importance to avoiding the use of nuclear weapons, and supports and participates in a range of efforts to increase international resilience to the threat of nuclear terrorism.

We are concerned that some efforts under the humanitarian initiative appear increasingly aimed at negotiating a nuclear weapons convention prohibiting the possession of nuclear weapons, outside existing processes. The UK believes that any attempts to establish a new conference or body to discuss such approaches risk undermining the full implementation of all three pillars of the NPT, which must remain our priority.

Jeremy Corbyn: To ask the Secretary of State for Foreign and Commonwealth Affairs whether the UK will be represented at the second international meeting on the humanitarian consequences of nuclear weapons, to be convened on 13 and 14 February 2014 in Nayarit, Mexico. [177689]

Hugh Robertson: We received an invitation from the Mexican Government on 26 November, and have not yet made a decision on whether the UK will attend.

Secondment

Chris Ruane: To ask the Secretary of State for Foreign and Commonwealth Affairs how many of his Department's civil servants have been seconded to (a) the private sector and (b) trades unions in each year since 2010. [177715]

Hugh Robertson: From 1 January 2010 to the present, the breakdown of Foreign and Commonwealth Office employees who have been seconded to private sector organisations in the UK is as follows:

	<i>Number of employees who went on secondment</i>
2010	8
2011	17
2012	13
2013	7

At present there are currently 13 FCO employees on secondment to private sector organisations.

Over this period no employees have been seconded to a trade union.

Chris Ruane: To ask the Secretary of State for Foreign and Commonwealth Affairs how many secondees from (a) trades unions and (b) the voluntary sector have worked in his Department since 2010. [177738]

Hugh Robertson: No secondees from either a trade union or the voluntary sector have worked in the Foreign and Commonwealth Office since 2010.

Thailand

Mr Gregory Campbell: To ask the Secretary of State for Foreign and Commonwealth Affairs what advice his Department is providing to UK nationals in Thailand about safety and the anti-government protests in Bangkok. [179329]

Mr Swire: There are continuing protests in Bangkok and elsewhere in Thailand, particularly around government buildings. All sides state they are not seeking confrontation and want to avoid violence. At present, there is no direct threat to UK businesses, tourists or commercial interests in Thailand, but we continue to monitor the situation closely.

We have added factual updates to our travel advice throughout this period of protests and continue to keep it under review. Our current advice to British nationals is to avoid all protests, political gatherings and demonstrations.

As I made clear in my public statement of 25 November, the UK urges all sides to adhere to their commitment to the values of democracy and rule of law in the interests of Thailand's peace and stability. Our ambassador to Thailand is in regular contact with both Thai government and opposition leaders, and officials in London are also in contact with the Thai embassy.

Trident Submarines

Jeremy Corbyn: To ask the Secretary of State for Foreign and Commonwealth Affairs (1) what discussions were held by his Department on the replacement of the Trident submarines at the recent High Level Meeting on nuclear disarmament at the UN; [177686]

(2) what discussions were held by his Department on the replacement of the Trident submarines at the recent UN General Assembly First Committee. [177687]

Hugh Robertson: No discussions were held by my Department at the UN General Assembly First Committee or at the UN High Level Meeting on Nuclear Disarmament on the subject of the UK's planned replacement of its Vanguard class submarines. Maintaining the UK's nuclear deterrent beyond the life of the current system is fully consistent with our obligations as a recognised nuclear weapon state under the treaty on the non-proliferation of nuclear weapons.

JUSTICE

Community Orders: Greater London

Sadiq Khan: To ask the Secretary of State for Justice whether his Department's contract with Serco for the delivery of community payback in London includes any break clauses. [177645]

Jeremy Wright: The contract with Serco for London Community Payback does not contain a break clause. The contract does contain a standard clause allowing the authority to terminate the contract should the need arise.

Domestic Violence

Helen Jones: To ask the Secretary of State for Justice how many magistrates have received training in dealing with domestic violence cases in each year since 2010. [179313]

Mr Vara: The Judicial College provides comprehensive training materials which are available to all members of the judiciary. The Domestic Violence training takes the form of a core pack which can be delivered either as a full day's training or in modular form and is supplemented by two DVDs.

Details of those magistrates who have received training are not collated centrally. It could be provided only at disproportionate cost by contacting each of the 26 local regions of Her Majesty's Courts and Tribunal Service to isolate the information from the individual training records for over 23,000 magistrates.

Energy

Jason McCartney: To ask the Secretary of State for Justice (1) how much his Department spent on (a) gas and (b) electricity in (i) 2010-11 and (ii) 2011-12; [173068]

(2) who the provider was for (a) gas and (b) electricity for his Department in (i) 2010-11 and (ii) 2011-12; [173140]

(3) what steps he is taking to reduce the cost of gas and electricity provision for his Department. [173143]

Mr Vara: The information is as follows:
173068

In the financial years 2010-12 the Department spent:

Financial year	£ million	
	Gas	Electricity
2010-11 ¹	16	35.1
2011-12	24	39

¹ Spend data provided by Government Procurement Service through their Utilities Framework for Court Services; HM Prisons; and Legal Services Commission, as Ministry of Justice Bravo spend analyser not available prior to Q4 of 2010-12.

173140

Since 2010, the energy suppliers have been the same:

NHH Electricity—British Gas

HH Electricity—EDF Energy

Gas—Corona Energy.

173143

The MOJ are mandated by Cabinet Office to use the Government Procurement Service (GPS) National Frameworks for Utilities and Energy Management. GPS work on behalf of the public sector as an Executive agency of the Cabinet Office and is the largest buying organisation in the UK with a remit to work across the whole of the public sector. The aggregated volume provides GPS with access to wholesale energy markets, increases their ability to manage risk via a range of flexible and locked purchasing options, and provides leverage for securing improved pricing and supplier offerings, developing new and innovative energy efficiency solutions for the public sector and maximising the use of new and existing energy assets. Savings are generated through the GPS energy framework agreements and are supported by agreed benefits methodologies, which are formally audited by the Cabinet Office.

MOJ is also committed to reducing consumption across its estate. It works closely with its facilities manager providers to ensure buildings are run as efficiently as possible and has introduced a behavioural change campaign which it is starting to roll out across its court estate. The Ministry also has a programme of works to reduce consumption which includes low energy lighting, voltage optimisation and boiler replacements to improve site efficiency.

In an effort to reduce/maintain future costs the Ministry of Justice are also supporting the newly introduced Power Purchasing Agreements launched by the Minister for the Cabinet Office in December 2012. This initiative will provide an element of fixed costs energy for 25 years.

Flexible Working

Mr Gibb: To ask the Secretary of State for Justice how many officials in his Department make use of compressed hours arrangements as part of the Civil Service's flexible working hours scheme (*a*) above and (*b*) below director level. [177400]

Mr Vara: A compressed hours working week, or 'long days', involves working fewer days each week, eg three or four, but for longer hours. This allows employees to work their full-time net hours—like other full-time staff—but with additional non working days off. Such arrangements will not be for everyone and may not be suitable for all roles.

Table 1 shows the number of officials within the Ministry of Justice (including NOMS) with a compressed hours working arrangement, as at 31 October 2013.

Table 1

	Number
(a) Above director level	4
(b) Below director level	851

Human Trafficking: Children

Fiona Mactaggart: To ask the Secretary of State for Justice of the 40 suspected victims of trafficking who were over 18 years of age referred to the National Referral Mechanism by the Salvation Army between April to June 2013, how many were under 18 years of age at the time they were first trafficked and exploited in the UK. [177626]

James Brokenshire: I have been asked to reply on behalf of the Home Department.

The National Referral Mechanism (NRM) records referral data for adults and minors who are victims of trafficking separately and records the age at the time of referral.

Adults referred to the NRM following trafficking that occurred when they were a minor are recorded in the published statistics for minors but as over 18 at the point of referral. In the period April to June 2013 the Salvation Army made six such referrals.

The 40 cases identified in the question are of adults referred to the NRM as adult potential victims of trafficking and hence are listed in the statistics for adult referrals.

ICT

Mrs Moon: To ask the Secretary of State for Justice how many people are employed within centralised IT departments or teams in his Department; and if he will make a statement. [179172]

Mr Vara: Information on the number of people employed by the Ministry of Justice including MOJ HQ, HM Courts and Tribunal Service (HMCTS), National Offender Management Service (NOMS), Office of the Public Guardian (OPG) and Legal Aid Agency (LAA) who work within centralised IT departments as at 31 October was 505.

Lasers: Prosecutions

Rehman Chishti: To ask the Secretary of State for Justice how many people have been prosecuted for offences involving use of a laser pen in the last five years. [179239]

Mr Vara: The Ministry of Justice Court Proceedings Database holds information on defendants proceeded against, found guilty and sentenced for criminal offences in England and Wales. This database holds information on offences provided by the statutes under which proceedings are brought but not all the specific circumstances of each case. This centrally held information does not allow us to separately identify whether a defendant was proceeded against for the misuse of a laser pen. This detailed information may be held on the court record but due to the size and complexity is not reported centrally to the MOJ. As such, the information requested can be obtained only at disproportionate cost.

Offenders: Rehabilitation

Steve Rotheram: To ask the Secretary of State for Justice if he will make it his policy to collect data on waiting times for individual offender behaviour programmes in English prisons. [175213]

Jeremy Wright: The National Offender Management Service is currently developing a consistent and co-ordinated dataset for referrals for the Sex Offender Treatment Programmes (SOTP). This will assist in the prioritisation of cases across NOMS for places on these programmes. Once a workable dataset has been developed that can be collated nationally to provide data, we will consider the benefits of using a similar approach for other programmes.

Pay Television

Diana Johnson: To ask the Secretary of State for Justice whether offices of (*a*) his Department and (*b*) its Executive agencies have access to Sky Sports or an equivalent premium sports television service; and what the cost to the public purse is in each case. [176435]

Mr Vara: The MOJ does not subscribe to Sky Sports; however, a small number of offices have access to the parliamentary annunciator service. The annunciator service gives information about parliamentary proceedings, including live feeds from the Commons and Lords Chambers and Westminster Hall, on screens throughout the parliamentary estate. The feed received by MOJ includes the same channels, including Sky Sports, as are provided in the Palace of Westminster. There is no extra cost to the MOJ.

Prisoners

Sadiq Khan: To ask the Secretary of State for Justice what the average (*a*) cost per place and (*b*) cost per prisoner in (i) publicly run prisons and (ii) privately run prisons was in (A) 2010, (B) 2011 and (C) 2012. [179319]

Jeremy Wright: As part of the Government's Transparency Agenda, the Department routinely publishes full details of average costs per prisoner and place, based on actual net resource expenditure for each private

and public sector prison and in summary form for the whole of the prison estate in England and Wales after the end of the financial year. The information for financial years 2010-11; 2011-12; and 2012-13; is published as an addendum to the NOMS annual report and accounts and available on the Department's website at:

<https://www.gov.uk/government/publications/prison-and-probation-trusts-performance-statistics-2011-12>

<https://www.gov.uk/government/publications/prison-and-probation-trusts-performance-statistics-201213>

The links include restated figures for 2010-11. Also included are restated figures for 2011-12 to enable a more true comparison with 2012-13. The figures for 2010-11 are not directly comparable with those for 2011-12 and 2012-13 due to changes in accounting treatment and scope.

Copies of these are also placed in the House Library.

The Government is committed to delivering reform in our public services. The Prison Competition Phase One Programme will deliver efficiency savings, in line with other public sector prisons, over the next four years.

Care must be taken in considering the comparison between private and public sector costs for the following reasons:

1. The public and private groups of prisons are not homogenous groups in terms of prison category, size, or age and these factors may have a greater impact on average costs than whether the prisons are public or private sector.

2. The private sector contracts may have different responsibilities for provision of health or education services than public sector prisons. This will affect their relative costs.

3. The different financing methods of PFI prisons mean that in an individual year the resource costs of private and public sector prisons are not directly comparable.

4. The costs are based on resource expenditure recorded in NOMS annual accounts. The PFI prisons are on balance sheet, which means that the element of the private contractors' charges related to the capital cost is not included in the unit costs, whilst depreciation of buildings is included. Following government accounting rules, the charge against the resource budget is not calculated in the same way.

5. The PFI prisons costs include a charge for interest on capital costs. There is no equivalent charge in the public sector costs.

Prisoners' Release

Andrew Rosindell: To ask the Secretary of State for Justice if he will take steps to end early release for paedophiles and terrorists. [175926]

Jeremy Wright: On 4 October the Lord Chancellor and Secretary of State for Justice, my right hon. Friend the Member for Epsom and Ewell (Chris Grayling), announced proposals that criminals convicted of rape or attempted rape of a child under 13, and serious terrorism offences, should no longer be automatically released at the halfway point of their sentence. Under these proposals these offenders will only be released before the end of their custodial term under strict conditions at the discretion of the independent Parole

Board. Before the Parole Board releases any criminal they must be convinced they no longer need to be detained to protect the public. These changes will require primary legislation which will be brought forward when parliamentary time allows.

Prisoners: Death

Mr Jim Cunningham: To ask the Secretary of State for Justice how many prisoners have died in (a) prisons and (b) young offender institutions during each of the last five years. [177907]

Jeremy Wright: The National Offender Management Service publishes the number of deaths in prison custody as part of the National Statistics "Safety in Custody" bulletin.

The latest publication can be found at:

<https://www.gov.uk/government/collections/safety-in-custody-statistics>

Prisons: Crimes of Violence

Sadiq Khan: To ask the Secretary of State for Justice (1) how many attacks on prison staff by prisoners there have been in each establishment in each month since May 2010; [176286]

(2) how many attacks on prison staff by prisoners there have been in each prison establishment in each month since May 2010. [177036]

Jeremy Wright: In the 12 months to June 2013 the rate of recorded assaults on staff was among the lowest since 2000, at 35 incidents per 1,000 prisoners.

The National Offender Management Service (NOMS) and the Prison Officers Association (POA) are jointly committed to a zero tolerance approach to assaults on staff, visitors and prisoners.

NOMS takes the issue of assaults on prison staff very seriously. It currently has systems in place to deal with perpetrators quickly and robustly, with serious incidents referred to the police for prosecution. It is working with the police and Crown Prosecution Service to ensure that prisoners who assault staff are charged and punished appropriately.

NOMS is committed to exploring options to continue to improve how violence is tackled in prisons to keep both staff and prisoners safe. It is currently looking at the policy and practice of the management of violence.

There are many factors that can drive changes in the number of assaults on staff at individual establishments from one month to the next, including changes in admissions rates and composition of the prison population. A long term view over several months should be taken when considering changes in trend.

Figures for the number of recorded assault on staff incidents and the rate per 1,000 prisoners are provided in Table 1.

Table 1: Assaults on staff, England and Wales prisons

	12 months to June each year:									
	2004	2005	2006	2007	2008	2009	2010	2011	2012	2013
Assaults on Staff	3,084	3,354	3,551	3,386	3,269	3,121	2,977	2,933	3,087	3,019

Table 1: Assaults on staff, England and Wales prisons

	12 months to June each year:									
	2004	2005	2006	2007	2008	2009	2010	2011	2012	2013
Assault on staff per 1,000 prisoners	42	45	46	43	40	38	35	35	35	35

Figures for the number of reported incidents of assaults on staff in each establishment and in each month between May 2010 and December 2012—the latest period for which statistics are available at establishment level—have been placed in the Library.

Prisons: Overcrowding

Sadiq Khan: To ask the Secretary of State for Justice (1) under what circumstances his Department would trigger Operation Safeguard; [176763]

(2) what changes have been made to Operation Safeguard since May 2010. [176765]

Jeremy Wright: I refer the right hon. Member to the answer my predecessor gave in March 2011. Operation Safeguard is required when the size or distribution of the prison population is such that it can no longer be managed within the available capacity.

Prison population levels fluctuate throughout the year and we have sufficient accommodation for the current and expected population. There will be more adult male prison capacity in May 2015 than there was at the start of this Parliament

There are no plans to re-activate Operation Safeguard. Police cells, under Operation Safeguard, have not been used since 22 September 2008 and no police cells under Operation Safeguard have been on stand by since the end of October 2008

There have been no changes to Operation Safeguard arrangements since 2010.

Prisons: Security

Sadiq Khan: To ask the Secretary of State for Justice (1) how many incidents of prisons in full lockdown there have been in each of the last six months; [176208]

(2) how many incidents of prisons in full lockdown there have been in each month since May 2010. [177031]

Jeremy Wright: Prisons have the ability to “lockdown” all or part of a prison, wing or landing as an immediate operational response to an incident of disorder or to a security threat. The decision to undertake a full lockdown is taken following a dynamic risk assessment and involves a general confinement of prisoners to their cells.

The following table provides details of the number of full prison lock downs undertaken since May 2010 for purposes of searching the prison. These are reported centrally. Details of other incidents of lockdown are not held centrally and could only be provided at disproportionate cost by undertaking a search of manual records at each establishment.

Table 1: Full lockdown search, by month, between 1 May 2010 and 31 October 2013

	Full lockdown search
May 2010	1
June 2010	0

Table 1: Full lockdown search, by month, between 1 May 2010 and 31 October 2013

	Full lockdown search
July 2010	0
August 2010	0
September 2010	0
October 2010	1
November 2010	0
December 2010	1
January 2011	1
February 2011	4
March 2011	0
April 2011	1
May 2011	2
June 2011	1
July 2011	0
August 2011	2
September 2011	0
October 2011	2
November 2011	2
December 2011	2
January 2012	1
February 2012	3
March 2012	0
April 2012	0
May 2012	1
June 2012	3
July 2012	2
August 2012	0
September 2012	1
October 2012	2
November 2012	1
December 2012	0
January 2013	2
February 2013	2
March 2013	1
April 2013	1
May 2013	3
June 2013	0
July 2013	0
August 2013	0
September 2013	0
October 2013	1

Note:

These figures have been drawn from live administrative data systems which may be amended at any time. Although care is taken when processing and analysing the returns, the detail collected is subject to the inaccuracies inherent in any large scale recording system.

Procurement

Sadiq Khan: To ask the Secretary of State for Justice how much and what proportion of his Department’s budget was spent on activities which were contracted out in (a) 2009-10, (b) 2010-11, (c) 2011-12 and (d) 2012-13; and how much and what proportion of his Department’s budget he expects to be contracted out in (i) 2013-14 and (ii) 2014-15. [177490]

Mr Vara: The Ministry of Justice is committed to providing services in the most efficient way possible to provide the best value for taxpayers.

The following table shows the estimated spend in billions and the percentage this represents of the Ministry of Justice's budget for the financial years 2010-11, 2011-12 and 2012-13. The figures are not held in the same format for the 2009-10 financial year and so have not been included for comparison purposes. It is not possible to say at this time what the outturn figure will be for the current financial year, but at the end of September 2013 around 39% of spend was on contracted out activities. Data is not yet available for 2014-15.

<i>Spend on contracted out services</i>		
<i>FY</i>	<i>£ billion</i>	<i>Percentage of total (%)</i>
2010-11	3.7	38
2011-12	3.7	38
2012-13	3.6	38

Secondment

Chris Ruane: To ask the Secretary of State for Justice (1) how many private secondees worked in his Department in the year up to September (a) 2012 and (b) 2011; [177542]

(2) how many of his Department's civil servants have been seconded to (a) the private sector and (b) trades unions in each year since 2010; [177720]

(3) how many secondees from (a) trades unions and (b) the voluntary sector have worked in his Department since 2010. [177743]

Mr Vara: Information held on the Ministry of Justice's central systems on the number of inward and outward secondees from and into the specified sectors and organisations in the relevant years is set out in the following tables:

<i>177542: Secondments to the MOJ from the private sector</i>	
<i>Number of inward secondees</i>	
October 2010 to September 2011	0
October 2011 to September 2012	0

<i>177720: Secondments from the MOJ to the private sector</i>	
<i>Number of outward secondees</i>	
January to December 2010	5
January to December 2011	5
January to December 2012	2
January to October 2013	4

<i>Secondments from the MOJ to trade unions</i>	
<i>Number of outward secondees</i>	
January to December 2010	2
January to December 2011	2
January to December 2012	0
January to October 2013	0

<i>177743: Secondments into the MOJ from trade unions</i>	
<i>Number of inward secondees</i>	
January to December 2011	0
January to December 2012	0

<i>Offenders sentenced at magistrates courts to immediate custody for specified periods, England and Wales, 2010 to 2012¹</i>							
	<i>Total Sentenced</i>	<i>Six months custody for one offence</i>	<i>Proportion who received six months custody for one offence</i>	<i>Six months custody for each of two offences</i>	<i>Proportion who received six months custody for two offences</i>	<i>Juveniles who received one offence of 12 months</i>	<i>Juveniles who received two offences of 12 months</i>
2010	1,263,396	1,160	0.09	259	0.02	277	61

177743: Secondments into the MOJ from trade unions

<i>Number of inward secondees</i>	
January to October 2013	0

Secondments into the MOJ from the voluntary sector

<i>Number of inward secondees</i>	
January to December 2010	0
January to December 2011	0
January to December 2012	0
January to October 2013	0

A secondment takes place when an individual from a non-public sector external organisation in the UK voluntarily moves into the UK civil service for an agreed time period but remains an employee of their external organisation.

An outward secondment takes place when an individual from the UK civil service voluntarily moves to a non-public sector external organisation for an agreed period of time but remains a UK civil service employee.

Sentencing

Philip Davies: To ask the Secretary of State for Justice on how many and in what proportion of occasions cases in magistrates' courts have received a (a) six month custodial sentence for one offence and (b) 12 month custodial sentence for two offences in each of the last three years. [175850]

Mr Vara: Magistrates deal with summary offences, which are the less serious cases, such as motoring offences and minor assaults and also either-way offences which can be dealt with either by magistrates or before a judge and jury at the Crown Court.

Parliament sets the maximum penalty for an offence to deal with the worst possible case. Imprisonable, summary only offences have a maximum penalty of six months and very few cases will, rightly, receive the maximum penalty.

Magistrates courts have powers to impose a custodial sentence of up to six months for a single offence or up to 12 months if two or more custodial terms are imposed in respect of one or more triable either way offences.

Where an offence has a maximum penalty of more than six months the magistrates court can send the case to the Crown Court for sentencing if it considers its powers are insufficient to deal the particular case.

The information provided in the following table shows the number of offenders convicted at magistrates courts for one offence and received a six month custodial sentence, which is the maximum sentence available to magistrates, and those convicted and sentenced of two offences and received a six months sentence for each offence. From centrally held information it is not possible to ascertain whether or not the sentences are to be served consecutively or concurrently. Information is also provided for young offenders who were given a custodial sentence of 12 months by magistrates operating in their capacity as a youth court.

Offenders sentenced at magistrates courts to immediate custody for specified periods, England and Wales, 2010 to 2012¹

	Total Sentenced	Six months custody for one offence	Proportion who received six months custody for one offence	Six months custody for each of two offences	Proportion who received six months custody for two offences	Juveniles who received one offence of 12 months	Juveniles who received two offences of 12 months
2011	1,210,575	1,195	0.10	261	0.02	298	65
2012	1,139,263	1,554	0.14	290	0.03	221	41

¹ Every effort is made to ensure that the figures presented are accurate and complete. However, it is important to note that these data have been extracted from large administrative data systems generated by the courts and police forces. As a consequence, care should be taken to ensure data collection processes and their inevitable limitations are taken into account when those data are used.

Source:

Justice Statistics Analytical Services—Ministry of Justice

Oliver Colville: To ask the Secretary of State for Justice if he will discuss with the Sentencing Council ways of improving the consistency with which sentencing guidelines are taken account of. [179376]

Jeremy Wright: The Sentencing Council has a statutory duty under the Coroners and Justice Act 2009 to promote consistency in sentencing and to monitor the operation and effect of its guidelines on sentencing practice. These are matters for the Council which is independent of Government. Courts are required by law to follow the guidelines produced by the Council when sentencing (although they can depart from them in exceptional circumstances if it is in the interests of justice to do so).

Sexual Offences: Children

Mr Llwyd: To ask the Secretary of State for Justice how many children received indeterminate sentences for sexual offences in each of the last 10 years. [176276]

Jeremy Wright: Our laws in these areas are robust and clear. The Government takes very seriously all matters relating to the sexual abuse of children and also any material which may appear to be derived from or to encourage such activity.

The youth and immaturity of an offender must always be potential mitigating factors for the courts to take into account when passing sentence. However, where the facts of the case are particularly serious, the youth of the offender will not necessarily mitigate the appropriate sentence.

The number of juveniles given an indeterminate custodial sentence ie Imprisonment for Public Protection (IPP) under section 226 of the Criminal Justice Act 2003, for sexual offences, in England and Wales, from 2005 to 2012, in England and Wales, in 2012 (the latest available) can be viewed in following table. Section 226 of the Criminal Justice Act 2003 only came into force in 2005.

Court proceedings for the calendar year 2013 are planned for publication in May 2014.

Number of juveniles sentenced to Imprisonment for Public Protection (IPP), for sexual offences, in England and Wales, 2005-12^{1, 2}

	Total
2005	2
2006	11
2007	10
2008	15
2009	13
2010	10

Number of juveniles sentenced to Imprisonment for Public Protection (IPP), for sexual offences, in England and Wales, 2005-12^{1, 2}

	Total
2011	4
2012	7

^{1, 2} = Nil

¹ The statistics relate to persons for whom these offences were the principal offences for which they were dealt with. When a defendant has been found guilty of two or more offences the principal offence is the offence for which the heaviest penalty is imposed. Where the same disposal is imposed for two or more offences, the offence selected is the offence for which the statutory maximum penalty is the most severe.

² Every effort is made to ensure that the figures presented are accurate and complete. However, it is important to note that these data have been extracted from large administrative data systems generated by the courts and police forces. As a consequence, care should be taken to ensure data collection processes and their inevitable limitations are taken into account when those data are used.

Source:

Justice Statistics Analytical Services-Ministry of Justice.

Sexual Offences: Dorset

Mr Syms: To ask the Secretary of State for Justice how many successful prosecutions for rape and sexual violence there were in (a) Poole constituency and (b) Dorset in each of the last three years. [176083]

Jeremy Wright: The number of defendants proceeded against at magistrates courts and offenders found guilty at all courts for rape and for all sexual offences, in the Dorset police force area, from 2010 to 2012 (the latest available) can be viewed in the table.

Information available centrally does not allow a breakdown of cases by parliamentary constituency.

Defendants proceeded against at magistrates court and offenders found guilty at all courts for rape¹ and all sexual offences, in the Dorset police force area, 2010-12^{2, 3}

Offence	Outcome	2010	2011	2012
Rape	Proceeded against	20	16	29
	Found guilty	12	8	10
Sexual offences	Proceeded against	91	85	89
	Found guilty	65	57	50

¹ Included attempted rape.

² The figures given in the table on court proceedings relate to persons for whom these offences were the principal offences for which they were dealt with. When a defendant has been found guilty of two or more offences it is the offence for which the heaviest penalty is imposed. Where the same disposal is imposed for two or more offences, the offence selected is the offence for which the statutory maximum penalty is the most severe.

³ Every effort is made to ensure that the figures presented are accurate and complete. However, it is important to note that these data have been extracted from large administrative data systems generated by the courts and police forces. As a consequence, care should be taken to ensure data collection processes and their inevitable limitations are taken into account when those data are used.

Source:

Justice Statistics Analytical Services—Ministry of Justice.

Terrorism: Northern Ireland

Ms Ritchie: To ask the Secretary of State for Justice what recent discussions he has had with the Attorney-General in Northern Ireland on ending prosecutions for conflict-related murders in Northern Ireland. [177208]

Mr Vara: The Lord Chancellor and Secretary of State for Justice, my right hon. Friend the Member for Epsom and Ewell (Chris Grayling), has not had any such discussions, as the Government has no plans to legislate for an amnesty of crimes relating to the troubles.

Tickets: Touting

Stephen Barclay: To ask the Secretary of State for Justice how many people have been prosecuted for using ticket bots under the Computer Misuse Act 1990. [179378]

Jeremy Wright: The Ministry of Justice (MOJ) Court Proceedings Database holds information on defendants proceeded against, found guilty and sentenced for criminal offences in England and Wales. This database holds information on offences provided by the statutes under which proceedings are brought but not all the specific circumstances of each case. This centrally held information does not allow us to separately identify whether, under the Computer Misuse Act 1990, a ticket was sold through the use of illegal computer software (botnet). This detailed information may be held on the court record but due to the size and complexity is not reported centrally to the MOJ. As such, the information requested can be obtained only at disproportionate cost.

Young Offenders

Fiona Mactaggart: To ask the Secretary of State for Justice how many (a) Vietnamese and (b) Afghan nationals under 18 were accommodated in the youth secure estate in each year between 2009 and 2012. [177623]

Jeremy Wright: It is not possible to provide information on the number of Vietnamese, and Afghan nationals under 18, who were accommodated in the youth secure estate in each year between 2009 and 2012 because it would require the manual inspection of each individual's record, which could be done only at disproportionate cost.

Information on the management of foreign national offenders who are under the age of 18 is available at the following link:

<http://www.ukba.homeoffice.gov.uk/sitecontent/documents/policyandlaw/modernised/criminality-and-detention/child-fnos?view=Binary>

Dan Jarvis: To ask the Secretary of State for Justice how many consultations into young offending his Department has launched since 2010. [179307]

Jeremy Wright: All Government consultations are published on the website:
www.gov.uk

Dan Jarvis: To ask the Secretary of State for Justice how many youth cautions have been given in the last year. [179309]

Jeremy Wright: The Government introduced a rationalised youth out-of-court framework in the Legal Aid, Sentencing and Punishment of Offenders Act 2012. This replaced the previous system of reprimands and final warnings and, in some areas, youth conditional cautions with a new system comprising only the new youth caution and the youth conditional caution. This came into effect for offences committed from 8 April 2013. We therefore do not yet have a full year's worth of data on the number of youth cautions given.

Data in respect of 10 to 17-year-olds in the 12 months ending June 2013 who were given a reprimand, final warning, youth conditional caution and, since 8 April 2013, a youth caution can be viewed through the enclosed link:

https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/260305/out-of-court-disposals-0613.xls#TableQ2e!A1

Dan Jarvis: To ask the Secretary of State for Justice what comparative assessment he has made of remedial action and early intervention as ways of tackling young offending. [179310]

Jeremy Wright: The Ministry of Justice is fully committed to reducing reoffending as well as preventing young people from committing offences in the first place.

The Youth Justice Board (YJB) has co-funded a programme of research by the Social Research Unit (SRU)-an independent charity-on the effectiveness of a wide range of interventions to prevent and reduce youth offending and reoffending. This research 'Investing in Children: Youth Justice' includes consideration of interventions aimed at preventing and reducing offending. Findings, published in 2012, can be found online:

<http://dartington.org.uk/wp-content/uploads/2012/12/Youth-Justice-2-November-2012.pdf>

The Youth Justice Board have used the results of this work to inform the delivery of effective interventions by youth justice practitioners.

The Ministry of Justice is also committed to supporting cross-government initiatives to prevent young people from entering the youth justice system, including through the Troubled Families programme which aims to turn around the lives of 120,000 of the country's most troubled families by 2015.

BUSINESS, INNOVATION AND SKILLS

Access to Learning Hardship Fund

Paul Blomfield: To ask the Secretary of State for Business, Innovation and Skills what plans he has for the future of the Access to Learning Hardship Fund. [179488]

Mr Willetts: Any decisions on the Access to Learning Fund will be announced in the new year.

Apprentices

Andrew Stephenson: To ask the Secretary of State for Business, Innovation and Skills how many and what proportion of companies participating in his Department's Trailblazers initiative are small and medium-sized enterprises. [179366]

Matthew Hancock: We published a list of the employers and professional bodies involved in the first phase of Trailblazers on 28 November 2013. There are 12 small and medium-sized enterprises (SMEs) on the list, 20% of the employers involved.

Many of the Trailblazers are working with organisations such as EEF, the Manufacturers' Organisation, to engage with and incorporate the views of a much wider group of smaller businesses; others are already testing their standards as they develop through their supply chains, which will include SMEs. We have been clear that the standards developed must be relevant for all businesses within a sector, including smaller businesses, and this is one of our published criteria for approving the standards.

EU Internal Trade: Cumbria

John Woodcock: To ask the Secretary of State for Business, Innovation and Skills what estimate he has made of the value of exports to the EU from firms based in (a) Cumbria and (b) Barrow and Furness constituency. [179311]

Michael Fallon: In the first half of 2013 (latest data available), businesses based in the North West exported £6.2 billion worth of goods to the European Union. The corresponding figure for 2012 as a whole was £13.4 billion. Figures are not compiled for areas below Government office region level.¹

Regional data on trade in services, broken down by EU and Non-EU markets, are not available.

¹Source:

HMRC Regional Trade Statistics

<https://www.uktradeinfo.com/Statistics/RTS/Pages/default.aspx>

Higher Education: Finance

Paul Blomfield: To ask the Secretary of State for Business, Innovation and Skills what funding will be allocated to the higher education teaching budget for the next financial year. [179487]

Mr Willetts: Budget allocations for the Higher Education Teaching Grant will be set out in the 2014-15 grant letter to HEFCE.

Higher Education: Private Sector

Paul Blomfield: To ask the Secretary of State for Business, Innovation and Skills what estimate he has made of the cost to the public purse of providing financial support to students enrolled at private colleges in (a) 2014-15, (b) 2015-16 and (c) 2016-17. [179479]

Mr Willetts: Estimates of expenditure will be available later this year; estimates for 2015-16 onwards are subject to final decisions on spending review allocations.

Higher Education: Student Numbers

Mr Byrne: To ask the Secretary of State for Business, Innovation and Skills (1) what estimate his Department made of the number of students studying for higher national diplomas and higher national certificates; what the actual such figure has been; and what the cost to the public purse has been of any difference between these figures; [179214]

(2) how many (a) domestic students studying in public sector colleges, (b) foreign students in public sector colleges, (c) domestic students studying in private sector colleges and (d) foreign students in private sector colleges are studying for higher national diplomas and higher national certificates; and what the annual cost to the public purse is of funding each such group. [179220]

Mr Willetts: The Student Loans Company (SLC) publishes statistics on student support expenditure in its annual publication 'Student Support for Higher Education in England'. Statistics are disaggregated in this publication by domicile (England or EU) and provider type (Public or Alternative), but not qualification aims. The latest available statistics were published on 28th November 2013 at the following link:

<http://www.slc.co.uk/statistics/national-statistics/newnationalstatistics1.aspx>

Information on the qualification aims of students receiving financial support is not routinely published as it is not recorded in a standard format. However, estimates of the number of full-time students in receipt of student support and undertaking Higher National Diplomas (HNDs) and Higher National Certificates (HNCs), and the cost of supporting these students, are provided in the following table.

<i>Student support paid to students with HND and HNC qualification aims England domiciled students in the UK and EU (non-UK) students in England</i>					
		<i>Number of students supported</i>		<i>Amount paid (£000)</i>	
<i>Provider Type</i>	<i>Domicile</i>	<i>2011/12</i>	<i>2012/13</i>	<i>2011/12</i>	<i>2012/13</i>
Public Providers	England	10,620	11,480	77,332	102,622
	EU (non-UK)	60	70	175	316
	Total	10,680	11,540	77,507	102,938
Alternative Providers	England	2,590	15,320	21,278	131,416
	EU (non-UK)	40	170	120	501
	Total	2,620	15,490	21,398	131,916

Note:

These statistics refer to expenditure up to 31 August 2012 of the 2011/12 academic year, and up to 31 August 2013 of the 2012/13 academic year. Start dates at Alternative Providers of Higher Education are less typical than other institutions hence further payments may occur after 31 August, which is the end of the standard academic year.

Source:

Student Loans Company

We do not make estimates of the number of students studying for specific qualification aims. Alternative Providers were however asked to submit data to the Higher Educational Funding Council for England (HEFCE) on their 2013/14 recruitment plans. The Department received this data on 5 November 2013 and concluded that some of these plans were unaffordable, given the need to control public spending. BIS officials have

therefore written to the 23 Alternative Providers that are expanding most rapidly to instruct them to recruit no more students, unless those students are studying on degree courses, which remain a priority. All other Alternative Providers are free to continue to recruit students to all courses designated for student support for the remainder of the 2013/14 academic year provided that the number of students they recruit does not exceed their planned recruitment as notified to HEFCE. This includes HNDs and HNCs.

Mr Byrne: To ask the Secretary of State for Business, Innovation and Skills what reports he has received on the potential risk that the number of students studying for higher national diplomas and higher national certificates would be higher than expected. [179217]

Mr Willetts: We do not make estimates of the number of students studying for specific qualification aims. Alternative providers were however asked to submit data to the Higher Education Funding Council for England (HEFCE) on their 2013/14 recruitment plans. The Department received this data on 5 November and concluded that some of these plans were unaffordable, given the need to control public spending. My officials have therefore written to the 23 alternative providers that are expanding most rapidly to instruct them to recruit no more students, unless those students are studying on degree courses, which remain a priority. All other alternative providers are free to continue to recruit students to all courses designated for student support for the remainder of the 2013/14 academic year provided that the number of students they recruit does not exceed their planned recruitment as notified to HEFCE. This includes Higher National Diplomas (HND) and Higher National Certificates (HNC) which are valuable qualifications.

ICT

Mrs Moon: To ask the Secretary of State for Business, Innovation and Skills how many people are employed within centralised IT departments or teams in his Department; and if he will make a statement. [179159]

Jo Swinson: The Department currently employs 47 staff in the core BIS IT Strategy and Services and IT security teams. However, the Department will be replacing its current IT system from early 2014 and the number of IT staff will reduce to a core intelligent client team in BIS of seven staff by March 2014.

Ministers' Private Offices

Mr Jenkin: To ask the Secretary of State for Business, Innovation and Skills whether he (a) has appointed or (b) intends to appoint an enlarged ministerial office. [177507]

Jo Swinson: I refer the hon. Member to the answer given by the Minister for the Cabinet Office and Paymaster General, the right hon. Member for Horsham (Mr Maude) on 28 November 2013, *Official Report*, column 398W.

Post Offices

Katy Clark: To ask the Secretary of State for Business, Innovation and Skills what discussions he has had with local authorities about increasing the range of government services provided by the Post Office network. [179302]

Jo Swinson: I refer the hon. Member to the joint report of this Department, the Local Government Association and the Post Office published in March 2013: 'The Local Government and Post Office Ltd Pathfinder Programme—An Evaluation of Strategic Engagement':

http://www.postoffice.co.uk/sites/default/files/Political_Stakeholder_Pathfinder.PDF

Post Offices: Scotland

Katy Clark: To ask the Secretary of State for Business, Innovation and Skills what discussions he has had with Ministers in the Scottish Government on increasing the range of government services provided by the Post Office network. [179275]

Jo Swinson: The then Post Office Minister, my right hon. Friend the Member for Kingston and Surbiton (Mr Davey), and the Secretary of State for Scotland chaired a meeting in January 2012 that was attended by the Minister for Energy, Economy and Tourism, Fergus Ewing MSP; the chief executive of Post Office Ltd, Paula Vennells; and senior representatives of the Convention of Scottish Local Authorities (COSLA) and National Federation of Subpostmasters (NFSP) to discuss how the Post Office network in Scotland could be used to provide access to services on behalf of the Scottish Government and Scottish local authorities.

Following that meeting, Scottish Government officials advised that the Scottish Government was unable to identify any services that it believed could be delivered by the Post Office.

Refineries: Grangemouth

Mr Dodds: To ask the Secretary of State for Business, Innovation and Skills what discussions he has had with the Northern Ireland Executive on the implication of recent events at Grangemouth refinery for Northern Ireland. [179119]

Michael Fallon: DECC officials were in touch with the Northern Ireland Executive from the outset, ensuring that suitable contingency plans were in place to safeguard Northern Ireland's fuel supplies despite the threat of disruption at Grangemouth refinery.

Science: Education

Meg Munn: To ask the Secretary of State for Business, Innovation and Skills which organisations have received funding for education and outreach in STEM subjects in each of the last three years. [179262]

Mr Willetts: The following organisations have received direct funding during this spending review period for education and outreach in STEM, STEMNET, the British Science Association and Engineering UK. The

National Academies also receive funding from the Department for Business, Innovation and Skills (BIS), part of which goes on STEM education and outreach projects. In addition, the Science Museum received funding in 2013-14 and the UK Resource Centre for Women in STEM received funding in 2011-12.

The Higher Education Funding Council for England (HEFCE) allocates funding to support the teaching of STEM subjects in universities. In addition, it allocates funding to promote widening participation in higher education, some of which supports outreach to students who will go on to study STEM subjects.

BIS partner organisations, for example, the UK Space Agency and the Meteorological Office, also undertake STEM education and outreach.

The individual research councils have received funding from BIS, allocated from the Science Budget, for the past three years. In line with government strategy, Research Councils UK (RCUK) are committed to a public engagement strategy, which as one of its three aims encourages links between schools and the UK research community in order to secure and sustain a supply of future UK researchers:

www.rcuk.ac.uk/per

Meg Munn: To ask the Secretary of State for Business, Innovation and Skills what monitoring and evaluation mechanisms are in place for organisations which have received funding from his Department for education and outreach in science, technology, engineering and mathematics. [179321]

Mr Willetts: The Department for Business, Innovation and Skills (BIS) requires all organisations which receive funding to deliver education and outreach activities in STEM to evaluate their work. The funding agreements contain objectives and performance indicators and require regular progress reporting. In addition, BIS commissions broader work to evaluate impact of its funded initiatives, including independent evaluation and public attitudes surveys. For example, the individual research councils have a number of mechanisms for evaluating activities related to STEM subjects. Over the past three years Research Councils UK (RCUK) has worked with not only the research councils but other research funders to ensure that their programmes are appropriately informed by the work of other funders and the learning from the evaluations is widely disseminated.

In addition RCUK have undertaken a number of evaluations and reviews related to the knowledge exchange and impact of their investments to demonstrate and maximise the impact of the research they fund, highlight areas for improvement and ensure that RCUK continues to be a world leader in impact methodologies. RCUK's impact strategy has also been influenced by a number of external reviews and reports.

Secondment

Chris Ruane: To ask the Secretary of State for Business, Innovation and Skills how many of his Department's civil servants have been seconded to (a) the private sector and (b) trades unions in each year since 2010. [177705]

Jo Swinson: The following table shows the numbers of civil servants who have undertaken secondments out of the Department for Business, Innovation and Skills (and its predecessors) since 2010.

<i>Organisation</i>	<i>From</i>	<i>To</i>
Unknown ¹	31 July 2006	4 December 2010
Unknown ¹	2 January 2008	31 December 2010
Unknown ¹	14 September 2008	15 September 2011
Unknown ¹	28 September 2008	1 September 2010
Unknown ¹	19 October 2008	20 October 2010
Unknown ¹	31 January 2009	31 January 2010
Unknown ¹	31 August 2009	31 August 2010
Unknown ¹	15 September 2009	16 September 2011
Unknown ¹	20 September 2009	21 September 2011
Unknown ¹	11 November 2009	16 July 2010
Unknown ¹	30 June 2011	26 April 2015
EADS Astrium	31 August 2011	1 January 2013
European Commission	30 November 2011	30 November 2012
Unknown ¹	4 December 2011	5 October 2014
LOCOG	18 January 2012	11 September 2012
MRC	18 January 2012	26 October 2012
FTI Consulting	30 April 2012	10 January 2014
EBRD	30 April 2012	31 May 2013
PA Consulting	30 April 2012	28 February 2014
BBC	8 July 2012	25 July 2012
DOH/Monitor	15 July 2012	12 July 2013
PA Consulting	2 September 2012	3 September 2013
European Commission	31 October 2012	1 November 2014
Learning and Skills Development Agency	20 January 2013	31 January 2014
Research Council	31 March 2013	29 March 2014
EU	31 March 2013	1 September 2014
Research Council	30 April 2013	31 March 2014
Research Council	12 May 2013	13 November 2013
Skanska	12 June 2013	12 June 2015
Groceries Code Adjudicator	30 June 2013	1 January 2014
National Policing Improvement Agency	26 August 2013	27 August 2014

¹ Unfortunately, the organisation receiving the secondee was not recorded on old HR systems and trying to track down the individuals concerned or their managers to verify the records (some of whom may since have left the Department) would involve disproportionate cost.

Note:

Each line represents one person.

Chris Ruane: To ask the Secretary of State for Business, Innovation and Skills how many secondees from (a) trades unions and (b) the voluntary sector have worked in his Department since 2010. [177728]

Jo Swinson: I refer the hon. Member to the answer I gave on 18 November 2013, *Official Report*, column 667-8W, which included the information available for 2010.

Students: Disability

David Simpson: To ask the Secretary of State for Business, Innovation and Skills how many people currently studying at universities in the UK are registered disabled. [179410]

Mr Willetts: The Higher Education Statistics Agency (HESA) collects and publishes data on students at UK higher education institutions. Information is not collected

on the number of students who were registered disabled. The performance indicators for higher education use the number of students in receipt of Disabled Students' Allowance as a measure of participation by people with a disability, and these are published on the HESA website:

<http://www.hesa.ac.uk/content/view/2072/141/>

The performance indicators show that 72,150 (6% of) UK domiciled full-time undergraduate students were in receipt of Disabled Students' Allowance in the academic year 2011/12. The equivalent figure for part-time students (who studied at least 50% of the time) was 7,475 (3.4%). These figures are sourced from the higher education sector and may understate the number of students who were registered as disabled.

UK Trade and Investment

Nick de Bois: To ask the Secretary of State for Business, Innovation and Skills what UK Trade & Investment's staffing levels and budget were in the years (a) 2010, (b) 2011, (c) 2012 and (d) 2013 for (i) Mexico, (ii) Indonesia, (iii) Turkey, (iv) Poland, (v) Argentina, (vi) South Africa, (vii) Venezuela, (viii) Thailand, (ix) Malaysia, (x) Chile, (xi) the Philippines, (xii) Pakistan, (xiii) Peru, (xiv) Ukraine, (xv) Romania, (xvi) Hungary, (xvii) Bulgaria, (xviii) Lithuania and (xix) Latvia. [179323]

Michael Fallon: UK Trade and Investment (UKTI) is not an employer in its own right; it draws on civil service staff employed by one or other of its two parent Departments—the Department for Business, Innovation and Skills (BIS), the Foreign and Commonwealth Office (FCO).

The budgets below represent locally employed staffing costs assigned to each market. UKTI also sets broader programme budgets and we do not hold this information at market or regional level. To provide a breakdown of all UKTI spend by market would require obtaining and analysing all invoices and expense claims, which can be done only at a disproportionate cost.

UKTI's annual programme outturn figures are set out in its Annual Report and Accounts for 2012-13, which is available in the Vote Office and the Libraries of the House (reference: HC 24).

ENERGY AND CLIMATE CHANGE

Energy

Mr Hollobone: To ask the Secretary of State for Energy and Climate Change if he will bring forward legislative proposals to make it easier for domestic energy consumers to switch supplier. [179234]

Michael Fallon: The Government is providing legislative backing to Ofgem's Retail Market Review measures which will simplify and standardise tariff structures and require suppliers to provide consumers with clearer and better quality information so that it will be easier for all

consumers to compare tariffs to find a better deal and switch. We are also bringing forward legislation which will require suppliers to include QR codes on bills which link to a customer's data to make the process even easier. The Government is also discussing with energy suppliers how to reduce the time it takes for a switch to be completed.

In addition to legislation, the Government is providing extra help and advice to vulnerable consumers through the Big Energy Saving Network to help them engage with the energy market and to give them the confidence to take decisions that will reduce their bills.

The Government has also been instrumental in providing support to collective switching schemes. Earlier this year the Government kick-started a number of innovative projects through the £5 million Cheaper Energy Together competition. Money was awarded to 31 successful projects that all focused on engaging vulnerable consumers.

Garages and Petrol Stations

Mr Dodds: To ask the Secretary of State for Energy and Climate Change what his latest assessment is of the retail fuels market. [177849]

Michael Fallon: DECC published a report from Deloitte LLP in December 2012, which considers long-term changes to the retail market for road fuels in the UK, and the implications of these changes to our energy resilience. This market has changed significantly over the last decade. However, the findings of this report do not suggest that the changes to the size and shape of the retail market for road fuels have had significant impacts on the UK's ability to be able to respond to supply disruptions or that these have significantly reduced the access of UK motorists to a local supply of fuel.

Garages and Petrol Stations: Northern Ireland

Mr Dodds: To ask the Secretary of State for Energy and Climate Change what discussions he has had with the Northern Ireland Executive and Northern Ireland petrol retailers on the Government's plans to support the independent forecourt sector. [177850]

Michael Fallon: I met independent fuel retailers from across the UK at a Regeneration Forum organised by the Petrol Retailers Association in October to hear their views on the regulatory and other issues affecting the sector.

Ministers' Private Offices

Mr Jenkin: To ask the Secretary of State for Energy and Climate Change whether he (a) has appointed or (b) intends to appoint an enlarged ministerial office. [177514]

Gregory Barker: I refer my hon. Friend to the answer given to him by the Minister for the Cabinet Office and Paymaster General, my right hon. Friend the Member for Horsham (Mr Maude) on 28 November 2013, *Official Report*, column 398W.

Ministerial Correction

Monday 2 December 2013

TREASURY

Mortgages: Government Assistance

Steve McCabe: To ask the Chancellor of the Exchequer (1) what proportion of Help to Buy applicants to date were aged 39 and over; [176479]

(2) how many people have had their application for a Help to Buy mortgage accepted in principle in (a) Birmingham, (b) Birmingham, Selly Oak constituency and (c) the West Midlands; [176480]

(3) what proportion of applicants to the Help to Buy scheme to date have not been first-time buyers. [176481]
[Official Report, 26 November 2013, Vol. 571, c. 258-59W.]

Letter of correction from Sajid Javid:

An error has been identified in the written answer given to the hon. Member for Birmingham, Selly Oak (Steve McCabe) on 26 November 2013.

The full answer given was as follows:

Sajid Javid: The Government is committed to making the aspiration of home ownership a reality for as many households as possible. The Government wants current and future generations to experience the benefits of owning their own home, in the same way their parents were able to. Since the financial crisis, larger deposit requirements and falling equity values mean many credit-worthy households cannot get a mortgage, or are trapped in their existing homes unable to take the next steps.

In the one month since the publication of the scheme rules on 8 October, more than 2,000 people have put in applications to lenders under the Help to Buy: mortgage

guarantee scheme totalling £365 million of new mortgage lending. Lenders will submit details of their loans to the scheme when it opens in January.

More than three quarters of the applicants are first time buyers and many in their early thirties, demonstrating that the Help to Buy: mortgage guarantee scheme is helping hardworking people realise their home-owning aspirations.

Once the Help to Buy: mortgage guarantee scheme opens in January, the Government will collect data on mortgages covered by the guarantee, and will report in due course.

The correct answer should have been:

Sajid Javid: The Government is committed to making the aspiration of home ownership a reality for as many households as possible. The Government wants current and future generations to experience the benefits of owning their own home, in the same way their parents were able to. Since the financial crisis, larger deposit requirements and falling equity values mean many credit-worthy households cannot get a mortgage, or are trapped in their existing homes unable to take the next steps.

In the one month since the publication of the scheme rules on 8 October, more than 2,000 people had put in applications to lenders under the Help to Buy: mortgage guarantee scheme totalling £365 million of new mortgage lending. **The Royal Bank of Scotland received 81 of these applications from the west midlands.**

More than three quarters of the applicants are first time buyers and many in their early thirties, demonstrating that the Help to Buy: mortgage guarantee scheme is helping hardworking people realise their home-owning aspirations.

Once the Help to Buy: mortgage guarantee scheme opens in January, the Government will collect data on mortgages covered by the guarantee, and will report in due course.

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Helicopter Crash (Glasgow) [Col. 645]

Statement—(Mr Alistair Carmichael)

Driving Whilst Disqualified (Repeat Offenders) [Col. 658]

Bill presented, and read the First time

Causing Death by Driving Whilst Disqualified [Col. 658]

Bill presented, and read the First time

Mesothelioma Bill [Lords] [Col. 659]

*Motion for Second Reading—(Mike Penning)—agreed to
Read a Second time*

Programme motion—(Mike Penning)—on a Division, agreed to

Amendment of Standing Orders [Col. 730]

Motion—(Mr Charles Walker)—as amended, agreed to

Motion—(Tom Brake)—agreed to

Deaths in Custody (Black People) [Col. 751]

Debate on motion for Adjournment

Written Statements [Col. 33WS]

Written Answers to Questions [Col. 493W] [see index inside back page]

Ministerial Correction [Col. 11MC]
