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5 July 2021**

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**HOUSE OF COMMONS
OFFICIAL REPORT**

**PARLIAMENTARY
DEBATES**

(HANSARD)

Monday 5 July 2021

House of Commons

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The House met at half-past Two o'clock

PRAYERS

[MR SPEAKER *in the Chair*]

Virtual participation in proceedings commenced (Orders, 4 June and 30 December 2020).

[NB: [V] denotes a Member participating virtually.]

NEW MEMBER

The following Member made and subscribed the Affirmation required by law:

Kim Leadbeater, for Batley and Spen.

Mr Speaker: I am now suspending the House briefly to allow the necessary arrangements to be made for the next business.

2.35 pm

Sitting suspended.

2.36 pm

Speaker's Statement

Mr Speaker: Before we come to Question No. 1, I wish to inform the House about a change to our business today. At 5 o'clock, proceedings on the Police, Crime, Sentencing and Courts Bill will be interrupted in order for the Secretary of State for Health and Social Care to make a statement on covid-19, if there is anything left to say. The statement will last for up to one hour and proceedings on the Bill will then continue. If the programme motion on the Order Paper is agreed to by the House, the debate on the first group of amendments must finish at 6.30 pm. The debate on the remaining amendments must finish by 9 o'clock and the debate on Third Reading must finish by 10 pm.

It is very unusual, although not unprecedented, to interrupt the scheduled business of the House to allow for a statement in this way. Given the priority that I have put on ensuring that important statements are heard in this House first, or at least simultaneously, which I know is shared by Members across the House, I think it appropriate for the House to hear a statement given the significance of the subject matter.

Oral Answers to Questions

DEFENCE

The Secretary of State was asked—

Defence Industry Employment

Mark Menzies (Fylde) (Con): What steps his Department is taking to support employment in the defence industry throughout the UK. [902160]

Karl McCartney (Lincoln) (Con): What steps his Department is taking to support employment in the defence industry throughout the UK. [902162]

Scott Benton (Blackpool South) (Con): What steps his Department is taking to support employment in the defence industry throughout the UK. [902188]

Jacob Young (Redcar) (Con): What steps his Department is taking to support employment in the defence industry throughout the UK. [902190]

The Secretary of State for Defence (Mr Ben Wallace): May I congratulate the hon. Member for Batley and Spen (Kim Leadbeater) on taking her place and state my personal admiration for both her bravery and her sense of duty in putting herself forward to stand for that seat after the tragic loss of her sister?

MOD expenditure with UK industry and commerce already directly and indirectly supports more than 200,000 jobs across the United Kingdom. The investment of £88 billion in the equipment plan over the next four years, along with the changes we are making as part of the defence and security industrial strategy, will contribute to further economic growth and prosperity, including jobs across the United Kingdom.

Mark Menzies [V]: I was proud to welcome the Minister for exports, my hon. Friend the Member for Beverley and Holderness (Graham Stuart), to BAE Systems in my constituency the week before last to visit the factory of the future. That followed hot on the footsteps of the Prime Minister's visit back in March, so will my right hon. Friend the Secretary of State outline what is being done to support our world-class defence manufacturing export success, and will he commit to the continuation of the Typhoon export programme?

Mr Wallace: The defence and security industrial strategy published in March set out how the Government will support defence and security exports. The UK Government and BAE are leading on the current opportunity in Finland and will continue to support industry in this campaign and future opportunities where they are present. Typhoon continues to benefit from ongoing investment, including Leonardo's European Common Radar System Mark 2 radar and MBDA's Meteor and SPEAR—Selective Precision Effects at Range—weapons. This increased capability delivered by the core programme will strengthen export prospects.

Karl McCartney [V]: Lincolnshire has the privilege of being the historic home of many MOD bases and personnel. I am proud to have RAF Waddington in my constituency of Lincoln; as my right hon. Friend is aware, it houses and employs thousands of my constituents. Will he assure me not only that RAF Waddington will play an active role in our nation's defence for many decades to come, but that he recognises that the recently announced changes at RAF Waddington are a concern for many Northrop Grumman personnel? What steps are being taken to preserve those with critical skills, both locally and nationally? Will he work with potential overseas buyers of RAF aircraft to secure technically skilled jobs and provide extensive employment for my constituents?

Mr Wallace: May I express my gratitude to the Northrop Grumman team who have worked on the E-3D Sentry over the years? Retiring old aircraft will inevitably impact the people who work on them. However, RAF Waddington, which I recently visited, remains firmly in our plans: as it becomes a national and international centre of excellence for remotely piloted air systems and for intelligence, surveillance and reconnaissance, it will be a source of skilled employment for my hon. Friend's constituents. We are investing in 16 Protector remotely piloted air systems. RAF Waddington will be the future home of the Red Arrows as well.

Scott Benton: I was delighted to see that last week His Royal Highness the Duke of Cambridge cut the steel for HMS Belfast, the third ship in the Royal Navy's fleet of next-generation Type 26 anti-submarine frigates. All eight Type 26 frigates are being built by BAE Systems on the Clyde. Can the Secretary of State outline how many jobs that programme will support?

Mr Wallace: The Type 26 frigate programme consists of a total of eight ships, as my hon. Friend says, with work sustaining some 1,700 jobs at BAE Systems in Scotland alone and 4,000 jobs across the wider UK maritime supply chain until 2035.

Jacob Young: A crucial part of our defence system is MOD procurement, with military equipment provided by companies such as Typhoon International, which makes dry suits and lifejackets for military divers, and First Choice Labels in Kirkleatham, which kindly provided social distancing floor stickers to businesses during the pandemic. May I invite the Secretary of State to Teesside to visit these great local British businesses and see for himself the high-quality military equipment and supplies that we produce in Redcar and Cleveland?

Mr Wallace: I would be delighted to come over to Redcar to visit my hon. Friend's constituency. He highlights the real importance of the supply chain in any defence product. It is not always the big primes, although they often get the attention; it is all the little and medium-sized companies that string along behind that often supply the real detail behind the bids.

John Healey (Wentworth and Dearne) (Lab): I thank the Defence Secretary for his welcome to my hon. Friend the new Member for Batley and Spen (Kim Leadbeater). I will ensure that his kind remarks are known to her.

The Prime Minister has promised an extra 10,000 jobs in defence each year for the next four years. Buying British is the best way to deliver that promise so that we design and build for ourselves in Britain: it strengthens our economy and it strengthens our sovereignty. The defence equipment budget is now £19 billion. What proportion goes not to Britain, but to US suppliers?

Mr Wallace: Many suppliers in this country may not be entirely UK in their country of ownership, but the Ajax, for example, is made in St Athan by General Dynamics, and Boxer is made in Shropshire by a combination of BAE and the German Rheinmetall. We often insist that a significant proportion of those projects are made in the UK: for example, over 65% of the Boxer vehicle's components are UK-made, including the metal

frame made in Stockport. That provides British jobs, even if sometimes the countries of ownership are international. It is important to have international components because, as hon. Members have mentioned in previous questions, we also want to sell abroad. If we shut everyone else out, we should not be surprised if they do not buy from us.

John Healey: The Defence Secretary ducks and dives to avoid the answer, but the highly authoritative *Defence Analysis* has the figures: 31% of Britain's defence budget now goes to US suppliers, up from 10% only five years ago. Britain can make the best, but it requires the Government to give it backing. In the past month alone, the Defence Secretary has rejected the world-leading UK-built Brimstone missile and bought US instead. Is it not the truth that Ministers are making big promises to UK industry while the big money still goes abroad?

Mr Wallace: The truth is that the right hon. Gentleman does not seem to understand defence procurement or how things are manufactured. For example, 15% to 20% of the global components for all 3,000 of the F-35 aircraft—the rear part of the aeroplane—are made in Lancashire. Many of the highly complex, highly expensive defence projects are a collaboration. Typhoon is often championed on both sides of the House: that is an international collaboration between Spain, Italy, Germany and the United Kingdom. When the right hon. Gentleman mentions the word “supplier”, he is of course deliberately confusing that with the actual number of jobs and the ownership of their business. Let us ask the question: how many people are working on American companies' business but based in the UK? He will find that most of them are here in this country.

Forces Families

Andrew Lewer (Northampton South) (Con): What steps his Department is taking to support the families of UK armed forces personnel. [902161]

Steve Brine (Winchester) (Con): What steps his Department is taking to support the families of UK armed forces personnel. [902169]

Mr Wallace: The Government support families by providing successful wraparound childcare pilots, and in the last financial year awarded grants totalling £4.5 million from the MOD's education support grant fund and its early years and childcare fund. Through Forces Help to Buy, we have helped around 24,100 personnel to buy a home or move as their families' needs changed. The future accommodation model is looking at how we can support service families with more choices about how, where and with whom they live.

Andrew Lewer [V]: What is the Ministry of Defence doing to ensure that eligible personnel know that the continuity of education allowance—an important and necessary support for young people from military families, the vast majority of whom are a great asset to the schools they attend—is available to NCOs as well as to officers?

Mr Wallace: The CEA is available to all ranks, and we should encourage as many people as possible to take it up. It is used to achieve essential continuity of education

for children, providing educational stability when personnel are assigned to service locations to meet the obligations of their service. Service personnel of all ranks may qualify, subject to their satisfying eligibility criteria, and they are encouraged to seek advice from the chain of command if they wish to take it up.

Steve Brine: Armed forces families are very much the backbone of our military, including those living at Worthy Down in my constituency, and it is only right that we do everything we can to guarantee that they and their loved ones enjoy the best possible quality of life as much as anybody else. Can the Secretary of State confirm that it is his mission to see that every service family can live in the modern, sustainable accommodation that they deserve?

Mr Wallace: It is my mission that they get the accommodation that they deserve. The Defence Infrastructure Organisation has recently awarded contracts up to the value of £2.1 billion to a number of market-leading suppliers to provide maintenance services across the UK estate for the next seven years. Those contracts will benefit from the increased investment announced in the integrated review to address the legacy of underinvestment across the estate, enabling improvements for our armed forces and their families.

Stewart Malcolm McDonald (Glasgow South) (SNP) [V]: May I add my congratulations to the hon. Member for Batley and Spen (Kim Leadbeater) on her election? This is the first Defence questions we have had since Armed Forces Day, when we normally thank not only the personnel but their families. As the hon. Member for Winchester (Steve Brine) mentioned, the families really are the backbone of serving personnel across the UK. We know that the Government provide £2,000 for the childcare subsidy, but families are often spending three times as much as that and sometimes even more, so I have a very simple question: will the Secretary of State increase the childcare subsidy available to personnel and their families?

Mr Wallace: First, we are going to increase spending on wraparound childcare to over £165 million a year for families with children up to 11 in primary school. That reflects the fact that most service personnel do not have a nine-to-five job, and it will help them considerably. In fact, where we have run the pilots, this has been incredibly popular. On the continuity allowance, one way to manage the disruption that families suffer is not necessarily by increasing that allowance but by increasing forces' families ability to find a place they want to live, so that they can be settled and their children can attend the same school. That is a growing trend from when I served, and the 24,000 benefiting from Help to Buy is a really positive number. It shows that a number of people have now made the choice that when they deploy, they will go on their own, and their families and children will stay stable in one place.

Stewart Malcolm McDonald: It is good to hear that there is going to be increased support, and we know from surveys that childcare costs, in particular, can be crippling for service families. May I move on to employment issues for the families of service personnel? At the minute, in the UK, helping the spouses of those who serve in the armed forces is largely left to the third sector. Canada,

a fellow NATO country, has a thing called the spousal employment network, which is a very successful model, run in-house by the Government, to help the spouses of those who serve to find good-quality work that suits them. Will our Government look to bring this type of thing in-house, rather than leaving it to the third sector? Although that sector does a good job, the state should be taking on more of that responsibility.

Mr Wallace: The hon. Gentleman will know that we are working on a families' strategy, and his suggestion is in exactly an area we are working on in that strategy. He is right; when I was serving in Germany in the BAOR—the British Army of the Rhine—where there was a much more settled, huge Army, there were lots of those organisations around, and I think they need some reinvigorating. Whether that is done entirely through the state or through a blend of non-governmental organisations, charities, volunteers and the state is something I would welcome being looked at, and I think there will be some solutions. What he says is totally in line with our policy and view that we have to do more for spouses to help them with their jobs if they move around.

Transition to Civilian Employment

Mary Glendon (North Tyneside) (Lab): What steps he has taken to help improve transition from the armed forces into employment. [902164]

Steve McCabe (Birmingham, Selly Oak) (Lab): What steps he has taken to help improve transition from the armed forces into employment. [902180]

The Minister for Defence People and Veterans (Leo Docherty): We are always striving to improve transition, but it is a success story. In 2019-20, 84% of service leavers were employed within six months, which is higher than the UK employment rate of 76%. We offer support through the Career Transition Partnership. We have also introduced a national insurance holiday for employers of veterans and a guaranteed interview for those applying to the civil service. This acknowledges that veterans bring discipline and huge employability to the workplace.

Mary Glendon: The average unemployment rate across the general population in this country is 4.8%, whereas for veterans the rate is a very concerning 7%. Can the Minister say why the Armed Forces Bill does not include employment within its scope?

Leo Docherty: In contrast to what the hon. Lady says, in reality the statistics show that the picture is very positive. If we compare like for like, veterans are overwhelmingly in good employment, which reflects an overall demand in the civilian sector to take on veterans, especially in growing sectors such as a telecoms and construction, because of the magnificent skillsets they bring to those jobs.

Steve McCabe: I welcome the work of the Career Transition Partnership, but the Minister must be aware that some estimates suggest that unemployment among ex-service personnel aged 18 to 49 is double the national average. Has he asked his Department for Work and Pensions colleagues to consider the simple suggestion

of the Centre for Social Justice to include an obligatory question on initial Jobcentre Plus registration: “Have you ever served in the UK armed forces?”

Leo Docherty: I am grateful for the hon. Gentleman’s question. I am content—I have seen it for myself—that the DWP is now very much veteran-aware. I have been very impressed with its veteran-friendly approach; 10 days ago, I saw an armed forces champion in a DWP Jobcentre Plus office. Government’s joined-up response in ensuring that every Department makes itself aware of veterans is already bearing fruit.

Mental Health Services

Andrew Gwynne (Denton and Reddish) (Lab): What steps he is taking to help improve provision of mental health services for members of the armed forces. [902165]

Mr Tanmanjeet Singh Dhesi (Slough) (Lab): What steps he is taking to help improve provision of mental health services for members of the armed forces. [902171]

The Minister for Defence People and Veterans (Leo Docherty): The Ministry of Defence is determined to provide the best possible mental health support and care for members of the armed forces. We have introduced a 24-hour mental health helpline for service personnel and families in tandem with Combat Stress. We have also introduced HeadFIT, a training website for mental health, and, from September, all serving personnel will receive a mandatory annual briefing on mental health awareness. All of this must be underlined by a cultural shift in which it is okay to say that you are not okay.

Andrew Gwynne: I am grateful to the Minister for that answer and for the work that has been done, but he must also know that Government targets on mental healthcare have been missed for veterans across all services in England, including a wait of 37 days for face-to-face appointments through the transition, intervention and liaison service against a target of just 14. Will he now commit to reviewing these services to ensure that our serving personnel and veterans absolutely get the best standards of care, which they need and deserve?

Leo Docherty: We are committed to ensuring that veterans and service personnel receive a gold standard of care. I was with Op Courage clinicians last week and I was pleased to learn that wait times for those seeking high intensity treatment for high intensity and complex problems have decreased. I was also very encouraged to learn that veterans themselves are part of the mental health support in the form of peer support workers. We will always have more to do, but good progress is being made.

Mr Dhesi: The armed forces covenant states:

“Those injured in Service, whether physically or mentally, should be cared for in a way which reflects the Nation’s moral obligation to them”.

However, the Defence Committee’s 2019 report on mental health suggests that there was a 50% shortfall in both uniformed and civilian psychiatrists’ posts. Can the

Minister set out an updated estimate, and what he is doing to ensure that staffing meets the demand from service communities?

Leo Docherty: We will always go after any gaps in provision, but I am confident that progress is being made. When it comes to delivering on our obligations on the covenant, which is to ensure that no serving personnel or veteran is disadvantaged in any way, I am very proud that we are right in the middle of taking forward the Armed Forces Bill.

Stephen Morgan (Portsmouth South) (Lab): Government figures show that the number of service personnel being seen by the MOD’s specialist mental health services for initial assessment has fallen by 36% since 2013 to an all-time low. That is despite personnel being more willing to seek help for mental health issues. Will the Minister commit to reviewing all current mental health provision for our armed forces personnel?

Leo Docherty: I welcome that question because, as I mentioned, apart from the physical provision, we are seeking a cultural change and an institutional shift across all our armed forces, led by the chain of command, in which people feel comfortable asking for help. We are already seeing a tangible benefit in that regard. I saw some of that up close when I visited the Op Courage clinicians in St Pancras last week.

Regimental Museums

Mr Richard Holden (North West Durham) (Con): What steps the Government are taking to support regimental museums. [902166]

The Minister for Defence Procurement (Jeremy Quin): The MOD recognises the valuable role played by some 140 museums around the country and currently supports 53 Army museums through the provision of curators and infrastructure costs.

Mr Holden: I thank the Minister for his recent visit to Stanhope in my constituency where he saw British manufacturing at its best in the tracked vehicles for the armed forces. The Durham Light Infantry Museum was sadly closed in 2016 by the Labour-led Durham County Council as a cost-cutting exercise. However, keeping the collection in storage has actually proved more expensive than keeping the museum open. The new joint administration is looking to reopen that museum. Will he work with me and meet my hon. Friends the Members for Bishop Auckland (Dehenna Davison) and for Sedgefield (Paul Howell), who are very keen on this new initiative, to see what the Ministry of Defence can do to get this museum reopened?

Jeremy Quin: I greatly enjoyed the visit to Stanhope. If there is an opportunity to meet again, I would be delighted to do so. The DLI has an extraordinary record of service, as did the 68th Regiment that preceded it. I am delighted to hear that the council is reviewing the fact that the regimental museum is currently closed. Using museums to inspire young people not only with what their forebears did, but with the ongoing service of local people in the armed forces, must surely be welcomed by all parties.

Departmental Funding

Dave Doogan (Angus) (SNP): What recent assessment he has made of the adequacy of funding allocated to his Department. [902168]

The Secretary of State for Defence (Mr Ben Wallace): The 2020 spending review settlement for defence provided a cash increase of more than £24 billion over four years compared with last year's budget. That represents an above inflation increase in capital and resource spending over the period, and exceeds the Government's commitment to increase the defence budget by 0.5% above inflation in each year of this Parliament.

Dave Doogan: In the whole of NATO, only Luxembourg spends less on its personnel than the UK. In 2020, the MOD spent just 34% of its budget on personnel—half the figure that Belgium spends. Does the Secretary of State believe that it is the woeful lack of investment in our personnel that is driving the current recruitment challenges in our armed forces, or is it the chronic accommodation that he expects our service personnel to live in that is to blame? Soon, the size of the Army will be at its lowest since 1714. How does the MOD splashing £200 million on a new royal yacht help with these challenges in our armed forces?

Mr Wallace: I think the hon. Gentleman does not understand how we spend our money in the defence budget; that is 34% of a very large budget on armed forces that are expeditionary and require lots of capital equipment. Of course, the proportion that we spend on human beings compared with equipment will be less than a country such as Belgium, which potentially has a large personnel budget but very little capital budget. That simply explains the different proportion. It does not mean that we spend less. Our forces' salaries, and terms and conditions, are comparably better than in most countries—not only in NATO, but across the world. It is just that we choose to buy things to put our people in, such as Boxers or aircraft; that is simply the reality of it.

Homosexuality Ban: Reparations

Dan Carden (Liverpool, Walton) (Lab): What steps he is taking to consult on and deliver reparations for service personnel adversely impacted by the historic ban on homosexuality enforced by the armed forces. [902170]

The Minister for Defence People and Veterans (Leo Docherty): The Government accept that the historic policy of prohibiting members of the LGBT community from serving in the armed forces was absolutely wrong. Work is under way to understand and acknowledge the wide-ranging impact of the pre-millennium practice of the ban. That will ensure that it is not only through the return of medals that the impacts of this historic policy are addressed. We will be announcing this work in due course.

Dan Carden: The ban on homosexuality in the armed forces is expected to have affected upwards of 20,000 veterans, who faced inhumane treatment, from medical examinations to imprisonment, and have lived a life of

shame and fear. This historic injustice warrants an apology from the Prime Minister. I wonder if the Minister will seek that on behalf of the nation. These men and women have waited long enough. Will he set out a timetable for righting this historic wrong?

Leo Docherty: Addressing this injustice will be at the heart of the veterans strategy action update plan, which I will announce in the winter. I thank the hon. Member for his sustained interest in the issue. I cannot pre-empt the findings of this workstream, but I assure him that we will address this matter with compassion, humility and urgency.

Counter-Daesh Operations: Syria and Iraq

Mr Marcus Fysh (Yeovil) (Con): What contribution UK armed forces are making to counter-Daesh operations in Syria and Iraq. [902172]

Royston Smith (Southampton, Itchen) (Con): What contribution UK armed forces are making to counter-Daesh operations in Syria and Iraq. [902183]

The Minister for the Armed Forces (James Heappey) [V]: Our armed forces continue to provide support to the Iraqi Government in tackling the threat posed by Daesh. The RAF has flown more than 8,700 sorties and released more than 4,300 precision weapons to target Daesh in Iraq and Syria. On the ground, we have trained in excess of 120,000 Iraqi and Kurdish personnel in everything from engineering to countering improvised explosive devices. We remain wholly committed to the coalition and supporting our ally Iraq in countering Daesh.

Mr Fysh [V]: Yeovil and the south-west are proud of the contribution we make to supplying our service personnel with the best possible equipment on their forward operations in risky environments, such as the fight against Daesh. We are also proud of the apprenticeships and skills that are sponsored through such industrial connections—for example, the 500 apprentices that Leonardo helicopters has recruited over the last decade. Will my hon. Friend confirm that this partnership will be at the forefront of his mind when making the choice of the next new medium helicopter?

James Heappey: My hon. Friend is right to raise the importance of rotary aviation in support of operations around the world. He knows from our exchange in the debate last week that I am not able to comment directly on the point that he makes, but I hope he knows that we always want to provide our armed forces with the very best equipment.

Royston Smith: British and American F-35s recently conducted operations from the UK's aircraft carrier HMS Queen Elizabeth as part of Operation Shader to degrade the capabilities of Daesh. Will my hon. Friend, as much as he is able, update the House on the nature of those operations and their strategic importance?

James Heappey: In June 2021, UK F-35B aircraft carried out their first operational sorties in support of the counter-Daesh operations from HMS Queen Elizabeth in the eastern Mediterranean, providing a valuable

contribution to Op Shader and the coalition effort. This activity has formed a key part of improving the UK's carrier strike capability to operate closely with allies and our interoperability with the US and others. We are delighted with how those sorties have gone. The F-35B is a phenomenal aircraft launched from a magnificent aircraft carrier.

Dr Julian Lewis (New Forest East) (Con): What conclusions have our Ministers and strategists drawn from our use of military force from outside the borders of states such as Syria and Iraq that might help to prevent the re-emergence of Afghanistan as a base and a launchpad for international terrorism campaigns like those of Daesh and al-Qaeda following the withdrawal of NATO troops from Afghanistan?

James Heappey: My right hon. Friend knows from our previous exchanges on this matter that we have absolutely reserved the right to counter terrorist threats to the United Kingdom that may re-emerge in Afghanistan. He is absolutely right to point us towards an outside-in model such as that prosecuted from Cyprus in support of Operation Shader. That is very much in the thoughts of those who are planning for that eventuality in Afghanistan.

National Flagship: Procurement

Mr Kevan Jones (North Durham) (Lab): Whether the procurement costs for the proposed national flagship will be drawn from his Department's existing budget allocation. [902173]

The Minister for Defence Procurement (Jeremy Quin): The capital costs of building the national flagship would accrue over a number of years and will be met from the defence budget.

Mr Jones: That is very interesting. I am not sure whether I should be asking this question of the Minister rather than the Prime Minister. Can he explain, then, what else in the defence budget will give to pay the £200 million that the Prime Minister announced, which I think he sprung not just on the nation but the Ministry of Defence?

Jeremy Quin: We are delighted to be playing our part in delivering this first-rate asset, which will be a tremendous boost to the UK and global Britain. We should recognise that we will have greater clarity on the costs and the profile of that when we have completed our market engagement. The prior information notice has just gone out. To put it in a helpful context for the right hon. Gentleman, over four years we are talking about an impact on the overall defence budget in the region of 0.1%. I would like to put that into perspective for him.

Chris Evans (Islwyn) (Lab/Co-op): With the National Audit Office having judged the defence equipment plan to be "unaffordable" for the fourth year in a row, the continuing well-publicised disaster and rising cost of the Ajax project, and the cancellation of Warrior, can the Minister explain why this vanity project has become a spending priority for the Ministry of Defence?

Jeremy Quin: I am delighted to help the hon. Gentleman on a few points. First, on the NAO report to which he refers, I believe that was done on the old numbers prior to a very fulsome provision to the Ministry of Defence of £24 billion being spent from the current levels. That has helped us to ensure that we can deliver the right priorities for this country in the future. On Ajax. I am pleased to reassure him that that is a firm price contract. As to Warrior, that is one example of the tough decisions we make to ensure that the budget comes in on balance, and we will continue to do so. That is the target of the Secretary of State and myself. We will continue to work on that and address all the priorities of the Ministry of Defence.

British Steel

Gill Furniss (Sheffield, Brightside and Hillsborough) (Lab): If he will make it his policy to use British steel in future defence projects. [902174]

The Minister for Defence Procurement (Jeremy Quin): The Government are committed to creating the right conditions for a competitive and sustainable steel industry. We publish the future pipeline for steel requirements enabling UK steel manufacturers to better plan and bid for contracts.

Gill Furniss: The UK steel sector supports over 30,000 jobs, many of which are in Sheffield, my home town, and the Government have described the industry as "vital". Can the Minister explain, therefore, why less than 30% of Type 26 frigate steel is being sold from the UK? Will he support Labour's campaign to make, sell and buy more in Britain, starting with the steel procurement in his own Department?

Jeremy Quin: I will happily explain that to the hon. Lady. I believe I am right in saying that 50% by total value of the steel for the Type 26s will be coming from the UK, which is about 35% of the tonnage, or 1,400 tonnes per ship. She is correct on her figures, but it is 50% by value. The difference in why we are not able to do more in part reflects the nature of the steel industry in the UK. Unfortunately, not all of the type of specialist steel that is required for defence equipment can be sourced within the UK.

Armed Forces Covenant

Kate Osborne (Jarrow) (Lab): What steps he is taking to strengthen the armed forces covenant; and if he will make a statement. [902175]

The Minister for Defence People and Veterans (Leo Docherty): I am proud that we are strengthening the armed forces covenant by enshrining it in law through the Armed Forces Bill and issuing statutory guidance for local authorities in the critical areas of housing, healthcare and education. This milestone Bill will deliver on our duty to our veterans and service people, as they have done on their part.

Kate Osborne: The Government claim that the Armed Forces Bill will enshrine the armed forces covenant into law, yet there is no responsibility for Government Departments, including the Ministry of Defence, to

deliver the covenant. The limited focus on housing, healthcare and education risks creating a two-tier covenant that bakes in the existing postcode lottery on access to services. How will the Minister ensure that we eliminate the postcode lottery that our veterans face in accessing vital services?

Leo Docherty: That is the whole point of the statutory guidance: to ensure that there is a best practice template that every local authority can follow to ensure that veterans and service people in their locality are in no way disadvantaged.

Stephanie Peacock (Barnsley East) (Lab): The armed forces covenant is the debt that this country owes to our servicemen and women who have served our country. One such group, whom I met last week, are the nuclear test veterans. They have suffered from cancers, blood disorders and rare diseases as a result of their service. They have been refused support, recognition, compensation and a medal for their service. Will the Minister for veterans today review the Government's position on this issue and agree to meet the nuclear veterans?

Leo Docherty: Historic medallic recognition cases are a matter for the independent Advisory Military Sub-Committee. Last year, it considered the case of nuclear test programme veterans and concluded that it did not meet the necessary criteria. This was not the decision that the campaign groups the hon. Lady mentioned wanted or the families had hoped for. I fully sympathise that they would have wanted a medallic recognition for their loved ones, but it is right and proper that this is an independent process and therefore not for ministerial intervention.

Financial Literacy Skills

Nick Fletcher (Don Valley) (Con): What steps his Department is taking to help ensure that all members of the armed forces are equipped with financial literacy skills. [902176]

The Minister for Defence People and Veterans (Leo Docherty): The Ministry of Defence is working to raise awareness of financial issues and planning among service personnel across all three services, because we recognise that financial literacy is a critical life skill.

Nick Fletcher: In October 2019, Danny Butcher, a former soldier and the brother of my constituent, Carrie Jones, sadly took his own life after getting involved in an online money-making scheme that plunged him into debt. He was by all accounts an outstanding member of society. He had toured overseas during his time in the British Army and was mentioned by his commanding officer in dispatches, yet after leaving the armed forces he was lured in by a property scheme that offered those involved the chance to get rich quickly.

Following a surgery with Ms Jones, I had the pleasure of discussing with the previous Minister for Defence People and Veterans, my hon. Friend the Member for Plymouth, Moor View (Johnny Mercer), what could be done to provide members of the armed services who are about to be discharged with some financial education, the objective being for them not to be tricked by unscrupulous money-making schemes. In light of Danny Butcher's death, what steps is the Minister's Department currently taking to ensure that all those departing the forces have

adequate financial literacy skills, so that they know how to spend their money wisely and become integrated fully in civilian life?

Leo Docherty: My thoughts are with the family of Danny Butcher. Every veteran suicide is an absolute tragedy and we must seek to learn lessons from this. We are working to ensure that all service leavers have adequate financial educational awareness, and we want to ensure that is the case across all three services, specifically with regard to debt, household financial management and mortgages. I am grateful to my hon. Friend for raising this important subject today.

Topical Questions

[902220] **Peter Gibson (Darlington) (Con):** If he will make a statement on his departmental responsibilities.

The Secretary of State for Defence (Mr Ben Wallace): As part of the carrier strike group deployment on 23 June, HMS Defender, during innocent passage through Ukrainian territory waters, was overflowed by Russian combat aircraft and shadowed by Russian ships. No warning shots were fired and no bombs were dropped in her path; these assertions were Kremlin disinformation. The Royal Navy will always uphold international law. In the Mediterranean, the group's ships and aircraft have bolstered NATO, conducted highly successful exercises, flown armed sorties against Daesh and been welcomed into port by many friends and allies, boosting Britain's trade and diplomatic links. In the coming weeks, we will continue to build relations with our partners as we reach the middle east and the Indo-Pacific.

John Healey (Wentworth and Dearne) (Lab): We pay tribute to the total professionalism of the HMS Defender crew.

This is a profound moment for the more than 150,000 UK men and women who served in Afghanistan. I pay tribute to their service and their sacrifice, especially those of the 457 who have lost their lives. Where does this withdrawal leave the UK strategy of forward deployment in a region that sits between Russia, China and Iran—three of the main state-based threats identified in the integrated review—and how will the Government ensure that Afghanistan does not again become an operating base for terrorism directed against the west?

Mr Wallace: I join the right hon. Gentleman in his tribute to the men and women who fought, some of whom never came back, and contributed during the many years in Afghanistan. I have previously placed on the record the fact that in my view the United States leaving made it very difficult for us to continue that mission. It left many of us unable to continue that without a significant international uplift. That has not been forthcoming, and therefore we are in a position where we, too, are on the path of withdrawal, with all the risks that may leave in the future—in the next 10, 20 years—so we have to do our very best with what we have now. That means we will continue to work with the Afghan Government. We will continue to focus on the threats that emanate from Afghanistan and may grow towards the United Kingdom and our allies. We will do whatever we can. However, it is important, in forward presence, that we are always in such countries with the consent of

those countries. There was a Doha peace agreement, and that means we have to consider what we are going to do next.

Mr Speaker: These are topicals—short and sweet. I call the Chair of the Select Committee.

Mr Tobias Ellwood (Bournemouth East) (Con): I am pleased to welcome reports in the weekend papers that suggest that the aid budget may return to 0.7%. The utility of hard power without soft power invariably leads to failure, as sadly illustrated in Afghanistan, where the sudden exodus of NATO forces means that there is now a high risk of civil war, with the Taliban advancing and securing more districts by the day. I repeat my call for a formal inquiry so that we can understand how this NATO mission, endorsed by the UN, lasted two decades, has now ended in failure. We are now abandoning the country to the very insurgent organisation that we went in to defeat in the first place. This cannot be what we expected when we went in, and it is not the exit strategy that we anticipated. Our presence gave legitimacy to the Afghan authorities, and our exodus will be seen as a victory for the Taliban. Please let us have the inquiry.

Mr Speaker: Can I just remind people—Front Benchers as well, and Chairs of Select Committees—that if they want a long question, they should go in questions earlier? These are short and punchy questions, and we have to keep it that way to get the rest in.

Mr Wallace: I would say two things. First, my right hon. Friend, as I said earlier, has the means of his own salvation. He chairs the Select Committee, and if the Select Committee wishes to have an inquiry, I will be happy to make sure the Department services it.

[902221] **Sarah Olney** (Richmond Park) (LD): In my constituency, a significant risk of homelessness comes with having served in the armed forces and suffered trauma during that time. A lot of the rough sleepers in my constituency are former members of the armed forces. With the eviction moratorium now ending, what further steps will the Ministry of Defence be taking to help those who have previously served who are now at risk of losing their homes?

Mr Wallace: First, I would not like the hon. Lady to strengthen the wrong perception that a greater number of our armed forces personnel are rough-sleeping or a greater number suffer certain things; the numbers nearly always either reflect the national trend in wider society or, indeed, in some cases are significant lower. There are plenty of schemes that we encourage and support to get behind our veterans and get them back into work, and we are also working with a range of non-governmental organisations. Of course, I would be very happy to meet her to discuss issues in her own constituency and what more can be done to make sure that, if they are rough sleepers, veterans get the best support they can.

[902224] **Robert Halfon** (Harlow) (Con): The Harlow branch of Royal British Legion is supported by thousands of local residents, and they do much to keep the light of remembrance burning strong in our town, and support our veterans. What steps are the Government taking,

working with local authorities, to support the Royal British Legion, especially when clubs face difficulties with maintenance and capital building costs for older premises? Will the Minister join me on a visit to the Harlow Royal British Legion branch to see the wonderful work it does?

The Minister for Defence People and Veterans (Leo Docherty): Let me put on record my thanks for the magnificent work done by my right hon. Friend and the Royal British Legion in Harlow. We are putting millions into that sector every year, which is the right thing to do. I would very much like to visit his constituency and see that up close.

[902222] **Catherine McKinnell** (Newcastle upon Tyne North) (Lab) [V]: In Newcastle, the armed forces community covenant commits the council to tackling disadvantage in access to employment, education, housing and healthcare. Does the Minister share my concern that by not covering all those important areas in the Armed Forces Bill and therefore setting a legal standard in the armed forces covenant that is below existing voluntary commitments such as those in Newcastle, the Government risk creating a postcode lottery for many veterans in accessing services?

Leo Docherty: No, I do not agree. The Armed Forces Bill and the statutory guidance focus on the critical areas of housing, healthcare and education. If we need to broaden that statutory guidance in future to include more areas—it is evergreen, much like the Ministry of Defence ministerial team—we will.

[902226] **Chris Loder** (West Dorset) (Con): Leonardo helicopters, based in Yeovil, is a big employer for my West Dorset constituency. Its success in gaining foreign direct investments rests on the Government choosing its state-of-the-art AW149 for the military's new medium helicopter. Will my hon. Friend confirm that the Government will be supporting West Dorset, and indeed the constituents of my hon. Friend the Member for Yeovil (Mr Fysh), with a British manufacturer of helicopters when making this choice?

The Minister for Defence Procurement (Jeremy Quin): I confirm our intention to acquire a new medium lift helicopter for the armed forces later this decade, and I assure my hon. Friend that all options will be considered to ensure the best outcome for our defence and security requirements, and indeed for the prosperity of the UK.

[902223] **Mary Glendon** (North Tyneside) (Lab): As a community interest company, Operation Veteran in North Tyneside is not always able to access funds under the armed forces covenant, even though it often helps bigger charities with urgent help for veterans. Will the Minister consider making it easier for CICs such as Operation Veteran to access funding, and will he thank people for all the work they did in keeping that service going during the pandemic?

Leo Docherty: I absolutely give those thanks, and I commend the hon. Lady's work in support of that group. If she would like to send me details of that individual case, I will consider it.

[902227] **Felicity Buchan** (Kensington) (Con): Will the Minister update the House on the recruitment and retention of reservists, as well as regular soldiers? Will he confirm that we have sufficient boots on the ground?

Leo Docherty: I am delighted to confirm that we have enough people. They are highly motivated and well-trained, and when meeting new draft recruits to the senior service, as I did in HMS Raleigh last week, one gets a tremendous sense of confidence and excitement about the magnificent diversity of opportunity available for those joining the armed forces.

[902225] **Steve McCabe** (Birmingham, Selly Oak) (Lab): One in 30 homeless people in this country have served in our armed forces. Could Ministers improve that position by making the provision of acceptable civilian accommodation part of the discharge process?

Leo Docherty: I am not entirely sure that that is the case—[*Interruption.*] If the hon. Gentleman cares to write to me with the details, I will look at that. I confirm that we do everything we can, especially through the period of transition, to ensure that when people leave, they are housed.

[902230] **Mr Tanmanjeet Singh Dhesi** (Slough) (Lab): The Ministry of Defence's own figures suggest that just 20 out of 200 non-UK service personnel who left the regulars in 2019-20 were covered by the Government's proposed visa scheme. Is it time that the Government woke up to the injustice of our brave Commonwealth and overseas service personnel paying twice for their citizenship?

Mr Wallace: The hon. Gentleman has often raised this cause, and I entirely agree with him. That is why we are now in the middle of a consultation to waive those visa fees for service personnel who have served over 12 years. We think that is absolutely right, and no doubt he will contribute to that consultation.

[902229] **Scott Benton** (Blackpool South) (Con): The residents of Blackpool are sick and tired of seeing the images of illegal immigrants crossing the English channel on a daily basis. While the legislation proposed by the Home Secretary in the autumn will help to address this issue in the longer term, many people are becoming increasingly frustrated at our inability to deal conclusively with the problem. What discussions has the Secretary of State had with the Home Office in relation to the use of Royal Navy vessels to help address this issue?

The Minister for the Armed Forces (James Heappey) [V]: Defence has collaborated with the Home Office on this issue for several years, providing a range of support, including surface vessels, surveillance aircraft and planning expertise. Most recently, Defence has provided planning support to catalyse operations for this summer, and we continue to work closely with the Home Office to identify where defence capability can most appropriately support Border Force to address this important issue.

[902234] **Martyn Day** (Linlithgow and East Falkirk) (SNP) [V]: This week we learned that the Ajax programme has been withdrawn for a second time, on health and safety grounds. Experts say the problems are so serious that the Government should cancel the £5.5 billion deal. Does the Minister agree that Britain's defence procurement strategy wastes billions of pounds and actually puts lives at risk?

Jeremy Quin: No, I do not agree with that contention. This is a firm price contract. We are working closely with General Dynamics to ensure that it gets delivered, but as the hon. Gentleman would be the first to say—as we would all say in this House—the safety of our personnel must come first, which is why we paused those trials. As soon as we can get them going again, we will, but we will do so only if that can be done safely and appropriately.

[902231] **Harriett Baldwin** (West Worcestershire) (Con): I welcome the defence memorandum of implementation signed between the UK and Ukraine, which will see our two countries working together on new Ukrainian naval bases and eight fast missile warships. Can the Secretary of State confirm that we will not be deterred, and the Royal Navy will not be deterred, by Russia's recent attempts at intimidation in the Black sea?

Mr Wallace: My hon. Friend is right to highlight the real importance that we attach to Ukraine as a friend and a partner, and to reiterate the fact that the Royal Navy will always uphold international law and will not be deterred by bullying. The transit by HMS Defender was through Ukrainian waters; we do not recognise Russia's claim on Crimea. Our Navy will continue to uphold the rule of law wherever she sails.

[902241] **Dame Diana Johnson** (Kingston upon Hull North) (Lab): The first ship that the late Duke of Edinburgh served on, aged 18 as a midshipman, was HMS Ramillies, which eventually went on to serve in Operation Overlord. Would it not be a fitting tribute to the late Prince Philip to restore that name to one of the new Royal Navy ships?

Mr Wallace: The right hon. Lady makes a really good suggestion. I have slight scars on my back from dealing with something called the naming committee of the Royal Navy, but I absolutely welcome her suggestion. We should absolutely think about how we name our ships and use them more to remind us of great events but also to inspire a future generation.

[902232] **Steve Brine** (Winchester) (Con): As the Secretary of State will know, Sir John Moore barracks has been home to the Army Training Regiment in Winchester since 1986, when the Light Division moved from Peninsula barracks. He will also know that it is being disposed of, and the Defence Infrastructure Organisation is consulting on a masterplan. Will he or a member of his team please meet me at the conclusion of this exercise to ensure that what comes out of it is something that Winchester will be proud of and not just thousands of new houses to meet quota?

Mr Wallace: I will be delighted to ensure that either I or the Minister for Defence Procurement meets my hon. Friend.

Mr Speaker: I am suspending the House for three minutes to enable the necessary arrangements to be made for the next business.

3.29 pm

Sitting suspended.

BILLS PRESENTED

ELECTIONS

Presentation and First Reading (Standing Order No. 57)

Chloe Smith, supported by the Prime Minister, Secretary Dominic Raab, Secretary Priti Patel, Michael Gove, Secretary Robert Jenrick, Secretary Brandon Lewis, Secretary Alistair Jack, Secretary Simon Hart, Secretary Oliver Dowden, Mr Jacob Rees-Mogg and Mark Spencer, presented a Bill to make provision about the administration and conduct of elections, including provision designed to strengthen the integrity of the electoral process; about overseas electors; about voting and candidacy rights of EU citizens; about the designation of a strategy and policy statement for the Electoral Commission; about the membership of the Speaker's Committee; about the Electoral Commission's functions in relation to criminal proceedings; about financial information to be provided by a political party on applying for registration; for preventing a person being registered as a political party and being a recognised non-party campaigner at the same time; about regulation of expenditure for political purposes; about disqualification of offenders for holding elective offices; about information to be included in electronic campaigning material; and for connected purposes.

Bill read the first time, to be read a Second time tomorrow, and to be printed (Bill 138) with explanatory notes (Bill 138-EN).

BUILDING SAFETY

Presentation and First Reading (Standing Order No. 57)

Secretary Robert Jenrick, supported by the Prime Minister, the Chancellor of the Exchequer, Secretary Priti Patel, Michael Gove, Secretary Robert Buckland, Secretary Kwasi Kwarteng, Secretary Thérèse Coffey and Christopher Pincher, presented a Bill to make provision about the safety of people in or about buildings and the standard of buildings, to amend the Architects Act 1997, and to amend provision about complaints made to a housing ombudsman.

Bill read the first time, to be read a Second time tomorrow, and to be printed (Bill 139) with explanatory notes (Bill 139-EN).

Police, Crime, Sentencing and Courts Bill (Programme) (No.2)

Motion made, and Question proposed,

That the Order of 16 March 2021 in the last Session of Parliament (Police, Crime, Sentencing and Courts Bill (Programme)) be varied as follows:

(1) Paragraphs (4) and (5) of the Order shall be omitted.

(2) Proceedings on Consideration and Third Reading shall be taken in one day in accordance with the following provisions of this Order.

(3) Proceedings on Consideration—

(a) shall be taken in the order shown in the first column of the following Table, and

(b) shall (so far as not previously concluded) be brought to a conclusion at the times specified in the second column of the Table.

Proceedings	Time for conclusion of proceedings
New Clauses, new Schedules and amendments relating to Parts 1 to 4 and 10, other than any new Clauses relating to offences concerning pets or any new Clauses relating to voyeurism	6.30pm on the day on which proceedings on Consideration are commenced
New Clauses, new Schedules and amendments relating to Parts 5 to 9 and 11 to 13; any new Clauses relating to offences concerning pets; any new Clauses relating to voyeurism; remaining proceedings on Consideration	9.00pm on that day

(4) Proceedings on Third Reading shall (so far as not previously concluded) be brought to a conclusion at 10.00pm on the day on which proceedings on Consideration are commenced.—
(Alan Mak.)

3.35 pm

Philip Davies (Shipley) (Con): I do not want to take up too much time because the time we spend now eats into the time for the main debate. However, it is important to register that literally hundreds of new clauses and amendments have been tabled to the Bill. It is a 300-page Bill, which had two days for Second Reading. The fact that it has only one day on Report is an absolute abuse of this House.

We are supposed to carry out a job of scrutinising legislation and ensuring that it is fit for purpose, but we will have a matter of a few hours for Report. The Minister has no opportunity to engage in debate on all the new clauses to explain why the Government will accept or reject them. Surely the least this House should be able to expect is to have some proper free-flowing debate and some explanation from the Government of their position on each of the new clauses, which people have taken the time and trouble to table. It is an absolute disgrace and it is important that that point is registered before we start the debate because it is an abuse of this House.

Mr Speaker: I did allow that contribution—there was special dispensation—so that it could be put on the record.

Question put and agreed to.

Police, Crime, Sentencing and Court Bill

Consideration of Bill, as amended in the Public Bill Committee

[Relevant documents: First Report of the Joint Committee on Human Rights, Children of mothers in prison and the right to family life: The Police, Crime, Sentencing and Courts Bill, HC 90; Second Report of the Joint Committee on Human Rights, Legislative Scrutiny: Police, Crime, Sentencing and Courts Bill, Part 3 (Public Order), HC 331; and Fourth Report of the Joint Committee on Human Rights, Legislative Scrutiny: Police, Crime, Sentencing and Courts Bill (Part 4): The criminalisation of unauthorised encampments, HC 478].

New Clause 1

HARASSMENT IN A PUBLIC PLACE

‘(1) A person must not engage in any conduct in a public place—

- (a) which amounts to harassment of another, and
- (b) which he knows or ought to know amounts to harassment of the other.

(2) For the purposes of this section, the person whose conduct is in question ought to know that it amounts to harassment of another if a reasonable person would think the conduct amounted to harassment of the other.

(3) For the purposes of this section—

“conduct” includes speech;

“harassment” of a person includes causing the person alarm or distress.

(4) Subsection (1) does not apply to conduct if the person can show—

- (a) that it was for the purpose of preventing or detecting crime,
- (b) that it was under any enactment or rule of law or to comply with any condition or requirement imposed by any person under any enactment, or
- (c) that in the particular circumstances it was reasonable.

(5) A person who engages in any conduct in breach of subsection (1) is guilty of an offence.

(6) A person guilty of an offence under this section is liable on summary conviction to imprisonment for a term not exceeding six months, or a fine not exceeding level 5 on the standard scale, or both.’

Brought up, and read the First time.

3.37 pm

Ms Harriet Harman (Camberwell and Peckham) (Lab)
[V]: I beg to move, That the clause be read a Second time.

(Deputy) Speaker: With this it will be convenient to consider the following:

New clause 2—Kerb-crawling—

‘(1) It is an offence for a person, from a motor vehicle while it is in a street or public place, or in a street or public place while in the immediate vicinity of a motor vehicle that they have just got out of, to engage in conduct which amounts to harassment in such manner or in such circumstances as to be likely to cause annoyance, alarm, distress, or nuisance to any other person.

(2) A person guilty of an offence under this section is liable on summary conviction to revocation of their driving licence, or a fine not exceeding level 3 on the standard scale, or both.

(3) In this section “motor vehicle” has the same meaning as in the Road Traffic Act 1972.

(4) In this section “street” has the meaning given by section 1(4) of the Street Offences Act 1959.’

New clause 23—Child criminal exploitation

‘At end of section 3 of the Modern Slavery Act 2015 (meaning of exploitation), insert—

“Child criminal exploitation

(7) Another person manipulates, deceives, coerces or controls the person to undertake activity which constitutes a criminal offence and the person is under the age of 18.’

This new clause introduces a statutory definition of child criminal exploitation.

New clause 24—Registered sex offenders: change of name or identity—

‘(1) The Secretary of State must commission a review of how registered sex offenders are able to change their name or other aspects of their identity without the knowledge of the police with the intention of subverting the purpose of their registration.

(2) The review must consult persons with expertise in this issue, including—

- (a) representatives of police officers responsible for sex offender management,
- (b) Her Majesty’s Passport Office, and
- (c) the Driver and Vehicle Licensing Agency.

(3) The scope of the review must include consideration of resources necessary for the long-term management of the issue of registered sex offenders changing their names or other aspects of their identity.

(4) The review must make recommendations for the long-term management of the issue of registered sex offenders changing their names or other aspects of their identity.

(5) The Secretary of State must report the findings of this review to Parliament within 12 months of the day on which this Act is passed.’

This new clause would ensure that the Secretary of State must publish a review into how registered sex offenders are changing their names or other aspects of their identity and propose solutions for how the Government aims to tackle this issue.

New clause 26—Reporting of sexual offences: public awareness—

‘Within six months of the passage of this Act, the Secretary of State must draw up and implement a campaign to improve public awareness of the desirability of reporting sexual offences, with particular reference to offences which may not be reported because they are not considered sufficiently serious.’

New clause 27—Code of practice on dealing with sexual offending—

‘(1) Within six months of the passage of this Act, the Secretary of State must issue a code of practice on dealing with sexual offending.

(2) The code must be issued to—

- (a) all police forces in England and Wales,
- (b) all local authorities in England and Wales,
- (c) the National Probation Service,
- (d) the Victims Commissioner and the Domestic Abuse Commissioner, and
- (e) anyone else the Secretary of State considers appropriate.

(3) The code must contain provision designed to—

- (a) improve public awareness of the desirability of reporting sexual offences, with particular reference to non-contact sexual offences, and
- (b) achieve any other purpose the Secretary of State considers appropriate to deal with sexual offending.

(4) Before issuing a code under this section the Secretary of State must—

- (a) publish proposals,
- (b) consult such persons as the Secretary of State thinks appropriate, and

(c) lay a copy of the code before Parliament.’

New clause 28—Domestic homicide reviews—

(1) Section 9 of the Domestic Violence, Crime and Victims Act 2004 is amended as follows.

(2) For subsection (2) substitute—

“(2) The Secretary of State must in all cases which meet the circumstances set out in subsection (1) direct a specified person or body within subsection (4) to establish, or to participate in, a domestic homicide review.”

(3) After subsection (3) insert—

“(3ZA) The Secretary of State must by regulations set out—

(a) the type of data relating to domestic homicide reviews which must be recorded, including—

(i) the number of domestic homicide reviews taking place across England and Wales annually; and
(ii) the time taken to complete each individual domestic homicide review;

(b) that the data must be recorded centrally in a Home Office database; and

(c) that the data must be published annually.”

This new clause seeks to modify the Domestic Violence, Crime and Victims Act 2004 to force the Secretary of State to automatically direct a domestic homicide review in circumstances as outlined in Section 9 of the Act. The new clause also aims to improve data collection methodologies around domestic homicide reviews.

New clause 29—The right to protest—

‘(1) The Public Order Act 1986 Part II (Processions and Assemblies) is amended as follows.

(2) Before section 11 insert—

“10A The right to protest

(1) Everyone has the right to engage in peaceful protest, both alone and with others.

(2) Public authorities have a duty to—

(a) respect the right to protest;
(b) protect the right to protest; and
(c) facilitate the right to protest.

(3) A public authority may only interfere with the right to protest, including by placing restrictions upon its exercise, when it is necessary and proportionate to do so to protect national security or public safety, prevent disorder or crime, protect public health or the rights and freedoms of others.

(4) For the purposes of this section “public authority” has the same meaning as in section 6 of the Human Rights Act 1998.”

This new clause would introduce an express statutory right to protest, imposing both negative and positive obligations on public authorities whilst recognising that the right to protest may need to be limited to protect other legitimate public interests.

New clause 31—Offence of assaulting etc. retail worker—

‘(1) It is an offence for a person to assault, threaten or abuse another person—

(a) who is a retail worker, and

(b) who is engaged, at the time, in retail work.

(2) No offence is committed under subsection (1) unless the person who assaults, threatens or abuses knows or ought to know that the other person—

(a) who is a retail worker, and

(b) is engaged, at the time, in retail work.

(3) A person who commits an offence under subsection (1) is liable, on summary conviction, to imprisonment for a term not exceeding 12 months, a fine, or both.

(4) Evidence from a single source is sufficient to establish, for the purposes of this section—

(a) whether a person is a retail worker, and

(b) whether the person is engaged, at the time, in retail work.

(5) The offence under subsection (1) of threatening or abusing a retail worker is committed by a person only if the person—

(a) behaves in a threatening or abusive manner towards the worker, and

(b) intends by the behaviour to cause the worker or any other person fear or alarm or is reckless as to whether the behaviour would cause such fear or alarm.

(6) Subsection (5) applies to—

(a) behaviour of any kind including, in particular, things said or otherwise communicated as well as things done,

(b) behaviour consisting of—

(i) a single act, or

(ii) a course of conduct.

(7) Subsections (8) to (10) apply where, in proceedings for an offence under subsection (1), it is—

(a) specified in the complaint that the offence is aggravated by reason of the retail worker’s enforcing a statutory age restriction, and,

(b) proved that the offence is so aggravated.

(8) The offence is so aggravated if the behaviour constituting the offence occurred because of the enforcement of a statutory age restriction.

(9) Evidence from a single source is sufficient to prove that the offence is so aggravated.

(10) Where this section applies, the court must—

(a) state on conviction that the offence is so aggravated,

(b) record the conviction in a way that shows that the offence is so aggravated,

(c) take the aggravation into account in determining the appropriate sentence, and

(d) state—

(i) where the sentence imposed in respect of the offence is different from that which the court would have imposed if the offence were not so aggravated, the extent of and

the reasons for that difference, or

(ii) otherwise, the reasons for there being no such difference.

(11) In this section—

“enforcement”, in relation to a statutory age restriction, includes—

(a) seeking information as to a person’s age,

(b) considering information as to a person’s age,

(c) refusing to sell or supply goods or services,

for the purposes of complying with the restriction (and “enforcing” is to be construed accordingly),

“statutory age restriction” means a provision in an enactment making it an offence to sell or supply goods or services to a person under an age specified in that or another enactment.

(12) In this section, “retail worker”—

(a) means a person—

(i) whose usual place of work is retail premises, or

(ii) whose usual place of work is not retail premises but who does retail work,

(b) includes, in relation to a business that owns or occupies any premises in which the person works, a person who—

(i) is an employee of the business,

(ii) is an owner of the business, or

(iii) works in the premises under arrangements made between the business and another person for the provision of staff,

(c) also includes a person who delivers goods from retail premises.

(13) For the purposes of subsection (12), it is irrelevant whether or not the person receives payment for the work.

(14) In proceedings for an offence under subsection (1), it is not necessary for the prosecutor to prove that the person charged with the offence knew or ought to have known any matter falling within subsection (12)(b) in relation to the person against whom the offence is alleged to have been committed.

(15) In this section, “retail premises” means premises that are used wholly or mainly for the sale or supply of goods, on a retail basis, to members of the public.

(16) In this section, “retail work” means—

- (a) in the case of a person whose usual place of work is retail premises, any work in those retail premises,
- (b) in the case of a person whose usual place of work is not retail premises, work in connection with—
 - (i) the sale or supply of goods, on a retail basis, to members of the public, or
 - (ii) the sale or supply of services (including facilities for gambling) in respect of which a statutory age restriction applies,
- (c) subject to subsection (17), in the case of a person who delivers goods from retail premises, work in connection with the sale or supply of goods, on a retail basis, to members of the public.

(17) A person who delivers goods from retail premises is doing retail work only during the period beginning when the person arrives at a place where delivery of goods is to be effected and ending when the person leaves that place (whether or not goods have been delivered).

(18) In this section, references to working in premises includes working on any land forming part of the premises.’

New clause 32—*Assault due to enforcement of statutory age restriction*—

‘(1) This section applies to an offence of common assault that is committed against a worker acting in the exercise of enforcing a statutory age restriction.

(2) This section applies where it is—

- (a) specified in the complaint that the offence occurred because of the worker’s enforcing a statutory age restriction, and
- (b) proved that the offence so occurred because of the enforcement of a statutory age restriction.

(3) A person guilty of an offence to which this section applies is liable on summary conviction, to imprisonment for a term not exceeding 12 months, or to a fine, or to both.

(4) In consequence of subsections (1) to (3), in section 39 of the Criminal Justice Act 1988 (which provides for common assault to be summary offences punishable with imprisonment for a term not exceeding 6 months)—

(a) insert—

“(3) Subsection (1) is subject to section [Assault due to enforcement of statutory age restriction] of the Police, Crime, Sentencing and Courts Act (which makes provision for increased sentencing powers for offences of common assault committed against a worker acting in the exercise of enforcing statutory age restrictions).”

(5) In this section—

“enforcement”, in relation to a statutory age restriction, includes—

- (a) seeking information as to a person’s age,
 - (b) considering information as to a person’s age,
 - (c) refusing to sell or supply goods or services,
- for the purposes of complying with the restriction (and “enforcing” is to be construed accordingly),

“statutory age restriction” means a provision in an enactment making it an offence to sell or supply goods or services to a person under an age specified in that or another enactment.

(6) This section applies only in relation to offences committed on or after the day it comes into force.’

New clause 42—*Offence of interference with access to or provision of abortion services*—

‘(1) A person who is within a buffer zone and who interferes with any person’s decision to access, provide, or facilitate the provision of abortion services in that buffer zone is guilty of an offence

(2) A “buffer zone” means an area with a boundary which is 150 metres from any part of an abortion clinic or any access point to any building that contains an abortion clinic.

(3) For the purposes of subsection (1), “interferes with” means—

- (a) seeks to influence; or
- (b) persistently, continuously or repeatedly occupies; or
- (c) impedes or threatens; or
- (d) intimidates or harasses; or
- (e) advises or persuades, attempts to advise or persuade, or otherwise expresses opinion; or
- (f) informs or attempts to inform about abortion services by any means, including, without limitation, graphic, physical, verbal or written means; or
- (g) sketches, photographs, records, stores, broadcasts, or transmits images, audio, likenesses or personal data of any person without express consent.

(4) A person guilty of an offence under subsection (1) is liable—

- (a) in the first instance—
 - (i) on summary conviction, to imprisonment for a term not exceeding 6 months, or
 - (ii) to a fine not exceeding level 5 on the standard scale, or
 - (iii) to both; and
- (b) on further instances—
 - (i) on conviction on indictment, to imprisonment for a term not exceeding 2 years, or to a fine, or to both; or
 - (ii) on summary conviction, to imprisonment for a term not exceeding 12 months, or to a fine, or to both.

(5) Nothing in this section applies to—

- (a) anything done in the course of providing, or facilitating the provision of, abortion services in an abortion clinic,
- (b) the operation of a camera if its coverage of persons accessing or attempting to access an abortion clinic is incidental and the camera or footage is not used for any of the purposes listed in subsection (3), and
- (c) a police officer acting properly in the course of their duties.’

This new clause would introduce areas around abortion clinics and hospitals (buffer zones) where interference with, and intimidation or harassment of, women accessing or people providing abortion services would be an offence.

New clause 43—*Implementation of the Law Commission review of hate crime*—

‘(1) The Secretary of State may by regulations implement any recommendations of the Law Commission which relate to hatred based on sex and gender characteristics following the conclusion of its review of hate crime legislation.

(2) The power conferred by subsection (1) includes—

- (a) power to amend primary legislation; and
- (b) power to amend or revoke subordinate legislation.

(3) A document containing a draft of regulations under subsection (1) must be laid before Parliament not later than six months after the publication of the Law Commission’s recommendations, and that draft must be in a form which would implement all those recommendations which relate to hatred based on sex and gender characteristics.

(4) Draft regulations under subsection (1) must be laid before Parliament not earlier than 90 days, but not later than 180 days, after the document referred to in subsection (3) was laid before Parliament.

(5) The draft regulations laid before Parliament under subsection (4) must be in the form in which they appeared in the document laid before Parliament under subsection (3), except that they may contain any changes which have been recommended by any committee of either House of Parliament which has reported on that document.

(6) A Minister must make a motion in each House of Parliament approving the draft regulations laid before Parliament under subsection (4) within 14 days of the date on which they were laid.

(7) Subject to subsection (8), if the draft regulations are approved by both Houses of Parliament, the Secretary of State must make them in the form of the draft which has been approved.

(8) If any amendments to the draft regulations are agreed to by both Houses of Parliament, the Secretary of State must make the regulations in the form of the draft as so amended.’

This new clause would require the Secretary of State to implement any recommendations made by the Law Commission’s review of hate crime which relate to hatred based on sex and gender characteristics. Draft regulations implementing the Commission’s recommendations would be subject to the super-affirmative scrutiny process (by subsections (3) to (5)), and would be amendable (under subsection (8)).

New clause 44—Commercial sexual exploitation—

‘(1) A person (A) who gives, offers, or promises payment to any person to engage in sexual activity with a person (B) is guilty of an offence.

(2) For the purposes of subsection (1)—

- (a) a “payment” includes money, a benefit, or any other consideration.
- (b) an activity is sexual if a reasonable person would consider that—
 - (i) whatever its circumstances or any person’s purpose in relation to it, it is because of its nature sexual, or
 - (ii) because of its nature it may be sexual and because of its circumstances or the purpose of any person in relation to it (or both) it is sexual.
- (c) no offence is committed by a person (A) unless the sexual activity with the other person (B) involves—
 - (i) the person (A) being in the other person (B)’s presence, and
 - (ii) the person (A) touching the other person (B), or
 - (iii) the person (B) touching themselves for the sexual gratification of the other person (A).
- (d) it is immaterial whether the payment is given, offered, or promised by a person engaging in the sexual activity, or a third party.

(3) A person guilty of an offence under this section is liable—

- (a) on summary conviction, to imprisonment for a term not exceeding 6 months or a fine not exceeding the statutory maximum or both;
- (b) on conviction on indictment, to imprisonment for a term not exceeding 10 years.’

This new clause criminalises buying sex and decriminalises anyone offering sexual services.

New clause 45—Commercial sexual exploitation by a third party—

‘(1) A person commits an offence if—

- (a) the person (C) assists, facilitates, controls, or incites, by any means, another person (B) to engage in sexual activity with another person (A) in exchange for payment, anywhere in the world; and
- (b) the circumstances are that—
 - (i) the person (C) knows or ought to know that the other person (B) is engaging in sexual activity for payment; and

(ii) the person (C) assists, facilitates, controls, or incites the other person (B) to engage in sexual activity with another person (A) with the intention of receiving payment.

(c) Subsection (1) of this section is to be construed in accordance with section [Commercial sexual exploitation].

(2) A person guilty of an offence under this section is liable—

- (a) on summary conviction, to imprisonment for a term not exceeding 6 months or a fine not exceeding the statutory maximum or both;
- (b) on conviction on indictment, to imprisonment for a term not exceeding 10 years.’

This new clause criminalises pimping.

New clause 46—Advertising—

‘(1) A person commits an offence if the person causes or allows to be displayed or published, including digitally, any advertisement in respect of activity prohibited by sections [Commercial sexual exploitation] and [Commercial sexual exploitation by a third party] of this Act.

(2) A person guilty of an offence under this section is liable—

- (a) on summary conviction, to imprisonment for a term not exceeding 6 months or a fine not exceeding the statutory maximum or both;
- (b) on conviction on indictment, to imprisonment for a term not exceeding 10 years.’

This new clause criminalises those who benefit from the advertising of sexual services. This includes ‘pimping websites’.

New clause 47—Extra-territoriality—

‘(1) A person who is a UK national commits an offence under sections [Commercial sexual exploitation] to [Advertising] of this Act regardless of where the offence takes place.

(2) A person who is not a UK national commits an offence—

- (a) under sections [Commercial sexual exploitation] to [Advertising] of this Act if any part of the offence takes place in the UK, and
- (b) under section [Advertising] of this Act if any person in the UK pays money to any other person as a result or through the advertisement published or displayed.’

This new clause allows criminal prosecutions for acts contravening the relevant sections whether they occur within or outside the United Kingdom.

New clause 48—Immunity of victims—

‘(1) A person (B), by reason of their involvement as a victim of an offence under sections [Commercial sexual exploitation] to [Advertising] of this Act by another person (A) does not commit an offence by doing anything which (apart from this paragraph) would amount to—

- (a) aiding, abetting, counselling, or procuring the commission of an offence under sections [Commercial sexual exploitation] to [Advertising] of this Act by the other person (A);
- (b) conspiring with the other person (A) to commit an offence under sections [Commercial sexual exploitation] to [Advertising] of this Act; or
- (c) an offence under Part 2 of the Serious Crime Act 2007 (encouraging or assisting offences) in relation to the commission of an offence under sections [Commercial sexual exploitation] to [Advertising] of this Act by the other person (A); or
- (d) an offence under section [Advertising] of this Act.

(2) In this section it is immaterial whether the other person has been convicted of an offence.’

This new clause ensures that those subject to commercial sexual exploitation do not find themselves criminalised by having ‘assisted’ the person buying sexual services.

New clause 49—Power of Secretary of State to disregard convictions or cautions—

‘Section 92 of the Protection from Freedoms Act 2012 is replaced as follows.

“92 Power of Secretary of State to disregard convictions or cautions

- (1) A person who has been convicted of, or cautioned for, an offence under—
 - (a) section 12 of the Sexual Offences Act 1956 (buggery),
 - (b) section 13 of that Act (gross indecency between men), or
 - (c) section 61 of the Offences against the Person Act 1861 or section 11 of the Criminal Law Amendment Act 1885 (corresponding earlier offences), may apply to the Secretary of State for the conviction or caution to become a disregarded conviction or caution.
- (2) A person who has been convicted of, or cautioned for, an offence under section 1 of the Street Offences Act 1959, may apply to the Secretary of State for the conviction or caution to become a disregarded conviction or caution.
- (3) A conviction or caution becomes a disregarded conviction or caution when conditions A and B are met.
- (4) For the purposes of subsection (1), condition A is that the Secretary of State decides that it appears that—
 - (a) the other person involved in the conduct constituting the offence consented to it and was aged 16 or over, and
 - (b) any such conduct now would not be an offence under section 71 of the Sexual Offences Act 2003 (sexual activity in a public lavatory).
- (5) For the purposes of subsection (2), condition A is that the Secretary of State decides that it appears that any such conduct now would not be an offence under sections [Commercial sexual exploitation] and [Commercial sexual exploitation by a third party] of the Police, Crime, Sentencing and Courts Act 2021.
- (6) Condition B is that—
 - (a) the Secretary of State has given notice of the decision to the applicant under section 94(4)(b), and
 - (b) the period of 14 days beginning with the day on which the notice was given has ended.
- (7) Sections 95 to 98 explain the effect of a conviction or caution becoming a disregarded conviction or caution.”

This new clause permits those who as a result of exploitation have convictions for soliciting, to have their conviction disregarded.

New clause 50—Repeals—

‘The enactments specified in the following Table are repealed to the extent specified in column 2 of the Table.

TABLE

<i>Short title and chapter</i>	<i>Extent of repeal</i>
Sexual Offences Act 1956 (c. 59)	Sections 33 to 36
Street Offences Act 1959 (c. 57)	The whole Act
Sexual Offences Act 1967 (c. 60)	Section 6
Criminal Justice and Police Act 2001 (c. 16)	Section 46
Sexual Offences Act 2003 (c. 42)	Sections 51A to 56
Policing and Crime Act 2009 (c. 26)	Section 14 and 16 to 19’

New clause 51—Review of crime against Gypsy, Roma and Traveller communities—

‘(1) The Secretary of State must undertake a review of the prevention, investigation and prosecution of crime against Gypsy, Roma and Traveller communities.

(2) The review must have particular regard to the prevention, investigation and prosecution of hate crime against those communities.

(3) A report of the review must be laid before Parliament within six months of the passage of this Act.’

New clause 52—Training for relevant public officials in relation to Gypsy, Roma and Traveller communities—

‘(1) The Secretary of State must, on this Act coming into force, publish and implement a strategy to provide training to—

- (a) the Crown Prosecution Service,
- (b) police forces,
- (c) the judiciary, and
- (d) such other public bodies as the Secretary of State considers appropriate on the investigation of crimes against people from Gypsy, Roma and Traveller backgrounds.

(2) The strategy must include provision to improve the accessibility to people from those backgrounds of means of reporting crime against them.’

New clause 55—Amendment of criminal law in relation to termination of pregnancy—

‘(1) Sections 58 (administering drugs or using instruments to procure abortion) and 59 (procuring drugs, &c. to cause abortion) of the Offences Against the Person Act 1861 are repealed.

(2) After section 59 of the Offences Against the Person Act 1861 insert—

“59A Non-consensual termination of pregnancy

- (1) A person (A) commits an offence if—
 - (a) in relation to a woman (B) A commits any unlawful act involving the use or threat of force, or the administration of any substance capable of causing abortion,
 - (b) A believes that B is pregnant or is reckless as to whether she is pregnant, and
 - (c) A intends to cause B’s abortion or is reckless as to whether her abortion results.
- (2) For the purposes of subsection (1)—
 - (a) an act done by, or with the informed consent or assistance of B, or done in good faith by a registered medical practitioner, registered nurse or registered midwife, is not to be considered unlawful,
 - (b) but B is not to be treated as consenting to the administration of a substance unless she is aware of its nature as a substance capable of causing abortion.
- (3) A person guilty of an offence under subsection (1) is liable on conviction on indictment to imprisonment for life or for any shorter term.”

(3) No offence is committed under section 1 of the Infant Life (Preservation) Act 1929 by—

- (a) a woman who terminates her own pregnancy or who assists in or consents to such termination, or
- (b) a registered medical practitioner, registered nurse or registered midwife acting in good faith.’

The new clause would decriminalise abortion and create a new offence of non-consensual termination of pregnancy, which would include the example where a woman’s abusive partner intentionally or recklessly caused her abortion through abusive behaviour.

New clause 56—Review of stop and search powers—

‘(1) The Secretary of State must undertake a review of police stop and search powers.

- (2) The review must consider—
 - (a) the effectiveness of the use of those powers in the reduction of crime, and
 - (b) the impact of the use of the powers on policing in Black and minority ethnic communities.
- (3) A report of the review must be laid before Parliament within six months of the passage of this Act.’

New clause 57—*Public inquiry into the prevention, investigation and prosecution of crimes as they affect Black, Asian and minority ethnic people*—

‘Within six months of the passage of this Act, the Secretary of State must cause an inquiry to be held under the Inquiries Act 2005 into the prevention, investigation and prosecution of crime as they affect Black, Asian and minority ethnic people.’

New clause 58—*Extraction of information from electronic devices*—

‘(1) Subject to Conditions A to D below, insofar as applicable, an authorised person may extract information stored on an electronic device from that device if—

- (a) a user of the device has voluntarily provided the device to an authorised person, and
- (b) that user has agreed to the extraction of specified information from the device by an authorised person.

(2) Condition A for the exercise of the power in subsection (1) is that it may be exercised only for the purposes of—

- (a) preventing, detecting, investigating or prosecuting an offence,
- (b) helping to locate a missing person, or
- (c) protecting a child or an at-risk adult from neglect or physical, mental or emotional harm.

(3) For the purposes of subsection (2) an adult is an at-risk adult if the authorised person reasonably believes that the adult—

- (a) is experiencing, or at risk of, neglect or physical, mental or emotional harm, and
- (b) is unable to protect themselves against the neglect or harm or the risk of it.

(4) Condition B for the exercise of the power in subsection (1) is that the power may only be exercised if—

- (a) the authorised person reasonably believes that information stored on the electronic device is relevant to a purpose within subsection (2) for which the authorised person may exercise the power, and
- (b) the authorised person is satisfied that exercise of the power is strictly necessary and proportionate to achieve that purpose.

(5) For the purposes of subsection (4)(a), information is relevant for the purposes within subsection (2)(a) in circumstances where the information is relevant to a reasonable line of enquiry.

(6) Condition C as set out in subsection (7) applies if the authorised person thinks that, in exercising the power, there is a risk of obtaining information other than information necessary for a purpose within subsection (2) for which the authorised person may exercise the power.

(7) Condition C is that the authorised person must, to be satisfied that the exercise of the power in the circumstances set out in subsection (6) is strictly necessary and proportionate, be satisfied that there are no other less intrusive means available of obtaining the information sought by the authorised person which avoid that risk

(8) Condition D is that an authorised person must have regard to the code of practice for the time being in force under section [Code of practice] in accordance with section [Effect of code of practice] below.

(9) This section does not affect any power relating to the extraction or production of information, or any power to seize any item or obtain any information, conferred by or under an enactment.

(10) In this section and section [Application of section [Extraction of information from electronic devices] to children and adults without capacity]—

“adult” means a person aged 18 or over;

“authorised person” means a person specified in subsection (1) of section [Application of section [Extraction of information from electronic devices] to children and adults without capacity] (subject to subsection (2) of that section);

“child” means a person aged under 18;

“agreement” means that the user has confirmed explicitly and unambiguously in writing that they agree—

- (a) to provide their device, and
- (b) to the extraction of specified data from that device.

Such an explicit written confirmation can only constitute agreement for these purposes if, in accordance with the Code of Practice issued pursuant to section [Effect of code of practice], the user—

- (i) has been provided with appropriate information and guidance about why the extraction is considered strictly necessary (including, where relevant, the identification of the reasonable line of enquiry relied upon);
- (ii) has been provided with appropriate information as to (a) how the data will or will not be used in accordance with the authorised person’s legal obligations and (b) any potential

consequences arising from their decision;

- (iii) has confirmed their agreement in the absence of any inappropriate pressure or coercion;

“electronic device” means any device on which information is capable of being stored electronically and includes any component of such a device;

“enactment” includes—

- (a) an Act of the Scottish Parliament,
- (b) an Act or Measure of Senedd Cymru, and
- (c) Northern Ireland legislation;

“information” includes moving or still images and sounds;

“offence” means an offence under the law of any part of the United Kingdom;

“user”, in relation to an electronic device, means a person who ordinarily uses the device.

(11) References in this section and sections [Application of section [Extraction of information from electronic devices] to children and adults without capacity] to the extraction of information include its reproduction in any form.

(12) This section is subject to sections [Application of section [Extraction of information from electronic devices] to children and adults without capacity] and [Application of section [Extraction of information from electronic devices] where user has died etc].’

New clause 59—*Application of section [Extraction of information from electronic devices] to children and adults without capacity*—

‘(1) A child is not to be treated for the purposes of subsection (1) of section [Extraction of information from electronic devices] as being capable of—

- (a) voluntarily providing an electronic device to an authorised person for those purposes, or
- (b) agreeing for those purposes to the extraction of information from the device by an authorised person.

(2) If a child is a user of an electronic device, a person who is not a user of the device but is listed in subsection (3) may—

- (a) voluntarily provide the device to an authorised person for the purposes of subsection (1) of section [Extraction of information from electronic devices], and
- (b) agreement for those purposes to the extraction of information from the device by an authorised person.

(3) The persons mentioned in subsection (2) are—

- (a) the child’s parent or guardian or, if the child is in the care of a relevant authority or voluntary organisation, a person representing that authority or organisation,
- (b) a registered social worker, or

- (c) if no person falling within paragraph (a) or (b) is available, any responsible person aged 18 or over other than an authorised person.

(4) The agreement of persons listed in subsection (3) further to subsection 2(b) should only be accepted where, if it is appropriate, the child has been consulted on whether such agreement should be provided and the authorised person is satisfied those views have been taken into account.

(5) An adult without capacity is not to be treated for the purposes of section [Extraction of information from electronic devices] as being capable of—

- (a) voluntarily providing an electronic device to an authorised person for those purposes, or
- (b) agreeing for those purposes to the extraction of information from the device by an authorised person.

(6) If a user of an electronic device is an adult without capacity, a person who is not a user of the device but is listed in subsection (7) may—

- (a) voluntarily provide the device to an authorised person for the purposes of subsection (1) of section [Extraction of information from electronic devices], and
- (b) agreement for those purposes to the extraction of information from the device by an authorised person.

(7) The persons mentioned in subsection (6) are—

- (a) a parent or guardian of the adult without capacity,
- (b) a registered social worker,
- (c) a person who has a power of attorney in relation to the adult without capacity, or
- (d) if no person falling within paragraph (a), (b) or (c) is available, any responsible person aged 18 other than an authorised person.

(8) The agreement of persons listed in subsection (7) further to subsection (6)(b) should only be accepted where, if it is appropriate, the adult without capacity has been consulted on whether such agreement should be provided and the authorised person is satisfied those views have been taken into account.

(9) Nothing in this section prevents any other user of an electronic device who is not a child or an adult without capacity from—

- (a) voluntarily providing the device to an authorised person for the purposes of subsection (1) of section [Extraction of information from electronic devices], or
- (b) agreeing for those purposes to the extraction of information from the device by an authorised person.

(10) In this section and section [Application of section [Extraction of information from electronic devices] where user has died etc]—

“adult without capacity” means an adult who, by reason of any impairment of their physical or mental condition, is incapable of making decisions for the purposes of subsection (1) of section [Extraction of information from electronic devices];

“local authority”—

- (a) in relation to England, means a county council, a district council for an area for which there is no county council, a London borough council or the Common Council of the City of London,
- (b) in relation to Wales, means a county council or a county borough council, and
- (c) in relation to Scotland, means a council constituted under section 2 of the Local Government etc (Scotland) Act 1994;

“registered social worker” means a person registered as a social worker in a register maintained by—

- (a) Social Work England,
- (b) the Care Council for Wales,
- (c) the Scottish Social Services Council, or
- (d) the Northern Ireland Social Care Council;

“relevant authority”—

- (a) in relation to England and Wales and Scotland, means a local authority;
- (b) in relation to Northern Ireland, means an authority within the meaning of the Children (Northern Ireland) Order 1995 (S.I. 1995/755 (N.I. 2));

“voluntary organisation”—

- (a) in relation to England and Wales and Scotland, has the same meaning as in the Children Act 1989;
- (b) in relation to Northern Ireland, has the same meaning as in the Children (Northern Ireland) Order 1995.

(11) Subsections (10) and (11) of section [Extraction of information from electronic devices] also contain definitions for the purposes of this section.’

New clause 60—Application of section [Extraction of information from electronic devices] where user has died etc—

‘(1) If any of conditions A to C is met, an authorised person may exercise the power in subsection (1) of section [Extraction of information from electronic devices] to extract information stored on an electronic device from that device even though—

- (a) the device has not been voluntarily provided to an authorised person by a user of the device, or
- (b) no user of the device has agreed to the extraction of information from the device by an authorised person.

(2) Condition A is that—

- (a) a person who was a user of the electronic device has died, and
- (b) the person was a user of the device immediately before their death.

(3) Condition B is that—

- (a) a user of the electronic device is a child or an adult without capacity, and
- (b) an authorised person reasonably believes that the user’s life is at risk or there is a risk of serious harm to the user.

(4) Condition C is that—

- (a) a person who was a user of the electronic device is missing,
- (b) the person was a user of the device immediately before they went missing, and
- (c) an authorised person reasonably believes that the person’s life is at risk or there is a risk of serious harm to the person.

(5) The exercise of the power in subsection (1) of section [Extraction of information from electronic devices] by virtue of this section is subject to subsections (2) to (4) of that section.

(6) Subsections (10) and (11) of section [Extraction of information from electronic devices] and subsection (9) of section [Application of section [Extraction of information from electronic devices] to children and adults without capacity] contain definitions for the purposes of this section.’

New clause 61—Code of practice—

‘(1) The Secretary of State must prepare a code of practice containing guidance about the exercise of the power in subsection (1) of section [Extraction of information from electronic devices].

(2) In preparing the code, the Secretary of State must consult—

- (a) the Information Commissioner,
- (b) the Scottish Ministers,
- (c) the Welsh Government,
- (d) the Department of Justice in Northern Ireland,
- (e) the Victims Commissioner,
- (f) the Domestic Abuse Commissioner,
- (g) any regional Victims Champion including the London Victims Commissioner,

- (h) persons who appear to the Secretary of State to represent the interests of victims, witnesses and other individuals likely to be affected by the use of the power granted in subsection (1) of section [Extraction of information from electronic devices], and
- (i) such other persons as the Secretary of State considers appropriate.

(3) After preparing the code, the Secretary of State must lay it before Parliament and publish it.

(4) The code is to be brought into force by regulations made by statutory instrument.

(5) The code must address, amongst other matters—

- (a) the procedure by which an authorised person must obtain and record confirmation that a device has been provided voluntarily;
- (b) the procedure by which an authorised person must obtain and record confirmation that agreement has been provided for the extraction of specified information, including the information which must be provided to the user about—
 - (i) how long the device will be retained;
 - (ii) what specific information is to be extracted from the device and why, including the identification of the reasonable line of enquiry to be pursued and the scope of information which will be extracted, reviewed and/or retained;
 - (iii) how the extracted information will be kept secure;
 - (iv) how the extracted information will or may be used in a criminal process;
 - (v) how they can be kept informed about who their information is to be shared with and the use of their information in the criminal process;
 - (vi) their right to refuse to agree to provide their device and/ or to the proposed extraction in whole or in part and the potential consequences of that refusal; and
 - (vii) the circumstances in which a further extraction may be required, and what will happen to the information after the case has been considered;
- (c) the different types of extraction processes available, and the parameters which should be considered in defining the scope of any proposed extraction from a user's device;
- (d) the circumstances in which the extraction of information should and should not be considered strictly necessary and proportionate;
- (e) the considerations to be taken into account in determining whether there are less intrusive alternatives available to extraction for the purposes of subsection (7) of section [Extraction of information from electronic devices];
- (f) the process by which the authorised person should identify and delete data which is not responsive to a reasonable line of enquiry and/or has been assessed as not relevant to the purposes for which the extraction was conducted; and
- (g) the records which must be maintained documenting for each extraction or proposed extraction, including—
 - (i) the specific information to be extracted;
 - (ii) the reasonable lines of enquiry pursued;
 - (iii) the basis upon which the extraction is considered strictly necessary, including any alternatives considered and why they were not pursued;
 - (iv) confirmation that appropriate information was provided to the user and, if applicable, agreement obtained;
 - (v) the reasons why the user was not willing to agree to a proposed extraction.

(6) A statutory instrument containing regulations under subsection (4) is subject to annulment in pursuance of a resolution of either House of Parliament.

(7) After the code has come into force the Secretary of State may from time to time revise it.

(8) References in subsections (2) to (7) to the code include a revised code.'

New clause 62—*Effect of code of practice*—

'(1) An authorised person must in the exercise of the power granted under section [Extraction of information from electronic devices] have regard to the code of practice issued under section [Code of practice] in deciding whether to exercise, or in the exercise of that power.

(2) A failure on the part of any person to comply with any provision of a code of practice for the time being in force under section [Code of practice] shall not of itself render him liable to any criminal or civil proceedings.

(3) A code of practice in force at any time under section [Code of practice] shall be admissible in evidence in any criminal or civil proceedings.

(4) In all criminal and civil proceedings any code in force under section [Code of practice] shall be admissible in evidence; and if any provision of the code appears to the court or tribunal conducting the proceedings to be relevant to any question arising in the proceedings it shall be taken into account in determining that question.'

New clause 63—*Duties to collaborate and plan to prevent and reduce child criminal exploitation and safeguard affected children*—

'(1) The specified authorities for a local government area must collaborate with each other to prevent and reduce child criminal exploitation in the area and safeguard affected children.

(2) The duty imposed on the specified authorities for a local government area by subsection (1) includes a duty to plan together to exercise their functions so as to prevent and reduce child criminal exploitation in the area and safeguard affected children.

(3) In particular, the specified authorities for a local government area must—

- (a) identify the kinds of child criminal exploitation that occur in the area,
- (b) identify the causes of child criminal exploitation in the area, so far as it is possible to do so, and
- (c) prepare and implement a strategy for exercising their functions to prevent and reduce child criminal exploitation and safeguard affected children in the area.

(4) In preparing a strategy under this section for a local government area, the specified authorities for the area must ensure that the following are consulted—

- (a) each educational authority for the area;
- (b) each prison authority for the area;
- (c) each youth custody authority for the area.

(5) A strategy under this section for a local government area may specify an action to be carried out by—

- (a) an educational authority for the area,
- (b) a prison authority for the area, or
- (c) a youth custody authority for the area.

(6) Once a strategy has been prepared under this section for a local government area, the specified authorities for the area must—

- (a) keep the strategy under review, and
- (b) every two years, prepare and implement a revised strategy.

(7) A strategy prepared under this section may be combined with a strategy prepared in accordance with section 7 (Duties to collaborate and plan to prevent and reduce serious violence) or section 8 (Powers to collaborate and plan to prevent and reduce serious violence).

(8) For the purposes of this section, “child criminal exploitation” means activity which would constitute an offence under section [Child criminal exploitation] of this Act.’

New clause 64—*Scrutiny of timeliness of investigations of complaints against police and allegations of police misconduct*

‘(1) The Police (Conduct) Regulations 2020 are amended by the insertion of the following regulation after regulation 19—

“Scrutiny of investigation timeliness

19A (1) A legally qualified person within the meaning of regulation 28(4)(a) and (6) shall be appointed to scrutinise the information provided pursuant to regulation 19.

(2) On each occasion where information is provided in writing under regulation 19(1) the legally qualified person appointed under paragraph (1) shall determine whether there is good and sufficient reason for the time—

- (a) already taken; and
- (b) realistically anticipated to be needed for completion of the investigation.

(3) In determining whether there is good and sufficient reason under paragraph (2) the legally qualified person may have regard to any relevant matter, and shall have particular regard to—

- (a) whether the investigation has been efficient and effective;
- (b) whether there has been unnecessary or unreasonable delay having regard to complexity and seriousness of the case;
- (c) the impact upon the officer and others;
- (d) any anticipated further delay;
- (e) the public interest and affect upon confidence in the police disciplinary system; and
- (f) representations made on behalf of any person entitled to receive a copy of the information provided under regulation 19.

(4) Unless the legally qualified person determines that there is good and sufficient reason under paragraph (2)(a) and (b) then—

- (a) all investigation into possible misconduct or gross misconduct shall be terminated forthwith; and
- (b) no disciplinary proceedings may be initiated in respect of the matters under investigation.

(5) Nothing in this provision shall have any effect in relation to any criminal investigation.”

(2) The Police (Complaints and Misconduct) Regulations 2020 are amended by the insertion of the following regulation after regulation 13—

“Scrutiny of investigation timeliness

13A (1) A legally qualified person within the meaning of regulation 28(4)(a) and (6) of the Police (Conduct) Regulations 2020 shall be appointed to scrutinise the information provided pursuant to regulation 13.

(2) On each occasion where information is provided in writing under regulation 13 paragraph (1) or (2) the legally qualified person appointed under paragraph (1) shall determine whether there is good and sufficient reason for the time—

- (a) already taken; and
- (b) realistically anticipated to be needed for completion of the investigation.

(3) In determining whether there is good and sufficient reason under paragraph (2) the legally qualified person may have regard to any relevant matter, and shall have particular regard to—

- (a) whether the investigation has been efficient and effective;
- (b) whether there has been unnecessary or unreasonable delay having regard to complexity and seriousness of the case;

- (c) the impact upon the officer and others;
- (d) any anticipated further delay;
- (e) the public interest and affect upon confidence in the police disciplinary system; and

(f) representations made on behalf of any person entitled to receive a copy of the information provided under regulation 13.

(4) Unless the legally qualified person determines that there is good and sufficient reason under paragraph (2)(a) and (b) then—

- (a) all investigation into possible misconduct or gross misconduct shall be terminated forthwith; and
 - (b) no disciplinary proceedings may be initiated in respect of the matters under investigation.
- (5) Nothing in this provision shall have any effect in relation to any criminal investigation.”

New clause 65—*Public inquiry into the policing of protests*

‘Within six months of the passage of this Act, the Secretary of State must cause an inquiry to be held under the Inquiries Act 2005 into the prevention, investigation and prosecution of crime in relation to the policing of protests, including the use of force, use of kettling and use of police horses.’

New clause 66—*Air weapons*

‘(1) Within three months of the date on which this Act is passed, the Secretary of State must publish a report on the safety of air weapons.

(2) The report must include an assessment of the evidence submitted to the review of air weapons regulation announced on 10 October 2017.

(3) So far as possible without contravening any provision of legislation relating to data protection, the report must publish the evidence referred to in subsection (3).’

This new clause would require the government to publish a report on the safety of air weapons that includes the evidence gathered as part of the Air Weapons Review 2017.

New clause 67—*Prohibition of air weapons on private land for those under the age of 18*

‘(1) Section 23 of the Firearms Act 1968 is amended in accordance with subsections (2) to (3).

(2) Omit subsection (1).

(3) Omit subsection (3).’

This new clause would amend the Firearms Act 1968 to prevent a person under the age of 18 from having an air gun on private land other than as part of a sporting club.

New clause 68—*Sections 55 to 61: commencement*

‘(1) The Secretary of State may exercise the power in section 176(1) so as to bring sections 55 to 61 into force only if condition A and, thereafter, condition B are met.

(2) Condition A is that a general election has taken place subsequent to the passage of this Act.

(3) Condition B is that both Houses of Parliament have by resolution approved the coming into force of those sections.’

New clause 69—*Time limits for prosecutions for common assault in domestic abuse cases*

‘(1) The Criminal Justice Act 1988 is amended as follows.

(2) At the end of section 39 add—

“(3) Subject to subsection (4) below, summary proceedings for an offence of common assault or battery involving domestic abuse may be brought within a period of six months from the date on which a report of the offence was made to the police.”

(4) No such proceedings shall be brought by virtue of this section more than two years after the commission of the offence.

(5) For the purposes of this section ‘domestic abuse’ has the same meaning as in section 1 of the Domestic Abuse Act 2021.”

This new clause seeks to extend the existing six month time limit for common assault in cases of domestic abuse.

New clause 70—*Police driving*—

(1) When a vehicle is being used for a policing purpose, the driver may depart from the standard of the careful and competent driver (or cause another to do so), or depart from the direction of any mandatory road traffic sign, if and only if—

- (a) driving the vehicle in accordance with road traffic regulations or relevant policy would be likely to hinder the use of that vehicle for the purpose for which it is being used,
- (b) any such departure is reasonable in the circumstances as the responder reasonably believed them to be, and
- (c) the departure was proportionate to the circumstances as the responder reasonably believed them to be.

(2) In deciding whether the departure was reasonable, the following should be taken into account, insofar as relevant—

- (a) any training received by the driver;
- (b) any applicable policy of the police force of which the driver is a member;
- (c) that a driver reacting to circumstances as they occur may not be able to judge to a nicety the exact measure of any necessary action required;
- (d) evidence of a driver having only done what the driver honestly and instinctively thought was necessary in the circumstances constitutes strong evidence that any departure from the relevant standard was reasonable.

New clause 71—*Intentional harassment, alarm or distress*—

‘(1) Section 4A of the Public Order Act 1986 is amended as follows.

(2) In subsection (1)(a) leave out “, abusive or insulting” and insert “or abusive”.

(3) In subsection (1)(b) leave out “, abusive or insulting” and insert “or abusive”.

New clause 72—*Criminalising commercial squatting and squatting on land*—

‘(1) Section 144 of the Legal Aid, Sentencing and Punishment of Offenders Act 2012 is amended as follows.

(2) In the heading, after “in”, leave out “a residential building” and insert “buildings and on land”.

(3) In subsection (1)(a) after “a”, leave out “residential”, and after “building”, insert “or on land”.

(4) In subsection (1)(c) after “building”, insert “or on the land”.

(5) In subsection (2) after “building”, add “or land”.

(6) Leave out subsection (3)(b) and insert “Land has the meaning defined in section 205(1)(ix) of the Law of Property Act 1925.

(7) In subsection (7) after “building”, insert “or land”.

(8) In subsection (8) (a) after “squatting in” leave out “a residential building” and insert “buildings and on land”.

New clause 84—*Non-crime hate incidents not to be recorded on the national police database etc*—

‘Non-crime hate incidents are prohibited from being:

- (1) recorded on the National Police Database;
- (2) kept as a record by police forces against any individual’s name in any way; or
- (3) included in any enhanced Disclosure and Barring Service check.’

New clause 85—*Code for policing of protest*—

‘(1) The Secretary of State must produce a Code for the Policing of Protest (“the Code”).

(2) The Code must set out the how relevant police powers must be used and relevant police duties discharged in accordance with both the domestic law and international law obligations imposed under the right to protest, including—

- (a) the duty to facilitate peaceful protest unless not to do so is in accordance with the relevant law, and
- (b) the duty to refrain from interfering with peaceful protest except where to do so is in accordance with the relevant law.

(3) In this section—

- (a) the “right to protest” includes all domestic and international law rights which provide for the right to protest, and
- (b) references to “domestic and international law” include but are not limited to the European Convention of Human Rights and associated jurisprudence.

(4) Any person or organisation exercising a power or duty which relates to protest or public order must act in accordance with the Code.’

New clause 90—*Offence of assaulting etc. a person providing a service to the public*—

‘(1) It is an offence for a person to assault, threaten or abuse another person who is providing a service to the public.

(2) No offence is committed under subsection (1) unless the person who assaults, threatens or abuses knows or ought to know that the other person is providing a service to the public.

(3) A person who commits an offence under subsection (1) is liable, on summary conviction, to imprisonment for a term not exceeding 12 months, a fine, or both.

(4) Evidence from a single source is sufficient to establish, for the purposes of this section, whether a person is providing a service to the public.

(5) The offence under subsection (1) of threatening or abusing a person who is providing a service to the public (A) is committed by a person (B) only if B—

- (a) behaves in a threatening or abusive manner towards A, and
- (b) intends by the behaviour to cause A or any other person fear or alarm or is reckless as to whether the behaviour would cause such fear or alarm.

(6) Subsection (5) applies to—

- (a) behaviour of any kind including, in particular, things said or otherwise communicated as well as things done,
- (b) behaviour consisting of—
 - (i) a single act, or
 - (ii) a course of conduct.

(7) The Secretary of State must by regulations define “providing a service to the public” for the purposes of this section.’

New clause 91—*Review of the Misuse of Drugs Act 1971*—

‘(1) The Secretary of State must conduct a review of the criminal offences in the Misuse of Drugs Act 1971.

(2) In undertaking the review, the Secretary of State must consult—

- (a) the Advisory Council on the Misuse of Drugs;
- (b) the Scottish Ministers;
- (c) the Welsh Ministers;
- (d) the Northern Ireland Department of Health, and
- (e) any other person the Secretary of State considers appropriate.

(3) The Secretary of State must, before the end of the period of 9 months beginning with the day on which this Act comes into force, lay before Parliament a report on the review, including any proposals for legislative change.’

This new clause would require the Secretary of State to undertake a review of the criminal offences set out in the Misuse of Drugs Act 1971.

New clause 101—*Training for relevant public officials in relation to the conduct of cases involving modern slavery and child criminal exploitation*—

‘(1) The Secretary of State shall, on this Act coming into force, publish and implement a strategy to provide a framework for training on the investigation of cases involving modern slavery and child criminal exploitation complainants for—

- (a) the Crown Prosecution Service;
- (b) Police Forces;
- (c) the Judiciary; and
- (d) such other public bodies as the Secretary of State considers appropriate.

(2) The Secretary of State shall ensure that any judge who is asked to hear a trial where the accused’s charges include modern slavery offences and child criminal exploitation offences has attended and completed a training programme for such trials which has been accredited by the Judicial College and College of Policing or through a recognised training provider or non-governmental organisation.’

This new clause ensures that all criminal justice agencies shall attend a trained programme on modern slavery and child criminal exploitation from accredited Judicial College and College of Policing or a recognised training provider or non-governmental organisation.

New clause 102—Duty of local authorities to provide sites for Gypsies, Roma and Travellers—

‘(1) It is the duty of every local authority to exercise their powers under section 24 of the Caravan Sites and Control of Development Act 1960 (provision of caravan sites) so as to provide adequate accommodation for Gypsies, Roma and Travellers residing in or resorting to their area.

(2) The Minister may, if at any time it appears to them to be necessary to do so, give directions to any such local authority requiring them to provide such sites or additional sites for the accommodation of such numbers of caravans as may be specified in the directions.’

This new clause would reintroduce a statutory duty to require that local authorities provide authorised sites for the Gypsy, Roma and Traveller community.

Amendment 25, in clause 1, page 2, line 3, after “workforce,” insert

“including the impact of working with traumatised survivors on officers’ wellbeing and morale,”.

This amendment aims to ensure the police covenant report, when addressing the health and well-being of members and former members of the police workforce, also addresses the specific impact working with traumatised survivors, such as survivors of child sexual abuse, has on officers’ wellbeing and morale.

Government amendments 32 and 33.

Amendment 64, page 2, line 42, at end insert—

- “(aa) members of the British Transport Police,
- (ab) members of the Civil Nuclear Constabulary,
- (ac) members of the Ministry of Defence police,”.

Government amendment 34.

Amendment 47, in clause 2, page 3, line 30, at end insert—

“(3) In section 3 of the Assaults on Emergency Workers (Offences) Act 2018 (meaning of “emergency worker”), in paragraph (1)(e) omit “of a corresponding kind to those carried out by a prison officer.”

This amendment would expand the definition of “emergency worker” to include all prison staff, not just prison officers and those carrying out functions of a corresponding kind to those of a prison officer.

Government amendments 35 to 39.

Amendment 97, page 7, line 38, leave out clause 7.

Amendment 73, in clause 7, page 7, line 40, after “violence”, insert—

“and safeguard children involved in serious violence”.

This amendment, together with amendments 74, 75, 78, 79, 80, 81, 83 and 84 would ensure specified authorities involved in the ‘serious violence duty’ safeguard children at risk of or experiencing from harm.

Amendment 74, page 8, line 3, after “violence”, insert—
“and safeguard children involved in serious violence”.

See explanatory statement to amendment 73.

Amendment 75, page 8, line 9, at end insert—

“(d) safeguard children involved in serious violence in the area, and

(e) identify and safeguard children who are involved in serious violence in the area as a result of being a victim of modern slavery and trafficking offences under the Modern Slavery Act 2015.”.

See explanatory statement to amendment 73.

Amendment 87, page 8, line 9, at end insert—

“(d) prepare and implement an early help strategy to prevent violence and support child victims of violence and prevent hidden harm.”.

This amendment would add a duty on specified authorities to prepare and implement an early help strategy.

Amendment 88, page 8, line 15, at end insert—

“(d) any children’s social care authority for the area which is not a specified authority for the area.”.

This amendment would ensure that any children’s social care authority which was not already involved in the strategy would be consulted in the preparation of the strategy.

Amendment 76, page 8, line 35, leave out “from time to time” and insert “every two years,”.

This amendment would require the specified authorities for an area to prepare and implement a revised strategy every two years.

Amendment 77, page 8, line 35, at end insert—

“(7A) The local policing body for the area must provide an annual monitoring report for local safeguarding partners on actions undertaken as part of a strategy.”.

Amendment 98, page 9, line 4, leave out clause 8.

Amendment 78, in clause 8, page 9, line 6, after “violence”, insert—

“and safeguard children involved in serious violence”.

See explanatory statement to amendment 73.

Amendment 79, page 9, line 9, after “violence”, insert—
“and safeguard children involved in serious violence”.

See explanatory statement to amendment 73.

Amendment 80, page 9, line 14, after “violence”, insert—

“and safeguard children involved in serious violence”.

See explanatory statement to amendment 73.

Amendment 81, page 9, line 14, at end insert—

“(d) identify and safeguard children who are involved in serious violence in the area as a result of being a victim of modern slavery and trafficking offences under the Modern Slavery Act 2015.”

See explanatory statement to amendment 73.

Amendment 82, page 10, line 8, leave out “from time to time” and insert “every two years.”*This amendment would require collaborating specified authorities for an area to prepare and implement a revised strategy every two years.*

Amendment 99, page 10, line 31, leave out clause 9.

Amendment 83, in clause 9, page 10, line 34, after “violence”, insert—

“and safeguard children involved in serious violence”.

See explanatory statement to amendment 73.

Amendment 84, page 10, line 36, after “violence”, insert—

“and safeguard children involved in serious violence”.

See explanatory statement to amendment 73.

Amendment 100, page 11, line 28, leave out clause 10.

Amendment 101, page 12, line 4, leave out clause 11.

Amendment 102, page 12, line 18, leave out clause 12.

Amendment 86, in clause 12, page 12, line 37, at end insert—

“(5) In exercising their functions under this Chapter, specified authorities must have particular regard to reducing serious violence against women and girls, including street harassment, and reducing instances of hidden harm resulting from serious violence.”

Amendment 103, page 1, line 39, leave out clause 13.

Amendment 104, page 13, line 35, leave out clause 14.

Amendment 105, page 14, line 42, leave out clause 15.

Amendment 106, page 15, line 29, leave out clause 16.

Amendment 85, in clause 16, page 16, line 16, at end insert—

“(8) A local policing body must report annually on the requests made under this section, including information on the bodies the request were made to and the use of information provided.”

This amendment would require local policing bodies to report on requests for information made to specified authorities, educational authorities, prison authorities and youth custody authorities for the purpose of assisting with its functions under section 13.

Amendment 107, page 16, line 17, leave out clause 17.

Amendment 89, in clause 17, page 17, line 28, leave out “consult” and insert “receive the consent of”.

Amendment 108, page 16, line 38, leave out clause 18.

Amendment 90, in clause 18, page 17, line 7, leave out “consult” and insert “receive the consent of”.

Amendment 109, page 17, line 12, leave out clause 19.

Amendment 91, in clause 19, page 17, line 41, leave out “consult” and insert “receive the consent of”.

Amendment 110, page 18, line 40, leave out clause 20.

Amendment 111, page 19, line 5, leave out clause 21.

Amendment 92, in clause 21, page 19, line 11, leave out “consult” and insert “receive the consent of”.

Amendment 112, page 19, line 37, leave out clause 22.

Amendment 93, in clause 31, page 26, line 20, after “Ministers” insert “and receive their consent”.

Amendment 94, in clause 35, page 28, line 22, after “Ministers” insert “and receive their consent”.

Amendment 72, in clause 36, page 29, line 12, at end insert—

“(c) the user who has given agreement under subsection (1)(b) was offered free independent legal advice on issues relating to their human rights before that agreement was given.”

This amendment would ensure that users of electronic devices were offered free independent legal advice before information on their device could be accessed.

Amendment 115, page 29, line 26, at end insert—

“(7A) No information other than—

(a) information necessary for a purpose within subsection (2) for which the authorised person may exercise the power, or

(b) information necessary for a purpose within subsection (2) of section 39 (investigations of death) for which the authorised person may exercise the power in subsection (1) of that section may be retained, stored or copied.”

Amendment 117, in clause 40, page 34, line 8, at end insert—

“(6A) Scottish Ministers may prepare a code of practice containing guidance about the exercise in Scotland of the powers in sections 36(1) and 39(1) (“a Scottish code”).

(6B) In preparing a Scottish code, Scottish Ministers must consult any person Scottish Ministers consider appropriate.

(6C) After preparing a Scottish code, Scottish Ministers must lay it before the Scottish Parliament and publish it.

(6D) A Scottish code is to be brought into force by regulations made by statutory instrument by Scottish Ministers.

(6E) A statutory instrument containing regulations under subsection (6D) is subject to annulment in pursuance of a resolution of the Scottish Parliament.

(6F) After a Scottish code has come into force Scottish Ministers may from time to time revise it.

(6G) References in subsections (6B) to (6F) to the Scottish code include a revised code, subject to subsection (6H).

(6H) The duty to consult in subsection (6B) does not apply in relation to the preparation of a revised code if Scottish Ministers consider that the proposed revisions are insubstantial.

(6I) If a Scottish code is in force—

(a) references in subsections (7) and (8) to “the code” apply in Scotland as if they referred to a Scottish code, and

(b) the code prepared and published by the Secretary of State shall not apply to the exercise of the applicable powers in Scotland.”

This amendment would allow Scottish Ministers, with approval from the Scottish Parliament, to draft a code of practice regarding the extraction of information from electronic devices that would apply in Scotland.

Amendment 116, in clause 41, page 35, line 23, at end insert—

“(7) The powers in section 36(1) and section 39(1) may not be exercised until regulations under this section are in force.”

This amendment would prevent the powers to extract data given by section 36(1) and section 39(1) from being exercised until regulations making provision about the exercise of the power in relation to confidential information (such as confidential journalistic material) are in force.

Amendment 51, in clause 45, page 37, line 12, leave out subsections (2) and (3) and insert—

“(2) In section 16—

(a) in subsection (2)(a), leave out “or (5)” and insert “, (5) or (5A)”;

(b) in subsection (4)(a), leave out “or (5)” and insert “, (5) or (5A)”.

(3) In section 17—

(a) in subsection (2)(a), leave out “or (5)” and insert “, (5) or (5A)”;

(b) in subsection (4)(a), leave out “or (5)” and insert “, (5) or (5A)”.

(4) In section 18—

(a) in subsection (2)(a), leave out “or (5)” and insert “, (5) or (5A)”;

(b) in subsection (4)(a), leave out “or (5)” and insert “, (5) or (5A)”.

(5) In section 19—

(a) in subsection (2)(a), leave out “or (5)” and insert “, (5) or (5A)”;

(b) in subsection (4)(a), leave out “or (5)” and insert “, (5) or (5A)”.

(6) In section 21, after subsection (5), insert—

“(5A) This subsection applies if A is regularly involved in caring for, training, supervising or being in sole charge of B and none of subsections (2) to (13) of this section otherwise applies.””

This amendment aims to ensure that all adults who are in a position of trust are subject to the child sexual abuse offences provided for by section 16 to 19 of the Sexual Offences Act 2003, rather than simply extending the definition to those who coach, teach, train, supervise or instruct children in a sport or a religion.

Amendment 1, page 46, line 25, leave out clause 55.

This amendment, together with amendments 2 to 7, would remove Part 3 (Public order) From the Bill.

Amendment 52, in clause 55, page 46, line 28, leave out subsections (2) to (4) and insert—

“(2) After subsection (11) insert—

“(12) The Secretary of State may by regulations make provision about the meaning for the purposes of this section of “serious disruption to the life of the community”.

(13) Regulations under subsection (12) may, in particular—

(a) define any aspect of “serious disruption to the life of the community” for the purposes of this section;

(b) give examples of cases in which a public procession is or is not to be treated as resulting in serious disruption to the life of the community.

(14) Regulations under subsection (12)—

(a) are to be made by statutory instrument;

(b) may apply only in relation to public processions in England and Wales;

(c) may make incidental, supplementary, consequential, transitional, transitory or saving provision.

(15) A statutory instrument containing regulations under subsection (12) may not be made unless a draft of the instrument has been laid before and approved by a resolution of each House of Parliament.”

This amendment would remove the proposed new trigger, based on noise, for imposing conditions on public processions in England and Wales. The Secretary of State’s power to make regulations would be amended accordingly.

Amendment 2, page 47, line 42, leave out clause 56.

This amendment, together with amendments 2 to 7, would remove Part 3 (Public order) From the Bill.

Amendment 53, in clause 56, page 48, line 2, leave out paragraph (b).

This amendment, together with Amendments 54 and 55, would remove the proposed new trigger, based on noise

Amendment 56, page 48, line 17, leave out from beginning to end of line 20 and insert—

“(a) in the case of an assembly in England and Wales, such conditions as to the place at which the assembly may be (or continue to be) held, the time at which it is to start and/or conclude, its maximum duration, or the maximum number of persons who may constitute it, as appear to the officer necessary to prevent the disorder, damage, disruption, impact or intimidation mentioned in subsection (1);”

This amendment removes the proposed ability to impose any necessary conditions on public assemblies in England and Wales and replace it with the existing available conditions plus conditions concerning the time at which the public assembly must start and finish.

Amendment 54, page 48, line 19, leave out “, impact”.

See explanatory statement to Amendment 53.

Amendment 55, page 48, line 28, leave out subsections (5) to (6) and insert—

“(5) After subsection (10A) (as inserted by section 57(11)) insert —

“(11) The Secretary of State may by regulations make provision about the meaning for the purposes of this section of “serious disruption to the life of the community”.

(12) Regulations under subsection (11) may, in particular—

(a) define any aspect of “serious disruption to the life of the community” for the purposes of this section;

(b) give examples of cases in which a public assembly is or is not to be treated as resulting in serious disruption to the life of the community.

(13) Regulations under subsection (11)—

(a) are to be made by statutory instrument;

(b) may apply only in relation to public processions in England and Wales;

(c) may make incidental, supplementary, consequential, transitional, transitory or saving provision.

(14) A statutory instrument containing regulations under subsection (11) may not be made unless a draft of the instrument has been laid before and approved by a resolution of each House of Parliament.”

See explanatory statement to Amendment 53.

Amendment 3, page 49, line 21, leave out clause 57.

This amendment, together with amendments 1, 2 and 3 to 7, would remove Part 3 (Public order) from the Bill.

Amendment 26, in clause 57, page 49, line 33, leave out from beginning to end of line 35 and insert—

“(a) in the case of a public procession in England and Wales, at the time the person fails to comply with the condition the person—

(i) knows that the condition has been imposed or has deliberately or recklessly avoided gaining knowledge that the condition has been imposed; and

(ii) knows or ought to know that their action or inaction amounts to a failure to comply with the condition.”

This amendment prevents a person who fails to comply with a condition on a public procession in England and Wales avoiding criminal liability by deliberately or recklessly avoiding knowledge of the relevant condition, without extending the criminal offence to cover persons who breach conditions accidentally.

Amendment 27, page 49, line 38, leave out subsection (6).

This amendment removes increases in sentences for non-violent offences by those who organise and attend public processions.

Amendment 28, page 50, line 33, leave out from beginning to end of line 35 and insert—

“(a) in the case of a public assembly in England and Wales, at the time the person fails to comply with the condition the person—

(i) knows that the condition has been imposed or has deliberately or recklessly avoided gaining knowledge that the condition has been imposed; and

(ii) knows or ought to know that their action or inaction amounts to a failure to comply with the condition.”

This amendment prevents a person who fails to comply with a condition on a public assembly in England and Wales avoiding criminal liability by deliberately or recklessly avoiding knowledge of the relevant condition, without extending the criminal offence to cover persons who breach conditions accidentally.

Amendment 29, page 50, line 38, leave out subsections (11) and (12).

This amendment removes increases in sentences for non-violence offences by those who organise and attend public assemblies.

Amendment 4, page 51, line 22, leave out clause 58.

This amendment, together with amendments 1 to 3 and 5 to 7, would remove Part 3 (Public order) from the Bill.

Amendment 5, page 52, line 36, leave out clause 59.

This amendment, together with amendments 1 to 4, 6 and 7, would remove Part 3 (Public order) from the Bill.

Amendment 6, page 53, line 17, leave out clause 60.

This amendment, together with amendments 1 to 5 and 7, would remove Part 3 (Public order) from the Bill.

Amendment 30, in clause 30, page 53, line 31, leave out subsection (2) and insert—

“(2) For the purposes of subsection (1) “serious harm” means—

- (a) death, personal injury or disease,
- (b) loss of, or damage to, property,
- (c) serious distress, serious annoyance, serious inconvenience or serious loss of amenity, or
- (d) being put at serious risk of suffering anything mentioned in paragraphs (a) to (c).”

This amendment removes the reference to the experience of a ‘person’ when defining what serious harm means in the context of ‘serious harm to the public or a section of the public’. It also requires the public to be put at significant risk of harm before criminal liability arises, to avoid the offence being excessively broad in its reach.

Amendment 31, in clause 60, page 53, line 37, at end insert—

“(3A) In determining whether a person had a reasonable excuse for the purposes of subsection (3) a court must have particular regard to the importance of the right to protest, including the right to freedom of expression under Article 10 and the right to freedom of association under Article 11 of Part 1 of Schedule 1 to the Human Rights Act 1998.”

This amendment ensures that the right to protest is given particular regard when a court considers whether a person has a reasonable excuse defence to a charge of public nuisance.

Amendment 7, page 54, line 18, leave out clause 61.

This amendment, together with amendments 1 to 6, would remove Part 3 (Public order) from the Bill.

Amendment 8, page 56, line 23, leave out clause 62.

Amendment 128, in clause 62, page 56, line 36, leave out line 36 and insert—

“(d) a constable, following a request of the occupier or a representative of the occupier,”.

This amendment, would provide that, as part of the conditions for the new offence of criminal trespass, only a police officer could request a person to leave land and only following a request by the occupier of the land.

Amendment 11, page 56, line 36, leave out
“the occupier, a representative of the occupier or”.

This amendment would remove the role of a private individual in triggering a criminal offence by requiring that a person would need to refuse a request to leave the land from a police officer before an offence under subsection (2) is committed.

Amendment 12, page 56, line 40, at end insert—

“(1A) A constable may only make a request under subsection 1(d) if a senior officer is reasonably satisfied that it is reasonable and proportionate to do so, after suitable consultations with relevant bodies, having particular regard to Convention rights and personal circumstances, including the best interests of any children residing on the land.”

This amendment would require a senior police officer to ensure an assessment of welfare needs has been considered and the request to leave the land is proportionate before any requests to leave the land are made and any powers under Part 4 are triggered.

Amendment 125, page 56, line 40, at end insert—

“(1A) A constable may only make a request under subsection (1)(d) where the constable has ascertained from the local authority within whose area the land is situated that there is a suitable pitch for P’s caravan or caravans on a relevant caravan site which is situated in the local authority’s area and that P has been informed of that.

(1B) For the purposes of this Section, “caravan”, “caravan site”, “relevant caravan site”, “relevant site manager” and “registered social landlord” have the same meanings as in section 62A(6) of the Criminal Justice and Public Order Act 1994.”

This amendment, taken with Amendment 128, would provide that a person only commits an offence where they are trespassing on land having been offered a suitable pitch at a caravan site in the local authority’s area.

Amendment 13, page 57, line 11, leave out
“or is likely to be caused”.

This amendment, together with Amendments 14 to 18, would limit the conditions for committing the offence to damage or disruption which has occurred rather than potential damage and disruption.

Amendment 14, page 57, leave out lines 13 to 15.

See explanatory statement to Amendment 13.

Amendment 15, page 57, line 17, leave out
“or is likely to be caused”.

See explanatory statement to Amendment 13.

Amendment 16, page 57, line 18, leave out
“or likely to be carried on,”.

See explanatory statement to Amendment 13.

Amendment 17, page 57, line 19, leave out
“or is likely to be caused”.

See explanatory statement to Amendment 13.

Amendment 18, page 57, line 20, leave out
“or likely to be carried on,”.

See explanatory statement to Amendment 13.

Amendment 19, page 57, line 22, leave out
“imprisonment for a term not exceeding three months or”.

See explanatory statement to Amendment 20.

Amendment 20, page 57, line 24, leave out “, or both”.

This amendment, together with Amendment 19, would remove the penalty of a custodial sentence of imprisonment for up to three months for committing the offence, while keeping the penalty to a fine not exceeding level 4.

Amendment 127, page 58, line 25, leave out from beginning to end of line 28 and insert—

“(a) the use of threatening or abusive words or behaviour, or disorderly behaviour, or;

(b) the display of any writing, sign, or other visible representation that is threatening or abusive;”.

This amendment removes ‘insulting words or behaviour’ from the definition of ‘offensive conduct’.

Amendment 21, page 58, line 42, leave out from beginning to end of line 19 on page 60.

This amendment would remove provisions that property belonging to the person committing the offence should be seized and forfeited by the police.

Amendment 129, page 59, line 7, at end insert

“, but does not include any property that is, or forms part of, P’s principal residence”.

This amendment would provide that a police officer does not have the power to seize a vehicle that is a person’s home.

Amendment 9, page 60, line 22, leave out clause 63.

Amendment 10, page 62, line 6, leave out clause 64.

Amendment 113, page 128, line 30, leave out clause 140.

Amendment 68, in clause 140, page 129, line 44, at end insert—

“(9A) If the order is made before regulations have been made under section 176(1) of the Police, Crime, Sentencing and Courts Bill for the coming into force of section 139 of that Act for all

purposes and in relation to the whole of England and Wales, the court must, in every case where the prosecution makes an application under paragraph (b) of section 342A(1) for a serious violence reduction order to be made, set out in writing its reasons for making, or not making, such an order.”

This amendment would require the court, during any pilot of serious violence reduction orders, to set out in writing its reasons for making or not making such an order.

Government amendments 40 to 44.

Amendment 70, page 134, line 43, at end insert—

“(3A) Guidance under this section must include guidance on the intelligence, community information and risk factors that are to be considered before an application is made for the imposition of a serious violence reduction order.”

Government amendment 45.

Amendment 114, line 28, leave out clause 141.

Amendment 66, in clause 141, page 135, line 33, leave out “and (3)” and insert “(3) and (3A)”.

Amendment 65, page 135, line 42, at end insert—

“(3A) The report under subsection (3) must include—

- (a) information on the ethnicity of people made subject to a serious violence reduction order;
- (b) information on the number of people made subject to a serious violence reduction order where there is no evidence of their having handled a weapon, either in the incident resulting in the imposition of the order or previously;
- (c) information on the number of people stopped by a police officer in the belief that they are subject to a serious violence reduction order, broken down by ethnicity (collected on the basis of self-identification by the person stopped), and including information on the number of times any one individual is stopped;
- (d) analysis of the distribution of serious violence reduction orders in relation to the ethnic make-up of the population;
- (e) an equality impact assessment including an assessment of the impact of the pilot on the groups mentioned in the equality statement produced before the pilot is commenced;
- (f) analysis of data assessing the extent to which the pilot has reduced serious violent crime and reoffending by comparison with other areas;
- (g) an assessment by the Sentencing Council of the proportionality of the distribution of the imposition of serious violence reduction orders;
- (h) analysis of—
 - (i) the impact of the length of time for which a serious violence reduction order is imposed on reoffending, and
 - (ii) the extent to which the length of time for which a serious violence reduction order is imposed has harmful impacts on the life of the individual who is subject to it;
- (i) an assessment of the impact of the imposition of serious violence reduction orders on the use of ‘stop and account’ in the pilot area or areas;
- (j) feedback from Community Scrutiny Panels on scrutiny of body-worn video of all stops of people subject to, or believed to be subject to, a serious violence reduction order;
- (k) analysis of any adverse impact of the imposition of serious violence reduction orders, undertaken on the basis of interviews with—
 - (i) people subject to a serious violence reduction order, and
 - (ii) organisations working with young people, in addition to any other information considered relevant by the person conducting the analysis;

- (l) analysis of who is made subject to a serious violence reduction order, what evidence is relied on to justify the imposition of such orders, and whether there is any bias in the decision-making process;
- (m) analysis of information on the reason for each breach of a serious violence reduction order;
- (n) analysis of the extent to which searches made under the powers granted by this Part could have been carried out under other powers.

(3B) Statistical information collected for the purposes of section (3A) from different pilot areas must be collected and presented in a form which enables direct comparison between those areas.”

Amendment 67, page 135, line 42, at end insert—

“(3A) The condition in this subsection is that consultation on the report under subsection (3) has been undertaken with anyone the Secretary of State considers appropriate, including—

- (a) representatives of the voluntary sector, and
- (b) representatives of communities disproportionately represented in the criminal justice system.”

Amendment 69, page 136, line 2, at end insert—

“(4A) Regulations under section 176(1) which bring section 139 into force only for a specified purpose or in relation to a specified area—

- (a) must include provision bringing into force section 342J of the Sentencing Code (Guidance); and
- (b) must provide that section 139 may come into force for other specified purposes or in relation to specified areas only once guidance has been issued under section 342J of the Sentencing Code.”

This amendment would require the Secretary of State to issue guidance on serious violence reduction orders before any pilot could commence.

Amendment 71, page 136, line 2, at end insert—

“(4A) The powers under section 342A(2) of the Sentencing Code are exercisable before the power in section 176(1) has been exercised so as to bring section 139 into force for all purposes and in relation to the whole of England and Wales only if every officer of any police force in an area in relation to which section 139 has been brought into force has completed the College of Policing two-day training on stop and search.”

This amendment would require all police officers in a pilot force area to have completed the College of Policing training on stop and search before the power to impose serious violence reduction orders could be used.

Amendment 22, in clause 149, page 151, line 14, at end insert—

“(1B) Unless there are exceptional reasons not to do so, a sexual harm prevention order must require the offender—

- (a) to comply with a referral for assessment of suitability to participate in a treatment programme approved by the Secretary of State for the purpose of reducing the risk of sexual harm that a person may pose, and
- (b) if assessed as suitable for such a programme, to participate in it.”

Amendment 23, page 153, line 34, at end insert—

“(1B) Unless there are exceptional reasons not to do so, a sexual harm prevention order must require the defendant—

- (a) to comply with a referral for assessment of suitability to participate in a treatment programme approved by the Secretary of State for the purpose of reducing the risk of sexual harm that a person may pose, and
- (b) if assessed as suitable for such a programme, to participate in it.”

Amendment 24, in clause 150, page 155, line 42, at end insert—

“(7A) Unless there are exceptional reasons not to do so, a sexual risk order must require the defendant—

- (a) to comply with a referral for assessment of suitability to participate in a treatment programme approved by the Secretary of State for the purpose of reducing the risk of sexual harm that a person may pose, and
- (b) if assessed as suitable for such a programme, to participate in it.”

Amendment 120, in schedule 4, page 201, line 31, leave out paragraphs 2 to 12 on page 203.

This amendment, together with Amendment 121, would leave out the paragraphs of Part 1 of Schedule 4 which reverse the current presumption against the grant of pre-charge bail.

Amendment 121, page 204, line 8, leave out paragraphs 14 to 16.

See explanatory statement to Amendment 120.

Amendment 118, page 212, line 27, at end insert—

“31A(1) Section 47ZG (Applicable bail period: subsequent extensions of limit by court) is amended as follows.

(2) In subsection (2), at the beginning, insert ‘Subject to subsection (10),’

(3) After subsection (9), insert—

‘(10) The court may not authorise an extension of the applicable bail period beyond the period of 24 months beginning with the person’s bail start date.’”

This amendment would restrict the period which a person could spend on pre-charge bail to a maximum of two years.

Amendment 119, page 212, line 28, leave out paragraph 32.

This amendment is consequential on Amendment 118. Paragraph 32 of Schedule 4 would make provision for oral hearings in cases where a bail period was to extend beyond 24 months, which would be prevented by Amendment 118, so this amendment removes that paragraph.

Government amendment 46.

Amendment 95, in clause 176, page 194, line 12, after “33,” insert

“[Sections 55 to 61: commencement].”

Amendment 96, page 194, line 26, at end insert

“(ka) section [Sections 55 to 61: commencement].”

Ms Harman: Let me say at the outset that I completely agree with everything that the hon. Member for Shipley (Philip Davies) has just said. We have not got enough time to properly debate the Bill and the many issues it engages.

I have four key issues, which are the subject of cross-party amendments and new clauses. One is to do with the crucial right to protest, which the Bill curtails. As Chair of the Joint Committee on Human Rights, I have tabled amendments on that. I hope that the hon. and learned Member for Edinburgh South West (Joanna Cherry) will get an opportunity to speak about protecting and enhancing the right to protest. The right hon. Member for Orkney and Shetland (Mr Carmichael) has also tabled a new clause on that, which has a great deal of support. Many other hon. Members will speak about the subject.

There are also concerns about the rights of the Gypsy, Roma and Traveller community. Again, as Chair of the Joint Committee on Human Rights, I have tabled amendments on that and so have other Members, including the hon. Member for Stockton South (Matt Vickers). My hon. Friend the Member for Croydon Central (Sarah Jones) will speak about both issues from our Front Bench. I will therefore not speak specifically about the right to protest and Gypsy, Roma and Traveller rights, but I strongly support those from all parts of the House who will speak on those matters.

I will confine my comments to new clauses 1 and 2, which have support from across the House. They deal with the safety of women and girls on the street. Hon. Members will remember that, after the horrific killing of Sarah Everard, there was an outflowing on social media from young women and girls, even young schoolgirls, saying, “We are not safe walking on our streets at night. If we have to walk home in the dark after school, we will often find a man in a van kerb-crawling us with the window wound down, calling for us to get in the van, asking why we are not getting into the van, and following us home.” Often, they will take a longer route home, even though it takes more time, to go down busier streets, rather than the quickest route, where they feel less safe. Often, they will take a cab when they would really like to walk home, but just do not feel safe.

What has been shown is that this is not just a problem for some young girls and women; it is a problem for all. It is a universal, everyday experience. Sexually predatory men feel that they can harass and intimidate young girls and young women when they are on the street, especially after dark and if they are on their own. We simply have to decide whether we are going to protect and support the rights of men to do that, or whether we are going to say, “No, we support the rights of women and girls to be able to walk down our streets at night on their own, after dark in the winter, coming home from school, without being subjected to this sort of intimidation, menace and harassment.” I do not think we hear anybody arguing that in this day and age, women and girls should accept that. I remember that, back in the day when I, like everybody else, was subjected to it, if someone complained, people said, “But you should be flattered—you should be flattered that people find you attractive.” It is not flattering. It is menacing, it is unwarranted and it is unwanted, and we should not accept it.

I have tabled two new clauses. One is about kerb-crawling. Currently, it is a criminal offence to kerb-crawl a woman if someone is doing so to solicit her because they want to pay for sex. That was introduced many years ago to protect a neighbourhood from becoming a red light district and having endemic kerb-crawling, so we already have the basis in the law. What I am suggesting, with a lot of cross-party support, is that this should be a criminal offence without it being because the man is doing it to try to pay for sex; it is enough if he is kerb-crawling. He should not be able to do that. The punishment ought to be taking away his licence. If a man is going to lose his licence for his van or car, he will pretty soon alter his behaviour, which is exactly what he should be doing.

I also have a new clause on harassment in the street. At the moment, if a man harasses a woman and there is a course of conduct because he is generally stalking her, that is a criminal offence, but if he does it to a schoolgirl going home who he does not know and it is not a course of conduct but one-off conduct, she has no right of redress. I suggest expanding the stalking offence to include even a one-off, so we have two bespoke offences.

If we have two new crimes, women and girls will know that they do not have to put up with this and that they can complain, men will know that they are going to be called to account and end up in court if they do it, the police will know that they have to investigate it and prosecute it, and the courts will know how to deal with it. Then, we can end the shameful situation that women and girls find themselves in on the street.

The Government have said in Committee that they are in listening mode. That is welcome, but it does not go far enough. Women and girls want the Government not just to listen, but to act. It is about time that the concerns of women and girls were heard and acted on. If we do not support the new clauses and the Government do not accept them, they will be guilty of letting women and girls down. I hope that will not be the case. I press the Minister, who has been very generous with her time in meeting me, to say that this is the moment that we are going to change the law and make a new start.

Mr Speaker: I remind hon. Members that, if we do put a speaking limit on, it will be on the countdown clock, which will be visible on the screen. I am now going to appeal to everybody, without the time limit on, to please not force it. Let us be kind to each other—short and brief. Everybody, I believe, has a genuine contribution to make, so I really want to hear them.

Mr Robert Goodwill (Scarborough and Whitby) (Con): Thank you very much, Mr Speaker. I will try to lead by example in that regard.

Part 1 of the Bill increases the penalty for assault on an emergency worker from 12 months to two years. Many other key workers are on the frontline, too. Indeed, shopworkers have borne the brunt of much of the abuse about mask wearing and social distancing in stores, on top of the existing problems associated with age verification for the purpose of alcoholic drinks purchases, drunken abusive behaviour, and of course shoplifting. Late-night shops are often run single-handedly, so the distress and trauma associated with assaults or threatening behaviour should not be underestimated. I am due to meet shortly with in-store workers from my local Tesco to see at first hand how this problem has affected staff in that setting. I hope the Minister can reassure me—either now or when she sums up at the end—that she is aware of the issue's importance and that amendments may not be necessary to deliver the action we all believe is needed.

The Parliamentary Under-Secretary of State for the Home Department (Victoria Atkins): I thank my right hon. Friend for his scrutiny and service not just on Report but in Committee. I can reassure him; I know how strongly he and other Members across the House, including my hon. Friend the Member for Stockton South (Matt Vickers), feel about the matter. I reassure the House that we are not complacent about ensuring that the criminal law is fit for purpose. We are actively considering an amendment in the Lords if appropriate.

3.45 pm

Mr Goodwill: I thank the Minister for that reassurance. The other two items I want to discuss were underlined by the points made by the right hon. and learned Member for Camberwell and Peckham (Ms Harman) about lining up with wokeism rather than with the hard-working people who find their lives disrupted in the workplace, when travelling to work or, indeed, in their communities. I commend the Government for the public order measures in part 3 and despair at amendments 1 to 7 tabled by several Lib Dem and Labour colleagues, which would completely remove that aspect of the Bill.

It is of course, a basic human right to be allowed to demonstrate one's strongly held feelings. Indeed, I have been on demonstrations myself. I went on the countryside march, and I marched at the head of an opposition demonstration in Minsk, which had a slightly less jolly atmosphere. However, the Government must take action to prevent deliberate acts of vandalism or obstruction such as those associated with Extinction Rebellion and, I am sorry to say, Black Lives Matter. Yes, people have the right to demonstrate, but not in a way that prevents people from going about their lawful business: travelling to work, being taken to hospital by ambulance or, indeed, Members of Parliament being able to access this building to exercise our democratic mandate.

I am particularly pleased that we are taking action on single-personal protests. Over the spring bank holiday in May, local Labour councillor Theresa Norton sat in the middle of the street in the middle of Scarborough on the first weekend on which many of our hard-pressed tourism businesses were keen to make up some of the money they had lost during the pandemic. She caused a massive traffic jam, supposedly demonstrating in the cause of Extinction Rebellion. That sort of behaviour should not be allowed because it disrupts people's lives and, I believe, actually antagonises people against such issues.

Finally, I am disappointed that the Labour and SNP Front-Bench teams are so out of touch with the genuine distress and disruption caused by illegal Traveller encampments. They seem to have some kind of rose-tinted view of traditional Romany lifestyles, but that is not the reality on the ground and the Government are right to take action. Communities have asked us to take action, and there is a clear choice to be made between supporting those communities or supporting people who lawlessly occupy land and cause havoc and destruction.

Sarah Jones (Croydon Central) (Lab): This Bill contains some of the most controversial restrictions of our rights for many years. It is very long, and we have only a few hours to debate it, so I agree with the hon. Member for Shipley (Philip Davies) that we should have had more time. During the pandemic, we have seen more than 400 regulations passed through statutory instruments with little or no scrutiny—necessary, but unprecedented. Now is the time to be reclaiming our rights, not restricting them further. This Bill will do little to tackle the real problems that British people face. It will not protect vulnerable children who are victims of criminal exploitation. It will not take dangerous weapons off our streets. It will not protect rape victims. It does nothing to tackle violence against women and girls.

Turning to part 1, we are pleased that, after almost three years of campaigning from the Police Federation, the Government have finally introduced the police covenant. I am reassured that the Government agreed with my amendment to include the whole policing family in the covenant, but why did the Government not accept amendments from my hon. Friend the Member for Rotherham (Sarah Champion) to support mental health when we know that suicide levels are increasing and that one in five officers has PTSD. Why did they not accept our simple suggestions for some independence and scrutiny to be included in the process? As currently drafted, the covenant could be little more than warm words—a wasted opportunity to stand with our police officers after all they have done for us.

[Sarah Jones]

Clause 2 relates to assaults against emergency workers. My hon. Friends the Members for Halifax (Holly Lynch) and for Rhondda (Chris Bryant) have campaigned for years to introduce a separate offence, with longer sentencing, for assaulting an emergency worker. Following years of increasing assaults against our most valued public servants, we are pleased that the Government have finally listened to the call, but why on earth will they not now commit to extending similar protections to the key workers who have done for so much for us, such as shop workers?

On Friday, I visited a Co-op in Croydon, where I heard about the violence and abuse that shop workers suffer and that, sadly, they feel has become part of the job. I met a man in his 70s in New Addington who runs a pet shop and was punched in the face by a customer. Of our 3 million retail workers, 300,000 were assaulted last year, yet only 6% of incidents led to prosecution. Abuse must not be part of the job.

The public agree with us: a survey published on Saturday shows that 89% back the new law. Industry agrees with us: the Co-op, the Union of Shop, Distributive and Allied Workers and the British Retail Consortium have been campaigning on the issue for years. Yesterday, leaders of 100 brands, including Tesco, Sainsbury's, IKEA and Aldi, all published an open letter calling for greater protection for retail workers. MPs agree with us: the Select Committee on Home Affairs published a report last week, and the hon. Member for Stockton South (Matt Vickers) has corralled a very impressive number of Conservative MPs to support his new clause 90 on the same issue.

Tonight, the Government have a choice: do the right thing and back our retail and public service workers, or ignore the wishes of the public and give us another excuse. I hear the Minister saying that she is actively considering it, but she could commit to it tonight and give retail workers and our public servants the protections that they deserve.

Chapter 1 of part 2 introduces a duty to tackle and prevent serious violence. I have campaigned for years for the Government to tackle the growing epidemic of violent crime. Yesterday, I was at a vigil for a boy, just turned 16, who was brutally murdered in my constituency last week, in his own home, in front of his mother. Nothing is more important than keeping our children safe.

We have called for an evidence-based approach to tackling violence, and we support the intention of the serious violence duty to get every agency locally working together to tackle violence, but we have serious concerns on three fronts. First, there is no provision in the Bill to safeguard children and the Government have rejected calls for a new definition of child criminal exploitation. Secondly, we are very concerned about the data capture elements of chapter 1; the duty risks becoming an intelligence-gathering exercise with potentially ominous consequences. Thirdly, it must be made clear in the Bill that violence against women and girls counts as serious violence—it should not be an added extra. We want the serious violence duty to work, but we fear that, as currently drafted, it will not. I ask the Government to consider our amendments to protect children, to protect data and to protect women and girls.

Chapter 3 of part 2 relates to data extraction. We are asking the Government to protect victims, particularly victims of rape and sexual abuse, from painful and often necessary intrusion into their lives by the mining of their phone data. When we raised concerns in Committee, the Minister said:

“I...urge caution until the rape review is published, because there may be answers in that document.”—[*Official Report, Police, Crime, Sentencing and Courts Public Bill Committee*, 27 May 2021; c. 286.]

With respect to the Minister, the rape review has been published and its recommendations do not address the problems that we defined. One in five rape victims withdrew their complaints, at least in part because of disclosure and privacy concerns. The Secretary of State for Justice has apologised for failing rape victims, yet he is bringing forward legislation that would legitimise over-intrusion. The Government did not support our amendments in Committee to protect victims, but tonight they have a chance to think again.

Part 3 relates to public order. Over the past year, the police have had to enforce necessary but draconian covid regulations after little scrutiny and short notice. I have heard many times from the police that they have struggled to be the ones interpreting the law without the leadership from the Government that they needed. It is our job to define the law in a clear way so that the police are not the ones getting the blame for our lawmaking. That must be a firm lesson for us.

The public order powers in part 3 threaten the fundamental balance between the police and the people. Her Majesty's inspectorate of constabulary and fire and rescue services called for a “modest reset” of the scales on public order legislation in its recent report. On any measure, a “modest reset” is not what this is. The new measures in the Bill target protesters for being too noisy and causing “serious unease” or “serious annoyance”. The vague terminology creates a very low threshold for police-imposed conditions and essentially rules out entirely—potentially—peaceful protest.

Mr Goodwill: Does the hon. Lady agree that when she talks about “the people”, that would include the people whose lives are disrupted, who cannot get to work, who experience all the points that I made in my remarks? They are the people as well and they want to get on with their lives.

Sarah Jones: I wonder where that stops and at what point we accept the right balance between the right to protest peacefully and the right of people to go about their business. The inspectorate called for a moderate reset and that is not what this is.

Dawn Butler (Brent Central) (Lab): Does my hon. Friend not agree that without noise, protest will not achieve anything?

Sarah Jones: I thank my hon. Friend for her intervention; that is clearly the case. It is also really important to note that the police at no point have asked for these powers on the basis of noise. The Metropolitan police said that it did

“not request the legal change on noise”.

The National Police Chiefs' Council lead on public order told Parliament's Joint Committee on Human Rights that police chiefs had asked for a “lower, broader

threshold” for imposing conditions, but not a law relating to noise. Inspector Matt Parr told the JCHR that he was not asked to look specifically at whether or not noise should be included. The point of protest is to capture attention. Protests are noisy. Sometimes they are annoying, but they are as fundamental to our democracy as our Parliament.

Gareth Johnson (Dartford) (Con): Can the hon. Lady clarify whether or not she supports protests that cause serious disruptions to people going about their lawful business?

Sarah Jones: I will give to the hon. Gentleman, if he would like, a list of existing police powers and laws that do exactly that. There are many different laws from different pieces of legislation that I have here that do mean the police have the powers that they need to stop serious disruption. The increasing powers in the Bill are what we have a problem with, and where they could lead, because the definitions are so broad.

The Government published last week a draft definition of what they mean by “serious disruption”. It is very broad and it gives away a bit where all this came from in the first place, because top of the list of products and goods that are included in the legislation are time-sensitive products, including newspapers.

Mr Alistair Carmichael (Orkney and Shetland) (LD): The hon. Lady is making a very good case on this point. Does she not agree that there is a serious danger of a chilling effect? The people who are referred to by Government Members will not stop protesting. We know that that is the case, but community groups who perhaps have a legitimate concern and want their voices to be heard will look at this and then exclude protest from their arsenal of options to move forward.

Sarah Jones: I thank the right hon. Gentleman for making that good point and I welcome the amendments that he has tabled to this section of the Bill. The Opposition want clauses 55 to 61 removed from the Bill and we want to protect our right to protest.

Rachael Maskell (York Central) (Lab/Co-op): When I spoke to my local police about these clauses, they were really concerned that policing by consensus will be replaced and drive protests into more conflict, and therefore, for them and for us, it is a negative step.

Sarah Jones: That is a very good point. The Peelian principles—the people are the police and the police are the people—are very important. I know the police value that careful balance between them and the public and where consent is and how powers are drawn. We strongly believe that these powers go too far.

Part 4 on unauthorised encampments represents an attack on the Gypsy, Traveller and Roma communities and their whole way of life. The police are clear that they do not want these powers. Martin Hewitt, head of National Police Chiefs’ Council, said in Committee that he strongly believes that

“the fundamental problem is insufficient provision of sites for Gypsy Travellers to occupy, and that that causes the relatively small percentage of unlawful encampments”.—[*Official Report, Police, Crime, Sentencing and Courts Public Bill Committee*, 18 May 2021; c. 15, Q20.]

The police already have extensive powers in the Criminal Justice and Public Order Act 1994 to move on unauthorised encampments. As at January 2020, just 3% of Gypsy and Traveller caravans in England were on unauthorised encampments. We know that there are high levels of prejudice and hate towards Gypsy Traveller communities. Even on this Bill Committee, one Member made an incredibly prejudiced and offensive remark. We have asked this of the Government before, and we will keep on asking: under the provisions in part 4, what would happen to a Traveller family in a single vehicle who are residing on a highway and have nowhere else to go?

4 pm

The right hon. Member for Scarborough and Whitby (Mr Goodwill) talked about antisocial behaviour, but the answer to antisocial behaviour, wherever it comes and whoever does it, is tougher action on antisocial behaviour. Last year, 19 million people experienced some form of antisocial behaviour, up by 1 million in a year and up by 5.5 million in 10 years. We say that the Government should focus on the real problems and not marginalise even further an entire minority. That is why we are supporting amendment 8 from my hon. Friend the Member for Liverpool, West Derby (Ian Byrne).

Serious violence reduction orders are the last element of the Home Office parts of this Bill, which would allow officers with such orders to stop and search people without reasonable grounds and without authorisation. It is very hard to be persuaded that more sweeping powers to stop and search people with previous convictions will reduce serious violence. There is little evidence that that will be effective. The Prime Minister himself experienced that. Every year that he was Mayor of London, the number of stop and searches fell on his watch, and for the latter half serious violence fell, too. The Government’s proposed serious violence reduction orders risk further increasing disproportionality in the criminal justice system, and we ask them to accept our amendments.

In conclusion, there are elements of the Bill that we welcome, but the Government have undermined the parts of the Bill that we support by including a series of disproportionate and draconian provisions that risk undermining human rights and dividing communities. The right hon. Member for Maidenhead (Mrs May) was right when she said that there is a fine line between being popular and being populist. It is time for the Government to decide where they draw the line. We are debating this Bill after a difficult and turbulent year, but it is a year in which people from this country came together. I urge Members across the House to come together and vote to improve this flawed and divisive piece of legislation.

Mr David Davis (Haltemprice and Howden) (Con): It is a pleasure to follow the hon. Member for Croydon Central (Sarah Jones). I will return to one of her points in a moment, but I shall start by focusing on the amendments tabled in my name—amendments 118 to 121.

In 2017, we reformed pre-charge bail—that is police bail in the jargon—to introduce time limits on how long suspects can be held on bail before being charged, and we introduced a general presumption against the use of pre-charge bail. These changes came after the terrible treatment—I reiterate, the terrible treatment—of some people, the most famous of whom, I guess, was

[Mr David Davis]

Paul Gambaccini, in the spin-off from the Savile affair. Gambaccini's career was destroyed by the effective presumption of guilt in the treatment of him.

Even with those 2017 reforms, we still see a large number of people on pre-charge bail today and, indeed, for excessive lengths of time. In 2019, the number on pre-charge bail was 84,000. In 2020, it was nearly 154,000. The effect of the 2017 legislation, therefore, was not to suppress pre-charge bail, so the logic behind the changes in the current Bill are flawed to start off with. Worse than that, the number of people held on pre-charge bail for more than 12 months is 2,344, which is itself an increase on the previous year. These are people for whom there is not enough evidence to charge—not to convict, but to charge, which is a much, much lower threshold.

Currently, I have a case where the National Crime Agency has kept an individual on bail for almost six years. That is six years of being unable to live anywhere but her home address; six years of being unable to see her family because her passport has been withheld; six years of being without a bank account; six years of being without a job or career; and six years of being unable to lead a normal life. When I took it up with the National Crime Agency, I got a letter in response, which, frankly, would have done justice to an episode of "Yes Minister." The most interesting point in it was a comment making the point that investigations took a long time. It said: "Investigations of this length are not uncommon when dealing with complex cases." Six years is not uncommon in a justice system where the presumption of innocence is paramount. That is the problem that I am addressing with my amendments. For someone who has not even been charged, the NCA's actions in this case make a complete mockery of the principle of presumed innocent until proven guilty. By the way, as an aside—separate from the Bill—we cannot find out how many people the NCA has under these circumstances. It is not subject to freedom of information requests and we know nothing about its operations, yet it still does these things.

The Bill seeks to undo the 2017 reforms, eliminating the general presumption against pre-charge bail and amending time limits. Although reform is clearly needed, this is not the correct way to do it. As the Law Society has said, changes to pre-charge bail may lead to people being kept "in limbo" for long periods of time, impacting their civil liberties. I entirely agree. The Government, of course, argue that their proposed reforms have public backing, but the consultation responses were starkly skewed. Police and law enforcement agencies accounted for 65% of the responses, compared to the legal professions at a mere 3%. Nobody should take at face value the Government's claim that that backing reflects the consultation; it reflects the interests of the agencies involved.

My amendments 118 and 119 would introduce a two-year absolute limit on the use of pre-charge bail, ensuring that agencies had time to investigate properly but promptly. We should remember that the test is the ability to charge, not the ability to convict. That is how far it has to get in two years; that is the primary aim.

Amendments 120 and 121 would prevent the Government from reversing the presumption against the use of pre-charge bail. That would prevent a return

to the practice of bailing suspects for lengthy periods with strict and unacceptable curbs to their civil liberties.

I would like to pick up the point made by the hon. Member for Croydon Central (Sarah Jones), because clearly she got some pushback from the Government Benches. As it stands, the Bill actually does pose a grave threat to the fundamental right to protest that this country has had enshrined in our national fabric for, I think, some 800 years. The Bill does address real issues, but the Government want to have the power to arrest people who cause "serious annoyance" or "serious inconvenience". These are incredibly vague terms, frankly. It is clearly a breach of the normal reasoning behind a demonstration when somebody glues themselves to a train with the direct intention of inconveniencing everybody else, but demonstrations do lead to inconvenience.

It is not just the leftie, liberal, legal fraternity that has been worried about the proposed power; there was a letter to the Home Secretary, elements of which were published in today's edition of *The Times*, from a number of police chiefs, who are concerned that the effect of the provision is twofold. First, it puts the police in the position of making judgments that they should not be making; that should be specified by this House, not by the police chiefs themselves. Secondly, that puts them in a politicised position, and that is really problematic. We have an apolitical police and every law we write must be written on the presumption that it will be a Government very unlike ours who oversee us at some point in the future. What if, in 20 years' time, we have an extreme right-wing or extreme left-wing Government, and this sort of vague provision is in place? I ask the Government to pay attention to the precision of this measure, so that we get it exactly right.

Joanna Cherry (Edinburgh South West) (SNP): Does the right hon. Gentleman agree that there is an incongruence in the Government saying they want to defend free speech in universities while effectively attacking the right of freedom of expression on our streets by criminalising activities that will cause serious unease?

Mr Davis: The hon. and learned Lady has a point.

Mr Speaker: Order. Just to say I really am up against the time. I want to hear a lot more free speech.

Mr Davis: I take your point, Mr Speaker. I will be finished in less than a minute.

I was the person who brought in the 10-minute rule Bill, the precursor to the Government's Bill, but there is a balancing issue and the House must be precise about that balance.

Given Mr Speaker's injunction, I will bring my comments to an end. The Bill does some important things, but it needs to get some things very much closer to right than they are now.

Mr Speaker: Before I bring in the SNP spokesperson, I must warn people that it is looking like speeches will have to be three minutes or a maximum of four minutes.

Anne McLaughlin (Glasgow North East) (SNP): I rise to speak to new clause 91 and amendment 117.

Amendment 117 simply says that the Scottish Government reserve the right to amend the code of conduct governing data extraction if the UK code of conduct is not suitable for our distinct policing service. I cannot imagine why the Government would not just accept that amendment, so I look forward to hearing that they have.

New clause 91 will instruct the Secretary of State to conduct a review of the criminal offences set out in the Misuse of Drugs Act 1971. Let us face it: after 50 years, it is high time. That argument is gaining traction across party and with good reason. One of my colleagues will be saying more about that later in the debate, so I will simply say that my support for it is wholehearted. Our approach to drug misuse and addiction should be a public health approach, because that is what saves lives.

Mr Speaker, I understand that I have unlimited time, but I can reassure you that I will talk as briefly as I can to allow other speakers to make their contribution. I will look at three areas of the Bill.

I have said before that the curbs on the right to protest are draconian and contrary to international law—it is not just me saying that, of course—and I know colleagues will say more on that shortly, but people out there need to be aware of how the provisions will impact on them. I always use the example of the WASPI women, the Women Against State Pension Inequality. I do that because, whether it is anti-war protesters, the Black Lives Matter movement or those who are desperately worried about the environment, there is always a cohort in here ready to tell us what is wrong with those protesters: how “dangerous” they are and how we need to clamp down on them.

Now, nobody is going to tell me that the Women Against State Pension Inequality are a threat to any of us. The opposite is true. These are older women who should be retired by now, but they have had their retirement stolen from them by the UK Government. So many times we have all gone across the road to join thousands of WASPI women and their supporters from all across the UK, but because of the exclusion zone to be thrown up around Parliament they will be prevented from ever doing that again. We are to hear and see nobody unless they agree with us. That is just one tiny part of the curbs on the right to protest. It is not what we expect from the so-called bastion of democracy.

I want to turn briefly to serious violence reduction orders. Members might ask why, given that they apply only to England and Wales, but here is why. I was quite shocked to hear the Home Office attempt to make a comparison between serious violence reduction orders and the work of the hugely successful Scottish Government-backed Scottish Violence Reduction Unit. The Scottish VRU adopts a public health approach to violence. I urge hon. Members not to be fooled by attempted comparisons. The underlying principle—

Victoria Atkins *rose*—

Anne McLaughlin: I know that Mr Speaker is trying to create time for other people, but I will give way briefly.

Victoria Atkins: I just want to correct the hon. Lady. In the Bill Committee I was drawing a comparison not with the orders but with the serious violence duty, which I imagine she welcomes because we have looked

carefully at the Glasgow model. We would argue that we are going further than the Scottish Government, because we are making the provision a legal duty. I hope she would support that in principle.

Anne McLaughlin: The underlying principle of the Violence Reduction Unit is that the causes of violence are deep-rooted and that we need a public health approach. These orders do not take a public health approach. In order to make a lasting improvement, numerous agencies have a role to play, including education, social services, health, justice and the third sector. Rather than creating barriers to education, housing and employment, the multiagency approach in Scotland actively removes them. The focus in Scotland has been on listening to the community, not dividing it. SVROs conform to outdated reactive practices. By the time one is issued, the damage has been done. The Government say they represent a public health approach, but a public health approach emphasises prevention. It is glaringly obvious when we think about it: fewer crimes create fewer victims, and that reduces demand on public services. Crime prevention is the public health model in action and that is not what these orders represent.

Finally, I support the amendments to delete part 4 of the Bill, on Travelling communities. That part of the Bill sickens me to my core. The Conservative hon. Member for Ashfield (Lee Anderson) has been allowed by his party to get away with claiming that Travellers today are

“more likely to be seen leaving your garden shed at 3 o’clock in the morning...with your lawnmower”.—[*Official Report, Police, Crime, Sentencing and Courts Public Bill Committee*, 8 June 2021; c. 410.]

In other words, he is saying they are thieves. There can be no hiding from the fact that this is anything other than a full-on attack on the way of life of Gypsy Travellers. The Travelling community in Scotland are deeply concerned, as are all others across the UK.

4.15 pm

One of my colleagues will say more later, but I wish to point out how one Traveller described the Bill. The Minister should listen, because this person said the Bill was

“the single biggest threat to the traditional way of life” and may “entirely eradicate nomadic life”.

On Wednesday this week, from 1 pm to 3 pm, people from Travelling communities will be across the road. They are inviting hon. Members to say hello, and to hear more about their lives, their lifestyles and their fears about how much more difficult their already difficult lives will be when this Bill passes. I urge Members on both sides of the House to take them up on that invitation. I will be there, but the irony is not lost on me that if this Bill passes unamended, not only will they face losing their homes for a minor infringement of the law because of part 4, but they will never again be able to protest against that by demonstrating across the road, because of part 3.

Madam Deputy Speaker (Dame Rosie Winterton): I know that Mr Speaker has urged right hon. and hon. Members to take between three and a maximum of four minutes, so I shall just re-emphasise that.

Mr Jonathan Djanogly (Huntingdon) (Con): Thank you, Madam Deputy Speaker. I shall address part 3, on public order, having joined the inquiry by the all-party group on democracy and the constitution, which reported on this part of the Bill last week in the context of the march events at Clapham common and Bristol. We found not just a lack of justification for many of these proposed new powers but—of equal concern—a lack of understanding of the current law among the relevant police.

Everyone, including the local police, knew what was going to happen in every event, and yet the local activist organisers were not only ignored, but threatened with prosecution. What should have been a quiet, well-organised vigil for a slain innocent woman became an increasingly disorganised public order situation, with police using extreme, repressive techniques. As a result, public safety at that event was diminished—first, as a result of the police's omission to engage in advance; secondly, because of their lack of preparedness, engagement and intelligence; and, finally, because of their overreaction on the day. That is why the Bill ought to set out the basic human rights position, along the lines of that which is in new clause 29.

Mr William Wragg (Hazel Grove) (Con): Does my hon. Friend agree that much of what we sadly saw at the vigil at Clapham common was a consequence of sloppily drafted covid regulations, which were given so little scrutiny by this House, let alone being understood by the police, whom we compel to enforce them?

Mr Djanogly: I thank my hon. Friend, because had I had five minutes in which to speak and that was exactly the case I was going to make. What he says was proven in our inquiry. Sadly, the time allowed today permits me to give only one example of concern on these new public order powers. Clause 55 provides powers to deal with non-violent serious disruption. First, that should be stated in the Bill, not in secondary legislation. Furthermore, I am concerned that it will provide excessive powers to prevent non-violent disruption to business, in circumstances where the business concerned may not be the focus of the protest. Again, this shifts the ground towards making a presumption of illegality. In practice, working out to what extent a business can be disrupted will only make the job of the police tougher, not easier, and it will certainly make it more political in nature.

For instance, if protest that has until now been kept away from residential areas will also be removed from business areas, where does it go? Presumably, it will go to a place where it cannot be heard, but, as has been said, noise and disruption are integral to protest. As many commentators have pointed out, in practice, the police will increasingly be put under pressure from businesses to impose conditions, and they will be put under pressure from demonstrators, who will then go ahead in any case, as they did at Clapham common and in Bristol.

This clause could well undermine public confidence in the police and reduce public safety. That is why our inquiry recommended the production of guidance to help both police and organisers to understand their respective powers and obligations—that is what is in new clause 85. More fundamentally, we also need to question whether it is still appropriate that police both condition protest and enforce their own conditions. To that end, I am drawn to having something like the

Northern Ireland Parades Commission, which has power to place conditions on public processions, thus leaving the police with the enforcement role that they know how to do so well.

Yvette Cooper (Normanton, Pontefract and Castleford) (Lab): The Home Affairs Committee has considered many different aspects of this Bill and these amendments at different times and in different ways, but given the time I will focus on just a small number of areas.

I particularly want to address new clause 69, in my name. Its purpose is to get justice for victims of domestic abuse who are being timed out and take action against perpetrators who are being let off the hook. Many domestic abuse cases are prosecuted as common assault in a magistrates court where police and prosecutors may say that the threshold for the Crown court is not met. In these cases, there is a time limit on justice—most victims are not aware of this—of six months from the offence, even though in domestic abuse cases it may take many months, for good reason, for victims to feel able to go to the police. They may still be in an abusive relationship. They may be afraid. They may not be safe. They may have children and be worried about how to leave or where they will go. It may take them time to get the support that they feel they need to be able to talk to the police. There are so many reasons that are, in themselves, the essence of continuing crimes of domestic abuse. That is why the new clause increases the time limit so that there can be six months for the police to deal with the case from the point of reporting, rather than from the point of the offence itself.

Somebody I have talked to told me her story. She was assaulted while she was pregnant. She went to A&E but did not, at that stage, want to talk about what had happened. However, when the abuse continued after the baby was born, she left and gathered her courage to talk to the police, who started an investigation but before long told her that she had passed a time limit she never even knew existed and her ex would not be charged. There are many more such victims of domestic abuse who, for serious and obvious reasons, do not report it immediately, and the perpetrators go on to be free to commit more crimes.

Victoria Atkins: I thank the right hon. Lady for having raised her constituent's case with me in previous meetings. We take this issue very seriously, and I can assure the House that we will return with a proposal at a later stage. I certainly do not rule out an amendment, if appropriate, in the Lords. This must be looked into and I am extremely grateful to her for raising it.

Yvette Cooper: I welcome the Minister's statement. I am keen to pursue this and to work with her on it, as we have cross-party support. I really do want to see progress and I hope we can achieve that in the House of Lords.

This is, once again, about the blind spot where the legal system does not recognise the reality of violence against women and girls. There may be many reasons why a six-month time limit is appropriate for summary offences about altercations between acquaintances in the pub or tussles in the street, but it is not appropriate for domestic abuse—for the experience of violence against women and girls that is, too often, being missed out in the criminal justice system, where thousands of cases a year may be affected in this way. We have support for

changes in this area from the domestic abuse commissioner of Refuge, Women's Aid, the Centre for Women's Justice, and West Yorkshire police.

On new clause 31, the Select Committee has conducted a detailed inquiry into violent abuse against shop workers. We have recommended a stand-alone offence because we need to strengthen the focus on this escalating offence and to have the police take it much more seriously. It is simply unacceptable that shop workers should face this escalating abuse over very many years. The new offence of assault against emergency workers has made a difference and increased prosecutions, and we need to increase prosecutions in other areas as well.

Liz Saville Roberts (Dwyfor Meirionnydd) (PC): Will the right hon. Lady give way? [*Interruption.*]

Yvette Cooper: No, because I am very conscious of Madam Deputy Speaker's coughing to remind me not to.

I also hope that the Government will accept amendments that provide greater safeguards for freedom to peacefully protest and strengthen the law on kerb-crawling, but I particularly hope that we will continue to work on much stronger protection for victims of domestic abuse and those who suffer from violence against women and girls.

Philip Davies (Shipley) (Con): I have five new clauses in this group. New clause 64 would ensure more timeliness of investigations of complaints against police officers and allegations of police misconduct. On new clause 70, at the moment a police officer has the power to tell somebody to stop their car, but not to shut off the engine. My new clause 70 would give them the power to shut off the engine as well, because not having the power to do that can put police officers in a dangerous position, and this would deal with that anomaly. New clause 71 would remove the word "insulting" from section 4A of the Public Order Act 1986. People should not be guilty of an offence for using insulting language, in my opinion. It would still keep threatening and abusive language as an offence, but the word "insulting" really should have no place in the law. New clause 72 would criminalise commercial squatting and squatting on land. The Bill addresses the issue of trespassers on land, but misses the opportunity to expand the current residential squatting offence to cover village halls, churches, pubs and so on, and is much needed in many local communities. New clause 84 would mean that non-crime hate incidents could not be recorded on the national police database. The police should be focusing their efforts on tackling crime, not non-crime incidents. I hope, by the way, that the Government will respond in detail with why they are not accepting my entirely reasonable new clauses, because I would be very interested to know why they cannot accept them.

I also want to talk about new clauses 31 and 90. As somebody who spent 12 years working for Asda before I became an MP, I feel very strongly about the issue of violence against shop workers. These are often very low-paid people who are expected by the Government, in effect, to enforce the law—whether it is on age restrictions or, in recent times, about covid rules and restrictions, face mask wearing and social distancing—and the only thanks that many of them have had for keeping the nation fed during the covid restrictions, and for

going out to work every single day to make sure that happened, was to see the number of assaults on them double over that period. It is an absolute disgrace.

The Government say that the courts can already use this as an aggravating factor if necessary, but the law to charge people with assaulting an emergency worker was introduced even though that could already be used as an aggravating factor if necessary. New clause 90 is better because it covers not just shop workers, but all people who are on the frontline and providing a service to the public. I hope the other parties will reflect on that and support new clause 90.

Liz Saville Roberts: Will the hon. Gentleman give way?

Philip Davies: I am not going to give way, because so many people want to speak and there is not much time. I hope the right hon. Lady will forgive me.

New clause 90 is much better, and I hope hon. Members will support it. I will support new clause 31 as well, but new clause 90 is much better. These workers deserve our support. They have done so much for us over recent years. Surely the least that they can expect—the least that they can expect—from this House is for them to see that we are on their side, respect the job they have done and understand the terrible abuse they get, often, as I say, for very little reward, at the hands of their customers. We should be there to protect them.

This will just give the Crown Prosecution Service and the police an extra tool in their armoury to make sure that those who assault frontline workers and shop workers are brought to justice and to make sure that those shop workers and frontline workers get the justice they deserve. This House should be on their side, and I very much hope the Government, at this late stage, will reflect on this and accept new clause 90. It only uses the same wording as the Sentencing Council uses when it considers whether this should be an aggravating factor. It is well-used terminology to describe people who are providing a service to the public, including shop workers. This is a really important moment for the Government, and I hope that they will show they are on the side of our shop workers and frontline workers to whom we owe so much, particularly over the last 15 months.

Madam Deputy Speaker (Dame Rosie Winterton): As we will have to suspend the debate for the statement at 5 o'clock, after the next speaker I am going to put on a time limit of four minutes just to help guide colleagues.

Dame Diana Johnson (Kingston upon Hull North) (Lab): Because of the time available, I am going to speak to the amendments tabled in my name. First, I will focus on new clauses 26 and 27, which would encourage the public to report all cases of sexual offending, including low-level or non-contact sexual offending, and amendments 20 to 24, which would put in place early interventions for referrals to treatment services to stop sexual offending escalating. There is a great deal of evidence that those who commit low-level or non-contact sexual offences will take more risks if not stopped, and move to increasingly violent sexual crimes.

4.30 pm

In the case of Hull University student Libby Squire, who was raped and murdered in 2019, the defendant had been prowling the streets of Hull for 18 months,

committing low-level sexual offences such as indecent exposure, voyeurism and burglary of women's underwear and sex toys. Unfortunately, very few of his crimes were reported to the police before Libby went missing. I understand from talking to the police that even if the offender had been charged and convicted, little would have been done to address his offending behaviour, as his actions did not meet the required high threshold for a referral to specialist treatment services.

The status quo is not working to protect women and girls. These new clauses would interrupt a pattern of sexual offending behaviour at the earliest possible point and stop it escalating, helping to reduce the risk of sexual harm to women and girls and the wider public. Tackling the low public awareness of the importance of reporting sexual offences is crucial. That, and the focus on early intervention, are critical to help fight violence against women and girls.

I turn briefly to new clauses 44 to 50. These would criminalise those who pay for sexual activity with others, decriminalise those who are subject to commercial sexual exploitation and criminalise those who intend to profit from and/or advertise the commercial sexual exploitation of others. These clauses are designed to bust the business model of sex trafficking, which is taking place on an industrial scale in England and Wales. It is dominated by serious organised crime, using non-UK national women, advertising them on legal pimping websites such as Vivastreet and AdultWork, and moving them around networks of pop-up brothels and hotel rooms to be raped by paying punters.

These new clauses would bring our laws in line with those of France, Ireland, Northern Ireland, Sweden, Norway, Israel and Iceland. All those countries have criminalised paying for sex and decriminalised victims of sexual exploitation in order to put pimps and traffickers out of business. Difficult or inconvenient as it may be for some to confront this issue, there is simply no avoiding the reality that to stop sex trafficking, we have to deter demand from sex buyers and shut down pimping websites.

Finally, I refer to new clause 55, which I have tabled as a probing amendment in the light of abortion being decriminalised in Northern Ireland by this Government, to ascertain what the Government intend to do about women in England and Wales who are still subject to the criminal law under the Offences Against the Person Act 1861. For those who have spread much misinformation about what this new clause is about, let me be very clear. Decriminalisation of abortion does not mean deregulation of abortion, as we have seen in Northern Ireland. The behaviour of some hon. Members and national organisations, particularly on social media, is not helpful to the proper scrutiny and debate in this place of serious issues affecting the lives of vulnerable women, doctors, nurses and midwives.

Fiona Bruce (Congleton) (Con) [V]: I speak to oppose new clauses 55 and 42, which I urge colleagues to vote against. New clause 55 is truly shocking on many counts. It would legalise abortions in this country right up to the moment of the birth of a child. No reason would need to be given. The current 24-week limit provision would go. The new clause would legalise sex-selective abortions: an abortion could be legally performed if someone chose to reject an unborn boy or girl. It would

remove the requirement for abortions to be carried out by doctors, and the protection for women that abortions should take place on approved premises. It would remove the conscience clause: healthcare professionals could be required to conduct abortions contrary to their conscience or beliefs, or lose their job. It would sweep away current legal safeguards and protections not only for the unborn child, but many that protect women. The Abortion Act 1967 would, in effect, be void.

New clause 55 would be significantly more permissive than the Northern Ireland regulations introduced in 2020, and it would leave England and Wales with one of the most extreme abortion laws in the world. In Europe, the median gestational time limit for abortion is 12 weeks. Here, it is currently 24, with some exceptions. We should not be looking to increase it to 37 weeks—full term. Indeed, we should now be looking to lower it following medical advances over recent years regarding viability—the ability of a child to survive outside the womb at now 22 or even 21 weeks. The proposals are shocking: a viable human being could have his or her life ended up to the point of birth, with no one held accountable, and yet a day later similar actions against a child outside the womb would constitute murder. If, as has happened, the abortion procedure goes wrong, what then? Is the child to be left alone, crying and uncomfortable, until it breathes its last? If new clause 55 were put to a vote, I am confident that it would be soundly defeated. The proposal has no place on the amendment paper. It has no place in this House. We are better than this. We are better than this as a Parliament. We are better than this as a country, and our constituents know it. Our inboxes have been flooded with calls to oppose new clause 55. I have had over 150 constituents email urging me to vote against new clause 55—not one constituent has asked me to support it. More than 800 medical professionals have today called for its withdrawal.

Reports indicate that only 1% of women want the current 24-week limit extended, with 70% wanting it lowered. It was lowered in 1990 from 28 weeks to 24 weeks as medical advances improved, and now is the time to reduce it further following greater such advancement. That is what we should be debating today, and I hope we soon will. Let today be a turning point in our approach towards the review of this country's abortion laws. Let us determine to secure better protection for the unborn child and for women, not worse. New clause 55 has no place in a compassionate, civilised and humane society. If, as I now understand, the proposers tabled it as a probing amendment, then I hope, given the strength of opposition that has gathered in just a few days within and outside this House, they will never contemplate reintroducing it. We are better than this.

Sarah Champion (Rotherham) (Lab) [V]: It is an honour to speak in this debate after having served on the Bill Committee. While I am deeply worried about part 3 of the Bill, which undermines the right to protest, I will spend the short time I have on my amendments, which aim to improve the criminal justice response for victims and those at risk of sexual exploitation and all forms of abuse.

The 2019 national police wellbeing survey identified that 57% of police officers responding reported post-traumatic stress symptoms, which would warrant an evaluation for PTSD. A Police Federation survey of

18,000 members found that attending traumatic or distressing incidents was one of the top 10 reasons why respondents were having psychological difficulties at work. John Apter, chair of the Police Federation, stated in evidence to the Committee:

“The covenant gives us a great opportunity to put in place mandated levels of psychological support and training”.—[*Official Report, Police, Crime, Sentencing and Courts Public Bill Committee*, 18 May 2021; c. 20, Q30.]

My amendment 25 acts on those concerns and would ensure a clear focus within the police covenant on the impact of working with trauma, ensuring that the impact on officers’ wellbeing and morale is mitigated. We owe them that.

Turning to amendment 51, after years of campaigning with Baroness Grey-Thompson and the hon. Member for Chatham and Aylesford (Tracey Crouch) I welcome the measures in the Bill to extend the definition of positions of trust to include faith leaders and sports coaches, which is a vital step in improving safeguarding. However, the Bill still leaves children vulnerable to abuse from other adults in positions of trust, such as driving instructors, private tutors or counsellors. I urge Ministers to adopt my more comprehensive solution, which ensures that children across all activities and settings are protected from adults in positions of trust.

The Bill should do more to address child criminal exploitation. The Children’s Commissioner estimated that at least 27,000 children are at high risk of exploitation by gangs. Despite the scale of child criminal exploitation, there is a lack of shared understanding about what it is and the forms it takes. Questions are not consistently asked when children are identified as being associated with criminal activity. Children are arrested for crimes that they are being forced to commit, while the adults who exploit them are not brought to justice. My new clause 23 would introduce a statutory definition of “child criminal exploitation”. That would enable a shared understanding and a better multi-agency response, and it would support professionals to spot the signs of exploitation earlier and disrupt grooming.

Finally, I turn to new clause 24, which is supported by 41 Members across the House and to which the Minister gave a good hearing. I was astounded when I realised that registered sex offenders are changing their names without notifying the police, despite a legal requirement to do so. Current notification requirements leave the onus on the offender to report a change in their name. The result is that many slip under the radar of the police, with potentially devastating consequences. This serious safeguarding loophole leaves sex offenders free to get a new name, a new driving licence and a passport, and then to secure a new disclosure and barring service check, with which they can go on to gain jobs working with children and vulnerable people. Alarming, an FOI request by the Safeguarding Alliance, which I thank for its support on this matter, found that more than 900 registered sex offenders went missing between 2017 and 2020, and that was with only 16 of the 43 forces responding.

We cannot rely on sex offenders to inform the police themselves if they change their names. New clause 24 requires the Government to undertake a review into the problem and to propose solutions within a year of the

Bill being passed. I hope that the strength of support for the clause will make the Minister consider working with me to get the changes we seek.

Sally-Ann Hart (Hastings and Rye) (Con): I welcome this Bill, which backs the police to cut crime, building on our record of cutting crime, backing our front-line officers and reforming our justice system to make sure that criminals spend longer in jail. However, I will focus my comments on new clauses 55 and 42.

Having an abortion is a significant, irreversible and life-changing event for a woman, and I know that most women do not make the decision to abort lightly. Women who seek abortions need compassionate advice and support, but probing new clause 55, tabled by the right hon. Member for Kingston upon Hull North (Dame Diana Johnson), is at odds with the recognition that abortion is a difficult and heavy decision that requires support and compassion. Removing safeguards and legal provision around abortion devalues women’s experience of abortion and drives the focus away from quality healthcare.

The amendment’s proposal to decriminalise abortion would, in my view and in the view of numerous constituents in Hastings and Rye who have contacted me on the subject, introduce abortion on demand for any reason up to birth. Abortion would be available on demand for any reason. Evidence shows that after a few weeks, unborn babies are sentient beings in the womb. Who gives them a voice? We should ask ourselves what kind of a society we are that we would condone that.

Dame Diana Johnson: As I expressed in my short contribution, we need to get the facts straight here. Will the hon. Lady point to where the amendment says that there will be no safeguards around abortion? It talks about decriminalisation, not deregulation.

Sally-Ann Hart: The right hon. Lady points out that the amendment talks about decriminalisation, but it does not underline the safeguards. As 800 or so medical professionals said in an open letter to her,

“Your proposal to allow abortion up to birth in this country would be to attack the heart of the medical profession: our core duty to protect life whenever and wherever possible.

The British public prides itself on being a reasonable, humane and tolerant society. Such an extreme and radical abortion law has no place in the UK.”

Seventy per cent. of women favour a reduction in abortion time limits, and we see from recent history that abortion time limits align to the viability of a baby—the point at which a baby can survive inside or outside the womb. We should therefore seek to reduce the time limit, save for exceptions.

New clause 42, introduced by the hon. Member for Ealing Central and Acton (Dr Huq), would impose censorship zones outside abortion clinics. That goes against the long-standing tradition in the UK that people are free to gather together to express their views. It also goes against this Government’s commitment to human rights and freedom of speech in our party manifesto. The right to protest is the cornerstone of our democracy.

Although I personally find it somewhat offensive and lacking in compassion for people to gather outside an abortion clinic, where women should be given space when accessing an abortion, what I find offensive may

[Sally-Ann Hart]

be different from what other people find offensive. If we ban speech or assembly because of the likelihood of causing offence, we will have to ban far more than demonstrations outside abortion clinics.

4.45 pm

Mr Robert Goodwill (Scarborough and Whitby) (Con): Does my hon. Friend agree that many abortion clinics are co-located with general hospitals, which could curtail the rights of trade unionists and health workers to demonstrate outside their own hospital?

Sally-Ann Hart: I acknowledge that that is the case. If we cannot have demonstrations, that sets a dangerous precedent, and I urge hon. Members to reject the new clause. Current laws provide wide-ranging powers for authorities to keep public order and protect women and the public from genuine harassment and intimidation. An extensive review undertaken by the Home Office in 2018 concluded that

“legislation already exists to restrict protest activities that cause harm to others.”

Most notably, under section 59 of the Anti-Social Behaviour, Crime and Policing Act 2014, public space protection orders can be used. The UK’s first buffer zone around an abortion clinic was established in 2018 by Ealing Council, in the constituency of the hon. Member for Ealing Central and Acton, using a public space protection order. It prevents protesters from gathering up to 100 metres from the clinic. Other local authority areas have brought in similar public space protection orders. In summary, I urge Members of the House to reject the new clause.

Bell Ribeiro-Addy (Streatham) (Lab): I rise to speak to the new clauses in my name, and owing to time constraints I will focus my comments mainly on those. I would, however, like to give my right hon. Friend the Member for Kingston upon Hull North (Dame Diana Johnson) the chance to intervene further.

Dame Diana Johnson: I am grateful to my hon. Friend. When discussing these types of issues in this House, we must look carefully at what is actually in the amendments. We should not just say what we think is in the amendment; we should look at its actual drafting. This Bill is about the criminal law and justice system. It is not about safeguards or anything else to do with healthcare. My amendment is specifically about decriminalisation, as the Government have already done in Northern Ireland.

Bell Ribeiro-Addy: Let me highlight the amendments and new clauses that I seek to support, including those on the right to protest in the names of the right hon. Member for Orkney and Shetland (Mr Carmichael) and my hon. Friend the Member for Coventry South (Zarah Sultana). I support those amendments that seek to stand up against the discrimination and persecution of the Gypsy, Roma and Traveller communities, particularly those tabled by my hon. Friends the Members for Liverpool, West Derby (Ian Byrne) and for City of Durham (Mary Kelly Foy), and those that challenge wider inequalities in the criminal justice system, from class to age, race, sexuality, disability and gender, including the new clause tabled by my hon. Friend the Member

for Leicester East (Claudia Webbe). I oppose the introduction of secure academies for 16 to 19-year-olds, which is essentially the expansion of child prisons, as reflected in the new clause tabled by my hon. Friend the Member for Poplar and Limehouse (Apsana Begum). I will also support any other amendment or new clause that seeks to remove or address the sinister nature of the Bill.

We can be under no illusion—this is yet another authoritarian clampdown on our civil liberties. The right to peaceful assembly and protest is a fundamental principle of any democracy, and the rich tradition of dissent in this country shows us that such actions can change the course of history. They are the reason that someone of my race, class and gender has the rights I have, and why I can stand here as a Member of this House. We must not forget that the struggles and protests being demonised by this Bill are seen as the milestones of progress in our society. The suffrage movement, for example, faced considerable state repression and police brutality.

My new clauses 56 and 57 call respectively for a review of stop-and-search powers and for a public inquiry into how the criminal justice system affects black, Asian and minority ethnic people. BAME people are more than nine times as likely to be stopped and searched by police, yet this Government think that it is okay just to plough ahead, exacerbating the situation further. Just last week, the United Nations released a report analysing racial justice in the aftermath of the death of George Floyd and called on member states, including the UK, to end impunity for police officers who violate the human rights of black people. A 2019 report by the Women and Equalities Committee recognised that Gypsy, Roma and Traveller communities are one of the most persecuted groups in Europe, yet the Government seek literally to persecute them further through the Bill.

We need a full public inquiry into the disproportionality that exists at every single level and junction of the criminal justice system. High prosecution rates, higher custody rates, longer-than-average custodial sentences, disproportionate representation in the prison system and deaths in custody—this is what under-represented communities have come to expect. We need answers, and then we need justice in order to move forward.

The Black Lives Matter movement and the protests that sprang from it sought to challenge these injustices—and what was the Government’s response to national calls to end institutional racism? It was to commission a report that said there was no institutional racism, and to introduce a policing Bill that will only further criminalise and brutalise these communities. If the Government were actually listening to what the BLM protesters said, they would not be bringing in a Bill like this.

Why not follow the example of the England football team, who have inspired us during Euro 2020 not only with their football prowess, but with their collective and principled bravery in taking the knee, representing the very best of us and our communities? To quote Gareth Southgate, it is about a

“duty to continue to interact with the public on matters such as equality, inclusivity and racial injustice, while using the power of their voices to help put debates on the table, raise awareness and educate”.

He is a football manager—he does not work for this House, but he does much better than we do, day to day.

I know with all my heart that I am on the right side of history. I urge hon. Members to stand with me and stop the criminalisation of black, Asian and minority ethnic communities, of Gypsy, Roma and Traveller communities and of every single under-represented group that will be destroyed by legislation such as this.

Madam Deputy Speaker (Dame Rosie Winterton): Could the last two speakers stick to four minutes?

Danny Kruger (Devizes) (Con): Thank you, Madam Deputy Speaker. I will speak quickly about new clauses 42 and 55, which concern the regulation of abortion.

New clause 42, tabled by the hon. Member for Ealing Central and Acton (Dr Huq), proposes the creation of censorship zones around abortion clinics. The intention behind it is to stop the harassment of women seeking abortion.

We already have laws against harassment which can be, and are, applied. We also already have public order laws that allow councils to impose restrictions regarding specific clinics that are experiencing any real public order difficulties, so the activity that the new clause proposes to criminalise is peaceful, passive, non-obstructive activity—less disruptive than the sort of protests that Opposition Members are so busy trying to defend today. I recognise the good faith behind the new clause, but in practice it is an attempt to criminalise the expression of an opinion. I cite the campaigner Peter Tatchell, who said today that it is an

“unjustifiable restriction on the right to free expression.”

I urge the House to vote it down.

New clause 55, tabled by the right hon. Friend the Member for Kingston upon Hull North (Dame Diana Johnson), would not criminalise anything; it would decriminalise something, namely abortion itself up to term. It would effectively legalise abortion on demand up to birth. She is keen that we pay attention to the text of her new clause, so I shall quote from it:

“No offence is committed...by...a woman who terminates her own pregnancy or who assists in or consents to such termination”.

The effect would be to legalise or to decriminalise abortion up to birth.

I am not arguing that the new clause is an attempt to deregulate abortion, although I believe that that might be the effect; my objection is to the principle. It says a very, very terrible thing about the value that we place on an unborn life if we simply say that it should be determined by whether or not the mother would like to keep it—by whether that baby is wanted or not. Let us think of that in terms of other lives—a newborn child, a disabled person or a vulnerable elderly person: when their family is unable to look after them, the community and the state step in. We should apply that principle in the case of a child in the womb, especially one that is still viable and could live outside the womb. I urge the House not to support new clause 55.

Mr Alistair Carmichael (Orkney and Shetland) (LD): I will speak to amendment 1, which has cross-party support, and amendments 2 to 7, which would remove the provisions in the Bill that affect the right to protest.

In passing, I point out that a number of other issues are in play today, and goodness only knows what such a debate must look like to those looking in from the

outside, but that is the consequence of the inadequacy of the time that has been made available to us. I will therefore limit my remarks strictly to the amendments that stand in my name.

Essentially the objection that many of us have to the proposals is that, first, the Government have got the balance badly wrong, and, secondly, their language in trying to strike that balance is among the vaguest and most imprecise I have ever seen as either a legal practitioner or a parliamentarian.

To ban protest on the basis that it would be noisy or cause serious annoyance may appeal to many parents of teenagers up and down the country, but we have to do rather better when fundamental issues of free speech are in play. Many years ago, it was said—the hon. and learned Member for Edinburgh South West (Joanna Cherry) may have heard the same thing—that in Scots law, a breach of the peace was almost anything that two cops did not quite like the look of. It seems to me that what the Government want to do here, in regulating not the conduct of a few drunks on the high street on a Saturday night but the fundamental right to protest, is to take the law back to that imprecise state of affairs. The risk is that that serves only to pit the police against the protesters. It will not be the Home Secretary who makes a decision about what is noisy and causes serious annoyance, but police officers, often those on the ground at the time. That risks undermining the fundamental principle of policing by consent, which has always underpinned the way in which we police protest and, indeed, all behaviour in this country.

I remain of the view that the provisions will be ineffective and have a chilling effect. I do not believe for one second that, if the Bill becomes law, Extinction Rebellion will look at it and say, “Oh well, we can’t possibly go out and protest on the streets of the capital. We’d maybe better just go home and email our Members of Parliament.” Although I have heard some in the House say that even that is seriously annoying sometimes. The Bill will not stop Extinction Rebellion protesting.

However, communities throughout the country who face a challenge to hospitals, schools, traffic management and so on will look at the Bill and think, “Actually, it’s not safe for us to use our voice and to protest against what is being done to our community.” For that reason, as in so many other cases, I believe that this is a fundamentally mistaken provision. The only amendments we can seek to introduce are those that would excise it from the Bill, where they should never have been in the first place.

Steve Brine (Winchester) (Con): Will the right hon. Gentleman give way?

Mr Carmichael: If the hon. Gentleman can intervene in nine seconds.

Steve Brine: I am listening to what the right hon. Gentleman says. He does not want Conservative Members to smear Opposition amendments, so in that spirit, I point out that the Bill does not ban protest. Is he not tempted by new clause 85, which my hon. Friend the Member for Huntingdon (Mr Djanogly) spoke about, and which provides for a code for the policing of protest?

Madam Deputy Speaker (Dame Rosie Winterton): I am sorry, but I will have to ask the right hon. Gentleman to take 30 seconds.

Mr Carmichael: And 30 seconds, because of the nature of the programme motion that the House has passed, is inadequate, so I am afraid I will pass the hon. Gentleman up on that. There might be some future point at which we can return to it. That shows the inadequacy of the way the Government are dealing with this. In the absence of any amendable propositions, I urge the House simply to take these provisions out of the Bill.

Debate interrupted.

Madam Deputy Speaker: I am going to suspend the House for one minute. After the statement, there will be a three-minute limit on speeches.

4.59 pm

Sitting suspended.

Covid-19 Update

Mr Speaker: Before I call the Secretary of State, I would like to point out that a British Sign Language interpretation of the statement will be available to watch on parliamentlive.tv. I call Secretary Javid to make his statement—and I welcome him back to the Front Bench at the same time.

5.2 pm

The Secretary of State for Health and Social Care (Sajid Javid): Thank you, Mr Speaker, and I am extremely grateful to you for accommodating the timing of this statement.

I would like to update the House on the pandemic and our road map to freedom. This morning, I joined some of the remarkable people who have been at the heart of the pandemic response at a service to mark the NHS's 73th birthday at St Paul's Cathedral. Together, we reflected on a year like no other for the NHS and for our country. I know that hon. Members on both sides of the House will join me in celebrating the decision by Her Majesty the Queen to award the NHS the George Cross. I can think of no more fitting tribute to the NHS. I know that everyone in this House—indeed, everyone in this country—will celebrate that award.

There is no greater demonstration of our high regard for the NHS than the manner in which we all stepped up to protect it. Now, it is thanks to the NHS and many others that we are vaccinating our way out of this pandemic and out of these restrictions. Eighty-six per cent. of UK adults have had at least one jab, and 64% have had two. We are reinforcing our vaccine wall of defence further still. I can tell the House that we are reducing the dose interval for under-40s from 12 weeks to eight, which will mean that every adult should have had the chance to be double-jabbed by mid-September.

And those vaccines are working. The latest data from the Office for National Statistics shows that eight in 10 adults have the covid-19 antibodies that are so important in helping our bodies to fight this disease. When we look at people aged over 50—the people who got the jab earlier in the programme—that figure rises to more than nine in 10. Allow me to set out why all this is so important.

Before we started putting jabs into arms, whenever we saw a rise in cases, it would inevitably be followed by a rise in hospitalisations and, tragically, a rise in deaths. Yet today, even though cases are heading upwards, in line with what we expected, hospitalisations are increasing at a much lower rate and deaths are at just 1% of the figure that we saw at the peak. Our vaccines are building a wall of protection against hospitalisation. And, jab by jab, brick by brick, that wall is getting higher.

For those people who sadly do find themselves having to go to hospital, we have better treatments than ever before. Last week on my visit to St Thomas' Hospital, clinicians were telling me just how transformative dexamethasone has been in their effort to save lives. Taken together, the link between cases, hospitalisations and deaths is being severely weakened. That means that we can start to learn to live with covid.

As we do that, it is important that we are straight with the British people. Cases of covid-19 are rising and will continue to rise significantly. We can reasonably

expect that, by 19 July, the number of daily cases will be far higher than today. Against this backdrop, many people will be understandably cautious about easing restrictions. After many months of uncertainty, that is entirely natural. But we can now protect the NHS without having to go to the extraordinary lengths that we have had to in the past. That is not to say that this is going to be easy.

Of course, the pandemic is not over. The virus is still with us; it has not gone away. The risk of a dangerous new variant that evades vaccines remains real. We know that, with covid-19, the situation can change and it can change quickly, but we cannot put our lives on hold forever. My responsibility as Secretary of State for Health and Social Care includes helping us to turn and face the other challenges that we know we must also address, from mental health to social care to the challenges of long covid. I am also determined to get to work on busting the backlog—the backlog that has been caused by this pandemic and which we know will get a lot worse before it gets better.

As I set out to the House last week, I remain confident that we can move to step 4 in England on 19 July and that the Government will make their final decision on this on 12 July, so today I wish to set out further details of what step 4 will look like. In essence, our national response to covid will change from one of rules and regulations to one of guidance and good sense. We will revoke all social distancing guidance, including the 2 metre rule, except for in specific settings such as ports of entry and medical settings, where of course it would continue to make sense.

It will no longer be a legal requirement to wear face coverings in any setting, including public transport, although we will advise this as a voluntary measure for crowded and enclosed spaces. It will no longer be necessary to work from home. There will be no limits on the number of people we can meet. There will be no limits on the number of people who can attend life events such as weddings and funerals, and there will be no restrictions on communal worship or singing.

We will remove legal requirements on how businesses operate. Capacity caps will all be lifted and there will no longer be any requirement to offer table service. All businesses that were forced to close their doors will be able to open them once again. And we will lift the cap on named care home visitors so that families can come together in the ways they choose to do so. Ministers will provide further statements this week on self-isolation for fully vaccinated people, including for international travel, and on restrictions in education settings, including the removal of bubbles and contact isolation in schools.

Today, I can also confirm to the House that we have completed our review of certification. While already a feature of international travel, we have concluded that we do not think using certification as a condition of entry is a way to go. For people who have not been offered a full course of vaccination and for businesses, we felt that the impact outweighed the public health benefits. Of course, businesses can use covid-status certification at their own discretion and, from step 4 onwards, the NHS covid pass will be accessible through the NHS app and other digital routes. This will be the main way that people can provide their covid status—a

status that they will achieve once they have completed a full vaccine course, a recent negative test or some other proof of natural immunity.

Taken together, step 4 is the biggest step of all: a restoration of so many of the freedoms that make this country great. We know that, as a consequence, cases will rise, just as they have done at every step on our road map, but this time our wall of protection will help us.

While step 4 will be the moment to let go of many restrictions, we must hold on to those everyday, sensible decisions that can help make us all safe. The responsibility to combat covid-19 lies with each and every one of us. That means staying at home when you are asked to self-isolate. It means considering the guidance that we are setting out, and it means getting the jab—both doses. When you are offered it, please, please take the jabs. This is something that everyone can do to make a contribution towards this national effort. It may even mean, for some people, that they will get three jabs in a single year. Last week, the Joint Committee on Vaccination and Immunisation provided interim advice on who to prioritise for a third dose, and our most vulnerable will be offered booster covid-19 jabs from September in time for the winter.

And preparing for the winter ahead is not just about covid, but flu as well. Because of the measures in place this winter, almost nobody in the UK has had flu for 18 months now. That is obviously a good thing but it does mean that immunity from flu is down. This winter's flu campaign will be more important than ever, and we are currently looking at whether we can give people the covid-19 booster shot and the flu jab at the same time.

Step 4 is the next step in our country's journey out of this pandemic. I know that, after so many difficult months, it is a step that many of us will look upon with a great deal of caution, but it is one that we will all take together, with a growing wall of defence against this virus—a wall that each and every one of us can help build higher. It is vital that each of us plays our part to protect ourselves and to protect others into better days ahead. I commend this statement to the House.

5.13 pm

Jonathan Ashworth (Leicester South) (Lab/Co-op): I start by paying tribute to our NHS on its 73rd anniversary and thank again our extraordinary health and care workforce. The best birthday present they could have, of course, is a fair pay rise, not the proposed real-terms pay cut that is currently on offer.

We all want to see these restrictions end. Lockdowns are a sign of policy failure and I hope that, when the Secretary of State makes the final decision next week, it will be based on the data, the modelling and the Scientific Advisory Group for Emergencies advice, but let us be absolutely clear about what he is talking about today. When only 50% of the total population across England are fully vaccinated and another 17% are partially, his strategy, as he indeed was gracious enough to concede, accepts that infections will surge further and continue to rise steeply, and accepts that hospitalisations will continue to rise until they reach a peak—presumably later this summer. Some of those hospitalised will sadly die, and thousands upon thousands of mostly children and younger people, but others as well, will be left exposed to a virus mainly because they have no vaccination

[Jonathan Ashworth]

protection—we also know that even double-jabbed people can catch and transmit the virus—and many of them will be at risk of serious long-term chronic illness, the personal impact of which may be felt for years to come.

Even though vaccination may have broken the link with mortality, there are still questions about the link to morbidity. As part of the Secretary of State's strategy of learning to live with covid, will he spell out today for the British public what that actually means? How many deaths does he consider are acceptable when we are living with covid? How many cases of long covid does he consider acceptable when we are living with covid? Given that we know that covid can escape and evolve when the virus circulates at high rates, what risk assessment has he done on the possibility of a new variant emerging? Will he publish it?

The Secretary of State says that every date for unlocking carries risk and that that is why we need to learn to live with covid, but we should not have to take a high-risk approach. We should be pushing down risk. Indeed, we mitigate risk across society all the time. We do not just accept other diseases; we take interventions to try to prevent them. Why is he therefore collapsing all mitigations completely when he knows that covid rates will continue to rise? He will be aware that Israel has reintroduced its mask mandate because of the delta variant, so why is he planning to bin ours? Masks do not restrict freedoms in a pandemic when so much virus is circulating. They ensure that everyone who goes to the shops or who takes public transport can do so safely, because wearing a mask protects others. If nobody is masked, covid risk increases and we are all less safe. He must understand that those in the shielding community are particularly anxious. Why should they feel shut out of public transport and shops because he has abandoned the mask mandate? That is no definition of freedom that I recognise.

Who else suffers when masks are removed? It is those working in shops, those who drive the buses, those who drive taxis and those who work in hospitality—it is the low-paid workers who have also been without access to decent sick pay. Many of them live in overcrowded accommodation. It is those who have been savagely, disproportionately impacted by the virus from day one and now the Secretary of State is asking them to bear the brunt of the increased risk again. Will he explain why he thinks abandoning masks is a sensible proposal to follow?

Given that people will still need to isolate, as the Secretary of State recognised, and that test and trace will still be in operation, will he accept that living with the virus will mean that, more so than ever, those who are sick will need to isolate themselves from the rest of society? Will he therefore ensure that they are paid proper sick pay and isolation support to do it? Does he agree that it has been a monstrous failure of the past 15 months that isolation support has not been in place?

Now, masks are effective because we know that the virus is airborne. The Secretary of State could therefore further mitigate covid risks by insisting on ventilation standards in premises and crowded buildings. He could offer grants for air filtration systems. Instead, all we get is more Government advice. Ventilation in buildings and grants to support air filtration systems do not

restrict anyone's freedoms. Indeed, they would probably help get back into school some of those 400,000 children who have been off school because of covid.

Yesterday, the Secretary of State said that he believed the best way to protect the nation's health was to lift all restrictions. I know he boasts of his student years at Harvard studying pandemics, but I think he may well have missed the tutorial on infectious disease control because widespread transmission will not make us healthier. We are not out of the woods yet. We want to see lockdown end, but we need those lifesaving mitigations in place. We need sick pay, local contact tracing, continued mask wearing on public transport and ventilation in buildings and schools to prevent further illness. I hope, when the right hon. Gentleman returns next week, he has put those measures in place.

Sajid Javid: I thank the right hon. Gentleman for his comments. First, I think he started by asking for reassurance on whether the final decision on go or no go for 19 July, which we will make on 12 July, will be informed by the very best expert data. Of course it will be, just as every decision has been informed in that way. I am only about a week into the job, but I must say that I am incredibly impressed by our scientists, medical advisers and Public Health England. I take this opportunity to pay tribute to all they have been doing.

Turning to the right hon. Gentleman's second point about the link between cases and hospitalisation and death, that is absolutely central to the next step we are taking. Case numbers are high. As I said, they will go significantly higher and we need to be ready for that, but what is far more important is how many people are ending up in hospital and how many, sadly, are dying. That is where the vaccines have worked, alongside the treatments we now have that we did not have a year or so ago. That has meant that the link between cases and deaths has been severely weakened. The last time we had 25,000 new cases a day, we had around 500 deaths a day. The level now is a thirtieth of that. I know the right hon. Gentleman will welcome that and understand that there is no absolutely risk-free way to move forward, but we need to start returning things back towards normal and learning to live with covid.

The right hon. Gentleman asked about masks. Again, we have taken the best public health advice. He will know from what I have said that, although we will remove all legal requirements for anyone to wear a mask in any setting, we expect people to behave sensibly and think about others around them. The guidance will be there. If one is on public transport—let us say on a very crowded tube—it would be sensible to wear a mask, not least to show respect for others. However, if you are the only person in a carriage late at night on the east coast main line, then you can choose much more easily not to wear a mask because there is hardly anyone else around. We expect and trust people to make sensible decisions. That is the way we should move ahead.

The right hon. Gentleman asked about compensation and sick pay. He knows that many measures are in place and we will continue to keep them under review.

Jeremy Hunt (South West Surrey) (Con): I support the approach the Secretary of State is taking for the simple reason that two doses of the vaccine work against the delta variant, but with 350,000 new cases daily

across the world the battle against this pandemic is far from over. Does he agree that if we want to prevent another lockdown in the run-up to winter, apart from the booster jab programme the most important thing we can do is to improve the way test and trace works? In Korea, they managed to use it to stop any lockdowns. Here, it failed to stop three lockdowns. The head of test and trace told my Health and Social Care Committee that between 20% and 40% of people were not isolating when they were asked to. With his fresh eyes in the job, will he ask officials for new advice on what we can do to improve test and trace to stop further lockdowns?

Sajid Javid: First, may I thank my right hon. Friend for his support for the measures? He speaks with great experience and I want to thank him for that. Regarding test, trace and isolate, he is right. There are many successes over the past year that we can be proud of, but there are also many improvements that can be made. I have already asked for such advice and I look forward to talking to him about that in future.

Dr Philippa Whitford (Central Ayrshire) (SNP) [V]: This pandemic is very far from over, so, with cases soaring across the UK, I am surprised that the Health Secretary is planning to end all covid measures. The delta variant, which was allowed into the UK due to the failure of border quarantine, is twice as infectious as the original, and is infecting younger age groups, including children. It also shows significant vaccine escape, with only 33% protection against infection from the first dose. While receiving two doses of either vaccine dramatically reduces hospitalisation, the numbers are rising and only half the population are fully vaccinated. That means that the other half are not, and many will not have that opportunity until near the end of September.

The Secretary of State talks about the percentage of adults who are fully vaccinated, but he must know that that is not how herd immunity works. It is achieved by reducing the number of susceptible people in the whole population to stop onward spread of the virus. The UK Government's failure to lock down last September allowed the alpha variant to emerge in the south-east of England and spread across the UK and, indeed, the rest of the world. If the Health Secretary is going to just let it rip, how does he plan to avoid generating yet another UK variant with even greater vaccine resistance?

With more than 150,000 people dead, why has the Secretary of State returned to the false narrative that covid is just like flu? Is it just wishful thinking? Why is he planning to end even simple measures such as mask wearing? He has suggested that people need to learn to live with it, but appears to be completely ignoring the risk of long covid, which is already affecting more than a million people, including children. How does he plan to avoid soaring cases of long covid in unvaccinated young adults and children? Does he consider them to be collateral damage, or just a price worth paying?

Sajid Javid: The hon. Lady started off well, but her contribution completely degenerated into political point-scoring. She should know much better than to engage in scaremongering among the Scottish people and the British people. She has no respect for what is happening, as we try to treat this whole issue with a degree of respect and seriousness. She used the phrase, "Let it rip".

If anything, the only part of the UK where cases could be described as "ripping" is in Scotland where the case rate is higher than in any other part of the UK. In fact, it has seven of the 10 highest hotspots in Europe in terms of its number of cases, and she should reflect on that.

The hon. Lady claimed that I had suggested that covid is like flu. I have never said that. It would be complete nonsense for anyone to suggest that covid is like flu. She should think about the millions of people across the world affected by this and the thousands of people who have died in the UK. How dare she even raise that—it is as if she is suggesting that it is like flu. In the same way that we have had to learn to live with flu, even though, sadly, in some years, we have had 20,000 deaths from flu, we will have to learn to live with covid. The hon. Lady should reflect on what she has said and stop playing political football with this serious issue.

Sir Peter Bottomley (Worthing West) (Con): I welcome the Secretary of State to his role and say to him in public—I hope that I have also said it to him in private—that, when he was Secretary of State for Housing, Communities and Local Government, he was one of the few Ministers who understood the plight of residential leaseholders, and I thank him for that, and I hope that he will do as well in this job. May I put it to him that, as well as the recognition of the National Health Service, it would be a good idea if we found some way of recognising the role of teachers and their assistants in schools who have done so much to keep the young people of this country in education and occupied, even though remotely. Many people have contributed to that. May I also say to him that, despite the occasional political remarks that any of us may make, I hope he will work with the other nations of the United Kingdom and around the world so that we can defeat the impact of this condition together.

Sajid Javid: I thank the Father of the House for his kind comments. He may have heard me say earlier that the Education Secretary will talk much more tomorrow about the action we will be taking around schools and educational settings, including the removal of the bubble requirement from 19 July. He made an excellent point about working not just across the United Kingdom—despite what the hon. Member for Central Ayrshire (Dr Whitford) said a moment ago there is great co-operation between us, which will continue—but internationally, both through our leadership of the G7 and the COVAX alliance.

Munira Wilson (Twickenham) (LD) [V]: The Secretary of State will be aware that, compared with the rest of the population, double vaccination provides a much reduced level of protection for clinically extremely vulnerable people with compromised immune systems. He will also be aware that pregnant women in their third trimester are considered clinically vulnerable. Many people in such groups are anxious about what today's announcements mean for them. Will he confirm what advice is being published for the clinically extremely vulnerable? Specifically, will he consider allowing pregnant women to have their second jab after 21 days?

Sajid Javid: There will, of course, be people who are sadly more vulnerable to this virus who will be concerned about step 4. I entirely understand that caution and anxiety, and we will publish further guidance along the

[Sajid Javid]

lines that the hon. Lady mentioned. As for her question on second doses for pregnant women, I will have to take advice on that.

Madam Deputy Speaker (Dame Rosie Winterton): Order. I warn colleagues that this statement will finish at 6 o'clock due to the need to get back to the debate on the Bill, so I urge colleagues to be brief.

Martin Vickers (Cleethorpes) (Con): The majority of my constituents will welcome the Secretary of State's statement, but NHS Digital data shows that the case rate in the council area is 591 per 100,000. That is considerably ahead of the national average and is causing inevitable concern, particularly among elderly and vulnerable groups. I have full confidence in the local NHS, the council and other officials dealing with the situation, but if it continues to worsen, will my right hon. Friend meet me and my hon. Friend the Member for Great Grimsby (Lia Nici) to discuss whether additional support and resources are required?

Sajid Javid: I of course understand the importance of my hon. Friend's question. As I said in my statement, I believe that the case rate nationally, including in his constituency, will worsen, but the hospitalisation and death rates are far more important. He will have heard what I said earlier, but I am more than happy to meet him on any occasion to discuss such issues further.

Jim Shannon (Strangford) (DUP): I thank the Secretary of State for his statement and for the central Government approach to drive the vaccine roll-out across all of the United Kingdom of Great Britain and Northern Ireland—better together, as always. The approach outlined by Government seems sensible. Will the Secretary of State outline what discussions have taken place with his Health counterpart in Northern Ireland to ensure that Northern Ireland moves forward cautiously and carefully at a similar pace, bearing in mind our level of transmission, in tandem with the need to be wise and wary?

Sajid Javid: I thank the hon. Gentleman for his remarks about the vaccine. As he says, it is a successful UK-wide programme, and the take up of vaccinations in Northern Ireland is just as high as in any other part of the UK. I am working closely with my counterpart in Northern Ireland. We have already had two discussions in a week, and we will be speaking and co-ordinating on a regular basis. Things are working well.

Andrew Jones (Harrogate and Knaresborough) (Con): I welcome my right hon. Friend's statement, which will be greeted with a sense of relief across the country due to the profound challenges that people have faced during the lockdowns. This success is, of course, possible only because of the vaccine roll-out, so will he keep up the pressure to ensure that as many people as possible are vaccinated? While doing that, will he also focus on the significant catch-up required to deal with other health conditions? I am thinking particularly of mental health and cancer.

Sajid Javid: My hon. Friend is right to raise that matter. He points out—certain Members of this House sometimes miss this—that the pandemic has caused many other non-covid health problems, and he mentions

two of the most important. We are seeing plenty of evidence of increased mental health problems, and departmental officials think that at least some 40,000 people who would have come forward for cancer referrals in a normal year have not done so. That is a reminder of why it is important for us to move back towards freedom and to learn to live with covid.

Ben Lake (Ceredigion) (PC) [V]: The Welsh Government have suggested that an easing of Welsh restrictions is unlikely before 19 July, and any divergence in the rules applicable on either side of the border will raise questions of enforcement. The responsibility for enforcing social distancing rules on trains lies with the British Transport police, so what discussions has the Health Secretary had with the Secretary of State for Transport and, indeed, the Welsh Government regarding the status of restrictions on cross-border rail travel?

Sajid Javid: It is understandable that there has been a difference in approach between Wales and England, and clearly that will continue, but we will continue to co-ordinate. I know that my predecessor, my right hon. Friend the Member for West Suffolk (Matt Hancock), co-ordinated on a regular basis with his Welsh counterpart, and when it comes to transport, my Welsh counterpart and I will work carefully with the Secretary of State for Transport.

Julie Marson (Hertford and Stortford) (Con): It is hugely significant and welcome that the link between cases and hospitalisation seems to have been broken by the vaccine. I would like to echo what my hon. Friend the Member for Harrogate and Knaresborough (Andrew Jones) has just said. Can my right hon. Friend assure me, notwithstanding the risks he has pointed out such as potential variants and increased cases, that the NHS will have the focus and the resources to continue to bear down on the backlog of cases such as cancer, which is scaring my constituents and everyone else?

Sajid Javid: Yes, I can give my hon. Friend that assurance. The backlog is already at 5 million, and as I have said today, it is unfortunately going to get a lot worse before it gets better. I think we can all understand why, but today's announcement will certainly have helped in our march to clear the backlog. My hon. Friend will know that the Government have given significant additional funding, in the billions, to help with that, but there will be a lot more to come in dealing with the priorities, especially cancer.

Neale Hanvey (Kirkcaldy and Cowdenbeath) (Alba): All the warm words from the Secretary of State towards the NHS at the top of his statement were completely demolished by his attitude towards a breast cancer surgeon when he said that she should know better. The reality is that she does know better, and he should apologise to the hon. Member for Central Ayrshire (Dr Whitford) for those absolutely outrageous comments. And to use the escalation of cases in Scotland as a political tool is absolutely disgraceful. I want to talk about the—

Madam Deputy Speaker (Dame Rosie Winterton): I call the Secretary of State.

Sajid Javid: I do not agree with the hon. Gentleman.

Mr Mark Harper (Forest of Dean) (Con) [V]: I apologise for any discourtesy to the House in not being able to be there in person. The Prime Minister has confirmed that there will be contingency measures in place for winter, and even if they are not legal restrictions, they will have an effect on business. Can the Secretary of State confirm what they are, and publish the details so that Members can scrutinise them at the earliest opportunity?

Sajid Javid: I believe that my right hon. Friend is referring to our keeping in place contingency measures, particularly for local authorities—the so-called No. 3 regulations—at least until the end of September in case those powers are needed in the event of a local break-out. Of course, there is no intention at this point that those powers will be used, but we believe it is necessary to have powers in place just in case. He will have heard me talking earlier about the risk that still exists from new variants. That is the plan, but I would be happy to discuss that with him further.

Caroline Lucas (Brighton, Pavilion) (Green) [V]: Can the Secretary of State explain why, when other public health and safety measures are not left up to individuals to decide, he thinks that that is an appropriate approach to covid? Failing to mandate mask-wearing in stuffy crowded places such as public transport, where people are often pressed together for much longer than 15 minutes, risks high costs, and allowing people to choose whether or not to put others at risk is both reckless and unfair. If the freedom to pelt down the motorway at 100 mph is restricted because it poses risks to others, why, with millions still unvaccinated, with some immunosuppressed and with the risk of long covid rising, does the Health Secretary not apply the same logic to mask-wearing?

Sajid Javid: I understand where the hon. Lady is coming from, but the important thing is that we have to learn to live with covid, which means that we have at some point to confront and start removing the restrictions that have been necessary until now. Now is the best time to do that, because of the defence that has been built by the vaccine.

Sir Desmond Swayne (New Forest West) (Con): We will never again sacrifice free enterprise, freedom of association and freedom of worship in order to manage hospital admissions, will we?

Sajid Javid: I take it from that that my right hon. Friend is pleased with today's announcements.

Clive Efford (Eltham) (Lab): Some have suggested that removing all restrictions in the way that the Secretary of State has announced will create factories for new variants in parts of our communities. What advice has he received from experts about the potential for new variants? What contingencies has he planned for containing such an outbreak if one were to occur?

Sajid Javid: The hon. Gentleman will have heard in my statement that no course of action that we take now is without risk, and I think he understands that. There is still a pandemic—as I said, it is not over—so we will of course continue first to monitor for new variants, and to have border restrictions and some test, trace and

isolate procedures in place. Those measures, taken together with the success of the vaccine programme, are the best answer to his question.

David Simmonds (Ruislip, Northwood and Pinner) (Con) [V]: One headteacher in my constituency tells a tale of losing more than 2,700 days of education, having 390 children sent home and zero transmission among pupils in school. So will my right hon. Friend assure me that swift action will be taken to ensure that children can get back to school and headteachers can get back to teaching as soon as possible, without the damage the current situation is creating?

Sajid Javid: Yes, I can give my hon. Friend that assurance. The Education Secretary will be saying more later this week, but I can confirm to my hon. Friend that on 19 July it is our plan to remove bubbles and end the requirement for early years settings, schools and colleges to carry out contact tracing routinely. I will have more to say on how we intend to exempt under-18s who are close contacts from the requirement to self-isolate.

Patrick Grady (Glasgow North) (SNP): Given that masks help to reduce the spread of not just covid, but all kinds of respiratory diseases, is it not important to avoid mixed messages and encourage everyone to continue that kind of practice and the likes of good hand hygiene as a relatively routine part of a new normal, to stop coughs and sneezes from spreading diseases?

Sajid Javid: I think the hon. Gentleman is suggesting that people should have the freedom to wear a mask if they wish, but it should not be mandatory—it should not be mandated by law. There are countries—I lived in Singapore for three years—where people would wear masks if they were feeling unwell, out of respect for others. If people choose to do that here, that will be a good thing, but it will not be a requirement from the Government. As I said, in certain settings—crowded places such as the tube in London—many people would choose to wear masks, despite its not being a legal requirement.

Caroline Nokes (Romsey and Southampton North) (Con) [V]: The immunosuppressed want to know what the plan is for them. Will they be allowed tests for spike antibody levels on the NHS? Will they be able to get a booster before September if their antibody tests show that they have no protection, despite being vaccinated?

Sajid Javid: My right hon. Friend asks an important question and we are still considering what more we can do to give more confidence to the immunosuppressed, and we will be saying more on this shortly.

Paul Blomfield (Sheffield Central) (Lab) [V]: Until recently, Ministers were saying that decisions would be based on the link between infection and hospitalisation, but although the link has been weakened, it has not been broken. Hospitalisations are up 20% in the last week, and they have doubled in a month. We all want to unlock the economy, but surely we should maintain barriers to infection where we can. The Secretary of State has said that wearing masks would be a good thing, so will he accept that requiring them on public transport, in essential shops and in similar locations would make sense and would reassure people?

Sajid Javid: No one is suggesting that because of the vaccines, the link between cases and hospitalisation has been completely broken. What I have said, and this is a fact based on the evidence we are seeing, is that it has been significantly weakened. That is clear from the data we are getting on a daily basis. If we look at England, with a case rate of 25,000, I think less than 2,000 people are currently with covid in hospital. That is far lower than we saw before when we had such a high case rate.

Mary Robinson (Cheadle) (Con): I am grateful to the Secretary of State for his statement setting out the way forward. In the 150 years since the foundation of Cheadle's Together Trust, it has championed and cared for people from 18 to 30 years old with disabilities. When I met its dedicated team last week, it was clear that having navigated the challenges of covid, it was preparing for the future. As the Government look to set out a new vision for health and social care, can the Secretary of State reassure voluntary and third-sector bodies such as the Together Trust that they will have their invaluable contribution recognised and be included as equal partners in its design?

Sajid Javid: I am very happy to give my hon. Friend that assurance. The Cheadle Together Trust and many other third-party and voluntary organisations across the country really stepped up during the pandemic when the country most needed them. We will continue to work with them, and I think that, at a suitable moment, we should give them the recognition they deserve.

Richard Burgon (Leeds East) (Lab): It is a dereliction of duty by the Secretary of State for Health to tell people to live with the virus while denying people the basic financial and other support they need. In two weeks' time, with restrictions lifted, there could be over 60,000 cases per day, and the Government say this will surge further. Huge numbers are denied the self-isolation payment and tens of thousands of people each day will be forced to isolate on statutory sick pay of just £96 per week. I ask the Secretary of State: could he live on £96 per week?

Sajid Javid: It is right that we provide support, including financial support, for those who are isolating and finding things difficult. We will continue to do so, and we will keep that under review.

Dr Luke Evans (Bosworth) (Con): I draw the House's attention to the story over the weekend about three batches of AstraZeneca vaccines affecting 5 million people and their prospects of travelling to the EU. I must declare an interest in that I have vaccinated many people with this batch and, indeed, had the batch myself. Can the Secretary of State confirm that this is purely a bureaucratic issue and that the vaccines are exactly the same, and will he update the House about what talks he has had with the EU to resolve this problem?

Sajid Javid: I thank my hon. Friend for the work that he has personally been doing during the pandemic. I can tell him that all doses used in the UK have been subject to very rigorous safety and quality checks, including individual batch testing and physical site inspections, and this is all done by the medical regulator, the Medicines and Healthcare Products Regulatory Agency.

Mr Ben Bradshaw (Exeter) (Lab) [V]: Given that Americans and other Europeans have already been free to travel again for some time, and given that we were promised a vaccine dividend, when can the millions of British families who are separated from loved ones abroad or who simply want a foreign holiday expect to get back the same freedoms that other Europeans and Americans already enjoy?

Sajid Javid: I can tell the right hon. Gentleman that that will happen very soon, and the Secretary of State for Transport will have more to say on this very shortly.

Steve Brine (Winchester) (Con): Last week, I said that I wanted to see from the new Secretary of State "a change in policy as much as a change in tone."—[*Official Report*, 28 June 2021; Vol. 698, c. 60.]

We have had that today, or at least an indication of it for next Monday, and I am grateful. Will my right hon. Friend give us an insight into his thinking about the future of test and trace? Surely it cannot continue as now, with contacts of contacts—even if they are double-vaccinated—being forced into isolation for 10 days at a time, with all the knock-on effects that that has on society and the economy.

Sajid Javid: I will be making a statement to Parliament on just that issue. I think I will probably make it tomorrow.

Debbie Abrahams (Oldham East and Saddleworth) (Lab) [V]: Last December, Professor Sir Michael Marmot revealed that the high and unequal covid death toll across England was down to historic structural inequalities that successive Conservative Governments have allowed to go unchecked. Last week, he quantified that, showing that Greater Manchester had a 25% higher covid death toll because of those structural socioeconomic inequalities. When will the Health Secretary deliver on the Prime Minister's promise to me in January to implement Sir Michael's recommendations to address those inequalities in my constituency and others, and ensure that we build back fairer?

Sajid Javid: The hon. Lady raises an important issue. We have seen, sadly, that through the pandemic, because of various inequalities up and down the country, some people have suffered a lot more than others. It is an important point, and we need to do more—we all collectively need to learn from this. I give her the assurance that I know that Public Health England and the chief medical officer are looking into it and will report to Ministers shortly.

Huw Merriman (Bexhill and Battle) (Con): I welcome the Secretary of State's statement, but may I ask for clarity? On the legal requirement to wear face coverings, including on public transport, he stated that "we will advise this as a voluntary measure for crowded and enclosed spaces."

Should that be "crowded enclosed spaces"? Does he intend to put out guidance? What will he do to ensure that private operators cannot mandate it outside that guidance?

Sajid Javid: I can tell my hon. Friend that the guidance is really asking people to use their common sense. If there are many other people around them, particularly

if those people might be more vulnerable—older people, let us say, or groups who for some reason may be unvaccinated—we are really just saying, “Use your common sense.” I think that everyone in Britain will do just that. In private settings, it will be up to private businesses—shops, for example—to decide what they wish to do.

Madam Deputy Speaker (Dame Rosie Winterton): I thank the Secretary of State for his statement. We will suspend the House for one minute to make arrangements for the next business.

5.52 pm

Sitting suspended.

Police, Crime, Sentencing and Courts Bill

Debate resumed.

5.53 pm

Miss Sarah Dines (Derbyshire Dales) (Con): It is a pleasure to follow the right hon. Member for Orkney and Shetland (Mr Carmichael), albeit after rather a long break. I declare my interest as a barrister.

I am pleased to contribute to the debate on Report. During and since my election campaign, and particularly during the recent election campaign for our new police and crime commissioner, I have had the opportunity to speak to many constituents in Derbyshire Dales about law and order generally. I am a firm believer in listening to my constituents: they are hard-working and law-abiding, and I respect what they are telling me. They tell me that they want to feel safe and feel protected in their own homes and in the areas in which they live. There is much to offer them in this excellent Bill.

Two aspects of the Bill particularly interest my constituents. First, they want to see tougher sentences for convicted criminals, and this Bill delivers that. I particularly support two proposals: tougher community sentences doubling the time for which offenders will be subject to overnight curfews, rising from 12 months to two years; and the ending of the automatic early release of dangerous criminals. I am pleased to say that the Bill firmly delivers on what my constituents are requesting—tougher sentences—and I wholeheartedly support it.

Secondly, I receive a lot of correspondence from constituents whose lives are disrupted by unauthorised and illegal encampments that cause alarm and distress to local residents. This Government are the first of many Governments to have the courage to address these long-standing issues. I welcome the provisions that will give the police the power to seize vehicles and arrest or fine trespassers who are intent on residing on private or public land without permission while ensuring that they will not be able to return for 12 months. This is long overdue. I have many constituents who write to me regularly in towns such as Matlock, Bakewell and Ashbourne whose lives have been very badly affected by illegal encampments, and this must stop. It is of course very important to make sure that local authorities fulfil their statutory duty to provide permanent sites for groups such as Travellers so that they can stay within the law and enjoy their traditional life, but illegal encampments must stop.

I commend the huge breadth of provisions in this Bill. I am so pleased that the Government have had the courage to address so many different areas in such a relatively short space of time.

Mary Kelly Foy (City of Durham) (Lab) [V]: Although I have grave concerns about many aspects of this Bill, I will limit my remarks to the amendments in my name, those of my hon. Friend the Member for Liverpool, West Derby (Ian Byrne), and new clause 102.

This Bill needlessly criminalises Gypsy, Roma and Traveller communities. It will turn civil offences into criminal ones and punish littering and inconvenience with prison and homelessness. The Bill does not target a problem; it targets minority and ethnic communities. It is driven by hatred and division and will serve only to

[Mary Kelly Foy]

fuel hatred and division. Only last month, the hon. Member for Ashfield (Lee Anderson) demonstrated this by saying:

“The Travellers I am talking about are more likely to be seen leaving your garden shed at 3 o’clock in the morning, probably with your lawnmower and half of your tools.”—[*Official Report, Police, Crime, Sentencing and Courts Public Bill Committee*, 8 June 2021; c. 410.]

Those words racially stereotype Travellers and paint an entire community as criminals. They were racist and repugnant and show the bigotry that this Bill promotes.

On top of this, the draconian powers included in the Bill are being pushed upon police despite their insistence that they do not want or need them. The National Police Chiefs Council and the Association of Police and Crime Commissioners have said that

“trespass is a civil offence and our view is that it should remain so”, while 93.7% of police bodies support increased site provision as the solution to unauthorised encampments. Both the police and the travelling communities are in agreement on this. I urge the Government to listen and to support new clause 102 and the amendments in the name of my hon. Friend the Member for Liverpool, West Derby. The Government should be focused on improving society for everyone, yet they have become fixated on attacking an already much persecuted minority at the expense of many and to the benefit of none. In doing so, they are ignoring ready-made solutions. Organisations such as Friends, Families and Travellers have called for increased and improved site provision while highlighting the value of negotiated stopping, because the reality is that if Travellers cannot stop with authorisation, then they must stop without it.

I tabled my amendments because I believe that it is the role of politicians to protect minorities, not persecute them. New clause 51 seeks to address the racism that GRT communities face every day by forcing the Government to review the prevention, investigation and prosecution of crimes against these communities, while new clause 52 would require the Government to provide proper training for the relevant public bodies. Although valuable amendments to this dystopic Bill will undoubtedly fall today, I would like to reassure my constituents that the fight against legislation is not the end—

Madam Deputy Speaker (Dame Rosie Winterton): Order. I have to bring the hon. Lady’s remarks to a close because we are running very short of time.

6 pm

Bob Blackman (Harrow East) (Con) [V]: I wish to address new clauses 55 and 42 and, if time permits, new clause 90. Hon. Members will agree that clarity is crucial when talking about the proper functioning of the House, particularly when we cover immensely sensitive subjects such as abortion and the ending of human life. I want to clarify something that was earlier in dispute, which is whether the decriminalisation of abortion, as sought by new clause 55, also means its deregulation and the loss of all legal safeguards. Changing the law means changing regulations. The central and implacable legal fact of new clause 55 is that repealing the relevant sections of the Offences Against the Person Act 1861,

and relevant offences under the Infant Life (Preservation) Act 1929, will immediately undo all the safeguards provided by the Abortion Act 1967.

As my hon. Friend the Member for Congleton (Fiona Bruce) so soberly and succinctly stated in the first part of this debate, new clause 55 would sweep away all current legal safeguards and protections, not only for the unborn child, but many that protect women. The 1967 Act would, in effect, be void, leaving England and Wales with one of the most extreme abortion laws in the world.

Let me briefly remind Members what those safeguards involve. They are not obstructions by opponents of abortion; they are crucial and vital protections against clear and present dangers. The safeguards prevent abortion simply on the basis of sex and because the baby will be born a girl, or indeed a boy. They ensure that the freedom of health professionals to conscientiously object is protected, and they prevent abortion right up until birth, even though many premature babies are born and survive and thrive, every week.

The right hon. Member for Kingston upon Hull North (Dame Diana Johnson) failed to explain how any of those serious threats to our society and culture would remain illegal. Never once has she denied that her new clause would allow abortion up to birth—something many of my constituents have rallied against in recent days, as is true of constituents across the country. I have received more emails and calls about new clause 55 than I have about any other measure since I was elected to the House 11 years ago. The right hon. Lady may argue that abortion will remain regulated by different medical bodies in the country, but those bodies cannot make legislation. They cannot pass laws or send the crucial messages that our current abortion law sends, namely that sex selective abortion is wrong, that conscientious objection is valid, and that abortion without any time limit would be a gross injustice in a humane society. Abortion under the regulation of changeable medical bodies that issue only guidelines and never laws can never be recommended.

Gavin Robinson (Belfast East) (DUP): I am grateful to contribute to this debate. On Second Reading I highlighted that the Bill, large as it is, contains about five clauses that apply to Northern Ireland, and we are supportive of them. Considering that we just heard from the Health and Social Care Secretary, who outlined our roadmap to freedom, I am disappointed that after Committee, the Bill is not in a better place when it comes to protest. For a party that prides itself on libertarian values and freedom in our country to curtail protests because they are noisy, inconvenient or impact on those around them, shows that the right balance has not yet been struck.

I wish to speak in favour of new clauses 44 to 50, tabled by the right hon. Member for Kingston upon Hull North (Dame Diana Johnson). Indeed, I commend her for tabling them. The law has operated successfully in Northern Ireland for four years. Those important provisions were brought forward by my colleague in the other place, Lord Morrow. They are working in Northern Ireland, and I hope that after the conclusion of Report, they are brought forward again. I encourage the Minister to look at those provisions. I understand she is engaging with the right hon. Lady, and I hope we can pick up this conversation again.

I have mentioned to the right hon. Member for Kingston upon Hull North that I have considered some ire, having signed her new clauses on human trafficking and sexual exploitation, given the amendment that rests in new clause 55; she knows that I could never support new clause 55. I do see the dichotomy between bringing forward—*[Interruption.]* I wave back, Madam Deputy Speaker. New clauses 44 to 50 would take away the power from the powerful in support of the most vulnerable, and that is why I struggle with new clause 55: it would do the reverse.

Jim Shannon (Strangford) (DUP): Will my hon. Friend give way? *[Interruption.]*

Gavin Robinson: I really shouldn't, because Madam Deputy Speaker is waving too much at me.

I have given careful consideration to new clause 42. In principle, I am prepared to support the notion of buffer zones, but not as currently drafted. I know that that is not exactly where all my colleagues are, so I do not wish to abuse my position as spokesman, because my colleagues are not comfortable at all. There should be a discussion. I do not think that new clause 42 strikes the balance. If it was moved, I could not support it this evening.

This is such a massive Bill, in that it is going to impact on every facet of life. I fear that the Public Bill Committee has not had the desired effect and that it is not right yet, but we will consider the new clauses and amendments as they are brought forward this evening.

Geraint Davies (Swansea West) (Lab/Co-op): This Bill removes our fundamental right to peaceful protest. How? By putting power in the hands of the police to stop protests—not, as before, on the grounds of causing serious damage or unlawful behaviour, but instead on the grounds that it may cause “serious unease” or “distress” to bystanders. Those found guilty of even risking causing “serious annoyance” or “inconvenience” can get imprisoned for up to 10 years or face unlimited fines. This amounts to the removal of the right to peaceful protest as enshrined in our Human Rights Act and the European convention on human rights.

We saw a taste of what that means in practice at the Clapham vigil and the Bristol protests in March. The parliamentary report into Clapham and Bristol, which was published last week and mentioned by the hon. Member for Huntingdon (Mr Djanogly), found that the Metropolitan police told the Clapham vigil organisers that the vigil was illegal, when it was not, and that they faced thousands of pounds in fines, which they did not. The organisers withdrew and the vigil was disorganised, and then, at 6.30 pm, the police physically intervened to disperse the gathering, thereby increasing the public health risk of covid. In Bristol, yes, proportionate use of force by the police was justified, but batoning and blading protesters with shields on the ground certainly was not.

We have had a glimpse of what poorly drafted law can look like in practice. Instead, we must protect the right to peaceful protest by deleting clauses 55 to 61, which stop it, and introducing my new clause 85: a code that sets out the police's duty to facilitate the right to peaceful protest, to return them to Robert Peel's founding principle:

“The police are the public and the public are the police.”

This Bill is before us because people want to protest against climate change, as, by 2025, the 1.5°C Paris limit will be breached. Peaceful protesters—whether suffragettes or economic, social or environmental campaigners—enrich and inform our democracy between elections. This is essential to our fundamental values of democracy, human rights and the rule of law.

The Bill is an act of political treason. It is bad at its core. It will be seen in China, Russia and elsewhere as a green light to crush democracy and the right to peaceful protest, with unaccountable police power. The good people in this country should not rest until it is overturned and our rights reinstated, so that democracy can live, breathe and thrive again.

Mrs Maria Miller (Basingstoke) (Con): In the time available to me, I would like to speak in support of two amendments and comment on one.

New clause 24 in the name of the hon. Member for Rotherham (Sarah Champion) calls for

“a review of how registered sex offenders are able to change their name or other aspects of their identity without the knowledge of the police”.

The UK has some of the toughest measures in the world to manage sex offenders, yet the system is being exploited and flouted by thousands of convicted offenders, if the figures are to be believed. More than 16,000 offenders in the last five years have not told the police of their whereabouts under their notification requirements, and it is estimated that around 900 have gone missing altogether. Some of them could possibly have changed their names. The amendment would review how sex offenders are able to change their names or identity, and ensure that the system is amended so that police are always made aware. I hope the Minister will respond to the amendment in her comments.

I will turn to two amendments on the issue of abortion. This debate has made it clear that the current position, and the inconsistency between the situations in Northern Ireland and in England and Wales, is very difficult to explain other than by the fact that in England and Wales, our law is underpinned by an Act of Parliament passed 50 years before women were even allowed to be part of the legislative process. There has been almost no change to the abortion laws in more than 50 years. It may be that the tradition of leaving these issues to Back-Bench Bills no longer works and the Government need to think more creatively.

Carla Lockhart (Upper Bann) (DUP) *rose*—

Mrs Miller: If the hon. Lady will forgive me, I will not give way—Madam Deputy Speaker would have my guts for garters.

The Government need to consider how we modernise the set of laws that this place has changed for Northern Ireland but has not had the opportunity to do so in a thoughtful way for England and Wales. The strong feeling on both sides of the House shows that there is an argument for thinking about this further, particularly with the two specific amendments.

I will turn to new clause 42. The Bill already recognises that protests should not stop others going about their daily business. Frankly, new clause 42 does similarly for individuals who want to access abortion advice and services. I hope that the Minister will reflect on the amendment in her summing up.

[Mrs Miller]

I do not support new clause 55 by the right hon. Member for Kingston upon Hull North (Dame Diana Johnson) because of the expansiveness in the way it is drawn. I have deep sympathy, however, and support her in her wish to see abortion decriminalised for women in England and Wales, as has been done in Northern Ireland. We in this House have to take the opportunity to have a thoughtful and thorough debate and to have it in the very near future.

Liz Saville Roberts (Dwyfor Meirionnydd) (PC): I rise to speak as co-chair of the justice unions parliamentary group. There is an awful lot that I would like to say about this Bill, but unfortunately I have to restrict my comments to amendment 47.

The amendment seeks to correct an anomaly in the legislation brought by the hon. Member for Rhondda (Chris Bryant) in his Assaults on Emergency Workers (Offences) Act 2018, whereby the only members of prison staff included in the protected category of emergency workers are prison officers and some healthcare workers, while other prison workers, such as teachers or instructors, are not protected. That is simply unfair and increases the risks for those staff: it effectively paints a target on their backs because prisoners are well aware of the law and know that the penalties for attacking a prison officer are way more severe than those for attacking the teacher who might be standing next to them.

The 2019 “Safe Inside” survey conducted by the Joint Unions in Prisons Alliance showed that all prison staff—not just prison officers, but prison educators and teachers as well—are subjected to shocking levels of violence and are routinely exposed to harmful drugs. More than a quarter of staff reported having been a victim of physical violence in the last 12 months. Of those, 14% said that they had been assaulted more than 10 times in that period.

The youth estate, for example, often houses children who are locked up hundreds of miles from family and support. The resulting strain on mental health is a contributing factor towards violence against staff. Of course, in Wales, as education is devolved, things run differently so the Bill’s impact will be felt differently, which is something my hon. Friend the Member for Arfon (Hywel Williams) will raise later.

Here is one horrific example from an educator in a young offender institution:

“I turned to press the radio and as I did so I felt the young offender’s arms around my neck and he put me in a headlock and began to strangle me, I managed to say “Assistance” on the radio, but before I could say my location, he had my arm above my head to stop me calling for help, he dragged me down to the ground, he continued to strangle me with his left arm and he hit me repeatedly in the head with the other. As he was doing so, he said he had mental health issues. It felt like longer but, I think the officers arrived in approximately five minutes after the incident began and physically removed him from me.”

No teacher, educator or instructor should be expected to work in an environment where terrifying assaults like those are not treated with the same severity as those against prison officers. For that reason, I urge all Members to show those brave front-line public servants that we prioritise their safety as emergency workers, too.

Madam Deputy Speaker (Dame Rosie Winterton): I call Steve Brine, who has 90 seconds.

6.15 pm

Steve Brine: There is much in this Bill that I welcome—I have spoken before about driving offences reform—but of course parts of it are controversial. That is what happens with legislation: some people do not agree with parts of it. However, on balance, it is a Bill worth backing, and that is why I did so on Second Reading.

New clause 90 seems entirely logical to me. I have been well lobbied on the subject, and I hope to hear something from the Minister. Being able to do their job without abuse is surely the least that our shop workers can expect.

On protest, we should be careful not to be misled about what is in the Bill and what is not. I actually agree with some of what my right hon. Friend the Member for Haltemprice and Howden (Mr Davis) said. The parts of the Bill on protest are not right just yet, and I predict that they will have a challenging time in the other place. I look forward to hearing what the Minister has to say on that. Surely new clause 85, in respect of a code for the policing of protest, is worth a look.

I think that new clause 55, in the name of the right hon. Member for Kingston upon Hull North (Dame Diana Johnson), is poorly drafted. I saw a tsunami of contacts this weekend from constituents who are against it. I wish it were going to a vote, if only so that I could vote against it and the House could show its will on the subject.

Finally, I oppose new clauses 51 and 52 in respect of illegal Traveller encampments. My constituents have an illegal encampment on the Cattle Market car park in the centre of Winchester just today, which is inconveniencing their lives. I oppose those two new clauses.

Victoria Atkins: This Bill delivers on our promise to the British people to keep them safe and to crack down on criminals. This Bill backs the police, recognising the unique and enormous sacrifices they and their families make to protect us all. This Bill imposes a legal duty on local councils, the police, health services, schools and prisons to work together to prevent serious violence in their neighbourhoods.

This Bill balances the rights of protestors to demonstrate with the rights of residents to access hospitals, to go to work, to let their children sleep at night. And, despite some of the claims from the Opposition, this Bill includes measures that will help to protect women and girls, but that go further than that and protect the whole of society from some of the most dangerous offenders that are sentenced. This includes managing sex offenders before and after conviction and, importantly, providing clarity on the extraction of data from victims’ phones, in line with the rape review that the Government published only a few weeks ago.

Let me briefly address the Government amendments in this group. In Committee, I undertook to consider further whether the reporting duty in respect of the police covenant should be extended to apply to the British Transport police, the Ministry of Defence police and the Civil Nuclear Constabulary. Having reflected further, we agree. We want the wider policing family to be included in the covenant, and amendment 34 does exactly that, covering not only these three forces but the National Crime Agency. They do essential work for us, and we want them and their families to be looked after.

Government amendments 35 to 45 standardise the traffic offences in clauses 4 and 5, and clauses in relation to serious violence reduction orders, for the British Transport police—again, consistency in how we deal with these important matters.

Let me turn to the non-Government amendments. I will not be able to deal with them all, but I will pick out the ones that have been talked about most frequently. First, I thank the right hon. and learned Member for Camberwell and Peckham (Ms Harman), my right hon. Friend the Member for Basingstoke (Mrs Miller) and many other Members across the House for raising the issue of sexual harassment, not just in the context of this Bill but in our wider work.

The murders that, sadly, we have heard so much about in this Chamber—the murders of Nicole Smallman, Bibaa Henry, Sarah Everard and PCSO Julia James—have caused millions of women and girls to share their own experiences and fears of walking in our towns and cities. We have also heard girls' stories about their experiences at school through the social media platform Everyone's Invited.

We are listening to women and girls. In March, we reopened the survey on violence against women and girls and received more than 180,000 responses in terms of the survey as a whole. Each of those responses is helping to shape our work developing this vital strategy. We therefore recognise the shocking extent of street harassment and the strength of feeling concerning the need for a new offence.

While it is the case that there are already offences available to address sexual harassment behaviour, the right hon. and learned Member for Camberwell and Peckham, whom I have met recently to discuss this, can rest assured that we remain open-minded on this issue and are continuing to examine the case for a bespoke offence. As part of the commitment, the new strategy on tackling violence against women and girls will focus on the need to educate and to change cultural attitudes. A new offence can do so much, but we need to go further than that, and that is our intention.

As I announced in Committee, I am pleased that as part of the cross-government work and work across agencies, the College of Policing intends to develop advice for police forces to assist them to use existing offences in the most effective way to address reports of sexual harassment, and the CPS will be updating its guidance to include specific material on sexual harassment.

Moving on, new clauses 26 and 27 have been tabled by the right hon. Member for Kingston upon Hull North (Dame Diana Johnson)—indeed my hon. Friend the Member for Wycombe (Mr Baker) has spoken to me about this—and they come out of the very tragic circumstances of the rape and murder of Libby Squire. As a constituency MP near the Humber, I very much join both the right hon. Lady and my hon. Friend in paying tribute to Libby and her family.

Mr Steve Baker (Wycombe) (Con): Does my hon. Friend agree with me and my constituent Lisa Squire that it is vitally important that non-contact sexual offences are promptly reported so that the provisions can work?

Victoria Atkins: I completely agree with my hon. Friend and, indeed, his constituent, Mrs Squire. We need please to get the message out from this Chamber

to encourage victims, where non-contact sexual offences are being committed, and where they are able to and where they feel able to, to report those offences to the police, so that these escalating behaviours can create a pattern that the police can review. That is why I have great sympathy with the new clauses that the right hon. Member for Kingston upon Hull North has tabled. I am pleased to reassure her that we are very much taking the point on board when it comes to developing the strategy.

In terms of other matters relating to sex offenders, the hon. Member for Rotherham (Sarah Champion) and my right hon. Friend the Member for Basingstoke have pressed upon me the need for a review of how registered sex offenders can change their name without the police's knowledge. We have some of the toughest rules in the world for the management of sex offenders, but we recognise those concerns.

We do not want any loopholes that can be exploited by sex offenders to enable offending and to evade detection by the changing of names. Indeed, only last week I met the Master of the Rolls and my counterpart Lord Wolfson in the Ministry of Justice to discuss this critical issue. I am pleased to advise the House that we are conducting a time-limited review of the enrolled and unenrolled processes for changing names to better understand the scale and nature of the issue, whether current processes are being or could be exploited to facilitate further offending and, if so, how that can be addressed.

Colleagues have expressed understandable concern regarding the treatment of key workers, particularly those who keep our shops and supermarkets open and stocked, those who keep our buses and trains running, and key workers such as refuse collectors, park staff, teachers and others who perform a vital duty at any time, but particularly in the very difficult 18 months we have all experienced. We are very conscious that when our constituents are serving the public and delivering key services, they must feel safe doing so. No one should feel unsafe in their workplace. We therefore all feel anguish about some of the stories we have heard in relation to retail and other workers over the past year.

The Lord Chancellor and, indeed, the Government, completely understand the sentiments behind the new clauses tabled by the Leader of the Opposition and my hon. Friend the Member for Stockton South (Matt Vickers), and I hope that Members have heard the indication that we gave earlier in the debate. There is a range of existing laws, with significant penalties, that cover assaults and abuse of all public-facing workers. Sentencing guidelines already require the courts to consider as an aggravating factor, meriting an increased sentence, an offence that has been committed against a person serving the public. However, I make it clear that we want to assure my hon. Friend and Members of all parties that we are not complacent about the matter and that we are actively considering tabling an amendment, if appropriate, in the Lords.

Our genuine concerns about the new clauses relate to technical issues with some of the drafting. There is vagueness about the nature of the assault offence. It overlaps with existing offences and there seems to be reference to Scottish provisions, which we believe to be unnecessary. I say to the House in an open-hearted, open-handed way that we are looking at the matter and

[Victoria Atkins]

that we want to work not only with hon. Members with but the retail sector to improve the reporting of those offences and the police response.

I turn now to the public order provisions. There has been much debate about those measures. Some of it has been informed by fact, but some has been informed by misunderstanding. The measures have been developed in consultation with the National Police Chiefs' Council and the Metropolitan police to improve the police's ability to better manage highly disruptive protests. Such protests have brought parts of London in particular, but also elsewhere, to a standstill. There have been instances of ambulances being obstructed. Protesters have disrupted the distribution of national newspapers and, given that we are discussing freedom of expression and freedom of speech, I hope that colleagues will understand why we are so concerned to ensure that newspapers can be produced.

Protests have prevented hard-working people from getting to work and drawn thousands of police officers away from the local communities they serve.

Nickie Aiken (Cities of London and Westminster) (Con): As the Member for Cities of London and Westminster—Westminster experiences 500 protests every year—I ask my hon. Friend whether she agrees that the human rights of protesters are absolutely important but so are those of local people who live just yards from this place?

Victoria Atkins: That sums up the balancing exercise that the Government are drawing on the advice of the independent police inspectorate. The Bill does not stop the freedom to demonstrate; it balances it with the rights and liberties of others. The existing laws are 35 years old. We want to update them and also implement the recommendations of the independent Law Commission.

It will continue to be the case that the police attach conditions to only a small proportion of protests. To put that in context, in a three-month period earlier this year, the assessment of the National Police Chiefs' Council was that of more than 2,500 protests, no more than a dozen had conditions attached to them: 12 out of 2,500.

Andy Slaughter (Hammersmith) (Lab): Will the Minister give way?

Victoria Atkins: I will not because I genuinely have other matters to address.

In deciding whether to attach conditions, including in respect of the generation of noise, the police will continue, as they do now, to take into consideration protesters' freedom of speech and assembly.

I move on now to unauthorised encampments. Similarly, there seems to be misunderstanding about what the Bill is attempting to do. It is not an attack on the nomadic lifestyle. Proposed new section 60C(4) of the Criminal Justice and Public Order Act 1994 sets out conditions applicable if

“significant damage... significant disruption”

or

“significant distress has been caused or is likely to be caused”.

Andy Slaughter: Will the Minister give way on that point?

Victoria Atkins: I have one more minute.

We are trying to tackle harmful behaviour, and Opposition Members need to ask themselves just how much damage, disruption and distress is acceptable for their constituents to bear.

I will quickly deal with the extraction of information. This is an important part of the Bill, because we want to ensure that strong privacy safeguards are in place when dealing with people's sensitive personal information. This Bill, coupled with the rape review, is an absolutely critical part of that effort.

Mindful that the House will want to vote on these matters, I will conclude. We promised our constituents that we would take measures to make our society safer and to crack down on crime. As my hon. Friend the Member for Derbyshire Dales (Miss Dines) set out, that is the promise we all made to our constituents. We are delivering on promises made to the electorate and standing up for the decent members of society who do not commit the sorts of crimes that we in this Chamber have sadly had to hear about. I therefore have no hesitation in commending the Bill to the House.

Ms Harman: I beg to ask leave to withdraw the clause.

Clause, by leave, withdrawn.

6.30 pm

Proceedings interrupted (Programme Order, this day).

The Deputy Speaker put forthwith the Questions necessary for the disposal of the business to be concluded at that time (Standing Order No. 83E).

New Clause 31

OFFENCE OF ASSAULTING ETC. RETAIL WORKER

“(1) It is an offence for a person to assault, threaten or abuse another person—

- (a) who is a retail worker, and
- (b) who is engaged, at the time, in retail work.

(2) No offence is committed under subsection (1) unless the person who assaults, threatens or abuses knows or ought to know that the other person—

- (a) who is a retail worker, and
- (b) is engaged, at the time, in retail work.

(3) A person who commits an offence under subsection (1) is liable, on summary conviction, to imprisonment for a term not exceeding 12 months, a fine, or both.

(4) Evidence from a single source is sufficient to establish, for the purposes of this section—

- (a) whether a person is a retail worker, and
- (b) whether the person is engaged, at the time, in retail work.

(5) The offence under subsection (1) of threatening or abusing a retail worker is committed by a person only if the person—

- (a) behaves in a threatening or abusive manner towards the worker, and
- (b) intends by the behaviour to cause the worker or any other person fear or alarm or is reckless as to whether the behaviour would cause such fear or alarm.

(6) Subsection (5) applies to—

- (a) behaviour of any kind including, in particular, things said or otherwise communicated as well as things done,
- (b) behaviour consisting of—
 - (i) a single act, or
 - (ii) a course of conduct.

(7) Subsections (8) to (10) apply where, in proceedings for an offence under subsection (1), it is—

- (a) specified in the complaint that the offence is aggravated by reason of the retail worker's enforcing a statutory age restriction, and,
- (b) proved that the offence is so aggravated.

(8) The offence is so aggravated if the behaviour constituting the offence occurred because of the enforcement of a statutory age restriction.

(9) Evidence from a single source is sufficient to prove that the offence is so aggravated.

(10) Where this section applies, the court must—

- (a) state on conviction that the offence is so aggravated,
- (b) record the conviction in a way that shows that the offence is so aggravated,
- (c) take the aggravation into account in determining the appropriate sentence, and
- (d) state—
 - (i) where the sentence imposed in respect of the offence is different from that which the court would have imposed if the offence were not so aggravated, the extent of and the reasons for that difference, or
 - (ii) otherwise, the reasons for there being no such difference.

(11) In this section—

“enforcement”, in relation to a statutory age restriction, includes—

- (a) seeking information as to a person's age,
- (b) considering information as to a person's age,
- (c) refusing to sell or supply goods or services, for the purposes of complying with the restriction (and “enforcing” is to be construed accordingly),

“statutory age restriction” means a provision in an enactment making it an offence to sell or supply goods or services to a person under an age specified in that or another enactment.

(12) In this section, “retail worker”—

- (a) means a person—
 - (i) whose usual place of work is retail premises, or
 - (ii) whose usual place of work is not retail premises but who does retail work,
- (b) includes, in relation to a business that owns or occupies any premises in which the person works, a person who—
 - (i) is an employee of the business,
 - (ii) is an owner of the business, or
 - (iii) works in the premises under arrangements made between the business and another person for the provision of staff,
- (c) also includes a person who delivers goods from retail premises.

(13) For the purposes of subsection (12), it is irrelevant whether or not the person receives payment for the work.

(14) In proceedings for an offence under subsection (1), it is not necessary for the prosecutor to prove that the person charged with the offence knew or ought to have known any matter falling within subsection (12)(b) in relation to the person against whom the offence is alleged to have been committed.

(15) In this section, “retail premises” means premises that are used wholly or mainly for the sale or supply of goods, on a retail basis, to members of the public.

(16) In this section, “retail work” means—

- (a) in the case of a person whose usual place of work is retail premises, any work in those retail premises,
- (b) in the case of a person whose usual place of work is not retail premises, work in connection with—
 - (i) the sale or supply of goods, on a retail basis, to members of the public, or
 - (ii) the sale or supply of services (including facilities for gambling) in respect of which a statutory age restriction applies,
- (c) subject to subsection (17), in the case of a person who delivers goods from retail premises, work in connection with the sale or supply of goods, on a retail basis, to members of the public.

(17) A person who delivers goods from retail premises is doing retail work only during the period beginning when the person arrives at a place where delivery of goods is to be effected and ending when the person leaves that place (whether or not goods have been delivered).

(18) In this section, references to working in premises includes working on any land forming part of the premises.’—
(Sarah Jones.)

Brought up.

Question put, That the clause be added to the Bill.

The House divided: Ayes 233, Noes 350.

Division No. 36]

[6.30 pm

AYES

Abbott, rh Ms Diane
Abrahams, Debbie
Ali, Rushanara
Ali, Tahir
Allin-Khan, Dr Rosena
Amesbury, Mike
Anderson, Fleur
Antoniazzi, Tonia
Ashworth, rh Jonathan
Barker, Paula
Beckett, rh Margaret
Begum, Apsana
Benn, rh Hilary
Betts, Mr Clive
Blake, Olivia
Blomfield, Paul
Bradshaw, rh Mr Ben
Brennan, Kevin
Brown, Ms Lyn
Brown, rh Mr Nicholas
Bryant, Chris
Buck, Ms Karen
Burgon, Richard
Butler, Dawn
Byrne, Ian
Byrne, rh Liam
Cadbury, Ruth
Campbell, rh Sir Alan
Campbell, Mr Gregory
Carden, Dan
Carmichael, rh Mr Alistair
Chamberlain, Wendy
Champion, Sarah
Charalambous, Bambos
Clark, Feryal
Cooper, Daisy
Cooper, Rosie
Cooper, rh Yvette
Corbyn, rh Jeremy
Coyle, Neil
Creasy, Stella
Cruddas, Jon
Cryer, John

Cummins, Judith
Cunningham, Alex
Daby, Janet
Davey, rh Ed
David, Wayne
Davies, Geraint
Davies, Philip
Davies-Jones, Alex
De Cordova, Marsha
Debbonaire, Thangam
Dhesi, Mr Tanmanjeet Singh
Dodds, Anneliese
Donaldson, rh Sir Jeffrey M.
Doughty, Stephen
Dowd, Peter
Dromey, Jack
Duffield, Rosie
Eagle, Dame Angela
Eagle, Maria
Eastwood, Colum
Edwards, Jonathan
Efford, Clive
Elliott, Julie
Elmore, Chris
Eshalomi, Florence
Esterson, Bill
Evans, Chris
Farron, Tim
Farry, Stephen
Ferrier, Margaret
Fletcher, Colleen
Fovargue, Yvonne
Foxcroft, Vicky
Foy, Mary Kelly
Furniss, Gill
Gardiner, Barry
Gill, Preet Kaur
Girvan, Paul
Green, Kate
Green, Sarah
Greenwood, Lilian
Greenwood, Margaret
Griffith, Nia

Gwynne, Andrew
Haigh, Louise
Hamilton, Fabian
Hanna, Claire
Hardy, Emma
Harman, rh Ms Harriet
Harris, Carolyn
Hayes, Helen
Healey, rh John
Hendrick, Sir Mark
Hillier, Meg
Hobhouse, Wera
Hodge, rh Dame Margaret
Hodgson, Mrs Sharon
Hollern, Kate
Hollobone, Mr Philip
Hopkins, Rachel
Howarth, rh Sir George
Huq, Dr Rupa
Hussain, Imran
Jardine, Christine
Jarvis, Dan
Johnson, rh Dame Diana
Johnson, Kim
Jones, Darren
Jones, Gerald
Jones, rh Mr Kevan
Jones, Ruth
Jones, Sarah
Kane, Mike
Keeley, Barbara
Kendall, Liz
Khan, Afzal
Kinnock, Stephen
Kyle, Peter
Lake, Ben
Lammy, rh Mr David
Lavery, Ian
Leadbeater, Kim
Lewell-Buck, Mrs Emma
Lewis, Clive
Lloyd, Tony
Lockhart, Carla
Long Bailey, Rebecca
Lucas, Caroline
Lynch, Holly
Madders, Justin
Mahmood, Mr Khalid
Mahmood, Shabana
Malhotra, Seema
Maskell, Rachael
Matheson, Christian
McCarthy, Kerry
McCartney, Jason
McDonagh, Siobhain
McDonald, Andy
McDonnell, rh John
McFadden, rh Mr Pat
McGinn, Conor
McGovern, Alison
McKinnell, Catherine
McMahon, Jim
McMorrin, Anna
McPartland, Stephen
McVey, rh Esther
Mearns, Ian
Miliband, rh Edward
Mishra, Navendu
Moran, Layla
Morden, Jessica
Morgan, Stephen
Morris, Grahame

Murray, Ian
Murray, James
Nandy, Lisa
Nichols, Charlotte
Nokes, rh Caroline
Norris, Alex
Olney, Sarah
Onwurah, Chi
Oppong-Asare, Abena
Osamor, Kate
Osborne, Kate
Owatemi, Taiwo
Owen, Sarah
Paisley, Ian
Peacock, Stephanie
Pennycook, Matthew
Perkins, Mr Toby
Phillips, Jess
Phillipson, Bridget
Pollard, Luke
Powell, Lucy
Qureshi, Yasmin
Rayner, rh Angela
Reed, Steve
Rees, Christina
Reeves, Ellie
Reeves, Rachel
Reynolds, Jonathan
Ribeiro-Addy, Bell
Rimmer, Ms Marie
Robinson, Gavin
Rodda, Matt
Russell-Moyle, Lloyd
Saville Roberts, rh Liz
Shah, Naz
Shannon, Jim
Sharma, Mr Virendra
Sheerman, Mr Barry
Siddiq, Tulip
Slaughter, Andy
Smith, Cat
Smith, Jeff
Smith, Nick
Smyth, Karin
Sobel, Alex
Spellar, rh John
Starmer, rh Keir
Stevens, Jo
Stone, Jamie
Streeter, Wes
Stringer, Graham
Sultana, Zarah
Tami, rh Mark
Tarry, Sam
Thomas, Gareth
Thomas-Symonds, rh Nick
Thornberry, rh Emily
Timms, rh Stephen
Trickett, Jon
Turner, Karl
Twigg, Derek
Vaz, rh Valerie
Vickers, Matt
Webbe, Claudia
West, Catherine
Western, Matt
Whitehead, Dr Alan
Whitley, Mick
Whittome, Nadia
Williams, Hywel
Wilson, Munira
Wilson, rh Sammy

Winter, Beth
Wragg, Mr William
Yasin, Mohammad
Zeichner, Daniel

Tellers for the Ayes:
Liz Twist and
Mary Glindon

NOES

Adams, Nigel
Afolami, Bim
Afriyie, Adam
Ahmad Khan, Imran
Aiken, Nickie
Aldous, Peter
Allan, Lucy
Amess, Sir David
Anderson, Lee
Anderson, Stuart
Andrew, rh Stuart
Ansell, Caroline
Argar, Edward
Atherton, Sarah
Atkins, Victoria
Bacon, Gareth
Bacon, Mr Richard
Badenoch, Kemi
Bailey, Shaun
Baillie, Siobhan
Baker, Duncan
Baker, Mr Steve
Baldwin, Harriett
Barclay, rh Steve
Baron, Mr John
Baynes, Simon
Bell, Aaron
Benton, Scott
Beresford, Sir Paul
Berry, rh Jake
Bhatti, Saqib
Blackman, Bob
Blunt, Crispin
Bone, Mr Peter
Bottomley, Sir Peter
Bowie, Andrew
Bradley, Ben
Bradley, rh Karen
Brady, Sir Graham
Braverman, rh Suella
Brereton, Jack
Bridgen, Andrew
Brine, Steve
Bristow, Paul
Britcliffe, Sara
Brokenshire, rh James
Browne, Anthony
Bruce, Fiona
Buchan, Felicity
Buckland, rh Robert
Burghart, Alex
Burns, rh Conor
Butler, Rob
Cairns, rh Alun
Carter, Andy
Cartlidge, James
Cash, Sir William
Cates, Miriam
Caulfield, Maria
Chalk, Alex
Chishti, Rehman
Chope, Sir Christopher
Churchill, Jo
Clark, rh Greg
Clarke, Mr Simon

Clarke, Theo
Clarke-Smith, Brendan
Clarkson, Chris
Cleverly, rh James
Clifton-Brown, Sir Geoffrey
Coffey, rh Dr Thérèse
Colburn, Elliot
Collins, Damian
Costa, Alberto
Courts, Robert
Coutinho, Claire
Cox, rh Sir Geoffrey
Crabb, rh Stephen
Crosbie, Virginia
Crouch, Tracey
Daly, James
Davies, David T. C.
Davies, Gareth
Davies, Dr James
Davies, Mims
Davis, rh Mr David
Davison, Dehenna
Dinenage, Caroline
Dines, Miss Sarah
Djanogly, Mr Jonathan
Docherty, Leo
Donelan, Michelle
Dorries, Ms Nadine
Double, Steve
Dowden, rh Oliver
Doyle-Price, Jackie
Drax, Richard
Drummond, Mrs Flick
Duddridge, James
Duguid, David
Duncan Smith, rh Sir Iain
Dunne, rh Philip
Eastwood, Mark
Edwards, Ruth
Ellis, rh Michael
Ellwood, rh Mr Tobias
Elphicke, Mrs Natalie
Eustice, rh George
Evans, Dr Luke
Evennett, rh Sir David
Everitt, Ben
Fabricant, Michael
Farris, Laura
Fell, Simon
Fletcher, Katherine
Fletcher, Mark
Fletcher, Nick
Ford, Vicky
Foster, Kevin
Fox, rh Dr Liam
Francois, rh Mr Mark
Frazer, rh Lucy
Freeman, George
Freer, Mike
Fuller, Richard
Fysh, Mr Marcus
Gale, rh Sir Roger
Garnier, Mark
Ghani, Ms Nusrat
Gibb, rh Nick

Gibson, Peter
Gideon, Jo
Glen, John
Goodwill, rh Mr Robert
Gove, rh Michael
Graham, Richard
Grant, Mrs Helen
Gray, James
Grayling, rh Chris
Green, Chris
Green, rh Damian
Griffith, Andrew
Griffiths, Kate
Grundy, James
Gullis, Jonathan
Halfon, rh Robert
Hall, Luke
Hammond, Stephen
Hancock, rh Matt
Hands, rh Greg
Harper, rh Mr Mark
Harris, Rebecca
Harrison, Trudy
Hart, Sally-Ann
Hart, rh Simon
Hayes, rh Sir John
Heald, rh Sir Oliver
Heapey, James
Heaton-Harris, Chris
Henderson, Gordon
Henry, Darren
Higginbotham, Antony
Hinds, rh Damian
Hoare, Simon
Holden, Mr Richard
Hollinrake, Kevin
Holloway, Adam
Holmes, Paul
Howell, John
Howell, Paul
Huddleston, Nigel
Hudson, Dr Neil
Hughes, Eddie
Hunt, Jane
Hunt, rh Jeremy
Hunt, Tom
Jack, rh Mr Alister
Javid, rh Sajid
Jayawardena, Mr Ranil
Jenkin, Sir Bernard
Jenkinson, Mark
Jenkyns, Andrea
Jenrick, rh Robert
Johnson, rh Boris
Johnson, Dr Caroline
Johnson, Gareth
Johnston, David
Jones, Andrew
Jones, rh Mr David
Jones, Fay
Jones, Mr Marcus
Jupp, Simon
Kawczynski, Daniel
Kearns, Alicia
Keegan, Gillian
Knight, rh Sir Greg
Knight, Julian
Kruger, Danny
Kwarteng, rh Kwasi
Lamont, John
Largan, Robert
Latham, Mrs Pauline
Leadsom, rh Dame Andrea
Leigh, rh Sir Edward
Levy, Ian
Lewer, Andrew
Lewis, rh Brandon
Lewis, rh Dr Julian
Liddell-Grainger, Mr Ian
Loder, Chris
Logan, Mark
Longhi, Marco
Lopez, Julia
Lopresti, Jack
Lord, Mr Jonathan
Loughton, Tim
Mackinlay, Craig
Mackrory, Cherylyn
Maclean, Rachel
Mak, Alan
Malthouse, Kit
Mangnall, Anthony
Marson, Julie
May, rh Mrs Theresa
Mayhew, Jerome
Maynard, Paul
McCartney, Karl
Menzies, Mark
Merriman, Huw
Metcalfe, Stephen
Millar, Robin
Miller, rh Mrs Maria
Milling, rh Amanda
Mills, Nigel
Mitchell, rh Mr Andrew
Mohindra, Mr Gagan
Moorhead, Mr Gagan
Moore, Robbie
Mordaunt, rh Penny
Morris, Anne Marie
Morris, David
Morris, James
Morrissey, Joy
Mortimer, Jill
Morton, Wendy
Mullan, Dr Kieran
Mumby-Croft, Holly
Mundell, rh David
Murray, Mrs Sheryl
Murrison, rh Dr Andrew
Neill, Sir Robert
Nici, Lia
Norman, rh Jesse
O'Brien, Neil
Offord, Dr Matthew
Opperman, Guy
Parish, Neil
Patel, rh Priti
Paterson, rh Mr Owen
Pawsey, Mark
Penning, rh Sir Mike
Penrose, John
Percy, Andrew
Philp, Chris
Pincher, rh Christopher
Poulter, Dr Dan
Pow, Rebecca
Prentis, Victoria
Pritchard, rh Mark
Quin, Jeremy
Quince, Will
Raab, rh Dominic
Randall, Tom
Redwood, rh John

Rees-Mogg, rh Mr Jacob
Richards, Nicola
Richardson, Angela
Robertson, Mr Laurence
Robinson, Mary
Rosindell, Andrew
Ross, Douglas
Rowley, Lee
Russell, Dean
Rutley, David
Sambrook, Gary
Saxby, Selaine
Scully, Paul
Seely, Bob
Selous, Andrew
Shapps, rh Grant
Sharma, rh Alok
Shelbrooke, rh Alec
Simmonds, David
Skidmore, rh Chris
Smith, Chloe
Smith, Greg
Smith, Henry
Smith, rh Julian
Smith, Royston
Solloway, Amanda
Spencer, Dr Ben
Spencer, rh Mark
Stafford, Alexander
Stephenson, Andrew
Stevenson, Jane
Stevenson, John
Stewart, rh Bob
Stewart, Iain
Streeter, Sir Gary
Stride, rh Mel
Stuart, Graham
Sturdy, Julian
Sunak, rh Rishi
Sunderland, James
Swayne, rh Sir Desmond
Syms, Sir Robert
Thomas, Derek
Throup, Maggie
Timpson, Edward
Tolhurst, Kelly
Tomlinson, Justin
Tomlinson, Michael
Tracey, Craig
Trevelyan, rh Anne-Marie
Trott, Laura
Truss, rh Elizabeth
Tugendhat, Tom
Vara, Shailesh
Vickers, Martin
Villiers, rh Theresa
Wakeford, Christian
Walker, Mr Robin
Wallace, rh Mr Ben
Wallis, Dr Jamie
Warburton, David
Warman, Matt
Watling, Giles
Webb, Suzanne
Whately, Helen
Wheeler, Mrs Heather
Whittaker, Craig
Whittingdale, rh Mr John
Wiggin, Bill
Wild, James
Williams, Craig
Williamson, rh Gavin
Wood, Mike
Wright, rh Jeremy
Young, Jacob
Zahawi, Nadhim
Tellers for the Noes:
Scott Mann and
Tom Pursglove

Question accordingly negated.

The list of Members currently certified as eligible for a proxy vote, and of the Members nominated as their proxy, is published at the end of today's debates.

Madam Deputy Speaker (Dame Rosie Winterton): I understand that the hon. Member for Stockton South (Matt Vickers) does not wish to press new clause 90 to a Division.

Matt Vickers (Stockton South) (Con): Having received commitments from the Government that they will bring forward measures to tackle this issue during the passage of the Bill, I do not wish to press the new clause.

New Clause 91

REVIEW OF THE MISUSE OF DRUGS ACT 1971

(1) The Secretary of State must conduct a review of the criminal offences in the Misuse of Drugs Act 1971.

(2) In undertaking the review, the Secretary of State must consult—

- (a) the Advisory Council on the Misuse of Drugs;
- (b) the Scottish Ministers;
- (c) the Welsh Ministers;
- (d) the Northern Ireland Department of Health, and
- (e) any other person the Secretary of State considers appropriate.

(3) The Secretary of State must, before the end of the period of 9 months beginning with the day on which this Act comes into force, lay before Parliament a report on the review, including any proposals for legislative change.—(*Anne McLaughlin.*)

This new clause would require the Secretary of State to undertake a review of the criminal offences set out in the Misuse of Drugs Act 1971.

Brought up.

Question put, That the clause be added to the Bill.

The House divided: Ayes 81, Noes 358.

Division No. 37]

[6.42 pm

AYES

Abbott, rh Ms Diane
Bardell, Hannah
Begum, Apsana
Black, Mhairi
Blackford, rh Ian
Blackman, Kirsty
Bonnar, Steven
Brock, Deidre
Brown, Alan
Butler, Dawn
Callaghan, Amy
Cameron, Dr Lisa
Campbell, Mr Gregory
Carmichael, rh Mr Alistair
Chamberlain, Wendy
Chapman, Douglas
Cherry, Joanna
Cooper, Daisy
Corbyn, rh Jeremy
Cowan, Ronnie
Crawley, Angela
Davey, rh Ed
Day, Martyn
Docherty-Hughes, Martin
Donaldson, rh Sir Jeffrey M.
Doogan, Dave
Eastwood, Colum
Edwards, Jonathan
Farron, Tim
Farry, Stephen
Ferrier, Margaret
Flynn, Stephen
Gibson, Patricia
Girvan, Paul
Grady, Patrick
Grant, Peter
Green, Sarah
Hanna, Claire
Hanvey, Neale
Hendry, Drew
Hobhouse, Wera
Hosie, rh Stewart
Jardine, Christine

Lake, Ben
Law, Chris
Linden, David
Lockhart, Carla
MacAskill, Kenny
MacNeil, Angus Brendan
Mc Nally, John
McDonald, Stewart Malcolm
McDonald, Stuart C.
McDonnell, rh John
McLaughlin, Anne
Monaghan, Carol
Moran, Layla
Morris, Grahame
Newlands, Gavin
Nicolson, John
O'Hara, Brendan
Olney, Sarah
Oswald, Kirsten
Paisley, Ian
Qaisar-Javed, Anum
Ribeiro-Addy, Bell
Robinson, Gavin
Saville Roberts, rh Liz
Shannon, Jim
Sheppard, Tommy
Smith, Alyn
Stephens, Chris
Stone, Jamie
Sultana, Zarah
Thewliss, Alison
Thompson, Owen
Thomson, Richard
Whitford, Dr Philippa
Williams, Hywel
Wilson, Munira
Wilson, rh Sammy
Wishart, Pete

Tellers for the Ayes:

Marion Fellows and
Allan Dorans

NOES

Adams, Nigel
Afolami, Bim
Afriyie, Adam
Ahmad Khan, Imran
Aiken, Nickie
Aldous, Peter
Allan, Lucy
Amess, Sir David
Anderson, Lee
Anderson, Stuart
Andrew, rh Stuart

Ansell, Caroline
Argar, Edward
Atherton, Sarah
Atkins, Victoria
Bacon, Gareth
Bacon, Mr Richard
Badenoch, Kemi
Bailey, Shaun
Baillie, Siobhan
Baker, Duncan
Baker, Mr Steve

Baldwin, Harriett
Barclay, rh Steve
Baron, Mr John
Baynes, Simon
Bell, Aaron
Benton, Scott
Beresford, Sir Paul
Berry, rh Jake
Bhatti, Saqib
Blackman, Bob
Blunt, Crispin
Bone, Mr Peter
Bottomley, Sir Peter
Bowie, Andrew
Bradley, Ben
Bradley, rh Karen
Brady, Sir Graham
Braverman, rh Suella
Brereton, Jack
Bridgen, Andrew
Brine, Steve
Bristow, Paul
Britcliffe, Sara
Brokenshire, rh James
Browne, Anthony
Bruce, Fiona
Buchan, Felicity
Buckland, rh Robert
Burghart, Alex
Burns, rh Conor
Butler, Rob
Cairns, rh Alun
Carter, Andy
Cartledge, James
Cash, Sir William
Cates, Miriam
Caulfield, Maria
Chalk, Alex
Chishti, Rehman
Chope, Sir Christopher
Churchill, Jo
Clark, rh Greg
Clarke, Mr Simon
Clarke, Theo
Clarke-Smith, Brendan
Clarkson, Chris
Cleverly, rh James
Clifton-Brown, Sir Geoffrey
Coffey, rh Dr Thérèse
Colburn, Elliot
Collins, Damian
Costa, Alberto
Courts, Robert
Coutinho, Claire
Cox, rh Sir Geoffrey
Crabb, rh Stephen
Crosbie, Virginia
Crouch, Tracey
Daly, James
Davies, David T. C.
Davies, Gareth
Davies, Dr James
Davies, Mims
Davies, Philip
Davis, rh Mr David
Davison, Dehenna
Dinenage, Caroline
Dines, Miss Sarah
Djanogly, Mr Jonathan
Docherty, Leo
Donelan, Michelle
Dorries, Ms Nadine

Double, Steve
Dowden, rh Oliver
Doyle-Price, Jackie
Drax, Richard
Drummond, Mrs Flick
Duddridge, James
Duguid, David
Duncan Smith, rh Sir Iain
Dunne, rh Philip
Eastwood, Mark
Edwards, Ruth
Ellis, rh Michael
Ellwood, rh Mr Tobias
Elphicke, Mrs Natalie
Eustice, rh George
Evans, Dr Luke
Evennett, rh Sir David
Everitt, Ben
Fabricant, Michael
Farris, Laura
Fell, Simon
Fletcher, Katherine
Fletcher, Mark
Fletcher, Nick
Ford, Vicky
Foster, Kevin
Fox, rh Dr Liam
Francois, rh Mr Mark
Frazer, rh Lucy
Freeman, George
Freer, Mike
Fuller, Richard
Fysh, Mr Marcus
Gale, rh Sir Roger
Garnier, Mark
Ghani, Ms Nusrat
Gibb, rh Nick
Gibson, Peter
Gideon, Jo
Glen, John
Goodwill, rh Mr Robert
Gove, rh Michael
Graham, Richard
Grant, Mrs Helen
Gray, James
Grayling, rh Chris
Green, Chris
Green, rh Damian
Griffith, Andrew
Griffiths, Kate
Grundy, James
Gullis, Jonathan
Halfon, rh Robert
Hall, Luke
Hammond, Stephen
Hancock, rh Matt
Hands, rh Greg
Harper, rh Mr Mark
Harris, Rebecca
Harrison, Trudy
Hart, Sally-Ann
Hart, rh Simon
Hayes, rh Sir John
Heald, rh Sir Oliver
Heappey, James
Heaton-Harris, Chris
Henderson, Gordon
Henry, Darren
Higginbotham, Antony
Hinds, rh Damian
Hoare, Simon
Holden, Mr Richard

Hollinrake, Kevin
 Hollobone, Mr Philip
 Holloway, Adam
 Holmes, Paul
 Howell, John
 Howell, Paul
 Huddleston, Nigel
 Hudson, Dr Neil
 Hughes, Eddie
 Hunt, Jane
 Hunt, rh Jeremy
 Hunt, Tom
 Jack, rh Mr Alister
 Javid, rh Sajid
 Jayawardena, Mr Ranil
 Jenkin, Sir Bernard
 Jenkinson, Mark
 Jenkyns, Andrea
 Jenrick, rh Robert
 Johnson, rh Boris
 Johnson, Dr Caroline
 Johnson, Gareth
 Johnston, David
 Jones, Andrew
 Jones, rh Mr David
 Jones, Fay
 Jones, Mr Marcus
 Jupp, Simon
 Kawczynski, Daniel
 Kearns, Alicia
 Keegan, Gillian
 Knight, rh Sir Greg
 Knight, Julian
 Kruger, Danny
 Kwarteng, rh Kwasi
 Lamont, John
 Langan, Robert
 Latham, Mrs Pauline
 Leadsom, rh Dame Andrea
 Leigh, rh Sir Edward
 Levy, Ian
 Lewer, Andrew
 Lewis, rh Brandon
 Lewis, rh Dr Julian
 Liddell-Grainger, Mr Ian
 Loder, Chris
 Logan, Mark
 Longhi, Marco
 Lopez, Julia
 Lopresti, Jack
 Lord, Mr Jonathan
 Loughton, Tim
 Mackinlay, Craig
 Mackrory, Cherylyn
 Maclean, Rachel
 Mak, Alan
 Malthouse, Kit
 Mangnall, Anthony
 Marson, Julie
 May, rh Mrs Theresa
 Mayhew, Jerome
 Maynard, Paul
 McCartney, Jason
 McCartney, Karl
 McPartland, Stephen
 McVey, rh Esther
 Menzies, Mark
 Merriman, Huw
 Metcalfe, Stephen
 Millar, Robin
 Miller, rh Mrs Maria
 Milling, rh Amanda

Mills, Nigel
 Mitchell, rh Mr Andrew
 Mohindra, Mr Gagan
 Moore, Damien
 Moore, Robbie
 Mordaunt, rh Penny
 Morris, Anne Marie
 Morris, David
 Morris, James
 Morrissey, Joy
 Mortimer, Jill
 Morton, Wendy
 Mullan, Dr Kieran
 Mumby-Croft, Holly
 Mundell, rh David
 Murray, Mrs Sheryll
 Murrison, rh Dr Andrew
 Neill, Sir Robert
 Nici, Lia
 Nokes, rh Caroline
 Norman, rh Jesse
 O'Brien, Neil
 Offord, Dr Matthew
 Opperman, Guy
 Parish, Neil
 Patel, rh Priti
 Paterson, rh Mr Owen
 Pawsey, Mark
 Penning, rh Sir Mike
 Penrose, John
 Percy, Andrew
 Philp, Chris
 Pincher, rh Christopher
 Poulter, Dr Dan
 Pow, Rebecca
 Prentis, Victoria
 Pritchard, rh Mark
 Quin, Jeremy
 Quince, Will
 Raab, rh Dominic
 Randall, Tom
 Redwood, rh John
 Rees-Mogg, rh Mr Jacob
 Richards, Nicola
 Richardson, Angela
 Robertson, Mr Laurence
 Robinson, Mary
 Rosindell, Andrew
 Ross, Douglas
 Rowley, Lee
 Russell, Dean
 Rutley, David
 Sambrook, Gary
 Saxby, Selaine
 Scully, Paul
 Seely, Bob
 Selous, Andrew
 Shapps, rh Grant
 Sharma, rh Alok
 Shelbrooke, rh Alec
 Simmonds, David
 Skidmore, rh Chris
 Smith, Chloe
 Smith, Greg
 Smith, Henry
 Smith, rh Julian
 Smith, Royston
 Solloway, Amanda
 Spencer, Dr Ben
 Spencer, rh Mark
 Stafford, Alexander
 Stephenson, Andrew

Stevenson, Jane
 Stevenson, John
 Stewart, rh Bob
 Stewart, Iain
 Streeter, Sir Gary
 Stride, rh Mel
 Stuart, Graham
 Sturdy, Julian
 Sunak, rh Rishi
 Sunderland, James
 Swayne, rh Sir Desmond
 Syms, Sir Robert
 Thomas, Derek
 Throup, Maggie
 Timpson, Edward
 Tolhurst, Kelly
 Tomlinson, Justin
 Tomlinson, Michael
 Tracey, Craig
 Trevelyan, rh Anne-Marie
 Trott, Laura
 Truss, rh Elizabeth
 Tugendhat, Tom
 Vara, Shailesh
 Vickers, Martin
 Vickers, Matt

Villiers, rh Theresa
 Wakeford, Christian
 Walker, Mr Robin
 Wallace, rh Mr Ben
 Wallis, Dr Jamie
 Warburton, David
 Warman, Matt
 Watling, Giles
 Webb, Suzanne
 Whately, Helen
 Wheeler, Mrs Heather
 Whittaker, Craig
 Whittingdale, rh Mr John
 Wiggin, Bill
 Wild, James
 Williams, Craig
 Williamson, rh Gavin
 Wood, Mike
 Wragg, Mr William
 Wright, rh Jeremy
 Young, Jacob
 Zahawi, Nadhim

Tellers for the Noes:
Scott Mann and
Tom Pursglove

Question accordingly negated.

The list of Members currently certified as eligible for a proxy vote, and of the Members nominated as their proxy, is published at the end of today's debates.

Clause 1

POLICE COVENANT REPORT

Amendments made: 32, page 2, line 18, leave out “seek” and insert “ensure that”.

This amendment is consequential on Amendment 34.

Amendment 33, page 2, line 22, at beginning insert “are sought”.

This amendment is consequential on Amendment 34.

Amendment 34, page 3, line 11, at end insert—

“(g) constables of the British Transport Police Force,

(h) special constables of the British Transport Police Force appointed under section 25 of the Railways and Transport Safety Act 2003,

(i) employees of the British Transport Police Authority appointed under section 27 of that Act and under the direction and control of the chief constable of the British Transport Police Force,

(j) persons designated as community support volunteers or policing support volunteers under section 38 of the Police Reform Act 2002 as applied by section 28 of the Railways and Transport Safety Act 2003,

(k) members of the Civil Nuclear Constabulary,

(l) employees of the Civil Nuclear Police Authority employed under paragraph 6 of Schedule 10 to the Energy Act 2004 if, or to the extent that, they are employed to assist the Civil Nuclear Constabulary,

(m) members of the Ministry of Defence Police and other persons under the direction and control of the Chief Constable of the Ministry of Defence Police, and

(n) National Crime Agency officers.”—(*Victoria Atkins.*)

This amendment would, for the purposes of the police covenant report, extend the definition of “members of the police workforce” to include the persons mentioned.

Clause 4

MEANING OF DANGEROUS DRIVING: CONSTABLES ETC

Amendments made: 35, page 5, line 28, at end insert—

“(da) an employee of the British Transport Police Authority appointed under section 27 of the Railways and Transport Safety Act 2003,”.

This amendment would apply the provisions in clause 4 about the meaning of dangerous driving as it applies to constables and others to employees of the British Transport Police Authority.

Amendment 36, page 5, line 35, leave out “(d)” and insert “(da)”.—(*Victoria Atkins.*)

This amendment is consequential on Amendment 35.

Clause 5

MEANING OF CARELESS DRIVING: CONSTABLES ETC

Amendments made: 37, page 6, line 39, at end insert—

“(da) an employee of the British Transport Police Authority appointed under section 27 of the Railways and Transport Safety Act 2003,”.

This amendment would apply the provisions in clause 5 about the meaning of careless driving as it applies to constables and others to employees of the British Transport Police Authority.

Amendment 38, page 7, line 1, leave out “(d)” and insert “(da)”.—(*Victoria Atkins.*)

This amendment is consequential on Amendment 37.

Clause 6

REGULATIONS RELATING TO SECTIONS 4 AND 5

Amendment made: 39, page 7, line 32, after “persons” insert “or areas”.—(*Victoria Atkins.*)

This amendment enables regulations prescribing driving training for the purposes of the amendments in clauses 4 and 5 to make different provision for different areas.

Clause 55

IMPOSING CONDITIONS ON PUBLIC PROCESSIONS

Amendment proposed: 1, page 46, line 25, leave out clause 55.—(*Mr Carmichael.*)

This amendment, together with amendments 2 to 7, would remove Part 3 (Public order) from the Bill.

Question put, That the amendment be made.

The House divided: Ayes 273, Noes 354.

Division No. 38]**[6.50 pm****AYES**

Abbott, rh Ms Diane	Begum, Apsana
Abrahams, Debbie	Benn, rh Hilary
Ali, Rushanara	Betts, Mr Clive
Ali, Tahir	Black, Mhairi
Allin-Khan, Dr Rosena	Blackford, rh Ian
Amesbury, Mike	Blackman, Kirsty
Anderson, Fleur	Blake, Olivia
Antoniazzi, Tonia	Blomfield, Paul
Ashworth, rh Jonathan	Bonnar, Steven
Bardell, Hannah	Bradshaw, rh Mr Ben
Barker, Paula	Brennan, Kevin
Beckett, rh Margaret	Brook, Deidre

Brown, Alan	Gibson, Patricia
Brown, Ms Lyn	Gill, Preet Kaur
Brown, rh Mr Nicholas	Girvan, Paul
Bryant, Chris	Glendon, Mary
Buck, Ms Karen	Grady, Patrick
Burgon, Richard	Grant, Peter
Butler, Dawn	Green, Kate
Byrne, Ian	Green, Sarah
Byrne, rh Liam	Greenwood, Lilian
Cadbury, Ruth	Greenwood, Margaret
Callaghan, Amy	Griffith, Nia
Cameron, Dr Lisa	Gwynne, Andrew
Campbell, rh Sir Alan	Haigh, Louise
Campbell, Mr Gregory	Hamilton, Fabian
Carden, Dan	Hanna, Claire
Chamberlain, Wendy	Hanvey, Neale
Champion, Sarah	Hardy, Emma
Chapman, Douglas	Harman, rh Ms Harriet
Charalambous, Bambos	Harris, Carolyn
Cherry, Joanna	Hayes, Helen
Clark, Feryal	Healey, rh John
Cooper, Daisy	Hendrick, Sir Mark
Cooper, Rosie	Hendry, Drew
Cooper, rh Yvette	Hillier, Meg
Corbyn, rh Jeremy	Hobhouse, Wera
Cowan, Ronnie	Hodge, rh Dame Margaret
Coyle, Neil	Hodgson, Mrs Sharon
Crawley, Angela	Hollern, Kate
Creasy, Stella	Hopkins, Rachel
Cruddas, Jon	Hosie, rh Stewart
Cryer, John	Howarth, rh Sir George
Cummins, Judith	Huq, Dr Rupa
Cunningham, Alex	Hussain, Imran
Daby, Janet	Jardine, Christine
Davey, rh Ed	Jarvis, Dan
David, Wayne	Johnson, rh Dame Diana
Davies, Geraint	Johnson, Kim
Davies-Jones, Alex	Jones, Darren
Day, Martyn	Jones, Gerald
De Cordova, Marsha	Jones, rh Mr Kevan
Debbonaire, Thangam	Jones, Ruth
Dhesi, Mr Tanmanjeet Singh	Jones, Sarah
Docherty-Hughes, Martin	Kane, Mike
Dodds, Anneliese	Keeley, Barbara
Donaldson, rh Sir Jeffrey M.	Kendall, Liz
Doogan, Dave	Khan, Afzal
Dorans, Allan	Kinnock, Stephen
Doughty, Stephen	Kyle, Peter
Dowd, Peter	Lake, Ben
Dromey, Jack	Lammy, rh Mr David
Duffield, Rosie	Lavery, Ian
Eagle, Dame Angela	Lead, Chris
Eagle, Maria	Leadbeater, Kim
Eastwood, Colum	Lewell-Buck, Mrs Emma
Edwards, Jonathan	Lewis, Clive
Efford, Clive	Linden, David
Elliott, Julie	Lloyd, Tony
Elmore, Chris	Lockhart, Carla
Eshalomi, Florence	Long Bailey, Rebecca
Esterson, Bill	Lucas, Caroline
Evans, Chris	Lynch, Holly
Farron, Tim	MacAskill, Kenny
Farry, Stephen	MacNeil, Angus Brendan
Fellows, Marion	Madders, Justin
Ferrier, Margaret	Mahmood, Mr Khalid
Fletcher, Colleen	Mahmood, Shabana
Flynn, Stephen	Malhotra, Seema
Fovargue, Yvonne	Maskell, Rachael
Foxcroft, Vicky	Matheson, Christian
Foy, Mary Kelly	Mc Nally, John
Furniss, Gill	McCarthy, Kerry
Gardiner, Barry	McDonagh, Siobhain

McDonald, Andy
 McDonald, Stewart Malcolm
 McDonald, Stuart C.
 McDonnell, rh John
 McFadden, rh Mr Pat
 McGinn, Conor
 McGovern, Alison
 McKinnell, Catherine
 McLaughlin, Anne
 McMahon, Jim
 McMorrin, Anna
 Mearns, Ian
 Miliband, rh Edward
 Mishra, Navendu
 Monaghan, Carol
 Moran, Layla
 Morden, Jessica
 Morgan, Stephen
 Morris, Grahame
 Murray, Ian
 Murray, James
 Nandy, Lisa
 Newlands, Gavin
 Nichols, Charlotte
 Nicolson, John
 Norris, Alex
 O'Hara, Brendan
 Onwurah, Chi
 Oppong-Asare, Abena
 Osamor, Kate
 Osborne, Kate
 Oswald, Kirsten
 Owatemi, Taiwo
 Owen, Sarah
 Paisley, Ian
 Peacock, Stephanie
 Pennycook, Matthew
 Perkins, Mr Toby
 Phillips, Jess
 Phillipson, Bridget
 Pollard, Luke
 Powell, Lucy
 Qaisar-Javed, Anum
 Qureshi, Yasmin
 Rayner, rh Angela
 Reed, Steve
 Rees, Christina
 Reeves, Ellie
 Reeves, Rachel
 Reynolds, Jonathan
 Ribeiro-Addy, Bell
 Robinson, Gavin
 Rodda, Matt
 Russell-Moyle, Lloyd

Saville Roberts, rh Liz
 Shah, Naz
 Shannon, Jim
 Sharma, Mr Virendra
 Sheerman, Mr Barry
 Sheppard, Tommy
 Siddiq, Tulip
 Slaughter, Andy
 Smith, Alyn
 Smith, Cat
 Smith, Jeff
 Smith, Nick
 Smyth, Karin
 Sobel, Alex
 Spellar, rh John
 Starmer, rh Keir
 Stephens, Chris
 Stevens, Jo
 Stone, Jamie
 Streeting, Wes
 Stringer, Graham
 Sultana, Zarah
 Tami, rh Mark
 Tarry, Sam
 Thewliss, Alison
 Thomas, Gareth
 Thomas-Symonds, rh Nick
 Thompson, Owen
 Thomson, Richard
 Thornberry, rh Emily
 Timms, rh Stephen
 Trickett, Jon
 Turner, Karl
 Twigg, Derek
 Twist, Liz
 Vaz, rh Valerie
 Webbe, Claudia
 West, Catherine
 Western, Matt
 Whitehead, Dr Alan
 Whitford, Dr Philippa
 Whitley, Mick
 Whittome, Nadia
 Williams, Hywel
 Wilson, Munira
 Wilson, rh Sammy
 Winter, Beth
 Wishart, Pete
 Yasin, Mohammad
 Zeichner, Daniel

Tellers for the Ayes:
Mr Alistair Carmichael and
Sarah Olney

NOES

Adams, Nigel
 Afolami, Bim
 Afriyie, Adam
 Ahmad Khan, Imran
 Aiken, Nickie
 Aldous, Peter
 Allan, Lucy
 Amess, Sir David
 Anderson, Lee
 Anderson, Stuart
 Andrew, rh Stuart
 Ansell, Caroline
 Argar, Edward
 Atherton, Sarah
 Atkins, Victoria

Bacon, Gareth
 Bacon, Mr Richard
 Badenoch, Kemi
 Bailey, Shaun
 Baillie, Siobhan
 Baker, Duncan
 Baker, Mr Steve
 Baldwin, Harriett
 Barclay, rh Steve
 Baron, Mr John
 Baynes, Simon
 Bell, Aaron
 Benton, Scott
 Beresford, Sir Paul
 Berry, rh Jake

Bhatti, Saqib
 Blackman, Bob
 Blunt, Crispin
 Bone, Mr Peter
 Bottomley, Sir Peter
 Bowie, Andrew
 Bradley, Ben
 Bradley, rh Karen
 Braverman, rh Suella
 Brereton, Jack
 Bridgen, Andrew
 Brine, Steve
 Bristow, Paul
 Britcliffe, Sara
 Brokenshire, rh James
 Browne, Anthony
 Bruce, Fiona
 Buchan, Felicity
 Buckland, rh Robert
 Burghart, Alex
 Burns, rh Conor
 Butler, Rob
 Cairns, rh Alun
 Carter, Andy
 Cartledge, James
 Cash, Sir William
 Cates, Miriam
 Caulfield, Maria
 Chalk, Alex
 Chishti, Rehman
 Chope, Sir Christopher
 Churchill, Jo
 Clark, rh Greg
 Clarke, Mr Simon
 Clarke, Theo
 Clarke-Smith, Brendan
 Clarkson, Chris
 Cleverly, rh James
 Clifton-Brown, Sir Geoffrey
 Coffey, rh Dr Thérèse
 Colburn, Elliot
 Collins, Damian
 Costa, Alberto
 Courts, Robert
 Coutinho, Claire
 Cox, rh Sir Geoffrey
 Crabb, rh Stephen
 Crosbie, Virginia
 Crouch, Tracey
 Daly, James
 Davies, David T. C.
 Davies, Gareth
 Davies, Dr James
 Davies, Mims
 Davies, Philip
 Davison, Dehenna
 Dinage, Caroline
 Dines, Miss Sarah
 Docherty, Leo
 Donelan, Michelle
 Dorries, Ms Nadine
 Double, Steve
 Dowden, rh Oliver
 Doyle-Price, Jackie
 Drax, Richard
 Drummond, Mrs Flick
 Duddridge, James
 Duguid, David
 Duncan Smith, rh Sir Iain
 Dunne, rh Philip
 Eastwood, Mark
 Edwards, Ruth

Ellis, rh Michael
 Ellwood, rh Mr Tobias
 Elphicke, Mrs Natalie
 Eustice, rh George
 Evans, Dr Luke
 Evennett, rh Sir David
 Everitt, Ben
 Fabricant, Michael
 Farris, Laura
 Fell, Simon
 Fletcher, Katherine
 Fletcher, Mark
 Fletcher, Nick
 Ford, Vicky
 Foster, Kevin
 Fox, rh Dr Liam
 Francois, rh Mr Mark
 Frazer, rh Lucy
 Freeman, George
 Freer, Mike
 Fuller, Richard
 Fysh, Mr Marcus
 Gale, rh Sir Roger
 Garnier, Mark
 Ghani, Ms Nusrat
 Gibb, rh Nick
 Gibson, Peter
 Gideon, Jo
 Glen, John
 Goodwill, rh Mr Robert
 Gove, rh Michael
 Graham, Richard
 Grant, Mrs Helen
 Gray, James
 Grayling, rh Chris
 Green, Chris
 Green, rh Damian
 Griffith, Andrew
 Griffiths, Kate
 Grundy, James
 Gullis, Jonathan
 Halfon, rh Robert
 Hall, Luke
 Hammond, Stephen
 Hancock, rh Matt
 Hands, rh Greg
 Harper, rh Mr Mark
 Harris, Rebecca
 Harrison, Trudy
 Hart, Sally-Ann
 Hart, rh Simon
 Hayes, rh Sir John
 Heald, rh Sir Oliver
 Heappey, James
 Heaton-Harris, Chris
 Henderson, Gordon
 Henry, Darren
 Higginbotham, Antony
 Hinds, rh Damian
 Hoare, Simon
 Holden, Mr Richard
 Hollinrake, Kevin
 Hollobone, Mr Philip
 Holloway, Adam
 Holmes, Paul
 Howell, John
 Howell, Paul
 Huddleston, Nigel
 Hudson, Dr Neil
 Hughes, Eddie
 Hunt, Jane
 Hunt, rh Jeremy

Hunt, Tom
 Jack, rh Mr Alister
 Javid, rh Sajid
 Jayawardena, Mr Ranil
 Jenkin, Sir Bernard
 Jenkinson, Mark
 Jenkyns, Andrea
 Jenrick, rh Robert
 Johnson, rh Boris
 Johnson, Dr Caroline
 Johnson, Gareth
 Johnston, David
 Jones, Andrew
 Jones, rh Mr David
 Jones, Fay
 Jones, Mr Marcus
 Jupp, Simon
 Kawczynski, Daniel
 Kearns, Alicia
 Keegan, Gillian
 Knight, rh Sir Greg
 Knight, Julian
 Kruger, Danny
 Kwarteng, rh Kwasi
 Lamont, John
 Langan, Robert
 Latham, Mrs Pauline
 Leadsom, rh Dame Andrea
 Leigh, rh Sir Edward
 Levy, Ian
 Lewer, Andrew
 Lewis, rh Brandon
 Lewis, rh Dr Julian
 Liddell-Grainger, Mr Ian
 Loder, Chris
 Logan, Mark
 Longhi, Marco
 Lopez, Julia
 Lopresti, Jack
 Lord, Mr Jonathan
 Loughton, Tim
 Mackinlay, Craig
 Mackrory, Cherylyn
 Maclean, Rachel
 Mak, Alan
 Malthouse, Kit
 Mangnall, Anthony
 Marson, Julie
 May, rh Mrs Theresa
 Mayhew, Jerome
 Maynard, Paul
 McCartney, Jason
 McCartney, Karl
 McPartland, Stephen
 McVey, rh Esther
 Menzies, Mark
 Merriman, Huw
 Metcalfe, Stephen
 Millar, Robin
 Miller, rh Mrs Maria
 Milling, rh Amanda
 Mills, Nigel
 Mitchell, rh Mr Andrew
 Mohindra, Mr Gagan
 Moore, Damien
 Moore, Robbie
 Mordaunt, rh Penny
 Morris, Anne Marie
 Morris, David
 Morris, James

Morrissey, Joy
 Mortimer, Jill
 Morton, Wendy
 Mullan, Dr Kieran
 Mumby-Croft, Holly
 Mundell, rh David
 Murray, Mrs Sheryll
 Murrison, rh Dr Andrew
 Neill, Sir Robert
 Nici, Lia
 Nokes, rh Caroline
 Norman, rh Jesse
 O'Brien, Neil
 Offord, Dr Matthew
 Opperman, Guy
 Parish, Neil
 Patel, rh Priti
 Paterson, rh Mr Owen
 Pawsey, Mark
 Penning, rh Sir Mike
 Penrose, John
 Percy, Andrew
 Philp, Chris
 Pincher, rh Christopher
 Poulter, Dr Dan
 Pow, Rebecca
 Prentis, Victoria
 Pritchard, rh Mark
 Quin, Jeremy
 Quince, Will
 Raab, rh Dominic
 Randall, Tom
 Redwood, rh John
 Rees-Mogg, rh Mr Jacob
 Richards, Nicola
 Richardson, Angela
 Robertson, Mr Laurence
 Robinson, Mary
 Rosindell, Andrew
 Ross, Douglas
 Rowley, Lee
 Russell, Dean
 Rutley, David
 Sambrook, Gary
 Saxby, Selaine
 Scully, Paul
 Seely, Bob
 Selous, Andrew
 Shapps, rh Grant
 Sharma, rh Alok
 Shelbrooke, rh Alec
 Simmonds, David
 Skidmore, rh Chris
 Smith, Chloe
 Smith, Greg
 Smith, Henry
 Smith, rh Julian
 Smith, Royston
 Solloway, Amanda
 Spencer, Dr Ben
 Spencer, rh Mark
 Stafford, Alexander
 Stephenson, Andrew
 Stevenson, Jane
 Stevenson, John
 Stewart, rh Bob
 Stewart, Iain
 Streeter, Sir Gary
 Stride, rh Mel
 Stuart, Graham

Sturdy, Julian
 Sunak, rh Rishi
 Sunderland, James
 Swayne, rh Sir Desmond
 Syms, Sir Robert
 Thomas, Derek
 Throup, Maggie
 Timpson, Edward
 Tolhurst, Kelly
 Tomlinson, Justin
 Tomlinson, Michael
 Tracey, Craig
 Trevelyan, rh Anne-Marie
 Trott, Laura
 Truss, rh Elizabeth
 Tugendhat, Tom
 Vara, Shailesh
 Vickers, Martin
 Vickers, Matt
 Villiers, rh Theresa
 Wakeford, Christian
 Walker, Mr Robin

Wallace, rh Mr Ben
 Wallis, Dr Jamie
 Warburton, David
 Warman, Matt
 Watling, Giles
 Webb, Suzanne
 Whately, Helen
 Wheeler, Mrs Heather
 Whittaker, Craig
 Whittingdale, rh Mr John
 Wiggin, Bill
 Wild, James
 Williams, Craig
 Williamson, rh Gavin
 Wood, Mike
 Wright, rh Jeremy
 Young, Jacob
 Zahawi, Nadhim

Tellers for the Noes:
 Tom Pursglove and
 Scott Mann

Question accordingly negated.

The list of Members currently certified as eligible for a proxy vote, and of the Members nominated as their proxy, is published at the end of today's debates.

Clause 62

OFFENCE RELATING TO RESIDING ON LAND WITHOUT
CONSENT IN OR WITH A VEHICLE

Amendment proposed: 8, page 56, line 23, leave out
Clause 62.—(Ian Byrne.)

Question put, That the amendment be made.

The House divided: Ayes 265, Noes 358.

Division No. 39]

[6.57 pm

AYES

Abbott, rh Ms Diane
 Abrahams, Debbie
 Ali, Rushanara
 Ali, Tahir
 Allin-Khan, Dr Rosena
 Amesbury, Mike
 Anderson, Fleur
 Antoniazzi, Tonia
 Ashworth, rh Jonathan
 Bardell, Hannah
 Barker, Paula
 Beckett, rh Margaret
 Begum, Apsana
 Benn, rh Hilary
 Betts, Mr Clive
 Black, Mhairi
 Blackford, rh Ian
 Blackman, Kirsty
 Blake, Olivia
 Blomfield, Paul
 Bonnar, Steven
 Bradshaw, rh Mr Ben
 Brennan, Kevin
 Brock, Deidre
 Brown, Alan
 Brown, Ms Lyn
 Brown, rh Mr Nicholas
 Bryant, Chris
 Buck, Ms Karen

Burgon, Richard
 Butler, Dawn
 Byrne, Ian
 Byrne, rh Liam
 Cadbury, Ruth
 Callaghan, Amy
 Cameron, Dr Lisa
 Campbell, rh Sir Alan
 Carden, Dan
 Carmichael, rh Mr Alistair
 Chamberlain, Wendy
 Champion, Sarah
 Chapman, Douglas
 Charalambous, Bambos
 Cherry, Joanna
 Clark, Feryal
 Cooper, Daisy
 Cooper, Rosie
 Cooper, rh Yvette
 Corbyn, rh Jeremy
 Cowan, Ronnie
 Coyle, Neil
 Crawley, Angela
 Creasy, Stella
 Cruddas, Jon
 Cryer, John
 Cummins, Judith
 Cunningham, Alex
 Daby, Janet

Davey, rh Ed
David, Wayne
Davies, Geraint
Davies-Jones, Alex
Day, Martyn
De Cordova, Marsha
Debbonaire, Thangam
Dhesi, Mr Tanmanjeet Singh
Docherty-Hughes, Martin
Dodds, Anneliese
Doogan, Dave
Dorans, Allan
Doughty, Stephen
Dowd, Peter
Dromey, Jack
Duffield, Rosie
Eagle, Dame Angela
Eagle, Maria
Eastwood, Colum
Edwards, Jonathan
Efford, Clive
Elliott, Julie
Elmore, Chris
Eshalomi, Florence
Esterson, Bill
Evans, Chris
Farron, Tim
Farry, Stephen
Fellows, Marion
Ferrier, Margaret
Fletcher, Colleen
Flynn, Stephen
Fovargue, Yvonne
Foxcroft, Vicky
Foy, Mary Kelly
Furniss, Gill
Gardiner, Barry
Gibson, Patricia
Gill, Preet Kaur
Grady, Patrick
Grant, Peter
Green, Kate
Green, Sarah
Greenwood, Lilian
Greenwood, Margaret
Griffith, Nia
Gwynne, Andrew
Haigh, Louise
Hamilton, Fabian
Hanna, Claire
Hanvey, Neale
Hardy, Emma
Harman, rh Ms Harriet
Harris, Carolyn
Hayes, Helen
Healey, rh John
Hendrick, Sir Mark
Hendry, Drew
Hillier, Meg
Hobhouse, Wera
Hodge, rh Dame Margaret
Hodgson, Mrs Sharon
Hollern, Kate
Hopkins, Rachel
Hosie, rh Stewart
Howarth, rh Sir George
Huq, Dr Rupa
Hussain, Imran
Jardine, Christine
Jarvis, Dan
Johnson, rh Dame Diana
Johnson, Kim

Jones, Darren
Jones, Gerald
Jones, rh Mr Kevan
Jones, Ruth
Jones, Sarah
Kane, Mike
Keeley, Barbara
Kendall, Liz
Khan, Afzal
Kinnock, Stephen
Kyle, Peter
Lake, Ben
Lammy, rh Mr David
Lavery, Ian
Law, Chris
Leadbeater, Kim
Lewell-Buck, Mrs Emma
Lewis, Clive
Linden, David
Lloyd, Tony
Long Bailey, Rebecca
Lucas, Caroline
Lynch, Holly
MacAskill, Kenny
MacNeil, Angus Brendan
Madders, Justin
Mahmood, Mr Khalid
Mahmood, Shabana
Malhotra, Seema
Maskell, Rachael
Matheson, Christian
Mc Nally, John
McCarthy, Kerry
McDonagh, Siobhain
McDonald, Andy
McDonald, Stewart Malcolm
McDonald, Stuart C.
McDonnell, rh John
McFadden, rh Mr Pat
McGinn, Conor
McGovern, Alison
McKinnell, Catherine
McLaughlin, Anne
McMahon, Jim
McMorris, Anna
Mearns, Ian
Miliband, rh Edward
Mishra, Navendu
Monaghan, Carol
Moran, Layla
Morden, Jessica
Morgan, Stephen
Morris, Grahame
Murray, Ian
Murray, James
Nandy, Lisa
Newlands, Gavin
Nichols, Charlotte
Nicolson, John
Norris, Alex
O'Hara, Brendan
Olney, Sarah
Onwurah, Chi
Oppong-Asare, Abena
Osamor, Kate
Osborne, Kate
Oswald, Kirsten
Owatemi, Taiwo
Owen, Sarah
Peacock, Stephanie
Pennycook, Matthew
Perkins, Mr Toby

Phillips, Jess
Phillipson, Bridget
Pollard, Luke
Powell, Lucy
Qaisar-Javed, Anum
Qureshi, Yasmin
Rayner, rh Angela
Reed, Steve
Rees, Christina
Reeves, Ellie
Reeves, Rachel
Reynolds, Jonathan
Ribeiro-Addy, Bell
Rimmer, Ms Marie
Rodda, Matt
Russell-Moyle, Lloyd
Saville Roberts, rh Liz
Shah, Naz
Sharma, Mr Virendra
Sheerman, Mr Barry
Sheppard, Tommy
Siddiq, Tulip
Slaughter, Andy
Smith, Alyn
Smith, Cat
Smith, Jeff
Smith, Nick
Smyth, Karin
Sobel, Alex
Spellar, rh John
Starmer, rh Keir
Stephens, Chris
Stevens, Jo

Adams, Nigel
Afolami, Bim
Afriyie, Adam
Ahmad Khan, Imran
Aiken, Nickie
Allan, Lucy
Amess, Sir David
Anderson, Lee
Anderson, Stuart
Andrew, rh Stuart
Ansell, Caroline
Argar, Edward
Atherton, Sarah
Atkins, Victoria
Bacon, Gareth
Bacon, Mr Richard
Badenoch, Kemi
Bailey, Shaun
Baillie, Siobhan
Baker, Duncan
Baker, Mr Steve
Baldwin, Harriett
Barclay, rh Steve
Baron, Mr John
Baynes, Simon
Bell, Aaron
Benton, Scott
Beresford, Sir Paul
Berry, rh Jake
Bhatti, Saqib
Blackman, Bob
Blunt, Crispin
Bone, Mr Peter
Bottomley, Sir Peter
Bowie, Andrew
Bradley, Ben

Stone, Jamie
Streeting, Wes
Stringer, Graham
Sultana, Zarah
Tami, rh Mark
Tarry, Sam
Thewliss, Alison
Thomas, Gareth
Thomas-Symonds, rh Nick
Thompson, Owen
Thomson, Richard
Thornberry, rh Emily
Timms, rh Stephen
Trickett, Jon
Turner, Karl
Twigg, Derek
Vaz, rh Valerie
Webbe, Claudia
West, Catherine
Western, Matt
Whitehead, Dr Alan
Whitford, Dr Philippa
Whlyne, Mick
Whittome, Nadia
Williams, Hywel
Wilson, Munira
Winter, Beth
Wishart, Pete
Yasin, Mohammad
Zeichner, Daniel

Tellers for the Ayes:

**Liz Twist and
Mary Glindon**

NOES

Bradley, rh Karen
Brady, Sir Graham
Braverman, rh Suella
Brereton, Jack
Bridgen, Andrew
Brine, Steve
Bristow, Paul
Britcliffe, Sara
Brokenshire, rh James
Browne, Anthony
Bruce, Fiona
Buchan, Felicity
Buckland, rh Robert
Burghart, Alex
Burns, rh Conor
Butler, Rob
Cairns, rh Alun
Carter, Andy
Cartledge, James
Cash, Sir William
Cates, Miriam
Caulfield, Maria
Chalk, Alex
Chishti, Rehman
Chope, Sir Christopher
Churchill, Jo
Clark, rh Greg
Clarke, Mr Simon
Clarke, Theo
Clarke-Smith, Brendan
Clarkson, Chris
Cleverly, rh James
Clifton-Brown, Sir Geoffrey
Coffey, rh Dr Thérèse
Colburn, Elliot
Collins, Damian

Costa, Alberto
 Courts, Robert
 Coutinho, Claire
 Cox, rh Sir Geoffrey
 Crabb, rh Stephen
 Crosbie, Virginia
 Crouch, Tracey
 Daly, James
 Davies, David T. C.
 Davies, Gareth
 Davies, Dr James
 Davies, Mims
 Davies, Philip
 Davis, rh Mr David
 Davison, Dehenna
 Dinenage, Caroline
 Dines, Miss Sarah
 Djanogly, Mr Jonathan
 Docherty, Leo
 Donelan, Michelle
 Dorries, Ms Nadine
 Double, Steve
 Dowden, rh Oliver
 Doyle-Price, Jackie
 Drax, Richard
 Drummond, Mrs Flick
 Duddridge, James
 Duguid, David
 Duncan Smith, rh Sir Iain
 Dunne, rh Philip
 Eastwood, Mark
 Edwards, Ruth
 Ellis, rh Michael
 Ellwood, rh Mr Tobias
 Elphicke, Mrs Natalie
 Eustice, rh George
 Evans, Dr Luke
 Evennett, rh Sir David
 Everitt, Ben
 Fabricant, Michael
 Farris, Laura
 Fell, Simon
 Fletcher, Katherine
 Fletcher, Mark
 Fletcher, Nick
 Ford, Vicky
 Foster, Kevin
 Fox, rh Dr Liam
 Francois, rh Mr Mark
 Frazer, rh Lucy
 Freeman, George
 Freer, Mike
 Fuller, Richard
 Fysh, Mr Marcus
 Gale, rh Sir Roger
 Garnier, Mark
 Ghani, Ms Nusrat
 Gibb, rh Nick
 Gibson, Peter
 Gideon, Jo
 Glen, John
 Goodwill, rh Mr Robert
 Gove, rh Michael
 Graham, Richard
 Grant, Mrs Helen
 Gray, James
 Grayling, rh Chris
 Green, Chris
 Green, rh Damian
 Griffith, Andrew
 Griffiths, Kate
 Grundy, James

Gullis, Jonathan
 Halfon, rh Robert
 Hall, Luke
 Hammond, Stephen
 Hancock, rh Matt
 Hands, rh Greg
 Harper, rh Mr Mark
 Harris, Rebecca
 Harrison, Trudy
 Hart, Sally-Ann
 Hart, rh Simon
 Hayes, rh Sir John
 Heald, rh Sir Oliver
 Heappey, James
 Heaton-Harris, Chris
 Henderson, Gordon
 Henry, Darren
 Higginbotham, Antony
 Hinds, rh Damian
 Hoare, Simon
 Holden, Mr Richard
 Hollinrake, Kevin
 Hollobone, Mr Philip
 Holloway, Adam
 Holmes, Paul
 Howell, John
 Howell, Paul
 Huddleston, Nigel
 Hudson, Dr Neil
 Hughes, Eddie
 Hunt, Jane
 Hunt, rh Jeremy
 Hunt, Tom
 Jack, rh Mr Alister
 Javid, rh Sajid
 Jayawardena, Mr Ranil
 Jenkin, Sir Bernard
 Jenkinson, Mark
 Jenkyns, Andrea
 Jenrick, rh Robert
 Johnson, rh Boris
 Johnson, Dr Caroline
 Johnson, Gareth
 Johnston, David
 Jones, Andrew
 Jones, rh Mr David
 Jones, Fay
 Jones, Mr Marcus
 Jupp, Simon
 Kawczynski, Daniel
 Kearns, Alicia
 Keegan, Gillian
 Knight, rh Sir Greg
 Knight, Julian
 Kruger, Danny
 Kwarteng, rh Kwasi
 Lamont, John
 Largan, Robert
 Latham, Mrs Pauline
 Leadsom, rh Dame Andrea
 Leigh, rh Sir Edward
 Levy, Ian
 Lewer, Andrew
 Lewis, rh Brandon
 Lewis, rh Dr Julian
 Liddell-Grainger, Mr Ian
 Loder, Chris
 Logan, Mark
 Longhi, Marco
 Lopez, Julia
 Lopresti, Jack
 Lord, Mr Jonathan

Loughton, Tim
 Mackinlay, Craig
 Mackrory, Cheryllyn
 Maclean, Rachel
 Mak, Alan
 Malthouse, Kit
 Mangnall, Anthony
 Marson, Julie
 May, rh Mrs Theresa
 Mayhew, Jerome
 Maynard, Paul
 McCartney, Jason
 McCartney, Karl
 McPartland, Stephen
 McVey, rh Esther
 Menzies, Mark
 Merriman, Huw
 Metcalfe, Stephen
 Millar, Robin
 Miller, rh Mrs Maria
 Milling, rh Amanda
 Mills, Nigel
 Mitchell, rh Mr Andrew
 Mohindra, Mr Gagan
 Moore, Damien
 Moore, Robbie
 Mordaunt, rh Penny
 Morris, Anne Marie
 Morris, David
 Morris, James
 Morrissey, Joy
 Mortimer, Jill
 Morton, Wendy
 Mullan, Dr Kieran
 Mumby-Croft, Holly
 Mundell, rh David
 Murray, Mrs Sheryll
 Murrison, rh Dr Andrew
 Neill, Sir Robert
 Nici, Lia
 Nokes, rh Caroline
 Norman, rh Jesse
 O'Brien, Neil
 Offord, Dr Matthew
 Opperman, Guy
 Parish, Neil
 Patel, rh Priti
 Paterson, rh Mr Owen
 Pawsey, Mark
 Penning, rh Sir Mike
 Penrose, John
 Percy, Andrew
 Philp, Chris
 Pincher, rh Christopher
 Poulter, Dr Dan
 Pow, Rebecca
 Prentis, Victoria
 Pritchard, rh Mark
 Quin, Jeremy
 Quince, Will
 Raab, rh Dominic
 Randall, Tom
 Redwood, rh John
 Rees-Mogg, rh Mr Jacob
 Richards, Nicola
 Richardson, Angela
 Robertson, Mr Laurence
 Robinson, Mary
 Rosindell, Andrew
 Ross, Douglas
 Rowley, Lee
 Russell, Dean

Rutley, David
 Sambrook, Gary
 Saxby, Selaine
 Scully, Paul
 Seely, Bob
 Selous, Andrew
 Shapps, rh Grant
 Sharma, rh Alok
 Shelbrooke, rh Alec
 Simmonds, David
 Skidmore, rh Chris
 Smith, Chloe
 Smith, Greg
 Smith, Henry
 Smith, rh Julian
 Smith, Royston
 Solloway, Amanda
 Spencer, Dr Ben
 Spencer, rh Mark
 Stafford, Alexander
 Stephenson, Andrew
 Stevenson, Jane
 Stevenson, John
 Stewart, rh Bob
 Stewart, Iain
 Streeter, Sir Gary
 Stride, rh Mel
 Stuart, Graham
 Sturdy, Julian
 Sunak, rh Rishi
 Sunderland, James
 Swayne, rh Sir Desmond
 Syms, Sir Robert
 Thomas, Derek
 Throup, Maggie
 Timpson, Edward
 Tolhurst, Kelly
 Tomlinson, Justin
 Tomlinson, Michael
 Tracey, Craig
 Trevelyan, rh Anne-Marie
 Trott, Laura
 Truss, rh Elizabeth
 Tugendhat, Tom
 Vara, Shailesh
 Vickers, Martin
 Vickers, Matt
 Villiers, rh Theresa
 Wakeford, Christian
 Walker, Mr Robin
 Wallace, rh Mr Ben
 Wallis, Dr Jamie
 Warburton, David
 Warman, Matt
 Watling, Giles
 Webb, Suzanne
 Whately, Helen
 Wheeler, Mrs Heather
 Whittaker, Craig
 Whittingdale, rh Mr John
 Wiggin, Bill
 Wild, James
 Williams, Craig
 Williamson, rh Gavin
 Wood, Mike
 Wragg, Mr William
 Wright, rh Jeremy
 Young, Jacob
 Zahawi, Nadhim

Tellers for the Noes:
 Scott Mann and
 Tom Pursglove

Question accordingly negated.

The list of Members currently certified as eligible for a proxy vote, and of the Members nominated as their proxy, is published at the end of today's debates.

Clause 140

SERIOUS VIOLENCE REDUCTION ORDERS

Amendments made: 40, in clause 140, Clause 140, page 133, line 16, at end insert—

“(e) where the offence on the basis of which the order was made is an offence to which this paragraph applies, the chief constable of the British Transport Police Force.

(2A) Paragraph (e) of subsection (2) applies to an offence which—

(a) was committed at, or in relation to, a place within section 31(1)(a) to (f) of the Railways and Transport Safety Act 2003 (jurisdiction of British Transport Police Force), or

(b) otherwise related to a railway within the meaning given by section 67 of the Transport and Works Act 1992 or a tramway within the meaning given by that section.”.

Amendment 41, page 133, line 47, after “offender” insert—

“or the chief constable of the British Transport Police Force”.

Amendment 42, page 134, line 21, after “police” insert—

“or the chief constable of the British Transport Police Force”.

Amendment 43, page 134, line 24, at end insert—

“(d) where the offence on the basis of which the serious violence reduction order was made is an offence to which this paragraph applies, the chief constable of the British Transport Police Force may appeal against the making of an order under that section

which was made on the application of the offender.

(2A) Paragraph (d) of subsection (2) applies to an offence which—

(a) was committed at, or in relation to, a place within section 31(1)(a) to (f) of the Railways and Transport Safety Act 2003 (jurisdiction of British Transport Police Force), or

(b) otherwise related to a railway within the meaning given by section 67 of the Transport and Works Act 1992 or a tramway within the meaning given by that section.”.

Amendment 44, page 134, line 38, at end insert—

“and

(c) the chief constable of the British Transport Police Force,”.

Amendment 45, page 134, line 44, leave out “or chief officer of police” and insert—

“, chief officer of police or the chief constable of the British Transport Police Force”.—(*Victoria Atkins.*)

Madam Deputy Speaker (Dame Rosie Winterton): We come to group two. After I have called the right hon. and learned Member for Camberwell and Peckham (Ms Harman) to move new clause 3, there will be a four-minute limit on Back-Bench contributions.

New Clause 3

RESTRICTION ON EVIDENCE OR QUESTIONS ABOUT COMPLAINANT'S SEXUAL HISTORY

“(1) Section 41 of the Youth Justice and Criminal Evidence Act 1999 is amended as follows.

(2) In subsection (1)—

(a) starting in paragraph (b) omit “in cross examination, by or on behalf of any accused at the trial,”;

(b) at end insert “with anyone other than the defendant”.

(3) In subsection (2)—

(a) for “an accused” substitute “a party to the trial”;

(b) in paragraph (a) omit “or (5)”.

(4) For subsection (3) substitute—

“(3) This subsection applies if the evidence or question relates to a relevant issue in the case and that issue is not an issue of consent.”

(5) For subsection (5) substitute—

“(a) For the purposes of subsection (3) no evidence may be adduced or question asked unless the judge determines in accordance with the procedures in this subsection that the question or evidence has significant probative value that is not substantially outweighed by the danger of prejudice to the proper administration of justice.

(b) In determining that question the judge shall take into account—

(i) the interests of justice, including the right of the accused to make a full answer and defence;

(ii) the need to preserve the integrity of the trial process by removing from the fact-finding process any discriminatory belief or bias;

(iii) the risk that the evidence may unduly arouse sentiments of prejudice, sympathy or hostility in the jury;

(iv) the potential threat to the complainant's personal dignity and right to privacy;

(v) the complainant's right to personal security and to the full protection and benefit of the law;

(vi) the provisions of the Victims Code;

and any other factor that the judge considers relevant.”

(6) In subsection (6), for “subsections (3) and (5)” substitute “subsection (3)”.

This new clause excludes the admission in evidence of any sexual behaviour of the complainant with a third party, whether by the prosecution or the defence, to show consent, whilst leaving it admissible if it is relevant to any other issue in the case. It sets out the additional requirement that to be admitted the material must be more probative than prejudicial and sets out the considerations the judge must have in regard to considering that extra requirement.

Brought up, and read the First time.

Ms Harman [V]: I beg to move, That the clause be read a Second time.

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

New clause 4—Definition of “issue of consent”—

“(1) Section 42 of the Youth Justice and Criminal Evidence Act 1999 is amended as follows.

(2) For paragraph (b) substitute—

“(b) “issue of consent” means any issue where the complainant in fact consented to the conduct constituting the offence with which the defendant is charged and any issue where the accused reasonably believed that the complainant so consented;”

This new clause re-defines “issue of consent” for the purposes of section 41, including in the definition the defendant's reasonable belief in consent, and thus removing it as a reason for the inclusion of a complainant's sexual history or behaviour.

New clause 5—Admission of evidence or questions about complainant's sexual history—

“(1) The Youth Justice and Criminal Evidence Act 1999 is amended as follows.

(2) After section 43 insert—

“43A In any trial or contested hearing to which section 41 of the Youth Justice and Criminal Evidence Act 1999 applies, if no pre-trial application in accordance with Part 36 of the Criminal Procedure Rules has been made, or if such application has been made and refused in whole or in part, no further application may be made during the course of the trial or before its commencement to call such evidence or ask such question, and no judge may allow such application or admit any such questions or evidence.”

This new clause would have the effect that no section 41 evidence or questions could be admitted by a judge at trial unless there had been an application before trial in accordance with the practice directions; and the amendment would ban applications from being made immediately before or during the trial.

New clause 6—Complainant’s right of representation and appeal on an application to adduce evidence or questions on sexual conduct—

‘(1) The Youth Justice and Criminal Evidence Act 1999 is amended as follows.

(2) After section 43 insert—

“43A In any trial to which section 41 applies, where notice is given that there will be an application under Part 36 of the Criminal Procedure Rules for leave to ask questions or to adduce evidence as to any sexual behaviour of the complainant—

- (1) The complainant may not be compelled to give evidence at any hearing on the application.
- (2) The complainant will be entitled to be served with the application and to be legally represented (with the assistance of legal aid if financially eligible) as “a party” within the meaning of the Criminal Procedure Rules in responding in writing to the application and in presenting their case at any hearing on the application.
- (3) If the application succeeds in whole or in part, the complainant will have a right to appeal for a rehearing of the application to the Court of Appeal on notice within 7 days of the judgement being delivered.
- (4) On any such appeal, the Court of Appeal will rehear the application in full and may grant or refuse it in whole or in part.
- (5) The Secretary of State may, by regulation, set out rules of procedure relating to any hearing or appeal under this section.”

This new clause would give the complainant a right of representation, with legal aid if they are financially eligible, to oppose any application to admit section 41 material about them. This new clause would also give complainants a right of appeal to the Court of Appeal if the application is allowed in whole or in part. The new clause also provides that the complainant is not compellable as witness at the application.

New clause 7—Collection of and reporting to Parliament on data and information relating to proceedings involving rape and sexual assault—

‘(1) The Secretary of State shall collect and report to Parliament annually the following data and information—

- (a) The time taken in every case of rape or sexual assault for the case to progress from complaint to charge, from charge to pre-trial plea and management hearing; and from then until trial.
- (b) The number of applications to ask questions or adduce evidence of any sexual behaviour of the complainant under section 41 of the Youth Justice and Criminal Evidence Act 1999 (“the 1999 Act”) made in the Magistrates and Crown Courts of England and Wales, irrespective of whether a trial was subsequently held.
- (c) The number of cases which involved questions on or evidence of any sexual behaviour of the complainant in all rape, sexual abuse and other trials or contested hearings in the Magistrates and Crown courts in

England and Wales, irrespective of whether an application was made to admit such questions or evidence in advance of the trial or hearing.

(d) In cases to which section 41 of the 1999 Act applies—

- (i) whether Part 36 of the Criminal Procedure Rules was followed in each application and if it was not, how it was not;
- (ii) the questions proposed to be asked;
- (iii) the evidence proposed to be called;
- (iv) whether the prosecution opposed the application and if so the content of their representations;
- (v) whether evidence was called to support or oppose the application;
- (vi) whether the application was allowed in whole or in part and a copy of the judgement made on the application;

and

- (vii) any other material which might assist in an assessment of the frequency, basis and nature of applications for the use of such questions or evidence and the likely impact on any parties to any trial and the trial outcome.

(2) The data and information to be collected under subsection (1) shall include—

- (a) all the material from any pre-trial application;
- (b) the questions in fact asked and the evidence in fact called about any sexual behaviour of the complainant in the trial;
- (c) any application at the start or during the course of the trial to vary or alter any judgement given in any earlier application or any further application to admit such questions or evidence;
- (d) whether any material not previously authorised was used in the trial;
- (e) whether the prosecution objected; and
- (f) any ruling made or action taken by the judge on the further conduct of the trial as a consequence of the admission of questions or evidence under section 41 of the 1999 Act.

(3) The data and information to be collected under this section shall be collected from the date of Royal Assent to this Bill.’

This new clause requires the Secretary of State to collect and report to Parliament data and information on trial delay and section 41 matters.

New clause 8—Training for relevant public officials in relation to the conduct of cases of serious sexual offences—

‘(1) The Secretary of State shall, on this Act coming into force, publish and implement a strategy to provide training on the investigation of rape and alleged rape complainants, and the admissibility and cross-examination of complainants on their sexual history to—

- (a) the Crown Prosecution Service;
- (b) Police Forces;
- (c) the Judiciary; and
- (d) such other public bodies as the Secretary of State considers appropriate.

(2) The Secretary of State shall ensure that any judge who is asked to hear a trial where the accused is charged with rape or any other serious sexual offence has attended and completed a training programme for such trials which has been accredited by the Judicial College.’

This new clause ensures that all criminal justice agencies shall be trained and that no judge can hear a sexual offence trial of any kind unless they have attended the Judicial College serious sexual offence course.

New clause 9—Requirement for a pre-sentence report when sentencing a primary carer—

‘(1) Section 30 of the Sentencing Act 2020 is amended as follows.

(2) After subsection (3) insert—

“(3A) A court must make inquiries to establish whether the offender is a primary carer for a child.

(3B) If the court establishes that the offender is a primary carer for a child, unless there are exceptional circumstances before sentencing the offender the court must obtain a pre-sentence report containing information to enable the court to make an assessment of the impact of a custodial sentence on the child.”

(3) After subsection (4) insert—

“(5) In this section—

(e) “child” means a person under the age of 18; and

(f) “primary carer” means a person who has primary or substantial care responsibilities for a child.”

This new clause amends section 30 of the Sentencing Act 2020 to make clear the requirement for a sentencing judge to have a copy of a pre-sentence report, considering the impact of a custodial sentence on the dependent child, when sentencing a primary carer of a child.

New clause 10—Duty of the court to state how it has considered the consequences for the child when sentencing—

“(1) Section 52 of the Sentencing Act 2020 is amended as follows.

(2) After subsection (9) insert—

“Offenders who are primary carers

(10) A court sentencing a primary carer for a child must state how the best interests of the child were considered in determining the sentence (including, if appropriate, consideration of the views of the child).

(11) A court sentencing a pregnant woman must state how the best interests of the baby were considered in determining the sentence.

(12) In this section—

(a) “child” means a person under the age of 18; and

(b) “primary carer” means a person who has primary or substantial care responsibilities for a child.”

This new clause amends section 52 of the Sentencing Act 2020 to require a sentencing judge to state how the best interests of a child were considered when sentencing a primary carer of a dependent child.

New clause 11—Welfare of child to be a distinct consideration when sentencing a primary carer—

“(1) After section 227 of the Sentencing Act 2020, insert—

“227A Restrictions on imposing imprisonment on a primary carer

(1) This section applies where a court is considering imposing a custodial sentence on—

(a) a primary carer for a child, or

(b) a pregnant woman.

(2) The sentencing court must—

(a) consider the impact of a custodial sentence on the child or unborn child, and

(b) presume (subject to victim impact and any other sentencing considerations) that a non-custodial sentence is in the best interests of the child or unborn child.

(3) In this section—

(a) “child” means a person under the age of 18, and

(b) “primary carer” means a person who has primary or substantial care responsibilities for a child.”

This new clause would create a requirement for a sentencing judge to consider the impact of a custodial sentence on a child when sentencing a primary carer of a dependent child.

New clause 12—Welfare of child to be a distinct consideration when determining bail for a primary carer—

“(1) Section 4 of the Bail Act 1976 is amended as follows.

(2) After subsection (9) insert—

“(10) Where a court determines whether to grant bail in criminal proceedings to a person to whom this section applies who is a primary carer for a child or pregnant, the court must—

(a) consider the impact of not granting bail on the child or unborn child; and

(b) presume (subject to victim impact or other relevant considerations) that it is in the best interests of the child or unborn child for bail to be granted.

(11) In this section—

(a) “child” means a person under the age of 18, and

(b) “primary carer” means a person who has primary or substantial care responsibilities for a child.”

This new clause would impose a requirement for the judge to consider the impact of not granting bail on a child when determining, in criminal proceedings, whether to grant bail to a primary carer of a dependent child.

New clause 13—Data collection in relation to prisoners who are primary carers—

“(1) The Secretary of State must collect and publish annual data identifying—

(a) how many prisoners are the primary carers of a child,

(b) how many children have a primary carer in custody, and

(c) the ages of those children.

(2) In this section—

(a) “child” means a person under the age of 18, and

(b) “primary carer” means a person who has primary or substantial

care responsibilities for a child.”

This new clause would impose a requirement on the Secretary of State to collect and publish data on the number of prisoners who are the primary carers of a child and the number of children who have a primary carer in custody.

New clause 17—Maximum sentences for causing or allowing a child or vulnerable adult to suffer serious injury or death—

“(1) Section 5 of the Domestic Violence, Crime and Victims Act 2004 is amended as follows—

(a) in subsection (7), for “a term not exceeding 14 years” substitute “life”, and

(b) in subsection (8), for “10” substitute “14”.

(2) Schedule 19 of the Sentencing Act 2020 is amended by the insertion of the following after paragraph 20—

“Domestic Violence, Crime and Victims Act 2004

20A An offence to which section 5(7) of the Domestic Violence, Crime and Victims Act 2004 applies.”

This new clause seeks to increase sentencing levels under section 5 of the Domestic Violence Crime and Victims Act 2004 (causing or allowing a child or vulnerable adult to suffer serious injury or death) by raising the death offence to life imprisonment, and the “serious injury” offence to 14 years.

New clause 18—Custody for own protection or own welfare—

“(1) The Bail Act 1976 is amended as follows.

(2) In Part 1 of Schedule 1 (Defendants accused or convicted of imprisonable offences) omit paragraph 3.

(3) In Part 1A of Schedule 1 (Defendants accused or convicted of imprisonable offences to which Part 1 does not apply) omit paragraph 5.

(4) In Part 2 of Schedule 1 (Defendants accused or convicted of non-imprisonable offences) omit paragraph 3.”

This new clause would repeal the power of the criminal courts to remand a defendant into custody for their own protection (or in the case of a child, for their own welfare) pending trial or sentence.

New clause 19—*Justice impact assessment for Wales*—

‘(1) Within six months of the passage of this Act, the Secretary of State must issue a justice impact assessment for any provision of this Act, or regulations made under this Act, which impacts on matters which are devolved to the Welsh Parliament / Senedd Cymru.

(2) The Secretary of State must, within one month of the date on which they are made, issue a justice impact assessment for any regulations made under this Act which are not included in the assessment required under subsection (1) which impact on matters which are devolved to the Welsh Parliament / Senedd Cymru.’

This new clause would require the Secretary of State to issue an assessment of the impact of the Bill on devolved policy and services in Wales within six months of it passing, and to issue such an assessment of any further changes to regulations under the Bill within one month of making them.

RTA
Section 170(4A)

Failing to stop and give particulars after accident involving actual or potential serious or fatal injury or to report accident

On indictment

14 years

Obligatory

Obligatory

6-11

(3) After subsection 34(3)(d) of the Road Traffic Offenders Act 1988, insert—

“(e) section 4A (failing to stop and give particulars after accident involving actual or potential serious or fatal injury or to report accident)”.

This new clause creates a new offence of failing to stop or report accidents where the driver knew that the accident had caused serious or fatal injury, or where he ought reasonably to have realised that it might have done so, with a maximum sentence of 14 years custody.

New clause 21—*Definition of “exceptional hardship”*

‘In the Road Traffic Offenders Act 1988, after subsection 35(4), insert—

“(4A) (a) In subsection (4)(b) above, the hardship that would be caused by an offender’s disqualification should be regarded as exceptional if and only if it is significantly greater than the hardship that would arise for a large majority of other drivers if the same disqualification were imposed on them.

(b) In assessing whether the hardship arising from the offender’s disqualification would be exceptional, a court may take account of—

(i) any circumstances relating to the offender’s economic circumstances or location of residence that would make it exceptionally hard for him to access key services such as grocery shops and postal, banking and healthcare facilities,

(ii) any hardship that would be incurred by the offender’s family or others who are disabled and who depend on the offender to provide care for them, and

(iii) any other circumstance which it believes would make the hardship genuinely exceptional.”

This new clause provides a definition of “exceptional hardship” for the purpose of RTOA ss35(4)(b). It requires that a court should only regard hardship as “exceptional” if it is significantly greater than the hardship that would arise for a large majority of other drivers if the same disqualification were imposed on them.

New clause 22—*Special measures access for eligible witnesses*—

‘(1) The Youth Justice and Criminal Evidence Act 1999 is amended as follows.

(2) In section 19(2), omit paragraphs (a) and (b) and insert—

“(a) inform the witness of the special measures which are available to them by virtue of this Act; and

(b) give a direction under this section providing for whichever measure or measures as the witness may decide they wish to be applied to apply to evidence given by the witness.

New clause 20—*Failing to stop or report accidents involving actual or potential serious or fatal injury*—

‘(1) After subsection 170(4) of the Road Traffic Act 1988, insert—

“(4A) A person who fails to comply with subsections 170(2) or 170(3) when he knew that the accident had caused serious or fatal personal injury, or where he ought reasonably to have realised that it might have done so, is guilty of an offence.”

(2) In Part 1 of Schedule 2 of the Road Traffic Offenders Act 1988 (prosecution and punishment of offences: offences under the Traffic Acts), after the entry relating to an offence under RTA subsection 170(4), insert the following—

Provided that a direction under paragraph (b) shall ensure that the measure or measures provided for do not inhibit the evidence of the witness being effectively tested by a party to the proceedings.”

(3) Omit section 19(3).’

This new clause would mean that once witnesses are determined as eligible for special measures they will be informed of all provisions and able to decide which option best suits them, rather than relying on the court to decide which measures would best improve the quality of evidence.

New clause 25—*Restriction on evidence or questions about mental health counselling or treatment records relating to complainant or witness*—

‘(1) The Youth Justice and Criminal Evidence Act 1999 is amended as follows.

(2) After section 43 insert—

“43A Restriction on evidence or questions about mental health counselling or treatment records relating to complainant or witness

(1) If at a trial a person is charged with a sexual offence, then, except with the leave of the court—

(a) no evidence may be adduced, and

(b) no question may be asked in cross examination, by or on behalf of any accused at the trial, about any records made in relation to any mental health counselling or treatment which may have been undertaken by a complainant or witness.

(2) The records made include those made by—

(a) a counsellor,

(b) a therapist,

(c) an Independent Sexual Violence Adviser (ISVA), and

(d) any victim support services.

(3) The court may give leave in relation to any evidence or question only on an application made by or on behalf of a party to the trial, and may not give such leave unless it is satisfied that—

(a) the evidence or question relates to a relevant issue in the case which will include a specific instance (or specific instances) of alleged sexual behaviour on the part of the complainant,

- (b) the evidence or question has significant probative value that is not substantially outweighed by the danger of prejudice to the proper administration of justice; and
- (c) a refusal of leave might have the result of rendering unsafe a conclusion of the jury or (as the case may be) the court on any relevant issue in the case.
- (4) For the purposes of making a determination under paragraph (3)(b) the judge shall take into account—
 - (a) the interests of justice, including the right of the accused to make a full answer and defence;
 - (b) the need to preserve the integrity of the trial process by removing from the fact-finding process any discriminatory belief or bias;
 - (c) the risk that the evidence may unduly arouse sentiments of prejudice, sympathy or hostility in the jury;
 - (d) the potential threat to the personal dignity and right to privacy of the complainant or witness;
 - (e) the complainant's or witness's right to personal security and to the full protection and benefit of the law;
 - (f) the provisions of the Victims Code; and
 - (g) any other factor that the judge considers relevant.
- (5) Where this section applies in relation to a trial by virtue of the fact that one or more of a number of persons charged in the proceedings is or are charged with a sexual offence—
 - (a) it shall cease to apply in relation to the trial if the prosecutor decides not to proceed with the case against that person or those persons in respect of that charge; but
 - (b) it shall not cease to do so in the event of that person or those persons pleading guilty to, or being convicted of, that charge.
- (6) Nothing in this section authorises any evidence to be adduced or any question to be asked which cannot be adduced or asked apart from this section.
- (7) In relation to evidence or questions under this section, if no pre-trial application in accordance with Part 36 of the Criminal Procedure Rules has been made, or if such application has been made and refused in whole or in part, no further application may be made during the course of the trial or before its commencement to call such evidence or ask such question, and no judge may allow such application or admit any such questions or evidence.”

This new clause would restrict evidence or questions about mental health counselling or treatment records relating to complainant or witness unless a defined threshold is met.

New clause 54—Equality Impact Analyses of provisions of this Act—

‘(1) The Secretary of State must review the equality impact of the provisions of this Act in accordance with this section and lay a report of that review before the House of Commons within six months of the passage of this Act.

(2) A review under this section must consider the impact of those provisions on—

- (a) households at different levels of income;
- (b) people with protected characteristics (within the meaning of the Equality Act 2010);
- (c) the Government's compliance with the public sector equality duty under section 149 of the Equality Act 2010; and
- (d) equality in different parts of the United Kingdom and different regions of England.

(3) A review under this section must include a separate analysis of each section of the Act, and must also consider the cumulative impact of the Act as a whole.’

New clause 73—Unduly lenient sentences: time limit—

‘(1) The Criminal Justice Act 1988 is amended as follows.

(2) In Schedule 3, paragraph 1, after “within” leave out “28” and insert “56”.’

New clause 74—Reviews of sentencing: assaulting an emergency worker—

‘(1) Schedule 1 to the Criminal Justice Act 1988 (Reviews of Sentencing) Order 2006 (descriptions of cases to which Part IV of the Criminal Justice Act 1988 is to apply) is amended as follows.

(2) In paragraph 2, after sub-paragraph (i) insert—

“(ia) an offence under section 1 of the Assaults on Emergency Workers (Offences) Act 2018.”

New clause 75—No automatic early release for prisoners who assault prison staff whilst in jail—

‘(1) The Criminal Justice Act 2003 is amended as follows.

(2) In Section 244, after subsection (1A) insert—

“(1B) Subsection (1) does not apply if the prisoner has assaulted a member of prison staff whilst in prison and instead the prisoner must not be released until the end of his original sentence.”

New clause 76—Dangerous driving: increased penalties—

‘(1) Part 1 of Schedule 2 to the Road Traffic Offenders Act 1988 (prosecution and punishment of offences: offences under the Traffic Acts) is amended as follows.

(2) In the entry relating to section 2 of the Road Traffic Act 1988 (dangerous driving), in column (4) (punishment), under (b) for “2 years” substitute “5 years”.’

New clause 77—Limitation of use of fixed-term recalls—

‘(1) Section 255A of the Criminal Justice Act 2003 (Further release after recall: introductory) is amended as follows.

(2) After subsection 4, insert—

“(4A) A person is not suitable for automatic release if—

- (a) he is an extended sentence prisoner or a specified offence prisoner;
- (b) in a case where paragraph (a) does not apply, he was recalled under section 254 before the normal entitlement date (having been released before that date under section 246 or 248); or
- (c) in a case where neither of the preceding paragraphs applies, he has, during the same term of imprisonment, already been released under section 255B(1)(b) or (2) or section 255C(2).”

New clause 78—Open prisons: murderers—

‘No prisoner serving a sentence for murder can be moved to a Category D prison.’

New clause 79—Resettlement licence: murderers—

‘No prisoner serving a sentence for murder will be eligible for resettlement licence.’

New clause 80—Open prisons: serious offenders—

‘No prisoner serving a sentence for an indictable only offence can be moved to a Category D prison.’

New clause 81—Open prisons: deportees—

‘No prisoner serving a sentence for which he is liable for deportation can be moved to a Category D prison.’

New clause 82—Resettlement licence: deportees—

‘No prisoner serving a sentence for which he is liable for deportation can be eligible for resettlement licence.’

New clause 83—No difference in sentencing between using a knife in a murder in a home compared to taking a knife to murder someone—

‘(1) The Sentencing Act 2020 is amended as follows.

(2) In Schedule 21 (Determination of minimum term in relation to mandatory life sentence for murder etc), after sub-paragraph 4(2), insert—

“(3) Sub-paragraph (2) above applies where the knife or weapon is taken to the scene from anywhere within the same premises.”

New clause 86—*Review of domestic homicide*—

“(1) Within 18 months of the commencement of this Act, the Secretary of State must commission a review and publish a report on the effectiveness of current legislation and sentencing policy surrounding domestic abuse, with a particular view to making policy recommendations to increase sentences for domestic homicide, and reduce the gap in sentence length between domestic homicide and other homicides.

(2) A review under subsection (1) must be conducted by a person who meets the criteria for qualification for appointment to the Supreme Court, as set out in section 25 of the Constitutional Reform Act 2005.

(3) A review under subsection (1) must consider—

- (a) trends in the incidences and types of domestic abuse, with a focus on domestic homicide,
- (b) sentencing policy as it applies to domestic abuse, with a focus on domestic homicide,
- (c) current sentencing guidelines as they relate to domestic abuse, with a focus on domestic homicide, and
- (d) the creation of new defences and/or mitigating circumstances to protect victims of domestic abuse who commit offences as a consequence of that abuse.

(4) For the purposes of subsection (1) domestic homicide is to be defined as circumstances in which the death of a person aged 16 or over has, or appears to have, resulted from violence, abuse or neglect by a person to whom they were related or with whom they were, or had been, in an intimate personal relationship, or a member of the same household as themselves.

(5) The Secretary of State must lay a copy of the report before Parliament.

(6) A Minister of the Crown must, not later than 3 months after the report has been laid before Parliament, make a motion in the House of Commons in relation to the report.’

This new clause compels the Government to commission a review and publish a report on the effectiveness of current legislation and sentencing policy surrounding domestic abuse, with a particular focus on increasing sentences for domestic homicide. The review would also consider the creation of new protections to assist victims of domestic abuse who commit domestic homicide.

New clause 87—*Maximum sentence for publishing the identity of a sexual offences complainant*—

“(1) Section 5 of the Sexual Offences (Amendment) Act 1992 is amended as follows.

(2) In subsection (1), leave out “and liable on summary conviction to a fine not exceeding level 5 on the standard scale”.

(3) After subsection (1), insert the following subsection—

“(1A) A person guilty of an offence under this section is liable—

- (a) on conviction on indictment, to imprisonment for a term not exceeding two years or a fine not exceeding level 5 on the standard scale, or both, or
- (b) on summary conviction, to imprisonment for a term not exceeding twelve months, or a fine not exceeding level 5 on the standard scale, or both.”

This new clause would give courts the power to hand down custodial sentences of up to 2 years to those convicted of naming a sexual offences complainant.

New clause 88—*Law Commission consideration of the use of complainants’ sexual history in rape trials*—

‘The Secretary of State must seek advice and information from the Law Commission under section (3)(1)(e) of the Law Commissions Act 1965 with proposals for the reform or amendment of the law relating to the use of complainants’ sexual history in rape trials.’

This new clause would compel the Government to seek a Law Commission review on the use of complainants’ sexual history in rape trials.

New clause 89—*Minimum sentence for an offence under section 1 of the Sexual Offences Act 2003*—

“(1) This section applies where—

- (a) an individual is convicted of an offence under section 1 of the Sexual Offences Act 2003, and
- (b) the offence was committed after the commencement of this section and at a time when the individual was aged 18 or over.

(2) The court shall impose an appropriate custodial sentence (or order for detention) for a term of at least the required minimum term (with or without a fine) unless the court is of the opinion that there are exceptional circumstances relating to the offence or to the offender which justify its not doing so.

(3) In this section “appropriate custodial sentence (or order for detention)” means—

- (a) in the case of an offender who is aged 18 or over when convicted, a sentence of imprisonment, and
- (b) in the case of an offender who is aged under 18 at that time, a sentence of detention under section 91 of the Powers of Criminal Courts (Sentencing) Act 2000.

(4) In this section “the required minimum term” means seven years.’

This new clause creates a statutory minimum sentence for rape of 7 years. A court must impose at least the statutory minimum unless it is of the opinion there are exceptional circumstances relating to the offence or to the offender which justify not doing so.

New clause 92—*Sentencing escalator*—

“(1) Any person convicted of the same criminal offence on a second or subsequent occasion must receive—

- (a) a longer custodial sentence than his longest previous custodial sentence for the same offence if a custodial sentence has previously been given; or
- (b) a more severe sentence than his highest previous non-custodial sentence for the same offence if a custodial sentence has not already been given for a previous offence unless the court is of the opinion that there are exceptional circumstances which—
 - (i) relate to the offence or to the offender, and
 - (ii) justify not doing so.

(2) Where the sentencing options available for the current offence do not permit the court to increase the sentence under the provisions of subsection (1), the court must impose the maximum sentence available to it, unless the court is of the opinion that there are exceptional circumstances which—

- (a) relate to the offence or to the offender, and
- (b) justify not doing so.

(3) In determining a sentence under subsection (1), a court is not bound by Section 59 (Sentencing guidelines: general duty of court) or Section 60 (Sentencing guidelines: determination of sentence) of the Sentencing Act 2020.’

New clause 93—*Effect of remand on bail on time served in prison (amendment of Criminal Justice Act 2003)*

“(1) The Criminal Justice Act 2003 is amended as follows.

(2) In subsection (1B)(c) of section 237 (Meaning of “fixed-term prisoner” etc), leave out “or section 240A”.

(3) In the italic heading before section 240 (Crediting of periods of remand in custody: terms of imprisonment and detention), after “custody”, leave out “or on bail subject to certain types of condition”.

(4) Omit section 240A (Time remanded on bail to count towards time served: terms of imprisonment and detention).’

This new clause, together with NC94 would remove tagged curfew from time on remand on bail which is deducted from time served in prison.

New clause 94—*Effect of remand on bail time served in prison (amendment of Sentencing Act 2020)*—

‘Sections 325 (Time on bail under certain conditions: declaration by court) and 326 Section 325: interpretation) of the Sentencing Act 2020 are omitted.’

This new clause, together with NC93 would remove tagged curfew from time on remand on bail which is deducted from time served in prison.

New clause 95—Magistrates’ sentencing powers—

‘The following statutory provisions shall, notwithstanding any commencement provision in any Act, come into force—

(1) Section 154 of the Criminal Justice Act 2003 (General limit on magistrates’ court’s power to impose imprisonment).

(2) Section 282 of the Criminal Justice Act 2003 (Increase in maximum term that may be imposed on summary conviction of offence triable either way).

(3) Paragraphs 24 and 25 of Part 5 of Schedule 22 of the Sentencing Act 2020 (Increase in magistrates’ court’s power to impose imprisonment).’

This new clause would bring into force provisions which would increase magistrates’ sentencing powers from a maximum of 6 to a maximum of 12 months for one offence.

New clause 96—Power of police to stop vehicles—

‘(1) Section 163 of the Road Traffic Act 1988 is amended as follows.

(2) In subsection (1), after “vehicle” in the second place in which it occurs, insert “, and switch off the engine.”’

This new clause to the Road Traffic Act 1988 would require a person to switch off their engine after being stopped by a constable in uniform or a traffic officer, and make it an offence not to do so.

New clause 97—Video recorded cross-examination or re-examination of complainants in respect of sexual offences and modern slavery offences—

‘(1) Section 28 of the Youth Justice and Criminal Evidence Act 1999 comes into force in relation to proceedings to which subsection (2) applies on the day on which this Act is passed.

(2) This subsection applies where a witness is eligible for assistance by virtue of section 17(4) of the Youth Justice and Criminal Evidence Act 1999 (complainants in respect of a sexual offence or modern slavery offence who are witnesses in proceedings relating to that offence, or that offence and any other offences).

(3) This section has effect notwithstanding section 68(3) of the Youth Justice and Criminal Evidence Act 1999.’

This new clause would bring section 28 of the Youth Justice and Criminal Evidence Act 1999, which provides for the cross-examination of vulnerable witnesses to be recorded rather than undertaken in court, fully into force for victims of sexual offences and modern slavery offences.

Amendment 50, in clause 102, page 87, line 41, at end insert—

“(bb) the abduction, sexual assault, and murder of a person”.

This amendment would ensure those found guilty of abduction, sexual assault, and murder receive a Whole Life Order as a starting sentence.

Amendment 48, in clause 110, page 99, line 41, at beginning insert—

‘(1) In subsection (3) of section 239 of the Criminal Justice Act 2003 (the Parole Board), after 3(b) insert—

“(c) the views of the victim or victims of the crime to which the case relates”’.

This amendment would amend the Criminal Justice Act 2003 to ensure victims/survivors are consulted in parole decisions which will affect them.

Amendment 49, page 99, line 41, at beginning insert—

‘(1) In subsection (4) of section 239 of the Criminal Justice Act 2003 (the Parole Board), at end insert “, including the views of the victim or victims of the crime to which the case relates.”’

This amendment would amend the Criminal Justice Act 2003 to ensure victims/survivors are consulted in parole decisions which will affect them.

Amendment 63, page 127, line 33, leave out clause 139.

Amendment 122, in clause 139, page 127, line 43, at end insert—

“(8) A secure 16 to 19 Academy will be subject to annual inspection by—

- (a) Ofsted;
- (b) Her Majesty’s Inspectorate of Prisons; and
- (c) Care Quality Commission.”

This amendment would make secure 16 to 19 academies subject to annual inspection by Ofsted, Her Majesty’s Inspectorate of Prisons, and the Care Quality Commission.

Amendment 123, page 128, line 25, at the end insert—

“(5) The Secretary of State must, within six months of this Act coming into force, prepare and publish a report on the progress made towards opening the first 16 to 19 academies and must lay a copy before Parliament.

(6) A Minister of the Crown must, not later than four weeks after the report required by subsection (5) has been laid before Parliament, make a motion in the House of Commons in relation to the report.

(7) The Secretary of State must, within one year of the opening of the first 16 to 19 academy, prepare and publish an impact assessment on the effectiveness of 16 to 19 academies and must lay a copy before Parliament.

(8) A Minister of the Crown must, not later than four weeks after the impact assessment required by subsection (7) has been laid before Parliament, make a motion in the House of Commons in relation to the impact assessment.”

This amendment would ensure the Secretary of State lay a report and update Parliament on progress made towards opening secure academy facilities and lay an impact assessment before Parliament and provide a debate on the impact assessment.

Amendment 124, in clause 169, page 191, line 37, at end insert—

“(4) The Secretary of State may exercise the power in section 176(1) so as to bring this section (and part 3 of Schedule 19) into force only if the condition in subsection (5) is met.

(5) The condition in this subsection is that a review of the impact of the expansion of audio and video links in criminal proceedings has been conducted in accordance with subsection (6).

(6) The review mentioned in subsection (5) must—

- (a) collect evidence of the impact of live audio and video links on—
 - (i) sentencing and remand decisions,
 - (ii) the effective participation of defendants,
 - (iii) the experience of victims and witnesses,
 - (iv) the cost to the wider justice system, including costs borne by the police and prison systems; and
- (b) be undertaken by a person who is independent of the Secretary of State.

(7) The review mentioned in subsection (5) may also consider any other matter which the person conducting the review considers relevant.”

This amendment would ensure that the expansion in the use of audio and video links will not be undertaken until an independent review of its impact has been undertaken.

New clause 14—Offence of buying a pet for cash etc—

‘(1) A person “P” must not pay for a pet except—

- (a) by a cheque which under section 81A of the Bills of Exchange Act 1882 is not transferable, or
- (b) by an electronic transfer of funds (authorised by credit or debit card or otherwise).

(2) The Secretary of State may by order amend subsection (1) to permit other methods of payment.

(3) In this section paying includes paying in kind (with goods or services).

(4) If P pays for a pet in breach of subsection (1), P is guilty of an offence.

(5) If P is guilty of an offence under this section, P is liable on summary conviction to a fine not exceeding level 5 on the standard scale.

(6) For the purposes of this section, “pet” means an animal which—

- (a) provides companionship to any human being,
- (b) provides assistance to any human being, or
- (c) provides assistance to any human being in the course of their work.’

New clause 15—*Offence of failing to scan a microchip*—

‘(1) When a relevant animal is presented for a consultation with a veterinary surgeon (or registered veterinary nurse), the veterinary surgeon (or veterinary nurse) must—

- (a) scan the microchip of the relevant animal,
- (b) check that the microchip number is registered on a database by a database operator which meets current conditions set out in law,
- (c) check that the person accompanying the relevant animal is either the registered keeper of the relevant animal or has, to the satisfaction of the veterinary surgeon (or veterinary nurse), the permission of the registered keeper of the relevant animal to accompany that animal, and
- (d) if the condition in paragraph (c) is not met, report to the police the fact that the relevant animal is not accompanied by the registered keeper or a person authorised by the registered keeper.

(2) For the purposes of subsection (1), a “relevant animal” means an animal which is required by law to be microchipped.

(3) If a veterinary surgeon (or veterinary nurse) is in breach of subsection (1), they are guilty of an offence.

(4) If a veterinary surgeon (or veterinary nurse) is guilty of an offence under this section, they are liable on summary conviction to a fine not exceeding level 4 on the standard scale.’

New clause 16—*Offence of pet theft*—

‘(1) The Animal Welfare Act 2006 is amended as follows.

(2) After section 2 (“protected animal”) insert—

“2A Definition of pet

A protected animal is a “pet” for the purposes of this Act if it—

- (a) provides companionship to any human being,
- (b) provides assistance to any human being, or
- (c) provides assistance to any human being in the course of their work.”

(3) After section 8 (fighting etc.) insert—

“8A Pet theft

A person commits an offence if they dishonestly appropriate a pet belonging to another person.”

(4) In section 32 (imprisonment or fine) before subsection (1) insert—

“(A1) A person guilty of an offence under section 8A (pet theft) shall be liable—

- (a) on summary conviction to imprisonment for a term not exceeding 51 weeks, or a fine, or both;
- (b) on conviction on indictment to imprisonment for a term not exceeding 2 years, or to a fine, or both.

(A2) When the court is considering for the purposes of sentencing the seriousness of an offence under section 8A it must consider the following as aggravating factors (that is to say, a factor that increases the seriousness of the offence)—

- (a) the theft caused fear, alarm or distress to the pet, the owner of the pet or another person associated with the pet;
- (b) the theft was for the purposes of commercial gain.”

(5) In section 34(10) (disqualification) after “8,” insert “8A,”’

New clause 98—*Offence of pet theft*—

‘(1) The Animal Welfare Act 2006 is amended as follows.

(2) After section 2 (“protected animal”) insert—

“(2A) Definition of pet A protected animal is a “pet” for the purposes of this Act if it provides companionship or assistance to any human being.”

(3) After section 8 (fighting etc.) insert—

“8A Pet theft

A person commits an offence if they dishonestly appropriate a pet belonging to another person with the intention of permanently depriving that other person of it.”

(4) In section 32 (imprisonment or fine) before subsection (1) insert—

“(A1) A person guilty of an offence under section 8A (pet theft) shall be

liable—

- (a) on summary conviction to imprisonment for a term not exceeding 51 weeks, or a fine, or to both;
- (b) on conviction on indictment to imprisonment for a term not exceeding 4 years, or to a fine, or to both.

(A2) When the court is considering for the purposes of sentencing the seriousness of an offence under section 8A it must consider the following as aggravating factors (that is to say, a factor that increases the seriousness of the offence)—

- (a) the theft caused fear, alarm or distress to the pet, the owner or the pet or another person associated with the pet;
- (b) the theft was for the purposes of commercial gain.”

(5) In section 34(10) (disqualification) after “8,” insert “8A,”’

New clause 99—*Offence of pet theft (Scotland)*—

‘(1) The Animal Health and Welfare (Scotland) Act 2006 is amended as follows.

(2) After section 17 (protected animals) insert—

“17A Definition of pet

A protected animal is a “pet” for the purposes of this Act if it provides companionship or assistance to any human being.”

(3) After section 23 (animal fights) insert—

“23A Pet theft

A person commits an offence if they dishonestly appropriate a pet belonging to another person with the intention of permanently depriving that other person of it.”

(4) In section 40 (disqualification orders) after subsection (13)(b) insert—

“(ba) an offence under section 23A,”.

(5) In section 46 (penalties for offences) after subsection (1) insert—

“(1A) A person guilty of an offence under section 23A (pet theft) shall be liable—

- (a) on summary conviction to imprisonment for a term not exceeding 51 weeks, or a fine, or to both;
- (b) on conviction on indictment to imprisonment for a term not exceeding 4 years, or to a fine, or to both.

(1B) When the court is considering for the purposes of sentencing the seriousness of an offence under section 23A it must consider the following as aggravating factors (that is to say, a factor that increases the seriousness of the offence)—

- (a) that theft caused fear, alarm or distress to the pet, the owner or the pet or another person associated with the pet;
- (b) the theft was for the purposes of commercial gain.”

(6) In Schedule 1 (powers of inspectors and constables for Part 2) after paragraph 4(5)(a) insert—

“(aa) an offence under section 23A,”’

New clause 100—*Offence of pet theft: consequential amendments*—

‘(1) The Police and Criminal Evidence Act is amended as follows.

(2) In section 17(1)(c)(v) (entry for purposes of arrest, etc in connection with offences relating to the prevention of harm to animals), for “and 8(1) and (2)” substitute “8(1) and (2) and 8A”.

New clause 30—*Voyeurism: breastfeeding*—

“(1) Section 67A of the Sexual Offences Act 2003 (Voyeurism: additional offences) is amended as set out in subsection (2).

(2) After subsection (2), insert—

“(2A) A person (A) commits an offence if—

- (a) A records an image of another person (B) while B is breastfeeding;
- (b) A does so with the intention that A or another person (C) will look at the image for a purpose mentioned in subsection (3), and
- (c) A does so—
 - (i) without B’s consent, and
 - (ii) without reasonably believing that B consents.”

Ms Harman: New clause 3 would deal with a problem that the Government have acknowledged: that on the question of rape, the justice system lets women down and lets men off the hook. There are many problems that contribute to that, but one that the Government have rightly identified is that the process focuses on the complainant rather than on the defendant. The investigation becomes an investigation of the complainant—her mobile phone, what she was doing, her attitudes—and not of the suspect. The trial becomes the trial of the complainant, not of the defendant, in one very material way: the use by the defendant of the complainant’s previous sexual history by bringing it into evidence.

It has been acknowledged since as long ago as 1999 that the complainant’s previous sexual history is not the issue, and it is wrong for the defendant to try to use it to deter her from supporting a prosecution for fear that all her dirty washing will be washed in public, in open court, or that it will undermine her standing and credibility in the eyes of the jury. That was supposed to be outlawed in 1999, but it has become clear that a loophole was left when we changed the law.

In a third of all rape cases now, one way or another, the defendant brings into court the complainant’s previous sexual history. When the Victims’ Commissioner was a police and crime commissioner, she conducted research that showed that in one third of rape trials observed, the previous sexual history of the complainant was brought into evidence. That research is backed up by work done by the Criminal Bar Association.

The Victims’ Commissioner gives the example of a complainant who had her parents in court to support her. They did not know that she had had an abortion, but the defendant brought that into evidence in order to undermine her and throw off her ability to give her evidence—there were her parents, sitting in court, and they did not even know that she had had an abortion. Another report was of a case in which the jury were told, “This is a woman who has had adulterous affairs,” thereby trying to undermine her. Of course, that is not relevant to the issue of whether or not a rape has been committed, so we need to tighten up the law.

I have drafted a perfectly good, watertight clause to tighten up the law so that where the question of previous sexual history is relevant, especially if it is with the same partner in respect of whom the rape is alleged, it is allowed in evidence with the permission of the judge, but where it is not relevant, it is not. However, our Front Bench and the Government in their rape review have

said that they are minded to send it to the Law Commission to look at. I would have preferred the Government to legislate in the Bill, which is after all the Police, Crime, Sentencing and Courts Bill, but they have decided not to do that; they say that they will refer to the Law Commission the whole question of the focus on the complainant, so I make two requests in that respect.

First, I think that the Law Commission should sit with an independent reference group. I have a great deal of respect for the Law Commission, but quite frankly we cannot leave it to get on with it on its own. We need an expert, independent reference group that is steeped in understanding of the issue and that can help the Law Commission. I suggest that Rape Crisis England & Wales should be on that group, and so should the Victims’ Commissioner.

My second request is that there should be a time limit on the Law Commission’s work. The Law Commission goes into things very deeply, but we do not want this to go on and on for years—it has been a problem for years, so we do not want it to go into the long grass with a never-ending Law Commission investigation. We want the findings to be ready for when the Government are thinking of bringing forward their victims Bill, which they will consult on shortly and which arises out of the violence against women and girls consultation. If we are not going to accept this today, and the Government are not, let us have the Law Commission looking at it, with an independent reference group and with a time limit. Then, the Government will have done more than just apologise to rape victims for justice not being done; they will make sure that in future justice is done.

Madam Deputy Speaker (Dame Rosie Winterton): We now go to the Chair of the Justice Committee, Sir Robert Neill, and the four-minute time limit comes into force for Back Benchers at this point.

Sir Robert Neill (Bromley and Chislehurst) (Con) [V]: It is a pleasure to follow the right hon. and learned Member for Camberwell and Peckham (Ms Harman) and to talk on these important matters. Although I understand the motives behind the series of amendments standing in her name, I must start by disagreeing with the fundamental approach in some respects. I think it is right that this does go to the Law Commission, because these are potentially very important changes and they affect, inevitably, the balance that must be achieved in a criminal trial between the proper protection of the interests of any witness and the right of any defendant to have a fair trial in which all relevant issues—I stress that—are ventilated. Frequently, the issue of consent would not be relevant to the defence, but there are circumstances in which it is and we should not be making substantive changes here without very careful consideration. The same applies in respect of a number of the other amendments that the right hon. and learned Lady and others have tabled. Again, I understand the reasoning, but, for example, changing the definition of “consent” in relation to recklessness would make a significant change to the substantive criminal law in this area, and that should not be undertaken via an addition to an already large Bill, with limited scrutiny.

There are significant arguments to be considered on both sides, and the Law Commission is the right route for all of these matters. In my experience, and that of the Select Committee, the Law Commission is well able

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to move swiftly given the resources and the support to do so. I hope that we can leave this on the basis of having a proper look at what are very significant matters, affecting not just the question of the protection of victims, but the right of any defendant to a proper airing of the evidence. Although I am clear that there are still areas where complainants in such cases do not receive the treatment that they should, the position both in the courts and in the investigation of such offences is very much improved from where it was. We can always continue to do more, but inevitably now cases of this kind are tried by highly experienced and senior judges. My experience of having both prosecuted and defended in many such cases is that the courts are robust and swift in dealing with such matters and in rejecting inappropriate applications to stray beyond the relevant issues.

In the time available, may I also touch on some of the other amendments? I would be troubled at anything that fetters the discretion of the courts in relation to minimum sentences. At the end of the day, all aggravating features can properly be set before the courts. The Government and this House have increased maximum sentences in a number of areas, and I have a concern in principle at the imposition of minimum sentences, which have the potential in certain circumstances to tie the hands of the courts. There is an amendment on the representation of families of the deceased at inquests in certain circumstances. I do not think this Bill is the right place for that, but I strongly commend to the Lord Chancellor, whom I am glad to see on the Treasury Bench, the Justice Committee's report on this, and I hope that in his response we will be given a constructive way forward to deal with those matters.

Mr David Lammy (Tottenham) (Lab): It is a pleasure to follow the Chair of the Select Committee.

This Bill presented the Government with an opportunity to enact measures that would end violence against women and girls, but I am afraid that they blew it, instead filling the Bill with divisive nonsense such as locking up protestors who cause "annoyance." Today the Government have a final opportunity to support Labour's proposals—to show the public it cares about violence against women and girls, and wants to create a criminal justice system that works for them.

7.15 pm

I turn first to new clause 89. In Committee, my hon. Friend the Member for Stockton North (Alex Cunningham) told the harrowing story of a woman who was viciously raped in February last year. It is impossible to comprehend the physical and mental pain caused by such a despicable act; the trauma of that day will remain with that woman for the rest of her life. I am sure that all Members of the House will agree it is a scandal that her attacker and violator was sentenced to just five years and three months for his crime that night.

Although the maximum sentence for rape is life imprisonment, there is no statutory minimum. Instead, the sentencing guidelines set a starting point of just five years, which in some cases can be reduced to four.

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

Mr Lammy: I will just make some progress, if I may.

I think most people would be appalled to learn that rapists can be sentenced to as little as four years in prison—for one of the most heinous crimes imaginable. We presented the Government with research that showed that our sentences for rape were lower than other common law jurisdictions. The Australian Law Reform Commission said that its national penalty range was 12 years to life; in the state of Victoria, rape carries a standard sentence of 10 years; and in India the minimum sentence has just gone up to 10 years.

Mr Goodwill: I wonder if the shadow Secretary of State has forgotten that when he was a Minister in the Department for Constitutional Affairs, Labour voted for rapists to serve less of their sentence in prison. In fact, section 244 of the Criminal Justice Act 2003 now requires all prisoners to be released after just 50% of their sentence is served. Prior to that point, those sentenced to four years or more had to serve more than two thirds of their sentence.

Mr Lammy: I think the right hon. Gentleman is misreading what we did in office. The point is that today, he has an opportunity to vote for a minimum sentence. The question is: is he going to take it?

The Under-Secretary of State for Justice, the hon. Member for Croydon South (Chris Philp) helpfully indicated that 68% of those found guilty of rape are sentenced to more than seven years in prison, which means that about a third of rapists receive only four to seven years. How can that be right? My question to the Lord Chancellor is a simple one: does he believe that a rapist should ever conceivably receive a sentence of only four years in prison? The Government explained that one of their reasons for rejecting our amendment was because they did not agree with statutory minimum sentences, yet clause 100 of this Bill creates a statutory minimum sentence for repeat offenders of certain crimes, including drug offences and burglaries. Why does the Lord Chancellor feel that those crimes are serious enough to warrant a minimum sentence, but rape is not? A recent poll showed that almost 80% of the public would support our proposal, with only 7% opposed. I call on the Lord Chancellor to show that he believes the same.

The Government's rape review specifically recognises that one of the reasons that almost half of victims of rape withdraw is the fear of giving evidence in court. We know that the pre-recording of evidence is hugely important in limiting the distress of already traumatised victims, and that rolling out section 28 would allow more rape victims to see justice done quicker. Why, then, are the Government re-piloting something that has already been piloted twice? The lack of ambition is staggering. This is typical, frankly, of a Department that is obsessed with endless reviews and utterly averse to radical action. The Government have already failed far too many victims of these horrific crimes; hopefully that will change tonight.

Following the tragic death of Sarah Everard, the Opposition tabled an amendment that would extend whole-life orders to someone guilty of a murder, abduction and sexual assault of a stranger. A whole-life order is a commitment that the offender will never be released from prison again. The Opposition believe that, for this crime, a whole-life order is the only appropriate sentence. Amendment 50 would mean that anyone found guilty of the murder, abduction and sexual assault of another

person—crimes that are so reprehensible—would spend the rest of their lives in prison. I do not feel that that is a difficult point and I hope the Secretary of State will agree.

The Victims' Commissioner and Domestic Abuse Commissioner have called out the culture of misogyny throughout the criminal justice system that is clearly demonstrated in the response to domestic homicides. A quick scan through recent data powerfully illustrates that point: according to a report by the Femicide Census, 62% of women killed by men were killed by a current or former partner, and 70% of all murders of a woman by a man took place either in a shared home or in the victim's home.

Yet we know that there is a serious anomaly in the sentencing of homicide cases that results in murderers who kill in the home being treated far more leniently than those who kill outside the home. As Carol Gould put it so poignantly,

"Why should a life taken in the home by someone you know be valued less than a life taken by a stranger in the streets?"

It is clear to the Opposition that it should not, and that is why we have tabled new clause 86, which would require the Lord Chancellor to commission an independent review into that aspect of sentencing. In this country, a woman is killed by a man on average every three days. From 2017 to 2019, there were 357 domestic homicides. The perpetrators of those despicable crimes cannot expect to benefit from this sentencing anomaly any longer.

As the law currently stands, complainants of serious sexual offences are granted lifelong anonymity. Although in some cases, identifying a complainant could result in an offender being prosecuted for contempt of court, they will, more often than not, receive only a fine. During questions on this last month, I raised the case of Phillip Leece to show just how devastating revealing the identity of the complainant can be. For naming and humiliating his victim online, he received a pathetic fine of only £120. At the time, the Lord Chancellor seemed to agree with me that the law in this area must be strengthened. New clause 87 would do just that by giving judges the power to sentence offenders for up to two years. In Committee, the Minister indicated that the Government took that point seriously, but went on to vote against the Opposition's new clause. The Government accept that work has to be done in this area, so let us see tonight what the action is.

May I pay tribute to my right hon. and learned Friend the Member for Camberwell and Peckham (Ms Harman) for raising the important issue of the use of sexual history in rape trials? The Opposition wholeheartedly agree that no victim of a sexual offence should have to feel victimised twice by experiencing a hugely traumatic experience in the courtroom. The last thing we want is for an alleged victim of rape to face the ordeal of their sexual history being discussed in court unless the strictest of criteria are met. If section 41 is not being used as intended, it is only right that it is reviewed and, if necessary, strengthened. That is the purpose of new clause 88, which would compel the Government to seek the advice of the Law Commission as to whether section 41 is fit for purpose. Yet again, this is too important an issue to be kicked into the long grass, and I would appreciate assurances that any review will be completed before a victims Bill comes before the House.

Amendment 124 would ensure that any expansion in the use of audio and video links in courts will not undermine access to justice or the efficiency of our justice system. As the Lord Chancellor will appreciate, the move towards jury members being able to sit remotely is a seismic shift that could have profound consequences. It is concerning therefore that the Government seem content to introduce clause 168 without any evidence base or consultation. In Committee, the Opposition tabled several amendments that would provide safeguards to clause 168, but the Government rejected them on the basis that they were unnecessary. The hypothetical benefits of remote juries are limited, but it is crucial that those limited benefits are not introduced at the expense of access to justice and the right to a fair trial. Amendment 124 would ensure that the expansion of audio and video links is not implemented until an independent review has been undertaken.

Pets are a much loved and integral part of all families, and certainly of our family—I am thinking of my dog, Silver, as I say that. They bring us support, comfort and happiness, and I am smiling already thinking of my beautiful dog at home. During the pandemic, the number of dog thefts has skyrocketed, and we are now at a point where at least five dogs are stolen in England every day. That is why the Opposition have tabled new clause 98. Pet owners up and down the country would be horrified to learn that while the law of theft caters for certain offences—for example, the theft of a bicycle, of scrap metal and of wild mushrooms—that is not the case for the theft of pets, and this must change.

I am pleased to see that the right hon. Member for Chingford and Woodford Green (Sir Iain Duncan Smith) has tabled new clause 16, which is in effect a carbon copy of the new clause that we tabled in Committee. I am pleased to have the support of a Spurs supporter and a long-standing Member of the House, but I think we could do better. Since Committee, concerns have been raised about the two-year maximum tariff and we have listened to those concerns. As the Lord Chancellor will know, many of these thefts are being conducted not by petty criminals but by highly organised criminal gangs working across borders, and we are concerned that a two-year maximum penalty would not act as a sufficient deterrent to those people, so we have raised it to four years in our new clause 48. I hope that the Lord Chancellor can hear that the official Opposition are attempting to be reasonable, and that he will support some of the new clauses that we have put forward tonight.

Sir Iain Duncan Smith (Chingford and Woodford Green) (Con): It is a pleasure to follow the right hon. Member for Tottenham (Mr Lammy), particularly as he referred to my new clauses—although not all of them, it has to be said. He referred to one of them, but there are two more. The new clauses are very clear, and I shall speak to them this evening. New clause 14 would require the cash sale of pets to be banned so that the only way for people to do those sales would be by cheque or bank transfer. That would mean that pet sellers could be tracked and the owners identified. This has become too easy a business.

New clause 15 would make it compulsory for pets that have to be microchipped to be scanned as well by vets, to check that the microchip number is registered on an approved database and that it confirms the correct

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registered keeper. New clause 16 would make the offence of pet theft a specific category of crime, as the right hon. Member for Tottenham said, carrying a much more significant set of fines and even incarceration.

Mr Steve Baker: Of course I share my right hon. Friend's sentiment, but I was a bit concerned when I read his new clause about microchips. Is it really going to end up creating offences for vets? I would have thought they already had enough on their plates in often difficult and emotional circumstances.

Sir Iain Duncan Smith: That may be the case, but the reality is that, by law, dogs must be microchipped. It makes no sense to microchip a dog, only for some vets not to scan them. That would mean that people who had stolen dogs could simply take them to the vet of their choice, knowing that they would not be scanned. The point is that if we have an offence, we must follow it through. Those pets must be scanned; otherwise, they will get stolen and sold without redress.

Those were the three areas that were raised with me, and many of my colleagues and friends who have signed these new clauses have also faced the same concerns. There has been a staggering welling up of anger, concern and worry about what might happen to people's pets. There are some who will not go on walks with their dogs at the moment for fear of what might happen. It is important for the Government to recognise that this is a major concern.

Sir John Hayes (South Holland and The Deepings) (Con): My right hon. Friend is championing a noble cause that many of us feel very strongly about. Has he received the assurances that I have no doubt he has requested from the Government that they share our serious concern and that they intend to act, if not tonight then certainly in due course, on precisely the issues he has raised?

Sir Iain Duncan Smith: I thank my right hon. Friend for his intervention. The truth is that I have had a lot of discussions with my right hon. and learned Friend the Lord Chancellor about this, and I feel that he is very sympathetic. I am sure that he can speak for himself, but I hope that he will give an undertaking that the Government will return to this matter in this Bill, at least by the time it is in the other place, and make whatever changes are necessary to the laws and regulations in terms of criminal justice. I have a high hope that that will be the case, but I will leave it to my right hon. and learned Friend to make his position clear when he gets to his feet.

Steve Brine: I want to back up my right hon. Friend, having put my name to these amendments. The reason that this measure needs to be in this Bill is that we have seen such a huge rise in the number of pet owners during the pandemic. I have not seen the amount of casework on this issue in 11 years that I have seen in recent months.

Sir Iain Duncan Smith: I thank my hon. Friend for that intervention. He is right, and that is the point I was trying to make earlier. There has been a huge upwelling of anger and concern about the theft of dogs in particular, but pets in general. These three new clauses highlight that particular issue. It is not a simple thing or something that can be ignored, and it is quite interesting to look at what has happened to prosecutions.

7.30 pm

During the course of this period of lockdown, when offences have risen dramatically, only 1% of dog crime cases investigated resulted in a charge in England and Wales—1%. In 2019, only 19 dog theft crimes resulted in charges out of a total of 1,575 crimes. The police clearly do not take this seriously. Of the 36 police forces that have a five-year dataset for dog theft crimes and charges, the annual total shows a year-on-year decrease during the pandemic when the level of crime was rising. I simply say to my right hon. Friends on the Treasury Bench, particularly the Lord Chancellor, that we must take this seriously and we must act.

I accept that these amendments may not be technically absolutely right at this particular stage, but the people out there in the country who elect us want us to act. They are afraid. Some of these dogs are worth £5,000 a time, and the gangs have now got involved. The right hon. Member for Tottenham (Mr Lammy) will know there are street gangs, as I know there are in my area. This is easy money for them because it carries very little penalty, so violence has entered the arena. People are having their hands stamped on, leads are being cut, and are being threatened, pushed or knocked over—some of them quite elderly—and particular dogs are being targeted for sale. This is very easy money for the gangs, and we are encouraging greater levels of criminality.

Our constituents demand that we take action now. We must protect them and their pets. Dogs are not bicycles, they are not items, they are beloved animals that offer succour and support all the way through people's lives, and we must therefore treat them as such. I argue clearly to my right hon. Friend the Lord Chancellor that it is high time the Government stepped up to the plate on this. I accept tonight that these may not be the right technical amendments, so I ask my right hon. Friend, when he gets the Dispatch Box, to give us the undertaking that, by the time the Bill returns, this provision will be in law, improved, and that the thieves will be targeted and those who own pets will be protected.

Madam Deputy Speaker (Dame Rosie Winterton): Order. I have absolutely no problem with interventions, but it may be that we can get everybody in if people still stick to four minutes, even if they take interventions.

Sir John Hayes: Politics is about values. It always has been, actually, but in the modern age too many politicians—perhaps timid of inspiring or of their capacity to do so, or frightened of causing contumely—have retreated into a drear, dull, mechanistic discourse. Tonight, this Bill and these amendments are a chance to break free of that—a chance to change—because the Government are at last responding to the will of the people who, for a very long time, have believed that the criminal justice system was not weighted in favour of victims or law and order, but too heavily weighted in favour of making excuses for those who commit crime.

The world is a dangerous place. In fact, unimpeded, evil men and women will impose their cruel will upon the innocent. C. S. Lewis said that in living the reality of human imperfections,

“the art of life consists in tackling each immediate evil as well as we can.”

Law-abiding Britons do their everyday part in keeping the fire of social solidarity burning bright, yet too many with power appear to have forgotten how to tackle the

evil that seeks to snuff out civilised order. Instead, those who see crime as an ill to be treated have held too much sway for too long. Evil too often receives a slap on the wrist, a stern telling off, and the public's desire for retributive justice goes unheeded.

We must never forget, as was said earlier, that we serve here at the pleasure of our constituents. Public order and faith in the rule of law depend on popular confidence in the justice system—a confidence that must be earned. People's sense of right and wrong has changed little over the decades. In 1990, four out of five Britons thought sentencing was too lenient. Today, four out of five Britons think the same. With the number of custodial sentences for sexual offences, theft and criminal damage all falling, it is time for this place to listen. Our constituents despair of having violent deviants freed to hurt again, of seeing non-custodial sentences for yobs and thugs, and of halfway automatic release for some of the most violent people in our society. Many gentle, peaceful people are appalled at all of this. Soft sentencing allows rapists, paedophiles and violent offenders to walk free having served only half their sentence. Given the pain of victims, that is an insult to decency.

This Bill, in seeking to ensure that the most despicable criminals face their just deserts behind bars, is welcome. That may shock the liberal establishment, filled by doubts and fuelled by guilt, but it is much yearned for by the silent majority of Britons and it is long overdue. Shame on those who wish to use the Bill for narrow ends. However, I will not go into the amendments on abortion because you would not let me, Madam Deputy Speaker, but you know what I mean.

Disraeli said:

“Justice is truth in action.”

That is not a relative individual truth but an extension of absolute virtue that people intuitively understand and to which this Bill gives life. Amendments to tackle the wicked scourge of pet theft affirm that truth, as my right hon. Friend the Member for Chingford and Woodford Green (Sir Iain Duncan Smith) made clear.

The Bill before us today begins to signal that the Government are no longer distracted by the plight of the guilty. It proudly declares that we are devoted to the cause of the innocent and to the pursuit of justice. We must never be timid about being fierce in defence of the gentle, for in being so we stand for the majority of law-abiding Britons. I commend the amendments in the name of my hon. Friend the Member for Shipley (Philip Davies), which, in laying down the truth that I have described, further reinforce a good Bill. It is a start: the beginning of a fightback on behalf of the silent majority.

Philip Davies: I am grateful to my right hon. Friend the Member for South Holland and The Deepings (Sir John Hayes) for his support.

I have 16 new clauses in this group that deal with issues such as extending the time limits for appealing unduly lenient sentences, including for assaulting an emergency worker, under the unduly lenient sentence scheme; limiting the use of fixed-term recalls, ensuring that there is no difference in sentencing between using a knife in a murder in a home compared with taking a knife to murder someone elsewhere; and a sentencing escalator ensuring that people who repeatedly commit the same offence must get a more severe penalty each

time they do so, which has a huge amount of support from the public. I hope that the Secretary of State will write to me with his response to each of my new clauses.

In the limited time available, I want to focus on new clause 75, which would ensure that there was no automatic early release of prisoners who assault prison staff while in jail. I would like to see an end to all automatic early release, as alluded to by my right hon. Friend the Member for South Holland and The Deepings. However, as it seems that the Government are not quite with us on that just yet, my new clause would send a clear message to those who assault hard-working and dedicated prison officers and other staff in our prisons that they would have to serve the whole of their sentence in prison if they indulged in that kind of activity rather than, as at the moment, so many people being automatically released halfway through. If jailed criminals attack a prison officer, surely they should lose their right to automatic early release and serve their sentence in full.

Far too many prison officers are being assaulted. They do a very difficult job and we are not giving them sufficient support. We should be doing our bit to prevent these assaults from happening. Clearly, if people knew that they would have to serve the entirety of their sentence in prison, that would be a good deterrent. At the moment, they can assault prison officers and prison staff with near impunity because they know they are still going to be released halfway through their sentence. The number of extra days—I repeat, days—that are given to people when they commit the offence of assaulting a prison officer is derisory. We owe a duty of care to prison officers and should make sure that they are as well protected as possible when they are doing their public service.

That also ties in with the spirit of what the Government have been trying to achieve on attacks on emergency workers. I certainly agree with what the Government are doing in this Bill and I look forward to the Secretary of State bringing forward his proposals to deal with attacks on shopworkers when the Bill goes to another place. I think that showing we are on the side of prison officers, hard-working public servants, in this way would be a very welcome step forward. I imagine that most common-sense members of the public would be surprised to know that this is not the case already, to be perfectly honest.

I have not had any indication from the Government that they are planning to accept my new clause 75. I would love to hear from the Secretary of State why he thinks it is perfectly reasonable for criminals who assault a prison officer not to have their automatic early release stopped and why he thinks it is absolutely fine for them still be released early from their prison sentences. I am pretty sure that lots of prison officers would like to know the same, too. I would like to hear from him on that when he winds up, but I would prefer to hear that he was accepting my new clause 75, which I think the vast majority of people in this House would like to see, prison officers would like to see and the public would like to see.

Stella Creasy (Walthamstow) (Lab/Co-op) [V]: This is a Bill that shows us that the Government have yet to understand the value of debate and discussion. As a result, they are missing out on some key amendments, many tabled for discussion in this debate and many for the earlier debate, that could have made the Bill a moment of progress on issues that many of us agree on.

[Stella Creasy]

Instead, by the way in which the Attorney General, the Lord Chancellor and the Government are approaching the Bill, we see exactly where their priorities lie. Every single time proposals have been put forward to keep women safe, they get kicked into the long grass, with the suggestion that they go to the Law Commission. Yet the Government think it is simple and easy to define what is “annoying” when we all know that is a very difficult one. In the last few weeks alone, we have seen the value of deciding what the difference between protest and harassment is. Surely that should be something that went to the Law Commission.

Instead, in my short time this evening, I want to challenge the way in which the Government are approaching amendments that have come from across the House and which bring us many ideas on how we can improve confidence in our criminal justice system. I want to put on record my support for the amendments tabled by my right hon. and learned Friend the Member for Camberwell and Peckham (Ms Harman), who has been a diligent activist for human rights all her life and whose ideas about rape should not be let go again. My right hon. Friend the Member for Kingston upon Hull North (Dame Diana Johnson) spoke courageously to identify an anomaly in our law, where the women in Northern Ireland now enjoy better reproductive rights than women in England, Wales and Scotland. The amendments tabled by my hon. Friend the Member for Rotherham (Sarah Champion) to help to support our children and keep our children safe are vital. There is cross-party support for action against assault on retail workers and for action to address pet offences, which have been coming up in the pandemic.

I urge the Government to listen to the message coming so clearly from women across the country about new clause 30, which has been tabled in my name but has been part of the work I have been doing with my hon. Friend the Member for Manchester, Withington (Jeff Smith). I pay tribute to his constituent, Julia Cooper, a valiant woman who was simply feeding her baby in a park when a man decided it was acceptable to take photos of her breastfeeding without her consent. When she sought the support of the law, the law said it was perfectly legal for the man to do what he was doing. Take a moment to think about that. We can simply and easily decide that we want to protect statues, but on that most natural and beautiful thing for a mother to do to feed her child the Government are saying no to protecting those women. Again, they are kicking the issue into the long grass.

I served on the upskirting Bill. At the time, we raised concerns that, frankly, it only went below the knee, but we now need to make sure that the law ensures full coverage. I urge Ministers tonight: whether it is in the other place or now, please do not leave the women of this country feeling that you do not understand the lives they lead. We have the lowest rates of breastfeeding in Europe and it is not hard to understand why, if women feel they are going to be shamed or attacked in public.

As someone that this has happened to myself, I ask the Minister to think about what he would feel if it was happening to a member of his family: if somebody was taking photos or a video for their own gratification and he could not stop them. By resisting new clause 30 and

saying that this has to go back to the Law Commission, when it is clear what could be done to make it a criminal offence, he is sending a very clear message to women, as he has done on rape, as he has done on domestic homicide reviews, as he has done on child protection, that their concerns are complicated and difficult, but statues and protests are not. I ask him to think again about the message that he is sending and to say, “We will make laws in this place that will support everyone to lead their lives without fear”, because it is fear that someone will feel if they think that somebody is following them with a camera when they just want to feed their baby. Minister, let us not just stick up for the unborn children; let us stick up for those who are newly born, too.

Sarah Champion [V]: In my time as an MP, I have worked with too many victims and survivors who have been utterly let down by the criminal justice system. Their cases compel me to use this Bill as a vehicle to deliver long overdue changes for them. In the past year alone, I have had two survivors from Rotherham contact me to say that their abuser has been moved to an open prison and is therefore eligible for day release without their notification. That is despite the fact that both victims were signed up to the victim contact scheme and should have been able to provide evidence to the Parole Board in advance of the decisions being made.

7.45 pm

The thought of an offender being back in the community is deeply traumatising for victims. Notifying them of that is vital, as is consultation. However, the system is clearly dysfunctional. Amendments 48 and 49 would legally require the Parole Board to consult the victim or victims of the case not only on moves to open prisons, but release decisions more generally. No one should have to face reliving their trauma, as my constituents have. I am grateful to the Minister for recognising the issue in the Public Bill Committee, and I hope that the Government will continue to work with me to address this failing.

The Bill makes several changes regarding procedures in courts, but sadly I do not believe they will improve the experience of victims and survivors. A key barrier to justice that they face is their lack of access to special measures when giving evidence. Those measures should be included, whether that is, for example, a live link, or giving evidence in private or via a pre-recorded method. However, their delivery is inconsistent, with the onus being on the court to offer provision if the judge believes it will improve the quality of evidence from a witness. New clause 22 would require the court to inform an eligible witness of all the options available to them and put in place the measures that best suit them.

I am also concerned about the ease of access by others to counselling or mental health records when victims and survivors give evidence. This issue was highlighted to me by a former constituent. She was told by the police not to seek counselling until the trial was over in case the defence used the records against her. The trial took 18 months, and those were the most difficult 18 months of her life. She said:

“I had nowhere to turn. I needed to see a psychologist for support. I was utterly traumatised.”

New clause 25 would restrict evidence or questioning about mental health or counselling records relating to a complainant or witness unless a defined threshold was met. It would require the judge to consider the victims

code, the potential threat to personal dignity and the right to privacy of the complainant or witness before allowing the records to be used in court. Most importantly, it would remove any perceived need for the police to deter victims from receiving mental health support and reassure them that their records are unlikely to be shared.

More than a quarter of child sexual abuse cases did not proceed last year because the victims did not support further action, in many cases because of how upsetting the process is. We must prioritise the wellbeing of victims and survivors and in doing so, help to secure more convictions. I urge the Minister to support new clauses 22 and 25 to create a criminal justice system that puts victims and survivors first, rather than leaving them to feel that they are the ones on trial.

Finally, I will speak briefly to new clause 98, which would create an offence of pet theft. In March, DogLost recorded a 170% increase in dog theft from 2019-20. Pets are more than property; they are part of the family and we place huge emotional value on them. The punishment of this crime must outweigh any potential reward thieves can reap from selling dogs and it must reflect the distress caused to owners.

Ruth Edwards (Rushcliffe) (Con): In our home, pets are not property; they are members of the family. There is Geoffrey the tortoise, whose sole aim in life seems to be to find the most obscure and inaccessible corner of the room to sit in for the day. The back of the fireplace is his perennial favourite, and crawling in there to retrieve him has become an evening ritual in our house. We then have Florence, Vera and Coco. They are alpacas, although someone who happened to wander into their paddock with a handful of carrots could be forgiven for thinking they were dealing with a shoal of piranhas. Then there is the newest member, Sergeant Wilson the donkey, whose mission is to eat the world—even if it does involve getting his head stuck in the fence while trying to reach for the raspberry canes.

Many of my constituents have been in touch with me to express their concerns about pet theft over the pandemic, so I started a Rushcliffe pet theft survey to listen to people's views: 96% of people told me that they were worried about pet theft; 30% said that they had been, or knew someone who had been personally affected by it; and 90% have taken extra precautions to ensure that their pet is not stolen. There was varying support for different measures to help to tackle pet theft: 44% wanted tougher sentences; 22% wanted to create a separate offence; 17% wanted more regulation on pet selling; and 15% wanted more support from the police. So I am pleased that the pet theft taskforce will be addressing all those points and considering the issue in its entirety, including causes, prevention, reporting, enforcement and prosecution.

There are a number of fundamental issues to think through. Should we be thinking of pet theft as theft at all, or is it close to abduction? So many contributions here tonight have talked about pets as members of the family. What about the animal cruelty element? At present, if someone causes an animal to suffer in the course of stealing it from the owner, they can be prosecuted under the Animal Welfare Act 2006. But are not all acts of wrenching a pet away from the family who love and care for it an act of animal cruelty? What about sentencing? We already have a maximum term of seven years, yet it rarely seems to be used in the case of pet theft.

So I welcome the opportunity to debate these issues tonight, and I thank my right hon. Friend the Member for Chingford and Woodford Green (Sir Iain Duncan Smith) and other right hon. and hon. Members for the amendments they have tabled that have enabled us to discuss the matter. I will not be supporting any at this stage because I think we need to see the result of the pet theft taskforce first, so that we have the data that we need to make the best decisions and ensure that we have strongest tools we need to deal with the people who want to steal our pets. I look forward to seeing the results in a couple of weeks' time and to Ministers taking strong action to implement the taskforce's recommendations in this Bill in the autumn. We owe it to our pets to make sure that we get this right.

Mr Ben Bradshaw (Exeter) (Lab) [V]: I wish to speak to new clauses 20 and 21 in my name, which refer to specific penalties for two road crimes.

Every year in this country, 1,700 people are killed and 26,000 seriously injured on our roads. It is the biggest killer of young people between the ages of five and 29 and there has been a feeling not just in this House, but particularly among the families of road crime victims that the penalties for road traffic offences often do not fit the crimes and that road crime is not treated like real crime.

The Government promised a full review of road traffic offences and penalties in 2014, but that has yet to happen. The Bill introduces small but welcome changes to the maximum sentence for causing death by dangerous driving and a new offence of causing injury by careless driving, but it leaves a number of serious flaws in our traffic laws in place and my amendments would address two of the most glaring ones.

First, on the failure to stop and report an accident—more commonly known as hit and run—for which the maximum sentence is currently only six months, just one of the many cases raised by road safety and motoring organisations to Members of this House was that of the Cornish postman Ryan Saltern. He was killed by a hit-and-run driver, who received just a four-month sentence and a 12-month driving ban. My new clause 20 proposes a maximum sentence of 14 years where a driver fails to stop and exchange details or report the collision to the police in cases where they knew, or ought reasonably to have known, that a serious or fatal injury had occurred, or might have occurred.

New clause 21 addresses the issue of exceptional hardship. This is a plea that road criminals can often make to avoid losing their licence. From 2011 to 2020, there were 83,581 cases where drivers were let off a driving ban by pleading exceptional hardship. When Christopher Gard hit and killed cyclist Lee Martin in 2015, it was the ninth time in six years that he had been caught using a mobile phone while driving. He had been convicted and fined six times and sent on two driver retraining courses. He should have been disqualified, but magistrates had repeatedly accepted his plea that a ban would cause him exceptional hardship. He kept his licence, and Lee Martin was killed.

Courts have accepted a range of problems, such as not being able to do the school run or damage to a relationship, as exceptional, and as a plea against disqualification that has brought this cause into disrepute. My new clause requires that a court should regard

[Mr Ben Bradshaw]

hardship as exceptional if, and only if, it is significantly greater than the hardship that would arise if the same qualification were imposed on a large majority of other drivers. It is vital that the Government fulfil their seven-year promise of a full review of traffic offences. In the meantime, these are two modest improvements to two of the most egregious areas, where most reasonable people agree that all too often, the punishment does not fit the crime. I do not intend to push the amendments to a vote, but I hope the Government will accept them, if not here, then in the other place.

Selaine Saxby (North Devon) (Con): Keeping people safe and secure is a priority for any Government, particularly this one. That is why I am delighted to speak in this important debate. I am fortunate to live in Devon, which enjoys the second lowest crime rate in the country. Crime continues to fall, in no small part thanks to the excellent work of the Devon and Cornwall police, and our excellent police and crime commissioner, Alison Hernandez. However, even in my remote rural constituency, concerns about an increase in pet theft are growing. As a dog owner, indeed a pet lover, I can only imagine the distress of losing my four-legged best friend. This is not the first time I have raised this issue in the House, and I am delighted that the cross-Government pet theft taskforce has been launched, better to understand and tackle the issue.

While crime may be low in Devon and Cornwall, in the past three years there have been 256 reports of dog theft, yet just two people have been charged. I am pleased that the maximum sentence for dog theft is already seven years, but that is no deterrent if no one is prosecuted. Understanding that disjoint is vital, and I hope that the taskforce will come up with a solution to increase prosecution rates and deter further canine crimes. Locally, our police and crime commissioner has highlighted issues regarding how dog thefts are reported. Classing such thefts as merely theft of property is a contributory factor to low prosecution rates, but there are many others. Unfortunately, the taskforce will not report until later this summer, but I am delighted that its policy recommendations may be made in the Lords, before the Bill returns to the Commons, to ensure that it adequately reflects what is truly needed. We are a nation of animal lovers, and it is vital that our animal companions are as safe and secure as their owners.

We are also a nation of shopkeepers. Some of the reports I have heard about the abuse received by retail workers, particularly during the pandemic, are horrifying. It is unacceptable that key workers, who have gone to work throughout the pandemic to ensure that we could access the items we needed, have been treated in this way. I warmly welcome our review into this area, which found that not reporting offences, and wider concerns about how the police handled those reports, were and are important issues that need addressing. I understand that Lords amendments may be considered, if required, to ensure that such offences are treated with the seriousness they rightly deserve.

I support the detailed analysis of such issues by the Ministry of Justice, to ensure that amendments, if needed, are tabled when the data are fully available, rather than being like many of the knee-jerk Opposition amendments, which frequently are poorly thought through, and in

many cases seek to reduce sentences for those who commit crimes, rather than ensure that criminals see the justice they deserve.

Wera Hobhouse (Bath) (LD) [V]: The Government say that this Bill will empower the police and courts to take more action against crime. However, much of it continues the failed approach of successive Governments. Legislating for longer and longer custodial sentences without any evidence that they deter people from committing crimes shows ignorance of the real drivers of crime. At its best, the Bill will be ineffective; at its worst, it is an assault on human rights and democracy.

There are some good elements of the Bill. Trauma-informed services, the strengthening of rehabilitation and the police covenant are all things that we Liberal Democrats support, but we argue that there is a need to go even further. It is a great shame that constructive debate about those important measures, which should really be at the centre of the Bill, is undermined by the elements of the Bill that are extremely concerning: serious violence reduction orders, which hand over stop-and-search powers; the increases in mandatory sentences that tie judges' hands and do not even work to prevent crime; the proposals to criminalise trespass on unauthorised encampments, which discriminate against Gypsy, Roma and Traveller communities; and the new restrictions on the right to protest, which are nothing short of an assault on our civil liberties.

8 pm

However, today I will talk specifically about violence against women and girls, which this Bill does not go far enough to prevent. What it should do—this should be enshrined in the Bill—is make misogyny a hate crime. The awful murder of Sarah Everard resonated so deeply with women across the UK because public sexual harassment remains a daily reality for far too many women. At the moment when women came together to grieve the loss of life and publicly express their solidarity, their protest was silenced.

More than 600,000 women are sexually assaulted each year; only one in six report it to the police. Last year, more than 50,000 women reported being raped; only 1,400 rapists were convicted. That is a far cry from a fair justice system. The Government need to do a lot more.

We need stronger measures to prevent violence against women, and we need a justice system that supports survivors. There needs to be better training and resources for police, prosecutors and judges, so that criminals are punished and survivors get the justice they need. We need to ratify the Istanbul convention so that survivors of rape and sexual abuse are never left to struggle alone, and we must recognise the root causes of violence against women.

In the same way that we recognise homophobic, racial and religious discrimination, making misogyny a hate crime would help us understand how the hatred of women causes harm, it would give our police the tools they need to make our streets safer for women, and it would send a strong message that everyday sexism must and can be stamped out. It is time that this Government showed their support and took violence against women and girls seriously. We should not let this Bill be a missed opportunity to do just that. We should all support new clause 43.

Tom Randall (Gedling) (Con): I will speak briefly to new clause 98 on pet theft, but let me first say in general terms that I approve of the increased sentences that this Bill will introduce, including extending whole-life orders to premeditated murder of a child, ending the automatic early release of dangerous criminals, and increasing the maximum penalty for criminal damage of a memorial. I think that those measures will be widely welcomed by the public.

On new clause 98 specifically and the other new clauses regarding pet theft, I am very much sympathetic to what they seek to achieve. We have heard warm stories about the companionship that pets bring and the important role that they play in people's lives. As my right hon. Friend the Member for Chingford and Woodford Green (Sir Iain Duncan Smith) pointed out, there has been a lot of organised criminality around the reported rise in pet theft, and I have seen videos posted in local community Facebook groups that show groups of suspicious-looking men looking for dogs. Constituents have written to me to say how scared or worried they are when they go out to walk their dog during the day.

As I understand it, we saw the price of some breeds rise by up to 89% in the first lockdown, and Google searches for "buy a puppy" increased by 166% between March and August, after the start of the first lockdown, which may be one of the contributory factors to that increased criminality. I commend Nottinghamshire police for the appointment of Chief Inspector Amy Styles-Jones as a dog theft lead. I think it may be the first police force that has taken that step and it could be a model for others to follow. It will provide some reassurance to the public.

We should remember that pet theft is already an offence under the Theft Act 1968, for which there is a maximum sentence of seven years. As others have pointed out, there are further offences under the Animal Welfare Act 2006 if an animal suffers. If I have understood it correctly, new clause 98, as currently drafted, would introduce a lower sentence not exceeding four years. I am therefore not sure whether that would be progress.

I also believe that legislating now would ignore the work of the pet theft taskforce, which was launched in May. It will try to understand the factors behind the perceived rise in pet theft, recommend measures to tackle that and seek to learn the lessons from related specific thefts, including of mobile phones and metal.

We have heard some powerful arguments for tackling the issue. There is more to be done and primary legislation might well be necessary, but I would first like to see the outcome of the taskforce's review and, if measures are necessary, for that to be backed up with appropriate sentencing.

Hywel Williams (Arfon) (PC): New clause 19 would require the Government to issue impact assessments on the Bill's effect on devolved policy and services in Wales. I am grateful for the support of Labour and SNP colleagues. My other amendments would require Welsh ministerial consent for the Secretary of State to exert direct control over devolved areas such as health and education in Wales.

The justice system in Wales is just that—a system. Changes to currently reserved England and Wales matters could have profound policy and cost implications for devolved services in Wales, for example, the Senedd's

powers on substance misuse, mental health, education, social services and more. Section 110A of the Government of Wales Act 2006, as inserted by section 11 of the Wales Act 2017, requires that all Welsh legislation include an assessment of any impact on the reserved justice system. There is no reciprocal requirement.

However, there is a growing divergence between the policies of the Ministry of Justice and those of the Welsh Government. In my view, the current arrangements are neither adequate nor sustainable. Indeed, the Minister told me in Committee:

"I accept that the Welsh Government take a wider view of those provisions that relate to devolved matters. I hope that we will be able to reach a common understanding on these issues, but it may well be that we have to accept that the UK and Welsh Governments have a different understanding of those measures in the Bill that engage the legislative consent process."

There are sufficient differences to require specific assessments. Indeed, the Bill may well undermine Welsh legislation and policy, for example, the Housing (Wales) Act 2014 and the race equality action plan. A requirement for a Welsh-specific impact assessment could reveal such problems or dispel our concerns, but how will the people of Wales know unless we assess?

In Committee, the Minister also claimed that

"there should be no change to the current arrangements, which serve the people of Wales and England well."—[*Official Report, Police, Crime, Sentencing and Courts Public Bill Committee*, 24 June 2021; c. 807.]

Wales has the highest rate of imprisonment in western Europe. Black people are six times more likely to be imprisoned than their white counterparts. Nearly half of Welsh children who are imprisoned are detained in England, far from their homes. There is a chronic lack of community provision for women. Apparently, that is serving the "people of Wales well".

Recently, Lord Thomas of Cwmgiedd, formerly the Lord Chief Justice of England and Wales, led the Commission on Justice in Wales. He concluded:

"Justice should be determined and delivered in Wales so that it aligns with its distinct and developing social, health and education policy and services and the growing body of Welsh law."

For me, the sensible solution would be, as with Scotland and Northern Ireland, to devolve justice.

However, in the meantime, we need to know the effects in Wales of changes to the law of England and Wales, through proper justice impact assessments.

Naz Shah (Bradford West) (Lab): I would like to speak to new clause 54 relating to equality impact assessments. Today, I will raise a part of the Bill that, although it has been mentioned, has never been considered in the light of what I am about to say. The proposed legislation will put a maximum 10-year sentence in place for those people who damage or attack statues, inserting into British law a significantly higher penalty for attacking a statue, which begs the question why. Why would a person be given a much more significant penalty for attacking a stone or iron statue compared with damaging a stone wall or an iron gate, especially because in their physical form, they are identical? Neither is alive. They cannot be injured or have their feelings hurt and they are made of the same elements, yet for one, there is much more of a significance. I simply ask why. It is because we recognise that statues symbolise the historical, cultural and social feelings of our nation and thus

[Naz Shah]

protecting feelings linked to such sensitivity is essential to preserve civil order. It is because, as the Justice Secretary told the Commons, this Bill ensures that

“our courts have sufficient sentencing powers to punish the emotional harm caused by this type of offending”.—[*Official Report*, 9 March 2021; Vol. 690, c. 38WS.]

Yes, people can go out and debate, discuss, disagree and even respectfully and vehemently oppose any historical figure, but when they defame or vandalise in a mob-like fashion statues of people like Winston Churchill who mean so much to millions of Britons who hold his efforts during the second world war so close to their hearts, that does threaten the cohesive nature of our nation. We cannot pretend that a western liberal democracy like Britain does not consider feelings when it comes to such situations while at the same time today passing a law through Parliament giving such importance to protecting statues based upon commemorative feelings.

As a Muslim, for me and millions of Muslims across this country and a quarter of the world's population who are Muslim too, with each day and each breath there is not a single thing in the world that we commemorate and honour more than our beloved Prophet, Mohammed, peace be upon him. But when bigots and racists defame, slander or abuse our Prophet, peace be upon him, just like some people do the likes of Churchill, the emotional harm caused upon our hearts is unbearable, because for 2 billion Muslims, he is the leader we commemorate in our hearts and honour in our lives, and he forms the basis of our identity and our very existence. In fact, the noted playwright George Bernard Shaw said about the Prophet, peace be upon him:

“He was by far the most remarkable man that ever set foot on this earth. He preached a religion, founded a state...laid down a moral code, initiated numerous social and political reforms, established a powerful and dynamic society to practice and represent his teachings and completely revolutionised the worlds of human thought and behaviour for all times to come.”

To those who say it is just a cartoon, I will not say, “It's only a statue”, because I understand the strength of British feeling when it comes to our history, our culture and our identity. It is not just a cartoon and they are not just statues. They represent, symbolise and mean so much more to us as human beings.

In conclusion, while this law would now protect civil order and emotional harm when it comes to secular and political figures such as Oliver Cromwell and Churchill and does not necessarily put other figures that many people in modern Britain hold close to their hearts, such as Jesus, the Prophet Mohammed, peace be upon him, Moses, Ram, Buddha, Guru Nanak and many others, it does show that we recognise that there is such a thing as emotional harm. Finally, we must ask ourselves: when striking the careful balance to protect such emotional harms, can there and should there be a hierarchy of sentiments?

Bob Blackman [V]: I am pleased to make a contribution on this very long, complex and deeply important Bill. Obviously, the ambition of the Bill is to put communities before crime and the omnibus of reforms in this legislation will undoubtedly make our country a much safer place to live, work and play. I commend my colleagues from the Home Office and the Ministry of Justice for their deep commitment to the safety and security of our citizens.

It is quite right that we are considering extending whole life orders for the premeditated murder of a child as well as ending the automatic early release of dangerous criminals. In fact, by extending that position and increasing the tariff people will serve as their prison sentence, we are more than exceeding many of the principles laid out in the amendments before the House. One of the concerns I have about putting in minimum sentences for particular offences is the risk that the judiciary may interpret those as being not only the minimum, but possibly the guidance for the maximum sentence that should be applied. It is right that violent criminals should be punished and retained in prison for the duration of their sentences. Equally, it is right that if they attack prison warders or any other servant in their prisons, their right to automatic release should end. I think that is vital.

8.15 pm

I support my right hon. Friend the Member for Chingford and Woodford Green (Sir Iain Duncan Smith) on pet theft and the proposals he has made. As he quite rightly said earlier in the debate, the proposals may not be perfect, but quite clearly the position now is that gangs and unscrupulous individuals are robbing people of their pets and subjecting them to misery. That cannot be acceptable in any shape or form, and we must have legislation on the statute book. I realise we are going to have the output from the pet theft taskforce, but I trust that my right hon. and learned Friend the Secretary of State, in his reply, will assure us that the Government will produce a suitable amendment in the House of Lords before the Bill returns to the Commons for consideration of the various amendments.

It is quite clear that we have to protect the people who serve us in the public sector. When we are talking about violence against women, it is absolutely right that we protect women who have been raped, and not only give them the opportunity to have their day in court, but ensure that perpetrators of rape are brought to justice and imprisoned for a considerable length of time. I am concerned that the proposals from the Opposition appear potentially to water down the requirements for rape sentences to fit the crime, and I trust that we will resist those, particularly when we deal with the amendments at the end.

I have already mentioned my concern about attacks on retail workers. I trust that, in the Lords, we will look at suitable amendments to assist retail workers and make sure they are being protected. I realise that is not in this group of amendments, but I do think the commitments made by the Government need to be honoured when we get to the House of Lords and in considering the Bill further.

I support strongly the aim of this Bill, and I trust that it will make our country safer and more secure for every individual who obeys the law in this country.

Madam Deputy Speaker (Dame Eleanor Laing): With apologies to the hon. Member for Leicester East (Claudia Webbe), who is about to speak, I am afraid that I have to reduce the time limit to three minutes. I will be a little lenient with the hon. Member, but it will certainly be three minutes after her. I call Claudia Webbe.

Claudia Webbe (Leicester East) (Ind): Thank you, Madam Deputy Speaker. I am gravely concerned by this legislation, which, frankly, would not look out of

place in the world's most authoritarian regimes. The fact that this legislation could introduce, for damaging a statue, a sentence that is twice the length of that for sexual assault reveals how utterly unserious this Government are about tackling gendered violence.

The legislation will have a disproportionate effect on African, African-Caribbean, Asian and minority ethnic communities. We know that black people already disproportionately suffer from police use of force in the UK, are more likely to be charged and are over-represented in the prison population. Human rights group Liberty has expressed concern about the provision to widen stop-and-search powers because they are used against communities of colour, especially black men, at staggeringly disproportionate rates. According to Roma rights group Friends of Romano Lav, the legislation will also have a devastating effect on Gypsy, Roma and Traveller communities. This Bill therefore threatens to severely exacerbate an already unequal two-tier justice system in which UK residents are treated differently because of their background or the colour of their skin.

It is for that and many other equality reasons that I tabled new clause 54, which would introduce a statutory requirement for the equality impact analysis that is currently missing from the Bill. That would compel the Secretary of State to review the equality impact of the Bill and publish a full report to the House of Commons within six months. The review would include racial and ethnic disparities, income inequality, gender inequities, people with protected characteristics, public sector equality and regional inequality.

Given existing legislation, it is shocking that the Government do not already feel compelled to produce such a report. An equality impact analysis would ensure that it was not possible to ignore the severe inequalities in how the criminal justice system treats different groups of UK residents, and that would lay the groundwork for a fairer and more equitable criminal justice system. It is especially alarming that the Bill gives even more powers to the police to crack down on peaceful protests. Organised peaceful resistance is a force for change and deserving of our full support.

I sincerely hope that new clause 54, as well as all the amendments and new clauses I have highlighted and the many others that there has not been time to mention, will be adopted to curtail this deeply concerning, authoritarian Bill. I will end with this, Madam Deputy Speaker: if the Bill cannot be made considerably more equal, more transparent and more respectful of our democratic rights, it must not be brought into law. If it passes into law unchanged, I fear for the future of our civic life.

Jackie Doyle-Price (Thurrock) (Con): I am very pleased to speak to new clause 18 in the name of the hon. Member for Oldham East and Saddleworth (Debbie Abrahams), with whom I co-chair the all-party group on women in the penal system. The new clause seeks to amend the Bail Act 1976 so that prisons are not used as the care of last resort for vulnerable people. At present, courts can remand an adult into prison for their own protection without them having been convicted or sentenced, or when a criminal charge they face is unlikely to—or, in some cases, cannot—result in a prison sentence. I am afraid it is quite wrong for prisons to be used for secure protection in that way. If we believe in civil liberties and we believe that vulnerable people require support and not incarceration, the power must be repealed.

I will look for comfort from my right hon. and learned Friend the Lord Chancellor, who I am sure shares my sentiments and does not wish prison to be used in that way. Some of us might argue that, too often, vulnerable people who have been failed by the state end up in prison in any case. The new clause would repeal the power of criminal courts to remand a defendant in custody for their own protection. That, I would add, is entirely consistent with the direction of travel of Government policy in this area. I can attest to the fact that when I was Minister for mental health, we invested heavily in places of safety so that people undergoing a mental health crisis were not remanded in custody for their own protection. We also had the Mental Health Act review by Sir Simon Wessely, who has explicitly recommended the removal of the power.

The Lord Chancellor and Secretary of State for Justice (Robert Buckland): May I reassure my hon. Friend that we are conducting a review into this issue and will report by the end of the year? I pay tribute to the work she did as a Minister jointly with me on mental health issues. She did a lot, particularly about those in custody, and she has been heard.

Jackie Doyle-Price: I am grateful for that contribution, but I am like a dog with a bone on this issue, because I do care that we are putting vulnerable people in the wrong place and, by doing so, doing them harm.

There is a real point that I would like to make about this provision. The advice I received from the Howard League is that it is most often used in respect of women with a mental health crisis. I am also advised of a case of a victim of trafficking who was remanded in custody for their own protection. This is another example of women not getting a fair crack of the whip when it comes to criminal justice. It is not really for the criminal justice system to absorb the consequences of failure by other areas of the state. It is up to local authorities to ensure adequate refuge provision for women in a vulnerable position and, of course, the NHS to ensure that there are enough facilities for crises. We have invested in places of safety, and we must make sure we do better on this. As we look at the wide variety of criminal justice issues—we have heard a lot today about violence against women and girls—I make a plea again to my right hon. and learned Friend that we make laws that centre women. When we talk about gender-neutral legislation, that is another way of centring men. Women have a unique set of vulnerabilities because of their biology, and we must make sure we do everything in our law to protect them. We have heard a lot about that in today's debate. We have had a lot of commitments from the Government to take this more seriously, but I look forward to some positive work, and I know the Government are listening.

Antony Higginbotham (Burnley) (Con): It is a pleasure to speak in this debate, particularly having served on the Bill Committee. Law and order matters enormously to my constituents, as it probably does to all our constituents. One thing I hear all the time, from not just residents, but the police, is frustration with the sentencing system, because people want a system that puts victims and communities first. They want to see a criminal justice system that works for the law-abiding majority. It continues to concern me and local residents that some of the most violent offenders have been serving only half their sentence, so I strongly

[Antony Higginbotham]

welcome clauses 105, 106 and 107, which will result in some of the worst offenders staying in prison for longer—violent offenders and child sex offenders. I also welcome clause 102, which introduces whole-life orders for the premeditated murder of a child. I also agree with my hon. Friend the Member for Shipley (Philip Davies) in wanting to see us get to a place eventually where no one is released midway through their sentence, be it halfway, or after two thirds or three quarters; a sentence should mean a sentence.

Given that I am short on time, I wish to cover one other thing that matters enormously to me and to many people across Burnley and Padiham—rape prosecutions. I am talking about new clause 89. We would all agree that rape prosecutions are at an unacceptable level. I have seen cases of constituents being failed by not just the police, but the CPS. However, this is not an issue that legislation alone will fix; it needs a fundamental change in how the police, the CPS and victims' support all work together to support people who make a complaint—to support victims—and to ensure that we get a successful prosecution. The law needs to be firmly on the side of victims, and for too long it has not been.

James Daly (Bury North) (Con): I rise to speak to new clauses 89 and 97. Having spent 16 years in the criminal courts, I speak with some experience of how cases are proceeded with. My right hon. and learned Friend is here as Lord Chancellor and his responsibility is the courts system. So his responsibility is the imposition of appropriate sentencing powers for judges, to reflect public confidence in the justice system and the serious nature of offending. In line with his and his Department's responsibilities, he has clearly done that. There is an increase in sentences for the most serious sexual offences, as has been outlined by my hon. Friends already, and he must be commended for that. I share the concerns of my hon. Friend the Member for Burnley (Antony Higginbotham) on prosecutions, and we have spent a lot of time discussing this, in the Justice Committee and elsewhere. In the past year, 52,000 reported a rape to the police but only 1.6% of those led on to a charge or a summons. That is clearly not acceptable. When we are debating this section of the legislation, we must always remember that the justice system can work only if it is linked up with the police, the Courts Service and the probation service working together. Perhaps sometimes the disjointed nature of ministerial responsibilities for various parts of the system does not help in terms of conviction rates.

Jess Phillips (Birmingham, Yardley) (Lab): As somebody who has worked in this joined-up or not so joined-up system, may I ask the hon. Gentleman why he thinks that in the past five years there has been quite such a drop? Does he think it may be not just joined-upness or the lack of it, but a resources issue?

8.30 pm

James Daly: I am very glad that the hon. Lady raises that issue. When the Director of Public Prosecutions gave evidence to the Justice Committee on 15 June, he was very clear that his predecessors had failed: they had not put in place the policies and actions necessary to increase rape prosecutions. Clearly, that includes the Leader of the Opposition, who I have to say has an

inglorious reputation for leadership of the Crown Prosecution Service during that period. I certainly will not accept any lectures from the Labour party concerning—

Jess Phillips: Will the hon. Gentleman give way?

James Daly: No, I will not.

I am rather curious. We have heard comments from Opposition Members that they support heavier sentences and further action being taken, quite rightly, to protect the victims of serious sexual violence, so why in Committee did they vote against what was then clause 106—the clause that will abolish the automatic halfway release for certain serious violent or sexual offenders? We have a Leader of the Opposition with a terrible record of leading the CPS, and we have an Opposition who have recently voted against more serious sentences and more deterrent sentences.

Alex Cunningham (Stockton North) (Lab): Not against rape sentences.

James Daly: I have been absolutely amazed by the comments of some Opposition Members that deterrent sentences do not work. The point of the Bill—and the point of the responsibilities that my right hon. and learned Friend the Lord Chancellor has—is to increase sentences and increase public confidence in the justice system. That is exactly what he is doing.

Alex Cunningham: What about rape—

Madam Deputy Speaker (Dame Eleanor Laing): Order. Please do not shout.

Jess Phillips: Will the hon. Gentleman give way?

James Daly: No.

I support the Bill. I congratulate my right hon. and learned Friend and thank him for bringing forward legislation to ensure that rapists are not released early in their sentences. That is what the public want, that is what we were elected on a manifesto to deliver, and that is what we are doing.

Tom Tugendhat (Tonbridge and Malling) (Con): I am delighted to speak in this debate and to speak in favour of new clause 17, which is tabled in my name. I am delighted that many hon. Members on both sides have expressed their support for it.

I will not move the new clause this evening, because I am lucky to have had conversations with the Lord Chancellor, who I am delighted to see is in his place, about the nature of this particular crime. This crime is, I would argue, almost unique in that it is a complete betrayal. It is a complete betrayal because it is not just by a person, but by the parent of a child at its most vulnerable stage. It is a complete betrayal because it is a failure—yes, of those parents, but actually of our entire society—to protect the most vulnerable. It is a complete betrayal because it allows a crime to continue when it should have stopped days before, and in this case days are lifetimes.

I am talking, of course, about the terrible abuse of children like Tony Huggell—children who, like Tony, are in the early stages of life. They are not able to give evidence to a court, because they are in their 40th or 50th day of life. They could not possibly stand up in a

court and give testimony, and they could not possibly point the finger at their abuser, so they find themselves in the invidious position of not being able to get the full weight of the law brought against their aggressor, because they are too young, too innocent, too silent to be able to bring that action.

The Lord Chancellor has spoken to me privately—I hope that he will not mind my raising it publicly—about how we share the same horror of these crimes and these offences, but at the moment the law does not allow the same sentencing. I only ask that in the next few months, before the Bill gets to the Lords and the change comes that we all hope for, he looks at this legislation and realises that there is a small lacuna—a gap—in which the sentencing could be corrected. It does not require a complete redrafting of the law, but a small swish of his pen, as his quill hits the vellum to change the sentences and match them appropriately to the crimes—crimes that would have reached the same sentence had the child been able to point the finger and identify the criminal.

Jeff Smith (Manchester, Withington) (Lab): Other hon. Members have spoken eloquently about some of the amendments and new clauses that I strongly support: to protect shop workers from abuse; to protect people from harassment outside abortion clinics, as has happened in my constituency; and to protect the ability to meaningfully protest. I therefore want to confine my brief remarks to new clause 30, which is in the name of my hon. Friend the Member for Walthamstow (Stella Creasy). It is the same as a new clause that was tabled in Committee in her name and my own. I do not need to speak for long because she covered the issues very well in her excellent speech.

I want to pay tribute to my constituent Julia Cooper, who first approached me a few months ago to tell me about her experience at Sale Water Park, which is adjacent to my constituency. She had been out with a friend and was breastfeeding her baby when a stranger put on a telephoto lens and started taking photographs of her in the park without permission. She confronted the individual, but he refused to delete the pictures. She complained to the park authorities and then to the police, and was told that there was nothing that they could do. I was shocked for two reasons. First, I was shocked that a stranger would actually take long lens photos of someone breastfeeding without their consent. Secondly, I was equally shocked that the police said that there was nothing in the law that they could do to tackle the issue.

When I raised this issue previously in Women and Equalities questions in the Chamber, the Under-Secretary of State for the Home Department, the hon. Member for Louth and Horncastle (Victoria Atkins), said:

“This is unacceptable and we will deal with it.”—[*Official Report*, 26 May 2021; Vol. 696, c. 364.]

It is therefore disappointing, having raised the issue in Committee and tabling the new clause today, that the Government seem to be kicking this into the long grass with a review by the Law Commission. This is a pretty simple issue that could be dealt with quickly and effectively today through new clause 30. We should accept the new clause, because the number of people who have contacted Julia, other campaigners and my hon. Friend the Member for Walthamstow are testament to the number of times that this has happened around the country. It is now happening every week.

We ought to be taking action now. We should not be kicking this issue into the long grass. If this new clause is pushed to a vote this evening, and I hope that it may be, I urge hon. Members on both sides of the Chamber to support it. If not, I do hope that the Lords will look at this issue and perhaps bring forward something similar when it is dealt with there. It is shocking and disgraceful behaviour, and we could take action today—now—to stop it.

Mr Steve Baker: I want to address new clause 76, which offers the Government an opportunity to save lives. I am sorry that my hon. Friend the Member for Shipley (Philip Davies) is not in his place, but I have let him know that I will mention him. On this occasion, he has been a bit soft. I think that is probably the first time that I have said that and it will probably be the last time that I do. The reason that I say it is that in his new clause 76, he proposes increasing the penalty for dangerous driving from two years' to five years' imprisonment. I have only had a cursory search and the Justice Secretary will probably correct me if I am wrong, but the problem with my hon. Friend's suggestion is that the maximum penalty for possession of class A drugs is seven years and for possession of firearms 10 years.

I will touch on this matter briefly, because I am not sure whether it has been through the courts. I had occasion, through very nearly becoming a victim of a dangerous driver evading the police, to have various conversations with police drivers, and they seem to be of the opinion that miscreants know the various penalties for dangerous driving, possession of drugs and the possession of firearms, and they will evade the police and drive at enormous speed simply to make sure that they are not caught with firearms or drugs in the car, so there is a problem with the structure of incentives around dangerous driving. Elsewhere, my hon. Friend the Member for Shipley tabled an amendment relating to a requirement to turn off the engine, but the point is that if police officers seek to stop someone who knows they are in possession of firearms or drugs, which would earn them a sentence greater than that for dangerous driving, then off they might well go. That can be a very dangerous thing indeed. I should not mention the speeds involved, but I know that people will find ways, with very high-performance cars, of outrunning the police.

My suggestion to the Government is to take advantage of this Bill and the section relating to driving offences, inspired by new clause 76, and do something to make sure that an offence is introduced for which the penalty, if someone refuses to stop for the police and then drives in an evasive manner, committing dangerous driving offences, is sufficient to deter even people who might have firearms or class A drugs in the vehicle. I encourage Ministers to consult police officers who drive with that in mind. I am grateful to have had the opportunity to raise this issue with my right hon. Friend the Justice Secretary.

Kim Johnson (Liverpool, Riverside) (Lab): I welcome the Government's recognition that we are facing a crisis in policing, the criminal justice system and the courts, because even before the pandemic, their austerity cuts over the past decade have brought the justice system to its knees, with the Ministry of Justice losing a quarter of its budget. I support new clauses 89, 97, 28, 31 and 32.

[Kim Johnson]

The Government voted against Labour's proposals to increase minimum sentences for rapists and against toughening sentences for domestic abusers and murderers, but this Bill is full of divisive nonsense such as locking up protesters who cause annoyance or damage statues of slave owners for longer than those who rape women. This should have been a watershed moment to change the criminal justice system so that it works for women, not to try to divide the country.

The Conservatives' Bill is not tough on crime. It is tough on the freedoms, rights and civil liberties that we all enjoy. The tragic death of Sarah Everard instigated a national demand for action to tackle violence against women. The last thing that the Government should be doing is rushing through poorly thought-out measures to impose disproportionate controls on freedoms of expression and the right to protest. Now is the time to unite the country and put in place long overdue protections for women against unacceptable violence, including action against domestic homicide, rape and street harassment, as well as tackling the misogynistic attitudes that underpin the abuse of women.

Just a few weeks ago, the Prime Minister was forced to apologise to rape victims for the record low conviction and prosecution rates under his watch. That is a stain on our country, and I hope that all Members across the House agree that action must be taken to make it easier for rape victims from the moment they report the crime through to the conclusion of their case and beyond. I urge all Ministers to support Labour's amendment that would help to make it easier for victims of rape and sexual assault to give evidence.

The Crown court backlog is now at a record high of 60,000 cases. Victims face wait times of up to four years, and many give up before the process has begun because they cannot face the extensive distress and trauma. Nearly 300 courts across England and Wales have been closed during the past decade of Tory rule, and there are 27,000 fewer sitting days than in 2016. According to Citizens Advice, the backlog of individual tribunal cases is likely to reach more than half a million by spring unless swift action is taken and serious funding committed.

The Bill is an opportunity to rebalance the scales of justice to ensure access for ordinary people and to tackle the systemic barriers and record backlog in our creaking and hollowed-out justice system. I call on Members across the House to support the amendments that the Labour party has tabled to help tackle some of the most difficult challenges faced by our criminal justice system.

Madam Deputy Speaker (Dame Eleanor Laing): It is something of a surprise to me that, as a great many people have suddenly removed their names from the list, the Members whom I had hoped to call—the hon. Members for North Norfolk (Duncan Baker) and for Gloucester (Richard Graham)—are not here. *[Interruption.]* I appreciate the offer of help from the hon. Member for Birmingham, Yardley (Jess Phillips), but we will go straight to the Lord Chancellor.

Robert Buckland: The debate today has been stimulating and thought-provoking as Report stage merits. I would, however, challenge some of the narrative that we have heard from the Labour party, although in many respects

we have shared the common goal of trying to reduce the threat and infliction of violence and abuse against women and girls. I think back to what we did with the Domestic Abuse Bill, and I see the hon. Member for Birmingham, Yardley (Jess Phillips) in her place. She was a champion of that Bill, and I am grateful to her; I always will be.

Let us just remind ourselves of how far we have come in the past 10 or 11 years. I was delighted to take part in a cross-party campaign to reform the law on stalking, which this Government have further strengthened through increases in maximum sentences. When I look back at the upskirting legislation, I am proud of the work that was led by this Government. We also brought in the offence of coercive control for the first time, to cover a wide range of criminal behaviour committed, in the main, against women and girls. Revenge porn has been outlawed. The rough sex defence has been ended, and we have already acted to end automatic early release for serious violent and sexual offenders. This Bill brings forward further welcome measures to protect the public, to build on our work to better protect women and girls, to increase sentences for the most serious sexual and violent offenders, and to support the police in their vital work in keeping our streets safe.

8.45 pm

Matt Vickers: Will my right hon. and learned Friend confirm his commitment to bring forward measures in the Bill to do justice for our retail workers and those who serve the public?

Robert Buckland: I am grateful to my hon. Friend and I look forward to working with him and other colleagues on bringing forward measures that will deal with the need to protect our valiant retail workers, who have given us so much in this pandemic and who serve our country with distinction.

I note that my hon. Friend has been joined by my hon. Friend the Member for Bury North (James Daly), who, in a brief but excellent speech, made the most of his considerable experience as a criminal solicitor. He was right to say that when it comes to the dramatic drop in rape convictions—I readily acknowledge that; I have acknowledged it frankly and fully and set out plans to do something about it—the complexities surrounding the reasons for it are deep. Only those who have spent many years looking at these issues, and those who have experienced the ordeal of the investigative and trial process, can really give the strongest testimony about what needs to be done. Of course we recognise the devastating effect of sexual violence and the lifelong impact that it has on victims and survivors.

I listened with interest to the submissions made by the shadow Secretary of State, the right hon. Member for Tottenham (Mr Lammy), about new clause 89. I have to say—I will pick him up on this—that he was wrong to say that in clause 100, the Government were introducing minimum sentences for the first time. What we are doing there is tightening up the criterion by which the courts apply minimum sentences for certain repeat offences. The existence of a minimum term for only one offence is, I think, only evidenced in one aspect of the law, relating to the possession of a firearm.

Our concern about the Labour party's proposals is that they do not reflect the reality of what has been happening with regard to rape sentencing. There has,

over the past 10 years, been a welcome increase of 15% in the average length of sentences for rape, with two thirds of offenders now receiving a custodial sentence of over seven years. In fact, the average is nine years and nine and a half months, which reflects the evolution of sentencing guidelines and the welcome changes that have been made. We are working, in the rape review, to ensure that we can drive forward more early guilty pleas so that victims and survivors do not have to go through the ordeal of the trial process.

My genuine concern about Labour's proposal is that it cuts across a lot of what Labour says needs to be done with the process and a lot of the work that we have set out in our rape review. What we should now be looking at is the number and proportion of prosecutions, and the overall outcome of ensuring that we increase convictions. That has to be the real focus of Government. That is what I have set out in the rape review, and that is what we will drive forward.

I noted with interest amendment 50 about the potential further expansion of the imposition of a whole-life order. We sympathise with the concerns that underpin the amendment, but the risk it poses is that it starts to create further anomalies and issues with regard to the ladder of sentencing that exists under schedule 21. There would be a dramatic difference between the murder of one person with evidence of a sexual assault, which would have a whole-life order starting point, and a murder in the absence of that assault, for which the starting point would be dramatically different at only 15 years. That is the sort of discrepancy that I am sure the Labour party would not want to seek, which is why I have been working to review the whole framework of homicide, and particularly domestic homicide.

It is important that when we seek to change schedule 21 in any way, we do not create further anomalies. Let us not forget that we are talking about starting points, which means that the judge has the discretion to move either up or down according to the evidence in each case.

I have undertaken to look in a broader way at domestic homicide sentencing in particular. In addressing the new clauses set out by the Labour party on a review of sentencing on domestic homicide, I just want to give assurance that, indeed, that work is under way—well under way. We are analysing recent cases to see what effect the current law and guidance are having, including explicitly looking at how cases involving a weapon are sentenced. I will update the House with more details as that progresses. I can also inform the House that I intend to appoint an independent expert to oversee the next stage of the review, which will consider initial findings and then make recommendations, and I will come back to the House and confirm the arrangements.

Jess Phillips: Just by happenstance, I wrote to the Justice Secretary this morning on this exact matter. Could he place in the Library of the House of Commons the terms of reference for the review that he is doing into domestic homicide? I spoke this morning with four of the families whose daughters have been murdered, and they are still without detail on that issue.

Robert Buckland: The hon. Lady would be interested to see the note that I have here—it says, “Remember the families.” I am grateful to her for reminding me of that, and, of course, I will undertake to put a suitably phrased

letter in the Library of the House. I hope that assures hon. Members that I am taking the necessary steps. I absolutely recognise the importance of those concerns.

I listened with care to the hon. Member for Walthamstow (Stella Creasy), who charted her own deeply distressing recent experience of when a photograph was entirely inappropriately taken of her without her consent and in circumstances that all of us would deeply deprecate and deplore. We all want to do something about this, which is why, some time ago, we asked the Law Commission to review the law around the taking, making and sharing of intimate images without consent to identify whether there are gaps in the scope of protection that is already offered to victims.

Importantly, we and the Law Commission are looking at whether recording and sharing images of events such as breastfeeding should be captured as intimate imagery for the purposes of any reformed criminal law. It has completed a public consultation and is developing final recommendations for the Government. It is certainly my intention to act. I want to make sure that the law is resilient and comprehensive and that, when it is drafted, we do not inadvertently create loopholes that people could take advantage of. I gently remind the hon. Lady that the public nuisance reforms are precisely those of the Law Commission, and it is in that tradition of careful consideration that we have already undertaken and started this work.

I am grateful to all hon. Members for their continued dedication to improving the way in which the system handles sexual offences cases, and that dedication is clearly behind the amendments concerning the use of evidence, including section 41 of the Criminal Justice Act 1991. However, we have to remind ourselves that section 41 already provides a very comprehensive prohibition on the defence adducing any evidence or any questions relating to previous sexual behaviour. The hon. Lady is right to refer to our undertaking in the rape review action plan to ask the Law Commission to examine the law, guidance and practice relating to the use of evidence in prosecutions. The Law Commission will be very happy to meet the right hon. and learned Member for Camberwell and Peckham (Ms Harman) about her concerns to take on board the proper observations she makes. Let us not forget that the wider issue about rape myths will also be part of its work.

On the issue of penalties for those who disclose the identity of anonymous complainants, I think we can go one better. There are a number of other offences—modern-day slavery and female genital mutilation come to mind—where anonymity is a legal requirement. When we redraft the legislation, it is essential that we cover all offences where anonymity is a requirement and also assess the interplay between the criminal offence and contempt of court. As a Law Officer, I police that particular divide regularly. Clearly, the Law Officers already have the power to pursue wrongdoers for contempt of court where serious wrongdoing has been evidenced. I am grateful that my right hon. and learned Friend the Attorney General has invited the Law Commission to undertake a thorough review of the law in this area with a view to strengthening it so as to meet the ambitions of all of us in this House.

I am grateful, as ever, to the hon. Member for Rotherham (Sarah Champion) for her steadfast and consistent work in the support of victims. We already, through the

[Robert Buckland]

victims code, have a number of entitlements relating to parole. A root-and-branch review of the Parole Board is ongoing. The observations and concerns that she has outlined are being fully embraced by that, and further work will be done on victims law.

On pet theft, it is vital that the underlying seriousness of this type of criminality is fully reflected by the law. That is why, since its launch on 8 May, the pet theft taskforce has been working to look at the wider issues. I am grateful to my right hon. Friend the Member for Chingford and Woodford Green (Sir Iain Duncan Smith) for his work on this. As a pet owner myself, I understand the depth of feeling that exists. I am able to say in the strongest terms that we will act to drive out this pernicious crime. His new clauses address some of the issues at the heart of where we will take action. I give him, and others, the assurance that it is our intention to make any necessary changes to this Bill in the Lords before it returns to the Commons once we have finalised the detail of exactly what is needed, using a range of powers, including primary legislation. The effect of these changes will, I believe, help to achieve what he and other hon. and right hon. Members are seeking to achieve today.

On road traffic, I pay tribute to my hon. Friends the Members for North Cornwall (Scott Mann) and for Truro and Falmouth (Cherilyn Mackrory), who are working hard to raise awareness about these important issues. I can assure them, and the right hon. Member for Exeter (Mr Bradshaw), that my ministerial colleagues at the Department for Transport are working to explore options with my officials about how these offences will work in the wider context. I take on board the point made by my hon. Friend the Member for Wycombe (Mr Baker) about the particular context in which people seek to evade the law and evade responsibility. While we have the common law offence of perverting the course of justice available, more work needs to be done to identify that class of driver who manipulates the system and evades responsibility in a way that clearly outrages the community and offends the wider public.

On the matters raised by my hon. Friend the Member for Tonbridge and Malling (Tom Tugendhat), we both share a passion for the issue, and I have been proud to spearhead reforms on child cruelty in the past. I will work with him and, as he knows, we are looking at the issue more widely. Indeed, we hope to bring concrete reform forward as soon as possible.

As time reaches the witching hour, I simply say that tonight is an opportunity for hon. Members to unite in common cause to strengthen the fight against crime and to make our communities safer. The opportunity is there. The gauntlet is laid down to Labour Members. I ask them to take it up.

Ms Harman: I beg to ask leave to withdraw the clause.

Clause, by leave, withdrawn.

9 pm

Proceedings interrupted (Programme Order, this day).

The Deputy Speaker put forthwith the Questions necessary for the disposal of the business to be concluded at that time (Standing Order No. 83E).

New Clause 19

JUSTICE IMPACT ASSESSMENT FOR WALES

‘(1) Within six months of the passage of this Act, the Secretary of State must issue a justice impact assessment for any provision of this Act, or regulations made under this Act, which impacts on matters which are devolved to the Welsh Parliament / Senedd Cymru.

(2) The Secretary of State must, within one month of the date on which they are made, issue a justice impact assessment for any regulations made under this Act which are not included in the assessment required under subsection (1) which impact on matters which are devolved to the Welsh Parliament / Senedd Cymru.’—(Hywel Williams.)

This new clause would require the Secretary of State to issue an assessment of the impact of the Bill on devolved policy and services in Wales within six months of it passing, and to issue such an assessment of any further changes to regulations under the Bill within one month of making them.

Brought up.

Question put, That the clause be added to the Bill.

The House divided: Ayes 220, Noes 366.

Division No. 40]

[9 pm

AYES

Abbott, rh Ms Diane
Abrahams, Debbie
Ali, Rushanara
Ali, Tahir
Allin-Khan, Dr Rosena
Amesbury, Mike
Anderson, Fleur
Antoniazzi, Tonia
Ashworth, rh Jonathan
Barker, Paula
Beckett, rh Margaret
Begum, Apsana
Benn, rh Hilary
Betts, Mr Clive
Blake, Olivia
Blomfield, Paul
Bradshaw, rh Mr Ben
Brennan, Kevin
Brown, Ms Lyn
Brown, rh Mr Nicholas
Bryant, Chris
Buck, Ms Karen
Burgon, Richard
Butler, Dawn
Byrne, Ian
Byrne, rh Liam
Cadbury, Ruth
Campbell, rh Sir Alan
Carden, Dan
Carmichael, rh Mr Alistair
Chamberlain, Wendy
Champion, Sarah
Charalambous, Bambos
Clark, Feryal
Cooper, Daisy
Cooper, Rosie
Cooper, rh Yvette
Corbyn, rh Jeremy
Coyle, Neil
Creasy, Stella
Cruddas, Jon
Cryer, John
Cummins, Judith
Cunningham, Alex
Daby, Janet
Davey, rh Ed

David, Wayne
Davies, Geraint
Davies-Jones, Alex
De Cordova, Marsha
Debbonaire, Thangam
Dhesi, Mr Tanmanjeet Singh
Dodds, Anneliese
Doughty, Stephen
Dowd, Peter
Dromey, Jack
Duffield, Rosie
Eagle, Dame Angela
Eagle, Maria
Edwards, Jonathan
Efford, Clive
Elliott, Julie
Elmore, Chris
Eshalomi, Florence
Esterson, Bill
Evans, Chris
Farron, Tim
Farry, Stephen
Ferrier, Margaret
Fletcher, Colleen
Fovargue, Yvonne
Foxcroft, Vicky
Foy, Mary Kelly
Furniss, Gill
Gardiner, Barry
Gill, Preet Kaur
Glindon, Mary
Green, Kate
Green, Sarah
Greenwood, Lilian
Greenwood, Margaret
Griffith, Nia
Gwynne, Andrew
Haigh, Louise
Hamilton, Fabian
Hanvey, Neale
Hardy, Emma
Harman, rh Ms Harriet
Harris, Carolyn
Hayes, Helen
Healey, rh John
Hendrick, Sir Mark

Hillier, Meg
Hobhouse, Wera
Hodge, rh Dame Margaret
Hodgson, Mrs Sharon
Hollern, Kate
Hopkins, Rachel
Howarth, rh Sir George
Huq, Dr Rupa
Hussain, Imran
Jardine, Christine
Jarvis, Dan
Johnson, rh Dame Diana
Johnson, Kim
Jones, Darren
Jones, Gerald
Jones, rh Mr Kevan
Jones, Ruth
Jones, Sarah
Kane, Mike
Keeley, Barbara
Kendall, Liz
Khan, Afzal
Kinnock, Stephen
Kyle, Peter
Lake, Ben
Lammy, rh Mr David
Lavery, Ian
Leadbeater, Kim
Lewell-Buck, Mrs Emma
Lewis, Clive
Lloyd, Tony
Long Bailey, Rebecca
Lucas, Caroline
Lynch, Holly
MacAskill, Kenny
Madders, Justin
Mahmood, Mr Khalid
Mahmood, Shabana
Malhotra, Seema
Maskell, Rachael
Matheson, Christian
McCarthy, Kerry
McDonagh, Siobhain
McDonald, Andy
McDonnell, rh John
McFadden, rh Mr Pat
McGinn, Conor
McGovern, Alison
McKinnell, Catherine
McMahon, Jim
McMorrin, Anna
Mearns, Ian
Miliband, rh Edward
Mishra, Navendu
Moran, Layla
Morden, Jessica
Morgan, Stephen
Morris, Grahame
Murray, Ian
Murray, James
Nandy, Lisa
Nichols, Charlotte
Norris, Alex
Olney, Sarah
Onwurah, Chi
Oppong-Asare, Abena

Osamor, Kate
Osborne, Kate
Owatemi, Taiwo
Owen, Sarah
Peacock, Stephanie
Pennycook, Matthew
Perkins, Mr Toby
Phillips, Jess
Phillipson, Bridget
Pollard, Luke
Powell, Lucy
Qureshi, Yasmin
Rayner, rh Angela
Reed, Steve
Rees, Christina
Reeves, Ellie
Reeves, Rachel
Reynolds, Jonathan
Ribeiro-Addy, Bell
Rimmer, Ms Marie
Rodda, Matt
Russell-Moyle, Lloyd
Saville Roberts, rh Liz
Shah, Naz
Sharma, Mr Virendra
Sheerman, Mr Barry
Siddiq, Tulip
Slaughter, Andy
Smith, Cat
Smith, Jeff
Smith, Nick
Smyth, Karin
Sobel, Alex
Spellar, rh John
Starmer, rh Keir
Stevens, Jo
Stone, Jamie
Streeting, Wes
Stringer, Graham
Sultana, Zarah
Tami, rh Mark
Tarry, Sam
Thomas, Gareth
Thomas-Symonds, rh Nick
Thornberry, rh Emily
Timms, rh Stephen
Trickett, Jon
Turner, Karl
Twigg, Derek
Twist, Liz
Vaz, rh Valerie
Webbe, Claudia
West, Catherine
Western, Matt
Whitehead, Dr Alan
Whitley, Mick
Whittome, Nadia
Williams, Hywel
Wilson, Munira
Winter, Beth
Yasin, Mohammad
Zeichner, Daniel

Tellers for the Ayes:
Marion Fellows and
Allan Dorans

NOES

Adams, Nigel
Afolami, Bim
Afriyie, Adam

Ahmad Khan, Imran
Aiken, Nickie
Aldous, Peter

Allan, Lucy
Amess, Sir David
Anderson, Lee
Anderson, Stuart
Andrew, rh Stuart
Ansell, Caroline
Argar, Edward
Atherton, Sarah
Atkins, Victoria
Bacon, Gareth
Bacon, Mr Richard
Badenoch, Kemi
Bailey, Shaun
Baillie, Siobhan
Baker, Duncan
Baker, Mr Steve
Baldwin, Harriett
Barclay, rh Steve
Baron, Mr John
Baynes, Simon
Bell, Aaron
Benton, Scott
Beresford, Sir Paul
Berry, rh Jake
Bhatti, Saqib
Blackman, Bob
Blunt, Crispin
Bone, Mr Peter
Bottomley, Sir Peter
Bowie, Andrew
Bradley, Ben
Bradley, rh Karen
Brady, Sir Graham
Braverman, rh Suella
Brereton, Jack
Bridgen, Andrew
Brine, Steve
Bristow, Paul
Britcliffe, Sara
Brokenshire, rh James
Browne, Anthony
Bruce, Fiona
Buchan, Felicity
Buckland, rh Robert
Burghart, Alex
Burns, rh Conor
Butler, Rob
Cairns, rh Alun
Campbell, Mr Gregory
Carter, Andy
Cartledge, James
Cash, Sir William
Cates, Miriam
Caulfield, Maria
Chalk, Alex
Chishti, Rehman
Chope, Sir Christopher
Churchill, Jo
Clark, rh Greg
Clarke, Mr Simon
Clarke, Theo
Clarke-Smith, Brendan
Clarkson, Chris
Cleverly, rh James
Clifton-Brown, Sir Geoffrey
Coffey, rh Dr Thérèse
Colburn, Elliot
Collins, Damian
Costa, Alberto
Courts, Robert
Coutinho, Claire
Cox, rh Sir Geoffrey

Crabb, rh Stephen
Crosbie, Virginia
Crouch, Tracey
Daly, James
Davies, David T. C.
Davies, Gareth
Davies, Dr James
Davies, Mims
Davies, Philip
Davis, rh Mr David
Davison, Dehenna
Dinenage, Caroline
Dines, Miss Sarah
Djanogly, Mr Jonathan
Docherty, Leo
Donaldson, rh Sir Jeffrey M.
Donelan, Michelle
Dorries, Ms Nadine
Double, Steve
Dowden, rh Oliver
Doyle-Price, Jackie
Drax, Richard
Drummond, Mrs Flick
Duddridge, James
Duguid, David
Duncan Smith, rh Sir Iain
Dunne, rh Philip
Eastwood, Mark
Edwards, Ruth
Ellis, rh Michael
Ellwood, rh Mr Tobias
Elphicke, Mrs Natalie
Eustice, rh George
Evans, Dr Luke
Evennett, rh Sir David
Everitt, Ben
Fabricant, Michael
Farris, Laura
Fell, Simon
Fletcher, Katherine
Fletcher, Mark
Fletcher, Nick
Ford, Vicky
Foster, Kevin
Fox, rh Dr Liam
Francois, rh Mr Mark
Frazer, rh Lucy
Freeman, George
Freer, Mike
Fuller, Richard
Fysh, Mr Marcus
Gale, rh Sir Roger
Garnier, Mark
Ghani, Ms Nusrat
Gibb, rh Nick
Gibson, Peter
Gideon, Jo
Girvan, Paul
Glen, John
Goodwill, rh Mr Robert
Gove, rh Michael
Graham, Richard
Grant, Mrs Helen
Gray, James
Grayling, rh Chris
Green, Chris
Green, rh Damian
Griffith, Andrew
Griffiths, Kate
Grundy, James
Gullis, Jonathan
Halfon, rh Robert

Hall, Luke
Hammond, Stephen
Hancock, rh Matt
Hands, rh Greg
Harper, rh Mr Mark
Harris, Rebecca
Harrison, Trudy
Hart, Sally-Ann
Hart, rh Simon
Hayes, rh Sir John
Heald, rh Sir Oliver
Heappey, James
Heaton-Harris, Chris
Henderson, Gordon
Henry, Darren
Higginbotham, Antony
Hinds, rh Damian
Hoare, Simon
Holden, Mr Richard
Hollinrake, Kevin
Hollobone, Mr Philip
Holloway, Adam
Holmes, Paul
Howell, John
Howell, Paul
Huddleston, Nigel
Hudson, Dr Neil
Hughes, Eddie
Hunt, Jane
Hunt, rh Jeremy
Hunt, Tom
Jack, rh Mr Alister
Javid, rh Sajid
Jayawardena, Mr Ranil
Jenkin, Sir Bernard
Jenkinson, Mark
Jenkyns, Andrea
Jenrick, rh Robert
Johnson, rh Boris
Johnson, Dr Caroline
Johnson, Gareth
Johnston, David
Jones, Andrew
Jones, rh Mr David
Jones, Fay
Jones, Mr Marcus
Jupp, Simon
Kawczynski, Daniel
Kearns, Alicia
Keegan, Gillian
Knight, rh Sir Greg
Knight, Julian
Kruger, Danny
Kwarteng, rh Kwasi
Lamont, John
Largan, Robert
Latham, Mrs Pauline
Leadsom, rh Dame Andrea
Leigh, rh Sir Edward
Levy, Ian
Lewer, Andrew
Lewis, rh Brandon
Lewis, rh Dr Julian
Liddell-Grainger, Mr Ian
Lockhart, Carla
Loder, Chris
Logan, Mark
Longhi, Marco
Lopez, Julia
Lopresti, Jack
Lord, Mr Jonathan
Loughton, Tim

Mackinlay, Craig
Mackrory, Cherilyn
Maclean, Rachel
Mak, Alan
Malthouse, Kit
Mangnall, Anthony
Mann, Scott
Marson, Julie
May, rh Mrs Theresa
Mayhew, Jerome
Maynard, Paul
McCartney, Jason
McCartney, Karl
McPartland, Stephen
McVey, rh Esther
Menzies, Mark
Merriman, Huw
Metcalf, Stephen
Millar, Robin
Miller, rh Mrs Maria
Milling, rh Amanda
Mills, Nigel
Mitchell, rh Mr Andrew
Mohindra, Mr Gagan
Moore, Damien
Moore, Robbie
Mordaunt, rh Penny
Morris, Anne Marie
Morris, David
Morris, James
Morrisey, Joy
Mortimer, Jill
Morton, Wendy
Mullan, Dr Kieran
Mumby-Croft, Holly
Mundell, rh David
Murray, Mrs Sheryll
Murrison, rh Dr Andrew
Neill, Sir Robert
Nici, Lia
Nokes, rh Caroline
Norman, rh Jesse
O'Brien, Neil
Offord, Dr Matthew
Opperman, Guy
Paisley, Ian
Parish, Neil
Patel, rh Priti
Paterson, rh Mr Owen
Pawsey, Mark
Penning, rh Sir Mike
Penrose, John
Perce, Andrew
Philp, Chris
Pincher, rh Christopher
Poulter, Dr Dan
Pow, Rebecca
Prentis, Victoria
Pritchard, rh Mark
Pursglove, Tom
Quin, Jeremy
Quince, Will
Raab, rh Dominic
Randall, Tom
Redwood, rh John
Rees-Mogg, rh Mr Jacob
Richards, Nicola
Richardson, Angela
Robertson, Mr Laurence
Robinson, Gavin
Robinson, Mary
Rosindell, Andrew

Ross, Douglas
Rowley, Lee
Russell, Dean
Sambrook, Gary
Saxby, Selaine
Scully, Paul
Seely, Bob
Selous, Andrew
Shannon, Jim
Shapps, rh Grant
Sharma, rh Alok
Shelbrooke, rh Alec
Simmonds, David
Skidmore, rh Chris
Smith, Chloe
Smith, Greg
Smith, Henry
Smith, rh Julian
Smith, Royston
Solloway, Amanda
Spencer, Dr Ben
Spencer, rh Mark
Stafford, Alexander
Stephenson, Andrew
Stevenson, Jane
Stevenson, John
Stewart, rh Bob
Stewart, Iain
Streeter, Sir Gary
Stride, rh Mel
Stuart, Graham
Sturdy, Julian
Sunak, rh Rishi
Sunderland, James
Swayne, rh Sir Desmond
Syms, Sir Robert
Thomas, Derek
Throup, Maggie

Timpson, Edward
Tolhurst, Kelly
Tomlinson, Justin
Tracey, Craig
Trevelyan, rh Anne-Marie
Trott, Laura
Truss, rh Elizabeth
Tugendhat, Tom
Vara, Shailesh
Vickers, Martin
Vickers, Matt
Villiers, rh Theresa
Wakeford, Christian
Walker, Mr Robin
Wallace, rh Mr Ben
Wallis, Dr Jamie
Warburton, David
Warman, Matt
Watling, Giles
Webb, Suzanne
Whately, Helen
Wheeler, Mrs Heather
Whittaker, Craig
Whittingdale, rh Mr John
Wiggin, Bill
Wild, James
Williams, Craig
Williamson, rh Gavin
Wilson, rh Sammy
Wood, Mike
Wragg, Mr William
Wright, rh Jeremy
Young, Jacob
Zahawi, Nadhim

Tellers for the Noes:
David Rutley and
Michael Tomlinson

Question accordingly negated.

The list of Members currently certified as eligible for a proxy vote, and of the Members nominated as their proxy, is published at the end of today's debates.

New Clause 89

MINIMUM SENTENCE FOR AN OFFENCE UNDER SECTION 1 OF THE SEXUAL OFFENCES ACT 2003

“(1) This section applies where—

- (a) an individual is convicted of an offence under section 1 of the Sexual Offences Act 2003, and
- (b) the offence was committed after the commencement of this section and at a time when the individual was aged 18 or over.

(2) The court shall impose an appropriate custodial sentence (or order for detention) for a term of at least the required minimum term (with or without a fine) unless the court is of the opinion that there are exceptional circumstances relating to the offence or to the offender which justify its not doing so.

(3) In this section “appropriate custodial sentence (or order for detention)” means—

- (a) in the case of an offender who is aged 18 or over when convicted, a sentence of imprisonment, and
- (b) in the case of an offender who is aged under 18 at that time, a sentence of detention under section 91 of the Powers of Criminal Courts (Sentencing) Act 2000.

(4) In this section “the required minimum term” means seven years.—(*Mr Lammy*.)

This new clause creates a statutory minimum sentence for rape of 7 years. A court must impose at least the statutory minimum unless it is of the opinion there are exceptional circumstances relating to the offence or to the offender which justify not doing so.

Brought up.

Question put, That the clause be added to the Bill.

The House divided: Ayes 229, Noes 355.

Division No. 41]

[9.10 pm

AYES

Abbott, rh Ms Diane	Eagle, Dame Angela
Abrahams, Debbie	Eagle, Maria
Ali, Rushanara	Eastwood, Colum
Ali, Tahir	Edwards, Jonathan
Allin-Khan, Dr Rosena	Efford, Clive
Amesbury, Mike	Elliott, Julie
Anderson, Fleur	Elmore, Chris
Antoniazzi, Tonia	Eshalomi, Florence
Ashworth, rh Jonathan	Esterson, Bill
Barker, Paula	Evans, Chris
Beckett, rh Margaret	Farron, Tim
Begum, Apsana	Farry, Stephen
Benn, rh Hilary	Ferrier, Margaret
Betts, Mr Clive	Fletcher, Colleen
Blake, Olivia	Fovargue, Yvonne
Blomfield, Paul	Foxcroft, Vicky
Bradshaw, rh Mr Ben	Foy, Mary Kelly
Brennan, Kevin	Furniss, Gill
Brown, Ms Lyn	Gardiner, Barry
Brown, rh Mr Nicholas	Gill, Preet Kaur
Bryant, Chris	Girvan, Paul
Buck, Ms Karen	Green, Kate
Burgon, Richard	Green, Sarah
Butler, Dawn	Greenwood, Lilian
Byrne, Ian	Greenwood, Margaret
Byrne, rh Liam	Griffith, Nia
Cadbury, Ruth	Gwynne, Andrew
Campbell, rh Sir Alan	Haigh, Louise
Campbell, Mr Gregory	Hamilton, Fabian
Carden, Dan	Hanna, Claire
Carmichael, rh Mr Alistair	Hardy, Emma
Chamberlain, Wendy	Harman, rh Ms Harriet
Champion, Sarah	Harris, Carolyn
Charalambous, Bambos	Hayes, Helen
Clark, Feryal	Healey, rh John
Cooper, Daisy	Hendrick, Sir Mark
Cooper, Rosie	Hillier, Meg
Cooper, rh Yvette	Hobhouse, Wera
Corbyn, rh Jeremy	Hodge, rh Dame Margaret
Coyle, Neil	Hodgson, Mrs Sharon
Creasy, Stella	Hollern, Kate
Cruddas, Jon	Hopkins, Rachel
Cryer, John	Howarth, rh Sir George
Cummins, Judith	Huq, Dr Rupa
Cunningham, Alex	Hussain, Imran
Daby, Janet	Jardine, Christine
Davey, rh Ed	Jarvis, Dan
David, Wayne	Johnson, rh Dame Diana
Davies, Geraint	Johnson, Kim
Davies, Philip	Jones, Darren
Davies-Jones, Alex	Jones, Gerald
De Cordova, Marsha	Jones, rh Mr Kevan
Debonnaire, Thangam	Jones, Ruth
Dhesi, Mr Tanmanjeet Singh	Jones, Sarah
Dodds, Anneliese	Kane, Mike
Donaldson, rh Sir Jeffrey M.	Keeley, Barbara
Doughty, Stephen	Kendall, Liz
Dowd, Peter	Khan, Afzal
Dromey, Jack	Kinnock, Stephen
Duffield, Rosie	Kyle, Peter

Lake, Ben	Reed, Steve
Lammy, rh Mr David	Rees, Christina
Lavery, Ian	Reeves, Ellie
Leadbeater, Kim	Reeves, Rachel
Lewell-Buck, Mrs Emma	Reynolds, Jonathan
Lewis, Clive	Ribeiro-Addy, Bell
Lloyd, Tony	Rimmer, Ms Marie
Lockhart, Carla	Robinson, Gavin
Long Bailey, Rebecca	Rodda, Matt
Lucas, Caroline	Russell-Moyle, Lloyd
Lynch, Holly	Saville Roberts, rh Liz
Madders, Justin	Shah, Naz
Mahmood, Mr Khalid	Shannon, Jim
Mahmood, Shabana	Sharma, Mr Virendra
Malhotra, Seema	Sheerman, Mr Barry
Maskell, Rachael	Siddiq, Tulip
Matheson, Christian	Slaughter, Andy
McCarthy, Kerry	Smith, Cat
McDonagh, Siobhain	Smith, Jeff
McDonald, Andy	Smith, Nick
McDonnell, rh John	Smyth, Karin
McFadden, rh Mr Pat	Sobel, Alex
McGinn, Conor	Spellar, rh John
McGovern, Alison	Starmer, rh Keir
McKinnell, Catherine	Stevens, Jo
McMahon, Jim	Stone, Jamie
McMorrin, Anna	Streeting, Wes
McVey, rh Esther	Stringer, Graham
Mearns, Ian	Sultana, Zarah
Miliband, rh Edward	Tami, rh Mark
Mishra, Navendu	Tarry, Sam
Moran, Layla	Thomas, Gareth
Morden, Jessica	Thomas-Symonds, rh Nick
Morgan, Stephen	Thornberry, rh Emily
Morris, Grahame	Timms, rh Stephen
Murray, Ian	Trickett, Jon
Murray, James	Turner, Karl
Nandy, Lisa	Twigg, Derek
Nichols, Charlotte	Vaz, rh Valerie
Norris, Alex	Webbe, Claudia
Olney, Sarah	West, Catherine
Onwurah, Chi	Western, Matt
Oppong-Asare, Abena	Whitehead, Dr Alan
Osamor, Kate	Whitley, Mick
Osborne, Kate	Whittome, Nadia
Owatemi, Taiwo	Williams, Hywel
Owen, Sarah	Wilson, Munira
Paisley, Ian	Wilson, rh Sammy
Peacock, Stephanie	Winter, Beth
Pennycook, Matthew	Wragg, Mr William
Perkins, Mr Toby	Yasin, Mohammad
Phillips, Jess	Zeichner, Daniel
Phillipson, Bridget	
Pollard, Luke	
Powell, Lucy	
Qureshi, Yasmin	
Rayner, rh Angela	

Tellers for the Ayes:

Liz Twist and
Mary Glindon

NOES

Adams, Nigel	Atherton, Sarah
Afolami, Bim	Atkins, Victoria
Afriyie, Adam	Bacon, Gareth
Ahmad Khan, Imran	Bacon, Mr Richard
Aiken, Nickie	Badenoch, Kemi
Aldous, Peter	Bailey, Shaun
Allan, Lucy	Baillie, Siobhan
Amess, Sir David	Baker, Duncan
Anderson, Lee	Baker, Mr Steve
Anderson, Stuart	Baldwin, Harriett
Ansell, Caroline	Barclay, rh Steve
Argar, Edward	Baron, Mr John

Baynes, Simon
 Bell, Aaron
 Benton, Scott
 Beresford, Sir Paul
 Berry, rh Jake
 Bhatti, Saqib
 Blackman, Bob
 Blunt, Crispin
 Bone, Mr Peter
 Bottomley, Sir Peter
 Bowie, Andrew
 Bradley, Ben
 Bradley, rh Karen
 Brady, Sir Graham
 Braverman, rh Suella
 Brereton, Jack
 Bridgen, Andrew
 Brine, Steve
 Bristow, Paul
 Britcliffe, Sara
 Brokenshire, rh James
 Browne, Anthony
 Bruce, Fiona
 Buchan, Felicity
 Buckland, rh Robert
 Burghart, Alex
 Burns, rh Conor
 Butler, Rob
 Cairns, rh Alun
 Carter, Andy
 Cartlidge, James
 Cash, Sir William
 Cates, Miriam
 Caulfield, Maria
 Chalk, Alex
 Chishti, Rehman
 Chope, Sir Christopher
 Churchill, Jo
 Clark, rh Greg
 Clarke, Mr Simon
 Clarke, Theo
 Clarke-Smith, Brendan
 Clarkson, Chris
 Cleverly, rh James
 Clifton-Brown, Sir Geoffrey
 Coffey, rh Dr Thérèse
 Colburn, Elliot
 Collins, Damian
 Costa, Alberto
 Courts, Robert
 Coutinho, Claire
 Cox, rh Sir Geoffrey
 Crabb, rh Stephen
 Crosbie, Virginia
 Crouch, Tracey
 Davies, David T. C.
 Davies, Gareth
 Davies, Dr James
 Davies, Mims
 Davis, rh Mr David
 Davison, Dehenna
 Dinage, Caroline
 Dines, Miss Sarah
 Djanogly, Mr Jonathan
 Docherty, Leo
 Donelan, Michelle
 Dorries, Ms Nadine
 Double, Steve
 Dowden, rh Oliver
 Doyle-Price, Jackie
 Drax, Richard
 Drummond, Mrs Flick

Duddridge, James
 Duguid, David
 Duncan Smith, rh Sir Iain
 Dunne, rh Philip
 Eastwood, Mark
 Edwards, Ruth
 Ellis, rh Michael
 Ellwood, rh Mr Tobias
 Elphicke, Mrs Natalie
 Eustice, rh George
 Evans, Dr Luke
 Evennett, rh Sir David
 Everitt, Ben
 Fabricant, Michael
 Farris, Laura
 Fell, Simon
 Fletcher, Katherine
 Fletcher, Mark
 Fletcher, Nick
 Ford, Vicky
 Foster, Kevin
 Fox, rh Dr Liam
 Francois, rh Mr Mark
 Frazer, rh Lucy
 Freeman, George
 Freer, Mike
 Fuller, Richard
 Fysh, Mr Marcus
 Gale, rh Sir Roger
 Garnier, Mark
 Ghani, Ms Nusrat
 Gibb, rh Nick
 Gibson, Peter
 Gideon, Jo
 Glen, John
 Goodwill, rh Mr Robert
 Gove, rh Michael
 Graham, Richard
 Grant, Mrs Helen
 Gray, James
 Grayling, rh Chris
 Green, Chris
 Green, rh Damian
 Griffith, Andrew
 Griffiths, Kate
 Grundy, James
 Gullis, Jonathan
 Halfon, rh Robert
 Hall, Luke
 Hammond, Stephen
 Hancock, rh Matt
 Hands, rh Greg
 Harper, rh Mr Mark
 Harris, Rebecca
 Harrison, Trudy
 Hart, Sally-Ann
 Hart, rh Simon
 Hayes, rh Sir John
 Heald, rh Sir Oliver
 Heappey, James
 Heaton-Harris, Chris
 Henderson, Gordon
 Henry, Darren
 Higginbotham, Antony
 Hinds, rh Damian
 Hoare, Simon
 Holden, Mr Richard
 Hollinrake, Kevin
 Hollobone, Mr Philip
 Holloway, Adam
 Holmes, Paul
 Howell, John

Howell, Paul
 Huddleston, Nigel
 Hudson, Dr Neil
 Hughes, Eddie
 Hunt, Jane
 Hunt, rh Jeremy
 Hunt, Tom
 Jack, rh Mr Alister
 Javid, rh Sajid
 Jayawardena, Mr Ranil
 Jenkin, Sir Bernard
 Jenkinson, Mark
 Jenkyns, Andrea
 Jenrick, rh Robert
 Johnson, rh Boris
 Johnson, Dr Caroline
 Johnson, Gareth
 Johnston, David
 Jones, Andrew
 Jones, rh Mr David
 Jones, Fay
 Jones, Mr Marcus
 Jupp, Simon
 Kawczynski, Daniel
 Kearns, Alicia
 Keegan, Gillian
 Knight, rh Sir Greg
 Knight, Julian
 Kruger, Danny
 Kwarteng, rh Kwasi
 Lamont, John
 Langan, Robert
 Latham, Mrs Pauline
 Leadsom, rh Dame Andrea
 Leigh, rh Sir Edward
 Levy, Ian
 Lewer, Andrew
 Lewis, rh Brandon
 Lewis, rh Dr Julian
 Liddell-Grainger, Mr Ian
 Loder, Chris
 Logan, Mark
 Longhi, Marco
 Lopez, Julia
 Lopresti, Jack
 Lord, Mr Jonathan
 Loughton, Tim
 Mackinlay, Craig
 Mackrory, Cheryl
 Maclean, Rachel
 Mak, Alan
 Malthouse, Kit
 Mangnall, Anthony
 Mann, Scott
 Marson, Julie
 May, rh Mrs Theresa
 Mayhew, Jerome
 Maynard, Paul
 McCartney, Jason
 McCartney, Karl
 McPartland, Stephen
 Menzies, Mark
 Merriman, Huw
 Metcalfe, Stephen
 Millar, Robin
 Miller, rh Mrs Maria
 Milling, rh Amanda
 Mills, Nigel
 Mitchell, rh Mr Andrew
 Mohindra, Mr Gagan
 Moore, Damien
 Moore, Robbie

Mordaunt, rh Penny
 Morris, Anne Marie
 Morris, David
 Morris, James
 Morrissey, Joy
 Mortimer, Jill
 Morton, Wendy
 Mullan, Dr Kieran
 Mumby-Croft, Holly
 Mundell, rh David
 Murray, Mrs Sheryll
 Morrison, rh Dr Andrew
 Neill, Sir Robert
 Nici, Lia
 Nokes, rh Caroline
 Norman, rh Jesse
 O'Brien, Neil
 Offord, Dr Matthew
 Opperman, Guy
 Parish, Neil
 Patel, rh Priti
 Paterson, rh Mr Owen
 Pawsey, Mark
 Penning, rh Sir Mike
 Penrose, John
 Percy, Andrew
 Philp, Chris
 Pincher, rh Christopher
 Poulter, Dr Dan
 Pow, Rebecca
 Prentis, Victoria
 Pritchard, rh Mark
 Pursglove, Tom
 Quin, Jeremy
 Quince, Will
 Raab, rh Dominic
 Randall, Tom
 Redwood, rh John
 Rees-Mogg, rh Mr Jacob
 Richards, Nicola
 Richardson, Angela
 Robertson, Mr Laurence
 Robinson, Mary
 Rosindell, Andrew
 Ross, Douglas
 Rowley, Lee
 Russell, Dean
 Sambrook, Gary
 Saxby, Selaine
 Scully, Paul
 Seely, Bob
 Selous, Andrew
 Shapps, rh Grant
 Sharma, rh Alok
 Shelbrooke, rh Alec
 Simmonds, David
 Skidmore, rh Chris
 Smith, Chloe
 Smith, Greg
 Smith, Henry
 Smith, rh Julian
 Smith, Royston
 Solloway, Amanda
 Spencer, Dr Ben
 Spencer, rh Mark
 Stafford, Alexander
 Stephenson, Andrew
 Stevenson, Jane
 Stevenson, John
 Stewart, rh Bob
 Stewart, Iain
 Streeter, Sir Gary

Stride, rh Mel
Stuart, Graham
Sturdy, Julian
Sunak, rh Rishi
Sunderland, James
Swayne, rh Sir Desmond
Syms, Sir Robert
Thomas, Derek
Throup, Maggie
Timpson, Edward
Tolhurst, Kelly
Tomlinson, Justin
Tracey, Craig
Trevelyan, rh Anne-Marie
Trott, Laura
Truss, rh Elizabeth
Tugendhat, Tom
Vara, Shailesh
Vickers, Martin
Vickers, Matt
Villiers, rh Theresa
Wakeford, Christian

Walker, Mr Robin
Wallace, rh Mr Ben
Wallis, Dr Jamie
Warburton, David
Warman, Matt
Watling, Giles
Webb, Suzanne
Whately, Helen
Wheeler, Mrs Heather
Whittaker, Craig
Whittingdale, rh Mr John
Wiggin, Bill
Wild, James
Williams, Craig
Williamson, rh Gavin
Wood, Mike
Wright, rh Jeremy
Young, Jacob
Zahawi, Nadhim

Tellers for the Noes:
David Rutley and
Michael Tomlinson

Question accordingly negated.

The list of Members currently certified as eligible for a proxy vote, and of the Members nominated as their proxy, is published at the end of today's debates.

New Clause 97

VIDEO RECORDED CROSS-EXAMINATION OR RE-EXAMINATION OF COMPLAINANTS IN RESPECT OF SEXUAL OFFENCES AND MODERN SLAVERY OFFENCES

(1) Section 28 of the Youth Justice and Criminal Evidence Act 1999 comes into force in relation to proceedings to which subsection (2) applies on the day on which this Act is passed.

(2) This subsection applies where a witness is eligible for assistance by virtue of section 17(4) of the Youth Justice and Criminal Evidence Act 1999 (complainants in respect of a sexual offence or modern slavery offence who are witnesses in proceedings relating to that offence, or that offence and any other offences).

(3) This section has effect notwithstanding section 68(3) of the Youth Justice and Criminal Evidence Act 1999.”—(*David Lammy.*) *This new clause would bring section 28 of the Youth Justice and Criminal Evidence Act 1999, which provides for the cross-examination of vulnerable witnesses to be recorded rather than undertaken in court, fully into force for victims of sexual offences and modern slavery offences.*

Brought up.

Question put, That the clause be added to the Bill.

The House divided: Ayes 227, Noes 356.

Division No. 42]

[9.18 pm

AYES

Abbott, rh Ms Diane
Abrahams, Debbie
Ali, Rushanara
Ali, Tahir
Allin-Khan, Dr Rosena
Amesbury, Mike
Anderson, Fleur
Antoniazzi, Tonia
Ashworth, rh Jonathan
Barker, Paula
Beckett, rh Margaret
Begum, Apsana
Benn, rh Hilary
Betts, Mr Clive
Blake, Olivia
Blomfield, Paul

Bottomley, Sir Peter
Bradshaw, rh Mr Ben
Brennan, Kevin
Brown, Ms Lyn
Brown, rh Mr Nicholas
Bryant, Chris
Buck, Ms Karen
Burgon, Richard
Butler, Dawn
Byrne, Ian
Byrne, rh Liam
Cadbury, Ruth
Campbell, rh Sir Alan
Campbell, Mr Gregory
Carden, Dan
Carmichael, rh Mr Alistair

Chamberlain, Wendy
Champion, Sarah
Charalambous, Bambos
Clark, Feryal
Cooper, Daisy
Cooper, Rosie
Cooper, rh Yvette
Corbyn, rh Jeremy
Coyle, Neil
Creasy, Stella
Cruddas, Jon
Cryer, John
Cummins, Judith
Cunningham, Alex
Daby, Janet
Davey, rh Ed
David, Wayne
Davies, Geraint
Davies-Jones, Alex
De Cordova, Marsha
Debbonaire, Thangam
Dhesi, Mr Tanmanjeet Singh
Dodds, Anneliese
Donaldson, rh Sir Jeffrey M.
Doughty, Stephen
Dowd, Peter
Dromey, Jack
Duffield, Rosie
Eagle, Dame Angela
Eagle, Maria
Eastwood, Colum
Edwards, Jonathan
Efford, Clive
Elliott, Julie
Elmore, Chris
Eshalomi, Florence
Esterson, Bill
Evans, Chris
Farron, Tim
Farry, Stephen
Ferrier, Margaret
Fletcher, Colleen
Fovargue, Yvonne
Foxcroft, Vicky
Foy, Mary Kelly
Furniss, Gill
Gardiner, Barry
Gill, Preet Kaur
Girvan, Paul
Green, Kate
Green, Sarah
Greenwood, Lilian
Greenwood, Margaret
Griffith, Nia
Gwynne, Andrew
Haigh, Louise
Hamilton, Fabian
Hanna, Claire
Hardy, Emma
Harman, rh Ms Harriet
Harris, Carolyn
Hayes, Helen
Healey, rh John
Hendrick, Sir Mark
Hillier, Meg
Hobhouse, Wera
Hodge, rh Dame Margaret
Hodgson, Mrs Sharon
Hollern, Kate
Hopkins, Rachel
Howarth, rh Sir George
Huq, Dr Rupa

Hussain, Imran
Jardine, Christine
Jarvis, Dan
Johnson, rh Dame Diana
Johnson, Kim
Jones, Darren
Jones, Gerald
Jones, rh Mr Kevan
Jones, Ruth
Jones, Sarah
Kane, Mike
Keeley, Barbara
Kendall, Liz
Khan, Afzal
Kinnock, Stephen
Kyle, Peter
Lake, Ben
Lammy, rh Mr David
Lavery, Ian
Leadbeater, Kim
Lewell-Buck, Mrs Emma
Lewis, Clive
Lloyd, Tony
Lockhart, Carla
Long Bailey, Rebecca
Lucas, Caroline
Lynch, Holly
Madders, Justin
Mahmood, Mr Khalid
Mahmood, Shabana
Malhotra, Seema
Maskell, Rachael
Matheson, Christian
McCarthy, Kerry
McDonagh, Siobhain
McDonald, Andy
McDonnell, rh John
McFadden, rh Mr Pat
McGinn, Conor
McGovern, Alison
McKinnell, Catherine
McMahon, Jim
McMorris, Anna
Mearns, Ian
Miliband, rh Edward
Mishra, Navendu
Moran, Layla
Morden, Jessica
Morgan, Stephen
Morris, Grahame
Murray, Ian
Murray, James
Nandy, Lisa
Nichols, Charlotte
Norris, Alex
Olney, Sarah
Onwurah, Chi
Oppong-Asare, Abena
Osamor, Kate
Osborne, Kate
Owatemi, Taiwo
Owen, Sarah
Paisley, Ian
Peacock, Stephanie
Pennycook, Matthew
Perkins, Mr Toby
Phillips, Jess
Phillipson, Bridget
Pollard, Luke
Powell, Lucy
Qureshi, Yasmin
Rayner, rh Angela

Reed, Steve
Rees, Christina
Reeves, Ellie
Reeves, Rachel
Reynolds, Jonathan
Ribeiro-Addy, Bell
Rimmer, Ms Marie
Robinson, Gavin
Rodda, Matt
Russell-Moyle, Lloyd
Saville Roberts, rh Liz
Shah, Naz
Shannon, Jim
Sharma, Mr Virendra
Sheerman, Mr Barry
Siddiq, Tulip
Slaughter, Andy
Smith, Cat
Smith, Jeff
Smith, Nick
Smyth, Karin
Sobel, Alex
Spellar, rh John
Starmer, rh Keir
Stevens, Jo
Stone, Jamie
Streeter, Wes

Stringer, Graham
Sultana, Sarah
Tami, rh Mark
Tarry, Sam
Thomas, Gareth
Thomas-Symonds, rh Nick
Thornberry, rh Emily
Timms, rh Stephen
Trickett, Jon
Turner, Karl
Twigg, Derek
Vaz, rh Valerie
Webbe, Claudia
West, Catherine
Western, Matt
Whitehead, Dr Alan
Whitley, Mick
Whittome, Nadia
Williams, Hywel
Wilson, Munira
Wilson, rh Sammy
Winter, Beth
Yasin, Mohammad
Zeichner, Daniel

Tellers for the Ayes:

**Liz Twist and
Mary Glendon**

NOES

Adams, Nigel
Afolami, Bim
Afriyie, Adam
Ahmad Khan, Imran
Aiken, Nickie
Aldous, Peter
Allan, Lucy
Amess, Sir David
Anderson, Lee
Anderson, Stuart
Andrew, rh Stuart
Ansell, Caroline
Argar, Edward
Atherton, Sarah
Atkins, Victoria
Bacon, Gareth
Bacon, Mr Richard
Badenoch, Kemi
Bailey, Shaun
Baillie, Siobhan
Baker, Duncan
Baker, Mr Steve
Baldwin, Harriett
Barclay, rh Steve
Baron, Mr John
Baynes, Simon
Bell, Aaron
Benton, Scott
Beresford, Sir Paul
Berry, rh Jake
Bhatti, Saqib
Blackman, Bob
Blunt, Crispin
Bone, Mr Peter
Bowie, Andrew
Bradley, Ben
Bradley, rh Karen
Brady, Sir Graham
Braverman, rh Suella
Brereton, Jack
Bridgen, Andrew
Brine, Steve

Bristow, Paul
Britcliffe, Sara
Brokenshire, rh James
Browne, Anthony
Bruce, Fiona
Buchan, Felicity
Buckland, rh Robert
Burghart, Alex
Burns, rh Conor
Butler, Rob
Cairns, rh Alun
Carter, Andy
Cartledge, James
Cash, Sir William
Cates, Miriam
Caulfield, Maria
Chalk, Alex
Chishty, Rehman
Chope, Sir Christopher
Churchill, Jo
Clark, rh Greg
Clarke, Mr Simon
Clarke, Theo
Clarke-Smith, Brendan
Clarkson, Chris
Cleverly, rh James
Clifton-Brown, Sir Geoffrey
Coffey, rh Dr Thérèse
Colburn, Elliot
Collins, Damian
Costa, Alberto
Courts, Robert
Coutinho, Claire
Cox, rh Sir Geoffrey
Crabb, rh Stephen
Crosbie, Virginia
Crouch, Tracey
Daly, James
Davies, David T. C.
Davies, Gareth
Davies, Dr James
Davies, Mims

Davies, Philip
Davis, rh Mr David
Davison, Dehenna
Dinenage, Caroline
Dines, Miss Sarah
Djanogly, Mr Jonathan
Docherty, Leo
Donelan, Michelle
Dorries, Ms Nadine
Double, Steve
Dowden, rh Oliver
Doyle-Price, Jackie
Drax, Richard
Drummond, Mrs Flick
Duddridge, James
Duguid, David
Duncan Smith, rh Sir Iain
Dunne, rh Philip
Eastwood, Mark
Edwards, Ruth
Ellis, rh Michael
Ellwood, rh Mr Tobias
Elphicke, Mrs Natalie
Eustice, rh George
Evans, Dr Luke
Evennett, rh Sir David
Everitt, Ben
Fabricant, Michael
Farris, Laura
Fell, Simon
Fletcher, Katherine
Fletcher, Mark
Fletcher, Nick
Ford, Vicky
Foster, Kevin
Fox, rh Dr Liam
Francois, rh Mr Mark
Frazer, rh Lucy
Freeman, George
Freer, Mike
Fuller, Richard
Fysh, Mr Marcus
Gale, rh Sir Roger
Garnier, Mark
Ghani, Ms Nusrat
Gibb, rh Nick
Gibson, Peter
Gideon, Jo
Glen, John
Goodwill, rh Mr Robert
Gove, rh Michael
Graham, Richard
Grant, Mrs Helen
Gray, James
Grayling, rh Chris
Green, Chris
Green, rh Damian
Griffith, Andrew
Griffiths, Kate
Grundy, James
Gullis, Jonathan
Halfon, rh Robert
Hall, Luke
Hammond, Stephen
Hancock, rh Matt
Hands, rh Greg
Harper, rh Mr Mark
Harris, Rebecca
Harrison, Trudy
Hart, Sally-Ann
Hart, rh Simon
Hayes, rh Sir John

Heald, rh Sir Oliver
Heapey, James
Heaton-Harris, Chris
Henderson, Gordon
Henry, Darren
Higginbotham, Antony
Hinds, rh Damian
Hoare, Simon
Holden, Mr Richard
Hollinrake, Kevin
Hollobone, Mr Philip
Holloway, Adam
Holmes, Paul
Howell, John
Howell, Paul
Huddleston, Nigel
Hudson, Dr Neil
Hughes, Eddie
Hunt, Jane
Hunt, rh Jeremy
Hunt, Tom
Jack, rh Mr Alister
Javid, rh Sajid
Jayawardena, Mr Ranil
Jenkin, Sir Bernard
Jenkinson, Mark
Jenkyins, Andrea
Jenrick, rh Robert
Johnson, rh Boris
Johnson, Dr Caroline
Johnson, Gareth
Johnston, David
Jones, Andrew
Jones, rh Mr David
Jones, Fay
Jones, Mr Marcus
Jupp, Simon
Kawczynski, Daniel
Kearns, Alicia
Keegan, Gillian
Knight, rh Sir Greg
Knight, Julian
Kruger, Danny
Kwarteng, rh Kwasi
Lamont, John
Largan, Robert
Latham, Mrs Pauline
Leadsom, rh Dame Andrea
Leigh, rh Sir Edward
Levy, Ian
Lewer, Andrew
Lewis, rh Brandon
Lewis, rh Dr Julian
Liddell-Grainger, Mr Ian
Loder, Chris
Logan, Mark
Longhi, Marco
Lopez, Julia
Lopresti, Jack
Lord, Mr Jonathan
Loughton, Tim
Mackinlay, Craig
Mackrory, Cherilyn
Maclean, Rachel
Mak, Alan
Malthouse, Kit
Mangnall, Anthony
Mann, Scott
Marson, Julie
May, rh Mrs Theresa
Mayhew, Jerome
Maynard, Paul

McCartney, Jason
 McCartney, Karl
 McPartland, Stephen
 McVey, rh Esther
 Menzies, Mark
 Merriman, Huw
 Metcalfe, Stephen
 Millar, Robin
 Miller, rh Mrs Maria
 Milling, rh Amanda
 Mills, Nigel
 Mitchell, rh Mr Andrew
 Mohindra, Mr Gagan
 Moore, Damien
 Moore, Robbie
 Mordaunt, rh Penny
 Morris, Anne Marie
 Morris, David
 Morris, James
 Morrissey, Joy
 Mortimer, Jill
 Morton, Wendy
 Mullan, Dr Kieran
 Mumby-Croft, Holly
 Mundell, rh David
 Murray, Mrs Sheryll
 Murrison, rh Dr Andrew
 Neill, Sir Robert
 Nici, Lia
 Nokes, rh Caroline
 Norman, rh Jesse
 O'Brien, Neil
 Offord, Dr Matthew
 Opperman, Guy
 Parish, Neil
 Patel, rh Priti
 Paterson, rh Mr Owen
 Pawsey, Mark
 Penning, rh Sir Mike
 Penrose, John
 Percy, Andrew
 Philp, Chris
 Pincher, rh Christopher
 Poulter, Dr Dan
 Pow, Rebecca
 Prentis, Victoria
 Pritchard, rh Mark
 Pursglove, Tom
 Quin, Jeremy
 Quince, Will
 Raab, rh Dominic
 Randall, Tom
 Redwood, rh John
 Rees-Mogg, rh Mr Jacob
 Richards, Nicola
 Richardson, Angela
 Robertson, Mr Laurence
 Robinson, Mary
 Rosindell, Andrew
 Ross, Douglas
 Rowley, Lee
 Russell, Dean
 Sambrook, Gary
 Saxby, Selaine
 Scully, Paul
 Seely, Bob

Selous, Andrew
 Shapps, rh Grant
 Sharma, rh Alok
 Shelbrooke, rh Alec
 Simmonds, David
 Skidmore, rh Chris
 Smith, Chloe
 Smith, Greg
 Smith, Henry
 Smith, rh Julian
 Smith, Royston
 Solloway, Amanda
 Spencer, Dr Ben
 Spencer, rh Mark
 Stafford, Alexander
 Stephenson, Andrew
 Stevenson, Jane
 Stevenson, John
 Stewart, rh Bob
 Stewart, Iain
 Streeter, Sir Gary
 Stride, rh Mel
 Stuart, Graham
 Sturdy, Julian
 Sunak, rh Rishi
 Sunderland, James
 Swayne, rh Sir Desmond
 Syms, Sir Robert
 Thomas, Derek
 Throup, Maggie
 Timpson, Edward
 Tolhurst, Kelly
 Tomlinson, Justin
 Tracey, Craig
 Trevelyan, rh Anne-Marie
 Trott, Laura
 Truss, rh Elizabeth
 Tugendhat, Tom
 Vara, Shailesh
 Vickers, Martin
 Vickers, Matt
 Villiers, rh Theresa
 Wakeford, Christian
 Walker, Mr Robin
 Wallace, rh Mr Ben
 Wallis, Dr Jamie
 Warburton, David
 Warman, Matt
 Watling, Giles
 Webb, Suzanne
 Whately, Helen
 Wheeler, Mrs Heather
 Whittaker, Craig
 Whittingdale, rh Mr John
 Wiggin, Bill
 Wild, James
 Williams, Craig
 Williamson, rh Gavin
 Wood, Mike
 Wright, rh Jeremy
 Young, Jacob
 Zahawi, Nadhim

Tellers for the Noes:
 David Rutley and
 Michael Tomlinson

Question accordingly negated.

The list of Members currently certified as eligible for a proxy vote, and of the Members nominated as their proxy, is published at the end of today's debates.

Clause 175

EXTENT

Amendment made: 46, page 193, line 11, at end insert—

“(ab) section 1;”.—(*Robert Buckland.*)

This amendment is consequential on Amendment 34.

New Clause 98

OFFENCE OF PET THEFT

“(1) The Animal Welfare Act 2006 is amended as follows.

(2) After section 2 (“protected animal”) insert—

“(2A) Definition of pet A protected animal is a “pet” for the purposes of this Act if it provides companionship or assistance to any human being.”

(3) After section 8 (fighting etc.) insert—

“8A Pet theft

A person commits an offence if they dishonestly appropriate a pet belonging to another person with the intention of permanently depriving that other person of it.”

(4) In section 32 (imprisonment or fine) before subsection (1) insert—

“(A1) A person guilty of an offence under section 8A (pet theft) shall be

liable—

(a) on summary conviction to imprisonment for a term not exceeding 51 weeks, or a fine, or to both;

(b) on conviction on indictment to imprisonment for a term not exceeding 4 years, or to a fine, or to both.

(A2) When the court is considering for the purposes of sentencing the seriousness of an offence under section 8A it must consider the following as aggravating factors (that is to say, a factor that increases the seriousness of the offence)—

(a) the theft caused fear, alarm or distress to the pet, the owner or the pet or another person associated with the pet;

(b) the theft was for the purposes of commercial gain.”

(5) In section 34(10) (disqualification) after “8,” insert “8A,”.—(*Mr Lammy.*)

Brought up.

Question put, That the clause be added to the Bill.

The House divided: Ayes 232, Noes 354.

Division No. 43]

[9.26 pm

AYES

Abbott, rh Ms Diane
 Abrahams, Debbie
 Ali, Rushanara
 Ali, Tahir
 Allin-Khan, Dr Rosena
 Amesbury, Mike
 Anderson, Fleur
 Antoniazzi, Tonia
 Ashworth, rh Jonathan
 Barker, Paula
 Beckett, rh Margaret
 Begum, Apsana
 Benn, rh Hilary
 Betts, Mr Clive
 Blake, Olivia
 Blomfield, Paul
 Bradshaw, rh Mr Ben
 Brennan, Kevin
 Brown, Ms Lyn
 Brown, rh Mr Nicholas

Bryant, Chris
 Buck, Ms Karen
 Burgon, Richard
 Butler, Dawn
 Byrne, Ian
 Byrne, rh Liam
 Cadbury, Ruth
 Campbell, rh Sir Alan
 Campbell, Mr Gregory
 Carden, Dan
 Carmichael, rh Mr Alistair
 Chamberlain, Wendy
 Champion, Sarah
 Charalambous, Bambos
 Clark, Feryal
 Cooper, Daisy
 Cooper, Rosie
 Cooper, rh Yvette
 Corbyn, rh Jeremy
 Coyle, Neil

Creasy, Stella
 Cruddas, Jon
 Cryer, John
 Cummins, Judith
 Cunningham, Alex
 Daby, Janet
 Davey, rh Ed
 David, Wayne
 Davies, Geraint
 Davies, Philip
 Davies-Jones, Alex
 De Cordova, Marsha
 Debbonaire, Thangam
 Dhesi, Mr Tanmanjeet Singh
 Dodds, Anneliese
 Donaldson, rh Sir Jeffrey M.
 Doughty, Stephen
 Dowd, Peter
 Dromey, Jack
 Duffield, Rosie
 Eagle, Dame Angela
 Eagle, Maria
 Eastwood, Colum
 Edwards, Jonathan
 Efford, Clive
 Elliott, Julie
 Elmore, Chris
 Eshalomi, Florence
 Esterson, Bill
 Evans, Chris
 Farron, Tim
 Farry, Stephen
 Ferrier, Margaret
 Fletcher, Colleen
 Fovargue, Yvonne
 Foxcroft, Vicky
 Foy, Mary Kelly
 Furniss, Gill
 Gardiner, Barry
 Gill, Preet Kaur
 Girvan, Paul
 Green, Kate
 Green, Sarah
 Greenwood, Lilian
 Greenwood, Margaret
 Griffith, Nia
 Gwynne, Andrew
 Haigh, Louise
 Hamilton, Fabian
 Hanna, Claire
 Hanvey, Neale
 Hardy, Emma
 Harman, rh Ms Harriet
 Harris, Carolyn
 Hayes, Helen
 Healey, rh John
 Hendrick, Sir Mark
 Hillier, Meg
 Hobhouse, Wera
 Hodge, rh Dame Margaret
 Hodgson, Mrs Sharon
 Hollern, Kate
 Hollobone, Mr Philip
 Hopkins, Rachel
 Howarth, rh Sir George
 Huq, Dr Rupa
 Hussain, Imran
 Jardine, Christine
 Jarvis, Dan
 Johnson, rh Dame Diana

Johnson, Kim
 Jones, Darren
 Jones, Gerald
 Jones, rh Mr Kevan
 Jones, Ruth
 Jones, Sarah
 Kane, Mike
 Keeley, Barbara
 Kendall, Liz
 Khan, Afzal
 Kinnock, Stephen
 Kyle, Peter
 Lake, Ben
 Lammy, rh Mr David
 Lavery, Ian
 Leadbeater, Kim
 Lewell-Buck, Mrs Emma
 Lewis, Clive
 Lloyd, Tony
 Lockhart, Carla
 Long Bailey, Rebecca
 Lucas, Caroline
 Lynch, Holly
 Madders, Justin
 Mahmood, Mr Khalid
 Mahmood, Shabana
 Malhotra, Seema
 Maskell, Rachael
 Matheson, Christian
 McCarthy, Kerry
 McDonagh, Siobhain
 McDonald, Andy
 McDonnell, rh John
 McFadden, rh Mr Pat
 McGinn, Conor
 McGovern, Alison
 McKinnell, Catherine
 McMahon, Jim
 McMorris, Anna
 McVey, rh Esther
 Mearns, Ian
 Miliband, rh Edward
 Mishra, Navendu
 Moran, Layla
 Morden, Jessica
 Morgan, Stephen
 Morris, Grahame
 Murray, Ian
 Murray, James
 Nandy, Lisa
 Nichols, Charlotte
 Norris, Alex
 Olney, Sarah
 Onwurah, Chi
 Oppong-Asare, Abena
 Osamor, Kate
 Osborne, Kate
 Owatemi, Taiwo
 Owen, Sarah
 Paisley, Ian
 Peacock, Stephanie
 Pennycook, Matthew
 Perkins, Mr Toby
 Phillips, Jess
 Phillipson, Bridget
 Pollard, Luke
 Powell, Lucy
 Qureshi, Yasmin
 Rayner, rh Angela
 Reed, Steve
 Rees, Christina
 Reeves, Ellie

Reeves, Rachel
 Reynolds, Jonathan
 Ribeiro-Addy, Bell
 Rimmer, Ms Marie
 Robinson, Gavin
 Rodda, Matt
 Russell-Moyle, Lloyd
 Saville Roberts, rh Liz
 Shah, Naz
 Shannon, Jim
 Sharma, Mr Virendra
 Sheerman, Mr Barry
 Siddiq, Tulip
 Slaughter, Andy
 Smith, Cat
 Smith, Jeff
 Smith, Nick
 Smyth, Karin
 Sobel, Alex
 Spellar, rh John
 Starmer, rh Keir
 Stevens, Jo
 Stone, Jamie
 Streeting, Wes
 Stringer, Graham
 Sultana, Zarah

Adams, Nigel
 Afolami, Bim
 Afriyie, Adam
 Ahmad Khan, Imran
 Aiken, Nickie
 Aldous, Peter
 Allan, Lucy
 Amess, Sir David
 Anderson, Lee
 Anderson, Stuart
 Andrew, rh Stuart
 Ansell, Caroline
 Argar, Edward
 Atherton, Sarah
 Atkins, Victoria
 Bacon, Gareth
 Bacon, Mr Richard
 Badenoch, Kemi
 Bailey, Shaun
 Baillie, Siobhan
 Baker, Duncan
 Baker, Mr Steve
 Baldwin, Harriett
 Barclay, rh Steve
 Baron, Mr John
 Baynes, Simon
 Bell, Aaron
 Benton, Scott
 Beresford, Sir Paul
 Berry, rh Jake
 Bhatti, Saqib
 Blackman, Bob
 Blunt, Crispin
 Bone, Mr Peter
 Bottomley, Sir Peter
 Bowie, Andrew
 Bradley, Ben
 Bradley, rh Karen
 Brady, Sir Graham
 Braverman, rh Suella
 Brereton, Jack

Tami, rh Mark
 Tarry, Sam
 Thomas, Gareth
 Thomas-Symonds, rh Nick
 Thornberry, rh Emily
 Timms, rh Stephen
 Trickett, Jon
 Turner, Karl
 Twigg, Derek
 Vaz, rh Valerie
 Webbe, Claudia
 West, Catherine
 Western, Matt
 Whitehead, Dr Alan
 Whitley, Mick
 Whittome, Nadia
 Williams, Hywel
 Wilson, Munira
 Wilson, rh Sammy
 Winter, Beth
 Wragg, Mr William
 Yasin, Mohammad
 Zeichner, Daniel

Tellers for the Ayes:
Liz Twist and
Mary Glindon

NOES

Bridgen, Andrew
 Brine, Steve
 Bristow, Paul
 Britcliffe, Sara
 Brokenshire, rh James
 Browne, Anthony
 Bruce, Fiona
 Buchan, Felicity
 Buckland, rh Robert
 Burghart, Alex
 Burns, rh Conor
 Butler, Rob
 Cairns, rh Alun
 Carter, Andy
 Cartlidge, James
 Cash, Sir William
 Cates, Miriam
 Caulfield, Maria
 Chalk, Alex
 Chishti, Rehman
 Chope, Sir Christopher
 Churchill, Jo
 Clark, rh Greg
 Clarke, Mr Simon
 Clarke, Theo
 Clarke-Smith, Brendan
 Clarkson, Chris
 Cleverly, rh James
 Clifton-Brown, Sir Geoffrey
 Coffey, rh Dr Thérèse
 Colburn, Elliot
 Collins, Damian
 Costa, Alberto
 Courts, Robert
 Coutinho, Claire
 Cox, rh Sir Geoffrey
 Crabb, rh Stephen
 Crosbie, Virginia
 Crouch, Tracey
 Daly, James
 Davies, David T. C.
 Davies, Gareth
 Davies, Dr James

Davies, Mims
 Davis, rh Mr David
 Davison, Dehenna
 Dineneage, Caroline
 Dines, Miss Sarah
 Djanogly, Mr Jonathan
 Docherty, Leo
 Donelan, Michelle
 Dorries, Ms Nadine
 Double, Steve
 Dowden, rh Oliver
 Doyle-Price, Jackie
 Drax, Richard
 Drummond, Mrs Flick
 Duddridge, James
 Duguid, David
 Duncan Smith, rh Sir Iain
 Dunne, rh Philip
 Eastwood, Mark
 Edwards, Ruth
 Ellis, rh Michael
 Ellwood, rh Mr Tobias
 Elphicke, Mrs Natalie
 Eustice, rh George
 Evans, Dr Luke
 Evennett, rh Sir David
 Everitt, Ben
 Fabricant, Michael
 Farris, Laura
 Fell, Simon
 Fletcher, Katherine
 Fletcher, Mark
 Fletcher, Nick
 Ford, Vicky
 Foster, Kevin
 Fox, rh Dr Liam
 Francois, rh Mr Mark
 Frazer, rh Lucy
 Freeman, George
 Freer, Mike
 Fuller, Richard
 Fysh, Mr Marcus
 Gale, rh Sir Roger
 Garnier, Mark
 Ghani, Ms Nusrat
 Gibb, rh Nick
 Gibson, Peter
 Gideon, Jo
 Glen, John
 Goodwill, rh Mr Robert
 Gove, rh Michael
 Graham, Richard
 Grant, Mrs Helen
 Gray, James
 Grayling, rh Chris
 Green, Chris
 Green, rh Damian
 Griffith, Andrew
 Griffiths, Kate
 Grundy, James
 Gullis, Jonathan
 Halfon, rh Robert
 Hall, Luke
 Hammond, Stephen
 Hancock, rh Matt
 Hands, rh Greg
 Harper, rh Mr Mark
 Harris, Rebecca
 Harrison, Trudy
 Hart, Sally-Ann
 Hart, rh Simon

Hayes, rh Sir John
 Heald, rh Sir Oliver
 Heappey, James
 Heaton-Harris, Chris
 Henderson, Gordon
 Henry, Darren
 Higginbotham, Antony
 Hinds, rh Damian
 Hoare, Simon
 Holden, Mr Richard
 Hollinrake, Kevin
 Holloway, Adam
 Holmes, Paul
 Howell, John
 Howell, Paul
 Huddleston, Nigel
 Hudson, Dr Neil
 Hughes, Eddie
 Hunt, Jane
 Hunt, rh Jeremy
 Hunt, Tom
 Jack, rh Mr Alistair
 Javid, rh Sajid
 Jayawardena, Mr Ranil
 Jenkin, Sir Bernard
 Jenkinson, Mark
 Jenkyns, Andrea
 Jenrick, rh Robert
 Johnson, rh Boris
 Johnson, Dr Caroline
 Johnson, Gareth
 Johnston, David
 Jones, Andrew
 Jones, rh Mr David
 Jones, Fay
 Jones, Mr Marcus
 Jupp, Simon
 Kawczynski, Daniel
 Kearns, Alicia
 Keegan, Gillian
 Knight, rh Sir Greg
 Knight, Julian
 Kruger, Danny
 Kwarteng, rh Kwasi
 Lamont, John
 Langan, Robert
 Latham, Mrs Pauline
 Leadsom, rh Dame Andrea
 Leigh, rh Sir Edward
 Levy, Ian
 Lewer, Andrew
 Lewis, rh Brandon
 Lewis, rh Dr Julian
 Liddell-Grainger, Mr Ian
 Loder, Chris
 Logan, Mark
 Longhi, Marco
 Lopez, Julia
 Lopresti, Jack
 Lord, Mr Jonathan
 Loughton, Tim
 Mackinlay, Craig
 Mackrory, Cherilyn
 Maclean, Rachel
 Mak, Alan
 Malthouse, Kit
 Mangnall, Anthony
 Mann, Scott
 Marson, Julie
 May, rh Mrs Theresa
 Mayhew, Jerome
 Maynard, Paul

McCartney, Jason
 McCartney, Karl
 McPartland, Stephen
 Menzies, Mark
 Merriman, Huw
 Metcalfe, Stephen
 Millar, Robin
 Miller, rh Mrs Maria
 Milling, rh Amanda
 Mills, Nigel
 Mitchell, rh Mr Andrew
 Mohindra, Mr Gagan
 Moore, Damien
 Moore, Robbie
 Mordaunt, rh Penny
 Morris, Anne Marie
 Morris, David
 Morris, James
 Morrissey, Joy
 Mortimer, Jill
 Morton, Wendy
 Mullan, Dr Kieran
 Mumby-Croft, Holly
 Mundell, rh David
 Murray, Mrs Sheryll
 Murrison, rh Dr Andrew
 Neill, Sir Robert
 Nici, Lia
 Nokes, rh Caroline
 Norman, rh Jesse
 O'Brien, Neil
 Offord, Dr Matthew
 Opperman, Guy
 Parish, Neil
 Patel, rh Priti
 Paterson, rh Mr Owen
 Pawsey, Mark
 Penning, rh Sir Mike
 Penrose, John
 Percy, Andrew
 Philp, Chris
 Pincher, rh Christopher
 Poulter, Dr Dan
 Pow, Rebecca
 Prentis, Victoria
 Pritchard, rh Mark
 Pursglove, Tom
 Quin, Jeremy
 Quince, Will
 Raab, rh Dominic
 Randall, Tom
 Redwood, rh John
 Rees-Mogg, rh Mr Jacob
 Richards, Nicola
 Richardson, Angela
 Robertson, Mr Laurence
 Robinson, Mary
 Rosindell, Andrew
 Ross, Douglas
 Rowley, Lee
 Russell, Dean
 Sambrook, Gary
 Saxby, Selaine
 Scully, Paul
 Seely, Bob
 Selous, Andrew

Shapps, rh Grant
 Sharma, rh Alok
 Shelbrooke, rh Alec
 Simmonds, David
 Skidmore, rh Chris
 Smith, Chloe
 Smith, Greg
 Smith, Henry
 Smith, rh Julian
 Smith, Royston
 Solloway, Amanda
 Spencer, Dr Ben
 Spencer, rh Mark
 Stafford, Alexander
 Stephenson, Andrew
 Stevenson, Jane
 Stevenson, John
 Stewart, rh Bob
 Stewart, Iain
 Streeter, Sir Gary
 Stride, rh Mel
 Stuart, Graham
 Sturdy, Julian
 Sunak, rh Rishi
 Sunderland, James
 Swayne, rh Sir Desmond
 Syms, Sir Robert
 Thomas, Derek
 Throup, Maggie
 Timpson, Edward
 Tolhurst, Kelly
 Tomlinson, Justin
 Tracey, Craig
 Trevelyan, rh Anne-Marie
 Trott, Laura
 Truss, rh Elizabeth
 Tugendhat, Tom
 Vara, Shailesh
 Vickers, Martin
 Vickers, Matt
 Villiers, rh Theresa
 Wakeford, Christian
 Walker, Mr Robin
 Wallace, rh Mr Ben
 Wallis, Dr Jamie
 Warburton, David
 Warman, Matt
 Watling, Giles
 Webb, Suzanne
 Whately, Helen
 Wheeler, rh Heather
 Whittaker, Craig
 Whittingdale, rh Mr John
 Wiggin, Bill
 Wild, James
 Williams, Craig
 Williamson, rh Gavin
 Wood, Mike
 Wright, rh Jeremy
 Young, Jacob
 Zahawi, Nadhim

Tellers for the Noes:
 David Rutley and
 Michael Tomlinson

Question accordingly negated.

The list of Members currently certified as eligible for a proxy vote, and of the Members nominated as their proxy, is published at the end of today's debates.

Third Reading

Madam Deputy Speaker (Dame Eleanor Laing): Order. Before I call the Home Secretary, it is obvious that there is very little time left for this part of the proceedings, so there will be a time limit on Back-Bench speeches of three minutes. However, I urge even greater brevity.

9.33 pm

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

The Bill delivers on our promise to the British people to keep them safe. It backs our police with improved powers and more support for officers and their families in recognition of the unique and enormous sacrifices that they make. It introduces tougher sentences for the worst offenders and modernises the criminal justice system with an overhaul of the courts and tribunal processes.

The long-overdue police covenant represents our promise to the police and their families that we will do everything we can to honour and support them. That includes much more support for their health and wellbeing. As the House knows, the Bill requires the Home Secretary to report annually to Parliament on the covenant, and this will now cover the whole policing family.

We rely on the police for our public safety and protection. We have relied on them more than usual during the covid pandemic to enforce new laws and, of course, to keep us safe. The overwhelming majority of the country has responded with profound gratitude, but a thuggish minority has responded with abuse and violence. In the year from December 2019 to 2020, there was a big increase in assaults on police officers. Assaults on constables without injury increased by 21%—just over 25,000. Assaults on constables with injury went up by 2%, but that is still over 11,000 cases. It is despicable and it cannot and should not be tolerated, so the Bill doubles the maximum penalty for assaulting emergency workers, including those heroic NHS workers, to two years. Serious violence reduction orders will also give the police targeted stop-and-search powers for convicted knife and weapon carriers.

The police will be able to take a more proactive approach to managing protests. That is not about stifling freedom of expression. The right to protest peacefully is a cornerstone of our democracy, but there is a balance to be struck between the rights of the protester and the rights of others to go about their daily lives. The current legislation that the police use to manage protests, the Public Order Act 1986, was enacted over 30 years ago. Tactics such as blocking emergency vehicles, gluing oneself to a train, blocking airport runways and preventing the distribution of newspapers are unacceptable and illegitimate. They will be treated as such. By attempting to strike out those clauses, Labour has proved that it is on the side of the disruptive minority and not the hard-working majority.

Victims and witnesses need to know that they are safe, and of course the Bill reforms the pre-charge bail regime, which will bring much-needed reassurance, including in high-harm cases such as domestic abuse. People convicted of serious crimes will receive tougher sentences and spend longer in prison. Automatic halfway release

from prison will end for another cohort of serious sexual and violent offenders. A whole life tariff order will be the starting point for the premeditated murder of a child. The Government's comprehensive rape review is soon to be followed by a comprehensive strategy to tackle violence against women and girls, and domestic abuse. These problems are complex and widespread, so we need to do much more to combat them. The Bill strengthens the management of sex offenders by, for example, enabling the courts to impose electronic monitoring requirements and behavioural change courses. There are new powers to manage terrorism risk offenders.

The Bill provides more agile and appropriate management of children in the justice system—something that we should never overlook—so that judges and magistrates can make decisions in the best interest of the child and the public. Secure schools will be trialled with a focus on excellent education, wellbeing and purposeful activity.

Because of covid, temporary provisions were made to allow people to participate in and follow court proceedings by video and audio technology. Those have worked well and will be made permanent. We will also make the courts more accessible for people with disabilities.

Our first responsibility as a Government is to keep the public safe. The vital provisions in the Bill will strengthen public safety and update the law. They will mean that the police can manage new and emerging threats and that the criminal justice system works for the British people, keeping our citizens and our communities safe.

As we prepare to vote, I urge Labour Members to ask themselves whose side they are on. The public whom they serve will notice. The measures are emphatically on the side of the police and the law-abiding majority of the British people, and I commend the Bill to the House.

9.38 pm

Nick Thomas-Symonds (Torfaen) (Lab): I thank the Bill team, the Clerks and House staff and the Library staff for facilitating debate in the House. It is a great shame that a Bill that could have commanded wide support ended up being so divisive. Indeed, Labour Members, working with other parties, campaigned for elements of the Bill: on increasing sentences for causing death by dangerous driving; on reform of the disclosure and barring service; and on sexual offences perpetrated by those in positions of trust. Some elements of the review by my right hon. Friend the Member for Tottenham (Mr Lammy) have been included, though far too few. We also welcome the introduction of a police covenant, and great credit must go to the shadow Policing Minister, my hon. Friend the Member for Croydon Central (Sarah Jones), for securing the concession to include non-Home Office police forces. That important change will make a difference. We will hold the Government to account on the implementation of the covenant, to make sure it really does make a significant difference to frontline officers.

On behalf of the Opposition, I have tabled amendments in relation to the Hillsborough disaster, in the light of the collapse of the trial of three men on 26 May. Those proposals are based on the detailed work of my hon. Friend the Member for Garston and Halewood (Maria Eagle),

and reflect her Public Advocate Bill, together with the work of the former Member for Leigh, with the introduction of a duty of candour and equality of arms for families in inquests. We think today, first and foremost, of the Hillsborough families and their remarkable courage and determination in seeking justice over decades. We owe a duty to seek to ensure that what happened to them can never happen again. The Opposition offer their full support to achieving that, which is the purpose of placing the proposals on the record. I hope that work can now be done to move things forward, with there no longer being an ongoing trial.

Sadly, this Bill has been made a divisive Bill, because of provisions put into it that are unconscionable and because of provisions not put into it that would have addressed the priorities of the British people, by dealing with the reasons why so many women and girls feel unsafe on our streets. This Bill showed a warped sense of priorities; it does more to protect statues than it does to protect women. It is a Bill that destroys the fine British tradition of protecting the right to protest. It allows the noise generated by persons taking part as a reason to curtail protest and criminalises people—mark this—who break a condition they “ought” to have known existed. Our laws of protest have always been a balance, and the way this proposed law disturbs it is wrong. I declare an interest: as a trade unionist, I refer to my relevant entry in the Register of Members’ Financial Interests on support from the Unite union and the GMB. Whether it is our trade unions or another group that wants to make its views known loudly in the streets, we limit their ability to do so at our peril.

Gareth Johnson: Will the right hon. Gentleman give way?

Nick Thomas-Symonds: I will not, because we are very short of time. Media reports even suggest that the National Police Chiefs Council, the Association of Police and Crime Commissioners, Her Majesty’s inspectorate of constabulary and fire and rescue services and the Metropolitan police have all stated that they did not request these noise clauses to be added to the Bill. Today, there is a piece in *The Times* where senior former police officers have written warning that this Bill is “dangerous” and has

“harmful implications for the ability of police officers to enforce the law and for the health of our democracy.”

Isn’t the truth that the mask has slipped? Ministers are not acting on legitimate concerns about keeping people safe; they are trying to clamp down on people’s legitimate and democratic right to protest. I wonder what it is about the appalling record of this Government that makes them so concerned about people organising protest against them. That the Government attack our democratic traditions in this way, limiting the rights of those whose beliefs are inconvenient to them, is dangerous and to their shame. The unauthorised encampments section of the Bill, clearly targeted at Gypsy, Roma and Traveller communities, will potentially breach the Human Rights Act and the Equality Act 2010. When Friends, Families and Travellers researched the consultation responses the Government received, it found that 84% of police responses did not support the criminalisation of unauthorised encampments. It is unconscionable and unworkable.

This Bill is also a missed opportunity. There should be wider measures to protect the pandemic heroes, extending the protections to shop workers as well as other frontline workers. I wrote this weekend, with the general secretary of Union of Shop, Distributive and Allied Workers that during the pandemic we united as a country to clap for our frontline workers, such as shop workers. Now is the time to deliver on this. Instead the Government MPs voted against that today. *[Interruption.]* Well, it is true because the amendment was down today and MPs have voted it down. The Bill also continues to ignore the disproportionality that exists from start to finish in the criminal justice system. Black people have bravely stepped forward to share their testimony of structural racism and the impact it still has. This Government seem to want to deny that structural racism even exists. Meanwhile, while communities up and down the country suffer the consequences of antisocial behaviour, this Government prefer to waste more than £200 million on a pointless yacht. Labour would invest that money in tackling crime.

When it comes to addressing the appalling issue of violence against women and girls, this is an empty Bill. Labour even published a Green Paper with suggestions for the Government to act: a rape survivors support plan, victims having the right to support, cases of rape and serious sexual violence fast-tracked, and a Minister with specific responsibility for driving change. That 1.6% of reported rapes lead to a charge is a national scandal. The Lord Chancellor offered an apology, but not the resources we need, and the Prime Minister shamefully dismissed concerns as “jabber”.

This Bill was an opportunity to show that addressing violence against women and girls was a priority for this Government, but they have failed. Women and girls who feel unsafe on our streets should have been a priority in this Bill. It should have delivered on inadequate sentences for rape, stalking, and domestic homicide. It should have addressed unacceptable and intimidating street harassment. It should have delivered properly resourced domestic abuse services.

Whether it is our frontline workers, those who have suffered as a consequence of disproportionality, or victims of antisocial behaviour, we on these Benches will continue to campaign for them and put victims first.

9.46 pm

Sir Robert Neill [V]: This is an important Bill, and this debate is a reminder that an effective criminal justice system is all about balance—balance between the individual and the state, between the victim and the accused, and between the need to protect society with condign punishment where necessary and the duty to rehabilitate those who can genuinely turn their lives around. Despite some mischaracterisation, the Bill does achieve that.

Perhaps the Bill is also a reminder that an effective criminal justice system requires a holistic and calm approach that lasts beyond the lifetime of any one Parliament. We need to fund the system right the way through, ensuring that the police have enough funding and powers to do their job, that the courts have enough resource, powers and flexibility to achieve justice in a way that is credible and consistent, as our judges invariably endeavour to do, and that the Prison and Probation

[Sir Robert Neill]

Service has the resources not only to keep dangerous people safe, but to support those who wish to make a better life for themselves having paid their debt to society. All three are important.

Not all reform necessarily requires primary legislation. Much of the objectives that have been talked about in this debate can be achieved through other means, such as policy initiatives and better use of laws we already have—I can think of several that have been touched on in this debate—and better use of the sentencing powers that already exist, which with support our judiciary is prepared to do. That is why the work of the Sentencing Council is so important. It is worth reminding right hon. and hon. Members that, on the House's behalf, the Justice Committee is a statutory consultee in the work of the Sentencing Council, something which we take incredibly seriously. There is a power for elected representatives here to have an input into the process, and we ought to make full and proper use of it. The Committee is determined to do so.

I have a final word about the importance of the Law Commission, which has been mentioned much today. The Lord Chancellor has been firm in his support for it, and it is critical that the Law Commission continues to be properly and fully resourced. Its budgets are not large, and there has been no attempt to reduce them under the current Administration. There was once an ill-advised attempt to do so, but I am sure that there will not be another. We must ensure that the Law Commission continues to have the resources so that we have an objective, independent, authoritative voice to guide us in reforming desperately important elements of our law, criminal and civil, which will have a bearing on society beyond the lifetime of this Parliament and many more besides. The Law Commission's long-term approach is vital, too, and I commend it to the House.

9.49 pm

Anne McLaughlin: I was disappointed that 44 of the 66 speakers did not get in on Second Reading, and particularly disappointed that nobody from the SNP other than myself was able to speak. I kept my remarks to around five minutes to allow them and others to get in, but unfortunately that did not happen. However, I will be much briefer this time, partly because there is only so much time you can spend banging your head off a brick wall and also because, over the past few months, myself and colleagues have spoken at length on this topic and will continue to do so.

Let me reiterate the main issues for the SNP. The Bill will not achieve what the Government say they want to achieve. It will seriously curtail the right to protest, and it will disgracefully criminalise the way of life of Gypsy Travellers. I remind hon. Members that on Wednesday at 1 o'clock Gypsy Travellers will be spending two hours across the road from this place. They have invited us all to join them to hear more about their way of life, and how the Bill will impact on those lives.

The Bill is likely to have a disproportionately negative impact on ethnic minority communities and women. It will allow the ridiculous and unjust possibility of a tougher jail sentence for someone who topples over a statue than for someone who does the same thing to a

living human being or animal. I assure the people of Scotland that this Bill would never happen in an independent Scotland. If there is a single person on these islands who is still wondering why we campaign for independence, I encourage them to read this Bill.

9.51 pm

Rebecca Long Bailey (Salford and Eccles) (Lab) [V]: This Bill is so pernicious in parts that it chillingly removes some of our most precious freedoms. Indeed, on press freedom, the Investigatory Powers Act 2016 already allows for the identification of journalistic source information via a judicial process when that is required by the police. The Bill appears not only to relax, but to ride a coach and horses through the legal process, with no clear protection or processes for journalistic whistleblowers, and by extending the people who can access the information not only to police officers and constables, but to employees of the Court of Common Council of the City of London, and immigration officers.

The Bill is littered with instances of racial and other forms of discrimination, from the biased operation of serious violence reduction orders, to attacks on Gypsy, Roma and Traveller communities through the criminalisation of their way of life. Then there are the Bill's provisions on our right to protest. The Home Secretary will have unfettered powers to define what constitutes "serious disruption", and protesters who simply cause a "serious annoyance", which is not defined, can be subject to jail sentences of up to 10 years. Worryingly, Amnesty International has said:

"The Bill also gives Ministers further enhanced powers to issue further legally binding regulations around these highly subjective and vague thresholds, which raises the prospect that the current or any future government may misuse these powers to stifle criticism and views that it might find uncomfortable."

I will finish with a warning. History is littered with examples of democracies sliding blindly into authoritarianism. It usually happens by stealth: undermining the judiciary one day, threatening the existence of public broadcasters the next, rigging electoral rules to make it much more difficult for Opposition parties to win elections and, of course, silencing dissent by restricting the right to protest. It all sounds chillingly familiar, does it not? If the Government believe in democracy, and I truly hope they do, let them prove it tonight. Drop the Bill, otherwise I will have no option but to determine that tonight, whether intentionally or accidentally, the Government begin their stealthy descent into authoritarianism.

9.54 pm

Gavin Robinson (Belfast East) (DUP): It is fair to say that in this Parliament the Government have a strong majority, but they need to use it wisely and responsibly. I commend the Minister and the Lord Chancellor, both of whom have demonstrated this afternoon and evening a willingness to listen on some issues. They have given commitments that there will be resolutions in the other place. Earlier I expressed my disappointment that the Committee process did not get the Bill into the shape I believe it needed to be.

There are still profound concerns, not just for those who are likely to offer opposition, but for those, including myself, who have recognised and expounded on issues

with what some of the Bill's provisions say and with how they have been articulated. Even though the Minister indicated that perhaps there are some misconceptions or misperceptions about what it entails, sadly the House has not had the opportunity to consider the Bill in full. Time has been limited this afternoon and we are the worse for it, but I suspect that the other place will have much longer on the Bill and we may see significant opportunities for change.

I encourage Ministers to consider positively new clauses 44 to 50, which sought to mirror the provisions on human trafficking and sexual exploitation that already apply in Northern Ireland. I do hope that they will give them earnest consideration. We secured their passage in Northern Ireland some four years ago; they are important legislative changes.

On the basis of the four or five aspects of the Bill that apply in Northern Ireland—those on obtaining information from electronic devices, on assisting with samples and recovery of remains, on sexual offences and on some mutual recognition provisions across the United Kingdom—we will support Third Reading, while recognising that we have reservations to which no doubt we will return on another occasion.

9.56 pm

Karin Smyth (Bristol South) (Lab): I support all the comments that my right hon. Friend the Member for Torfaen (Nick Thomas-Symonds) made, particularly those about the right to legitimate protest, but I draw the House's attention particularly to my amendments about air weapon safety, which I did not have the opportunity to speak to on Report.

As the Minister understands, I have been pursuing the issue for a number of years, following the tragic damage done to my young constituent by an air weapon. It caused life-changing injuries, and I have worked with many other hon. Members whose constituents have died because of those weapons. I will pursue the issue of the prohibition of air weapons on private land for those under the age of 18.

I would particularly like the Government to consider publishing the evidence that they have collected with regard to the air weapons review, following my Adjournment debate a few years ago. We need to understand how the Government have used the evidence to come to their conclusions, particularly with regard to the law as it operates in Northern Ireland and Scotland, and to the licensing of these dangerous weapons.

I hope that I will be able to pursue the issue with the Government in the coming months and years. I think there are hundreds of families across the country who would support us in looking at it more seriously again.

9.57 pm

Ian Levy (Blyth Valley) (Con) [V]: Having served on the Bill Committee for this landmark legislation, I wholeheartedly support how the Bill embeds the police covenant into law, a commitment that I made to my constituents of Blyth Valley back in 2019. The covenant is pivotal to ensuring that our police are supported and that they rightly receive the recognition and enhanced protection that they deserve in keeping us all safe. It is a hugely positive step that echoes the Government's commitment to protect police officers and their families.

My promise to my constituency to do all I can to reduce crime and create safe communities is paramount. Blyth Valley has seen high levels of antisocial behaviour over recent years. On occasion, tragically, it has led to the loss of life. Only recently, a constituent and father of two was violently attacked on his way home. I would like to thank the Northumbria police in my constituency for all the work they have done in the wake of this shocking incident. Much to the horror of my constituents, the offenders were all teenagers aged between 16 and 18. Due to their actions, so many lives have been ruined. It is vital that we give our police every tool they need to protect both themselves and our communities. As well as strengthening police stop-and-search powers and targeting those people who are convicted of knife crime and weapon offences, we will reinforce the custody of young offenders.

Another part of the Bill that I particularly welcome is the increase in the maximum penalty for anyone who assaults or commits an offence against an emergency worker from 12 months to two years. I worked for the NHS for almost 25 years, but I am sure that everyone in this House will agree that any form of attack or assault against an emergency worker is unacceptable and should not be tolerated. Our emergency services have gone above and beyond over the past year during the pandemic to protect and save lives. They deserve to be treated with the utmost respect. Their bravery, selflessness, professionalism and unflinching diligence does not go unnoticed. I welcome the fact that the Bill will seek to ensure that everyone who commits an offence against such workers will be penalised.

Debate interrupted (Programme Order, this day).

The Deputy Speaker put forthwith the Question already proposed from the Chair (Standing Order No. 83E), That the Bill be now read the Third time.

The House divided: Ayes 365, Noes 265.

Division No. 44]

[10 pm

AYES

Adams, Nigel	Benton, Scott
Afolami, Bim	Beresford, Sir Paul
Afriyie, Adam	Berry, rh Jake
Ahmad Khan, Imran	Bhatti, Saqib
Aiken, Nickie	Blackman, Bob
Aldous, Peter	Blunt, Crispin
Allan, Lucy	Bone, Mr Peter
Amess, Sir David	Bottomley, Sir Peter
Anderson, Lee	Bowie, Andrew
Anderson, Stuart	Bradley, Ben
Andrew, rh Stuart	Bradley, rh Karen
Ansell, Caroline	Brady, Sir Graham
Argar, Edward	Braverman, rh Suella
Atherton, Sarah	Brereton, Jack
Atkins, Victoria	Bridgen, Andrew
Bacon, Gareth	Brine, Steve
Bacon, Mr Richard	Bristow, Paul
Badenoch, Kemi	Britcliffe, Sara
Bailey, Shaun	Brokenshire, rh James
Baillie, Siobhan	Browne, Anthony
Baker, Duncan	Bruce, Fiona
Baker, Mr Steve	Buchan, Felicity
Baldwin, Harriett	Buckland, rh Robert
Barclay, rh Steve	Burghart, Alex
Baron, Mr John	Burns, rh Conor
Baynes, Simon	Butler, Rob
Bell, Aaron	Cairns, rh Alun

Campbell, Mr Gregory
Carter, Andy
Cartlidge, James
Cash, Sir William
Cates, Miriam
Caulfield, Maria
Chalk, Alex
Chishti, Rehman
Chope, Sir Christopher
Churchill, Jo
Clark, rh Greg
Clarke, Mr Simon
Clarke, Theo
Clarke-Smith, Brendan
Clarkson, Chris
Cleverly, rh James
Clifton-Brown, Sir Geoffrey
Coffey, rh Dr Thérèse
Colburn, Elliot
Collins, Damian
Costa, Alberto
Courts, Robert
Coutinho, Claire
Cox, rh Sir Geoffrey
Crabb, rh Stephen
Crosbie, Virginia
Crouch, Tracey
Daly, James
Davies, David T. C.
Davies, Gareth
Davies, Dr James
Davies, Mims
Davies, Philip
Davis, rh Mr David
Davison, Dehenna
Dinenage, Caroline
Dines, Miss Sarah
Djanogly, Mr Jonathan
Docherty, Leo
Donaldson, rh Sir Jeffrey M.
Donelan, Michelle
Dorries, Ms Nadine
Double, Steve
Dowden, rh Oliver
Doyle-Price, Jackie
Drax, Richard
Drummond, Mrs Flick
Duddridge, James
Duguid, David
Duncan Smith, rh Sir Iain
Dunne, rh Philip
Eastwood, Mark
Edwards, Ruth
Ellis, rh Michael
Ellwood, rh Mr Tobias
Elphicke, Mrs Natalie
Eustice, rh George
Evans, Dr Luke
Evennett, rh Sir David
Everitt, Ben
Fabricant, Michael
Farris, Laura
Fell, Simon
Fletcher, Katherine
Fletcher, Mark
Fletcher, Nick
Ford, Vicky
Foster, Kevin
Fox, rh Dr Liam
Francois, rh Mr Mark
Frazer, rh Lucy
Freeman, George
Freer, Mike
Fuller, Richard
Fysh, Mr Marcus
Gale, rh Sir Roger
Garnier, Mark
Ghani, Ms Nusrat
Gibb, rh Nick
Gibson, Peter
Gideon, Jo
Girvan, Paul
Glen, John
Goodwill, rh Mr Robert
Gove, rh Michael
Graham, Richard
Grant, Mrs Helen
Gray, James
Grayling, rh Chris
Green, Chris
Green, rh Damian
Griffith, Andrew
Griffiths, Kate
Grundy, James
Gullis, Jonathan
Halfon, rh Robert
Hall, Luke
Hammond, Stephen
Hancock, rh Matt
Hands, rh Greg
Harper, rh Mr Mark
Harris, Rebecca
Harrison, Trudy
Hart, Sally-Ann
Hart, rh Simon
Hayes, rh Sir John
Heald, rh Sir Oliver
Heapey, James
Heaton-Harris, Chris
Henderson, Gordon
Henry, Darren
Higginbotham, Antony
Hinds, rh Damian
Hoare, Simon
Holden, Mr Richard
Hollinrake, Kevin
Hollobone, Mr Philip
Holloway, Adam
Holmes, Paul
Howell, John
Howell, Paul
Huddleston, Nigel
Hudson, Dr Neil
Hughes, Eddie
Hunt, Jane
Hunt, rh Jeremy
Hunt, Tom
Jack, rh Mr Alister
Javid, rh Sajid
Jayawardena, Mr Ranil
Jenkin, Sir Bernard
Jenkinson, Mark
Jenkyns, Andrea
Jenrick, rh Robert
Johnson, rh Boris
Johnson, Dr Caroline
Johnson, Gareth
Johnston, David
Jones, Andrew
Jones, rh Mr David
Jones, Fay
Jones, Mr Marcus
Jupp, Simon
Kawczynski, Daniel

Kearns, Alicia
Keegan, Gillian
Knight, rh Sir Greg
Knight, Julian
Kruger, Danny
Kwarteng, rh Kwasi
Lamont, John
Largan, Robert
Latham, Mrs Pauline
Leadsom, rh Dame Andrea
Leigh, rh Sir Edward
Levy, Ian
Lewer, Andrew
Lewis, rh Brandon
Lewis, rh Dr Julian
Liddell-Grainger, Mr Ian
Lockhart, Carla
Loder, Chris
Logan, Mark
Longhi, Marco
Lopez, Julia
Lopresti, Jack
Lord, Mr Jonathan
Loughton, Tim
Mackinlay, Craig
Mackrory, Cherilyn
Maclean, Rachel
Mak, Alan
Malthouse, Kit
Mangnall, Anthony
Marson, Julie
May, rh Mrs Theresa
Mayhew, Jerome
Maynard, Paul
McCartney, Jason
McCartney, Karl
McPartland, Stephen
McVey, rh Esther
Menzies, Mark
Merriman, Huw
Metcalfe, Stephen
Millar, Robin
Miller, rh Mrs Maria
Milling, rh Amanda
Mills, Nigel
Mitchell, rh Mr Andrew
Mohindra, Mr Gagan
Moore, Damien
Moore, Robbie
Mordaunt, rh Penny
Morris, David
Morris, James
Morrisey, Joy
Mortimer, Jill
Morton, Wendy
Mullan, Dr Kieran
Mumby-Croft, Holly
Mundell, rh David
Murray, Mrs Sheryll
Murrison, rh Dr Andrew
Neill, Sir Robert
Nici, Lia
Nokes, rh Caroline
Norman, rh Jesse
O'Brien, Neil
Offord, Dr Matthew
Opperman, Guy
Paisley, Ian
Parish, Neil
Patel, rh Priti
Paterson, rh Mr Owen
Pawsey, Mark
Penning, rh Sir Mike
Penrose, John
Percy, Andrew
Philp, Chris
Pincher, rh Christopher
Poulter, Dr Dan
Pow, Rebecca
Prentis, Victoria
Pritchard, rh Mark
Quin, Jeremy
Quince, Will
Raab, rh Dominic
Randall, Tom
Redwood, rh John
Rees-Mogg, rh Mr Jacob
Richards, Nicola
Richardson, Angela
Robertson, Mr Laurence
Robinson, Gavin
Robinson, Mary
Rosindell, Andrew
Ross, Douglas
Rowley, Lee
Russell, Dean
Rutley, David
Sambrook, Gary
Saxby, Selaine
Scully, Paul
Seely, Bob
Selous, Andrew
Shannon, Jim
Shapps, rh Grant
Sharma, rh Alok
Shelbrooke, rh Alec
Simmonds, David
Skidmore, rh Chris
Smith, Chloe
Smith, Greg
Smith, Henry
Smith, rh Julian
Smith, Royston
Solloway, Amanda
Spencer, Dr Ben
Spencer, rh Mark
Stafford, Alexander
Stephenson, Andrew
Stevenson, Jane
Stevenson, John
Stewart, rh Bob
Stewart, Iain
Streeter, Sir Gary
Stride, rh Mel
Stuart, Graham
Sturdy, Julian
Sunak, rh Rishi
Sunderland, James
Swayne, rh Sir Desmond
Syms, Sir Robert
Thomas, Derek
Throup, Maggie
Timpson, Edward
Tolhurst, Kelly
Tomlinson, Justin
Tomlinson, Michael
Tracey, Craig
Trevelyan, rh Anne-Marie
Trott, Laura
Truss, rh Elizabeth
Tugendhat, Tom
Vara, Shailesh
Vickers, Martin
Vickers, Matt

Villiers, rh Theresa
Wakeford, Christian
Walker, Mr Robin
Wallace, rh Mr Ben
Wallis, Dr Jamie
Warburton, David
Warman, Matt
Watling, Giles
Webb, Suzanne
Whately, Helen
Wheeler, Mrs Heather
Whittaker, Craig
Whittingdale, rh Mr John

Wiggin, Bill
Wild, James
Williams, Craig
Williamson, rh Gavin
Wilson, rh Sammy
Wood, Mike
Wragg, Mr William
Wright, rh Jeremy
Young, Jacob
Zahawi, Nadhim

Tellers for the Ayes:
Scott Mann and
Tom Pursglove

NOES

Abbott, rh Ms Diane
Abrahams, Debbie
Ali, Rushanara
Ali, Tahir
Allin-Khan, Dr Rosena
Amesbury, Mike
Anderson, Fleur
Antoniazzi, Tonia
Ashworth, rh Jonathan
Bardell, Hannah
Barker, Paula
Beckett, rh Margaret
Begum, Apsana
Benn, rh Hilary
Betts, Mr Clive
Black, Mhairi
Blackford, rh Ian
Blackman, Kirsty
Blake, Olivia
Blomfield, Paul
Bonnar, Steven
Bradshaw, rh Mr Ben
Brennan, Kevin
Brock, Deidre
Brown, Alan
Brown, Ms Lyn
Brown, rh Mr Nicholas
Bryant, Chris
Buck, Ms Karen
Burgon, Richard
Butler, Dawn
Byrne, Ian
Byrne, rh Liam
Cadbury, Ruth
Callaghan, Amy
Cameron, Dr Lisa
Campbell, rh Sir Alan
Carden, Dan
Carmichael, rh Mr Alistair
Chamberlain, Wendy
Champion, Sarah
Chapman, Douglas
Charalambous, Bambos
Cherry, Joanna
Clark, Feryal
Cooper, Daisy
Cooper, Rosie
Cooper, rh Yvette
Corbyn, rh Jeremy
Cowan, Ronnie
Coyle, Neil
Crawley, Angela
Creasy, Stella
Cruddas, Jon
Cryer, John
Cummins, Judith

Cunningham, Alex
Daby, Janet
Davey, rh Ed
David, Wayne
Davies, Geraint
Davies-Jones, Alex
Day, Martyn
De Cordova, Marsha
Debbonaire, Thangam
Dhesi, Mr Tanmanjeet Singh
Docherty-Hughes, Martin
Dodds, Anneliese
Doogan, Dave
Dorans, Allan
Doughty, Stephen
Dowd, Peter
Dromey, Jack
Duffield, Rosie
Eagle, Dame Angela
Eagle, Maria
Eastwood, Colum
Edwards, Jonathan
Efford, Clive
Elliott, Julie
Elmore, Chris
Eshalomi, Florence
Esterson, Bill
Evans, Chris
Farron, Tim
Farry, Stephen
Fellows, Marion
Ferrier, Margaret
Fletcher, Colleen
Flynn, Stephen
Fovargue, Yvonne
Foxcroft, Vicky
Foy, Mary Kelly
Furniss, Gill
Gardiner, Barry
Gibson, Patricia
Gill, Preet Kaur
Grady, Patrick
Grant, Peter
Green, Kate
Green, Sarah
Greenwood, Lilian
Greenwood, Margaret
Griffith, Nia
Gwynne, Andrew
Haigh, Louise
Hamilton, Fabian
Hanna, Claire
Hanvey, Neale
Hardy, Emma
Harman, rh Ms Harriet
Harris, Carolyn

Hayes, Helen
Healey, rh John
Hendrick, Sir Mark
Hendry, Drew
Hillier, Meg
Hobhouse, Wera
Hodge, rh Dame Margaret
Hodgson, Mrs Sharon
Hollern, Kate
Hopkins, Rachel
Hosie, rh Stewart
Howarth, rh Sir George
Huq, Dr Rupa
Hussain, Imran
Jardine, Christine
Jarvis, Dan
Johnson, rh Dame Diana
Johnson, Kim
Jones, Darren
Jones, Gerald
Jones, rh Mr Kevan
Jones, Ruth
Jones, Sarah
Kane, Mike
Keeley, Barbara
Kendall, Liz
Khan, Afzal
Kinnock, Stephen
Kyle, Peter
Lake, Ben
Lammy, rh Mr David
Lavery, Ian
Law, Chris
Leadbeater, Kim
Lewell-Buck, Mrs Emma
Lewis, Clive
Linden, David
Lloyd, Tony
Long Bailey, Rebecca
Lucas, Caroline
Lynch, Holly
MacAskill, Kenny
MacNeil, Angus Brendan
Madders, Justin
Mahmood, Mr Khalid
Mahmood, Shabana
Malhotra, Seema
Maskell, Rachael
Matheson, Christian
Mc Nally, John
McCarthy, Kerry
McDonagh, Siobhain
McDonald, Andy
McDonald, Stewart Malcolm
McDonald, Stuart C.
McDonnell, rh John
McFadden, rh Mr Pat
McGinn, Conor
McGovern, Alison
McKinnell, Catherine
McLaughlin, Anne
McMahon, Jim
McMorrin, Anna
Mearns, Ian
Miliband, rh Edward
Mishra, Navendu
Monaghan, Carol
Moran, Layla
Morden, Jessica
Morgan, Stephen
Morris, Grahame
Murray, Ian

Murray, James
Nandy, Lisa
Newlands, Gavin
Nichols, Charlotte
Nicolson, John
Norris, Alex
O'Hara, Brendan
Olney, Sarah
Onwurah, Chi
Oppong-Asare, Abena
Osamor, Kate
Osborne, Kate
Oswald, Kirsten
Owatemi, Taiwo
Owen, Sarah
Peacock, Stephanie
Pennycook, Matthew
Perkins, Mr Toby
Phillips, Jess
Phillipson, Bridget
Pollard, Luke
Powell, Lucy
Qaisar-Javed, Anum
Qureshi, Yasmin
Rayner, rh Angela
Reed, Steve
Rees, Christina
Reeves, Ellie
Reeves, Rachel
Reynolds, Jonathan
Ribeiro-Addy, Bell
Rimmer, Ms Marie
Rodda, Matt
Russell-Moyle, Lloyd
Saville Roberts, rh Liz
Shah, Naz
Sharma, Mr Virendra
Sheerman, Mr Barry
Sheppard, Tommy
Siddiq, Tulip
Slaughter, Andy
Smith, Alyn
Smith, Cat
Smith, Jeff
Smith, Nick
Smyth, Karin
Sobel, Alex
Spellar, rh John
Starmer, rh Keir
Stephens, Chris
Stevens, Jo
Stone, Jamie
Strething, Wes
Stringer, Graham
Sultana, Zarah
Tami, rh Mark
Tarry, Sam
Thewliss, Alison
Thomas, Gareth
Thomas-Symonds, rh Nick
Thompson, Owen
Thomson, Richard
Thornberry, rh Emily
Timms, rh Stephen
Trickett, Jon
Turner, Karl
Twigg, Derek
Vaz, rh Valerie
Webbe, Claudia
West, Catherine
Western, Matt
Whitehead, Dr Alan

Whitford, Dr Philippa
Whitley, Mick
Whittome, Nadia
Williams, Hywel
Wilson, Munira
Winter, Beth

Wishart, Pete
Yasin, Mohammad
Zeichner, Daniel

Tellers for the Noes:
Liz Twist and
Mary Glendon

Question accordingly agreed to.

Bill read the Third time and passed.

The list of Members currently certified as eligible for a proxy vote, and of the Members nominated as their proxy, is published at the end of today's debates.

Madam Deputy Speaker (Dame Eleanor Laing): I will now suspend the House for two minutes to make arrangements for the next item of business.

10.10 pm

Sitting suspended.

10.12 pm

On resuming—

Business without Debate

DELEGATED LEGISLATION

Madam Deputy Speaker (Dame Eleanor Laing): With the leave of the House, we shall take motions 4 and 5 together.

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

SPORTS GROUNDS AND SPORTING EVENTS

That the draft Birmingham Commonwealth Games (Compensation for Enforcement Action) Regulations 2021, which were laid before this House on 17 May, be approved.

CONSTITUTIONAL LAW

That the draft Scotland Act 2016 (Social Security) (Consequential Provision) (Miscellaneous Amendment) Regulations 2021, which were laid before this House on 17 May, be approved.—(*Michael Tomlinson.*)

Question agreed to.

BUSINESS OF THE HOUSE (8 JULY)

Ordered,

That, at the sitting on Thursday 8 July —

(1) notwithstanding the provisions of paragraph of Standing Order No. 14 (Arrangement of public business), the Motion in the name of the Prime Minister relating to Fuel Poverty shall have precedence over the business determined by the Backbench Business Committee, and proceedings on that Motion may continue for two hours and shall then lapse if not previously disposed of;

(2) notwithstanding the provisions of paragraph (2)(c), as applied by paragraph (4), of Standing Order No. 14 (Arrangement of public business), the business determined by the Backbench Business Committee may be proceeded with until 5.00 pm or for three hours, whichever is the later, and shall then lapse if not previously disposed of;

(3) proceedings on each Motion may be entered upon and continue, though opposed, after the moment of interruption, and Standing Order No. 41A (Deferred divisions) shall not apply.—(*Michael Tomlinson.*)

Sentencing Regime for 17-year-olds

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

10.13 pm

Tom Hunt (Ipswich) (Con): I rise to outline in detail a quite tragic incident that took place in Ipswich—an incident that really shook the town and caused great upset and hurt. I hope it can spur some reform with regards to the criminal justice system.

Richard Day was a constituent of mine. I only had the opportunity to represent him for a short time. I did not know Richard Day—I had not met him—but having met his brother and a lot of people who did know him and were touched by him, it is very clear that Richard Day was an incredibly popular man who touched the lives of a huge number of Ipswich residents. He was a 45-year-old man with three brothers. He was an engineer with UK Power Networks. He had just completed four years of training. He was incredibly passionate about what he did. He was a season ticket holder at Ipswich Town football club. He was passionate about his town, he was passionate about his family and he was passionate about his friends. In the words of his brother Krissy, “He would give you the shirt off his back.” That was the kind of man he was. He would have done anything for anyone. He was the sort of man who deserved only good things to happen to him and only good things to happen to those who were closest to him.

On 22 February 2020, Richard went to see Ipswich play Oxford in a football game. Ipswich lost one-nil, which has happened a fair bit over the last few years, but I think he had probably got a bit used to it, so he was in good spirits, despite the fact that Ipswich lost that game. He went to the Cock & Pye pub. He met up with his brother Krissy and his younger brother. His younger brother was involved in a music band, and he went somewhere else in town to see his brother playing. For the first time in a long time, all four brothers were together on that night, Saturday 22 February.

Richard was the eldest brother, and not only did he provide invaluable support to each one of his three brothers, but he cared for his mother, who had health problems. He did everything he could to support her. After the gig, he walked home to watch, I believe, a boxing fight that was taking place that night. It was before midnight, and he walked up St Matthew's Street, which is a pretty prominent street in Ipswich. It is a street that I myself have walked along when I have walked up to where I live after going to a bar or a restaurant.

Earlier that day, Andrea Cristea, who had a youth detention order and was awaiting sentencing for a violent crime, was going about his business, frankly, pretty determined for trouble—pretty determined to cause a lot of damage to someone and a lot of grief to someone. Unfortunately, that person was Richard Day. Richard Day was set upon by this individual. He was attacked violently. There was a punch thrown to the neck, which would end up being the lethal blow.

We could say, “Well, it got a bit out of hand; it was something that happened,” but far from offering assistance when Richard Day lay on the ground dying, Andrea Cristea went through his pockets, stole his wallet and was seen standing over my constituent—as he was dying—laughing. This happened in the town that I represent, it happened

before midnight, and it happened in a prominent place. Clearly, this has caused immense upset to the family of Richard Day, all of his friends and everyone who knew him, but it also shook the town and, frankly, I do not really think that we have recovered from it.

I was very thankful to my right hon. Friend the Home Secretary for visiting Ipswich in March 2020. I spoke to her about this incident, which had caused great nervousness in the town. Frankly, there have been many antisocial behaviour problems in the town that I represent, and when something like this happens, it causes great unease. I was grateful to the Home Secretary for visiting Ipswich, talking to residents and talking to the local police force. That is the effect of what happened on the family and the town.

On 26 April 2021, a judge issued the sentence for Mr Cristea. He got four years in a youth offenders institute, but of course he will be let out automatically halfway through, so it is pointless calling it four years. It is not four years; it is two years. This individual had already served a significant amount of time on remand, so we are looking at him being released incredibly soon and presumably back on the streets of Ipswich. I have spoken to people with a wide range of views on law and order issues, but not a single person in the town I have spoken to about this particular sentence believes that it is appropriate or that it delivers justice. They believe it is far from that.

I wrote to the Attorney General to ask whether they could review the case in the Court of Appeal. I knew it was a long shot, and in some senses the family felt that the judge's hands were tied because a lot of it was to do with the Sentencing Council guidelines, but we thought we would give it a try. We were unsuccessful, and I understand the reasons why we were unsuccessful. I am grateful for the letter I received from the Solicitor General, who sent me the letter and discussed it with me offline as well, to explain her immense sympathy with the family, but also why she felt she was in the position that she was in.

There are several consequences that I can think of now. There are the consequences for the family. Their belief is that no justice has been served. As the family of the victim, their confidence in the criminal justice system has been shaken as a result of this. They are so far away from feeling like justice has been served. They believe this pitiful sentence is almost an insult. What kind of deterrent does it provide to anybody else potentially involved in this kind of illicit behaviour, when somebody who behaves like this can get away with it?

There is also the consequence for public safety. As I said before, this particular individual, who had committed multiple crimes before he ended up in the offenders institution where he currently is, could well be back out on the streets of Ipswich again. How can we guarantee that he will not do something similar again? The judge said that he took public safety into account, but that an extended sentence would not help the situation. I find that hard to believe.

Why did I apply for this Adjournment debate, which is only my third Adjournment debate? First, I did so because I wanted to put on record the remarkable man I have learned about and the contribution that he made to his family and to his town, and the fact that he should never be forgotten. I also did it because of the sense of anger felt not just by his family but by pretty

much everyone in the town, and hopefully to try to spur some of us to think about the consequences of this and about how unhealthy it is that so many people's confidence in the criminal justice system is so shaken by a sentence such as this. It is a sentence that we can all look at and know it is wrong.

I simply do not think it is enough to abdicate responsibility and say, "Oh well, it's the Sentencing Council, it is this and it is that." Ultimately, people look to their elected representatives to put in place a law and order system that they can have confidence and faith in and that they believe delivers justice. So I believe that this House and this Government need to look at the system and take appropriate action to ensure that sentences such as this are not issued in the way that they are.

It was manslaughter that Mr Cristea was found guilty of, but for me it was an incredibly sinister kind of manslaughter. He has shown no contrition whatsoever for the damage he has done or for the life he took away that will never ever be forgotten by the family of Mr Day. He was 16 when the incident took place and 17 when he was sentenced. It seems wrong that, if he had been over 18, he probably would have got something like nine years and there is such a dramatic difference if you are a 17-year-old as opposed to if you are an 18-year-old—almost more, I believe, than the difference if you are a 12-year-old and if you are a 17-year-old. I understand that the Government are looking at a sliding scale in relation to murder, but not in relation to manslaughter, which is what we are talking about today, and which is what caused such immense destruction to the life of Richard Day.

I am very serious about the point about public safety. I do not know what the plan is for Mr Cristea when he comes out of where he is at the moment. My view is that I do not want him to step foot in the town that I represent ever again. I believe that he is an appalling man, and I believe he could do further damage. I would like an assurance that he will not be back in the town that I represent. I do not know what his nationality is. I understand he is not a British national, but I may be wrong. I do not know whether he has been able to apply for settled status while he has been in the criminal justice system. If he has done, I find this ludicrous, and I would think there is a very reasonable argument to be made for deportation. I see very few redeeming features in this individual. I think he has had nothing but a negative impact on our country and our town. At the very least, if we cannot look at his sentence, it would be some comfort to know that he is going to be deported.

Jim Shannon (Strangford) (DUP): May I commend the hon. Gentleman on bringing this matter to the House tonight? He has done his constituents proud. His dutiful attention is on record, and we thank him for it. Does he not agree that the automatic halving of sentences should not apply to cases involving manslaughter, and that we in this House have a duty to the families of victims to ensure that changes are made to legislation in every area of the UK? Legislation may enable his constituent's killer to serve only 10 months after sentencing, and it is absolutely right that he should be getting more.

Tom Hunt: I absolutely agree with the hon. Member, who I am very honoured has made an intervention in the second out of three Adjournment debates. I do not think he has intervened in all of them.

[Tom Hunt]

The Government have made some very good moves. They have ended automatic release for those found guilty of some of the most serious offences. If someone gets sentenced to 25 years in prison, no longer are they let out automatically halfway through, so there have been some moves in the right direction, but I agree: I think we need to go further. I am perhaps quite old-fashioned, but I like things to be what they are called on the tin, so that if someone gets four years, they get four years; if they get two years, they get two years; if they get nine years, they get nine years. Unless there is exceptional behaviour and a very good reason for early release, they should not get early release. Do not call it four years if it is not four years.

There is a wider point here about the extent to which we as elected representatives can shape these issues, because I think the public should have input into our law and order. I do not think we should be scared of trying to have an influence. I will conclude now, because I would like the Minister to have time to reply. I guess I wanted to have this debate as I wanted to put on record Richard Day, the man that he is and how he will be remembered. He will always be remembered. I am not just saying this. He was loved—much loved—by a very large number of people in the town. He was a typical Ipswich man: good, honest, good values, and patient with his football team. He deserves for there to be a legacy. That involves us remembering him, but also being determined that other families do not have to go through the pain that his family have gone through. That is how I would like to leave this debate, and I would be very grateful if the Minister outlined to me what steps will be taken to strengthen our criminal justice system to ensure that people such as Mr Cristea pay a much, much higher price for the unbearable pain they have inflicted.

10.28 pm

The Parliamentary Under-Secretary of State for the Home Department (Chris Philp): I start by thanking my hon. Friend the Member for Ipswich (Tom Hunt) for securing this evening's Adjournment debate. Let me thank him also for the very moving and powerful speech that he has just made, paying very eloquent tribute to his constituent, Richard Day, who was so tragically killed just over a year ago. It was clear from my hon. Friend's description what a loved character Richard Day was around Ipswich. It is fitting, as my hon. Friend said, that he is recalled so fondly in this Chamber in Parliament.

The case that my hon. Friend has described to the House obviously raises a number of issues, particularly touching on how children or people under the age of 18 get sentenced, the unduly lenient sentence scheme and various other issues that he mentioned. As he said, the way that people are sentenced under the age of 18 is different from the way that adults are sentenced, reflecting the fact that they are less mature when the offence is committed.

Despite that, however, there are a number of options that judges have available to them to make sure that, where appropriate for serious offences, there are a full range of options available that they can use at their discretion. For example, a section 250 sentence can be given for serious or grave offences. There are special

sentences of detention for terrorist offenders of particular concern. People under 18 can get extended determinate sentences for serious sexual, violent or terrorist offences where the court considers them to be dangerous. They serve a longer sentence and serve at least two thirds of that in prison, and more if the parole board thinks it is not safe to release them. They can be given a discretionary life sentence where the offender poses a significant risk. And, of course, for murder there is a mandatory life sentence. Judges, in sentencing someone even under the age of 18, have all those options available under current law if they choose to use them.

We have gone further to protect the public against offenders of all kinds in the Police, Crime, Sentencing and Courts Bill, which passed its Third Reading less than half an hour ago. That contains many measures to protect our constituents, for example ensuring that serious and dangerous offenders spend two thirds of their sentence in prison, not half—exactly as my hon. Friend called for in his speech. In fact, those provisions apply to offenders under the age of 18 as well, where they receive a standard determinate sentence of over seven years for a serious sexual violent offence, to make sure that they are kept off the streets for longer to protect the public and to make sure the sentence served in prison better reflects the sentence handed down by the court. I hope that my hon. Friend will welcome that. Of course, he voted for that just half an hour ago—at least I assume he voted for it half an hour ago.

Tom Hunt indicated assent.

Chris Philp: My hon. Friend is nodding. He did vote for it.

We have those measures to ensure that serious and violent offenders will spend longer in prison, both adults and, in those circumstances, those under 18. We are also making changes, which my hon. Friend touched on, to the sentences handed down for those under 18 for cases of murder. I know the case was manslaughter, which I will come to in a minute, but for murder, rather than having a standard 12-year starting point for children, we are now going to introduce a sliding scale in the Bill that has just passed Third Reading in the Commons. It will reflect the seriousness of the underlying offence. It will use, as a starting point, the sentence that an adult would have got for the same offence. It will vary, depending on the seriousness of the offence, but it will also have a sliding scale based on age. Instead of someone who was 17 when the offence was committed getting a significant discount, as happens at the moment, it will be only a 10% discount, which addresses some of the issues that my hon. Friend raised. It goes down to 66% of the adult sentence when people are aged 14 to 16, and then to 50% for the lower age ranges. That will ensure that people who are just under the age of 18 will have a longer sentence than is the case at the moment, so that is a very important change.

We are also, in the Bill, reducing the opportunities for people who committed murder as a child to have their minimum term reviewed—it will be less frequently once they cross the age of 18. All the measures that we in this House supported just half an hour ago will serve to stiffen sentences for people under the age of 18 who commit very serious offences, including murder, compared with the situation today. That is moving in the direction that my hon. Friend mentioned because our constituents

want to see such very serious offences properly punished with longer custodial sentences and more of those sentences served in prison. That will protect the public and build public confidence in the system.

My hon. Friend asked some specific questions about this case. Obviously there is a limit to what I can say about individual cases. He asked about licence conditions following release. That is a matter for the Probation Service. I can see that the Under-Secretary of State for Justice, my hon. Friend the Member for Cheltenham (Alex Chalk), is with us; he has ministerial responsibility for that area. I think we can ensure that this case is drawn to the attention of the Probation Service. The victim's family will have the right to make representations to the Probation Service as it considers the conditions it might set. We can certainly ensure that the family have that opportunity in this case so that they can make their views known.

My hon. Friend the Member for Ipswich asked about the possibility that the accused in this case—or, now, the person who has been convicted of this offence—may not have British nationality. He asked whether they might be subject to deportation proceedings if that is the case. Under section 32 of the UK Borders Act 2007, anyone who receives a custodial sentence of more than a year is considered for deportation. Therefore if the defendant or accused—the convicted, in this case—is not a British national, because the sentence here was more than one year, they will be eligible for mandatory consideration. That will happen automatically, as a matter of routine, not because I am standing here saying that it will happen. Obviously, we can ensure that that is not overlooked administratively, although I am sure that it will not be in any event.

My hon. Friend correctly observed that this new sliding scale, which we legislated for just half an hour ago, applies to murder but does not apply to manslaughter. He asked whether it is equitable that the sliding scale applies to one offence but not the other. It is an interesting point, although not one that I had considered prior to him raising it just now. I will therefore take that point away and consider whether the sliding scale that we have legislated for regarding murder should also apply to manslaughter. After having looked at it and thought about whether there are any legal or other considerations to take into account, I will get back to my hon. Friend. On the face of it, the point is worthy of proper thought, so I will take it away and look at it properly.

I again thank my hon. Friend for raising this extremely serious case. I extend my condolences to Richard Day's family. He was taken from them so suddenly and so brutally, and it is fitting that he has received the tribute that he has tonight from his own constituency MP.

This Government are committed to ensuring that serious offenders spend longer in prison. We have been legislating today to ensure that more of the sentence is spent in prison. I have listened carefully to what my hon. Friend said and there are some points to take away. This Government stand on the side of victims. We stand on the side of those who have suffered as a result of crime. Our commitment is being enshrined in legislation this very day, but where we need to go further, we most certainly will.

Question put and agreed to.

10.38 pm

House adjourned.

Members Eligible for a Proxy Vote

The following is the list of Members currently certified as eligible for a proxy vote, and of the Members nominated as their proxy:

Member eligible for proxy vote	Nominated proxy
Ms Diane Abbott (Hackney North and Stoke Newington) (Lab)	Bell Ribeiro-Addy
Debbie Abrahams (Oldham East and Saddleworth) (Lab)	Chris Elmore
Nigel Adams (Selby and Ainsty) (Con)	Stuart Andrew
Bim Afolami (Hitchin and Harpenden) (Con)	Stuart Andrew
Adam Afriyie (Windsor) (Con)	Stuart Andrew
Imran Ahmad Khan (Wakefield) (Con)	Stuart Andrew
Nickie Aiken (Cities of London and Westminster) (Con)	Stuart Andrew
Rushanara Ali (Bethnal Green and Bow) (Lab)	Chris Elmore
Tahir Ali (Birmingham, Hall Green) (Lab)	Chris Elmore
Lucy Allan (Telford) (Con)	Stuart Andrew
Dr Rosena Allin-Khan (Tooting) (Lab)	Chris Elmore
Mike Amesbury (Weaver Vale) (Lab)	Chris Elmore
Sir David Amess (Southend West) (Con)	Stuart Andrew
Fleur Anderson (Putney) (Lab)	Chris Elmore
Lee Anderson (Ashfield) (Con)	Stuart Andrew
Stuart Anderson (Wolverhampton South West) (Con)	Stuart Andrew
Caroline Ansell (Eastbourne) (Con)	Stuart Andrew
Tonia Antoniazzi (Gower) (Lab)	Chris Elmore
Edward Argar (Charnwood) (Con)	Stuart Andrew
Jonathan Ashworth (Leicester South) (Lab)	Chris Elmore
Sarah Atherton (Wrexham) (Con)	Stuart Andrew
Victoria Atkins (Louth and Horncastle) (Con)	Stuart Andrew
Gareth Bacon (Orpington) (Con)	Stuart Andrew
Mr Richard Bacon (South Norfolk) (Con)	Stuart Andrew
Kemi Badenoch (Saffron Walden) (Con)	Stuart Andrew
Shaun Bailey (West Bromwich West) (Con)	Stuart Andrew
Siobhan Baillie (Stroud) (Con)	Stuart Andrew
Duncan Baker (North Norfolk) (Con)	Stuart Andrew
Harriett Baldwin (West Worcestershire) (Con)	Stuart Andrew
Steve Barclay (North East Cambridgeshire) (Con)	Stuart Andrew
Hannah Bardell (Livingston) (SNP)	Richard Thomson
Paula Barker (Liverpool, Wavertree) (Lab)	Chris Elmore
Mr John Baron (Basildon and Billericay) (Con)	Stuart Andrew
Simon Baynes (Clwyd South) (Con)	Stuart Andrew
Margaret Beckett (Derby South) (Lab)	Chris Elmore
Apsana Begum (Poplar and Limehouse) (Lab)	Bell Ribeiro-Addy
Aaron Bell (Newcastle-under-Lyme) (Con)	Stuart Andrew
Hilary Benn (Leeds Central) (Lab)	Chris Elmore
Scott Benton (Blackpool South) (Con)	Stuart Andrew

Member eligible for proxy vote	Nominated proxy
Sir Paul Beresford (Mole Valley) (Con)	Stuart Andrew
Jake Berry (Rossendale and Darwen) (Con)	Stuart Andrew
Clive Betts (Sheffield South East) (Lab)	Chris Elmore
Saqib Bhatti (Meriden) (Con)	Stuart Andrew
Mhairi Black (Paisley and Renfrewshire South) (SNP)	Richard Thomson
Ian Blackford (Ross, Skye and Lochaber) (SNP)	Richard Thomson
Bob Blackman (Harrow East) (Con)	Stuart Andrew
Kirsty Blackman (Aberdeen North) (SNP)	Richard Thomson
Olivia Blake (Sheffield, Hallam) (Lab)	Chris Elmore
Paul Blomfield (Sheffield Central) (Lab)	Chris Elmore
Crispin Blunt (Reigate) (Con)	Stuart Andrew
Peter Bone (Wellingborough) (Con)	Stuart Andrew
Steven Bonnar (Coatbridge, Chryston and Bellshill) (SNP)	Richard Thomson
Andrew Bowie (West Aberdeenshire and Kincardine) (Con)	Stuart Andrew
Ben Bradley (Mansfield) (Con)	Stuart Andrew
Karen Bradley (Staffordshire Moorlands) (Con)	Stuart Andrew
Ben Bradshaw (Exeter) (Lab)	Chris Elmore
Suella Braverman (Fareham) (Con)	Stuart Andrew
Kevin Brennan (Cardiff West) (Lab)	Chris Elmore
Jack Brereton (Stoke-on-Trent South) (Con)	Stuart Andrew
Andrew Bridgen (North West Leicestershire) (Con)	Stuart Andrew
Steve Brine (Winchester) (Con)	Stuart Andrew
Paul Bristow (Peterborough) (Con)	Stuart Andrew
Sara Britcliffe (Hyndburn) (Con)	Stuart Andrew
Deidre Brock (Edinburgh North and Leith) (SNP)	Richard Thomson
James Brokenshire (Old Bexley and Sidcup) (Con)	Stuart Andrew
Alan Brown (Kilmarnock and Loudon) (SNP)	Richard Thomson
Ms Lyn Brown (West Ham) (Lab)	Chris Elmore
Mr Nicholas Brown (Newcastle upon Tyne East) (Lab)	Chris Elmore
Anthony Browne (South Cambridgeshire) (Con)	Stuart Andrew
Fiona Bruce (Congleton) (Con)	Stuart Andrew
Chris Bryant (Rhondda) (Lab)	Chris Elmore
Felicity Buchan (Kensington) (Con)	Stuart Andrew
Ms Karen Buck (Westminster North) (Lab)	Chris Elmore
Robert Buckland (South Swindon) (Con)	Stuart Andrew
Alex Burghart (Brentwood and Ongar) (Con)	Stuart Andrew
Richard Burgon (Leeds East) (Lab)	Bell Ribeiro-Addy
Conor Burns (Bournemouth West) (Con)	Stuart Andrew
Dawn Butler (Brent Central) (Lab)	Bell Ribeiro-Addy
Rob Butler (Aylesbury) (Con)	Stuart Andrew
Ian Byrne (Liverpool, West Derby) (Lab)	Bell Ribeiro-Addy
Liam Byrne (Birmingham, Hodge Hill) (Lab)	Chris Elmore

Member eligible for proxy vote	Nominated proxy
Ruth Cadbury (Brentford and Isleworth) (Lab)	Chris Elmore
Alun Cairns (Vale of Glamorgan) (Con)	Stuart Andrew
Amy Callaghan (East Dunbartonshire) (SNP)	Richard Thomson
Dr Lisa Cameron (East Kilbride, Strathaven and Lesmahagow) (SNP)	Richard Thomson
Sir Alan Campbell (Tynemouth) (Con)	Chris Elmore
Mr Gregory Campbell (East Londonderry) (DUP)	Ian Paisley
Dan Carden (Liverpool, Walton) (Lab)	Chris Elmore
Andy Carter (Warrington South) (Con)	Stuart Andrew
James Cartledge (South Suffolk) (Con)	Stuart Andrew
Sir William Cash (Stone) (Con)	Stuart Andrew
Miriam Cates (Penistone and Stocksbridge) (Con)	Stuart Andrew
Alex Chalk (Cheltenham) (Con)	Stuart Andrew
Sarah Champion (Rotherham) (Lab)	Chris Elmore
Douglas Chapman (Dunfermline and West Fife) (SNP)	Richard Thomson
Bambos Charalambous (Enfield, Southgate) (Lab)	Chris Elmore
Joanna Cherry (Edinburgh South West) (SNP)	Richard Thomson
Rehman Chishti (Gillingham and Rainham) (Con)	Stuart Andrew
Sir Christopher Chope (Christchurch) (Con)	Mr William Wragg
Jo Churchill (Bury St Edmunds) (Con)	Stuart Andrew
Feryal Clark (Enfield North) (Lab)	Chris Elmore
Greg Clark (Tunbridge Wells) (Con)	Stuart Andrew
Mr Simon Clarke (Middlesbrough South and East Cleveland) (Con)	Stuart Andrew
Theo Clarke (Stafford) (Con)	Stuart Andrew
Brendan Clarke-Smith (Bassetlaw) (Con)	Stuart Andrew
Chris Clarkson (Heywood and Middleton) (Con)	Stuart Andrew
James Cleverly (Braintree) (Con)	Stuart Andrew
Sir Geoffrey Clifton-Brown (The Cotswolds) (Con)	Stuart Andrew
Dr Thérèse Coffey (Suffolk Coastal) (Con)	Stuart Andrew
Elliot Colburn (Carshalton and Wallington) (Con)	Stuart Andrew
Damian Collins (Folkestone and Hythe) (Con)	Stuart Andrew
Daisy Cooper (St Albans) (LD)	Wendy Chamberlain
Rosie Cooper (West Lancashire) (Lab)	Chris Elmore
Yvette Cooper (Normanton, Pontefract and Castleford) (Lab)	Chris Elmore
Jeremy Corbyn (Islington North) (Ind)	Bell Ribeiro-Addy
Alberto Costa (South Leicestershire) (Con)	Stuart Andrew
Robert Courts (Witney) (Con)	Stuart Andrew
Claire Coutinho (East Surrey) (Con)	Stuart Andrew
Ronnie Cowan (Inverclyde) (SNP)	Richard Thomson
Sir Geoffrey Cox (Torridge and West Devon) (Con)	Stuart Andrew
Neil Coyle (Bermondsey and Old Southwark) (Lab)	Chris Elmore

Member eligible for proxy vote	Nominated proxy
Stephen Crabb (Preseli Pembrokeshire) (Con)	Stuart Andrew
Angela Crawley (Lanark and Hamilton East) (SNP)	Richard Thomson
Stella Creasy (Walthamstow) (Lab)	Chris Elmore
Virginia Crosbie (Ynys Môn) (Con)	Stuart Andrew
Tracey Crouch (Chatham and Aylesford) (Con)	Stuart Andrew
Jon Cruddas (Dagenham and Rainham) (Lab)	Chris Elmore
John Cryer (Leyton and Wanstead) (Lab)	Chris Elmore
Judith Cummins (Bradford South) (Lab)	Chris Elmore
Alex Cunningham (Stockton North) (Lab)	Chris Elmore
Janet Daby (Lewisham East) (Lab)	Chris Elmore
Ed Davey (Kingston and Surbiton) (LD)	Wendy Chamberlain
Wayne David (Caerphilly) (Lab)	Chris Elmore
David T. C. Davies (Monmouth) (Con)	Stuart Andrew
Gareth Davies (Grantham and Stamford) (Con)	Stuart Andrew
Geraint Davies (Swansea West) (Lab/Co-op)	Chris Elmore
Dr James Davies (Vale of Clwyd) (Con)	Stuart Andrew
Mims Davies (Mid Sussex) (Con)	Stuart Andrew
Alex Davies-Jones (Pontypridd) (Lab)	Chris Elmore
Philip Davies (Shipley) (Con)	Stuart Andrew
Mr David Davis (Haltemprice and Howden) (Con)	Stuart Andrew
Dehenna Davison (Bishop Auckland) (Con)	Stuart Andrew
Martyn Day (Linlithgow and East Falkirk) (SNP)	Richard Thomson
Thangam Debbonaire (Bristol West) (Lab)	Chris Elmore
Marsha De Cordova (Battersea)	Bell Ribeiro-Addy
Mr Tanmanjeet Singh Dhesi (Slough) (Lab)	Chris Elmore
Caroline Dinenage (Gosport) (Con)	Stuart Andrew
Miss Sarah Dines (Derbyshire Dales) (Con)	Stuart Andrew
Leo Docherty (Aldershot) (Con)	Stuart Andrew
Martin Docherty-Hughes (West Dunbartonshire) (SNP)	Richard Thomson
Anneliese Dodds (Oxford East) (Lab/Co-op)	Chris Elmore
Sir Jeffrey M. Donaldson (Lagan Valley) (DUP)	Ian Paisley
Michelle Donelan (Chippenham) (Con)	Stuart Andrew
Dave Doogan (Angus) (SNP)	Richard Thomson
Ms Nadine Dorries (Mid Bedfordshire) (Con)	Stuart Andrew
Steve Double (St Austell and Newquay) (Con)	Stuart Andrew
Stephen Doughty (Cardiff South and Penarth) (Lab)	Chris Elmore
Peter Dowd (Bootle) (Lab)	Chris Elmore
Oliver Dowden (Hertsmere) (Con)	Stuart Andrew
Richard Drax (South Dorset) (Con)	Stuart Andrew
Jack Dromey (Birmingham, Erdington) (Lab)	Chris Elmore

Member eligible for proxy vote	Nominated proxy
Mrs Flick Drummond (Meon Valley) (Con)	Stuart Andrew
James Duddridge (Rochford and Southend East) (Con)	Stuart Andrew
Rosie Duffield (Canterbury) (Lab)	Chris Elmore
David Duguid (Banff and Buchan) (Con)	Stuart Andrew
Sir Iain Duncan Smith (Chingford and Woodford Green) (Con)	Stuart Andrew
Philip Dunne (Ludlow) (Con)	Stuart Andrew
Ms Angela Eagle (Wallasey) (Lab)	Chris Elmore
Maria Eagle (Garston and Halewood) (Lab)	Chris Elmore
Colum Eastwood (Foyle) (SDLP)	Liz Saville Roberts
Mark Eastwood (Dewsbury) (Con)	Stuart Andrew
Jonathan Edwards (Carmarthen East and Dinefwr) (Ind)	Stuart Andrew
Ruth Edwards (Rushcliffe) (Con)	Stuart Andrew
Clive Efford (Eltham) (Lab)	Chris Elmore
Julie Elliott (Sunderland Central) (Lab)	Chris Elmore
Michael Ellis (Northampton North) (Con)	Stuart Andrew
Mr Tobias Ellwood (Bournemouth East) (Con)	Stuart Andrew
Mrs Natalie Elphicke (Dover) (Con)	Stuart Andrew
Florence Eshalomi (Vauxhall) (Lab/Co-op)	Chris Elmore
Bill Esterson (Sefton Central) (Lab)	Chris Elmore
George Eustice (Camborne and Redruth) (Con)	Stuart Andrew
Chris Evans (Islwyn) (Lab/Co-op)	Chris Elmore
Dr Luke Evans (Bosworth) (Con)	Stuart Andrew
Sir David Evennett (Bexleyheath and Crayford) (Con)	Stuart Andrew
Michael Fabricant (Lichfield) (Con)	Stuart Andrew
Laura Farris (Newbury) (Con)	Stuart Andrew
Tim Farron (Westmorland and Lonsdale) (LD)	Wendy Chamberlain
Stephen Farry (North Down) (Alliance)	Wendy Chamberlain
Simon Fell (Barrow and Furness) (Con)	Stuart Andrew
Margaret Ferrier (Rutherglen and Hamilton West) (Ind)	Stuart Andrew
Colleen Fletcher (Coventry North East) (Lab)	Chris Elmore
Katherine Fletcher (South Ribble) (Con)	Stuart Andrew
Mark Fletcher (Bolsover) (Con)	Stuart Andrew
Nick Fletcher (Don Valley) (Con)	Stuart Andrew
Stephen Flynn (Aberdeen South) (SNP)	Richard Thomson
Vicky Ford (Chelmsford) (Con)	Stuart Andrew
Kevin Foster (Torbay) (Con)	Stuart Andrew
Yvonne Fovargue (Makerfield) (Lab)	Chris Elmore
Dr Liam Fox (North Somerset) (Con)	Stuart Andrew
Vicky Foxcroft (Lewisham, Deptford) (Lab)	Chris Elmore
Mary Kelly Foy (City of Durham) (Lab)	Bell Ribeiro-Addy
Mr Mark Francois (Rayleigh and Wickford) (Con)	Stuart Andrew
Lucy Frazer (South East Cambridgeshire) (Con)	Stuart Andrew
George Freeman (Mid Norfolk) (Con)	Stuart Andrew

Member eligible for proxy vote	Nominated proxy
Mike Freer (Finchley and Golders Green) (Con)	Stuart Andrew
Richard Fuller (North East Bedfordshire) (Con)	Stuart Andrew
Gill Furniss (Sheffield, Brightside and Hillsborough) (Lab)	Chris Elmore
Marcus Fysh (Yeovil) (Con)	Stuart Andrew
Sir Roger Gale (North Thanet) (Con)	Stuart Andrew
Barry Gardiner (Brent North) (Lab)	Chris Elmore
Mark Garnier (Wyre Forest) (Con)	Stuart Andrew
Ms Nusrat Ghani (Wealden) (Con)	Stuart Andrew
Nick Gibb (Bognor Regis and Littlehampton) (Con)	Stuart Andrew
Patricia Gibson (North Ayrshire and Arran) (SNP)	Richard Thomson
Peter Gibson (Darlington) (Con)	Stuart Andrew
Jo Gideon (Stoke-on-Trent Central) (Con)	Stuart Andrew
Preet Kaur Gill (Birmingham, Edgbaston) (Lab/Co-op)	Chris Elmore
Paul Girvan (South Antrim) (DUP)	Ian Paisley
John Glen (Salisbury) (Con)	Stuart Andrew
Mr Robert Goodwill (Scarborough and Whitby) (Con)	Stuart Andrew
Michael Gove (Surrey Heath) (Con)	Stuart Andrew
Patrick Grady (Glasgow North) (SNP)	Richard Thomson
Richard Graham (Gloucester) (Con)	Stuart Andrew
Mrs Helen Grant (Maidstone and The Weald) (Con)	Stuart Andrew
Peter Grant (Glenrothes) (SNP)	Richard Thomson
James Gray (North Wiltshire) (Con)	Stuart Andrew
Chris Grayling (Epsom and Ewell) (Con)	Stuart Andrew
Damian Green (Ashford) (Con)	Stuart Andrew
Kate Green (Stretford and Urmston) (Lab)	Chris Elmore
Sarah Green (Chesham and Amersham) (LD)	Wendy Chamberlain
Margaret Greenwood (Wirral West) (Lab)	Chris Elmore
Andrew Griffith (Arundel and South Downs) (Con)	Stuart Andrew
Nia Griffith (Llanelli) (Lab)	Chris Elmore
Kate Griffiths (Burton) (Con)	Stuart Andrew
James Grundy (Leigh) (Con)	Stuart Andrew
Jonathan Gullis (Stoke-on-Trent North) (Con)	Stuart Andrew
Andrew Gwynne (Denton and Reddish) (Lab)	Chris Elmore
Louise Haigh (Sheffield, Heeley) (Lab)	Chris Elmore
Robert Halfon (Harlow) (Con)	Stuart Andrew
Luke Hall (Thornbury and Yate) (Con)	Stuart Andrew
Fabian Hamilton (Leeds North East) (Lab)	Chris Elmore
Stephen Hammond (Wimbledon) (Con)	Stuart Andrew
Matt Hancock (West Suffolk) (Con)	Stuart Andrew
Greg Hands (Chelsea and Fulham) (Con)	Stuart Andrew
Claire Hanna (Belfast South) (SDLP)	Liz Saville Roberts
Emma Hardy (Kingston upon Hull West and Hessle) (Lab)	Chris Elmore

Member eligible for proxy vote	Nominated proxy
Ms Harriet Harman (Camberwell and Peckham) (Lab)	Chris Elmore
Mr Mark Harper (Forest of Dean) (Con)	Stuart Andrew
Carolyn Harris (Swansea East) (Lab)	Chris Elmore
Trudy Harrison (Copeland) (Con)	Stuart Andrew
Sally-Ann Hart (Hastings and Rye) (Con)	Stuart Andrew
Simon Hart (Carmarthen West and South Pembrokeshire) (Con)	Stuart Andrew
Helen Hayes (Dulwich and West Norwood) (Lab)	Chris Elmore
Sir John Hayes (South Holland and The Deepings) (Con)	Stuart Andrew
Sir Oliver Heald (North East Hertfordshire) (Con)	Stuart Andrew
John Healey (Wentworth and Dearne) (Lab)	Chris Elmore
James Heappey (Wells) (Con)	Stuart Andrew
Chris Heaton-Harris (Daventry) (Con)	Stuart Andrew
Gordon Henderson (Sittingbourne and Sheppey) (Con)	Stuart Andrew
Sir Mark Hendrick (Preston) (Lab/Co-op)	Chris Elmore
Drew Hendry (Inverness, Nairn, Badenoch and Strathspey) (SNP)	Richard Thomson
Darren Henry (Broxton) (Con)	Stuart Andrew
Antony Higginbotham (Burnley) (Con)	Stuart Andrew
Damian Hinds (East Hampshire) (Con)	Stuart Andrew
Simon Hoare (North Dorset) (Con)	Stuart Andrew
Wera Hobhouse (Bath) (LD)	Wendy Chamberlain
Dame Margaret Hodge (Barking) (Lab)	Chris Elmore
Mrs Sharon Hodgson (Washington and Sunderland West) (Lab)	Chris Elmore
Mr Richard Holden (North West Durham) (Con)	Stuart Andrew
Kate Hollern (Blackburn) (Lab)	Chris Elmore
Kevin Hollinrake (Thirsk and Malton) (Con)	Stuart Andrew
Adam Holloway (Gravesham) (Con)	Stuart Andrew
Paul Holmes (Eastleigh) (Con)	Stuart Andrew
Rachel Hopkins (Luton South) (Lab)	Chris Elmore
Stewart Hosie (Dundee East) (SNP)	Richard Thomson
Sir George Howarth (Knowsley) (Lab)	Chris Elmore
John Howell (Henley) (Con)	Stuart Andrew
Paul Howell (Sedgefield) (Con)	Stuart Andrew
Nigel Huddleston (Mid Worcestershire) (Con)	Stuart Andrew
Dr Neil Hudson (Penrith and The Border) (Con)	Stuart Andrew
Eddie Hughes (Walsall North) (Con)	Stuart Andrew
Jane Hunt (Loughborough) (Con)	Stuart Andrew
Jeremy Hunt (South West Surrey) (Con)	Stuart Andrew
Tom Hunt (Ipswich) (Con)	Stuart Andrew
Rupa Huq (Ealing Central and Acton) (Lab)	Chris Elmore
Imran Hussain (Bradford East) (Lab)	Bell Ribeiro-Addy
Mr Alister Jack (Dumfries and Galloway) (Con)	Stuart Andrew
Christine Jardine (Edinburgh West) (LD)	Wendy Chamberlain
Dan Jarvis (Barnsley Central) (Lab)	Chris Elmore

Member eligible for proxy vote	Nominated proxy
Sajid Javid (Bromsgrove) (Con)	Stuart Andrew
Mr Ranil Jayawardena (North East Hampshire) (Con)	Stuart Andrew
Sir Bernard Jenkin (Harwich and North Essex) (Con)	Stuart Andrew
Mark Jenkinson (Workington) (Con)	Stuart Andrew
Andrea Jenkins (Morley and Outwood) (Con)	Stuart Andrew
Robert Jenrick (Newark) (Con)	Stuart Andrew
Boris Johnson (Uxbridge and South Ruislip) (Con)	Stuart Andrew
Dr Caroline Johnson (Sleaford and North Hykeham) (Con)	Stuart Andrew
Dame Diana Johnson (Kingston upon Hull North) (Lab)	Chris Elmore
Gareth Johnson (Dartford) (Con)	Stuart Andrew
Kim Johnson (Liverpool, Riverside) (Lab)	Chris Elmore
David Johnston (Wantage) (Con)	Stuart Andrew
Andrew Jones (Harrogate and Knaresborough) (Con)	Stuart Andrew
Darren Jones (Bristol North West) (Lab)	Chris Elmore
Mr David Jones (Clwyd West) (Con)	Stuart Andrew
Fay Jones (Brecon and Radnorshire) (Con)	Stuart Andrew
Gerald Jones (Merthyr Tydfil and Rhymney) (Lab)	Chris Elmore
Mr Kevan Jones (North Durham) (Lab)	Chris Elmore
Mr Marcus Jones (Nuneaton) (Con)	Stuart Andrew
Ruth Jones (Newport West) (Lab)	Chris Elmore
Sarah Jones (Croydon Central) (Lab)	Chris Elmore
Simon Jupp (East Devon) (Con)	Stuart Andrew
Mike Kane (Wythenshawe and Sale East) (Lab)	Chris Elmore
Daniel Kawczynski (Shrewsbury and Atcham) (Con)	Stuart Andrew
Alicia Kearns (Rutland and Melton) (Con)	Stuart Andrew
Gillian Keegan (Chichester) (Con)	Stuart Andrew
Barbara Keeley (Worsley and Eccles South) (Lab)	Chris Elmore
Liz Kendall (Leicester West) (Lab)	Chris Elmore
Afzal Khan (Manchester, Gorton) (Lab)	Chris Elmore
Stephen Kinnock (Aberavon) (Lab)	Chris Elmore
Sir Greg Knight (East Yorkshire) (Con)	Stuart Andrew
Julian Knight (Solihull) (Con)	Stuart Andrew
Danny Kruger (Devizes) (Con)	Stuart Andrew
Kwasi Kwarteng (Spelthorne) (Con)	Stuart Andrew
Peter Kyle (Hove) (Lab)	Chris Elmore
Mr David Lammy (Tottenham) (Lab)	Chris Elmore
John Lamont (Berwickshire, Roxburgh and Selkirk) (Con)	Stuart Andrew
Robert Langan (High Peak) (Con)	Stuart Andrew
Mrs Pauline Latham (Mid Derbyshire) (Con)	Stuart Andrew
Ben Lake (Ceredigion) (PC)	Liz Saville Roberts
Ian Lavery (Wansbeck) (Lab)	Bell Ribeiro-Addy
Chris Law (Dundee West) (SNP)	Richard Thomson
Kim Leadbeater (Batley and Spen) (Lab)	Chris Elmore

Member eligible for proxy vote	Nominated proxy
Andrea Leadsom (South Northamptonshire) (Con)	Stuart Andrew
Sir Edward Leigh (Gainsborough) (Con)	Stuart Andrew
Ian Levy (Blyth Valley) (Con)	Stuart Andrew
Mrs Emma Lewell-Buck (South Shields) (Lab)	Chris Elmore
Andrew Lewer (Northampton South) (Con)	Stuart Andrew
Brandon Lewis (Great Yarmouth) (Con)	Stuart Andrew
Clive Lewis (Norwich South) (Lab)	Chris Elmore
Dr Julian Lewis (New Forest East) (Con)	Stuart Andrew
Mr Ian Liddell-Grainger (Bridgwater and West Somerset) (Con)	Stuart Andrew
David Linden (Glasgow East) (SNP)	Richard Thomson
Tony Lloyd (Rochdale) (Lab)	Chris Elmore
Carla Lockhart (Upper Bann) (DUP)	Ian Paisley
Mark Logan (Bolton North East) (Con)	Stuart Andrew
Rebecca Long Bailey (Salford and Eccles) (Lab)	Bell Ribeiro-Addy
Marco Longhi (Dudley North) (Con)	Stuart Andrew
Julia Lopez (Hornchurch and Upminster) (Con)	Stuart Andrew
Jack Lopresti (Filton and Bradley Stoke) (Con)	Stuart Andrew
Mr Jonathan Lord (Woking) (Con)	Stuart Andrew
Tim Loughton (East Worthing and Shoreham) (Con)	Stuart Andrew
Caroline Lucas (Brighton, Pavilion) (Green)	Bell Ribeiro-Addy
Holly Lynch (Halifax) (Lab)	Chris Elmore
Kenny MacAskill (East Lothian) (Alba)	Neale Hanvey
Steve McCabe (Birmingham, Selly Oak) (Lab)	Chris Elmore
Kerry McCarthy (Bristol East) (Lab)	Chris Elmore
Jason McCartney (Colne Valley) (Con)	Stuart Andrew
Karl McCartney (Lincoln) (Con)	Stuart Andrew
Siobhain McDonagh (Mitcham and Morden) (Lab)	Chris Elmore
Andy McDonald (Middlesbrough) (Lab)	Chris Elmore
Stewart Malcolm McDonald (Glasgow South) (SNP)	Richard Thomson
Stuart C. McDonald (Cumbernauld, Kilsyth and Kirkintilloch East) (SNP)	Richard Thomson
John McDonnell (Hayes and Harlington) (Lab)	Bell Ribeiro-Addy
Mr Pat McFadden (Wolverhampton South East) (Lab)	Chris Elmore
Conor McGinn (St Helens North) (Lab)	Chris Elmore
Alison McGovern (Wirral South) (Lab)	Chris Elmore
Craig Mackinlay (South Thanet) (Con)	Stuart Andrew
Catherine McKinnell (Newcastle upon Tyne North) (Lab)	Chris Elmore
Cherilyn Mackrory (Truro and Falmouth) (Con)	Stuart Andrew
Anne McLaughlin (Glasgow North East) (SNP)	Richard Thomson
Rachel Maclean (Redditch) (Con)	Stuart Andrew

Member eligible for proxy vote	Nominated proxy
Jim McMahon (Oldham West and Royton) (Lab)	Chris Elmore
Anna McMorrin (Cardiff North) (Lab)	Chris Elmore
John McNally (Falkirk) (SNP)	Richard Thomson
Angus Brendan MacNeil (Na h-Eileanan an Iar) (SNP)	Richard Thomson
Stephen McPartland (Stevenage) (Con)	Stuart Andrew
Esther McVey (Tatton) (Con)	Stuart Andrew
Justin Madders (Ellesmere Port and Neston) (Lab)	Chris Elmore
Khalid Mahmood (Birmingham, Perry Barr) (Lab)	Chris Elmore
Shabana Mahmood (Birmingham, Ladywood) (Lab)	Chris Elmore
Alan Mak (Havant) (Con)	Stuart Andrew
Seema Malhotra (Feltham and Heston) (Lab)	Chris Elmore
Kit Malthouse (North West Hampshire) (Con)	Stuart Andrew
Julie Marson (Hertford and Stortford) (Con)	Stuart Andrew
Rachael Maskell (York Central) (Lab)	Chris Elmore
Christian Matheson (City of Chester) (Lab)	Chris Elmore
Mrs Theresa May (Maidenhead) (Con)	Stuart Andrew
Jerome Mayhew (Broadland) (Con)	Stuart Andrew
Paul Maynard (Blackpool North and Cleveleys) (Con)	Stuart Andrew
Ian Mearns (Gateshead) (Lab)	Bell Ribeiro-Addy
Mark Menzies (Fylde) (Con)	Stuart Andrew
Huw Merriman (Bexhill and Battle) (Con)	Stuart Andrew
Stephen Metcalfe (South Basildon and East Thurrock) (Con)	Stuart Andrew
Edward Miliband (Doncaster North) (Lab)	Chris Elmore
Robin Millar (Aberconwy) (Con)	Stuart Andrew
Mrs Maria Miller (Basingstoke) (Con)	Stuart Andrew
Amanda Milling (Cannock Chase) (Con)	Stuart Andrew
Nigel Mills (Amber Valley) (Con)	Stuart Andrew
Navendu Mishra (Stockport) (Lab)	Chris Elmore
Andrew Mitchell (Sutton Coldfield) (Con)	Stuart Andrew
Gagan Mohindra (South West Hertfordshire) (Con)	Stuart Andrew
Carol Monaghan (Glasgow North West)	Richard Thomson
Damien Moore (Southport) (Con)	Stuart Andrew
Robbie Moore (Keighley) (Con)	Stuart Andrew
Layla Moran (Oxford West and Abingdon) (LD)	Wendy Chamberlain
Penny Mordaunt (Portsmouth North) (Con)	Stuart Andrew
Jessica Morden (Newport East) (Lab)	Chris Elmore
Stephen Morgan (Portsmouth South) (Lab)	Chris Elmore
Anne Marie Morris (Newton Abbot) (Con)	Stuart Andrew
David Morris (Morecambe and Lunesdale) (Con)	Stuart Andrew
Grahame Morris (Easington) (Lab)	Chris Elmore

Member eligible for proxy vote	Nominated proxy
James Morris (Halesowen and Rowley Regis) (Con)	Stuart Andrew
Joy Morrissey (Beaconsfield) (Con)	Stuart Andrew
Jill Mortimer (Hartlepool) (Con)	Stuart Andrew
Wendy Morton (Aldridge-Brownhills) (Con)	Stuart Andrew
Dr Kieran Mullan (Crewe and Nantwich) (Con)	Stuart Andrew
Holly Mumby-Croft (Scunthorpe) (Con)	Stuart Andrew
David Mundell (Dumfriesshire, Clydesdale and Tweeddale) (Con)	Stuart Andrew
Ian Murray (Edinburgh South) (Lab)	Chris Elmore
James Murray (Ealing North) (Lab/Co-op)	Chris Elmore
Mrs Sheryll Murray (South East Cornwall) (Con)	Stuart Andrew
Andrew Murrison (South West Wiltshire) (Con)	Stuart Andrew
Lisa Nandy (Wigan) (Lab)	Chris Elmore
Sir Robert Neill (Bromley and Chislehurst) (Con)	Stuart Andrew
Gavin Newlands (Paisley and Renfrewshire North) (SNP)	Richard Thomson
Charlotte Nichols (Warrington North) (Lab)	Chris Elmore
Lia Nici (Great Grimsby) (Con)	Stuart Andrew
John Nicolson (Ochil and South Perthshire) (SNP)	Richard Thomson
Caroline Nokes (Romsey and Southampton North) (Con)	Stuart Andrew
Jesse Norman (Hereford and South Herefordshire) (Con)	Stuart Andrew
Alex Norris (Nottingham North) (Lab/Co-op)	Chris Elmore
Neil O'Brien (Harborough) (Con)	Stuart Andrew
Brendan O'Hara (Argyll and Bute) (SNP)	Richard Thomson
Dr Matthew Offord (Hendon) (Con)	Stuart Andrew
Chi Onwurah (Newcastle upon Tyne Central) (Lab)	Chris Elmore
Guy Opperman (Hexham) (Con)	Stuart Andrew
Abena Oppong-Asare (Erith and Thamesmead) (Lab)	Chris Elmore
Kate Osamor (Edmonton) (Lab/Co-op)	Bell Ribeiro-Addy
Kate Osborne (Jarrow) (Lab)	Bell Ribeiro-Addy
Kirsten Oswald (East Renfrewshire) (SNP)	Richard Thomson
Sarah Owen (Luton North) (Lab)	Chris Elmore
Neil Parish (Tiverton and Honiton) (Con)	Stuart Andrew
Priti Patel (Witham) (Con)	Stuart Andrew
Mr Owen Paterson (North Shropshire) (Con)	Stuart Andrew
Mark Pawsey (Rugby) (Con)	Stuart Andrew
Stephanie Peacock (Barnsley East) (Lab)	Chris Elmore
Sir Mike Penning (Hemel Hempstead) (Con)	Stuart Andrew
Matthew Pennycook (Greenwich and Woolwich) (Lab)	Chris Elmore
John Penrose (Weston-super-Mare) (Con)	Stuart Andrew
Andrew Percy (Brigg and Goole) (Con)	Stuart Andrew

Member eligible for proxy vote	Nominated proxy
Mr Toby Perkins (Chesterfield) (Lab)	Chris Elmore
Jess Phillips (Birmingham, Yardley) (Lab)	Chris Elmore
Bridget Phillipson (Houghton and Sunderland South) (Lab)	Chris Elmore
Chris Philp (Croydon South) (Con)	Stuart Andrew
Christopher Pincher (Tamworth) (Con)	Stuart Andrew
Luke Pollard (Plymouth, Sutton and Devonport) (Lab/Co-op)	Chris Elmore
Dr Dan Poulter (Central Suffolk and North Ipswich) (Con)	Peter Aldous
Rebecca Pow (Taunton Deane) (Con)	Stuart Andrew
Lucy Powell (Manchester Central) (Lab/Co-op)	Chris Elmore
Victoria Prentis (Banbury) (Con)	Stuart Andrew
Mark Pritchard (The Wrekin) (Con)	Stuart Andrew
Anum Qaisar-Javed (Airdrie and Shotts) (SNP)	Richard Thomson
Jeremy Quin (Horsham) (Con)	Stuart Andrew
Will Quince (Colchester) (Con)	Stuart Andrew
Yasmin Qureshi (Bolton South East) (Lab)	Chris Elmore
Dominic Raab (Esher and Walton) (Con)	Stuart Andrew
Tom Randall (Gedling) (Con)	Stuart Andrew
Angela Rayner (Ashton-under-Lyne) (Lab)	Chris Elmore
John Redwood (Wokingham) (Con)	Stuart Andrew
Steve Reed (Croydon North) (Lab/Co-op)	Chris Elmore
Christina Rees (Neath) (Lab)	Chris Elmore
Ellie Reeves (Lewisham West and Penge) (Lab)	Chris Elmore
Rachel Reeves (Leeds West) (Lab)	Chris Elmore
Jonathan Reynolds (Stalybridge and Hyde) (Lab)	Chris Elmore
Nicola Richards (West Bromwich East) (Con)	Stuart Andrew
Angela Richardson (Guildford) (Con)	Stuart Andrew
Mr Laurence Robertson (Tewkesbury) (Con)	Stuart Andrew
Gavin Robinson (Belfast East) (DUP)	Ian Paisley
Mary Robinson (Cheadle) (Con)	Stuart Andrew
Matt Rodda (Reading East) (Lab)	Chris Elmore
Andrew Rosindell (Romford) (Con)	Stuart Andrew
Douglas Ross (Moray) (Con)	Stuart Andrew
Lee Rowley (North East Derbyshire) (Con)	Stuart Andrew
Dean Russell (Watford) (Con)	Stuart Andrew
Lloyd Russell-Moyle (Brighton, Kemptown) (Lab/Co-op)	Chris Elmore
Gary Sambrook (Birmingham, Northfield) (Con)	Stuart Andrew
Selaine Saxby (North Devon) (Con)	Stuart Andrew
Paul Scully (Sutton and Cheam) (Con)	Stuart Andrew
Bob Seely (Isle of Wight) (Con)	Stuart Andrew
Andrew Selous (South West Bedfordshire) (Con)	Stuart Andrew
Naz Shah (Bradford West) (Lab)	Chris Elmore
Grant Shapps (Welwyn Hatfield) (Con)	Stuart Andrew
Alok Sharma (Reading West) (Con)	Stuart Andrew
Mr Virendra Sharma (Ealing, Southall) (Lab)	Chris Elmore

Member eligible for proxy vote	Nominated proxy
Mr Barry Sheerman (Huddersfield) (Lab/Co-op)	Chris Elmore
Alec Shelbrooke (Elmet and Rothwell) (Con)	Stuart Andrew
Tommy Sheppard (Edinburgh East) (SNP)	Richard Thomson
Tulip Siddiq (Hampstead and Kilburn) (Lab)	Chris Elmore
David Simmonds (Ruislip, Northwood and Pinner) (Con)	Stuart Andrew
Chris Skidmore (Kingswood) (Con)	Stuart Andrew
Andy Slaughter (Hammersmith) (Lab)	Chris Elmore
Alyn Smith (Stirling) (SNP)	Richard Thomson
Cat Smith (Lancaster and Fleetwood) (Lab)	Chris Elmore
Chloe Smith (Norwich North) (Con)	Stuart Andrew
Greg Smith (Buckingham) (Con)	Stuart Andrew
Henry Smith (Crawley) (Con)	Stuart Andrew
Jeff Smith (Manchester, Withington) (Lab)	Chris Elmore
Julian Smith (Skipton and Ripon) (Con)	Stuart Andrew
Nick Smith (Blaenau Gwent) (Lab)	Chris Elmore
Royston Smith (Southampton, Itchen) (Con)	Stuart Andrew
Karin Smyth (Bristol South) (Lab)	Chris Elmore
Alex Sobel (Leeds North West) (Lab)	Chris Elmore
Amanda Solloway (Derby North) (Con)	Stuart Andrew
John Spellar (Warley) (Lab)	Chris Elmore
Dr Ben Spencer (Runnymede and Weybridge) (Con)	Stuart Andrew
Mark Spencer (Sherwood) (Con)	Stuart Andrew
Alexander Stafford (Rother Valley) (Con)	Stuart Andrew
Keir Starmer (Holborn and St Pancras) (Lab)	Chris Elmore
Chris Stephens (Glasgow South West) (SNP)	Richard Thomson
Andrew Stephenson (Pendle) (Con)	Stuart Andrew
Jo Stevens (Cardiff Central) (Lab)	Chris Elmore
Jane Stevenson (Wolverhampton North East) (Con)	Stuart Andrew
John Stevenson (Carlisle) (Con)	Stuart Andrew
Bob Stewart (Beckenham) (Con)	Stuart Andrew
Iain Stewart (Milton Keynes South) (Con)	Stuart Andrew
Jamie Stone (Caithness, Sutherland and Easter Ross) (LD)	Wendy Chamberlain
Sir Gary Streeter (South West Devon) (Con)	Stuart Andrew
Wes Streeting (Ilford North) (Lab)	Chris Elmore
Mel Stride (Central Devon) (Con)	Stuart Andrew
Graham Stringer (Blackley and Broughton) (Lab)	Chris Elmore
Graham Stuart (Beverley and Holderness) (Con)	Stuart Andrew
Julian Sturdy (York Outer) (Con)	Stuart Andrew
Zarah Sultana (Coventry South) (Lab)	Bell Ribeiro-Addy
Rishi Sunak (Richmond (Yorks)) (Con)	Stuart Andrew
James Sunderland (Bracknell) (Con)	Stuart Andrew
Sir Desmond Swayne (New Forest West) (Con)	Stuart Andrew

Member eligible for proxy vote	Nominated proxy
Sir Robert Syms (Poole) (Con)	Stuart Andrew
Sam Tarry (Ilford South) (Lab)	Chris Elmore
Alison Thewliss (Glasgow Central) (SNP)	Richard Thomson
Derek Thomas (St Ives) (Con)	Stuart Andrew
Gareth Thomas (Harrow West) (Lab/Co-op)	Chris Elmore
Nick Thomas-Symonds (Torfaen) (Lab)	Chris Elmore
Owen Thompson (Midlothian) (SNP)	Richard Thomson
Emily Thornberry (Islington South and Finsbury) (Lab)	Chris Elmore
Stephen Timms (East Ham) (Lab)	Chris Elmore
Edward Timpson (Eddisbury) (Con)	Stuart Andrew
Kelly Tolhurst (Rochester and Strood) (Con)	Stuart Andrew
Justin Tomlinson (North Swindon) (Con)	Stuart Andrew
Craig Tracey (North Warwickshire) (Con)	Stuart Andrew
Anne-Marie Trevelyan (Berwick-upon-Tweed) (Con)	Stuart Andrew
Jon Trickett (Hemsworth) (Lab)	Bell Ribeiro-Addy
Laura Trott (Sevenoaks) (Con)	Stuart Andrew
Elizabeth Truss (South West Norfolk) (Con)	Stuart Andrew
Tom Tugendhat (Tonbridge and Malling) (Con)	Stuart Andrew
Karl Turner (Kingston upon Hull East) (Lab)	Chris Elmore
Derek Twigg (Halton) (Lab)	Chris Elmore
Mr Shailesh Vara (North West Cambridgeshire) (Con)	Stuart Andrew
Martin Vickers (Cleethorpes) (Con)	Stuart Andrew
Matt Vickers (Stockton South) (Con)	Stuart Andrew
Theresa Villiers (Chipping Barnet) (Con)	Stuart Andrew
Mr Robin Walker (Worcester) (Con)	Stuart Andrew
Mr Ben Wallace (Wyre and Preston North)	Stuart Andrew
Dr Jamie Wallis (Bridgend) (Con)	Stuart Andrew
David Warburton (Somerset and Frome) (Con)	Stuart Andrew
Matt Warman (Boston and Skegness) (Con)	Stuart Andrew
Giles Watling (Clacton) (Con)	Stuart Andrew
Suzanne Webb (Stourbridge) (Con)	Stuart Andrew
Claudia Webbe (Leicester East) (Ind)	Bell Ribeiro-Addy
Catherine West (Hornsey and Wood Green) (Lab)	Chris Elmore
Matt Western (Warwick and Leamington) (Lab)	Chris Elmore
Helen Whately (Faversham and Mid Kent) (Con)	Stuart Andrew
Mrs Heather Wheeler (South Derbyshire) (Con)	Stuart Andrew
Dr Alan Whitehead (Southampton, Test) (Lab)	Chris Elmore
Dr Philippa Whitford (Central Ayrshire) (SNP)	Richard Thomson
Mick Whitley (Birkenhead) (Lab)	Chris Elmore
Craig Whittaker (Calder Valley) (Con)	Stuart Andrew
John Whittingdale (Malden) (Con)	Stuart Andrew

Member eligible for proxy vote	Nominated proxy
Nadia Whittome (Nottingham East) (Lab)	Chris Elmore
Bill Wiggin (North Herefordshire) (Con)	Stuart Andrew
James Wild (North West Norfolk) (Con)	Stuart Andrew
Craig Williams (Montgomeryshire) (Con)	Stuart Andrew
Hywel Williams (Arfon) (PC)	Liz Saville Roberts
Gavin Williamson (Montgomeryshire) (Con)	Stuart Andrew
Munira Wilson (Twickenham) (LD)	Wendy Chamberlain

Member eligible for proxy vote	Nominated proxy
Sammy Wilson (East Antrim) (DUP)	Ian Paisley
Beth Winter (Cynon Valley) (Lab)	Bell Ribeiro-Addy
Pete Wishart (Perth and North Perthshire) (SNP)	Richard Thomson
Mike Wood (Dudley South) (Con)	Stuart Andrew
Jeremy Wright (Kenilworth and Southam) (Con)	Stuart Andrew
Mohammad Yasin (Bedford) (Lab)	Chris Elmore
Jacob Young (Redcar) (Con)	Stuart Andrew
Nadhim Zahawi (Stratford-on-Avon) (Con)	Stuart Andrew
Daniel Zeichner (Cambridge) (Lab)	Chris Elmore

Westminster Hall

Monday 5 July 2021

[DEREK TWIGG *in the Chair*]

Hedgehogs

Virtual participation in proceedings commenced (Order, 25 February).

[NB: [V] denotes a Member participating virtually.]

4.30 pm

Derek Twigg (in the Chair): I remind hon. Members that there have been some changes to the normal practice in order to support the new hybrid arrangements. Timings of debates have been amended to allow technical arrangements to be made for the next debate. There will also be suspensions between each debate. I remind Members participating physically and virtually that they must arrive for the start of debates in Westminster Hall and Members are expected to remain for the entire debate.

I also remind Members participating virtually that they must leave their camera on for the duration of the debate, and that they will be visible at all times, both to each other and to us in the Boothroyd Room. If Members attending virtually have any technical problems, they should email the Westminster Hall Clerks' email address, which is westminsterhallclerks@parliament.uk. Members attending physically should clean their spaces before they use them and as they leave the room. I should also like to remind Members that Mr Speaker has stated that masks should be worn in Westminster Hall.

Members who are not on the call list but wish to intervene can do so only from the horseshoe. I remind Members that those on the call list have priority for spaces on the horseshoe. Those wishing to intervene should not prevent a Member from the call list from speaking.

4.31 pm

Matt Vickers (Stockton South) (Con): I beg to move,

That this House has considered e-petition 550379, relating to the protection of hedgehogs.

It is a pleasure to serve under your chairmanship, Mr Twigg. I thank the petition creator and all those who signed it for giving us this important opportunity to address this issue. My right hon. Friend the Member for Ludlow (Philip Dunne), who is sorry not to be able to be with us today, has talked about the incredible contribution made by the British Hedgehog Preservation Society, which is based in his constituency.

The last time we had the pleasure of a debate on hedgehogs in Parliament was almost six years ago, in November 2015. During that debate, the former Member for Penrith and The Border, the right hon. Rory Stewart, gave a fantastic, impassioned speech on hedgehogs from the Dispatch Box, and the former MP for Plymouth, Sutton and Devonport called for the hedgehog to be made the UK's national animal. Although I have a great appreciation for hedgehogs, and despite this country's love for them, I agree with Mr Stewart that choosing an

animal that rolls into a ball at any sign of danger and sleeps for half the year would not necessarily portray the image that we want as a nation. Before that debate in 2015, the last time Parliament debated the issue was in 1566, when, in true Tudor fashion, it discussed a bounty on hedgehogs, so this is only the second debate on the subject since 1566, and I am honoured to introduce it.

We have come a long way in how we treat hedgehogs in this country. Thankfully, we have moved past the idea that hedgehogs are a pest that prey on resting cows and need to be exterminated. We now have a greater understanding of the great British hedgehog. Their image is now used in election campaigns or to teach children the green cross code to the tune of "Stayin' Alive". They are now a much-loved part of the British countryside, and although they are not particularly cuddly, these prickly creatures have come to occupy a very special place in the hearts of people not just in my constituency but right across the UK.

Despite their relatively new-found popularity, however, the British hedgehog is facing a number of varied and complex threats. Before the debate, I had the pleasure of meeting representatives from the British Hedgehog Preservation Society, who told me that since 2000 we have lost half of our rural hedgehogs and a third of our urban ones. Sadly, they were recently added to the International Union for Conservation of Nature red list for Britain as vulnerable, which means that they have an appreciable risk of extinction in the next 10 years.

As I have said, the problems that hedgehogs face are numerous. It is difficult to point to one factor as the sole reason for the population's decline. That is partly a reflection on how varied their habitats can be. Modern farming practices have been blamed, including the use of pesticides that kill hedgehogs' prey or potentially poison the hedgehogs themselves. A loss of habitat has similarly been pointed at—modern agricultural practices use larger fields and fewer hedgerows—and of course there are questions about the impact of climate change on hedgehogs' hibernating habits.

Hedgehogs are protected from some methods of killing and collection under schedule 6 to the Wildlife and Countryside Act 1981. The petition asks for that protection to be increased to schedule 5, which would offer protection from all intentional killing, injuring or taking, and prohibits them from being sold. The Government's response to the petition states that they have not previously moved hedgehogs into schedule 5 because they have no evidence that hedgehogs are being intentionally killed. I am sure we are all grateful for that and I hope that people would not do something as cruel.

However, there is a problem of hedgehogs being sold. In recent years, there has been an increase in the number of people owning hedgehogs as pets, although that is the African pygmy hedgehog, not the variety native in the UK. The sale of those cute little creatures—although they are not as cute as the great British hedgehog—is not necessarily the problem. The problem arises when people start to snatch the hedgehogs they find at the bottom of their garden and sell them on for £300 a pop. That threatens population numbers and creates biosecurity risks. Moving hedgehogs to schedule 5 would prevent it.

I would welcome other measures to help hedgehog numbers bounce back. I know from speaking to Anne Purchase-Walker, who runs HoggyStockton Rescue, that a large number of hedgehogs fall victim to weed

[*Matt Vickers*]

strimmers. Greater awareness by people using them and a quick check of the grass before starting to cut would go a long way. Similarly, developers creating less robust fencing and walling, and hedgehog highways that link up green spaces so that hedgehogs can better forage for food, would also be welcome.

The Government are not deaf to the issue. I was pleased to see in their response to the petition that they are committed to taking action to recover threatened native species, and they are exploring the use of powers in the Environment Bill to strengthen commitments to improve the status of this threatened species. The petition's request to move hedgehogs to schedule 5 would go some way to help the numbers bounce back. However, we welcome any policy that would help protect this much-loved animal and I would happily look at what the Government can propose.

One thing, however, is clear: we need to act now. Losing half the rural population in two decades shows that the decline is rapid and the situation is critical. There is no point letting the situation get worse before we step in and try to halt the decline. Intervention now will make this task easier and cheaper, and ensure that our prickly little friends still take pride of place in Britain's countryside.

4.37 pm

Liz Twist (Blaydon) (Lab): It is a pleasure to serve with you in the Chair, Mr Twigg. I congratulate the hon. Member for Stockton South (Matt Vickers) on speaking so eloquently on behalf of the petitioners. A remarkable number of people signed the petition, started by the British Hedgehog Preservation Society. That shows how much people in the UK really care about hedgehogs and protecting the nature around us. As I went to the Library to print out my speech, I was accosted by one of the staff who found out it was about hedgehogs; she insisted on showing me a photograph of the hedgehogs in her garden.

The issue is everywhere. In fact, the hedgehog has been voted Britain's most popular wild mammal in several surveys over the years. As we heard, since 2000 hedgehog numbers in the UK have declined by half in rural areas and by a third in urban ones. According to the Royal Society for the Prevention of Cruelty to Animals, the main reasons for the decline are the destruction of their shelters and habitats, increased levels of traffic, poorly planned roads and the use of pesticides. Those are all things that we can and should work to prevent. The hedgehog has been listed as vulnerable to extinction in the UK, conceivably within the next decade if nothing is done to reverse the decline.

I recently visited Sandra Lowe, who lives in Woodside in my constituency. Sandra operates a hedgehog rescue called Hope for Hedgehogs. When people bring hedgehogs to her, she works tirelessly to ensure that they are properly treated. She works with local vets to ensure they get the right medication and does everything that she can to keep them. For the little ones, that involves getting up three times during the night to feed them the appropriate food. It certainly is a labour of love, and thankfully there are people who will help her with that. Sandra funds the endeavour entirely by herself, and she

says it costs around £50 for each hedgehog to be treated and released. The organisation is entirely self-funded, which is why I am supporting her efforts to obtain funding to create a hog hospital, so that she can treat hedgehogs properly.

A lot of people, such as Sandra, are doing amazing work to help protect hedgehogs, but it is not enough to rely on the work of volunteers. The Government must commit to protecting our wildlife. Most of all, we know that Sandra and all the other volunteers want to see the prevention of injury, damage and deaths of hedgehogs as the priority. That is the important thing. Real consideration for nature and wildlife must be at the core of our planning decisions and many other decisions.

I and many others, including the British Hedgehog Preservation Society, are concerned by the proposed changes to the status of many of our widespread species in the United Kingdom, including hedgehogs. The Joint Nature Conservation Committee review will provide recommendations to the Secretary of State for Environment, Food and Rural Affairs. As far as I understand it from Sandra and others, the upcoming review seeks to change the eligibility criteria of the hedgehog, currently listed on schedule 6, if that is the recommendation. Sandra tells me the review proposes that statutory nature conservation bodies will retain protected status only for species that are in imminent danger of extinction in Great Britain. That is clearly too low a bar to set, and I hope the Government will be much more ambitious. The effect of the proposed changes could be that rather than increasing protection for hedgehogs, as called for in the petition, their current lower level of protection could be removed. Sandra tells me that she has concerns about the impact of the quinquennial review, so I hope that the Minister will be able to assure me and Sandra that there will be increased protection and no diminution of it.

The Government's national planning policy framework has a chapter on conserving and enhancing the natural environment. It opens by setting out how planning policies and decisions should contribute to and enhance the natural and local environment. Priority species are defined in the NPPF as those included in England's biodiversity list, which is published by the Secretary of State under section 41 of the Natural Environment and Rural Communities Act 2006. As I have set out, the list currently includes hedgehogs.

With some narrow exemptions, the Environment Bill of 2021-22 contains provisions intended to make it mandatory for housing and development to achieve at least a 10% net gain in value for biodiversity, and a requirement that habitats for wildlife must be left in a measurably better state than before the development. Many of us know that although we can see the words on the page when it comes to planning policy guidance, we need to see the impact on the ground. We are seeing too many hedgerows lost as well as other biodiversity losses, even now. In today's debate, we are calling on the Government to increase the protection offered to the hedgehog under the Wildlife and Countryside Act by moving it to schedule 5 as a first step in helping to protect our precious wildlife.

Derek Twigg (in the Chair): Just to let Members know, I intend for the Opposition spokesperson and the Minister to start winding up at no later than 5.40 pm.

Given the great deal of interest and the number of speakers, please keep your contributions to around four and a half minutes, which will ensure that everybody gets in. I ask for your indulgence in that.

4.44 pm

Theresa Villiers (Chipping Barnet) (Con): It is a pleasure to take part in the debate under your chairmanship, Mr Twigg. I thank all the people who signed the petition.

From the emails that I received from constituents about the debate, I was deeply worried to learn of the disastrous decline in hedgehog numbers. Both my hon. Friend the Member for Stockton South (Matt Vickers) and the hon. Member for Blaydon (Liz Twist) have referred to the numbers: we have lost half of all hedgehogs in rural areas, and a third in urban ones. As we have heard, this much-loved animal has recently been added to the IUCN red list and designated as vulnerable, with an appreciable risk of extinction within 10 years. There is a need for urgent action, and I want to press the Minister to enhance protection for hedgehogs, as called for in the petition.

Planning rules need to be changed to require the presence of hedgehogs to be taken into consideration when deciding whether to grant permission for development. Will the Minister also provide reassurance that the quinquennial review of schedules 5 and 8 to the Wildlife and Countryside Act will not lead to any weakening of protections? Most important of all, I urge the Government to include hedgehog habitats in their extensive programme of nature recovery. There can be no doubt that decline in habitats is a key driver in the loss of hedgehogs. We need the biodiversity net gain provisions of the Environment Bill to be implemented so that a new income stream is created for protecting wildlife habitats, and I want to see councils also encouraged to include hedgehog recovery strategies in their local nature recovery strategies, which the Bill will require them to establish.

Of course, I note the efforts by Natural England and DEFRA to create a national nature recovery network, which is a further, crucial opportunity to alleviate the pressure on the vulnerable creatures that we are debating today. Connected wildlife corridors can make a huge difference to the recovery of the species. I hope the voice of today's petitioners will be heard by Ministers, particularly as they design and implement this country's new system of farm support. There can be little doubt that some modern farming practices have made survival more difficult for this country's favourite prickly mammal. The environmental land management schemes, which will replace the European Union's common agricultural policy, should aim to secure and restore hedgerows and habitats to give our hedgehogs a bit of a Brexit dividend.

As we have heard, in 1566 this Parliament put a bounty on hedgehogs, which apparently led to the death of as many as 2 million in the period up to 1800. I really hope that today's debate has a much more positive outcome. The Government have a stronger commitment to nature recovery than any of their predecessors ever before. When they set what I hope will be a really ambitious 2030 target for species conservation, I urge them to ensure that a thriving hedgehog population is included in that as a very important goal.

4.47 pm

Emma Hardy (Kingston upon Hull West and Hessle) (Lab): It is a pleasure to serve under your chairmanship, Mr Twigg, and a pleasure to speak up for the hedgehog.

Although I represent a largely urban constituency, the hedgehog is equally at home among our parks, gardens and untidy corners of the countryside, and many residents of Hull West and Hessle welcome its presence. I want to pay tribute to the fantastic work of Carolyn Harman of Hessle Hedgehog Rescue in providing care for sick and injured animals and advice on making the area hedgehog-friendly. Sadly, as mentioned by hon. Members already, hedgehog numbers continue to decline. The People's Trust for Endangered Species surveys, conducted by citizen scientists, demonstrate that hedgehog numbers have fallen by around 50% in the past 20 years, so there is no doubt that urgent action needs to be taken, and the petition reflects that urgency.

The Government's response to the petition stated that they have,

“not previously moved to protect this species under Schedule 5”—
to the Wildlife and Countryside Act—

“as it is not clear that such protection would be of benefit to the species, in so far that: we have no evidence that intentionally killing, taking or injuring hedgehogs is currently an issue; and it would not address the main threat of habitat loss.”

That appears to refer to the protections found in section 9(1). Although the petition mentioned only schedule 5, I assume it also refers to the protections under section 9(4), which include protections for habitat from intentional disturbance and damage.

The Minister may not be aware of this, but I am proud to be the butterfly conservation species champion for the brimstone butterfly, which is the flagship species of Hull's Butterfly City project. She may also be interested to know that the marsh fritillary, the heath fritillary, the large blue and the swallowtail, which is the UK's largest butterfly, are also included in schedule 5 to the Wildlife and Countryside Act. I assure the Minister that the main threat to all those butterfly species is habitat loss, and they are also included in section 9(4) of the Act. Every other mammal that is considered vulnerable to extinction in the UK is listed in schedule 7: the hazel dormouse, two species of bat, and the Orkney vole.

Even a layperson who is familiar with the behaviour of hedgehogs can imagine how the provisions in section 9(5) would protect them; detailed knowledge of hedgehogs' habitat requirements is not necessary. Many people know that hedgehogs like the shelter of a nice compost heap, or being tucked up beneath the garden shed. In fact, hedgehogs can journey up to 2 km per night and can build several nests across their home range, so it is clear how protection of hedgehogs' nesting sites from disturbance or harm, as well as protection of hedgehogs themselves from disturbance or harm, would be of benefit.

The hedgehog and other wildlife can also be helped through changes to the planning law. Biodiversity can be built into housing and commercial developments in many ways, such as hedgehog highways, wildlife corridors, and swift boxes and other bird boxes built into buildings. There are already fantastic examples, backed up by research, of the benefits of these innovations. It just requires the will from Government to make them mandatory.

[Emma Hardy]

The petition is timely because, as my hon. Friend the Member for Blaydon (Liz Twist) mentioned, the Wildlife and Countryside Act is undergoing its five-yearly review of the species included. However, I am extremely concerned to hear that the terms of this year's review have been changed and that, contrary to what a reasonable person might expect given the well documented decline in biodiversity across the board, this is likely to result in fewer species under protection, not more. Under the new standards, an animal or plant species would be protected if only it were in imminent danger of extinction, so dozens of species face losing vital safeguards, and action to protect a species would come only when it was in crisis, which might be too late. That cannot be right.

I understand that over 30 conservation groups have written to Ministers voicing their concerns. I would welcome the Minister taking the opportunity today to explain why it was felt that the standards needed changing and how the Government expect the changes to halt the decline in species numbers. Although I welcome the assurances given in response to the petition relating to forthcoming legislation, given the changes to the way that the 1981 Act is being reviewed, it is difficult to have confidence that the final detail will measure up to the promises. The hedgehog needs increased and meaningful protections now, not fuzzy—or even prickly—assurances about its future.

4.52 pm

Chris Grayling (Epsom and Ewell) (Con): It is a pleasure to serve under your chairmanship, Mr Twigg.

I follow a fellow parliamentary species champion, the hon. Member for Kingston upon Hull West and Hessle (Emma Hardy), but I am perhaps the most topical species champion today, because I am the species champion for the hedgehog. Indeed, as the Minister knows, because she is committed to these issues, I have been, probably not biting her ankles, but prickling them over this issue for some time now, and I intend to carry on doing so. Six years have passed since this House last debated the hedgehog. I very much hope that we will not need to debate it again soon, but I also hope that, if a debate is necessary, it will not take another six years.

It is a national tragedy that we have lost so much of our wildlife. If we look across the range of species that have suffered catastrophic declines in recent years, the picture is profoundly disturbing and worrying. The hedgehog's decline goes back further than the last 20 years, though. In the 1950s, there were nearly as many hedgehogs as people in the United Kingdom; today the hedgehog population is only a tiny fraction of our population, with perhaps only 1.5 million hedgehogs surviving. We have to turn the situation around, not just for hedgehogs but for all the species that have suffered such declines, and we must start doing it now, because we cannot allow numbers to continue to go down.

There is a variety of reasons why these declines have happened. It is true that there has been habitat loss. Sadly, over the years too many hedgehogs have died on our roads, although I have to say that it is relatively rare to see a dead hedgehog on our roads nowadays. Of course, we see rather a lot of dead badgers on our roads, but that remains a subject of debate. I am not here today to point a finger at the badger, although are issues

around the competition between species for ever-diminishing habitats. I am here to argue for tangible Government measures to address the issue.

There has been a lot of debate about the specific review taking place this year. There is genuine cause for concern there, which I hope the Minister will address in her remarks, because none of us wants a formal reduction of protection for species. She knows my concerns about the way the quinquennial review approaches creatures such as the hedgehog, and I hope she will be able to set everybody's mind at rest.

I hope the Minister recognises from the scale of this petition the genuine public concern. I echo the words of congratulation to the British Hedgehog Preservation Society, to Hedgehog Street, which has done a fantastic job in promoting the need for action, and to all those groups around the country doing so much to protect hedgehogs, to rescue hedgehogs that are in danger, to rescue baby hedgehogs that may not survive the winter, and to look after those that have been injured. I pay tribute to the team at the Wildlife Aid Foundation, just outside my constituency in Leatherhead, who do a fantastic job. I have been down there on many occasions to see the work they are doing with hedgehogs that have run into difficulties in life.

That work and all those different projects all around the country are valuable, but there is a bigger-picture issue to solve here. It was brought home to me this week by a message I received from one of the hedgehog groups distraught that, just down the road from where it is based, a developer starting to clear a site ahead of development had killed a significant number of hedgehogs just by clearing the undergrowth alongside a roadway to make way for that development. In accordance with the law, we in this country do a lot of work before we develop sites, such as checking for bats and newts, but I want the Government think differently, because searching for an individual species on a development site is not the right way forward. We need an holistic approach to nature on a development site. Of course, we still need to develop for the future—we need to provide housing for the future—but we should do that with care. One thing I hope for from the Government in the next few months is a plan to turn the current system into one of holistic analysis of what wildlife is on a site and what needs to be protected, so that we do not simply bulldoze a roadside or cut down a hedgerow with no regard at all for any animals inside it. All too often, hedgehogs are inside it. That change is urgently needed.

The Minister will be aware that I tabled an amendment to the Environment Bill to move the hedgehog into schedule 5 protection. I did not push that amendment to a Division because I understand that the legislative framework is not right for today's world. It is focused particularly on human intent against animals, and nobody is seriously suggesting that everybody wants to kill hedgehogs. However, I expect quid pro quo from the Minister, which is a proper, urgent review of the legislative framework to address things such as the circumstance I just described, where a developer does not have to look holistically for the full range of species on a site but can just make sure that there are no bats or newts and everything else just gets bulldozed out of the way. That cannot be right, and I very much hope that she will change that.

I ask two other things of Ministers. The first involves habitats for hedgehogs and other species. One reason why we have seen the decline in numbers has been the disappearance of hedgerows. I very much hope that the implementation of the Agriculture Act 2020 and the new agriculture support framework will genuinely encourage farmers to put back some of those lost habitats. CPRE is in the process of launching a timely campaign to get more hedgerows planted in this country, and I hope the Government take that on board and ensure that the support they provide to farmers encourages them not only to have wider margins at the sides of existing fields, which is to be welcomed, but to start replanting hedgerows for the future, because they are vital habitats.

My final request to the Minister is this. It is important for species that travel long distances to be able to do so. Colleagues have mentioned hedgehog highways and developers being encouraged to put holes in fences. That is very good and should continue to be encouraged, but we also need, in areas of open country where there are development threats, to make sure that corridors exist for wildlife—not only hedgehogs but other species—so that we do not lock away one bit of habitat from another, losing the movement between the two and so ultimately the species decline and die. That also has to change.

Those are my three requests to the Minister. We need to ensure that we have proper planning for highways between different habitats, and that we look at supporting the recovery of hedgerows. We particularly need protections for species such as the hedgehog in law, to prevent developers from simply ripping up a site with no regard for what is there. If the Minister delivers all that, she will be able to take pride in the fact that she has played a big part in turning the tide on the tragic decline of hedgehog numbers.

5 pm

Jim Shannon (Strangford) (DUP): It is, as always, a pleasure to speak in the debate. As is often said in this Chamber, conservation is not a hobby for me; it is a duty that I take a very seriously.

I am pleased to follow the right hon. Member for Epsom and Ewell (Chris Grayling), and I wholeheartedly endorse his request to retain hedgerows and enhance field edges. That is something that I do on the land where I have the opportunity to have some input. I am blessed to live on the family farm, with my son living on the farm up a very long laneway. It gives me a chance to see where the hedgerows are and to ensure that the edges of the lanes are well kept. During lockdown, the ability to wander through the beautiful countryside surrounding my home as I read my briefings and did my daily Bible readings, was one of things that kept me sane. It made me appreciate what I have outside my window that little bit more. I have a real passion to ensure that my grandchildren will have the same ability to enjoy nature when they reach my age, so retaining hedgerows and field edges is something that I wholeheartedly endorse.

Hedgehogs are under extreme pressure. The right hon. Gentleman referred to badgers, and the information that I have is hedgehogs are a bit of a delicacy for badgers, which are renowned for feasting on hedgehogs more than they probably should. One part of this fight for our countryside is the declining number of hedgehogs.

Ulster Wildlife has an entire section on its website about how to help hedgehogs due to their decline, and it states:

“Hedgehogs are in trouble—they have declined by 30% in the last 10 years alone and there are now thought to be fewer than one million left in the UK. Whether you live in town or country, you can help to look after these much-loved creatures by providing food, water and shelter.”

Ulster Wildlife’s useful site outlines ways to help and provides links where people can donate and adopt a hedgehog. When my boys were at school, they did a project on hedgehogs, and I sincerely hope that there are still school projects to raise awareness of just how vital these little creatures are to our ecosystem.

My constituents in Strangford who signed the petition outlined the dire straits in which our population of hedgehogs find themselves. Since 2000, hedgehog numbers in the UK have declined by half in rural areas and by a third in urban ones. I very rarely see any of them about now, even with our taking a direct interest in trying to retain the habitat for them. For that reason, BHPS is asking for hedgehogs to be moved from schedule 6 to the Wildlife and Countryside Act 1981 to schedule 5, to allow them greater protection. I would support that.

My constituents are concerned that the 2021 review seeks to change the eligibility criteria affecting hedgehogs. It is proposed that the country-based statutory nature conservation bodies will retain protected status only for species that are in imminent danger of extinction in Great Britain. I would suggest that the hedgehog is very clearly in such danger. The shift in focus will give preferential consideration to GB red-listed species as defined by the International Union for Conservation of Nature, but the IUCN guidance specifically identifies the automatic use of red-list categories in policy as an “inappropriate use” of the red list, so that is the wrong bar to set. We need to get it right, so I look to the Minister with respect, as I often do, and ask her to respond, which I know she will.

The effect of the proposed change would be that rather than increasing protection for hedgehogs, as called for in the petition, their current, minor level of protection will be removed altogether. The change will make it legal to sell hedgehogs; worse still, they will lose protection from killing and injury. I just cannot believe that that is possible.

The petition makes it clear that hedgehogs have widespread support and are in need of enhanced protection. The hedgehog has been voted Britain’s most popular wild mammal in several surveys. In the BBC’s wildlife survey in 2013, it won 42% of the vote. In 2016, the hedgehog won more than twice the votes of the second-placed animal in the Royal Society of Biology’s survey. Clearly, hedgehogs are a favourite of the general public, so removing hedgehogs’ legal protection would be widely viewed as inappropriate and an extremely perverse response to a parliamentary petition backed by more than 100,000 voters.

Will the Minister reflect on this well thought-out flag that has been raised? We need to do something, and we are all saying that we must do the right thing. We need to enhance protection and to fund a breeding programme to release hedgehogs into safe places throughout the countryside. I look to the Minister to outline that very plan of action.

Derek Twigg (in the Chair): I remind Members to wear masks while in this room, if they are not speaking, please.

5.5 pm

Sir Roger Gale (North Thanet) (Con) [V]: My right hon. Friend the Member for Epsom and Ewell (Chris Grayling) remarked on the fact that we see far fewer hedgehogs dead on the roads now. Perversely, that is not a good sign; it is a bad sign, because the reason is that there are so many fewer hedgehogs than there used to be. It is hard to find one now, and yet when I was a lad, we could go out every night into the garden and there would be one, two or three hedgehogs snuffling around. The change has been absolutely dramatic.

I understand that the Government want to wait for the findings of the Joint Nature Conservation Committee review before taking any action, but we cannot wait much longer. The People's Trust for Endangered Species has indicated clearly that the hedgehog is vulnerable to extinction. Hedgehogs are on the red list for British mammals. This is an animal that, as my right hon. Friend said, we used to have almost as many of as there were people in the United Kingdom. Now their number has dwindled to insignificance.

The Government say in their policy papers that they want

“to recover our threatened native species”.

One of the reasons for not accepting today's recommendation is that—to quote from the Government comment—

“it would not address the main threat of habitat loss”.

No, it would not, and that is the main threat. It is because of current Government planning policy that habitat loss is worsening. The national planning policy framework states that policies

“should contribute to and enhance the natural and local environment”.

That is hogwash—possibly hedgehogwash. We are not enhancing our natural and local environments or our agricultural environment. Every time that farm fields are built over, hedgerows go, headlands go and the fields themselves with crops in go. Those are the habitats not just for hedgehogs, but for literally thousands of birds, mammals, butterflies and insects—the insects upon which hedgehogs feed. It is because of that loss of habitat that we have lost so many hedgehogs. The hedgerows, the meadowlands and the rough pasture that we are told hedgehogs in the wild live on are going. That is why the numbers are decreasing so dramatically in rural areas.

I am pleased that my hon. Friend the Minister is in her place to answer the debate, but I rather wish that we had a Planning Minister sitting listening to this as well, and perhaps responding. We have to get to grips with the fact that we are building over agricultural land. “We are protecting the green belt,” we are told. Yes, we are protecting the green belt, but agricultural land is being built over in the south of England in particular to an extent that is positively dangerous to food production and our wildlife. That has got to stop.

5.9 pm

Mr Andrew Mitchell (Sutton Coldfield) (Con): It is a pleasure to serve under your chairmanship for the first time, Mr Twigg. It is also a pleasure to follow my right

hon. Friend the Member for North Thanet (Sir Roger Gale), with whom I have co-operated over many years on issues of animal husbandry, and all hon. Members who have spoken so passionately about hedgehogs.

Across the royal town of Sutton Coldfield, many Suttonians wish to see greater protection for our local hedgehog population. That is reflected in the huge number of people who have asked me to attend the debate and speak in it today—185 people from Sutton Coldfield signed the petition that we are debating.

I pay tribute to Snuffles Hedgehog Rescue, based in Four Oaks in my constituency. Claire and her partner Matt have been rescuing and looking after local hedgehogs for eight years, once they built up their knowledge and expertise after rescuing a hedgehog they found that needed help. Since 2013, they have built up a local network of volunteers, including people who help to clean the facilities, provide foster care for hedgehogs as they recover, and rehome hedgehogs in a safe environment.

In December last year, I supported a new clause in the Environment Bill, which my right hon. Friend the Member for Epsom and Ewell (Chris Grayling) referred to, that would have added the hedgehog to the list of protected animals under the Wildlife and Countryside Act 1981. It would create a legal imperative to search for hedgehogs in building developments and to mitigate the impact on their habitats, as we do for bats, for example. I am glad to have the opportunity today to speak briefly in favour of this greater protection for our hedgehogs. We know that there is significant public support for additional safeguards. As the hon. Member for Strangford (Jim Shannon) said, surveys show time and again just how loved hedgehogs are by British people. They have been voted Britain's most popular wild mammal in several surveys, including the BBC's 2013 wildlife survey.

Over the past two decades, hedgehog numbers across the UK have plummeted by 50% in rural areas and 30% in urban areas. I support the British Hedgehog Preservation Society's campaign for hedgehogs to be moved from schedule 6 to schedule 5 of the Wildlife and Countryside Act 1981, to allow them greater protection, notwithstanding the legitimate reservations that my right hon. Friend the Member for Epsom and Ewell has mentioned.

I have been concerned, as others have, to read that the seventh quinquennial review of schedules 5 and 8 of the Wildlife and Countryside Act 1981 could introduce changes that would affect the status of many of our native species, including hedgehogs. I understand that the review seeks to change the eligibility criteria of the hedgehog, currently listed in schedule 6. It is proposed that the country-based statutory nature conservation bodies will retain protected status only for species that are in imminent danger of extinction in the United Kingdom. I echo the words of the hon. Member for Strangford; the effect of the proposed changes could mean that, rather than increasing protection for hedgehogs, as my constituents have asked, the level of protection that they currently enjoy could be removed altogether.

Hedgehogs are currently protected under schedule 6 of the Wildlife and Countryside Act 1981, as well as the Wild Mammals (Protection) Act 1996. This makes it illegal to kill or capture them using certain methods and prohibits cruelty and mistreatment. However, this legislation does not address many of the reasons why hedgehogs have declined over the past 20 years. I believe we need to take further action to help conserve wild hedgehog

populations. Listing hedgehogs under schedule 5 of the 1981 Act would allow them greater protection. This would ensure that their nesting sites, as well as the hedgehogs themselves, are protected from disturbance or harm, and would offer hedgehogs the same protection as hazel dormice, red squirrels, water vole, otters and all our bat species.

This Government have a strong track record when it comes to environmental issues, including our commitment to net zero. Our world-leading Environment Bill will set a new and ambitious framework for environmental governance, to address environmental challenges including biodiversity loss and climate change. We have committed to leaving the environment in a better space than we inherited it. I therefore cannot understand why, in all these changes we are making, Ministers are not considering strengthening our protection for hedgehogs. I look forward to listening to this very accomplished Minister explain what plans the Government have in that respect.

5.14 pm

Robert Halfon (Harlow) (Con) [V]: It is a pleasure to serve under your chairmanship, Mr Twigg. I congratulate my hon. Friend the Member for Stockton South (Matt Vickers) on initiating this debate.

I welcome this discussion, as the protection of hedgehogs is a topic that I hold close to my heart. As some of my Twitter followers may have seen, we recently welcomed a new tenant to the Halfon household. Horace the hedgehog moved into our garden earlier this year and has very much made himself at home. Given these modern times, although we have called him Horace, he clearly is a he/him or she/her hedgehog. He has even been brave enough to approach the back door to try to watch Netflix through the window, particularly “Sons of Anarchy”. He has risen to dizzying heights of fame on our social media page, and I have had individuals write to my office to ask whether Horace will be making an appearance in upcoming Zoom meetings.

I thank the numerous individuals who kindly wrote to me with advice on how to care for Horace and to ask me to provide an update on his recent escapades. The interest in looking after these wonderful animals shows just how much the public love hedgehogs. I may spend months writing a speech on education, and a few people might notice, but when it comes to Horace the hedgehog, literally thousands of people have written to me, commented or whatever it may be.

I am led to believe that Horace may have found himself a partner. We have purchased a proper hedgehog house, and there may be some hoglets on the way. Since Horace’s appearance, I am pleased to say that the slug plague in my garden has vanished. I understand that hedgehogs roll them into what is called slug con carne.

In 2013, hedgehogs were voted Britain’s favourite wild animal. Despite the public’s immense love for these small and spiny creatures, their existence hangs in the balance, as has been said many times in this debate. I was deeply saddened to learn that, since 2000, hedgehog numbers in the UK have declined by half in rural areas and a third in urban ones. The speed of the decline is akin to dropping off a cliff. In July 2020, the British hedgehog became officially classified as vulnerable to extinction, when it was added, as has been highlighted, to the red list for British mammals. That is extraordinarily

depressing. That is why we have to do all we can to ensure that these special creatures are protected. We need to eliminate the risk of them disappearing from the UK forever. I strongly favour our children being educated at school about mammals on the red list, and particularly about hedgehogs, because it is important that we learn about these animals and how to look after them.

Some of my Harlow residents have written to me to ask that the Government act to move hedgehogs to schedule 5 of the Wildlife and Countryside Act 1981 to allow them greater protection. I would be hugely grateful if the Minister outlined what measures will be taken to preserve and enhance the UK’s hedgehog population.

Since the arrival of Horace the hedgehog in my garden, I have taken great care to educate myself on what steps individuals can take to look after hedgehogs. I say to members of the public that I have learned that if a hedgehog pays a visit to their garden, they should please be sure to leave out a bowl of water and allow areas of their garden to remain wild. Hedgehogs use piles of leaf litter and logs to build their nests. Horace used a plastic bag—not from my garden, I should stress—to cover the leaves that he used as his home before we gave him the hedgehog house.

We should all adopt hedgehog-friendly habits. Horace has changed my understanding and helped me develop a real love for hedgehogs. I hope this debate will ensure that the preservation of that species becomes a real priority. This is only the second debate on hedgehogs in many hundreds of years. I hope it will lead to a sea change so that hedgehogs are no longer a potentially extinct mammal but flourish once again up and down our streets in Britain, not just in Harlow but across the country.

5.19 pm

Duncan Baker (North Norfolk) (Con): It is an honour to serve under your chairmanship, Mr Twigg. I thank my hon. Friend the Member for Stockton South (Matt Vickers) for introducing the petition. It is an honour to be in the room with a true hedgehog champion—my right hon. Friend the Member for Epsom and Ewell (Chris Grayling), who has done so much to further the cause through parliamentary debate.

As we have heard many times, the hedgehog has been voted the most popular British wild mammal. But the numbers we have also heard are truly shocking. None of us could fail to be extremely worried that we are down to potentially our last million hedgehogs. To read that they are vulnerable to extinction would have been unheard of when I was growing up. A decrease of over 50% in the last 20 years is something that we should all sit up and notice. But why? Essentially, lockdown has focused our minds. It has made us re-evaluate much of our lives, and I am glad, because the environment has taken centre stage more than ever before. That has heightened our understanding of the delicately constructed ecosystems on which all our society is built.

This debate is calling for hedgehog protections to be increased by moving their status in schedule 6 of the Wildlife and Countryside Act 1981 to schedule 5. However, as we have heard, the seventh quinquennial review of schedules 5 and 8 to the Act potentially provides DEFRA with recommendations to make major changes to those

[Duncan Baker]

schedules. The 2021 review seeks to change the eligibility criteria for hedgehogs, currently listed in schedule 6. It proposes that the country-based statutory nature conservation bodies should retain protected status only of species that are in imminent danger of extinction in Great Britain. That shift in focus preferably considers Great Britain red-listed species, as defined by the International Union for Conservation of Nature. The effect of the proposed change could mean that, rather than increasing protections for hedgehogs, their current minor level of protection might be further removed.

That is the nub of why so many of us are concerned. We simply cannot allow that to happen. Already we have heard that the species is in significant decline. It is affected by many things—the loss of hedgerows as habitat and traffic accidents. As my right hon. Friend the Member for North Thanet (Sir Roger Gale) pointed out, the numbers would of course be down on the road, because the numbers are significantly down in the country. The decline in food, through the increased use of pesticides, is also a material reason why the numbers have decreased. We must do everything we possibly can to increase their chances of survival, not diminish them.

I want to quickly mention Hedgehog Haven in North Walsham, a wonderful local organisation run by my constituent Marian Grimes. She has told me many times that Government action to uphold our collective custodial responsibility is owed to those animals. We can do that. As a member of the Environmental Audit Committee, I know from the report that we released in the past week that we have to do more for our domestic ecosystems. Our Chair, my right hon. Friend the Member for Ludlow (Philip Dunne), even highlighted that hedgehogs' health and their quantity are one of the best indicators of a healthy micro-environment.

While the Government continue to do the work that they can, which we welcome, I hope this debate will be the start of a step change in the long-term prospects for the hedgehog population. The Joint Nature Conservation Committee's review must strengthen the protective legislation for hedgehogs. I go back to the Environmental Audit Committee's findings on biodiversity from the past week or so: we have to do more, whether through planning or agriculture legislation. We have to keep doing everything we can to protect nature. A very good starting point would be enhancing protection for our population of hedgehogs.

5.24 pm

Olivia Blake (Sheffield, Hallam) (Lab) [V]: It is a pleasure to serve under your chairmanship, Mr Twigg. I thank the hon. Member for Stockton South (Matt Vickers) for presenting and introducing the debate in such a passionate manner.

Clearly, this topic matters to many people across the UK and to Members from across the House. As my hon. Friend the Member for Blaydon (Liz Twist) and others highlighted, the hedgehog has been voted the most popular wild mammal in the UK, and I wish the campaign for a hedgehog hospital, which they have highlighted, every success. I also commend the work of the Hedgehog Preservation Society and hedgehog rescues—which have some fantastic names, such as Snuffles Hedgehog Rescue, which the right hon. Member for Sutton Coldfield

(Mr Mitchell) mentioned. Clearly, volunteers and groups up and down the country are working to turn the tide on decline.

We have heard about how people can make their gardens better habitats for hedgehogs. Simple interventions can make a big difference. We heard memories and stories about the wonderful hedgehog, from the right hon. Member for North Thanet (Sir Roger Gale), sharing the regular sightings when there were as many hedgehogs as people in the UK, to the latest household member of the right hon. Member for Harlow (Robert Halfon), Horace. We heard about the decline and what issues may be causing it, from habitat destruction to pesticides and other issues. We heard about the incredible lives that hedgehogs have, with my hon. Friend the Member for Kingston upon Hull West and Hessle (Emma Hardy) explaining that they can travel up to 2 km a night, which is extraordinary.

Before I directly address the prickly situation of hedgehogs, I will discuss the Department's answer to the petition, which I read with great interest. Ministers have rightly framed their response to the plight of hedgehogs in relation to the wider issues of species abundance targets, even if they have yet to propose what those targets will be. We absolutely need biodiversity targets, and they should be ambitious. We should not only halt the decline of hedgehogs and other nature; we should reverse it. Ministers seem to agree. The Secretary of State said that he wants not only to stem the tide of the loss of nature but to turn it around and leave the environment in a better state than we found it. I hope the Minister will use this debate to outline why, in the other place, the Government's proposals for species abundance targets committed only to

"further the objective of halting a decline in the abundance of species",

and what that means for hedgehogs. We need more than a halt to the decline; we should be aiming for a dramatic incline in species abundance and trying to reverse the trend for hedgehogs.

Our hedgehog population is threatened, and in response to the petition, the Department says that it is reviewing the species that will be protected as part of the regular five-year review. As highlighted by the hon. Member for Strangford (Jim Shannon), this year the rules have changed. Animals will be automatically added to the protection list only if they are critically endangered, and will be eligible to be added only if they are endangered in the first place. What assurance can the Minister give that hedgehogs will receive the protections they deserve? Hedgehogs fit neither requirement outlined above, but their numbers have rapidly declined—by 50% in rural areas and a third in urban areas over the past 20 years. As the hon. Member for North Norfolk (Duncan Baker) asked, what will be done to keep the weaker protections they currently have?

It is fantastic that the right hon. Member for Epsom and Ewell (Chris Grayling) is the species champion for hedgehogs. He reported on the steep decline since 1950, with hedgehog numbers falling from 30 million to 1.5 million. That is a shocking figure. The need for an holistic approach to nature and development is clear. Will the Minister address what conversations are occurring across Government to protect nature under new planning laws? I agree with the right hon. Member for Chipping Barnet (Theresa Villiers) that the decline means that we

need to protect hedgehog habitats, making considerations in planning, and that we should actively intervene to restore habitats as part of what we do to create nature corridors and in the restoration of hedgerows. We also need to continue to make space for hedgehogs with methods such as creating tunnels, hedgehog highways and hedgehog houses in our urban areas.

The England trees action plan commits to a mere 12% of woodland coverage by the middle of the century, which is 7% less than the Climate Change Committee's recommendation of 19%. As well as being weak on woodland coverage, the document contains only four references to hedgerows. I would be grateful if the Minister set out what the Department will do specifically to encourage the creation of more of these habitats, which are so beneficial to hedgehogs. In addition to habitat restoration, there is a wider point to make about species abundance targets—a strange approach to biodiversity that is indifferent to the steep decline of the population. As my hon. Friend the Member for Kingston upon Hull West and Hessle passionately highlighted, we should not have to wait for a species to become endangered before extending protections to it.

Therefore, I ask the Minister whether her Department has any plans to reverse its approach, in order to ensure that the rhetoric on protecting species abundance matches the reality. If we are aiming for abundance, raising the threshold for species protection is a step in the wrong direction, certainly when species have faced such dramatic reductions in numbers. Will she support the beloved prickly mammal that our country is so passionate about in the upcoming review?

5.30 pm

The Parliamentary Under-Secretary of State for Environment, Food and Rural Affairs (Rebecca Pow): It is a great pleasure to serve under you today, Mr Twigg—I do not think that I have had the pleasure before, so it is very nice to see you in the Chair. Indeed, it is a pleasure to see all hon. Members and Friends here for this debate.

First of all, I must thank my hon. Friend the Member for Stockton South (Matt Vickers) for introducing the debate and for making a very clear case, as he always does in these petition debates. He referred to the debate in 2015, and I think a number of hon. Friends and Members were probably at that debate. I do not know if you were there, Mr Twigg, but I must say that it was one of the best debates I have ever attended in Parliament—and it was about hedgehogs. It was responded to by my then right hon. Friend for Penrith and The Border, and it has stayed in my mind.

Today's debate has demonstrated, with the number of speakers we have had and the number of people who have signed the petition, just how heartfelt this whole issue of hedgehogs is—they are wonderful creatures. We have had wonderful references to all sorts of hedgehog charities and organisations, and I thank them all. We had Hessle Hog House, Hedgehog Street, the Wildlife Aid Foundation and the British Hedgehog Preservation Society, which arranged the petition and does so much good work. It is based in the constituency of my right hon. Friend the Member for Ludlow (Philip Dunne), who could not be here today but wanted to ensure that we thanked it for all the work it does in his constituency. We have also had Snuffles Hedgehog Rescue, and we

must not forget Horace the film buff hedgehog—I am sorry that he is outdoing my right hon. Friend the Member for Harlow (Robert Halfon) when it comes to his other debates, but that just goes to show the strength of feeling.

This Government are absolutely committed to ensuring that our native species thrive, as we take action to address the declines that we are all so sad about. We—and I as the Minister—are deeply concerned about the findings of the red list for British mammals, published in 2020 by the Mammal Society, which has classed hedgehogs as vulnerable.

I am a great fan of hedgehogs, not least from reading all my children Mrs Tiggy-Winkle, the amazing Beatrix Potter book. As a Back Bencher, I worked with others, and we secured a reference in the national planning policy framework for hedgehog highways—that reference is in there now. Only today, I made a speech on green infrastructure to the Town and Country Planning Association, and I referenced hedgehog highways again.

Theresa Villiers: I warmly congratulate the Minister on that success. Now she has a real opportunity in her current role, because she will be signing off on environmental land management schemes. A good, simple scheme to promote hedgerows is great for farmers and even better for hedgehogs. I hope that we will see that in the ELM scheme.

Rebecca Pow: I thank my right hon. Friend very much for that intervention; she is obviously passionate about this issue and indeed worked in the Department. I am sure she knows that we have just announced the details of our sustainable farming initiative and the ELM scheme is very much about habitats, bringing nature back and being able to produce food sustainably, and there will be an emphasis on wildlife corridors and particularly river corridors. All these things will benefit our native wildlife and particularly hedgehogs. So my right hon. Friend is right, and I shall be taking advantage of the opportunity; indeed, I have been speaking up for hedgehogs.

I must mention West Hatch Animal Centre, which is just over the hill from where I live. It does absolutely brilliant work when hedgehogs are orphaned. I have been up there, and the centre has all these baby hedgehogs that are underweight and cannot get through the winter. The centre takes them on and literally drip-feeds them with pipettes to keep them alive. I was then very honoured that my garden was vetted and was deemed acceptable—I garden for wildlife—to receive some of these, now fattened-up, hedgehogs. I had some released in my garden. I was in Parliament one day, and the centre said, "You have to have a hedgehog house." I thought, "What is that?" So I googled, "What is a hedgehog house?" I then had to build one in order to receive a hedgehog, which we duly did.

Mr Mitchell: In the royal town of Sutton Coldfield, we make hedgehog boxes. If the Minister would like one for her garden, it would be my pleasure to ensure that one is delivered to her at Westminster.

Rebecca Pow: That is the kind of offer I would find hard to refuse. Interestingly, we went to all the effort of making the house, then releasing the hedgehog into it,

[Rebecca Pow]

but I do not think that the hedgehog ever lived in it again. I think my garden was much more suited to it than the house. That is not to say that the boxes from Sutton Coldfield will not be a great deal better than those from Taunton Deane.

On the serious points, as we look to conserve and protect our native hedgehogs we have to consider the reasons for their decline. The main threat to the hedgehog is habitat loss, as many hon. Members referenced, particularly my right hon. Friend the Member for Chipping Barnet (Theresa Villiers) and the hon. Members for Blaydon (Liz Twist) and for Strangford (Jim Shannon). Habitat change has been due to such things as agricultural intensification and deterioration in the actual habitat, and that has affected so much of our other wildlife as well.

Schedule 5 of the Wildlife and Countryside Act 1981 focuses on deliberate harm against species. Although I agree with the sentiment behind the proposal of my right hon. Friend the Member for Epsom and Ewell (Chris Grayling) to ensure that we protect our hedgehogs, it is not clear that the species is being threatened in that way. Therefore, that protection under the Act would not address the main challenges that the species faces, although I was interested to hear about the potential collecting and selling of hedgehogs. If there is evidence of that from the British Hedgehog Preservation Society, I would certainly like to see it, because that has not been flagged to me and it would concern me.

I must go on to the points made by so many Members, particularly my right hon. Friends the Members for Chipping Barnet and for Epsom and Ewell, my hon. Friend the Member for North Norfolk (Duncan Baker) and the hon. Members for Kingston upon Hull West and Hessle (Emma Hardy) and for Blaydon, about schedule 6 of the 1981 Act, under which the hedgehog is listed. The schedule makes it an offence to kill or take listed animals by certain methods, such as types of traps and snares.

The quinquennial review process, which many have referred to, reviews schedules 5 and 8 of the Act, and the JNCC will make recommendations with regard to those lists. As I have highlighted to a number of Members, no changes to species protection have yet been recommended to us, nor have any decisions been made. Proposals for change will be formally consulted on later this year, and the Government will then consider the recommendations and advice provided by the JNCC before making any decisions.

Chris Grayling: Given that the Minister accepted in the debate on the Environment Bill—I am grateful for that—that the current legislative framework is really no longer fit for purpose in today's world, would it not be better to set aside the quinquennial review and just get on with replacing the system? Carrying on with what we have at the moment will just cause confusion and uncertainty. It would be better to say, "This doesn't work anymore," and do something different.

Rebecca Pow: I hear what my right hon. Friend says. We have discussed this at length, and I thank him for that. As I have said previously, it is a priority for us to provide the legislative protections and policy interventions needed for our wildlife, including of course declines in hedgehogs. I am determined that we will get this right,

and my right hon. Friend will know that we have recently announced a Green Paper towards that ambition. My Department will begin a review of species legislation, with a view to enhancing and modernising it, and we intend to publish the Green Paper and seek views later in the year. I absolutely agree that we need a better approach to addressing threats to a range of species, and that is what the Green Paper will focus on.

Furthermore, the Environment Bill will strengthen our commitment to such species as hedgehogs. We have amended it to require a new, holistic, legally binding target to be set for species abundance by 2030. The aim of that is to halt the decline in nature. That is a really strong commitment, the like of which we have never seen before. It demonstrates that the Government are determined that we will get this right. Indeed, we have to get it right, and I agree with various Members who have spoken, particularly my right hon. Friend the Member for North Thanet (Sir Roger Gale), who was very forceful. The matter is urgent and we need to get on with it.

We are taking action through a range of measures that I honestly believe will help. My right hon. Friend the Member for Chipping Barnet referred to the net gain provisions in the Bill, which will mean that every single new development will have to put back 10% more nature than was there at the start. I know that many developers will put back more than that, and that will help hedgehog habitats. Through the Bill, we are also introducing local nature recovery strategies, which have been referred to. Those will help to identify local biodiversity priorities in order to improve the co-ordination of the whole conservation effort, but at scale, and they will be beneficial to species such as hedgehogs.

Liz Twist: On paper, all these things are great, but it is essential that we have the resources to enforce the requirements, which need to be very specific. Too many times we have seen hedgerows ripped out, even where there is supposed to be protection. How will the Minister ensure that the requirements are effective?

Rebecca Pow: I thank the hon. Lady for that, but one cannot rip hedgerows out now. We have a portfolio—a toolbox—of measures that will combine to improve our nature and put back our declining species. The local nature recovery strategies are key to that and will be used on the ground by local authorities. That will give them the opportunity to determine—it is like a mapping system—what they want where, where there is good nature, where it could be better or where they would rather just focus on industry. All of those things will build together, and local authorities will be able to make hedgehogs a priority if they so wish. I am confident that we have a very good framework in the Environment Bill.

We also have our new Agriculture Act 2020, and we have left the common agricultural policy. We now have schemes to ensure that our land use will deliver environmental benefits—through the sustainable farming incentive, the local nature recovery scheme and our much bigger landscape recovery scheme, which will link whole areas and potentially have the corridors that our wildlife needs to move about. Those schemes—sustainable farming, in particular—will be able to create and preserve woodlands, heathlands, species-rich grassland and a range of habitats that will benefit hedgehogs, in particular.

Serious points were made about planning. DEFRA is in close consultation with the Ministry of Housing, Communities and Local Government, particularly on the issue of sustainable development. Hedgehog highways, swift boxes, ponds and all of the things that we are flagging really need to go into our future developments, together with sustainable urban drainage and all of the things that affect our water quality and flooding. It should all knit together.

There is obviously huge interest in hedgehog protection. I thank all hon. Members who have taken part in the debate and made such very strong cases.

Jim Shannon: Will the hon. Lady give way?

Rebecca Pow: I think I have time to give way to the hon. Member for Strangford, because he is always so polite.

Jim Shannon: A number of people, including myself, have put forward the planning issue, to which the Minister referred. Is it possible, before anyone does any work on any site or development, to ask them to remove any hedgehogs and to relocate them? The Minister said that many farms would wish to accept hedgehogs. Is that possible?

Rebecca Pow: That is an interesting suggestion. In the Environment Bill, we are bringing in new measures for strategies for certain wider groups of species and wildlife to look after habitats and deal with wildlife issues on a more comprehensive scale, rather than in the itsy-bitsy way that we do now, which often frustrates developments as well, because they are held up. Under biodiversity net gain and the nature that has to be put back by developers, they will be conscious that they have to look at things such as the hedgehog population, just as we do now with dormice and so on.

On that note, I will wind up. I hope that I have outlined that the Government have a real desire, and I believe the framework, to protect nature and biodiversity

on a national scale, and that we are committed to reviewing species legislation so that we get it right. We give the assurance that we will be looking after our absolutely much-loved and indeed revered hedgehogs.

5.45 pm

Matt Vickers: As ever, enthusiasm, energy and passion from the Minister. She is passionate about our wildlife and our nature, and there is a commitment there to work to further the interests of hedgehogs. Like my right hon. Friend the Member for Epsom and Ewell (Chris Grayling), I hope we will not be having this debate in a few years' time. I also hope that there will be some robust population growth.

My right hon. Friends the Members for North Thanet (Sir Roger Gale), for Epsom and Ewell and for Chipping Barnet (Theresa Villiers) talked about the need for a wider, cross-Government look at the issue. It would be good to get Planning Ministers to look at it—it needs to be in every thought, in every Department.

My right hon. Friend the Member for Harlow (Robert Halfon) with Horace the hedgehog and his sluggish con carne showed that, wherever we go, a hedgehog raises a smile, as it does in Blaydon, Chipping Barnet, North Norfolk and Sheffield. Local champions across the country, in every corner of the UK, including Northern Ireland, do fantastic work to support our hedgehogs. It was a hugely successful debate, and I thank the Minister and Members for their thoughts.

Question put and agreed to.

Resolved,

That this House has considered e-petition 550379, relating to the protection of hedgehogs.

5.46 pm

Sitting suspended.

Breed Specific Legislation

[IAN PAISLEY *in the Chair*]

6.15 pm

Ian Paisley (in the Chair): Thank you, colleagues, for attending. As you know, there are now hybrid arrangements in place. Suffice it to say that Members who are attending physically—all of us—should clean our spaces before we leave the room. I also remind Members that Mr Speaker has asked that masks be worn. I suggested before the debate that there will be Divisions at some point. If that is the case, we will adjourn until five minutes after the last vote.

It is my pleasure to call Elliot Colburn to move the motion.

Elliot Colburn (Carshalton and Wallington) (Con): I beg to move,

That this House has considered e-petition 300561, relating to breed specific legislation.

It is a pleasure to serve under your chairmanship, Mr Paisley. The prayer of the petition states:

“Breed Specific Legislation fails to achieve what Parliament intended, to protect the public. It focuses on specific breeds, which fails to appreciate a dog is not aggressive purely on the basis of its breed. It allows seizure of other breeds, but the rules are not applied homogeneously by councils. We need a system that focuses on the aggressive behaviour of dogs, and the failure of owners to control their dog, rather than the way a dog looks. Reconsider a licensing system. The framework must be applied by local authorities the same, whereas currently some destroy dogs with no court order. It must be much more strictly controlled than it is currently. The system needs to be fairer for all, dogs and humans. We are touched by cases of people committing suicide over the current system.”

When it closed, the petition had reached 118,641 signatures, including 163 from my constituency of Carshalton and Wallington. As a dog owner and an animal lover, I feel strongly that there are no bad dogs, only bad owners. I have owned breeds that have had a terribly unfair reputation, such as Staffordshire bull terriers. In reality, they have the sweetest temperament and make great pets, as anyone who has owned one will say.

However, certain dog breeds are banned, purely based on their breed, under breed-specific legislation. In the UK, BSL takes the form of the Dangerous Dogs Act 1991, which bans the breeding, sale and exchange of four breeds of dog: the pit bull terrier, the Japanese Tosa, the Dogo Argentino and the Fila Brasileiro. However, the law allows a person to keep an individual dog where a court has considered that it does not present a danger to public safety. The court will consider the temperament of the dog, whether the intended keeper is a fit and proper person, and other matters such as the suitability of the accommodation. Dogs placed on the index of exempted dogs may be kept by the owner under strict conditions, including that the dog is neutered, microchipped and kept on a lead and muzzle in public.

The Dangerous Dogs Act came in response to a spate of dog attacks, which it obviously intended to try to reduce. However, judging on the evidence and the discussions that I have been having since the petition reached 100,000 signatures, it is fair to say that the Act was not necessarily based on evidence or science in any

great detail. It was really quite a knee-jerk reaction at the time. The aftermath of the Act has suggested that, actually, it may not have worked as intended. All major animal welfare organisations, including the Royal Society for the Prevention of Cruelty to Animals, Blue Cross and Battersea Dogs and Cats Home, as well as the Select Committee on Environment, Food and Rural Affairs report of 2018, have expressed concern about breed-specific legislation, and I thank them for providing me with briefings prior to the debate.

The data suggest that the Act has, indeed, failed to achieve its intended purpose. The four breeds covered by the Act account for only a small fraction of legal cases brought under the Dangerous Dogs Act. Between 1992 and 2019, only 8% of cases involved those four breeds. At the same time, the number of hospital admissions since the Act was introduced has risen from 3,079 in 1999 to 8,859 in 2020—a 188% increase. Campaigners have also pointed to other areas where the legislation falls down. It fails to tackle the issue of irresponsible owners because the focus is on the breed, which detracts from the real problem of poor animal husbandry, welfare and training of a dog.

Every tragic fatality in the UK involving a dog attack has also involved some element of neglect. The law unfairly targets good dogs. It fails to recognise that any breed can be dangerous in the wrong hands and any large dog can cause horrific injuries. It produces a crime where the burden of proof is on a defendant to prove that their dog is not a banned breed. This leaves owners with the almost impossible task of proving a negative, which also seems contradictory to the principle of innocent until proven guilty.

In particular, the Act seems to fail in regard to the pit bull, because that breed is not recognised by the Kennel Club or other dog organisations in the United Kingdom, and therefore the seizure of these breeds has been very patchy and differently applied across the UK. Resemblance to an American pit bull seems to be the primary reason that this is happening. It is an injustice when a dog is held to be this type of dog when, in fact, it is a cross between, for example, a Staffordshire bull terrier and a Labrador—a common cross to be seized because of its resemblance to a pit bull.

There is also the issue of cost. The cost racked up for the taxpayer for kennelling seized dogs is tens of millions of pounds per year. Even when exempted, a dog cannot be transferred or left with others. It must remain muzzled in public, even when in a private car, and must be walked on a lead, even if there is no evidence that it is a danger to a human. That leads to stress for both the dog and the owner. Owners of seized dogs have reported high levels of stress, both for them and for their dog, because they are not sure if the dog will ever be seized again.

There have even been cases of a dog choking while it has been muzzled and the owner being prosecuted for removing the muzzle to save the dog's life. Sadly, the law does not recognise the need of necessity, so such a dog would be liable to be seized and destroyed, even though it would have died had the muzzle not been removed. In my opinion, that cannot be fair.

There are also issues with the enforcement of the legislation. Evidence from Battersea Dogs and Cats Home, the RSPCA and Blue Cross, and that submitted to the 2018 EFRA Committee inquiry, suggests that the application of the law is often a postcode lottery, with

different police forces and local authorities taking very varied approaches. However, there are a number of common themes.

Well-behaved dogs suffer at the hands of this law because often the seizing itself is a traumatic experience, which is handled brutally and heavy-handedly. The dog is then held in kennels for many months, which has an adverse effect on its temperament, and many good-natured dogs have been reported as being returned to owners with serious behavioural issues, the most common being separation anxiety. There has been photographic and video evidence of the injuries and severe malnutrition that dogs kept by the police have suffered, but when information about the kennel that they were kept in is requested, no legal information is forthcoming to allow dog owners to bring forward any prosecutions or legal challenges.

The law does not tackle public safety effectively and is damaging for dogs and their families in many ways. There are reports of children being traumatised by watching their best friends being dragged away by the police. Scientific studies have shown that young people often form incredibly strong bonds with a family dog, sometimes stronger than with their siblings. Removing an innocent dog from the home can have an incredibly negative effect on a child.

Some owners have been misled as to the nature of the seizing of their dogs and have signed a document that was not properly explained to them. The dog has consequently been destroyed, only for the owner to claim that they were not aware that that was what they were agreeing to. There have been many accusations that the police have wilfully misled owners in order to get a dog destroyed. On some occasions, a dog has even been destroyed without a court order or the informed consent of the owner.

When a dog is seized, it is not allowed to have familiar objects around it, such as favourite toys. It is an incredibly stressful situation for a dog to be seized and put in a kennel, so to further add insult to injury by denying it something familiar seems to me to be cruel. Tragically, there have been cases, as is referred to in the prayer of this petition, of people committing suicide because they could not afford to apply to have their dog exempted. The experience of having the dog removed and not knowing whether it will ever come back has led them to make the decision to take their own life. No one should be put in that position. There should be adequate signposting so that those people are put in contact with the myriad charitable organisations that might be able to help, but the evidence is that it is not forthcoming.

I appreciate that the Government set out strongly in their response to the petition why they do not want to repeal this legislation, which has the support of the police, and frankly I see the political difficulty in doing so. If changes are made to the Dangerous Dogs Act and an attack follows, the political fallout would be severe. Even if there were little to no evidence that the attack was related to the decision, it would not look good.

However, the petitioners—particularly the lead petitioner, Gavin, who I had the pleasure of speaking to before the debate—have suggested a number of options to improve the legislation, not all of which would need primary legislative change. I hope the Minister will take some of them back to the Department. I know that Lord Goldsmith has primary oversight of the enforcement of the legislation,

so if the Minister is willing to take some of the suggestions back to see what can be done, that would be very welcome indeed.

The suggestions include reversing the burden of proof and requiring the prosecution to prove that the dog is a banned breed, rather than the other way round. The petitioners suggest ensuring that the law requires dogs to be released in a timely fashion, and enforcing a strict time limit. They suggest ensuring that owners are fully informed of the process and that the police do not accept an agreement for destruction at the point of seizure. The police should ensure that the owner has received any advice that they want and is fully informed of their rights. The petitioners suggest ensuring that those assessing the behaviour of dogs are independent of the police.

The petitioners suggest ensuring that the ownership of seized dogs remains with the owner, who must be informed of all material aspects of the dog's care requirements, veterinary treatment and so on. They suggest removing the requirement that a dog seized for reason of breed and not for anything it has done must be detained while its case is considered. That is a waste of public funds and causes unnecessary stress to the dogs and the owners. The dog should be able to remain at home if there is no evidence that it is a danger and there is no reason to believe that the owners would not co-operate with the authorities to ensure that reasonable arrangements are put in place.

The petitioners suggest that there should be an assurance that dogs detained for reason of their conduct have their cases heard and considered with the option of putting in place compulsory training and behavioural work. There should not be a jump straight to destruction. They call on the police to use the principle that the aim should be to keep as many dogs alive as possible within the limits of public safety; they should not be minded towards automatic destruction. The petitioners suggest prioritising the hearing of cases so that no dog has to remain in a cage for an inordinate period. They suggest working with an organisation to establish a facility where dogs can be detained, staffed by experts in canine welfare and behaviour, with complete transparency. That would reduce costs far below their current levels, and it should be partly funded by charitable donations.

I appreciate that the Department for Environment, Food and Rural Affairs has received some new research from the University of Middlesex, which is currently being peer reviewed, so the Minister will want to wait for that to happen before she tells us what it says. I hope the Government will consider some of the suggestions that the charities, campaign groups and petitioners have made. The EFRA Committee inquiry was also pretty damning of the legislation. Those suggestions would improve it, even if primary legislation is not introduced.

Owning a dog is one of the most joyous and rewarding things that I have ever done, and I am sure many people would say the same. Dogs can bring such happiness into the lives of families but, like any animal, they can turn if they are in the wrong hands. The data tell us that breed is a poor indicator of the likelihood of violence. A dog is only as good or bad as the person who owns it. The legislation should reflect that, but it is clear that it is currently littered with issues. I hope the Government will commit to reviewing the evidence further and making improvements to the application of the Act.

6.29 pm

Daniel Zeichner (Cambridge) (Lab): It is a pleasure to serve with you in the Chair, Mr Paisley. I congratulate and thank the hon. Member for Carshalton and Wallington (Elliot Colburn) for not just leading this important debate, but setting out the issues so clearly and fully. I suspect we may have read the same briefing notes, so he might recognise some of my statistics.

It is essential to our democracy that we here in Westminster make sure we are debating the issues that really matter to people. I thank the 118,641 people who signed the petition, including 127 from my constituency—not quite as many as from Carshalton. When I was a member of the Petitions Committee, I always enjoyed leading debates on issues such as this, not least because I am told that they are some of the most-watched debates in Parliament—they are often in the top 10 each year. I reflect that at the time I was doing that, I had absolutely no inkling that I might be recalled to the Front Bench at some point. I have therefore reread some of those debates with some trepidation, in case I said things within my brief that I might later regret. I issue that warning to the hon. Member for Carshalton and Wallington, but I am sure that members of the Petitions Committee are always suitably mindful, because we never know what the future holds.

The dangerous dogs legislation is, of course, routinely cited as an example of Parliament acting in haste in response to events.

6.30 pm

Sitting suspended for Divisions in the House.

7 pm

On resuming—

Daniel Zeichner: As I was saying, the Dangerous Dogs Act is frequently cited as a piece of legislation whereby Parliament acted in haste in relation to events—events I remember well, although I suspect that they may have been before the hon. Member for Carshalton and Wallington was with us. It was a long time ago. If there is any repenting, it has certainly been leisurely, and that is the force of the petition.

We need to get on with updating and revising the law. I am sorry that there are not more Members involved in the debate, but I do not think it is a reflection on the seriousness or importance of the issue. There are some pretty significant things happening in the main Chamber, and the announcements affect every citizen in the country, so it is not surprising that Members are focused on that today.

The issue of dangerous dogs is very sensitive. Labour thinks that we should start by making safety our top priority, but without unnecessarily punishing responsible dog owners or doing unnecessary harm to dogs that are not necessarily a risk. In our view and that of many people, the breed-specific legislation that we are discussing has fallen well short of what it was supposed to do. The time has come for reform, and we need DEFRA to lead the way.

I will start with the issue of safety. Whether it is about postal workers suffering from bites or dog walkers feeling intimidated by other dogs, let us not underplay the problem. I am very happy with dogs now, but as a child I was not. I remember my fear, day after day, when

I was doing my paper round. A black Labrador would suddenly appear, give chase and jump up at me. It was not a real danger, but I have to say that it blighted every morning for me for years. Some children are not happy in that situation, which should be respected, just as I still respect dogs when I am out canvassing, quite frankly. They are our best friends, but there is a risk. That is what we as legislators have to find a way to help manage.

Looking at the evidence, the Dangerous Dogs Act is not quite fit for purpose, and it is time to have a further look. It was a swift and possibly panicky response to some particularly tragic events 30 years ago and to a very strong public reaction at the time, so we can see why Parliament acted quickly. Whether it acted entirely accurately, however, is now for us to judge. I will make a minor political point: we note that it was a Conservative Government at the time, and we feel the legislation was a touch reactive. We would like the Government to be a bit more proactive now, and we hope we can do better.

As the hon. Member for Carshalton and Wallington outlined earlier, section 1 introduced the approach known as breed-specific legislation. I, too, will have a go at pronouncing the four types of dogs to which it applied: the pit bull terrier, the Japanese Tosa, the Fila Brasileiro and the Dogo Argentino. Of course, the aim was to limit the number of those dogs and hopefully, in turn, to improve safety by reducing the number of bites. As the hon. Member for Carshalton and Wallington has outlined, however, that is not the way it has turned out.

It is sometimes slightly dangerous to take just a few statistics and assume cause and effect, but the fact that there has not been a reduction in the number of dog bites raises questions about the effectiveness of the legislation. Between March 2005 and February 2015, the number of hospital admissions in England due to dog bites increased by 76%, from 4,110 to 7,273. In 2020, the figure reached 8,875. We are told by people who are able to calculate such things that, between 2009 and 2018, the healthcare costs for dog bites totalled £174,188,443. That is very precise, but it is fair to say it is a considerable sum. There is no robust scientific evidence to suggest that the banned dog breeds are more likely to be involved in instances of dog bitings or fatalities than any other breed or type of dog. Again, as the hon. Gentleman said, between 1992 and 2019 only 8% of dangerously out of control dog cases involved banned breeds. The legislation simply is not working; it is not stopping dog bites.

Of course, the animal welfare consequences are sad, as has been outlined. Dogs that do not necessarily pose a risk are being seized and placed in kennels. There is something self-fulfilling about that, because, as the hon. Gentleman also outlined, the physical and mental stress caused can mean that dogs then begin to act out and show aggressive behaviour, which might not have happened had they been kept with their original families.

The law does not allow animal charities and rehoming organisations, such as Blue Cross, Dogs Trust and the RSPCA, to rehome prohibited dog types to new owners. That does not take into account the individual dog's behaviour, which then means that the only option is to euthanise. One wonders what vets feel about having to go through with that; they are people who have given

their lives to protect and help animals, but have to put down perfectly healthy and friendly dogs. As the Environment, Food and Rural Affairs Committee put it:

“Defra’s position is both illogical and inherently unfair. Whether a dog is euthanised or not can depend entirely on whether it ‘looks like’ a Pit Bull Terrier.”

That is a loose criterion for something so serious.

Breed-specific legislation does not stop dog bites, is bad for animal welfare, and because they cannot be rehomed in a controlled environment thousands of dogs are being put to sleep. The question of aggression in dogs is complicated, but I am told that there is a consensus forming in the scientific community that the breed of a dog is not a reliable predictor of aggressive behaviour. According to the latest data from Battersea Dogs and Cats Home, over 200 leading behaviour experts were consulted and found that socialisation is considered the most critical factor; 86% said that how a dog is brought up by its owner is the most important reason why some dogs are more aggressive towards people than others. That rather chimes with my experience back on my paper round, as the indifference of those who kept the dog always seemed to me to be part of the problem—it comes as no surprise to me. Moreover, 73% of the experts consulted said that it is a dog’s upbringing by the breeder before they are sold that determines behaviour. There are a range of factors here and I am afraid that the rather kneejerk response of the Dangerous Dogs Act does not seem to take those factors into account.

Labour has long been clear that the Dangerous Dogs Act needs reform; it was rushed in the first place and it is now seriously out of date. Will the Minister commit to commission an independent review of this legislation, in line with the recommendations made in the EFRA Committee’s report on the issue? As I have already outlined, the petitioners quite clearly feel that the breed-specific ban does not work. If the Minister and DEFRA are insistent that some such ban is needed, will she please outline why and present the evidence in such a review? Some legal breeds can pose just as great a risk to public safety as illegal breeds, yet there are no legislative restrictions on their ownership. That inconsistency undermines the logic of the legislation, so will she tell us why some breeds are banned and other breeds that are known to be dangerous are not?

As we get on to the world-beating animal welfare legislation that we have been promised so often, will the Department engage with those with experience from other countries, and with local authorities and police forces that have considerable practical experience, to develop a deeper understanding of different dog control models and successful approaches that could be used in the UK as part of the review? Also, will the Minister tell us whether she will investigate the possibility of a new dog control Act as part of such a review?

Although we believe that legislative change is the most necessary reform, we also think there is quite a lot more that can be done to educate people about the risks. It is clear that young children are most at risk of serious dog attacks and suffer horrific injuries, too. We think we need better childhood education on staying safe around dogs, to stop avoidable incidents, and that it needs to be consistent across the country. Will the Minister commit to commissioning a childhood education plan from experts and charities to determine the most effective education measures and how they can be

implemented consistently across the country? Will she ensure that DEFRA supports a roll-out of such a plan, if it is developed, to help to ensure that fewer children are seriously hurt in dog attacks?

We absolutely recognise that most dog owners are responsible and do everything they can to stop their dog acting aggressively and to protect people around them. Even the most responsible owners, however, can do with a helping hand. Will the Minister therefore consider introducing a targeted awareness campaign to inform dog owners and the general public about responsible ownership and safe interactions? Also, will she consult colleagues to ensure that sentencing guidelines are observed properly in the courts and that consistently robust sanctions under existing legislation are being applied across the country?

In conclusion, we are convinced that arguments that DEFRA has used in the past to maintain breed-specific legislation are not backed up by robust evidence. They do not stop dog bites and, sadly, they lead to hundreds of family-friendly pets being euthanised unnecessarily after being seized and kept in kennels for months. The Dangerous Dogs Act was a knee-jerk piece of legislation responding quickly to public concern about specific incidents. This has become a well-worn phrase but, once again, we need to be led by the science and by evidence.

That is why Labour is clear: we need a review of breed-specific legislation and of the Dangerous Dogs Act as soon as possible. The Labour party has a proud record on animal welfare. We will always do what we can to protect our pets, but we are also always determined to keep people safe. It is an important balance to strike, and it is not being struck right now. The situation needs to be re-examined, and I hope that the Minister will take the opportunity to signal that she agrees and that the necessary leadership will be forthcoming.

7.11 pm

The Parliamentary Under-Secretary of State for Environment, Food and Rural Affairs (Victoria Prentis): It is a great pleasure to serve under your chairmanship, Mr Paisley.

I thank my hon. Friend the Member for Carshalton and Wallington (Elliot Colburn) for introducing the debate. I thank all those who petitioned and have made suggestions on how the law can be improved in this important area.

I also thank the hon. Member for Cambridge (Daniel Zeichner): I agree that safety is our top priority. He made a characteristically thoughtful speech in which he mentioned how as a boy his morning used to be blighted by a dog on his paper round. I am sure that many of us, while enjoying the company of dogs, have sometimes been frightened by them. It is important that we take the issue of dog attacks extremely seriously. We must crack down on irresponsible dog ownership.

I understand the strength of feeling on all sides of the debate. Of course the behaviour of any dog—any animal—depends on several factors, including the training, the actions of the owner and the environment in which it lives. Hon. Members recognise that we have to balance the views of people who wish to repeal breed-specific legislation with our responsibility to ensure that the public are properly protected from dog attacks.

[Victoria Prentis]

In this country, however, pit bull types have traditionally been bred for dog fighting, to accentuate their aggressive tendencies. That is not the fault of the dog, of course; people have chosen to do that. Data gathered about fatal dog attacks from 2005 onwards showed that pit bulls have been involved in about one in six of the incidents. That is despite the prohibitions that we have in place, which in themselves have significantly suppressed the number of pit bull types in the UK.

The Metropolitan police tell us that nearly 20% of the dogs found to be dangerously out of control in the area that they police were pit bull types. We have a very small pit bull population that contributes disproportionately to sometimes tragic incidents. That is why we remain concerned that lifting the restrictions, which might result in an increase in the breeding and ownership of pit bulls, could in itself lead to more tragedy.

Despite the general prohibition on those types of dogs, individual prohibited dogs may be kept by their keepers if a court determines that the dog is not a danger to the public. In conducting the assessment, the court will consider the temperament of the dog, its past behaviour, whether the proposed keeper is a fit and proper person and any other relevant circumstances, such as whether the dog will be kept in a suitable environment.

If the court considers that the criteria may be met, the dog can be listed on the index of exempted dogs and kept under strict conditions, including being neutered and being kept on a lead and muzzled in public. We have 3,700 dogs on the index, nearly all of which are pit bulls. None of the pit bulls involved in the fatalities I referred to were registered on that index. The difficulty, of course, is with the animals not on the index.

My hon. Friend the Member for Carshalton and Wallington raised concerns that dogs being seized and typed as pit bulls are not actually pit bulls, and that the typing is being done inconsistently. I recognise that pit bull terriers are cross breeds, which is why we refer to them as a type rather than a breed. Identification of prohibited-type dogs is made by dog legislation officers, who are police officers specially trained for the purpose. The same standard is used by all those officers to identify a pit bull type. I have that standard here and I am very happy to share it with my hon. Friend—it is based on the American Dog Breeders Association standard of confirmation. A dog has to exhibit a substantial number of the physical characteristics listed before it will be considered more a pit bull type than any other type of dog.

In relation to rehoming, which was mentioned by the hon. Member for Cambridge, current legislation permits the transfer of keepership when the existing keeper has died or is seriously ill. Case law has also confirmed that in some cases, a person with a pre-existing relationship with the dog can apply to put it on the index. If we were to make any changes such as on rehoming, we should consider the signals that might send about the acceptability of those types of dogs, which are owned illegally unless they are on the index.

I recognise that breed-specific legislation does not address the issue of dog attacks more widely. We have legislation in place to address that: section 3 of the

Dangerous Dogs Act makes it an offence to allow a dog of any breed or type to be “dangerously out of control” in any place. There are significant penalties available to the courts on that.

We recognise that more needs to be done to support responsible dog ownership, to prevent attacks in the first place. That is why we commissioned research, in collaboration with Middlesex University, to look at responsible ownership across all breeds of dog. The research identifies and examines the factors that might cause dog attacks and how to promote responsible dog ownership. The report is still being peer reviewed, but we will publish it in the next couple of months. I am unable, therefore, to share it now, but I would like to share some parts of it with the House, because it is important and the hon. Member for Cambridge asked for further evidence, so it is right that I explain that the Government are seeking to look into this important matter fully.

The report will make recommendations on improving the recording of dog attack incidents so that we have a proper evidence base, as more data in this area is badly needed. We will develop a more consistent approach to enforcement. We will support preventive initiatives, such as the rather wonderfully named LEAD—local environmental awareness on dogs, which is a police-led initiative, partly in Sutton I am glad to say. We will also work on improving the quality and availability of dog training and dog awareness courses. I heard what the hon. Gentleman said about education and children being important in this space. That is an important step forward.

The recommendations in the Middlesex University report will provide the basis to consider further reform in this area. I look forward to future discussions on this important subject. It is very important that we proceed with caution on the basis of robust data.

Ian Paisley (in the Chair): There are a few minutes left—almost an hour—so if Mr Colburn like to make some final remarks, I think we could find some time.

7.19 pm

Elliot Colburn: I thank the petitioners once again for taking the time to sign the petition and for triggering this debate. In particular, I thank the lead petitioner Gavin for his time on Friday, when he talked me through why he started the petition and why he thinks it is so important. I thank the shadow Minister, the hon. Member for Cambridge (Daniel Zeichner), for his contribution and the Minister for her response.

The petitioners will welcome the fact that the review should form a basis for further work to look into reviewing the evidence, which might improve the application of this Act if primary legislation is not forthcoming. I totally agree with both the shadow Minister and the Minister that safety must be the priority. The law must be effectively and evenly applied. It was mentioned many times that the Act was an example of where Parliament acted hastily. It was enacted a year before I was born, so even if it was a Conservative Government, I hope I escape some blame. It is right that the law should be effective and evenly applied.

Question put and agreed to.

That this House has considered e-petition 300561, relating to breed specific legislation.

7.20 pm

Sitting adjourned.

Written Statement

Monday 5 July 2021

TREASURY

Emissions Trading Scheme: VAT

The Financial Secretary to the Treasury (Jesse Norman):

The Government are announcing today that legislation will be introduced at the earliest opportunity to allow a VAT zero rate to apply to trades in UK emissions trading scheme allowances within the VAT Terminal Markets Order (S11973/173) (TMO).

A UK Emissions Trading Scheme (UK ETS) replaced the UK's participation in the EU ETS on 1 January 2021. The scheme has been established to increase the climate ambition of the UK's carbon pricing policy, while mitigating the risk of carbon leakage through free allowances.

Market participants can bid for UK ETS allowances on the UK auction platform or can acquire futures contracts in UK ETS allowances on the secondary market.

The TMO permits VAT zero rating for transactions on terminal commodity markets. It is seen as an important VAT trade facilitation measure by those involved in trading commodity futures contracts, where often on these markets there are very substantial volumes of transactions over short periods of time. The zero-rating relief provided by the TMO avoids the administrative and cash flow burdens of accounting for VAT and should have no effect on the VAT amount collected at the final stage of consumption.

I can confirm today the treatment will be provided from the time when these important trades commenced in May.

[HCWS148]

Ministerial Correction

Monday 5 July 2021

JUSTICE

End-to-end Rape Review

The following is an extract from the Oral Statement by the Lord Chancellor and Secretary of State for Justice on 21 June 2021.

Robert Buckland: In March 2019, the national criminal justice board commissioned the first ever end-to-end review of how the criminal justice system handles rape cases. The rape review report and action plan outlines how we will act on its findings to deliver much needed improvements, building confidence in the system and encouraging more victims to come forward. That will enable cases that are better prepared from the start, more prosecutions of rapes, greater encouragement of early guilty pleas, and fair and timely trials. This has been a collaborative effort between the Ministry of Justice, the Home Office, the Attorney General's Office—I am grateful to the Solicitor General for being here today—the police, the Crown Prosecution Service, and Her Majesty's Courts and Tribunals Service, which is something that we believe will be crucial to its long-term success. Alongside the action plan, a Government social

research report outlining the underlying primary research in detail is also being published. I have laid that report before the House.

[Official Report, 21 June 2021, Vol. 697, c. 589.]

Letter of correction from the Lord Chancellor and Secretary of State for Justice, the right hon. and learned Member for South Swindon (Robert Buckland).

An error has been identified in my statement.

The correct statement should have been:

Robert Buckland: In March 2019, the national criminal justice board commissioned the first ever end-to-end review of how the criminal justice system handles rape cases. The rape review report and action plan outlines how we will act on its findings to deliver much needed improvements, building confidence in the system and encouraging more victims to come forward. That will enable cases that are better prepared from the start, more prosecutions of rapes, greater encouragement of early guilty pleas, and fair and timely trials. This has been a collaborative effort between the Ministry of Justice, the Home Office, the Attorney General's Office—I am grateful to the Solicitor General for being here today—the police, the Crown Prosecution Service, and Her Majesty's Courts and Tribunals Service, which is something that we believe will be crucial to its long-term success. Alongside the action plan, a Government social research report outlining the underlying primary research in detail is also being published. **This report has been published on gov.uk and I will place a copy in the Library of the House.**

ORAL ANSWERS

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