

**Monday  
9 September 2019**

**Volume 664  
No. 341**



**HOUSE OF COMMONS  
OFFICIAL REPORT**

**PARLIAMENTARY  
DEBATES**

**(HANSARD)**

**Monday 9 September 2019**

---



# House of Commons

*Monday 9 September 2019*

*The House met at half-past Two o'clock*

## PRAYERS

[MR SPEAKER *in the Chair*]

## Oral Answers to Questions

### EDUCATION

*The Secretary of State was asked—*

#### Leaving the EU: Tertiary Education

1. **Patrick Grady** (Glasgow North) (SNP): What assessment he has made of the potential effect on tertiary education of the UK leaving the EU without an agreement. [912309]

20. **Alan Brown** (Kilmarnock and Loudoun) (SNP): What assessment he has made of the potential effect on tertiary education of the UK leaving the EU without an agreement. [912329]

**The Secretary of State for Education (Gavin Williamson):** Leaving the European Union with a deal remains the Government's top priority. We will work in an energetic and determined manner to get the very best deal, and a better deal than has previously been put to this House. We are supporting the sector to manage the transition through Brexit, including providing reassurance on participation in EU-funded programmes, future migration arrangements and access to student support.

**Patrick Grady:** The right hon. Gentleman was always energetic and determined when he was the Government Chief Whip and we worked together. What reassurances can he provide to the University of Glasgow in my constituency, which is having to issue emergency advice in the event of a no deal? It is reminding research teams to conduct inventories of their materials in case it is not possible to pre-order perishable goods such as gases. It is reminding staff and students

“that, in the event of a no-deal withdrawal, EU countries may not admit individuals with passports which are due to expire within six months of the date of travel.”

This is the kind of debilitating effect it is having. Would it not be better to accept the inevitable, and rule out no deal and ask for the extension now?

**Gavin Williamson:** We have worked and will continue to work closely with higher education institutions, including the University of Glasgow, to ensure, if we do leave without any deal with the European Union, that all mitigations are put in place. I very much look forward to working with the hon. Gentleman in this role as I did when we were both Chief Whips together.

**Alan Brown:** Some 96% of EU students who study at Scottish universities enrol on courses that are longer than three years. Does the Secretary of State agree that Scottish universities cannot but be adversely impacted by the Home Office's current temporary leave to remain scheme, which allows for students being here for three years, as in Scotland they would then need to apply for a tier 4 visa? Does he agree this is unfair?

**Gavin Williamson:** The hon. Gentleman raises an important point. I know this matter has been raised with me by a number of Scottish Conservative and Unionist MPs and it is certainly something I am looking at closely, but I thank him for taking the time to raise it in the House.

**Justine Greening** (Putney) (Ind): I think leaving the European Union with no deal would be one of the most anti-social mobility steps this country could have taken in many years. Does the Secretary of State agree with me that the left-behind communities that are so often talked about by Ministers will be the ones worst hit? Perhaps the only double whammy that could follow that would be to scrap the opportunity areas, which are at least helping some of them to improve education standards.

**Gavin Williamson:** I have spoken to quite a number of colleagues about the really valuable work the opportunity areas are doing and the impact—the very positive impact—they are having on the communities in which they are operating. We are looking at how we can develop that in the future.

**Maggie Throup** (Erewash) (Con): Will my right hon. Friend reassure the House that as well as ensuring our great universities—such as Derby and Nottingham near my constituency—can continue to educate overseas students from the EU, he is working towards reciprocal agreements so that young people in my constituency of Erewash can continue to study in EU countries?

**Gavin Williamson:** We are having such discussions with European member states, and we are making very good progress on this. It is very important that we ensure the United Kingdom remains a destination that EU students want to come to study in, and we have big ambitions to ensure we continue to deliver on that, but also that our students from our constituencies have the opportunity to study abroad.

**Carol Monaghan** (Glasgow North West) (SNP): There have been alarming reports that the Department for Education is considering an Erasmus+ replacement programme for England only, with potentially no consequential funding for the devolved Administrations. Will the Secretary of State admit that this would amount to a complete abandonment of students across the UK, and will he take this opportunity to confirm that an England-only scheme is not something this Government will consider?

**Gavin Williamson:** We think that it is important for us to look at the interests of all students across the whole United Kingdom.

**Carol Monaghan:** I am not sure that that was an answer. Last Thursday, my hon. Friend the Member for Glasgow Central (Alison Thewliss) asked the Under-Secretary of State for Exiting the European Union about the status of Erasmus students who are currently in Scotland, specifically if they go home, for example at Christmas, whether there is a guarantee that they can return in the event of a no-deal Brexit. In response to her question, the Minister stated, “Yes.” Will the Secretary of State detail how that process will work, given that those students are not applying for settled status?

**Gavin Williamson:** I am very happy to write to the hon. Lady with more details and give her the reassurance that she seeks. We recognise how important it is for the UK as a whole to remain an attractive destination for people who wish to study, and that is vital in every component part of the United Kingdom, including Scotland.

**Angela Rayner** (Ashton-under-Lyne) (Lab): Well, well, well. The Secretary of State has had quite a start. Rumour has it that he forgot to appoint a Skills Minister, and we are now waiting for our fifth Higher Education Minister in just two years. Will he tell us the fee status of European students after 2020, and will our universities still benefit from Horizon, Erasmus, and the European University Institute or not?

**Gavin Williamson:** We continue our negotiations and discussions with the European Union to ensure that we have access to these schemes.

**Angela Rayner:** Well, I am sure that the Secretary of State would like me to shut up and go away, but I am not going to do that. He has to try harder with his answers. Will he publish officially his no-deal impact assessment and contingency plans, and tell us how much his Department is spending on no-deal preparations? Can he give us a clear guarantee that his no-deal plans do not include suspending or weakening food standards in our schools?

**Gavin Williamson:** I can give the hon. Lady that assurance, yes.

#### Funding Educational Facilities: Dudley

2. **Ian Austin** (Dudley North) (Ind): What plans the Government has to allocate funding to educational facilities in Dudley. [912310]

**The Secretary of State for Education (Gavin Williamson):** Dudley will benefit from the substantial additional investment in education, including £14 billion for schools across England over the next three years, and £400 million for 16-to-19 education next year, on top of additional money provided to cover pension costs.

**Ian Austin:** It is my job to stand up for Dudley, so I am absolutely delighted that our campaign for a new university-level technical skills and apprenticeship centre has paid off, with the announcement on Friday that we were getting £25 million from the stronger towns fund. Is this not exactly what is needed to bring good, new, well-paid jobs in high-tech industries such as advanced manufacturing, digital media, low carbon technologies,

autonomous electric vehicles and healthcare to replace those that the Black Country has lost in traditional industries?

**Gavin Williamson:** I take this opportunity to pay tribute to the hon. Gentleman and to my hon. Friend the Member for Dudley South (Mike Wood) for all the work they have done in campaigning to deliver this for Dudley, and for the work they have done to deliver the institute of technology in Dudley as well. That will all go towards generating the right skills and the right educational outcomes not only for the whole town of Dudley but much more widely. I very much hope to visit Dudley. Hopefully, the hon. Gentleman will be able to join me to discuss how we can do more for Dudley and the surrounding area.

**Margot James** (Stourbridge) (Ind): Following the deeply regrettable closure of Stourbridge College earlier this summer, will my right hon. Friend consider meeting the principals of all the Dudley colleges—Dudley College, Halesowen College and King Edward VI College—with a view to discussing their wish to continue to provide vocational skills training, particularly adult education, in my constituency of Stourbridge.

**Gavin Williamson:** I would be very happy to meet my hon. Friend to discuss that in detail with those stakeholders.

#### Further and Higher Education: Quality and Choice

3. **Mary Robinson** (Cheadle) (Con): What steps his Department is taking to improve (a) quality and (b) choice in (i) further and (ii) higher education provision. [912311]

**The Secretary of State for Education (Gavin Williamson):** We are increasing the funding for 16-to-19 participation through T-levels, and providing support for college improvement. The Office for Students and Ofsted hold HE and FE providers to account for delivery quality and successful outcomes. The teaching excellence and student outcomes framework and new digital tools provide data support in student choice.

**Mary Robinson:** Last week, at the invitation of sixth-former Anna, I visited Cheadle Hulme High School to speak to students. I welcome the announcement that sixth forms across Cheadle will benefit from the £120 million increase in spending. How will the Secretary of State ensure that that funding will help students in Cheadle to access the widest variety of course, opening up opportunities in areas such as high tech, technology, construction, creative industries and so many others that will benefit the Greater Manchester economy?

**Gavin Williamson:** As part of the funding increase for 16 to 19-year-olds, a key element is to ensure we are able to deliver those high-value courses that are sometimes more expensive to put on for students. A key element of the funding is preserved for that. I very much hope it will support my hon. Friend's constituents. I look forward to continuing to work with her. She has campaigned long and hard to deliver this extra money for the colleges in her constituency.

22. [912331] **Nic Dakin** (Scunthorpe) (Lab): Will the Secretary of State build on that good start by raising the rate for 16-to-19 education to £4,760 per student, which would deliver what is being asked for?

**Gavin Williamson:** Mr Speaker, I feel as though I have to make an apology to the House. Last time I was at the Dispatch Box, I forgot to mention that the hon. Gentleman had been the principal of a college. I said he was lecturing at a college, so I apologise for demoting him.

I am more than happy to continuously look at how we can give the maximum amount of support for our further education colleges and the 16-to-19 sector. We saw one of the largest increases in the base rate with the announcement last week. That is a good foundation on which to build.

**Mr Speaker:** The Secretary of State ought to be able to detect the hon. Gentleman's status and his intellectual distinction from a radius of approximately 1,000 miles.

**Julia Lopez** (Hornchurch and Upminster) (Con): The extra money for post-16 providers is extremely welcome. It has been warmly welcomed by Havering Sixth Form College in my constituency. However, it appears to be a one-year funding deal, rather than the three-year settlement that five to 16 education providers received. Will the Secretary of State look at giving colleges more long-term certainty by delivering future increases in line with inflation and raising the overall rate for 16 to 18-year-olds?

**Gavin Williamson:** My hon. Friend raises a very valuable point about the importance of long-term certainty for all parts of the education sector. That was very clearly explained in the report from the Select Committee chaired by my right hon. Friend the Member for Harlow (Robert Halfon). We will continue to look at it. It was a one-year settlement for 16 to 19-year-olds. We made sure we gave as much certainty in the schools sector as possible. We continue to look at what more we can do to give confidence to the further education sector on how to invest in the future of our young people.

**Mr Speaker:** Another cerebral intellectual, Dr Roberta Blackman-Woods.

**Dr Roberta Blackman-Woods** (City of Durham) (Lab): Will the Secretary of State tell the House what plans he has to implement the recommendations of the Augar post-18 education review?

**Gavin Williamson:** We will be looking at updating the House later on this year on our response to the Augar review. I met Philip Augar just a few weeks ago to discuss it in some depth. We will continue to keep the House updated over the coming months.

**Jack Lopresti** (Filton and Bradley Stoke) (Con): What conversations has my right hon. Friend had with the Secretary of State for Housing, Communities and Local Government, specifically to talk about continuing the process of devolving further education to our locally elected mayors?

**Gavin Williamson:** This is something we are taking a lead on. We are already in the process of devolving many responsibilities to locally elected mayors. I will be

having further discussions with my right hon. Friend the Secretary of State for Housing, Communities and Local Government on how we can make that work as efficiently and as well as possible to deliver the skills that are needed for our urban areas.

### Apprenticeships: Quality

4. **Peter Aldous** (Waveney) (Con): What steps his Department is taking to improve the quality of apprenticeships. [912312]

**The Secretary of State for Education (Gavin Williamson):** We have fundamentally changed what apprenticeships involve. We have new high-quality standards developed by industry for industry. Apprentices are now getting more off-the-job training, while endpoint assessment ensures they are fully competent. Our new quality strategy will ensure that all apprenticeships are of the highest quality both in design and delivery.

**Peter Aldous:** I am grateful to the Secretary of State for that answer. Will he work with and support the New Anglia local enterprise partnership in setting up its levy pool, which will ensure that more SMEs in Suffolk and Norfolk obtain funding for training and apprenticeships?

**Gavin Williamson:** My hon. Friend raises an important point. We have already increased the amount of the levy being directed in that way from 10% to 25%. We will very much look at working closely across the whole region of East Anglia on how best we can support this important initiative that makes sure that young people who want the training and people who are retraining have the right skills to be competitive in the jobs market.

**Rachel Reeves** (Leeds West) (Lab): Last Friday, I met graduates of the Forging Futures scheme at Kirkstall Forge in my constituency. Those young people, who were previously not in education, employment or training, now have a bright future to look forward to, but because that is a pre-apprenticeship scheme it gets no Government funding. Will the Government look again at funding such schemes to give young people, such as those I met on Friday, a better future to look forward to?

**Gavin Williamson:** I would be very happy to look at the details of the scheme that the hon. Lady outlines. It is important for everyone on both sides of the House that we do everything so that those who need the maximum amount of support always get it.

**Anne Milton** (Guildford) (Ind): Will my right hon. Friend ensure that the apprenticeship programme has the year-on-year cash that it needs to continue to deliver the life-changing opportunities that it does to people of all ages, without restriction?

**Gavin Williamson:** I take this opportunity to thank my right hon. Friend for all the work that she has done for this sector. Much of the work that we have inherited is down to her close attention to detail in delivering for a sector that she is so passionate about. I also thank her for the work that she did as a Deputy Chief Whip, when she was slightly less friendly, but equally effective.

I will certainly look at how we ensure that we have the right funding for apprenticeships. Apprenticeships have been one of the greatest successes of the Government.

We have achieved so much over the last nine years, encouraging so many young people to take up the opportunity to train in an apprenticeship and have the skills that they need to succeed in future. We will be determined to build on that success.

**Mr Speaker:** I think the Secretary of State is rehearsing for his conference oration. That has to be what it is—we are grateful to him.

**Gordon Marsden** (Blackpool South) (Lab): This Government are making a complete hash of the apprenticeship levy in quality and quantity. It is running out of money, so the trainers who provide 70% of all apprenticeships cannot meet the demand from small businesses, such as the two I met recently in Blackpool that have had no money from the Department for Education. There was nothing new in the spending review for providers or for small businesses for apprentices. Starts for 16 to 18-year-olds are down 23% on the pre-levy numbers. There was nothing for the 800,000 young people who are stagnating in the NEET category, as my hon. Friend the Member for Leeds West (Rachel Reeves) pointed out. There is not even a dedicated day-to-day Skills Minister to tell them, or us, why they are in this mess. Has anyone in this disappearing Government left the lights on?

**Gavin Williamson:** We have seen a change in attitudes as to what apprenticeships are able to deliver. After a decade and more under the Labour party, when we saw apprenticeships devalued and reduced, we have seen a seismic change in what we are doing, driving up the quality and status of apprenticeships. I know that colleagues on the Conservative Benches take great pride in what has been achieved, but we are always conscious that so much more needs to be done.

#### Funding Increases for Schools: Timetable

5. **Bambos Charalambous** (Enfield, Southgate) (Lab): What discussions he has had with the Prime Minister on the timetable for increasing the level of funding for schools. [912313]

7. **Helen Whately** (Faversham and Mid Kent) (Con): What plans the Government has to increase the level of funding for schools. [912315]

**The Minister for School Standards (Nick Gibb):** In August, the Prime Minister announced an extra £14 billion for schools in England over the next three years. That will bring the schools budget to £52.2 billion in 2022-23. This will allow funding increases for all schools. In particular, our pledge to level up pupil funding means that every secondary school will receive a minimum of at least £5,000 per pupil next year, with every primary school getting a minimum of at least £4,000 from 2021-22. This is the largest cash boost in a generation, and that has only been possible because of our balanced approach to public finances and careful stewardship of the economy since 2010.

**Mr Speaker:** The Department for Education is no doubt very illustrious, but it is not well versed in the application of the blue pencil.

**Bambos Charalambous:** The Chancellor's promise to increase school funding is welcome, but he has given no extra money to schools for this year. School budgets are at breaking point, so will the Minister acknowledge that he is leaving schools on the brink?

**Nick Gibb:** What the hon. Gentleman says is not actually true. We have given extra money to fund employer pension contributions this year and to partially fund the pay grant over and above the 1%, and now the 2%, that is affordable, so we have provided schools with extra money this financial year.

**Philip Davies** (Shipley) (Con) *rose*—

**Mr Speaker:** We have got to hear the voice of Shipley. I call Mr Philip Davies.

**Philip Davies:** Thank you, Mr Speaker. I congratulate the Minister and the Secretary of State on securing the extra funding from the Chancellor in the spending review. As the Minister knows, I have been arguing for this for some time. Can I urge him to front-load this money, because we know that school costs have been outstripping their incomes? They need this money as soon as possible. And while he's there, as the Secretary of State is Bradford educated, will the Minister encourage him to return to Bradford district in order to visit some schools in my constituency?

**Nick Gibb:** I pay tribute to my hon. Friend for the work and campaigning he has done to secure extra funding for schools in his constituency. He has been successful in ensuring we have the most generous schools settlement in a generation, and that is in part a tribute to his work, as well as that of my right hon. Friend the Secretary of State, who has heard his request for a visit to Bradford and I am sure will comply.

**Emma Hardy** (Kingston upon Hull West and Hessle) (Lab): Not that I would ever wish to appear ungrateful to the unmoveable Schools Minister, but he will be aware that there is a funding shortfall of £1.2 billion for children with special needs and disabilities. In Hull alone, the shortfall is £4 million. Will he please ensure that all our children can have their needs met by urgently addressing this funding shortfall?

**Nick Gibb:** We take this issue as seriously as the hon. Lady does, which is why we have announced within the £14 billion a £700 million increase for special needs. That is an 11% increase. We absolutely understand the pressures that local authorities have been under and we are addressing it.

**Helen Whately:** I welcome the extra £14 billion of school funding that the Government have committed to. Will my right hon. Friend ensure that some of that money goes to schools in my constituency, some of which have been historically underfunded? They are fantastic schools but could do even better with more money.

**Nick Gibb:** My hon. Friend has been a redoubtable campaigner for school funding in her constituency. Thanks to her efforts and the balanced approach we have taken to the public finances, the school funding

settlement will mean that every school in her constituency will attract an increase in funding and that 75% of secondary schools there will benefit from our pledge to level up school funding to at least £5,000 per secondary school pupil.

**Mr Barry Sheerman** (Huddersfield) (Lab/Co-op): Could I suggest to the right hon. Gentleman that it does not cost any money at all to save children's lives in a measles epidemic by making every school see a certificate of MMR vaccination before they get to the school? Will he take on board another point? My schools tell me that after all these years of deprivation—since 2010—in schools it will take a long time to come back, even with the quick fix of the money he is now throwing at them.

**Nick Gibb:** The Institute for Fiscal Studies has said that this funding represents a large increase in per pupil spending and reverses the reductions to real-terms per pupil funding for five to 16-year-olds. The hon. Gentleman is right about MMR. It is very important that parents vaccinate their children. There is a lot of information available about the safety of the MMR vaccine from the NHS, and we would encourage parents to look at that information before making a decision.

**Sir David Evennett** (Bexleyheath and Crayford) (Con): I warmly welcome the recent education financial settlement, which is good news for all schools across our country. Does the Minister agree that such resources will help to make schools and education provision even better so that all children across the country can benefit?

**Nick Gibb:** My right hon. Friend is absolutely right. This funding will mean that we can continue our education reforms and continue to drive up standards—standards of reading and maths in our primary schools and in the whole range of the curriculum in our secondary schools.

**Mike Kane** (Wythenshawe and Sale East) (Lab): They say that faith is the substance of things hoped for over the evidence of things not seen. At the time of her resignation, the right hon. Member for Hastings and Rye (Amber Rudd) said “Judge a man by what he does, not what he says.” The Secretary of State has been part of a Government who have slashed £1.9 million from schools in his own constituency in the last four years. Codsall Community High School has lost £700,000, and Staffordshire has had to slash £60 million from its budget. The electoral promises are not worth the textbook that they are written on, are they?

**Nick Gibb:** I wish that the hon. Gentleman had cited the figures in my constituency, given that he is asking me the question although it was pre-prepared for the Secretary of State.

As I have said, the IFS has stated that this funding fully reverses cuts in funding for five-to-16-year-olds. We have only been able to deliver such a large increase in school funding because of the way in which we have managed the public finances since the banking crisis in 2008. That is why we can do this today, and why we have been able to announce the three-year spending package that all schools, including schools in the hon. Gentleman's constituency, have been seeking.

### Children with Higher Needs: Stoke-on-Trent

**6. Gareth Snell** (Stoke-on-Trent Central) (Lab/Co-op): If he will hold discussions with Stoke-on-Trent City Council on its plans to fund services for children with higher needs. [912314]

**The Parliamentary Under-Secretary of State for Education (Mrs Kemi Badenoch):** Next year local authorities, including Stoke-on-Trent City Council, will share in an increase of more than £700 million in higher-needs funding. We will hold separate discussions with the authorities that have raised specific issues with us.

**Gareth Snell:** The Minister will be well aware that, as part of its higher-needs recovery plan, Stoke-on-Trent City Council proposes to plunder classroom budgets by £14.5 million over the next four years. The headteachers in the city are opposed to the plan, which will require a sign-off from the Department in order to go ahead. Will the Minister make a commitment today that rather than signing it off, she will convene a meeting of the headteachers in Stoke-on-Trent, so that alternative arrangements can be found that do not necessitate robbing Peter to pay Paul?

**Mrs Badenoch:** We are aware of the issues that have arisen in Stoke-on-Trent. The commissioner is due to submit a report to the Department today, and officials will review it and submit recommendations to me in due course. Once a decision has been made, the report will be published.

**Karen Bradley** (Staffordshire Moorlands) (Con): A number of children with higher needs in Stoke-on-Trent attend Horton Lodge Community Special School in my constituency, where there is great concern about the provision of funds for residential care and the possibility that the school will become unviable. Will the Minister meet me, and perhaps consider visiting Horton Lodge, to see what we can do to ensure that that wonderful, special place continues to operate for many years to come?

**Mrs Badenoch:** I am grateful to my right hon. Friend for raising this case in her constituency. Yes, that is something that we should be able to do for her.

**Ruth Smeeth** (Stoke-on-Trent North) (Lab): The Minister has just referred to a report which is currently under way, and which relates to children's social services rather than the high-needs budget. The cuts proposed by Stoke-on-Trent City Council will cost every secondary school £100,000 and every primary school £50,000. That is money we cannot afford to spend. Will the Minister undertake to accept the request from my neighbour and hon. Friend the Member for Stoke-on-Trent Central (Gareth Snell), and convene a meeting of headteachers before the Secretary of State signs off a deal?

**Mrs Badenoch:** We are aware that local authorities are facing significant pressures. That is why we are making an additional investment of more than £700 million, which will help them to manage those pressures next year. The Department has been looking at this matter, and we will be in touch with Stoke-on-Trent in due course to decide on the best possible actions to be taken in the future.

**Mr Steve Reed** (Croydon North) (Lab/Co-op): I welcome the new Minister to her post. As she will know, children with special needs rely on help with speech and language and on counselling support, but the Children's Commissioner has published research showing that the severe underfunding of those services is seriously damaging children's lives and futures. Even after the spending review and the additional funding to which the Minister has referred, we still face a £1 billion shortfall in special educational needs services by 2021. Given that the Government could so easily find £1 billion to bribe the Democratic Unionist party, will the Minister agree, here and now, to find the same amount to fully fund the services that the country's most vulnerable children so desperately need?

**Mrs Badenoch:** I met the Children's Commissioner last week, and discussed this issue among many others. We welcome her report. However, I remind the hon. Gentleman that the Government are spending £7 billion on special educational needs, and are adding an additional £700 million. That is part of the extra £14 billion that we are spending over three years, and I think that it is to be welcomed.<sup>1</sup>

#### **School Admissions Code: Summer-born and Premature Children**

8. **Stephen Hammond** (Wimbledon) (Ind): What progress his Department has made on further amending the School Admissions Code to ensure that summer-born and premature children can be admitted to reception at the age of five at the request of parents. [912316]

**The Minister for School Standards (Nick Gibb):** The Government remain committed to making the necessary changes to allow children to start reception at age five where this is what parents want.

**Stephen Hammond:** I thank my right hon. Friend for his answer. He will know that it is four years since we had an Adjournment debate on this and two years since I last asked him a question on this. I am very pleased to hear his answer, but can he commit to laying out the timetable as to when the Government might be able to publish that and potentially have a meeting with me to discuss the unintended consequences?

**Nick Gibb:** My hon. Friend has been a formidable campaigner on this issue, and I pay tribute to him for his work in this area. He will be aware that since my letter to local authorities the evidence shows that school admission authorities are becoming more flexible when receiving requests for children to start reception at age five.

But of course this will not be right for all children; the majority will do well in reception at age four, and the Government are therefore giving careful consideration to how we will make these changes in a way that avoids unintended consequences.

**Lucy Powell** (Manchester Central) (Lab/Co-op): Does the Minister not agree with me that the best way to get all students, even those who are summer-born, ready for school is proper investment in the early years, and will he therefore pledge today that the Government will do what they said they would do a few weeks ago and ensure our maintained nursery schools get the full funding they need to continue?

**Nick Gibb:** The hon. Lady will have been here last week when the spending round was announced and she will know that there is a £66 million increase in early-years funding.

**Jim Shannon** (Strangford) (DUP): Has there been any discussion with counterparts in the devolved Assemblies to bring in a UK-wide strategy? If no discussion has taken place, when will it take place with the Department of Health in Northern Ireland to ensure that this does happen?

**Nick Gibb:** I will be very happy to meet the hon. Gentleman to discuss these issues further, but as he knows we on these Benches are responsible for the education system in England.

#### **Specialist Maths Schools**

10. **Mr Ranil Jayawardena** (North East Hampshire) (Con): What recent assessment his Department has made of children's progress in specialist maths schools. [912318]

**The Minister for School Standards (Nick Gibb):** In 2019 King's College London mathematics school reports that 100% of its students achieved a grade A or A\* in A-level maths and 90% achieved an A\* in A-level maths. The school also reports that more than 25% of its students in 2019 have secured Oxbridge places. This school and Exeter mathematics school are spectacular examples of the success of this Government's free school programme, a programme that the Labour party wants to abolish.

**Mr Jayawardena:** I thank my right hon. Friend for that reply and commend the Government for what they are doing to level up funding, which I understand will mean another £2.9 million per year for schools in North East Hampshire, but will he expand that excellent specialist maths schools programme so that we can do even more for every child across this country?

**Nick Gibb:** Given the success of the two maths schools so far, we are committed to opening more maths schools as we continue to drive up academic standards and social mobility. There are four more in the pipeline, including the Surrey mathematics school, which should benefit young people in North East Hampshire. My hon. Friend will also be pleased to know that, due to the large increase in school funding announced last week, 100% of secondary schools in his constituency will benefit from the new minimum of at least £5,000 per pupil.

#### **College Spending: Effect of VAT**

11. **Layla Moran** (Oxford West and Abingdon) (LD): What assessment he has made of the effect of VAT applied to college spending on the financial sustainability of those institutions. [912319]

**The Secretary of State for Education (Gavin Williamson):** We have announced a £400 million increase in 16-to-19 funding in 2020-21; this is the biggest year-on-year increase since 2010 and will have great benefits for FE and sixth-form colleges. Colleges are independent organisations and are responsible for managing their own financial sustainability, which includes their liability for VAT.



**Layla Moran:** I thank the Secretary of State for his response, but does he believe, as I do, that no matter where a 16 to 19-year-old student studies they should have the same funding, resource and status, and if he does why do school sixth forms and 16-to-19 academies get their VAT refunded and the teacher pay grant but FE institutions, such as the brilliant Abingdon and Witney college in my constituency, do not?

**Gavin Williamson:** I am very conscious that this has been a long-running issue, and I remember from when I was a governor at a further education college the impact that this has. We are always looking at how we can reduce the impact, and that is why we have the funding settlement that we have achieved this year of £400 million plus £100 million for pension liability costs.

**Mrs Anne Main (St Albans) (Con):** These funding announcements are extremely welcome in my constituency, and I have lobbied hard at all levels for these funding increases. Does the Secretary of State share my concern, however, that the Labour party has threatened to vote down the Queen's Speech, which would mean that all these funding improvements would fall by the wayside?

**Gavin Williamson:** I should like to pay tribute to my hon. Friend's campaigning to deliver better funding for schools and post-16 education in her constituency. Many of the actions of Labour Members and their reckless approach give me great concern as they seem unwilling to listen to the will of the British people.

#### Leaving the EU: Higher Education

12. **Jeff Smith (Manchester, Withington) (Lab):** What assessment he has made of the effect on higher education of the UK leaving the EU without a deal. [912320]

**The Secretary of State for Education (Gavin Williamson):** Leaving the European Union with a deal remains the Government's top priority. We are working energetically and determinedly to get the very best deal. We are supporting the sector's transition through Brexit, and have provided reassurance for EU nationals on access to student support for 2020-21, and on migration arrangements for staff and students.

**Jeff Smith:** But what about Erasmus? The Government's technical notice has confirmed that if we leave with no deal, we will lose membership of the Erasmus programme. Given the benefits that it provides to tens of thousands of students, what assurance can the Secretary of State give to students that those benefits and the support provided will be maintained, and how is he going to achieve that?

**Gavin Williamson:** It goes without saying that we will always be looking to ensure that all students in the United Kingdom get the very best in terms of their education, and Erasmus has played an important part in that. If we were in a situation where we did not have access to it, we would look at successor schemes.

**Michael Fabricant (Lichfield) (Con):** Is my right hon. Friend aware that Israel, Canada, New Zealand and Australia are not in the EU but are members of the Erasmus programme?

**Gavin Williamson:** My hon. Friend makes the important point that there is an ability to access such schemes outside the European Union. This has been demonstrated in the past, and I am sure that it can be done in the future.

#### Private Higher Education Providers: Financial Sustainability

13. **Matthew Pennycook (Greenwich and Woolwich) (Lab):** What recent assessment he has made of the financial sustainability of private higher education providers. [912321]

**The Secretary of State for Education (Gavin Williamson):** To be registered under the new regulatory framework, all higher education providers must demonstrate that they are financially viable, sustainable and well-managed organisations that deliver high quality education. The Office for Students has currently registered more than 380 providers, which means that it has assessed those providers to be financially sustainable looking forward over a five-year period.

**Matthew Pennycook:** I thank the Secretary of State for his answer. Greenwich School of Management is unlikely to be the last private higher education provider to go bust in a system where market forces are the ultimate determinant of success, but it is of course the students and staff who pay the price. Can he tell me how many of the 3,500 GSM students—who are overwhelmingly mature, on low incomes and from minority groups—have been found a place at a new institution to date and have the financial support to finish their courses?

**Gavin Williamson:** I thank the hon. Gentleman for raising this important question. We have been working closely with GSM and the administrators to ensure that as many students as possible are transferred on to new courses if they are mid-course. At the moment, I do not have the data to answer his question, because how many accept this will come down to student choice, but as soon as we have the data I will of course write to him. The key focus has been to ensure that all those students get a place with an alternative provider.

#### Funding Allocation to Schools in Congleton

14. **Fiona Bruce (Congleton) (Con):** What steps he has taken to increase the level of funding allocated to schools in Congleton constituency. [912322]

**The Minister for School Standards (Nick Gibb):** The Prime Minister has announced a £14 billion increase in investment for schools in England, including for schools in Congleton. This means that by 2022-23, core schools funding will increase by £4.6 billion more than a real-terms protection, and we will be announcing further school-level details in October.

**Fiona Bruce:** I welcome this announcement, but what has concerned parents and teachers in my constituency and the wider Cheshire East area has been the historical underfunding of our local schools compared with those in other areas. So, to ensure truly fairer funding, will Ministers ensure that the Government's schools budget

boost specifically targets the biggest funding increases at schools in those areas that have been historically relatively underfunded?

**Nick Gibb:** I pay tribute to my hon. Friend, because it was as a result of her intervention that we introduced minimum per pupil funding into the national funding formula. She and her constituents will be pleased to know that, as a result of last week's funding announcement, all seven of the secondary schools in her constituency will benefit from our pledge to level up per pupil funding to at least £5,000 per pupil, and that 16 primary schools in her constituency will benefit from the new level of at least £3,750 per pupil.

#### Disadvantaged Schools: Per Pupil Funding Increase

15. **Judith Cummins** (Bradford South) (Lab): What assessment he has made of the benefit to disadvantaged schools of increasing the base unit of per pupil funding to (a) £4,000 in primary schools and (b) £5,000 in secondary schools. [912323]

**The Minister for School Standards (Nick Gibb):** Minimum per pupil values benefit the historically lowest-funded schools. We recognise that schools with more disadvantaged pupils require additional resources, and the national funding formula and pupil premium allocate additional funding in relation to disadvantaged pupils, so that schools with a higher proportion of disadvantaged pupils are the highest funded.

**Judith Cummins:** Pupils in disadvantaged areas are significantly less likely to pass crucial GCSEs such as English and maths. School funding must reflect different needs in different places, but the Government's recent funding announcement will do exactly the opposite and sees more money going into affluent schools in the south of England while many schools in Bradford South will continue to lose out. How can the Minister justify that disgraceful situation?

**Nick Gibb:** Under this settlement, all schools will receive more money, at least in line with inflation, and schools with the highest proportions of children from disadvantaged backgrounds will receive the highest level of funding. Since 2011, we have closed the attainment gap by 9.5% in secondary schools and by 13% in primary schools.<sup>1</sup>

**Mr Philip Hollobone** (Kettering) (Con): I thank the Schools Minister for the particular attention he has given to raising educational attainment in Northamptonshire and welcome the increase in funding for all schools, in particular the 14 primary schools and four secondary schools in Kettering, which have been historically the most underfunded.

**Nick Gibb:** I am grateful to my hon. Friend for his question. It has been a pleasure working with him and other colleagues from Northamptonshire to raise standards of education in the area. I am sure that he and his constituents will be pleased about the funding settlement for schools in Northamptonshire.

#### Children with Special Educational Needs and Disabilities

16. **Luke Pollard** (Plymouth, Sutton and Devonport) (Lab/Co-op): What plans he has to improve the provision of services for children with special educational needs and disabilities in schools. [912324]

**The Parliamentary Under-Secretary of State for Education (Mrs Kemi Badenoch):** I am grateful to the hon. Gentleman for his question, which gives me another opportunity to let everyone know that the Government have announced an additional £14 billion for schools over the next three years, including the £700 million of high-needs funding for special educational needs and disabilities that we have been discussing.

**Luke Pollard:** Pupils with SEND account for nearly half the 41 pupils excluded from schools every day, which is contributing to the increase in the number of pupils being home schooled. What support is being given to pupils with SEND who are being home schooled?

**Mrs Badenoch:** We are going to be looking at that as part of a review into special educational needs and disabilities, and I refer the hon. Gentleman to the written ministerial statement that we laid before Parliament today.

**Robert Halfon** (Harlow) (Con): Around 100 children in Harlow are without an education today as the Aspire Academy, run by TBAP, has closed yet again. Despite numerous meetings with Ministers and the academies commissioner, no action has yet been taken. Will my hon. Friend commit to the re-brokering of this school, so that a new academy can take it over and allow the children to return to their learning and the teachers to teaching? Mismanagement by the TBAP academy chain has gone on long enough.

**Mrs Badenoch:** An Ofsted inspection of the Aspire Academy in June 2019 rated the academy as inadequate and requiring special measures. The regional schools commissioner for east of England and north-east London issued a termination warning notice letter to TBAP, but a decision is yet to be made about the Aspire Academy and whether it will remain in the trust.

#### Ofsted

17. **Justin Madders** (Ellesmere Port and Neston) (Lab): What recent assessment he has made of the effectiveness of Ofsted. [912325]

**The Minister for School Standards (Nick Gibb):** As the independent inspectorate, Ofsted plays a vital role in providing a rounded assessment of school and college performance, and that role has helped to raise standards in our schools. Ofsted's latest statement on its performance was set out in its annual report and accounts presented to Parliament in July, which reported solid operating performance across all areas of work.

**Justin Madders:** Two secondary schools in my constituency have had recent inspections, and both headteachers, whom I respect greatly, are appalled at how those inspections have been handled. We complained

1. [Official Report, 25 September 2019, Vol. 664, c. 8MC.]

to Ofsted, and we had one side of A4 on the investigation into those complaints. Can we have a system in which Ofsted does not effectively mark its own homework?

**Nick Gibb:** I know the hon. Gentleman has been concerned about those inspections, and he met Ofsted's north-west regional director. Ofsted is directly accountable to Parliament, and the vast majority of inspections go without incident. Ofsted has a quality assurance process and a complaints procedure to deal with those rare instances where it does not go according to plan.

**Alberto Costa** (South Leicestershire) (Con): At the last Ofsted inspection, Red Hill Field Primary School was marked as good. The school is celebrating its 35-year anniversary this Friday. What message does the Minister have for that excellent school, for Mr Snelson, the headteacher, and for all the staff on their excellent work over 35 years?

**Nick Gibb:** I congratulate Mr Snelson, the head of Red Hill Field Primary School, on achieving a good grading in the Ofsted inspection, and I pay tribute to him and all the staff for the excellent education they are providing to pupils.

### Topical Questions

T1. [912334] **Stuart C. McDonald** (Cumbernauld, Kilsyth and Kirkintilloch East) (SNP): If he will make a statement on his departmental responsibilities.

**The Secretary of State for Education (Gavin Williamson):** We recently announced a £14.4 billion investment in primary and secondary education between now and 2022-23. This is in addition to the £4.5 billion we will continue to provide to fund additional pension costs for teachers over the next three years. I will be working with schools to ensure this money delivers on our priorities to recruit and retain the best teachers, to continue boosting school standards and to tackle poor classroom behaviour. We are also investing an extra £400 million in 16-to-19 education next year, demonstrating our commitment to teaching our young people the skills needed for well-paid jobs in the modern economy.<sup>1</sup>

**Stuart C. McDonald:** Universities are desperately keen to see a proper two-year post-study work visa restored, and it looked as if the Immigration and Social Security Co-ordination (EU Withdrawal) Bill would be the vehicle for that. If that Bill falls because of tonight's Prorogation outrage, can the Secretary of State say when and how a proper two-year post-study work visa will be restored?

**Gavin Williamson:** I assure the hon. Gentleman that we will keep the House updated on the progress on this, and we are continually looking and working across government on the matter.

T2. [912335] **Sir Edward Leigh** (Gainsborough) (Con): Since the Government broke their manifesto pledge to allow the opening of Catholic free schools by removing the faith cap, the Catholic Education Service has had to find 50,000 new places. Despite a convoluted plan by the previous Secretary of State to open new voluntary-aided schools, not a single new Catholic voluntary-aided school has opened, and only one is out for consultation. Now we have a new Secretary of State, will he bring some vim and vigour to this and try to fulfil our manifesto pledge?

**Gavin Williamson:** I promise my right hon. Friend that we will bring plenty of vim and vigour to this, and I will be looking at it closely.

**Tracy Brabin** (Batley and Spen) (Lab/Co-op): At long last, after years of calls from the Labour party, settings, academics and even Select Committees, last week the Government finally offered some new funding for the 30-hour childcare policy. Sadly, predictions say it is only 10% of what is required to plug the funding black hole.

May I push the new Parliamentary Under-Secretary of State for Education, whom I very much welcome to her place, on how this funding will be spent? Will it be targeted to support outstanding providers that are struggling, to increase the amount of high-quality provision in disadvantaged areas and to reverse the disturbing trend of experienced staff leaving the sector?

**The Parliamentary Under-Secretary of State for Education (Mrs Kemi Badenoch):** Members on both sides of the House care very much about this area. The Government continue to support families with their childcare costs, and we are now spending more than £3.6 billion on support to 2021.

T3. [912336] **Stephen Hammond** (Wimbledon) (Ind): I welcome the extra funding. Can my right hon. Friend confirm that each primary and secondary school in Wimbledon will benefit, and will he commit to writing to me on the revised settlement for each and every secondary and primary school in Wimbledon?

**Gavin Williamson:** I assure my hon. Friend that we will be writing to him in due course with full details of the national funding formula—we hope this will be in early October—and the impact this will have on individual schools.

T4. [912337] **Mr Jim Cunningham** (Coventry South) (Lab): As a result of the introduction of universal credit in Coventry, 25,000 children are below the poverty line. What is the Secretary of State doing, or what are other Ministers doing, to fund school meals properly—not just in the holiday period, but generally?

**Mrs Badenoch:** I thank the hon. Gentleman for that question. There are 50,000 more pupils eligible for free school meals at the moment. There is much that this Government are doing, and we will continue to look at ways in which we can improve circumstances for disadvantaged children.

T5. [912338] **Craig Tracey** (North Warwickshire) (Con): Schools in rural constituencies such as North Warwickshire and Bedworth have long suffered from receiving lower levels of funding than their urban counterparts. The fairer funding initiative will go some way to rectifying that, but what more can be done to ensure that no matter where someone lives they will have equal access to the same resources?

**Gavin Williamson:** The announcement we made just the other week goes a long way towards rectifying the issue that my hon. Friend has highlighted. The national funding formula will ensure that all schools start to really benefit from the increases in funding, wherever they are in the country. This is making sure that the

1. [Official Report, 25 September 2019, Vol. 664, c. 8MC.]

needs of pupils are the focus, as against where they happen to be in the country. May I pay tribute to him for the campaigning he has done for the schools in his constituency to secure the settlement?

T8. [912341] **John Spellar** (Warley) (Lab): I am sure Ministers are aware of the widespread concern in local government at the escalating costs of childcare, much of it driven by private fostering and care companies, often now owned by private equity, and of a tendency to put children into care at an early stage and not as a last resort. Do Ministers share that concern? If so, what are they going to do about it?

**Mrs Badenoch:** We are spending £3.6 billion on early educational entitlement, and the Government have provided free childcare for children aged three to four years. I am not sure that I heard the right hon. Gentleman's question properly, but I think that if he writes to me, I will be able to provide him with a more comprehensive response.

T7. [912340] **Mr William Wragg** (Hazel Grove) (Con): The recently announced multi-billion-pound settlement for education will be hugely welcomed by Stockport schools. I know that my right hon. Friend the Secretary of State has had many requests this afternoon, but may I invite him to meet headteachers in my constituency, when perhaps he might share the figures?

**Gavin Williamson:** I thank my hon. Friend for such a kind invite. I know that he has campaigned hard and vigorously to get a better settlement for schools in his constituency and right around the country. I would be more than delighted to join him in his constituency, and I hope to make the figures available for all schools in the coming weeks.

T9. [912342] **Justin Madders** (Ellesmere Port and Neston) (Lab): My constituent Bella has Down's syndrome and started primary school last week. What was supposed to be a very special time for her was racked with anxiety because the school said it could not afford to make the adjustments necessary for her to be able to attend school. Fortunately, a compromise has been made, but the school will have to make cuts elsewhere now. May we have this money for special educational needs provision brought forward now?

**The Minister for School Standards (Nick Gibb):** The hon. Gentleman will be aware, from the funding settlement, that we are increasing funding for high needs—for special needs—by £700 million. That is an 11% increase, and it is because we absolutely recognise the cost pressures that schools and local authorities have been under when it comes to special needs. We hope that the funding announcement made last week by my right hon. Friend the Secretary of State will go some way to addressing those concerns.

**David Morris** (Morecambe and Lunesdale) (Con): I thank the education team for giving £5.5 million for upgrades in secondary schools in my area. Recently, however, there has been a disturbing turn of events. Skerton Community High School was closed down by the Labour county council, but it is being hypocritically targeted for an erroneous campaign to reopen it by the Labour party. The school has been closed for five years.

Will my right hon. Friend the Secretary of State write to me to tell me what is going to happen to this school in the future and whether it could be used for an academy?

**Gavin Williamson:** May I take the opportunity to pay tribute to my hon. Friend for the campaigning he always undertakes to deliver the very best for all the schools in his constituency and the campaigning he has done to get the increase in school funding we announced just the other week? I would be more than happy to write to him and to meet with him to discuss this important issue for his constituency.

T10. [912343] **Luke Pollard** (Plymouth, Sutton and Devonport) (Lab/Co-op): Will the Secretary of State send a message to every young LGBT child in our schools up and down the country that they are loved and valued and that children will be taught about their existence in school lessons in an age-appropriate way?

**Gavin Williamson:** I can absolutely assure the hon. Gentleman that that is very much the case. It is very important that we teach children about the Britain we live in today.

**Jeremy Lefroy** (Stafford) (Con): I welcome the additional revenue funding for schools in Staffordshire. Will the Secretary of State outline the plans for capital funding, of which there is an urgent need in Staffordshire and in many other schools across the country?

**Gavin Williamson:** I always recall that when my hon. Friend and I were first elected to the House we, as constituency neighbours, campaigned very hard to get a better funding settlement for Staffordshire, but also for all schools across the country. We are working on the capital settlement, and we will be working with the Treasury to bring forward announcements in the not-too-distant future.

**Mrs Sharon Hodgson** (Washington and Sunderland West) (Lab): For pupils on free school meals, buying water at lunchtime can cost up to 80p of their allowance, which is often more than the fruit juices and milkshakes available. Does the Secretary of State agree that free water should be available, with cups and bottles, for all pupils in all our schools?

**Gavin Williamson:** The hon. Lady is absolutely right. No child should ever be expected to pay for water, and no school should ever deny a child access to fresh water. It is a legal requirement for all schools to make water available. If she would be kind enough to forward details of where water is not available, we will be sure to follow it up.

**Peter Heaton-Jones** (North Devon) (Con): May I thank the Minister for listening to all our lobbying about the need for North Devon schools to have their funding equalised fairly? That investment will make a huge difference. Will he now come back to North Devon to see what a difference it will make, and to thank staff and students for all their hard work?

**Gavin Williamson:** My hon. Friend is always campaigning for his constituents, whether to save Royal Marine bases or to get more money for his schools. I would be

delighted to join him in visiting the schools in his constituency that will receive the extra money that he has campaigned for and delivered.

**Marsha De Cordova** (Battersea) (Lab): In the summer of 2019, Wandsworth food bank handed out 1,024 emergency food parcels to families, which was a 40% increase on last year. It has reported to me that families are having to choose between buying food and buying school uniforms. Will the Minister now publish the estimated figures for the number of children who have gone hungry this summer?

**Mrs Badenoch:** I thank the hon. Lady for that question. We do not collect that information, but the Department has other schemes that are seeking to address the issue, including our holiday activities and food programme, which has supported children from disadvantaged families over the past two summers.

**Maria Caulfield** (Lewes) (Con): Female students at Priory School in Lewes were excluded on Friday simply for wearing skirts, which goes against the school's new uniform policy. They are excluded today and will continue to be excluded until they wear trousers. What support can the Minister give to the families and pupils affected?

**Nick Gibb:** Decisions about school uniform are made at school level by headteachers and governing bodies. In formulating a uniform policy, a school must consider its obligations not to discriminate unlawfully. I would be very happy to meet my hon. Friend to discuss her work to try to resolve the issue locally.

**Several hon. Members** *rose*—

**Mr Speaker:** I am sure that if I did not call a retired headteacher, I would be subject to the most condign punishment imaginable. I call Thelma Walker.

**Thelma Walker** (Colne Valley) (Lab): Thank you, Mr Speaker—10 out of 10.

I recently spoke on BBC Radio Leeds about the number of young people who suffer trauma and bereavement just before sitting exams and who often do not get the appropriate support and bereavement counselling. Will the Secretary of State meet me to discuss adequate counselling provision for those going through such a difficult time?

**Nick Gibb:** Yes. The awarding organisations have protocols in place for such issues, but I am very happy to meet the hon. Lady to discuss the case that she is concerned about.

**Neil O'Brien** (Harborough) (Con): I really welcome the extra money for special educational needs. Will my right hon. Friend look closely at improving school

transport for 16 to 19-year-olds with special needs so that we can further improve conditions for the most needy children?

**Nick Gibb:** My hon. Friend makes a very important point. It is important that we allow opportunities to be widely available to children and to young people, regardless of their special needs. Bursaries are available for particular children, and that funding can be used for transport. I would be very happy to meet him so that we can take this issue forward together.

**Laura Smith** (Crewe and Nantwich) (Lab): A quarter of people in my constituency are now reported to be living in in-work poverty, so is it no wonder that I know of desperate families unable to pay for their children's school uniforms. Will the Minister consider introducing a statutory duty for schools to prioritise cost considerations and value for money for parents when deciding uniform policy and a ban on compulsory branding if this means families incurring additional costs?

**Nick Gibb:** The Department's current guidance on school uniform does place an extra emphasis on the need for schools to give the highest priority to cost consideration. No school uniform should be so expensive as to leave pupils or their families feeling unable to apply for or to attend a school of their choice due to the cost of the school uniform. If the hon. Lady has examples of schools that are not abiding by that guidance, I would be very grateful if she let me know.

**Several hon. Members** *rose*—

**Mr Speaker:** I have called a distinguished headteacher to speak, so I must call a distinguished nurse. I call Anne Milton.

**Anne Milton** (Guildford) (Ind): The correlation between good education and good health has long been known, not least by Professor Sir Michael Marmot in his 2010 report. With that in mind, surely it is now the time to give further education the long-term funding that it needs.

**Gavin Williamson:** I know that my right hon. Friend is passionate about this matter and has campaigned on it. By setting out a three-year deal for schools, I appreciate that that has raised everyone's expectation right across the education sector for three-year deals for everyone. It is something that we continue to look at. It was vital that we got the extra £400 million for 16 to 19-year-olds, and we continue to have discussions about how we can set out a longer-term future for all sectors in the education market.

**Several hon. Members** *rose*—

**Mr Speaker:** Order. I shall come to points of order in due time and I shall bear all those hon. Members in mind.

## Speaker's Statement

3.37 pm

**Mr Speaker:** Colleagues, I would like to make a personal statement to the House.

At the 2017 election, I promised my wife and children that it would be my last. This is a pledge that I intend to keep. If the House votes tonight for an early general election, my tenure as Speaker and MP will end when this Parliament ends. If the House does not so vote, I have concluded that the least disruptive and most democratic course of action would be for me to stand down at the close of business on Thursday 31 October. [*Applause.*] The least disruptive, because that date will fall shortly after the votes on the Queen's Speech, expected on 21 and 22 October. The week or so after that may be quite lively, and it would be best to have an experienced figure in the Chair for that short period. The most democratic, because it will mean that a ballot is held when all Members have some knowledge of the candidates. This is far preferable to a contest at the beginning of a Parliament, when new MPs will not be similarly informed and may find themselves vulnerable to undue institutional influence. We would not want anyone to be whipped senseless, would we?

Throughout my time as Speaker I have sought to increase the relative authority of this legislature, for which I will make absolutely no apology to anyone, anywhere, at any time. To deploy a perhaps dangerous phrase, I have also sought to be the Back Bencher's backstop. I could not do so without the support of a small but superb team in Speaker's House; the wider House staff; my Buckingham constituents; and, above all, my wife Sally and our three children, Oliver, Freddie and Jemima. [*Applause.*] From the bottom of my heart, I thank them all profusely.

I could also not have served without the repeated support of this House and its Members, past and present. This is a wonderful place, filled overwhelmingly by people who are motivated by their notion of the national interest, by their perception of the public good and by their duty—not as delegates, but as representatives—to do what they believe is right for our country. We degrade this Parliament at our peril.

I have served as a Member of Parliament for 22 years, and for the last 10 years as Speaker. This has been—let me put it explicitly—the greatest privilege and honour of my professional life, for which I will be eternally grateful. I wish my successor in the Chair the very best fortune in standing up for the rights of hon. and right hon. Members individually, and for Parliament institutionally, as the Speaker of the House of Commons. Thank you. [*Applause.*]

You really are a very, very, very generous bunch of people indeed. Thank you, on both sides of the House, for the expressions of support, which I richly appreciate. I love this place, you love this place, and we look forward to the future with interest, anticipation and enthusiasm.

## Points of Order

3.46 pm

**Jeremy Corbyn** (Islington North) (Lab): On a point of order, Mr Speaker. I want to put on record my thanks to you for being a superb Speaker of this House, my thanks to you as a colleague in Parliament, and my thanks to your family for the way in which they have supported you through often very difficult times when many of the media have been very unfair on you. Your two sons are getting good at football. I did some kicks with them in Speaker's Court the other day and I was very impressed, actually; they are coming on well. And I know you support the same club as me.

In your role as Speaker, you have totally changed the way in which the job has been done. You have reached out to people across the whole country. You have visited schools, you have visited factories, you have visited offices; you have talked to people about the role of Parliament and democracy. I have never forgotten you coming to City and Islington College in my constituency and spending the morning with me talking to a group of students, all of whom had learning difficulties, and we discussed with them the roles of democracy and Parliament.

You have taken absolutely on board the words of Speaker Lenthall that you are there to be guided by and act on behalf of our Parliament. This Parliament is the stronger for your being Speaker. Our democracy is the stronger for your being the Speaker. Whatever you do when you finally step down from Parliament, you do so with the thanks of a very large number of people, and as one who has made the role of Speaker in the House more powerful, not less powerful. I welcome that. As somebody who aspires to hold Executive office, I like the idea of a powerful Parliament holding the Executive to account; it is something I have spent the last 35 years doing myself.

So, Mr Speaker, enjoy the last short period in your office, but it is going to be one of the most dramatic there has been. I think your choice of timing and date is incomparable and will be recorded in the history books of parliamentary democracy. Mr Speaker, on behalf of the Labour party I thank you for your work in promoting democracy and this House. Thank you.

**Mr Speaker:** Thank you. I just say to the right hon. Gentleman, the Leader of the Opposition, that he is very much more experienced and senior than I, but I think that as Back Benchers in our respective parties we did have quite a lot in common. Certainly, speaking for myself, as a Back Bencher, and frequently as an Opposition Front Bencher, I found that I had a relationship with my Whips characterised by trust and understanding—I didn't trust them and they didn't understand me.

**The Chancellor of the Duchy of Lancaster (Michael Gove):** Further to that a point of order, Mr Speaker. I would like, perhaps for the first time, to associate myself wholeheartedly with the comments of the Leader of the Opposition. Since you entered the House of Commons in 1997, it has been clear to everyone who has seen you work as a diligent constituency MP, an effective Back Bencher, and also a tenacious Front Bencher in your time, that you love this House of Commons, you love our democracy, and your commitment to your principles and your constituents is unwavering and an example to others.

This evening I shall vote with many of my colleagues for an early general election. I hope you will not take that personally, Mr Speaker, because I have no wish to prematurely truncate your time in the Chair. However controversial the role of a backstop may be in other areas, your role as the Back Benchers' backstop has certainly been appreciated by individuals across this House. I have spent much, though not all, of the last 10 years as a member of the Executive, but I have also been a Back Bencher in this House, and I have personally appreciated the way in which you have always sought to ensure that the Executive answer for their actions. History will record the way in which you have used the urgent question procedure and other procedures to hold the Executive to account and have restored life and vigour to Parliament, and in so doing, you have been in the very best tradition of Speakers.

From time to time, those of us on the Government Benches might have bridled at some of the judgments you have made, but I have never been in any doubt that you have operated on the basis that the Executive must be answerable to this House in the same way as this House is answerable to the people. You have done everything in your power to ensure not just the continued but the underlined relevance of this place. Your love of democracy is transparent in everything that you say and do, and as such, I want, on behalf of myself as an individual and on behalf of the Conservative party, to thank you. As a fellow parent of pupils at a distinguished west London comprehensive, may I also say how important it is that discipline is maintained in this House? Your energetic efforts to do so are appreciated even by those of us who may not always be the best behaved in class.

**Mr Speaker:** I thank the right hon. Gentleman. That was characteristically generous and gracious of him. At the risk of inflicting some damage upon his otherwise flourishing political career, I have on more than one occasion paid public tribute to the quality of the right hon. Gentleman. One of the reasons why he does not complain about urgent questions being granted, to which he has at short notice to answer, is that he is quick enough, bright enough, sharp enough, fair-minded enough, articulate enough and dextrous enough to be able to cope with whatever is thrown at him. I do not want this to become a mutual admiration society, because I am not sure whether it would be more damaging to him or me, but I thank him for what he said, for the way in which he said it and for the spirit that his remarks embody.

**Hilary Benn** (Leeds Central) (Lab): Further to that point of order, Mr Speaker. I would not seek for a minute to challenge your decision, not least because you would rule me out of order, but I have to say that I regret it and respect it. I say that for this reason. When the history books come to be written, you will be described as one of the great reforming Speakers of the House of Commons. You have indeed been the Back Benchers' friend and supporter, but in every decision you have made, you have put one consideration above everything else: your wish to enable the House of Commons to discuss matters and to express a view.

There have been occasions when some in the House have taken umbrage at decisions that you have reached, but you have stood by your beliefs and principles, and many Members of this House are eternally grateful to

you for having stood up for our rights, enabling us to debate and then to vote on something. The fact that the Speaker decides that something should be debated is not the Speaker saying that the House should agree it; it is the Speaker saying that we should be able to cast our vote. That is why we will regard you in that light for many, many years to come. Thank you very much indeed.

**Mr Speaker:** Thank you.

**Several hon. Members** *rose*—

**Mr Speaker:** I call my very loyal and brilliant next-door neighbour of over 20 years in constituency terms, Mr David Lidington.

**Mr David Lidington** (Aylesbury) (Con): Further to that point of order, Mr Speaker. May I—as an elector in the Buckingham constituency, not least—offer an expression of thanks to you for your work as a constituency Member of Parliament over the past 22 years? Talking to neighbours and acquaintances in all parts of the Buckingham constituency over the years that you have represented it, I have been struck by the fact that men and women of very different political persuasions, and indeed those of no particular party affiliation, are united in their appreciation of the fact that you have never allowed your considerable duties as Speaker of the House to detract from your responsibility to represent their interests in Buckingham and to respond to the concerns that they raise with you. Colleagues in all parts of the House will speak about your record as Speaker, but those of us in Buckinghamshire will know how you have continued to speak on and champion local interests and local issues.

I know, too, that you will be missed among the somewhat eclectic team of hon. and right hon. Members representing the county of Buckinghamshire. It is perhaps a good measure of the fact that in this place, despite frequent clashes and disagreements, we can still manage to get on. Those Buckinghamshire parliamentary meetings bring together not just you and me but my right hon. Friend the Member for Chesham and Amersham (Dame Cheryl Gillan) and both my right hon. and learned Friend the Member for Beaconsfield (Mr Grieve) and my hon. Friend the Member for Wycombe (Mr Baker) in a spirit of harmony, at least on county matters.

I thank you for what you have done for us locally and, if I may say so as a former Leader of the House, for what you have done to communicate more to people, particularly to schoolchildren and students around the country, about how this place works and the constitutional significance of Parliament in defending the liberties and debating the interests of the next generation.

**Mr Speaker:** I thank the right hon. Gentleman for what he has said. I want to observe—others will bear testimony to this, in the light of what he has just said—that the right hon. Gentleman was, frankly, an outstanding Leader of the House of Commons. He is one of the most co-operative and collaborative colleagues whom one could hope to meet. He gets things done, he is extremely personable, and I think it is fair to say that he works based on periodic political difference but continuing personal amiability. If others of us were able to model

[Mr Speaker]

ourselves on the way in which he has gone about his work over the last 27 years as a Member of Parliament, we would probably be doing better. I thank him for what he has said.

**Several hon. Members** *rose*—

**Mr Speaker:** We must proceed before too long, but I do apologise very sincerely to the right hon. Gentleman—the leader of the third party in this House—for failing to see him at an earlier point, which I should have done.

**Ian Blackford** (Ross, Skye and Lochaber) (SNP): Further to that point of order, Mr Speaker. On behalf of those of us on the SNP Benches, may I say that we will be sad to see you leave office at the end of October? It is fair to say that you have shown considerable grace and purpose—not just to us, but to Members across this House. We are eternally grateful for the way in which you have conducted yourself, particularly over these last few months—at a time, let us be honest, of constitutional crisis for all of us—and for the way you have facilitated Back Benchers, in particular, in being able to hold the Executive to account and, indeed, in making sure that those of us whom people send to this place are able to do our job to the best of our endeavours in representing their interests.

Like the Leader of the Opposition, we are grateful that you will be with us until the end of October, and we look forward to the guidance and supervision you will give to our affairs over the coming weeks. You have been a great friend to many of us in this House. We wish every good wish to you and your family for the coming period. You will always get a friendly welcome in Scotland, and indeed we would love to see you up in Ross, Skye and Lochaber. Mr Speaker, thank you very much on behalf of all of us.

**Mr Speaker:** Thank you.

**Dame Cheryl Gillan** (Chesham and Amersham) (Con): Further to that point of order, Mr Speaker. As you know, at the beginning of this Parliament, you asked me if I would propose you for the Chair, and I was very pleased to do so. I made the immortal statement:

“I think he annoys Members on all the Front Benches from time to time, which is probably testament to his even-handedness.”—*[Official Report, 13 June 2017; Vol. 626, c. 4.]*

I think there was not a dry eye in the House, because that was true.

I have to add my voice to that of my Buckinghamshire colleague, my right hon. Friend the Member for Aylesbury (Mr Lidington), for the simple reason that, as a colleague in Buckinghamshire, you have been absolutely superb. Speaking as the only female representative of a constituency in Buckinghamshire, I sometimes find it necessary to keep some of you boys under control, because you do not always quite see eye to eye—with me.

I rise to my feet to say a big thank you to you for something else you have done in your time as Speaker. You have hosted events for more than 1,000 charities in Speaker's House. You have been a true champion of people with autism. Today, as the all-party parliamentary group publishes a report on the 10 years since the Autism

Act 2009, I pay tribute to everything you have done, particularly for charitable works, but also for people and families with autism.

I have one great regret, knowing that you are going to stand down. I will lose a great champion in my fight against HS2, and I very much hope that when you retire from the House, whatever you do, you will continue to join me in the fight against HS2 and continue, most importantly, to champion those people with autism and their families.

**Mr Speaker:** I thank the right hon. Lady for what she said, and for all the good fellowship that she and I have enjoyed over the 22 years I have been in the House with her.

**Several hon. Members** *rose*—

**Mr Speaker:** It is a matter of seniority as well as a magnificent tie. I call Mr Barry Sheerman.

**Mr Barry Sheerman** (Huddersfield) (Lab/Co-op): Further to that point of order, Mr Speaker. I remember that when I first met you I went home to my wife and said, “I’ve met this really bumptious, self-opinionated, right-wing, objectionable character.” I could say that you haven’t changed, but the fact of the matter is that you have been an exemplary Speaker. You have been Parliament's Speaker. I have been here quite a long time, so I have seen people organising the Speaker's election—usually the Whips. You broke that tradition—we broke that tradition, cross-party. We wanted you, and we denied the Whips their choice, and we got you. Those of us who have been around this place for some time do not regret for a moment that we got Parliament's Speaker. You have proved that we were right in our choice.

You have been magnificent in the way you have gone around the country. I remember the occasion—we planned it well in advance—when you chose to come to Huddersfield for the whole day. Unfortunately, it was the day after the referendum. It was quite an interesting atmosphere. I remember you getting to Huddersfield and saying, “This is an awfully long way, isn't it, Barry?” However, you did get about, and you saw how constituents worked. You came to the University of Huddersfield, and you did the job well.

You also, as Speaker, have been the champion of the Back Bencher. The people on the Front Benches—the Whips—love to have their own way. You were determined to let people like me—a Back Bencher—and other Back Benchers have their say. There has been a renaissance of Parliament under your speakership. I hope only that we get someone half as good as you when we single-mindedly, happily, diversely, and democratically choose your successor. Thank you for everything you have done for parliamentary democracy.

**Mr Speaker:** Bless you, Barry, for what you have said. *[Interruption.]* Will hon. Members forgive me? I call Mr Dominic Grieve.

**Mr Dominic Grieve** (Beaconsfield) (Ind): Further to that point of order, Mr Speaker. As another Buckinghamshire MP, I could not fail to rise to say words of thanks to you for what you have done.



You may recall—it is perhaps worth recalling—that when you were first elected Speaker I think I was the only person in the Chamber who did not stand to applaud you. That was for two reasons. First, I rather disapprove of these displays and, secondly, my preferences lay elsewhere. I think I also indicated to you subsequently that I would do my very best to support you. As the years have gone by, I have come to appreciate that in the extraordinary times in which we live, your leadership of this House has been, in my judgment, exemplary in standing up for the rights of Back Benchers. You will undoubtedly go down as such, setting a benchmark that, built on by future Speakers, will enable the House to operate very much better.

As for Buckinghamshire, Mr Speaker, you will undoubtedly be missed. I sometimes think in the troubled times in which we live, it is time to return to those 17th-century practices of setting up county associations and deciding to keep the rest of the world out, because we would then find that we agree with each other 100%.

**Mr Speaker:** I thank the right hon. and learned Gentleman for what he said. I regard him as a quite exceptional parliamentarian, so to receive a tribute from him means a great deal to me, and I think he knows that.

**Ms Angela Eagle** (Wallasey) (Lab): Further to that point of order, Mr Speaker. I am one of those who originally supported you when you stood, in quite troubled times and unexpectedly, to be the Speaker. I did so because you had already demonstrated to me and to others that you were open-minded enough to have gone on a journey. People have not expressed this particular part of you yet in these points of order, but your commitment to equality, women, LGBT people and the disabled, to ensure proper inclusion for everyone in our country and in our politics, is perhaps the thing that has most impressed me.

We worked together behind the scenes when I was shadow Leader of the House. I know how committed, in very difficult times, and wrestling with a rather conservative and hidebound institution, you have been. For that reason alone—for your determination, your judgment, your confidence in your judgment, your deep understanding of the way our Parliament works and your willingness to stand up for the rights of Back Benchers against some of the most ferocious behaviour by Government—you will be remembered as one of the great reforming Speakers.

I hope that, as you get your evenings back, and as you will be able to make a choice about which chair you sit in and for how long—

**Lucy Powell** (Manchester Central) (Lab/Co-op) And go to the toilet! [*Laughter.*]

**Ms Eagle:** Well, Mr Speaker, I was not going to mention your bladder, and I am still not.

I hope that as you look back and reflect on all these tumultuous times you will look back with satisfaction on the role you have played, because you deserve to do so. You have been an outstanding Speaker and I wish to add my thanks to the spontaneous tributes we are hearing now. Thank you.

**Mr Speaker:** I thank the hon. Lady. Put simply, I have been very lucky. If you do for a living something that causes you to jump out of bed in the morning looking forward to the day ahead, then frankly you are blessed.

**Mr Peter Bone** (Wellingborough) (Con): Further to that point of order, Mr Speaker. You have been an extraordinary Speaker—an outstanding Speaker. Over the past few weeks, I have very much disagreed with your interpretation of certain Standing Orders, but for the 14 years I have been here you have transformed this place. You used to sit behind me on the Opposition Benches heckling the Government like mad—and then I hear the nerve, Sir, of you telling us off for heckling! I hope, when we forget the Brexit period, you will be remembered for completely transforming this place and allowing Back Benchers to do their job, and for allowing new Members the opportunity to fulfil a career as a Back Bencher while not necessarily wanting to be a Minister.

**Mr Speaker:** The hon. Gentleman speaks from personal experience as a parliamentarian who is always ready to speak truth to power. I identify with him. What he says, not least in the light of some of his recent disagreements with me, is big of him.

**Lucy Powell:** Further to that point of order, Mr Speaker. I want to associate myself with everything that has been said so far, except perhaps the remarks about HS2.

May I just add a couple of points that have not been mentioned? First, without your family-friendly reforms to this place, particularly the opening of the nursery, your willingness to introduce proxy voting, and allowing babies and young children into the Lobby, I and many others in this place, mothers and fathers alike, would not have been able to carry out our duties and to carry on being Members of Parliament. I thank you enormously for those changes and reforms.

In your time as Speaker, probably the most difficult event was the murder of our friend, Jo Cox. You gave leadership to this whole place, to our collective grief and to the grief of her community and her family, visiting her constituency the day after her terrible murder. I know her family would want me to thank you from the bottom of their hearts for your leadership at that very, very difficult time for this House.

**Mr Speaker:** Thank you. As everybody here knows, Jo was very special, and she will remain in our hearts for as long as we live.

**Mr Steve Baker** (Wycombe) (Con): Further to that point of order, Mr Speaker. As a Buckinghamshire colleague, it has been a huge pleasure and privilege to work alongside you to further the interests of our constituents—I say “our constituents” because I fondly remember occasions on which I have needed to speak in this place on your behalf, and it has been my privilege and pleasure to do so. It would be graceless of me, of course, to refer to anything where I might possibly have disagreed with you, but I just say that it is perfectly plain to me that you love this place and this Parliament, and I am grateful for all your service.

**Mr Speaker:** I thank the hon. Gentleman; he is a conviction politician, and that deserves respect.

**Jo Swinson** (East Dunbartonshire) (LD): Further to that point of order, Mr Speaker. I express thanks from those on the Liberal Democrat Benches for your decade of service in the Chair.

Very often, to those outside, Parliament can appear stuffy and out of touch. Some of the initiatives that have come in on your watch, including the Wright reforms, with topical questions, and your willingness to grant urgent questions have meant that when people talk about issues outside this place we can discuss them in a timely way in the House, and that has been important.

I was very moved by your tribute to your wife and children, because the families of all of us in this place put up with a lot for us to do the jobs that we do. I echo the comments of the hon. Member for Manchester Central (Lucy Powell) about the reforms that you have made possible, including the parliamentary nursery, babies being able to be in voting Lobbies—indeed, your forbearance in not asking me to leave when I brought baby Gabriel into this House—and the proxy voting reforms, which have already made such a difference for Members with small babies during these rather intense few months of parliamentary debate. Those reforms have been truly important and you have been a truly modernising Speaker. As I am sure you would agree, there is much more to do, and I hope that whoever is your successor will continue in that tradition.

Finally, you have been an absolutely unstinting guardian of parliamentary democracy at a time when people feel the need to take to the streets to argue to defend our democracy. I think back to my first term in this place, between 2005 and 2010. If you had asked me at the time to pinpoint the most important vote that I cast in those five years, I am not convinced that I would have chosen that vote in 2009, but choosing you to be Speaker of this House was arguably the most important vote cast for the future of our country and our parliamentary democracy. I am very glad that I and others in this House made that choice.

**Mr Speaker:** Thank you.

**Sir Edward Leigh** (Gainsborough) (Con): Further to that point of order, Mr Speaker. So far, we have mainly heard from distinguished Members on the two Front Benches or immediately prior Members, but I speak on behalf of the permanent, or semi-permanent, Back Benchers, who either by their own wish, or in my case because nobody has ever asked me, have not joined the Front Bench team in recent years. Although I have not followed you in your political journey and on many occasions you have absolutely infuriated me, I have to say, on behalf of Back Benchers, that there is one thing that nobody can ever take away from you: you have been determined to give a voice to those people in this place who want to ask real questions of the Executive. For this, we will always be grateful.

**Mr Speaker:** I am grateful to the right hon. Gentleman. He was, of course, a talented Minister but I have always thought, because I know that his career came to a premature end, that he suffered from the notable disadvantage, as a member of the Government, of not only holding opinions, but feeling inclined, with notable

frequency—whether wanted or not—to express them. That seemed to me why he was removed from the Government, but the Executive's loss was Parliament's gain.

**Jim Shannon** (Strangford) (DUP): Further to that point of order, Mr Speaker. I would like to add our party's thanks to you. You have always been the Back Bencher's champion. You have called me as often as the hon. Member for Huddersfield (Mr Sheerman). You often chastise me gently for saying "you", but can I say that you have done excellently for Back Benchers? I will try hard not to use that word on other occasions. You have called me to order a few times, but gently, with your humour, kindness and good will, have enabled me to learn the protocols of this House in a way that I hope will stay with me for some time to come. Even with my Ulster Scots and my accent, you always seem to understand me.

You mentioned Sally and your children. The most important thing for us all in the House is the sanity we get when we go back to our families. They are incredibly important. As you know, I turn up for the Adjournment debate every night, and you are always here as well. I will miss you when you are not here. Whatever you do in this world, I know that you will do it well. I wish you well. I wish your family well. Godspeed and God bless.

**Mr Speaker:** Colleagues, I hope you will forgive me if I say this very publicly to the hon. Member for Strangford (Jim Shannon). I bet others have noticed it—I certainly have, ever since he came into the House and we got to know each other. The hon. Gentleman is a person of strong religious faith. As it happens, I am not. I have always been proud of my Jewish roots and my Jewish identity, but I am not a practising religious person. What I admire about the hon. Gentleman—and it makes him a most lovable figure in the House of Commons—is that he radiates warmth, empathy and compassion. He is one of those people of faith who do not spend time preaching it but live it.

**Sir John Hayes** (South Holland and The Deepings) (Con): Further to that point of order, Mr Speaker. Such is the length of our relationship and our friendship, which has been long suspected and about which I think we can now come clean, that I rushed here from Lincolnshire when I heard the news of your imminent departure. In an age of technocratic turgidity and mechanistic mediocrity, you have brought colour and style to this place. No one could deny your eloquence or your extraordinary, encyclopaedic grasp of facts, of which we are all envious. I do not know how you manage to remember not only facts about our constituencies but our birthdays, wedding anniversaries, children's names—what don't you remember, Mr Speaker?

You have given life to this place in a way that few could ever have managed and few of your predecessors achieved. You have made this place far more interesting than it would have been without you. But there is something else that is rarely said about you, and it is this. I fully recognise your sensitivity and humanity. There are countless acts of kindness that you have shown Members of this House that are never publicised—because they would not be by their nature—and to which it is only fair now to draw attention. When Members have had difficulties of one sort or another—the

trials and tribulations which are the inevitable consequences of life here—you have always been there for them. That work as our Speaker needs to be recorded and celebrated, and acknowledged today. I will miss you not only for your indulgence, of which I have been a frequent beneficiary, as you well know, but for your character and style, and that will last long after you leave the Chair, as I hope our friendship will.

**Mr Speaker:** Let me say to the right hon. Gentleman that our friendship will endure for a long time to come. Among other things that we have in common, we share a passion for, and a slightly obsessive preoccupation with, historical statistics relating to tennis.

By the way, I have never lost any sleep over a work-related matter, because it is not worth doing. The nights without sleep that I have tended to experience over the years, and doubtless will do so in the future, have ordinarily been during either the US Open or the Australian Open, when, as the right hon. Gentleman knows, my normal practice is to forgo sleep if the alternative is the opportunity to watch my all-time sporting hero, Roger Federer.

**Anna Soubry** (Broxtowe) (IGC): Further to that point of order, Mr Speaker. You and I first came across each other well over 40 years ago, when we were both members of the Conservative party as students. I could not possibly repeat the language of the hon. Member for Huddersfield (Mr Sheerman), but I do endorse the “right-wing” bit. I, of course, was what was known then as a proud wet, and was certainly on the pink liberal wing of the Conservative party. Although our journey and our route have been somewhat different, I rather suspect that we are back together in our new place, and that will be interesting, as will all that follows. But I remember that when you were a student, you had a huge passion for politics and for Parliament, and, of course, you were hugely eloquent even then. All those things have served you well for many years, in your role as a Member of Parliament but also in your role as Speaker, but, most important, they have served this place hugely well.

I will not repeat, but will just endorse, all the fine tributes about the great reforms that you have made to this place, especially on behalf of women, but also on behalf of all the young people in my constituency and the children who have come to this place in a way that previous generations certainly did not, who have learned so much and who have felt engaged.

Finally, I want to apologise on behalf of the small group of us who, by virtue of our appalling behaviour, found ourselves founder members of the “Three Bs”. When I come back, as I think I will at some stage—*[Interruption]*—yes, that is right, if we have any such general election—I will bring you the little badge that I have with the three Bs, which stand for “Bollocked By Bercow”. I am very proud of my membership of that club. But, on behalf of my merry band—and, indeed, all of us—I thank you for everything that you have done, and the great service that you have given to this place.

**Mr Speaker:** Bless you, and thank you.

We are running out of time—

**Peter Kyle** (Hove) (Lab): We have got until October.

**Mr Speaker:** As the hon. Gentleman says from a sedentary position, we have got until October, but first of all we must hear from Mr David Lammy.

**Mr David Lammy** (Tottenham) (Lab): Further to that point of order, Mr Speaker. Much has been said, obviously, by Members of Parliament in this place, but I want to put on record what I suspect are deep thanks in huge parts of the country, and to echo absolutely what has been said by, in particular, my hon. Friend the Member for Wallasey (Ms Eagle).

I was in the House after the riots of 2011, and I thank you, Mr Speaker, for helping to recall the House to debate that very important subject. I also thank you for, most recently, after a scandal that involved people with Caribbean backgrounds, granting my urgent question that allowed the revelation of that scandal. So many issues concerning minorities in this country could so easily have remained on the fringes, as has been the case during previous decades in our country—thank you for putting them at the centre of the action in this Parliament.

Thank you, also, for appointing Rose Hudson-Wilkin as the Chaplain when the establishment might have preferred a different choice. Yes, the role of Speaker is to be part of the establishment, but it takes a giant—and, of course, you are not a giant—to stand up to that establishment and never be cowed. The next Speaker will have very, very big shoes to fill.

**Mr Speaker:** That is extraordinarily eloquent and generous. I do not want to comment on anything the right hon. Gentleman has said about me but I want instead to endorse in triplicate what he has just said about the Right Rev. Rose Hudson-Wilkin, Chaplain to the Speaker of the House of Commons, a great servant to Parliament, in her place in the Under Gallery now, a source of comfort and inspiration to me for the last nine years. There has not been a single day when I have not felt delighted and reinforced in my insistence, and it was my insistence, that Rose should be appointed to that role. There is always scope for legitimate difference of opinion, but there were people—part of what I have to say outside of this place I will call the bigot faction—who volunteered their views as to what an inapposite appointment I had made with all the force and insistence at their disposal, which sadly from their point of view were in inverse proportion to their knowledge of the subject matter under discussion. They had not met Rose, they did not know her, they could not form a view; they had a stupid, dim-witted, atavistic, racist and rancid opposition to the Rev. Rose. I was right, they were wrong: the House loves her. *[Applause.]*

**Dawn Butler** (Brent Central) (Lab): Further to that point of order, Mr Speaker. I want to say a huge thank you for all that you have done for Back Benchers and for democracy, especially throughout this time as we discuss Brexit. I also want to thank you for all the firsts you have done in the House. In the Stonewall list of LGBT+ employers, Parliament has moved up now to 23rd; I think we were down in the 70s and 80s before. Parliament has been ranked as one of the best 100 employers at the race equality awards; that is because of your guidance and leadership, Mr Speaker. And thank you for appointing Rev. Rose; I think she is in the corner crying, with the rest of us. Thank you so much, Mr Speaker; she has been amazing, as have you.

[Dawn Butler]

We have also had the first Muslim Serjeant at Arms and the first female Clerk Assistant of the House, and young people being allowed to debate in this Chamber has come under you, Mr Speaker. There are also all the charity events that you have held in Speaker's House—such as for British sign language and the Windrush—and being able to raise the flag for International Women's Day outside Parliament for the first time, and Black History Month. I could go on about all that you have done to modernise this place, and I thank you from the bottom of my heart, Mr Speaker.

I hope you can just bear with me, Mr Speaker, because equality is a theme that you have championed. Following last week's resignation, I am deeply concerned that the position that I shadow, Minister for Women and Equalities, remains vacant, and that, with more than half of the current Cabinet opposed to equal marriage, this brief has been undermined deliberately to roll back the hard fought-for rights and protections. Mr Speaker, being a bit of a "girly swot", I have calculated that when the next person is appointed they will be the 10th to be appointed to the brief since 2010. The post has moved Departments four times, and a new Minister would be the fifth I will have shadowed in just two years. [Interruption.] Government Members may groan, but they do not feel even half the pain that we feel on this side of the House.

Trump recently described Boris Johnson as Britain's Trump and he was grinning like a Cheshire cat. In the United States we have seen what can happen when a racist and sexist is placed in charge of a country: implementing a Muslim ban on people arriving and leaving the country, banning trans people from serving in the military, pushing to allow businesses to turn LGBT customers away and making it easier for LGBT people to be sacked, or telling "the squad", a group of four elected Congresswomen of colour, to go back to their countries. Our Prime Minister is modelling his campaign on his mate Trump. This is proven by the fact that No. 10 recently carried out a so-called culture war on polling on trans people. It is a disgrace to equalities, and it is so obvious that the Tories do not care about this brief. Women have suffered 87% of the cuts, and we have seen a 375% rise in hate crime. We cannot allow this kind of hateful and divisive politics to continue to infect the UK. If any Government is in need of a Minister to fight against racism, sexism and homophobia, it is this one.

Mr Speaker, with your commitment to equality, I wonder if you can shed some light on this. Do you know when the Prime Minister will stop passing this vitally important brief around like an inconvenience, and when he will start treating the Women and Equalities brief with the respect that it deserves and appoint a full-time Secretary of State to the brief, and a Department, just as Labour has pledged to do?

**Mr Speaker:** The hon. Lady has said what she thought; it is on the record and people can make their own assessment of it. Let me just say that I do regard the portfolio as a matter of the utmost importance, and one of the encouraging phenomena of recent years has been the emergence of an apparent consensus across the House as to the importance of this set of issues. That is

precious, and it should be cherished. It would be perilous if it were lost or put at risk. I very much hope that in the very difficult circumstances that we now face, there will be a replacement Minister soon. This is not a matter for me, but I feel very confident that an appointment will be made before very long.

These issues have to be focused on with a relentless tenacity. You cannot just take them for granted or think, "Job done." Sadly, all too often, we observe people in very, very, very senior positions around the world who do not appear to be adequately conscious—if conscious at all—of the scale of their responsibilities. With power comes responsibility. For example, we do not want to hear and we utterly deprecate the use of language such as "Go back" as a political tool. The Government rightly criticised this; it is unacceptable and it should not be ignored. It has to be called out. We need a focus for these issues, and the existence of a Minister is a part of that focus, mirrored by the Select Committee that scrutinises the Minister's work. We have an excellent Women and Equalities Committee—it is to the great credit of the Government that they established it—and it is important that it should have a Minister to scrutinise.

**Jess Phillips** (Birmingham, Yardley) (Lab): On a point of order, Mr Speaker. I am thankful to my hon. Friend the Member for Brent Central (Dawn Butler) on our Front Bench for slightly changing the tone, because I have an actual point of order. I too wish to associate myself with all the comments that have been made. I have been called over the years to criticise you and also to defend you. Had I known what I have found out today about HS2, the latter would have been harder to do. I had no idea that you were against HS2, which will obviously revolutionise the place where I live. Anyway, that is not my point of order.

Mr Speaker, I know because of everything that has been said today that you encourage people like me to stand up and say when we think things are wrong and when we think things can be improved in parliament. I love Parliament just as you do, and I wish for it to be in its healthiest form so that people can once again trust us, because there is a lack of trust in the country of this place at the moment. I wonder if you could help me to understand, in cases where Members of this House are found, and proven, to have committed what I would call, in certain cases, violence against women and girls—regardless of whether they do it on parliamentary time or not—or where a Member of this House is in court for crimes that are violent or abusive, what protections we put in place for the vulnerable people who go to see them in their surgeries? When I worked in the voluntary sector, or if I was a teacher, a doctor or a police officer, I would not have been allowed to see the public during a period in which an investigation was ongoing into me and the potential abuse of vulnerable people. I have deep concerns about the safeguarding of the people of our country and about how the laws around vulnerable people do not apply to this place.

**Mr Speaker:** I take very seriously what the hon. Lady has said, which bears solemn reflection. Rather than giving some ill-judged response on the hoof, I would prefer to discuss the matter privately with the hon. Lady, which I make the genuine offer in the near future to do.

We do a lot of things much better than we did, but as the leader of the Liberal Democrats pointed out—I nodded vigorously as she made the observation—there is still a lot more to do. I like to view—I say this not least to those who are observing our proceedings—the cup as half full, rather than half empty, but there is a fine line between being proud of what has been achieved and being satisfied. Being proud of what has been achieved is very often justified, and we should not rubbish ourselves. Being satisfied is usually a very, very bad idea, because it is the shortest possible route to complacency, for which there is no justification. We need to do better.

I have come to know the hon. Member for Birmingham, Yardley (Jess Phillips) over the past four years, and I have learned a lot from her. She is one of the most authentic politicians and best communicators that one could hope to meet. Apart from anything else—I hope I carry my colleagues with me in making this observation—she has got guts and character to burn.

**Several hon. Members** *rose*—

**Mr Speaker:** The hon. Member for Bristol West (Thangam Debbonaire) was the loudest, and she also has the biggest smile.

**Thangam Debbonaire** (Bristol West) (Lab): On a point of order, Mr Speaker. So many things have been said about you that I hope you will accept that I will make my tributes to you in private. I hope that we can continue to be friends, even though I am a Whip and you have said some rather interesting things about Whips.

I actually wish to make a point of order, which is that I asked the Leader of the House last week to apologise for comparing a whistleblower who felt that it was in the national interest for him to reveal details about the possible impact of a no-deal Brexit on very ill people—I am so sorry for not giving you advance notice of this—with a disgraced former doctor who made up evidence about the MMR immunisation, but he refused to do so. As a result of a decrease in MMR immunisations, herd immunity to measles—a deadly disease—has gone down in this country. The Leader of the House has since apologised in public, but that is of course not on the record. In making my point of order, I hope to put it on record that the Leader of the House has apologised, but I seek your guidance on whether he can be asked to come to this House to put on the record, with equal measure, his apology for what he said about a distinguished man to whom we should be grateful.

**Mr Speaker:** The hon. Lady has made her point with vigour and alacrity, and it is on the record. If she wants to obtain, almost in real time, an electronic copy of what she said and to deliver it to the office of the Leader of the House, she may well elicit a response. The Leader of the House of Commons, the right hon. Member for North East Somerset (Mr Rees-Mogg), is somebody I have known for a very long time. I have sometimes agreed with him and sometimes not, but I have found that the right hon. Gentleman, though he has delivered some extremely waspish and widely objected to comments on this occasion, has invariably been widely regarded as courteous. He is a polite man and a gracious person, and his characteristic generosity of spirit could serve him well here. He has apologised outside the House—that is my understanding from the media—and it is perfectly

open to him to do so in the Chamber. It is not for the Speaker to instruct him to do so. It is incumbent upon a Member who has erred in this House to correct the record.

This is a matter of opinion, rather than of fact, but if he has apologised outside the House and can be cajoled, exhorted, charmed or persuaded by the hon. Member for Bristol West (Thangam Debbonaire) and me to beetle along to the Chamber to give us a sample of his contrition and humility, who knows? He may well be widely praised.

**Liz Saville Roberts** (Dwyfor Meirionnydd) (PC): On a point of order, Mr Speaker. I am very saddened, on behalf of Plaid Cymru, to make this address to you today. We are eternally grateful to you for making a point of ensuring that the various and multifarious voices of this House are heard. There is such a variety, and earlier you mentioned the importance of Members of Parliament and their role. We need to remember in this place that every Member of Parliament is returned in exactly the same way by their constituents. Whichever party we stand and speak for, we are all here equally. I only hope that your successor will follow in your footsteps, because it has meant much to us. Rydan ni'n ddiolchgar i chi o waelod ein calonnau. Diolch yn fawr iawn.

**Mr Speaker:** Thank you. That was a very beautiful tribute, and I appreciate what the right hon. Lady has said.

**Ian Paisley** (North Antrim) (DUP): Further to that point of order, Mr Speaker. It would be remiss of me not to say, on behalf of all the Unionist Members of this House, a huge and hearty Ulster thank you for the work you have done in this House, both in chairing these proceedings and, of course, in your 22 years as a Member of Parliament.

We thank you for your kindness outside the Chamber, as well as inside the Chamber. You have called one Member from Northern Ireland more than anyone else in the whole House—he obviously catches your eye better than the rest of us—and I know my hon. Friend the Member for Strangford (Jim Shannon) has already thanked you.

Will you pass on a huge thank you to your staff? You have opened up the facilities of this House to Members of Parliament for charitable groups and for other activities, and your staff have been very obliging in assisting to ensure that issues of importance to them are properly advocated in this House.

Your comments were very Burkean in that you said it is not for us just to give of our industry but of our judgment. Each of us has different judgments on all sorts of matters. You, Sir, have been able to respect those judgments, even though, at times, they are very different from the views you hold and, indeed, very different from the views held by other Members of this House.

I know that nationalist Members from Northern Ireland who sat in this House would also like to be recorded publicly as thanking you. Even though nationalists no longer take their seats here, which is a shame, I know those nationalist Members who previously represented their constituents in this House would also like to say a word of thank you for the work you have done as Chairman of these proceedings.

[*Ian Paisley*]

From your many visits to Northern Ireland, I know you have a soft spot for Belfast and for the people there. I am sure you will receive a rousing reception in some places and a less rousing reception in other places, but you will be welcomed back in Belfast.

The one thing that will probably disappoint you most is that you are not the Speaker who will oversee the restoration and renewal of this building. I know that is a personal passion of yours, but maybe as we enter into a new dispensation, free from Europe, we will have a fresh, new Parliament to sit in.

**Mr Speaker:** I thank the hon. Gentleman for what he says but, above all, I am enormously appreciative of his remarks about the team in the Speaker's Office, to whom I referred. They have been steadfast, unwavering, efficient and magnificent, all of them, and I have worked with many of them for several years in succession—a point of absolutely no interest to the bigoted faction who form their view and do not want any facts to get in the way. They will not write about it. They will scribble their bigoted drivel, because that is what they do. When their grandchildren ask, "What did you do for a living?", they will say, "Well, I scribbled my bigoted drivel for some downmarket apology for a newspaper."

Calling it a newspaper is probably a breach of the Trade Descriptions Act, but they will not mind—they are probably very proud. Trashy articles by trashy journalists for trashy newspapers. It goes with the turf. It is downmarket, substandard and low grade. There is no intellectual weight to it, but that is what they do. It will always be about ad hominem attacks, because that is what makes their world go round.

But the fact is that the people who work in my office have been outstanding. I know their worth. We know the strength of our relationship, and the person standing on my left is one of several who have worked with me for many, many years and has worked with me throughout the 10 years I have been in post as Speaker. He was in the office for a decade before. He was educated at the university of life. There is not a pompous bone in his body. He would not know the meaning of the word "snobbery" if it hit him over the head, but he is absolutely brilliant, and I am grateful to him—Peter Barratt.

**Dr Sarah Wollaston (Totnes) (LD):** On a point of order, Mr Speaker. Thank you for being one of the great reforming Speakers; it is you who is trying to take back control for this Parliament, and others should learn from your example. You have also been a great champion of Select Committees, and, as Chair of the Liaison Committee, I would like to thank you for that. You have also been a champion of allowing Back Benchers to hold the powerful to account. That is what my point of order is about now, and it is further to a previous point of order. Not only are NHS staff entitled to raise genuinely held concerns about patient safety, but they have a duty to do so, and they must be able to do this without fear of intimidation or bullying from people in positions of power, including Members of this House. Last week, the Leader of the House made highly offensive comments about Dr David Nicholl. I reiterate: unless the Leader of the House comes to this place to make an apology from the Floor of the House, what message does that send to NHS whistleblowers and what does it mean for patient safety?

**Mr Speaker:** I thank the hon. Lady for what she has said. She is an extremely distinguished denizen of the House, both in respect of her constituency work and of her chairing of very important Committees—the Health and Social Care Committee and the Liaison Committee. She speaks with considerable authority and gravitas by virtue of those roles and the reputation she has garnered. I do not want to pick an argument with the Leader of the House—he and I get on extremely well—but points have been made and the hon. Lady has underlined them. If she is dissatisfied, my advice to her is the advice I regularly give to Members wanting to know how they can take a matter forward—the word begins with "p" and ends in "t". My advice is: persist, persist, persist. There is nothing to prevent her from returning to the matter when we come back after the conference recess. On the Conservative Benches, the right hon. Member for New Forest East (Dr Lewis), who is not in this place—I believe he is chairing various Committees this afternoon or attending Committee meetings—taught me decades ago that in politics quantity, persistence and, above all, repetition are at least as important as the quality of your argument. It is not good enough to have a good point and make it once—you have to keep going. If I may say so, at the risk of causing some disquiet on grounds of courtesies, I would suggest to the hon. Lady that she should follow the Churchill adage in pursuit of her cause: KBO—keep bugging on—at all times.

**Jonathan Ashworth (Leicester South) (Lab/Co-op):** Further to that point of order, Mr Speaker. I, of course, associate myself with all the remarks we have heard about your stepping down. I shall not embarrass you by throwing more compliments at you. May I reinforce the point that my hon. Friend the Member for Bristol West (Thangam Debbonaire) and the Chair of the Select Committee, the hon. Member for Totnes (Dr Wollaston), have made? Last week, the Leader of the House was disgraceful and irresponsible in his comments about Dr Nicholl, and he should come to this Chamber to apologise from the Dispatch Box. That would be the courteous thing to do. More importantly, do you agree that if the Government are confident that they have a system to ensure our constituents and patients will get timely access to medicines, they should publish the analysis now, so that we can scrutinise it in this House of Commons in the time we have left?

**Mr Speaker:** I feel sure that we will return to both issues ere long, if the hon. Gentleman's legendary indefatigability does not desert him in the weeks and months ahead—it will not, and therefore we will hear more on those subjects.

**Tulip Siddiq (Hampstead and Kilburn) (Lab):** On a point of order, Mr Speaker. Most Members have served under you for a lot longer than I have, but it would be remiss of me not to thank you now for supporting me at a time when my life was in danger. I will not go into the details, but I wanted to thank you for providing me with a lot of protection during a very dark hour in my life. While we are talking about life and death, I also want to thank you for supporting my constituent Nazanin Zaghari-Ratcliffe by giving her case a lot of priority in the House, by granting urgent questions and allowing debates to come forward. Most importantly, you went to see Richard Ratcliffe when he was on hunger strike outside

the Iranian embassy, and you also saved his life at the time. Throughout your career you have looked after Parliament and democracy, but along the way you have also saved lots of lives, which people might not know about.

**Mr Speaker:** I appreciate what the hon. Lady has said. I had not met Richard Ratcliffe before. Visiting him and spending a little time with him was an honour, as anyone who has met him will know. He is a quite remarkable human being. The sooner that Nazanin is freed so that she can be reunited with her daughter, husband and wider family, so much the better. It is intolerable beyond words that she has been denied her freedom by an act of dictatorial barbarity. We will go on and on about this for as long as it takes for humanity to prevail over barbarism. It would be good if this message was repeated much more widely, and not just in this place by conscientious politicians but in parts of the media that, frankly, are not terribly interested—it is about time, if they have any sort of moral compass, that they took an interest.

**Rushanara Ali** (Bethnal Green and Bow) (Lab): Further to that point of order, Mr Speaker. May I thank you for all that you have done to give us the opportunity to hold to account not only our own Government but other Governments, in respect to human rights violations and standing up for democracy? One example is when you agreed, at the request of the then Leader of the House and mother of the House, my right hon. and learned Friend the Member for Camberwell and Peckham (Ms Harman), to host the Women MPs of the World conference in this House. We heard incredibly moving contributions from women who have risked their lives and lost family members in order to stand up as parliamentarians in their countries. The power of this House to do good, and not only in this country but around the world, remains undimmed, despite and notwithstanding our current difficulties. It is important that we remember that this House, at its best, is a source of inspiration around the world, and that is in no small part thanks to all that you have done. Thank you, Mr Speaker. We will miss you, and we wish you the warmest regards for the future.

**Mr Speaker:** I think that the right hon. and learned Member for Camberwell and Peckham (Ms Harman) has done huge and invaluable work on this front. She knows the issues and she feels them. She is, of course, as the hon. Lady knows, a stellar progressive change maker, and she has charted that course since she entered the House on 28 October 1982—she came into the House as a very young woman indeed, and she will mark 37 years in the House next month. If I know the right hon. and learned Lady, she will keep pursuing these issues, in whatever capacity, because they reflect her humanity and her attachment to principle, the rights of the underdog and the cause of equality. She, like the hon. Lady, came into politics for all the right reasons.

**Caroline Lucas** (Brighton, Pavilion) (Green) *rose*—

**Jack Dromey** (Birmingham, Erdington) (Lab) *rose*—

**Mr Speaker:** I know that the hon. Member for Birmingham, Erdington (Jack Dromey) will be very proud of what I have just said about his wife, and he is

looking even happier than he otherwise would. I will come to him, but it would be a pity to squander him at too early a stage of our proceedings when we have only been going for an hour and a quarter or so, so I will come to him momentarily.

**Caroline Lucas:** Further to that point of order, Mr Speaker. Thank you for breaking one of your own rules—perhaps not a written one—as I have only just come into the Chamber, as you noticed. I want to apologise and explain that I was off the parliamentary estate. I had not known that you were about to make a statement, but as soon as I heard, I came back as fast as I could.

I want to thank you very seriously for your incredibly strong sense of fairness. As an MP from a party of just one in this place, it is very easy to feel somewhat marginalised from time to time, and I have so much gratitude for you that you have always included the Green party, recognising that I may be only one in here, but I represent a party out there. I thank you for your incredibly strong sense of fairness and justice and thank you for your reforming zeal in this place. We still have a long way to go, but thanks to you, we are a long way down that path.

**Mr Speaker:** The hon. Lady may recall that she once asked me if it would be all right if she included on the dust jacket of a book she was about to publish a tribute that I had paid her. I said to her that I was more than delighted for her to use that tribute on the dust jacket. My rationale was very simple: I had said what I said in public. I said it because I meant it, and I meant it so I said it, and, having meant it and said it, I was more than happy for it to be reproduced. I rather trust that that will continue to be at the hon. Lady's pleasure. She is a superb parliamentarian and I think that that is recognised across the House. Without a vast infrastructure to support her, she is indefatigable, irrepressible and astonishing in her productivity and in the sheer range of her political interests. She is a fine parliamentarian. Also, because she is the only member of her party at the moment in this House, she is in the happy position of being leader and Chief Whip of her own party and, I think, of invariably agreeing with herself.

I thank colleagues. I know that we have taken a long time, but finally, we have time—frankly, we would have more time if we were not disappearing for a rather excessive period—for Jack Dromey.

**Jack Dromey:** On a point of order, Mr Speaker. May I echo the tributes that have been paid to you? You are one of history's finest Speakers with a lasting legacy, and dare I say that, in addition to everything else that has been said, you are one plain, decent man of immense integrity?

I rise on another matter: the truly right hon. Member for Meriden (Dame Caroline Spelman) is leaving this House, because she has suffered shameful harassment and intimidation, including threats against her personal safety and the safety of her staff. Yet, Mr Speaker, there seems to be in this House those who are oblivious to the consequences of their actions. They use language that scars the public discourse—toxic talk of “traitors”, “collaborators”, “conspirators” and “surrender”—that demeans democracy, that fans the flames of hate and

[Jack Dromey]

hate crime and that puts the public and Members of this House at risk. Women in particular often suffer shameful treatment. Is it in order in our great Parliament for language—hateful language—ever to be used that can then have tragic consequences, as recent history has told us?

**Mr Speaker:** There is a fine balance that has to be observed. Free speech is important, and one does not want to suppress the right of Members to hold and express, with considerable force and sometimes ill judgment, opinions very sincerely believed. But each and every one of us has in this place to weigh his or her words and to understand that we are in leadership positions. Words count. Words matter. Words make a difference. Words can cause great personal hurt and also be the trigger for actions by others.

I have become increasingly conscious in recent times—from Members on both sides of the House—of the escalation in hostile communications to Members and sometimes to their families. I underline that we have to call out unacceptable behaviour, including the issue of language that can induce threats or that constitutes a threat in its own right. We have to recognise also that there are some people who are so deprived of a moral compass that they think that, because they believe a particular thing strongly about a Member, that somehow justifies them subjecting that Member and his or her family to vituperation, abuse, intimidation or worse. It does not. It cannot. It will not.

I remember being shocked when the Leader of the House of Commons was faced by aggressive demonstrations outside his home, with people saying to his family, “A lot of people disapprove of your dad.” That could have been deeply frightening to family members and young children. Other Members, on both sides of the House, have also highlighted their experiences or the experiences of their family, or of their constituency or parliamentary staff; and up with this we cannot put. We simply have to say that it is wrong as a matter of principle and that if we need to do more and better, including the investment of greater resources and an improved mindset within the police service and the House authorities, we will do that. I hope that the hon. Member for Birmingham, Erdington (Jack Dromey) will forgive me if I say that I have done my best but not enough and that more will need to be done in the period ahead. Some of the responsibility for leadership on that front will lie with the next Speaker.

It would be a good thing also if those who constantly prate about their rights to free speech—to publish or be damned, and say exactly what they think—were to ask themselves, “Is what we are about to produce likely to spark intimidation, harassment or violence?” and if those who put up pictures of parliamentarians on the front pages as though they are somehow public enemies because they have dared to hold and express a view that differs from that of the newspaper concerned started to realise just how desperately dangerous that is and to exercise a modicum of responsibility. Those people have got to learn to operate at the level of events. Thank you, colleagues.

## ROYAL ASSENT

**Mr Speaker:** I have to notify the House, in accordance with the Royal Assent Act 1967, that Her Majesty has signified her Royal Assent to the following Acts:

Kew Gardens (Leases) Act 2019

European Union (Withdrawal) (No. 2) Act 2019.



## Prorogation (Disclosure of Communications)

*Application for emergency debate (Standing Order No. 24)*

**Mr Speaker:** I know that the House will join me in empathising with and showering congratulations for his forbearance upon the right hon. and learned Member for Beaconsfield (Mr Grieve), who has been so patiently waiting for his opportunity. I now call the right hon. and learned Gentleman to make an application for leave to propose a debate on a specific and important matter that should have urgent consideration under the terms of Standing Order No. 24. The right hon. and learned Gentleman has up to three minutes in which to make his application.

5.4 pm

**Mr Dominic Grieve** (Beaconsfield) (Ind): Thank you, Mr Speaker. I hope I may be briefer than that.

The House is about to be prorogued for five weeks. Two weeks after we return is the anticipated date on which we are going to leave the European Union. There is much that is left undebated. In particular, we will not have an opportunity to ask necessary questions of the Government in relation to their own prepared documents under Yellowhammer, which they have prepared for their own use in relation to the risks of a no deal. In addition to that, we will not have the opportunity to ask what I think are the necessary and, unfortunately, searching questions about the Government's motives in proroguing this House and the potential difference between what they have said in public in this matter and what the evidence suggests is the reality.

For those reasons, I would ask for the opportunity, along with my right hon. and hon. Friends and other Members, to debate this matter under Standing Order No. 24 in the terms set out—I will not read it out here because everybody can have a copy—which include both an opportunity of debate and an Humble Address to enable us to get the documents that otherwise we will have no prospect of seeing before the anticipated date of our departure from the EU. I hope to take the opportunity in a few minutes, if the House agrees, to explain in detail why I think this is necessary. I want to emphasise that in having done an SO24 linked to an Humble Address, I have not taken this matter lightly and certainly not in a partisan way. I will explain exactly why when I have the opportunity of developing those arguments. I think they are very serious issues to which this House must give the closest consideration.

**Mr Speaker:** The right hon. and learned Gentleman asks me to propose a debate on a specific and important matter that should have urgent consideration under the terms of Standing Order No. 24, namely the matter of prorogation with the imminence of an exit from the European Union. I have received the right hon. and learned Gentleman's written application. I have listened carefully to what he has said on the Floor of the House. I am satisfied that the matter raised is proper to be discussed under Standing Order No. 24. Has the right hon. and learned Gentleman the leave of the House?

**Mr Peter Bone** (Wellingborough) (Con): No!

*Application agreed to (not fewer than 40 Members standing in support).*

**Mr Speaker:** A very large number of Members are standing in support of the right hon. and learned Gentleman. I note that the very, very loud expression of opposition from the hon. Member for Wellingborough (Mr Bone) is testament to the existence of more than enough support. Can I just say—well, whether I can or not, I am going to—that I do know what I am doing in these matters, I do know the Standing Orders, and I do listen to the advice? Sometimes you get these pop-up characters who think they understand these matters on the basis of minimal familiarity with the said Standing Orders and presume to say that the rules have been broken. They are entitled to their opinions, but they suffer from the notable disadvantage of being completely wrong. I know what the rules are and what they allow, and this is absolutely in keeping with the Standing Orders. If there are people who do not like the subject matter and would prefer it not to be aired and judge that it is inconvenient, they are perfectly entitled to their view, but it has nothing to do with the procedural propriety—[*Interruption.*] Do not tell me, young man, from a sedentary position what I can and cannot say. If the Under-Secretary of State for International Trade is not interested, he can leave the Chamber. I am not remotely interested in your pettifogging objection chuntered inelegantly from a sedentary position. The position is as I have described it, and quite frankly, young man, you can like it or lump it. People will understand that, as far as the Speaker is concerned, his job is to stand up for the rights of the legislature. I never have been, am not and never will be in the business of being bossed around by some footling member of the Executive branch.

The right hon. and learned Gentleman has obtained the leave of the House. The debate will be held now, as the first item of public business. The debate will last for two hours, and it will arise on a motion that the House has considered the specified matter set out in his application.

## European Union (Withdrawal) (No. 2) Act 2019 (Rule of Law)

*Application for emergency debate (Standing Order No. 24)*

**Mr Speaker:** Before we come to the debate proposed by the right hon. and learned Member for Beaconsfield (Mr Grieve), I call the Leader of the Opposition to make an application for leave to propose a debate on another specific and important matter that should have urgent consideration under the terms of Standing Order No. 24. The right hon. Gentleman has up to three minutes in which to make such an application.

5.10 pm

**Jeremy Corbyn** (Islington North) (Lab): Thank you, Mr Speaker. I will be brief, because the whole House wants to get on to the important debate that you have just agreed to. I want to ask for a very urgent debate on what I consider to be a matter of overriding importance and seriousness. The motion reads:

“That this House has considered the welcome completion of all parliamentary stages of the European Union (Withdrawal) (No. 2) Act and has considered the matter of the importance of the rule of law and Ministers’ obligation to comply with the law.”

I welcome the passage of the European Union (Withdrawal) (No. 2) Act, which has just received Royal Assent. However, there is deep concern not just across the House but across the whole country at the Government’s commitment to abide by the obligations set out in that Act and the outright statements in some quarters that they will disregard or seek to evade the law that has just received Royal Assent and therefore is an Act of Parliament. I am therefore asking you to grant an urgent debate under Standing Order No. 24, on behalf of the people of this country who want to live in a democratic society where the Government abide by the rule of law, on whether the Prime Minister will obey the law that this House has just passed into law.

**Mr Speaker:** The right hon. Gentleman asks for leave to propose a debate on a specific and important matter that should have urgent consideration: the welcome completion of all parliamentary stages of the European Union (Withdrawal) (No. 2) Bill—sometimes colloquially known, probably in the pubs and clubs of the United Kingdom, as the Benn-Letwin Bill—and has considered the matter of the importance of the rule of law and Ministers’ obligation to comply with the law.

I have listened carefully to the right hon. Gentleman’s application. Adherence to the law—goodness! Yes, I am satisfied that the matter raised on the last day before the Prorogation of this Parliament is proper to be discussed under Standing Order No. 24. Has the right hon. Gentleman the leave of the House?

*Application agreed to (not fewer than 40 Members standing in support).*

**Mr Speaker:** I thank colleagues on both sides of the House. The right hon. Gentleman has obtained the leave of the House. I advise the Leader of the Opposition, his colleagues and the House that the debate will be held today as the second item of public business, immediately after the first SO24 debate in the name of the right hon. and learned Member for Beaconsfield. The Leader of the Opposition’s debate will last for up to 90 minutes and will arise on a motion that the House has considered the specified matter set out in his application.

## Prorogation (Disclosure of Communications)

*Emergency debate (Standing Order No. 24)*

**Mr Speaker:** We now come to the motion in the name of Mr Dominic Grieve and others, to be moved under Standing Order No. 24. I remind the House that a paper with the terms of the motion has been distributed.

5.14 pm

**Mr Dominic Grieve** (Beaconsfield) (Ind): I beg to move,

That this House has considered the matter of prorogation with the imminence of an exit from the European Union and accordingly resolves—

That an Humble Address be presented to Her Majesty, that she will be graciously pleased to direct Ministers to lay before this House, not later than 11.00pm Wednesday 11 September, all correspondence and other communications (whether formal or informal, in both written and electronic form, including but not limited to messaging services including WhatsApp, Telegram, Signal, Facebook messenger, private email accounts both encrypted and unencrypted, text messaging and iMessage and the use of both official and personal mobile phones) to, from or within the present administration, since 23 July 2019 relating to the prorogation of Parliament sent or received by one or more of the following individuals: Hugh Bennett, Simon Burton, Dominic Cummings, Nikki da Costa, Tom Irvén, Sir Roy Stone, Christopher James, Lee Cain or Beatrice Timpson; and that Ministers be further directed to lay before this House no later than 11.00pm Wednesday 11 September all the documents prepared within Her Majesty’s Government since 23 July 2019 relating to operation Yellowhammer and submitted to the Cabinet or a Cabinet Committee.

I am sorry to have to move this motion, because it ought not to be necessary to do so.

When I was Attorney General, a lot of the work I had to do involved advising on law, but from time to time quite a lot of it was to do with propriety in government. We are very blessed in this country that, as well as obeying the rule of law, there is within government a deep understanding that if our constitution, which is largely unwritten, is to function, there has to be a high level of trust between different parts of government—whether it be Parliament or the Administration—in how our affairs are conducted. I am glad to say that, in my experience, if and when I ever had to step in as Attorney General to point out that I thought propriety might be in danger of being infringed, I always had a positive response from my colleagues in government about the necessity at all times to be seen to be acting with clean hands.

**Kevin Brennan** (Cardiff West) (Lab): On that point, if the right hon. and learned Gentleman is successful and the Government are obliged to supply these papers, is he confident that the current Prime Minister and the Executive will do so?

**Mr Grieve:** Seeing that this would be a Humble Address to Her Majesty the Queen for the documents, I very much hope that there could be no question other than that they will be provided, because it is the custom and practice and the convention that such Humble Addresses are responded to positively by the Government.

The reason why we have these rules is to manage difference. They provide a framework for our debates that—because, as I say, there is a high level of trust—

enables us to manage sometimes serious difference, such as we undoubtedly have at the moment, in a moderate fashion. We are able sometimes to say strong words to each other, but to come together afterwards with a high level of appreciation of the other's point of view and an absolute certainty that one side is not trying to trick the other. My concern is that there is now increasing and compelling evidence that this trust is breaking down and, indeed, that there is cause to be concerned that the conventions are not being maintained.

This of course arises particularly because of the decision to prorogue this House. I do not think I need to go into too much history to point out that, in recent years, the power of Prorogation has been used for only two reasons. The first is to have the short interval, usually of no more than seven or eight days, between one Session and the next, so that a Queen's Speech may take place. It has also been used at times to extend time for a general election in order to maintain a power by which this House could be recalled in an emergency before it is finally dissolved. The use being made of it by the Government in proroguing this House until 14 October is, in current times, unprecedented. It is a long period, and all the more startling because it takes place against the background of what is without doubt—it is a bit difficult to gainsay it—a growing national crisis.

**Sir Oliver Letwin** (West Dorset) (Ind): Does my right hon. and learned Friend agree that what makes this particularly important is that it was open to the Government to move a periodic Adjournment—or, as we normally call it, a sittings motion—which could have been approved by the House to achieve the same effect? However, the Government chose to use the prerogative power, which in effect enables the Prime Minister to advise the Queen to remove Parliament from the scene of action. It is therefore obviously of the greatest possible importance what the Government's motive in so doing was, and the papers he describes will reveal that motive in a way nothing else can.

**Mr Grieve:** My right hon. Friend is right on both points, and I shall move on in a moment to develop in a bit more detail the issue of the documents.

**Chi Onwurah** (Newcastle upon Tyne Central) (Lab): Will the right hon. and learned Gentleman give way?

**Mr Grieve:** I will if the hon. Lady will wait just one moment.

The justification that the Government have given for this length of Prorogation is that we were due to adjourn for the purposes of party conferences and to return shortly before the date the Government have chosen, but everybody in this House knows that the nature of the crisis that has been engulfing us in the last two months meant that it was clear the House would not consent to be adjourned because it regarded its continuing sitting as being absolutely essential. My right hon. Friend the Prime Minister knew this very well. Furthermore, it appeared—certainly at the time when he stood for the leadership of the Conservative party and was about to become Prime Minister—that although suggestions had been made about proroguing the House to facilitate achieving a no-deal Brexit, he apparently did not approve of them. Indeed, he said publicly during his leadership bid:

“I'm not attracted to archaic devices like proroguing.”

That is where the trust comes in. As news emerged of the decision to prorogue, it rapidly became clear that the Government did not appear to be giving a consistent account of their reasons. As the act of proroguing has led to litigation, it has then followed that some, but not all, of the motives for Prorogation began to emerge. We have seen that although on 23 August this year No. 10 Downing Street and the Prime Minister denied considering the idea of proroguing at all, in fact, internal Government documents reveal that this matter was under consideration some 10 days before. Indeed, there is a rather remarkable memorandum from the Prime Minister himself in which he expresses total contentment with this because he finds the September sitting to be an unnecessary and rather contemptible activity. It is perhaps rather typical of my right hon. Friend the Prime Minister that he gets something wrong—as we now know, he suggests that the September sitting is the product of the work of one of his predecessors, Mr David Cameron, whereas it was Mr Tony Blair who introduced it. It is rather noteworthy that when we found what was under the redaction, it turned out he had condemned Mr David Cameron, for his belief in having a September sitting, as a “girly swot”, which I supposed was meant to be contrasted with his manly idleness. That seems to be his established practice when it comes to confronting the crisis that threatens to engulf us on 31 October if he cannot get the deal that he promises he is going to achieve, but which it now appears from the resignation statement of the previous Secretary of State for Work and Pensions that he has done absolutely no work even to commence negotiating.

**Ms Angela Eagle** (Wallasey) (Lab): I thank the right hon. and learned Gentleman for giving way to this girly swot. Does he agree that democracy requires a certain commitment to the truth; that to date there has been a reasonable expectation that when asked questions the Government will not actively lie and will tell the truth; and that the loosening of the current Administration's moorings from a commitment to tell the truth is a direct threat to democracy?

**Mr Grieve:** The hon. Lady is right. That is what concerns me so much, and I think the House collectively ought to pause and consider it this evening. She will be aware that the next thing that emerged—I shall come back to the issue of it being just rumour—in the litigation that was brought against the Government was a desire to set out the reasons why Prorogation was being pursued. When the Treasury Solicitor's Department, as it would properly do in conducting litigation, sought to find a public official willing to depose in affidavit as to why the Government had decided to prorogue—and I might add, asked Her Majesty the Queen to prorogue Parliament, one must assume—no such official willing to swear the affidavit could be found. As a consequence, a number of documents were simply exhibited by the Treasury Solicitor for the Government's case.

**Maria Eagle** (Garston and Halewood) (Lab): Does the right hon. and learned Gentleman recall any instance, when he was Attorney General, of being unable to find public officials willing to swear affidavits about the Government's case?

**Mr Grieve:** No, I can think of no such event. Indeed, it is the Treasury Solicitor's Department and the Law Officers' job to make sure that anything the Government say in litigation fulfils their duty of candour and is not misleading.

Then a most remarkable thing happened, Mr Speaker, and this is where it becomes more difficult for me. In the course of the days that followed I started to be given information from public officials informing me that they believed the handling of this matter smacked of scandal—there is no other way to describe it. Of course, that places me in a difficulty, because it is simply the information that I have been given. I want to make absolutely clear that I am not in a position—any more, I think, than any Member of this House—to be able to ascertain whether that information is mistaken. I can only say that I believe those sources to be reliable. Also, in my experience it is extraordinarily unusual that I should get such approaches, with individuals expressing their disquiet about the handling of a matter and some of the underlying issues to which it could give rise.

It is as a consequence of that that I have drafted, along with right hon. and hon. Friends and other Members, the Humble Address concerning the Prorogation documents. I want to emphasise at the outset that in doing so and identifying named individuals, whether they be special advisers, who make up the vast majority, or one in case a civil servant, I am making absolutely no imputation against any single one of them whatever. It would be disgraceful to do so, because I do not have the evidence on which to do it.

**Victoria Prentis (Banbury) (Con):** My right hon. and learned Friend and I have worked together, originally as master and pupil and then as Attorney General and civil servant. We have a great deal of history in this matter. Does he agree that there are civil service mechanisms and systems for guiding the behaviour of civil servants, and that these matters are ideally best not discussed in the manner in which we are discussing them this afternoon?

**Mr Grieve:** My hon. Friend is right about our long association. She is also right, of course, having worked in the Treasury Solicitor's Department, where I am quite sure she maintained at all times the highest standards of integrity. The difficulty, however, is this: 31 October is looming. We are, as a House, about to be prorogued and rendered entirely ineffective until 14 October. This is the choice of the Government. The routes I might have wished to have taken to see this matter properly investigated simply do not match the time available for us to take them. As trust has progressively broken down, I am afraid I have become increasingly concerned that if one were simply to ask polite questions, the Government may not respond in the manner they should.

**Mr Ben Bradshaw (Exeter) (Lab):** Will the right hon. and learned Gentleman tell the House whether he intends to put on the record any of the details of the information he says he received? The worry is that if he does not and the Government simply ignore his Humble Address, we will never know its contents. The implication of what he is saying is really very serious—that the Queen was misled by the Prime Minister as to his reasons for wanting a Prorogation.

**Mr Grieve:** The right hon. Gentleman raises some very difficult points. The best thing I can do is simply to state openly the generality of it. He is, I think, correct in what he says: far from this Prorogation being a desire to reset the Government for the purposes of holding a Queen's Speech, and nothing else, there is available plenty of evidence that what actually happened was a concerted get-together within Government to try to ensure that this House would be prevented from taking action to stop a no-deal Brexit, and that the origins of that long predated the first time the Government mentioned Prorogation. That is, in a nutshell, what we are talking about.

**Mr Barry Sheerman (Huddersfield) (Lab/Co-op):** As the right hon. and learned Gentleman knows, I have been in this House for 40 years. I have never heard of a more serious allegation against a Government: misleading this House and stopping it functioning. Would he agree?

**Mr Grieve:** I would, but I also emphasise—and that is why I emphasise it—that these are allegations, and in an ideal world, I would have preferred not to make allegations, even within the context of the privilege that this House provides. However, in the circumstances, and with the time available before 31 October and the fact that we are proroguing, there really is no alternative.

**Vicky Ford (Chelmsford) (Con):** Will my right hon. and learned Friend give way?

**Mr Grieve:** No, I will make a bit of progress.

What I have attempted to do, distilling the information that has been made available, is to identify people where I think the information may be available. I repeat what I said: I make no imputation whatsoever against individuals. We could have tried to be much broader, but had we been much broader, it might have looked a bit like a fishing expedition throughout Government. It seems only right to ask the questions where we have been directed—by the information that I and others have received—that the answers may be found, hence the list of individuals I have named. I say again that there is not a single imputation against any of them. What is necessary is to establish the information that they possess.

**Dame Cheryl Gillan (Chesham and Amersham) (Con):** I am grateful to my right hon. and learned Friend for giving way; we have been friends for his entire time in this House. Having been a Minister himself, is he not worried about the collateral damage that this Humble Address is creating? It is important that civil servants have space—a safe space—to speak truth to power, and I think that by his actions today, he is damaging the civil service's ability to communicate and discuss matters freely with Ministers. Does he not see the damage that he is doing?

**Mr Grieve:** I understand my right hon. Friend's point. That was a matter that exercised me very much before I decided to table this motion, but against that, we have to face up to another fact: those necessary protections for civil servants cannot and must not be used as a device to hoodwink this House and the public as to the way the Government conduct their business. The Government have a duty. They can sometimes have a duty not to say something, but they certainly do not have a right to mislead, and this is such a fundamental matter that I

think we are right to pursue the issue. Of course, if it turns out that the information I was given was mistaken, well, in those circumstances, I shall be the happiest person of the lot, but I have to say that I think it is sufficiently serious in its nature and content that I would be failing in my duty as a Member of Parliament if we were not to seek to ascertain whether it was correct.

**John Redwood** (Wokingham) (Con): Surely all that matters is what was in the Prime Minister's mind—his reasons for making the decision—and we cannot work that out from the personal testimonies of lots of officials, some of whom met the Prime Minister about this and some of whom did not. The question is what was in the Prime Minister's mind, and the House has had ample opportunity, which it has already used, to cross-examine him and to satisfy itself as to his true motive. I do not see how knowing what some officials thought helps at all.

**Mr Grieve:** If I may say to my right hon. Friend, last week, at Prime Minister's questions, my right hon. Friend the Member for South West Hertfordshire (Mr Gauke) and I asked questions of the Prime Minister seeking to elicit an answer about his motive and state of knowledge, and I was rather struck by the fact that he avoided answering both questions completely. He made not a single attempt—my right hon. Friend should look at *Hansard*—to answer the question. I am afraid I do not have much confidence that my right hon. Friend the Prime Minister has the capacity—frankly—to answer questions of this kind, because he does not appear to understand how serious they are and appears to treat them with a high level of flippancy.

**David Hanson** (Delyn) (Lab): Prorogation this evening will deny the Liaison Committee a three-hour session with the Prime Minister this Wednesday—a session the Prime Minister agreed to on 14 August.

**Mr Grieve:** Yes, indeed, and of course that might have provided another opportunity to ask questions.

I appreciate that this House can sometimes be difficult and irksome to Prime Ministers and Governments, but that is our job. We are here precisely to provide scrutiny and to hold to account. For those reasons, I do not think it would be unreasonable of us to proceed to ask for these documents. I believe and hope that this has been drafted in a way that is sufficiently focused that we can come swiftly to a conclusion by Wednesday as to whether there is anything that should be causing the public disquiet.

**Mr Owen Paterson** (North Shropshire) (Con): My right hon. and learned Friend has named nine individuals. He could have asked for the Cabinet Secretary and permanent secretaries, but these names appear very arbitrary. I know one of them and I think she was appointed only a week or 10 days ago. What were his criteria for choosing these nine individuals?

**Mr Grieve:** My right hon. Friend makes a very good point. There was a time at the end of last week when the list was rather long and included—I will say this openly—senior civil servants, but I was reticent about that and felt as a result of inquiries I made that the list could best be narrowed. It was made quite clear from the information

I gleaned that the origins of the story of how Prorogation came about lay not with public officials but with the special advisers to Ministers. For that reason, the list is as well directed as I believe it can be.

That is the issue surrounding Prorogation. In addition, we have the papers surrounding Yellowhammer. The House will remember that the Government sought to suggest when the Yellowhammer papers first started to emerge—some of them—that this was material prepared for a previous Administration, but that turns out to be incorrect and to be another of those little inaccuracies that now seem to creep out of No. 10 Downing Street. It was material prepared for the current Administration and Cabinet committees so that they could understand the risks involved in a no-deal Brexit.

We will be prevented over the coming weeks from debating those issues, and when we return we will have almost no time. I fear very much that by the time the Queen's Speech debate is over we will be mired in a great crisis that I would much rather see avoided. It seems entirely reasonable, therefore, to ask the Government to disclose these documents, both so the House can understand the risks involved and so that these can in due course be communicated more widely to the public. Of course, if the documents suggest that no risks are involved, that too will be in need of communication.

**Chi Onwurah:** There are few in the House who have the right hon. and learned Gentleman's knowledge of its conventions and protocols, except, perhaps, you, Mr Speaker. Certainly, my constituents do not follow the differences between Prorogation, recess, Queen's Speech requirements and so forth. However, they do know that my title is "Member of Parliament", which implies where I should be—in Parliament. Does the right hon. and learned Gentleman agree that at this time of constitutional crisis my constituents expect us to be sitting in Parliament, and expect it not to be shut down? Does he agree that the question of why we are being prorogued goes to the heart of the credibility of me as a Member of Parliament and the credibility of the House in its entirety, and does he agree that, for that reason, the public interest is absolutely involved?

**Mr Grieve:** I agree wholeheartedly, and I do worry, because this Prorogation is, to my mind, a most regrettable event. It will prevent the House from giving proper scrutiny to what is, as I have said, an evolving situation that has critical importance to the future of our country.

**The Chancellor of the Duchy of Lancaster (Michael Gove):** I do not know whether my right hon. and learned Friend has had a chance to look at the transcript of the evidence that I supplied to the Exiting the European Union Committee last week. In my evidence I gave some undertakings about publications related to Yellowhammer. If carried out, would those assurances be sufficient for my right hon. and learned Friend?

**Mr Grieve:** I rather hope that the assurances and the terms of the motion would prove to be entirely identical. I see no reason why not, and such documents that have been revealed so far do not suggest to me that they contain any material that touches on essential issues of national security. It is entirely about the day-to-day life of this country in the immediate aftermath of departure.

[Mr Grieve]

Of course, if there were national security implications, I am sure that my right hon. Friend would be able to raise them and they could be dealt with.

**Michael Gove:** I hope that before this debate concludes my right hon. and learned Friend will have an opportunity to look at the evidence submitted to the Select Committee, and I hope that, on that basis, he will be able to take those assurances as appropriate. I should be very grateful for his indication that he would do so.

**Mr Grieve:** If I may say this to my right hon. Friend, I think not. I think that the terms of the motion cannot be abandoned unless the House wishes to abandon them. I cannot believe, on the basis of what he so graciously said to the House a moment ago, that the terms of the motion will be significantly dissimilar. In those circumstances, I very much hope that we will get the documentation relating to Yellowhammer, in the way in which it was presented to him and his colleagues, on the basis of which they are taking the decisions that they are taking, which are of great importance to the future of our country, its wellbeing, and the wellbeing of every citizen.

**Hilary Benn** (Leeds Central) (Lab): May I pursue the point about the evidence presented by the Chancellor of the Duchy of Lancaster to the Select Committee last Thursday? I did indeed ask him whether he would publish the report on Operation Yellowhammer. For the benefit of the House, this is what he said in response:

“What I hope to do is more than that. What I would like to do is to make sure that we have Yellowhammer, once we have done the proper revision and the kicking of the tyres, alongside a publication that details the actions that the Government has taken to inform people of the consequences and allows people to see the mitigations that we have put in place, so people can make a proper judgment about the changes they need to make”.

That, I think, is a full quotation. On that basis, it would seem to me that the Chancellor of the Duchy of Lancaster would have no difficulty whatsoever with that part of the right hon. and learned Gentleman’s Standing Order 24 motion.

**Mr Grieve:** The right hon. Gentleman is absolutely right. If I may say so, had the House more time I would not have tabled that part of the motion. We could have waited, sensibly, to see but the House will be gone by midnight tonight—or shortly thereafter, depending on how long our proceedings continue—and we will not be back until 14 October. At that stage, because of the way in which the House starts a new Session, the opportunities will not necessarily be there in quite the same way, and I suggest to the House that 14 October is far too close to 31 October for us to be able to accept that. Of course, if we do not vote for this motion in this form we will have no leverage over the Government should, for example, my right hon. Friend the Member for Surrey Heath (Michael Gove) suddenly find that he is overridden by No. 10 advisers and the Prime Minister, who decide that they want to delay a little bit and that these papers might come later on. As I have said, the great difficulty that we now have in this House—and, I must say with great regret, that I have—is this terrible, compelling sense that trust is eroding.

That brings me to my final remark—

**Several hon. Members** rose—

**Mr Grieve:** I wish to conclude. Unless a Member has something very special to say, I would like to get this done.

**Mr Chris Leslie** (Nottingham East) (IGC) rose—

**Mr Grieve:** I give way.

**Mr Leslie:** I am very grateful to the right hon. and learned Gentleman. He has had all sorts of emollient assurances from the Chancellor of the Duchy of Lancaster, but the *Daily Mail* is reporting right now that:

“Downing Street not in any mood to bow to Grieve’s demands...No. 10 source: ‘Under no circumstances will No. 10 staff comply with Grieve’s demands regardless of any votes in Parliament.’”

If the Chancellor of the Duchy of Lancaster intervenes on the right hon. and learned Gentleman again he can be pressed to assure the right hon. and learned Gentleman that he will not see Parliament treated with such contempt.

**Mr Grieve:** I am afraid this classically illustrates the problem that we now have: these extraordinary utterances—pronouncements—from No. 10 Downing Street that bear absolutely no relationship with the operation and conventions of our constitution. It is impossible to know whether they are froth, whether they are Mr Cummings’s thoughts, or whether in fact they represent some settled policy view of Government, in which case this country is facing, frankly, a revolutionary situation in which this House has to exercise the utmost vigilance to ensure that our rights and privileges are not simply trampled upon.

I am very mindful of the fact that in this current crisis we are a divided country and a divided House, which pains me very much. I would like to work, even with those with whom I disagree such as some of my right hon. Friends on the Front Bench, to try to get this matter resolved in a way that is compatible with healing some of the divisions in our country, but that simply is not going to happen if the atmosphere of confrontation keeps being ratcheted up, slowly undermining the institutions that are the only props of legitimacy—that is the truth, for all of us—and in which everybody is happy to go into greenhouses and chuck bricks all over the place but expect the structure to provide some shelter afterwards.

**The Attorney General (Mr Geoffrey Cox):** I have been listening with great care to my right hon. and learned Friend’s observations and part of his draft Humble Address troubles me. What legal right do the Government have to require their employees to give up private email accounts and personal mobile numbers? If there is no legal right—I imagine he would contend that there is not—how on earth would the Government enforce the Humble Address if they desired to do so?

**Mr Grieve:** These are Government employees. In the course of their work it is their duty to observe the civil service code and to comply with its requirements, including, I respectfully suggest to my right hon. and learned Friend the Attorney General, not using private means of communication to carry out official business.

**The Attorney General** *rose*—

**Mr Grieve:** And beyond that—

**The Attorney General** *rose*—

**Mr Grieve:** No, I will continue. [*Interruption.*]

**Mr Speaker:** Order. We must conduct this debate in a seemly manner.

**Mr Grieve:** I will give way to my right hon. and learned Friend in a moment.

In addition, it is a question about what this House requests. I am perfectly aware that sometimes I may say that the Government may be acting abusively, so I am the first to understand that there is a capacity for this House to act abusively. However, what is being asked for, and ought to be respected by any self-respecting Government employee, is that if they are asked to look and see whether they have carried out a communication, within the relevant request, that goes to their official work, they ought to be willing to provide it. It should not be a question of coercion; it should be a question of willingness. If we move from that, that will be the destruction of another convention under which this country has been run, and it will be greatly to our detriment.

**The Attorney General** *rose*—

**Kevin Brennan:** On a point of order, Mr Speaker—

**Mr Speaker:** Order. The point of order trumps the attempted intervention even of an illustrious Law Officer.

**Kevin Brennan:** Thank you, Mr Speaker. Is it a point of order or a point of information to point out that the Prime Minister's special adviser, Dominic Cummings, asked to examine the private text messages on the telephone of a Government employee?

**Mr Speaker:** The hon. Gentleman has made his own point in his own way, and he may wish to expatiate further on that matter if he catches my eye in the course of the debate. Meanwhile, it is on the record and will be widely observed.

**Mr Grieve:** I give way to my right hon. and learned Friend the Attorney General.

**The Attorney General:** My right hon. and learned Friend has just refined the Humble Address to confine the request for personal mobile information and personal private accounts only to communications that ought to have been carried out as official business on official accounts. The difficulty with the Humble Address that I invite him to consider is that it is a blunt instrument and that, in truth, what this Humble Address requires is careful refinement so that it complies with legal rules. This Humble Address has no binding legal effect on individuals. It potentially has a binding effect on the Government, if they observe it, but not on individuals. There seems to be a risk that it will trespass upon the fundamental rights of individuals, as it is currently drafted.

**Mr Grieve:** I am afraid I have to disagree politely with my right hon. and learned Friend the Attorney General. The issue is clearly defined: it relates to the Prorogation of Parliament. That is what it concerns. If I may say so, picking up on the earlier point that he made, I was just a little bit surprised. Of course he may argue that the Government cannot get this information, but No. 10 Downing Street is saying that it will not even seek or try to provide it. This again is absolutely illustrative of the slide we are experiencing towards a Government that will not respect the conventions, without which orderly government in this country cannot take place.

**Vicky Ford:** Will my right hon. and learned Friend give way?

**Mr Grieve:** No, I want to finish.

For all those reasons, I believe that, while I am the first to recognise that any attempt at a motion of this kind will have a degree of bluntness that is unavoidable—

**Dame Cheryl Gillan:** Will my right hon. and learned Friend give way, on a serious point?

**Mr Grieve:** I give way to my right hon. Friend, whose points will always be serious.

**Dame Cheryl Gillan:** I am very worried, because I have been looking at the special advisers code of conduct, and it says:

“Special advisers should not disclose official information which has been communicated in confidence in government or received in confidence from others.”

Does my right hon. and learned Friend not realise that his motion today sets all special advisers in conflict with the code that they have signed up to?

**Mr Grieve:** Not at all! Absolutely not at all! They are entitled, correctly, to say, “I have been asked by the House of Commons in a motion under a Humble Address to Her Majesty the Queen to provide that information”, and they should do so, if I may say so, with a public spirit and, indeed, a degree of pride—that is what I would do—because that request has been made of them.

Mr Speaker, I do not want to detain the House any further. As I said, I am the first to accept that this is a difficult matter, and I am the first to accept that finding a uniquely perfectly tailored instrument to meet the gravity of the situation that has arisen will always be difficult and might be open to some reasonable criticism. However, for all those things, I think the nature of what has happened, the immediacy of the crisis and the fact that we are proroguing require this motion, and I commend it to the House.

5.54 pm

**Keir Starmer** (Holborn and St Pancras) (Lab): Mr Speaker, may I first associate myself with the many comments about your role as Speaker in this House and the way in which you have performed it, certainly since I have been here? I did not have the chance to speak earlier, but I want to associate myself with those comments.

I rise to support this application in the name of the right hon. and learned Member for Beaconsfield (Mr Grieve). At the heart of the application is the simple principle that the Executive should be honest and open with Parliament so as to enable this House

[*Keir Starmer*]

properly to scrutinise the Government's policies and decisions. That should be a given, but it is not, and I am afraid that that speaks volumes. Two important decisions underpin this application. The first is the decision to prorogue the House for five weeks, at what should be the most important and intensive part of the Brexit negotiations. The second is the decision to deny the House the assessment of the preparations for a no-deal Brexit—the Yellowhammer analysis.

**Catherine West** (Hornsey and Wood Green) (Lab): Does my right hon. and learned Friend agree that, at the very least, Members of this House should be aware of the cost of a no-deal Brexit? That information is crucial to understanding whether the cost is £2 billion or £8 billion.

**Keir Starmer:** I do agree with my hon. Friend.

It is regrettable that we are compelled to use this process of a Humble Address, but the reason is obvious. Today's measure speaks to a wide truth, which has been touched on a number of times by the right hon. and learned Member for Beaconsfield, and I am sad to say that it is the basic lack of trust that now exists between this House and the Executive. That has changed in recent weeks. That lack of trust arises very much from the actions of the Prime Minister over the last weeks, which have contributed hugely to it. That alone should be a profound cause of concern to all Members of this House, because in my experience—only four years plus—this House operates on the basis of trust. That trust is going, day by day, and that is why this application has had to be made. That is a concern to all of us and it should be a concern to the Secretary of State.

Let me take the two issues one by one. At this stage of the Brexit process, the House should be sitting as often as possible. Frankly, we should be sitting every day until 31 October. Instead, we have a five-week Prorogation. The Prime Minister and other Ministers say that this is to allow for a Queen's Speech and a new legislative agenda. If anybody believes that, they will believe anything. As the Secretary of State is likely to try to make that case—I say "try" because I do not think he will succeed—I have two questions. First, why now? Why prorogue now at such a crucial time? What is wrong with proroguing in November when we know the outcome of the negotiations and have a decision? Secondly, why five weeks? There is no requirement for Parliament to be prorogued for five weeks.

**Tom Brake** (Carshalton and Wallington) (LD): The right hon. and learned Gentleman may be interested to know that in previous years I have asked the House of Commons Library to provide me with a list of what is going to be in the Government's Queen's Speech in advance. This year I have again asked that question, but the Library has replied that it is unable to provide me with any information about what might be in it because it has not detected the Government announcing anything in relation to what is going to be in the Queen's Speech.

**Keir Starmer:** That intervention speaks for itself.

I remind the House that in the past 40 years Parliament has never been prorogued for longer than three weeks, so it is extraordinary that this Prorogation should come

now and for five weeks. In most cases, the House is prorogued for the purposes of the Queen's Speech for a week or less, and often just for a few days, so to shut down Parliament for so long a period at this stage of the Brexit process is extraordinary.

**Justine Greening** (Putney) (Ind): I am thoroughly supportive of this emergency debate and what it seeks to achieve. Many people perhaps do not realise that this is not just closing down the debate on Brexit; it is closing down the debate on everything. For example, were we not proroguing, we would have had Treasury questions tomorrow and I would have asked a question to represent some of those people affected by the 2019 loan charge issue. That issue, along with the NHS, schools and everything else, will now be set on one side, and this House's voice on behalf of the people will be utterly muzzled.

**Keir Starmer:** I accept that intervention, because the House is being shut down and we will not be able to do our job. It is not Members of Parliament who are being shut out, but those we represent. Whether in relation to the issues mentioned by the right hon. Lady or any other issue, the people are shut out when Parliament is shut down. It is all very well for the Government to say, "We will produce some documents in relation to our analysis of a no-deal Brexit," but we are not going to be here for the next five weeks, so when are we going to scrutinise them? Even if the Government do publish something, when do we get to ask questions? Not until it is far too late—two weeks away from the decision. To simply say, "We will publish some documents," under Yellowhammer or anything else misses the point, which is that there can be no scrutiny if we are not sitting.

There is a wider observation, which is that if the purpose of proroguing is justified by the need to pass a Queen's Speech, how on earth do the Government think they can now achieve that? I remind the House that the Government now have a majority of minus 40. With Cabinet Ministers and even the Prime Minister's family resigning the Tory Whip every day, one can only wonder what the number will be by the time the House returns. Surely the Government should now just give up on the idea of a Queen's Speech and drop Prorogation altogether.

**Wayne David** (Caerphilly) (Lab): Is my right hon. and learned Friend aware of the recording of the Defence Secretary, in which he states his view as to why Prorogation is really happening? It is somewhat different from what the Prime Minister has put forward.

**Keir Starmer:** Yes, I have seen that. Why we are being closed down is blindingly obvious. As I said earlier, if anybody believes it is genuinely for the orderliness of the House and the convenience of a Queen's Speech, they will believe anything. We are being closed down to stop scrutiny and to prevent this House from expressing a view on no deal. The only positive is that it galvanised the House last week to take the necessary action to prevent no deal, and Opposition Members were pulled together and spoke strongly on the Bill that has just received Royal Assent.

**David Hanson:** I am still mystified as to why, on 14 August, the Prime Minister agreed to go to the Liaison Committee this Wednesday if he already knew that he was going to prorogue the House this Monday to avoid scrutiny.



**Keir Starmer:** If we were sitting, that would be a question that the Prime Minister could answer, not me. However, we will not be sitting, there will be no questions, and the Liaison Committee will not sit at the very point when we need maximum scrutiny.

**Chris Philp** (Croydon South) (Con): A moment or two ago, the right hon. and learned Gentleman drew attention to the difficulty of passing a Queen's Speech with a Government majority of minus 43. In such circumstances, would not a general election be the constitutionally proper thing to settle the matter? Will he therefore be voting for one, as the Leader of the Opposition promised last Wednesday, later this evening?

**Keir Starmer:** I am sure that we will have a general election soon, but not at the cost of a no-deal Brexit, which will so damage this country.

The second issue addressed in the motion is the Yellowhammer documents. I wrote to the Chancellor of the Duchy of Lancaster on 25 August—a fortnight ago now—calling for the publication of the documents when Parliament returned after the summer recess. I have not yet received a reply. Instead of any publication, we have had an update, with no supporting documents and no significant new information.

**Tonia Antoniazzi** (Gower) (Lab): The Yellowhammer report has been shared with the Welsh Government on a strictly confidential basis and is subject to the Official Secrets Act. Does my right hon. and learned Friend agree that it is an affront to the people of Wales not to tell them what is in that report?

**Keir Starmer:** I understand that the people of Wales need that information. This House needs that information. Frankly, to take the country on a route that may well end up with a no-deal Brexit, but without providing the analysis of the impact, is so wrong in principle that we should not be where we are today. We have no documents or analysis to look at, and we are being shut down tonight, so even if some documents are produced, we will be unable to scrutinise them properly. We can only rely on leaks to the Sunday papers that, if right, show that, in the most likely scenario, the Government expect to see the return of a hard border in Northern Ireland—notwithstanding the efforts of many people to ensure that that does not happen—which will disrupt the fuel supply and UK ports, will cause severe delays in relation to medical supplies, and cause significant disruption and impediment to the ordinary functioning of British citizens' lives and businesses.

**Several hon. Members** *rose*—

**Keir Starmer:** I will give way first to the hon. Member for Carmarthen East and Dinefwr (Jonathan Edwards).

**Jonathan Edwards** (Carmarthen East and Dinefwr) (PC): As the right hon. and learned Gentleman knows, the British Government are planning a £100 million propaganda campaign to sell the virtues of a no-deal Brexit. Could they not save a lot of taxpayers' money by agreeing to the terms of this motion, which will see the documents published on Wednesday?

**Keir Starmer:** The Government could save a lot of money by coming here and putting information in the public domain without the money attached. We could have had these documents last week. There is an irony in having a public information campaign when the impact assessments are not being made available to Parliament. The Government are spending millions of pounds on telling the country to get ready, but without having the decency to put the documents before Parliament and allowing Parliament to sit so that they can be scrutinised.

**Hannah Bardell** (Livingston) (SNP): Does the right hon. and learned Gentleman agree that it is reprehensible that this Government have put us and the people of the United Kingdom in a position where we are having to fight every step of the way, through the courts and through Parliament, just to get basic information about the impact of a no-deal Brexit? That information should have been given to the people well ahead of the referendum. We now have brinkmanship and kamikaze-like behaviour from individuals who are going to damage the lives of our constituents—constituents like mine who will not be able to get medical supplies. He mentioned Yellowhammer and medical supplies. A close member of my family and a number of my constituents suffer from ulcerative colitis and are concerned about medical supplies and about their health. It is a disease exacerbated by stress. This Government are putting the lives and health of our citizens under threat. Does he agree?

**Keir Starmer:** I agree, and this goes to the basic question of transparency. If the Government want to take us down this path, which may end up with a no-deal Brexit, they should have the decency and the courage to put the analysis before Parliament.

**Ms Angela Eagle:** Does my right hon. and learned Friend agree that the difference between that £100 million that the Government are spending on so-called information and the information that we are seeking the publication of through this emergency debate is the difference between gross propaganda paid for by the taxpayer and factual information that ought to be in the public domain as we approach 31 October?

**Keir Starmer:** I agree. The Government are telling us to get ready, but they will not tell us what to get ready for. I say that really just to underline that these are not trivial documents. They are critically important, and they ought to be put before Parliament.

**Crispin Blunt** (Reigate) (Con): I may be missing something here, but if the Labour party votes for an early election tonight, all this will be decided on 15 October. If the right hon. and learned Gentleman and his right hon. Friend the Leader of the Opposition have the confidence of people, they could then go and give the necessary notice and stop no deal. Why on earth is Labour baulking at the opportunity to get things settled properly by the people of this country?

**Keir Starmer:** That is such an unconvincing answer to the question of whether there should be basic transparency and accountability in this House.

**Caroline Lucas** (Brighton, Pavilion) (Green): I congratulate the right hon. and learned Gentleman on stressing the fact that this is not just a technical debate. The livelihoods and lives of our constituents are literally at stake.

On that subject, does the right hon. and learned Gentleman share my concern that my freedom of information request to the Department for Environment, Food and Rural Affairs on the impact on food supplies and the other risks of a no-deal Brexit was turned down? DEFRA confirmed it had that information on what the impact on food supplies will be, but apparently it would not be in the public interest to reveal it. Does he share my concern about that?

**Keir Starmer:** I am concerned about that, and I recall that that is where we started the journey last time, when we asked for impact assessments because freedom of information requests were not fulfilled.

**Dr Philippa Whitford** (Central Ayrshire) (SNP): Australia is currently suffering from an appalling flu outbreak, which is worse than any it has seen in many years. The vaccine for under-65s is more complex this year and will not be in place before 31 October. Does the right hon. and learned Gentleman agree that if we have a worse epidemic than in 2017 and do not have the vaccines, which have to be kept chilled, we could grind NHS services across the UK to a halt this year? If we do not have the details from Yellowhammer, how can anybody be prepared?

**Keir Starmer:** I am grateful for that intervention on a very serious issue, and it makes the wider point. Many members of the public are extremely concerned about the impact of a no-deal Brexit on their lives, which is why this is the right application to be made. The application has been made because Parliament is being shut down and preparations for a no deal are not being scrutinised.

I commend the motion to the House, and I urge Members on both sides to support it.

6.11 pm

**Rachel Maclean** (Redditch) (Con): I wish to speak briefly on two points, as I was not given a chance to intervene on the right hon. and learned Member for Holborn and St Pancras (Keir Starmer). He mentioned the issue of irony, and there is an irony at the heart of this debate: every Opposition Member who has stood up to warn of the risks of a no-deal Brexit had the opportunity to vote for a deal three times in this House. I did not hear a single one of them, including the right hon. and learned Gentleman, make any kind of convincing argument for why they did not vote for the deal negotiated by the former Prime Minister, except for the fact it was negotiated by a Conservative.

**Several hon. Members** *rose*—

**Rachel Maclean:** I am afraid that I will not give way, because a number of Members want to speak on this matter.

The irony is staring us all in the face. We all want to honour our constituents' desire to leave the European Union, as expressed in the historic referendum—that is certainly what I was elected to do. I was put in here to honour the mandate expressed at the ballot box. It was

not my vote, but I understand it is my duty to carry out their wishes, and not to think that I know better than them. Those people had only one vote, and it is my intention to fight to honour it. That is what I was put in here to do.

My constituents are watching this with astonishment and frustration. The more we go round and round in circles, with these processes that make absolutely no sense to people outside this place, the more angry and frustrated they are, because all they can see is a House of Commons that is completely out of touch with people out there. I am proud to make that point on behalf of my constituents in Redditch, who communicate with me on a regular basis.

My second point is about trust. Again we are talking about trust, which is at the heart of this argument. The trust that people put in us, as representatives of their will, is that we would honour their vote in that referendum, and all they have seen is people in here trying not to honour it.

It is obvious to all of us that this is an issue that cuts across political colours, as I have said many times in this House, and what is happening is that these shenanigans, these motions, are being tabled by Opposition Members and, unfortunately, Conservative Members who actually want to stop this democratic process. They want to stop Brexit, but they are not honest enough to admit it. If they were so sure of their argument—

**Anna Soubry** (Broxtowe) (IGC): On a point of order, Mr Speaker. The hon. Member for Redditch (Rachel Maclean) has said two things: first, that people are thwarting democracy; and, secondly, that hon. and right hon. Members are not being honest in the arguments they advance. Presumably she is referring to the right hon. and learned Member for Beaconsfield (Mr Grieve), who is sitting some three Benches behind her.

**Mr Speaker:** I hope the right hon. Lady will forgive me, but I was immersed—there is no point in my pretending otherwise—in a Socratic dialogue with an hon. Gentleman, as the Chair sometimes is. Therefore I did not hear what the hon. Member for Redditch (Rachel Maclean) said. I find it hard to credit the notion that she would impute dishonour to a colleague, particularly to a colleague on her own Benches, and certainly she should not do so. At this stage I have to declare her innocent, because there is no evidence of guilt, but nevertheless it is useful to be reminded of the dictate of “Erskine May” that moderation and good humour in the use of parliamentary language are reliable watchwords in conducting our debates.

**Rachel Maclean:** Thank you for your guidance, Mr Speaker. I endeavour to follow it and, should my words have been misinterpreted, I of course withdraw them immediately.

I made the point that there are divisions on this issue in the House, and the Members who are trying to bring forward these processes are the Members who are trying to stop Brexit. Some of them are actually quite honest and open about that, which is fine. That is their policy. Labour is now a party of remain, which is fine. It would be clearer if Labour put it to the test in a general election and let us see the public's verdict, but unfortunately they are too frightened to do that.

**Sir Oliver Letwin:** I understand the passion with which my hon. Friend speaks. Does she accept that, like her, many of us who are supporting this motion, and who have supported other such motions in this whole endeavour, voted three times for a withdrawal agreement and wish to see a withdrawal agreement? I have assured the Prime Minister, both inside and outside this House, that I will personally vote for any agreement that he brings back from the European Council.

**Rachel Maclean:** I am delighted to hear that, and I absolutely acknowledge my right hon. Friend's support for the withdrawal agreement and for any future deal. It is wonderful to hear that.

Special advisers are caught up in this Humble Address. I do not have a lot of experience of special advisers. I am a junior Parliamentary Private Secretary, and I have had the privilege of working with a few special advisers in the Departments I have been honoured to assist, and I have found them all, without exception, to be dedicated and conscientious individuals who do their job to the best of their ability.

**David Linden** (Glasgow East) (SNP): How many special advisers has the hon. Lady worked with who have been found in contempt of Parliament?

**Rachel Maclean:** That is a hypothetical point, because we have not yet passed this motion. As I said at the start of my remarks, I have not been here long and I have very limited experience, so I have worked with none.

This would be an unprecedented situation for individuals who came into public life and into politics for the best of reasons. They want to perform public service and carry out their offices, and this Humble Address puts them in an extremely difficult position.

Governments of all colours have special advisers, which is an established role. It is not just this Government who have special advisers. The Labour Government had special advisers, too. We need to be extremely careful about tying their hands and constraining their freedom to advise the Ministers with whom they work.

**Stephen Doughty** (Cardiff South and Penarth) (Lab/Co-op): On a point of order, Mr Speaker. I am sure the hon. Lady did not want to mislead the House, but she said that it was "hypothetical" that the special adviser Mr Dominic Cummings had been found in contempt of Parliament. That is not hypothetical—it is a fact.

**Mr Speaker:** Yes, there is not an unpurged contempt, and my recollection of the particular case, whose details I am broadly familiar with, is that he was not invited to apologise, but there was a contempt, and that is a matter of unarguable and incontrovertible fact. These matters came my way recently, in circumstances with which I need not trouble the House, but I do know of what I speak and there was a contempt.

**Rachel Maclean:** Thank you for that clarification, Mr Speaker. The question I was asked in the earlier intervention was how many I have worked with. I have not worked with Dominic Cummings, so I was answering a question in a quite straightforward way. I have made my point and I will bring my remarks to a close. I will not be supporting the Humble Address, for the reasons I have laid out, and the House would do well not to support it.

6.20 pm

**Joanna Cherry** (Edinburgh South West) (SNP): I rise to state the Scottish National party's unequivocal support for this application and to congratulate the right hon. and learned Member for Beaconsfield (Mr Grieve) on obtaining this debate. Unlike the hon. Member for Redditch (Rachel Maclean), I am going to confine myself to the terms of the motion, but I wish gently to remind her that this motion is supported by Members from across the House, some of whom, like her, have constituencies that voted leave and some of whom, like me, have constituencies that voted remain. The will of the people in Scotland is to remain, so I have no shame in having that as my primary motivation. Having said that, I am also very concerned to ensure, for as long as I and my colleagues are here, that this Parliament and this Government do things properly, and there are strong grounds for suspicion that things have not been done properly in relation to this Prorogation. The dogs in the streets know that the reason this Prime Minister is proroguing Parliament is to avoid scrutiny as he hurtles towards 31 October and a no-deal Brexit. Nobody is fooled that the Prorogation has anything to do with the need to commence a new Session and to have a Queen's Speech on pressing domestic Bills, which none of us has seen so far. If the litigation in which I and others in this House are involved in Scotland achieves nothing else, it will have shown that something is very much awry with the reasons given for the Prorogation.

**Justine Greening:** I agree with what the hon. and learned Lady says. Were we able to have a voice on this, many Members of this House would think that we should not even have the conference recess for three weeks and that Parliament should be here doing its job at a time of crisis, speaking on behalf of our communities.

**Joanna Cherry:** I entirely agree with the right hon. Lady on that matter. The documents lodged with the Scottish Court last week, and revealed to the public against the Government's wishes but as a result of interventions by the legal team that I and others in this House instruct, and by the BBC and other newspapers, show that the Prime Minister had approved a plan to prorogue Parliament on 16 August. Yet, as the right hon. and learned Member for Beaconsfield said in his opening speech, as late as 25 August a No. 10 spokesperson was still denying that there was any such plan to prorogue. Indeed, in the pleadings lodged by the Government in response to the action raised in Scotland by myself and other Members of this House, the British Government referred to our contention that we were in fear of a Prorogation as hypothetical and academic. So there are very real reasons to believe that this Government are economical with the truth.

The memos produced by the British Government showed not only the somewhat distasteful comment about girly swots, with which the right hon. and learned Member for Beaconsfield dealt most ably, but that the reason why the current Prime Minister wants to prorogue this Parliament is because he wants to avoid what he referred to as the "rigmarole" of this Parliament sitting in September. So even if the Scottish case achieves nothing else, it has shown that the Government have not been entirely truthful so far.

[Joanna Cherry]

Another myth was finally put to rest at the weekend when the right hon. Member for Hastings and Rye (Amber Rudd) resigned. Most of us were not surprised to hear her confirm that there are, in fact, no renegotiations ongoing with the EU. Of course we already knew that from the former Chancellor of the Exchequer and from a number of counterparts in the EU. I noted last week at the Brexit Select Committee that the Chancellor of the Duchy of Lancaster initially tried to give the impression that negotiations were ongoing but when pressed on the matter he conceded that there are no negotiations as such, merely discussions. We heard that from him last week, but it was good to hear it from someone who has so recently been at the heart of government and has had the decency to leave the Government given what she has seen.

The weight of evidence regarding the damage that no deal would do to the nations of these islands is overwhelming. We all know that from the work we have done on Select Committees over the past few years—work that will not be happening in the next few weeks, when Parliament is prorogued. But still the Government will not tell us the truth about the assessments they have made of the impact of a no-deal Brexit and the preparations they are making for that. So it is right that this House seeks the documentation relating to Operation Yellowhammer.

I will now concentrate on the Prorogation case, because myself and a number of other MPs and peers, as well as Jo Maugham, QC, and the Good Law Project, have raised an action in Scotland, in which we argue that Parliament is being prorogued for an unlawful purpose and to prevent democratic scrutiny, and that therefore the courts should overturn the order to prorogue. Although the judge at first instance was not with us, we had a full hearing before Scotland's Appeal Court last week, and we are awaiting the outcome of that decision on Wednesday. Of course a date, 17 September, has also been assigned at the UK Supreme Court to hear any further appeal in the Scottish case and also an appeal on the proceedings raised in England and Northern Ireland. Members of the public should be aware that if the courts eventually find out that Prorogation was unlawful, they can order this Parliament to return. So even if we are prorogued tonight, all is not lost.

In the course of these proceedings, something curious happened last week. I commend to hon. Members' attention an interesting article about this in the *Financial Times* at the weekend by David Allen Green, the distinguished legal commentator, entitled: "The curious incident of the missing witness statement". In the Scottish case, the petitioners argue that the Government had an improper motive in seeking Prorogation, and we say that the real intention was a cynical effort to close down Parliament so that it could not block a no-deal Brexit. Usually, there is a pretty straightforward way for the Government or the responding party to rebut or refute an allegation of such bad faith. Where somebody is facing such an allegation of bad faith, the normal thing to do in an action of judicial review would be to submit a sworn statement—an affidavit—setting out the way in which the decision was made and that the decision was properly taken and to lodge relevant supportive documentation. What happened last week in Edinburgh

was that the Government did not provide any such witness statement. They provided no such sworn affidavit and no official explanation. They simply supplied some documents, heavily redacted, without any covering explanation. The absence of such a statement in such litigation is, as David Allen Green says, very "conspicuous".

**Kevin Brennan:** I am certainly not a lawyer, but general knowledge leads me to ask: is what the Government are doing here not, in effect, the equivalent, in American terms, of taking the fifth—refusing to give evidence on the basis that it might incriminate them or cause them to commit perjury?

**Joanna Cherry:** It does rather have the whiff of that.

At Prime Minister's questions last week, the right hon. and learned Member for Beaconsfield asked the Prime Minister why it had proved impossible during the Scottish legal proceedings to find any Government official or Minister who was prepared to state on oath in a sworn statement the reasons for Prorogation. The Prime Minister did not answer the question. As the right hon. and learned Gentleman explained earlier, it has been suggested to a number of Members, myself included, by reliable sources, that Government officials were approached by the Government Legal Service about swearing such statements but refused to do so. I cannot know the reasons why they refused to sign a sworn statement; I can only speculate. I speculate that perhaps they refused for fear of perjuring themselves, or for fear that to tell the truth would be damaging to the Government. The idea that any Government official should be put in a position in which they fear having to perjure themselves before the courts of the jurisdictions of Scotland or England, or indeed any jurisdiction in the United Kingdom, is very concerning.

The same sources that suggested that officials have refused to sign sworn statements have also suggested to me, and to other Members of the House, that key figures in No. 10 and the Government have been communicating about the real reasons for Prorogation not through the official channels of Government emails and memos, but by personal email, WhatsApp and "burner" phones—normally used by people involved in a criminal enterprise to avoid being traced. If that is true, they will have adopted a subterfuge, and there can only really be one reason for that: to conceal the real reasons for Prorogation from the scrutiny of this House and, very seriously, the scrutiny of the courts.

The right hon. and learned Member for Beaconsfield explained at some length what careful thought he has given to the way in which this has been presented. I will not repeat any of that, other than to say that he has clearly applied his mind very carefully to it, and the allegations that underlie the motion are very serious. If there is no truth in them, so be it. But let us pass the motion and let there be transparency and accountability, because those are the two things, I suggest, that this Prime Minister and his shabby Administration fear the most.

**Caroline Lucas:** The hon. and learned Lady is making a powerful case. Does she agree that this Government's cavalier treatment of parliamentary procedure and democratic principle underlines the need not for uncodified practices but for a written constitution and, in particular, a citizens' assembly that could once again put the people at the heart of our democracy?

**Joanna Cherry:** I agree with my hon. Friend, but I would take the argument further, because the shabby practices of this Government and the creaking of the British constitution underline, in my mind, the need for my country to be independent of this mess.

Even as we have been speaking this afternoon, it has been reported on Twitter—this point has already been alluded to—that unidentified No. 10 sources are saying that even if we pass this motion for an Humble Address tonight, they will not comply with it. *[Interruption.]*

**Mr Speaker:** Order. I am extremely grateful to the hon. and learned Lady, but I gently point out to her that, as there is a significant number of other Members waiting to contribute, and as the right hon. Gentleman the Chancellor of the Duchy of Lancaster has every right and reasonable expectation to think that he will have 10 minutes or so to speak, I am cautiously optimistic that she is approaching her peroration.

**Joanna Cherry:** You are correct, Mr Speaker; I am about to draw my remarks to a close.

I am a student more of Scottish history than of English history, but our histories are bound together, and I know enough about English history to know that it was secret, unaccountable whispers of poison that brought down Edward II and Richard II. I suspect that this Prime Minister will be brought down by secret, unaccountable whispers of poison, such as those in the unattributable briefings we heard this afternoon. Let us make sure that this House and the courts see the contents of the secret whispers of poison that preceded this Prorogation, so that we can all see the real reasons why the House of Commons has been prorogued by an Executive terrified of scrutiny.

**Several hon. Members** *rose*—

**Mr Speaker:** Now, a self-denying ordinance would help. I think that the right hon. Member for North Shropshire (Mr Paterson) can probably deliver himself of his thoughts on this matter within five minutes.

6.35 pm

**Mr Owen Paterson** (North Shropshire) (Con): I will be extremely brief, Mr Speaker, as I came to the debate with no intention of speaking. I just want to make the point that the hon. and learned Member for Edinburgh South West (Joanna Cherry) talks about “secrets” and “poison”. We are naming nine individuals here, some of whom have never worked for the Government before, and some of whom have been working as special advisers for only a week or 10 days. Bluntly, this whole debate offends my sense of fairness. We have a long tradition that people are innocent until proven guilty, yet the hon. and learned Lady assumes instant guilt on the part of these people. We all know that there are probably two names that she would love to flush out, but there are other individuals listed here. Members should just think about this, because these are junior people who have not worked for the Government for very long.

**Christian Matheson** (City of Chester) (Lab) *rose*—

**Mr Paterson:** No, I will not give way.

There are significant figures who could have been chosen, such as the Cabinet Secretary, or learned counsel who advise the Government—Treasury counsel and people like that. I received a very unsatisfactory answer earlier when I asked what criteria the right hon. and learned Member for Beaconsfield (Mr Grieve) had applied for naming these people. Before this witch hunt atmosphere continues, would Opposition Members like to consider that they are talking about nine relatively junior members assisting the Government? There are two names that we know they would very much like to flush out, but can we just think of the impact on these people of having their private emails and phone messages to family and friends inspected?

Who is the omniscient person—this great fount of wisdom—who will judge whether those messages are pertinent to the motion. Before Members vote for the motion, I would like them to consider who that person will be. Who will be the chairman of the committee of public safety who will make those decisions?

Are those Members prepared to put their private communications on the record? I am sure that the right hon. and learned Member for Holborn and St Pancras (Keir Starmer) has had many communications with senior members of the European Commission. Only this afternoon, Mr Guy Verhofstadt gave a great paean of praise to you, Mr Speaker—he is going to welcome you to the European Parliament—but I very much doubt that you will make available to us your private communications with him.

You asked me to be brief, Mr Speaker, and I will be. Could we please just recognise that this motion is invidious and unfair? It chooses nine names arbitrarily. If people were really on a fishing expedition, they could have gone wider and gone for more senior figures. Of course, the person they are really after is the Prime Minister, and he does come to this House, and there will be many opportunities to ask him the questions, because ultimately he is the one they should be after.

**Several hon. Members** *rose*—

**Mr Speaker:** Order. Has the right hon. Gentleman finished his oration?

**Mr Paterson:** I have, Mr Speaker.

**Mr Speaker:** We are deeply obliged to the right hon. Gentleman. We now need very short speeches, of no more than four minutes.

6.39 pm

**Tom Brake** (Carshalton and Wallington) (LD): I will certainly speak within the four-minute limit, Mr Speaker.

I wish to focus on Operation Yellowhammer. The issue with Prorogation is whether the Government deliberately misled Parliament. The issue with Operation Yellowhammer is whether the Government are deliberately withholding key documents from Parliament and the public.

Members of Parliament will have seen *The Sunday Times* last month when it published the leak of Operation Yellowhammer and said that Britain would face shortages of fuel, food and medicine and three months of chaos at its ports in the event of a no-deal exit. The report

[Tom Brake]

went on to warn that lorries might face delays of two-and-a-half days at ports and that medical supplies might be vulnerable to severe extended delays. It also said that the Government had expected the return of a hard border in Ireland. We have not, of course, been able to see this document, because the Government have not been willing to provide it to us, but what we have had is a series of Ministers touring studios saying, in effect, that there is nothing to see in this document, that there is nothing to worry about and that everything is under control. I am afraid that, at the same time, we see reports that the Chancellor of the Duchy of Lancaster has sought to sanitise it. Having apparently failed to sanitise it, he has simply decided to rely on the fact that the report will not be published at all.

I have sought assurances from the Government that if civil servants were asked to modify this document—in effect to sanitise it—that would be in breach of the ministerial code. I have also asked whether those civil servants would be subject to disciplinary action if they refuse to sanitise it and whether, if they spoke out because they noticed that the documents had been sanitised, they would be covered by whistleblower legislation. When I asked for this information, I was referred to the evidence that the Minister gave to the Select Committee, or was about to give to the Select Committee, last week. After he had given evidence, I went hotfoot, as Members would expect me to do, to see whether he had answered any of these questions, and, of course, he had not. When he replies now, perhaps, rather than sending me a letter referring me to evidence in which he has not answered the question, he would like to answer those specific questions, because we need to have that information available.

Businesses are trying to prepare for no deal. The Government are withholding information from them. At the same time, the Minister in charge of local government is writing to local authorities telling them that they have to provide information to residents and businesses about what preparations they are making in relation to no deal. It does seem that if the Government are asking local authority leaders to make that information available, there is a duty on them to make that information available. Yet what we have from the Government is the withholding of this critical information that would allow all of us to prepare for a no-deal scenario.

It may be that the Government are worried that putting this information into the public domain might lead to shortages of food. To some extent, I understand that, and, if that is the case, that would be less than perfect. Again, I did suggest to the Minister that the Government might want to release the information on Privy Council terms to Privy Counsellors and allow us to access that information. Clearly, I would prefer all Members of Parliament to be able to see that information, but if that is one way that the Government would feel more confident that the information could be shared, then they could do that.

I hope that, when we get a response from the Minister, he will be quite specific in answering these questions, which have so far been avoided by the Government. We would all like to know the answers to those questions so that we have a degree of certainty about what the impact of no deal will be, so that we can all help businesses and others to prepare for that eventuality.

**Mr Speaker:** I am grateful to the right hon. Gentleman.

**Several hon. Members rose—**

**Mr Speaker:** Let me see—[*Interruption.*] Oh, I do beg the pardon of the hon. Member for North Dorset (Simon Hoare); I think he used to make those sorts of coughing noises when he was at Oxford with my wife 30 years ago. Yes, very good—he has three or four minutes now.

6.43 pm

**Simon Hoare** (North Dorset) (Con): I think I can say without peradventure that they were happier days, Mr Speaker.

I will vote against the motion this evening for the very clear reason that Government must function. If officials and advisers are to provide information to Ministers, they should be able to do so freely and without any thought that their correspondence, while in an official capacity, will be dragged before us. However, I will, if I may, make a couple of important caveated points. My understanding is that our unwritten constitution, as crazy and as byzantine as it often can be, can only work, and can only continue to work, where there is trust, where there are checks and where there are balances. Those three things must be observed and maintained.

We all hear the phrase, “Through the usual channels”. We all know what that means. This place would not function—our constitution would not function—without the daily conversations between the principal parties in this place and others on how legislation is going to be delivered. It does not matter to this motion whether one voted leave or remain or even abstained in the referendum campaign—a number of right hon. and hon. Members have referred to that. The motion is about the functioning of Government and, as a number of colleagues have said, trust. It matters that good practice and the rule of law are followed. People in this place and, indeed, in the country are broadly satisfied in accepting a decision if and when they are confident that the means by which that decision has been arrived at is clear and fair—or, as I would say colloquially, it has passed the sniff test.

Interestingly, I have had, as I am sure we have all had, hundreds, if not thousands, of emails over the past month advocating position x, y, or z with regard to leaving the European Union, but I have not had a single email from a constituent—not even from the most avowed and determined advocates of Brexit in my constituency—who has felt that proroguing Parliament has been the right thing to do. We should not be hiding behind the narrative of, “Well, we were going to rise for three weeks anyway for the conference recess”. Having had six weeks off already, the conference recess should not have been used as an argument to support a Prorogation. The conference recess should not have been taking place, and the conferences should either have been cancelled or gone on in a lesser form. I do not think that that narrative passes the test. It is interesting that I have had no correspondence on the matter—I will probably regret saying that when I am inundated tonight and tomorrow—from any constituent saying that Prorogation is the right thing to do.

I urge my right hon. and hon. Friends on the Treasury Bench to consider those points and, importantly, to take on to ourselves the humility that, certainly last week, we were a minority Administration. I have lost

track of the figures slightly, but we do not have such muscularity of numbers that we can deal lightly with constitutional norms and with this place.

I am concerned that, as was flushed out at the urgent question on Thursday, my right hon. Friend the Secretary of State for Northern Ireland—and, as I understand it, every other Cabinet Minister—has still not received legal advice from my right hon. and learned Friend the Attorney General with regard to Prorogation. We have had the legal advice of the Attorney General published in the past. I am not a lawyer, but I understand that, in normal times, it is perfectly proper for that to be under lawyer-client privilege. However, we all recall that we saw the legal advice of the Attorney General with regard to the amendments that the then Prime Minister, my right hon. Friend the Member for Maidenhead (Mrs May), had secured and how they had affected the legal status of the withdrawal agreement. There is therefore a precedent for the publication of legal advice. As somebody who is concerned to get leaving the European Union right on behalf of my constituents, but also as the chairman of the Northern Ireland Committee, I think that the legislative needs of Northern Ireland, particularly in the scenario of a no-deal exit, are being ridden roughshod over by the fact that the House is being prorogued this evening.

I seek assurance from my right hon. Friend the Chancellor of the Duchy of Lancaster that the needs of Northern Ireland and the need to maintain the unity of our United Kingdom, which he and I hold to be incredibly precious, are not being dealt with in a cavalier fashion. I will be voting against this motion, but the Government do need to think about how they deal with these matters.

**Several hon. Members** *rose*—

**Mr Speaker:** We need to have even shorter speeches, because the Chancellor of the Duchy of Lancaster must have his opportunity to respond. I am sure that a great intellectual colossus such as the hon. Member for Walthamstow (Stella Creasy) can express her thoughts in two minutes.

6.50 pm

**Stella Creasy** (Walthamstow) (Lab/Co-op): I put my name to this motion for three very simple reasons. I agree with what many Members across the House have said about what our constituents do not understand about what is going on in this place. First, many do not understand the concept of Prorogation. Indeed, one of my constituents thought it was something to do with pierogi—dumplings. They do not understand why, when this country is facing a massive crisis, MPs are upping sticks and going home. When I tell them that it is not of my choosing, they ask “Whose choosing was it?” This motion is about people understanding that process. As the hon. Member for North Dorset (Simon Hoare) said, it is about asking, “Does it pass the sniff test?” The honest truth is that everything we have seen to date says that it simply does not.

Secondly, my constituents do not really understand the machinations of official channels and the civil service code, but they do get that an unelected cabal of people are making decisions about their future without any accountability. To Government Members who are concerned about the concept of being able to look at private emails, I gently say that they might wish to

google the concept and revisit some of the situations that the House had to deal with in 2011 and in 2013, precisely regarding civil servants and special advisers using official channels to conduct official business. I am sure that there are Members on the Front Bench who can tell them of that time and of the clarity that was given that such information would be FOI-able. This is not something new; it is simply about the exigency of seeing that information when we are making decisions.

There is a third thing that my constituents would not really understand. They do not know what a no-deal Brexit entails—nobody really does because, thankfully, we have not yet experienced it—but they do know that there are doctors going on the national airwaves to tell them that the Government are stockpiling body bags, and they are then hearing the Leader of the House discrediting those very same doctors.

There is a simple question at the heart of this motion, which is the question that I suspect all our constituents, whether we represent leave or remain constituencies, have been asking us over the last couple of weeks: what on earth is going on? The honest truth, if we want to talk about truth in this place, is that none of us can really answer those questions, because we have not seen the homework on why Prorogation has suddenly appeared and what a no-deal Brexit would actually mean—whether it is true that 85% of lorries travelling across the channel are not ready for French customs or that the supply of fresh food will be disrupted. The simple truth may even be that if the situation is not as far-fetched as the stories in the press, just publishing Yellowhammer will set everybody’s minds at rest. This motion is about us being able to do what we should be able to do best: inform our constituents, and hold the Government and their advisers to account. I urge everyone to support it.

**Several hon. Members** *rose*—

**Mr Speaker:** I am afraid that there needs to be a two-minute limit.

6.53 pm

**Ian C. Lucas** (Wrexham) (Lab): This motion is about trust. We should understand the people we are dealing with.

As recently as July 2019, the Electoral Commission published detailed evidence upon which it based its finding that Vote Leave committed electoral offences in the immediate lead-up to the 2016 referendum. In March 2019, Vote Leave itself admitted to breaking the electoral law. Electoral law is there to safeguard democracy. Vote Leave’s offences are set out in detail in the July 2019 Electoral Commission findings, which explain that Vote Leave conspired, quite deliberately, to break the referendum spending limits by channelling money to the Canadian company AggregateIQ through an alternative funding stream. Dominic Cummings, working for Vote Leave at the time, explained in evidence disclosed by the Electoral Commission that

“there is another organisation that could spend your money. Would you be willing to spend the 100k to some social media ninjas who could usefully spend it...in the final crucial 5 days. Obviously it would be entirely legal.”

As we now know from the Electoral Commission—and accepted by Vote Leave—it was entirely illegal. Dominic Cummings said that this spending was “crucial.”

[*Ian C. Lucas*]

The Chancellor of the Duchy of Lancaster knew of these payments. In an interview with Dermot Murnaghan of Sky News, he said that he knew of these illegal payments, but not until after the referendum had taken place. On 5 August this year, following his appointment as the Minister responsible for electoral reform, I wrote to him asking when he knew of the illegal payments, which I believe to be a matter of crucial public interest. He has not replied.

Dominic Cummings has refused to give evidence to the Select Committee on Digital, Culture, Media and Sport, frustrating its inquiry, and has been found to be in contempt of Parliament. When he was appointed as the Prime Minister's adviser, I wrote to the Prime Minister, asking him to instruct Dominic Cummings to give evidence to the Committee. The Prime Minister has refused to do this. These are the people who are making these decisions, and we cannot trust them to make the right ones. I therefore support the motion.

**Dr Rosena Allin-Khan** (Tooting) (Lab) *rose*—

**Stephen Doughty** (Cardiff South and Penarth) (Lab/Co-op) *rose*—

**Mr Speaker:** What an invidious choice. I call Dr Rosena Allin-Khan.

6.55 pm

**Dr Rosena Allin-Khan** (Tooting) (Lab): It is an absolute disgrace that tonight we will go home for a number of weeks, after we have already been off for many weeks already.

This Government are playing games. Although I am the MP for Tooting, I am also a Tooting girl, who was voted here to do her job: for the five-year-old boy who is starving and has to go to the local food bank—he has not got time for games; for the mother who is waiting for her delayed cancer treatment—she has not got time for games; and for the family who have been failed by the Department for Work and Pensions, who are starving, cannot pay their electricity bills and face another cold winter—they have not got time for games. We are letting the public down at a time when there has never been greater distrust between them and us in here. The mother in my patch who has to bury her son, and who knows that her other children have no opportunity, does not have time for the games that we are playing in this House. To the people sitting in the Gallery, we are a laughing stock. Leaving without a deal makes the very poorest and most vulnerable in our communities and society even worse off.

So today I say, on behalf of Balham, Tooting, Furzedown and Earlsfield, that this Government are a disgrace and proroguing Parliament is a disgrace. I am here in my capacity as an MP and as a regular, ordinary girl from Tooting, who had never been in this place until she was elected to be here. We deserve better and our communities deserve better. Let us be here to do our jobs.

6.57 pm

**Stephen Doughty** (Cardiff South and Penarth) (Lab/Co-op): Like many Members' constituents, many of my constituents in Cardiff have told me over the weekend

that they are simply totally confused about what is going on. They are not interested in the procedures and the chicanery; they are interested in their lives, and what difference the proceedings here make to them.

So why does this motion matter and why am I supporting it? Well, the gag that the Government are going to put on Parliament tonight prevents us from having Treasury questions, Northern Ireland questions, Prime Minister's questions, Digital, Culture, Media and Sport questions and questions to the Attorney General, whose legal advice is so crucial to this situation. It prevents us from having debates on the battle of Arnhem, in which my grandfather served and was taken prisoner of war; the pension age of our police; sanctions; refugees; climate change; EU citizens; the middle east; fracking; Northern Ireland; chemicals; sexual violence; and children.

Proroguing Parliament will prevent the discussion and agreement of the Agriculture Bill, the Immigration and Social Security Co-ordination (EU Withdrawal) Bill, the Trade Bill, the customs Bill, the Wild Animals in Circuses Bill and, crucially, the Domestic Abuse Bill, yet this Government have carried on with this gag. They tell us it is because they want to set out provisions for a new Queen's Speech and a new programme for government. Who are they fooling? We know the truth. We know why this is being done—the Prime Minister's own documents have revealed it.

The Prorogation plot was known well before. How was it that I was able to know about it in the early hours of the morning—before it was announced, before you had been told, Mr Speaker, before the Cabinet had been told and before the country had been informed? How was it that journalists were able to know that night and I was able to know, yet No. 10 Downing Street was still denying that this gag was going to go forward? No. 10 was denying it days before, yet as was revealed, the decision was taken on 16 August. That goes to the heart of this motion.

This is about trust in a Government who cannot be trusted, it is about our constituents' lives and the issues that matter to them, which go well beyond Brexit, and it is about the national security and safety of this country. The Yellowhammer documents should be made public so that we all know the true risk to this country of a no-deal Brexit.

6.59 pm

**The Chancellor of the Duchy of Lancaster (Michael Gove):**

It is a pleasure to speak in this debate after a number of important, serious and passionate speeches. It is important that we pay appropriate regard to this Humble Address, standing as it does in the name of my right hon. and learned Friend the Member for Beaconsfield (Mr Grieve) and supported as it has been by three distinguished QCs in two of the three jurisdictions of these islands.

Important issues are raised by this Humble Address. There is a request implicit in it for full information for this House about the consequences of leaving the European Union. I would emphasise that the opportunity for not just Members of this House but citizens in this country to make sure that they are familiar with all the consequences—and, indeed, the opportunities—of leaving the European Union is at the heart of the Government's information strategy. Some have suggested that it is somehow propaganda. Far from it: it is an effort to



ensure that the facts are laid out in an accessible way to every citizen. So whether it is a simple matter of individuals knowing what their rights might be if they happen to be UK nationals abroad, or businesses who require to know what the customs procedures are in order to export, that is all in the public domain.

**Stephen Doughty:** Will the right hon. Gentleman give way?

**Michael Gove:** Not at this point.

Indeed, that is not the only thing that is in the public domain. As a result of a court case that has been brought by the hon. and learned Member for Edinburgh South West (Joanna Cherry) and others, we also have in the public domain the submission that went to the Prime Minister on which he made his decision. Submissions such as this, and Government policy that rests on them, are not ordinarily made public, but, quite properly, following the duty of candour in respect of that judicial review, that information was published. There it is in black and white: the reasons that were put to the Prime Minister for going down this course of action, and indeed the reasons that led him to make that decision. I would say that it is not unprecedented, but rare, that such a degree—

**Lady Hermon** (North Down) (Ind) *rose*—

**Michael Gove:** I am always happy to give way to the hon. Lady.

**Lady Hermon:** I am very grateful to the right hon. Gentleman for allowing me to intervene on him. He will of course be entirely aware that last Thursday, during an urgent question, the Secretary of State for Northern Ireland, who is a very good appointment indeed, made it quite clear that he had not been consulted by the Prime Minister about the plan for Prorogation; he was told only just before it was publicly announced. Therefore, we have a Secretary of State for Northern Ireland who is facing a perfect storm of the possibility of a no-deal Brexit and no functioning Assembly—and no expectation of one any day soon. How can it possibly be that the Minister is telling the House that the Prime Minister had a paper that he did not even share with the Cabinet?

**Michael Gove:** The hon. Lady raises at least two important points. First, we are of course absolutely aware that whatever the impacts of a no-deal Brexit, they are likely to be more acute, in a number of ways, in Northern Ireland. She is absolutely right that that extends not just to the economy of Northern Ireland but to security considerations. Let me take this opportunity to pay tribute to the work of the Police Service of Northern Ireland, who have been very clear about what the risks are and their attempts to mitigate them.

On the broader point, submissions that would go to the Prime Minister would not normally be circulated to the whole of the Cabinet, any more than submissions that go to an individual Minister would. This goes to the very heart of what is being requested. That submission is already there, but we are now being asked to give this House and, indeed, the world not just those submissions but every possible communication that any civil servant might have entertained beforehand in helping to advise the Prime Minister on the correct course of action. It is a basic principle of good government observed by

Governments—Labour, Conservative and Scottish National party—that there should be a safe space for the advice that civil servants give.

**Anna Soubry:** Will the Minister give way?

**Michael Gove:** No.

The Cabinet Secretary, when he appeared before the Procedure Committee, made it clear that this convention that advice should be private has applied to Governments of all parties throughout the history of the civil service. He said that the Humble Address—the particular procedure that we are debating today—has a chilling effect that is to the severe detriment both of the operation of government and the public record of Government decisions. That is the Cabinet Secretary's view. It is interesting that my right hon. and learned Friend the Member for Beaconsfield said that of the nine people whom he names, only one was a civil servant. Four are civil servants, including the Cabinet Secretary, and he has been clear, as Administrations of every colour have been clear, that they do not disclose this information.

Indeed, sometimes—I listened with care to what the hon. and learned Member for Edinburgh South said—there are Administrations who say that they do not reveal legal advice even when it does not exist. She told us that if we had an independent Scotland, the rules, procedures and practices in an independent Scotland would set an example to us here. But the former First Minister of Scotland, Alex Salmond, told the BBC that he had legal advice on the impact of Scotland being independent in Europe, and then, when he was asked to publish that legal advice, spent £20,000 of Scottish taxpayers' money fighting that and saying that no freedom of information requests should be granted. Then eventually, when the court found out what had happened, there was no legal advice at all. So I will take no lectures from the Scottish National party about trust or transparency.

**Joanna Cherry** *rose*—

**Ian C. Lucas** *rose*—

**Michael Gove:** No, no—absolutely not. [*Interruption.*] No—no, thank you.

What is being asked of this House is more than just the publication of advice: private communications of a variety of public servants are about to be published if this Humble Address is published. My right hon. and learned Friend did not ask specifically in this Humble Address—

**Joanna Cherry:** Will the Minister give way?

**Michael Gove:** No. [*Interruption.*] No, thank you.

He did not—[*Interruption.*] I am not scared of the truth—Alex Salmond was scared of the truth, which is why he spent my mum and dad's money to hide the truth.

**Ian C. Lucas** *rose*—

**Michael Gove:** No, I will not give way.

If the Humble Address had been shaped in such a way as to say that official advice was requested, the Government would have sought to collaborate that—co-operate, I should say—with my right hon. and learned Friend. But this is a trawl—a fishing expedition in

[Michael Gove]

which every single communication from public servants is being requested if it has anything to do in any way with Prorogation. If there are officials or special advisers who are communicating with one another about personal matters, then that would be within the scope of this Humble Address. It is unprecedented. It takes a coach and horses through our data protection legislation. It is questionable in terms of the article 8 rights that individuals have under the European convention on human rights, and it would, for the first time, say—

**Ian C. Lucas:** Give way!

**Michael Gove:** No, no.

It would, for the first time, say that the House of Commons, by a simple majority vote, can say that any individual's communications should be rendered transparent. Do Members realise what they are doing? No criminal offence is alleged. The sole purpose of this is to determine what may or may not have been the private opinion of civil servants and special advisers. The idea that, in order to discern exactly what they thought, we will trample over data protection law, ECHR rights and the principle of safe space is an unprecedented example of those who claim to revere—

**Christian Matheson** *rose*—

**Ian C. Lucas** *rose*—

**Chuka Umunna** (Streatham) (LD) *rose*—

**Michael Gove:** No, no, no. [HON. MEMBERS: "Give way."] Mr Speaker, I reserve the right to take any intervention I wish, and I will in a second. [*Interruption.*]

**Mr Speaker:** Order. There is so much noise that it would be understandable if the Chancellor of the Duchy of Lancaster were unable to hear the right hon. and learned Member for Beaconsfield (Mr Grieve), who was bidding to intervene. Whether he accepts the intervention is a matter for him, but it is important that attempted interventions are audible.

**Michael Gove:** Thank you, Mr Speaker. I shall not take any interventions because it is important that I make progress.

I want to underline that these propositions are being put forward by people who say—and I believe them—that they take the rule of law seriously, but in their desire to rifle through the private correspondence of individuals, they set aside legal precedent, set aside the good workings of government, and set aside the rights of individuals.

Let me turn briefly to the particular part—

**Ian C. Lucas:** On a point of order, Mr Speaker.

**Mr Speaker:** I hope it is a point of order, not a point of frustration.

**Ian C. Lucas:** It is a point of order. I wrote to the Secretary of State on 5 August asking him a specific question—when he knew about the illegal payments of Vote Leave. He has not answered my letter, and he

refuses to take an intervention. I have raised it in this debate again. How will I get a straight answer, on trust, from the Secretary of State?

**Mr Speaker:** Persist, man! Persist by asking further questions or sending follow-up letters—keep bugging on at all times.

**Michael Gove:** In his speech, the hon. Member for Wrexham (Ian C. Lucas) answered his own question. He explained that I had said to Dermot Murnaghan on Sky News exactly when I knew about these payments. He can ask as many times as he likes for me to repeat the answer, but I gave the answer months ago.

Talking of politicians who cannot see what is in front of them, we come to Yellowhammer. The point has been made that it is critical that we share with this House as much as we can, and I am absolutely committed to that. In the evidence that I gave to the Exiting the European Union Committee last Thursday—

**Mr Grieve:** Will the right hon. Gentleman give way?

**Michael Gove:** No. In the evidence that I gave, I made it clear—I am grateful to the Chairman of that Committee for allowing me to do so—that we wanted to publish and would publish a revised Yellowhammer document. It is also important to recognise that the shadow Secretary of State for Exiting the European Union, the right hon. and learned Member for Holborn and St Pancras (Keir Starmer), described Yellowhammer as both an "impact assessment" and a "likely scenario". I was clear in the evidence, which was accepted by the Chairman in that Committee, that it was neither an impact assessment nor a likely scenario. The right hon. and learned Gentleman says that he wants scrutiny of our no-deal assumptions, but when that scrutiny is given and when the facts are in front, he seems not to be interested, not to read it or not to know what has been said. He says he wants scrutiny, but when he gets scrutiny, he cannot be bothered to take account of it.

**Mr Grieve:** I am grateful to my right hon. Friend for giving way, and I am sorry to take him back to the issue about Prorogation and its origins. Would he like to explain at the Dispatch Box why no affidavit was filed by any official relating to the circumstances in which Prorogation was decided upon? He will understand that the suggestion is that, in fact, the explanation given by the Government is inaccurate, that the decisions and work on proroguing this House to prevent us from scrutinising the Brexit process were taken earlier and that there is evidence of it in the interchange of communications between special advisers and others in government.

**Michael Gove:** I know what the right hon. and learned Gentleman suspects, and he has been fair in laying it out clearly, but the question that this House has to ask is, are we prepared—[*Interruption.*] The question before the House is this—[HON. MEMBERS: "Answer the question!"] I am answering the question. The question before the House is this. We know what the right hon. and learned Gentleman is concerned about, and we know what his concerns are, but are we willing, in order to satisfy his curiosity on this point, to make sure that data protection legislation, the EHRC and the standard practices of

government are overturned? I should say to the right hon. and learned Gentleman that we have published in unprecedented detail, in conformity with the duty of candour, all the information required—

**Mr Nicholas Brown** (Newcastle upon Tyne East) (Lab):  
*claimed to move the closure (Standing Order No. 36).*

*Question put forthwith, That the Question be now put.*

*Question agreed to.*

*Main Question put accordingly.*

*The House divided: Ayes 311, Noes 302.*

**Division No. 444]**

**[7.13 pm**

**AYES**

Abbott, rh Ms Diane	Coyle, Neil
Abrahams, Debbie	Crausby, Sir David
Ali, Rushanara	Crawley, Angela
Allen, Heidi	Creagh, Mary
Allin-Khan, Dr Rosena	Creasy, Stella
Amesbury, Mike	Cruddas, Jon
Antoniazzi, Tonia	Cryer, John
Ashworth, Jonathan	Cummins, Judith
Bailey, Mr Adrian	Cunningham, Alex
Bardell, Hannah	Cunningham, Mr Jim
Barron, rh Sir Kevin	Daby, Janet
Bebb, Guto	Davey, rh Sir Edward
Beckett, rh Margaret	David, Wayne
Benn, rh Hilary	Davies, Geraint
Berger, Luciana	Day, Martyn
Betts, Mr Clive	De Cordova, Marsha
Black, Mhairi	De Piero, Gloria
Blackford, rh Ian	Debonnaire, Thangam
Blackman, Kirsty	Dent Coad, Emma
Blackman-Woods, Dr Roberta	Dhesi, Mr Tanmanjeet Singh
Blomfield, Paul	Docherty-Hughes, Martin
Boles, Nick	Dodds, Anneliese
Brabin, Tracy	Dodds, Jane
Bradshaw, rh Mr Ben	Doughty, Stephen
Brake, rh Tom	Dowd, Peter
Brennan, Kevin	Drew, Dr David
Brock, Deidre	Dromey, Jack
Brown, Alan	Duffield, Rosie
Brown, Lyn	Eagle, Ms Angela
Brown, rh Mr Nicholas	Eagle, Maria
Bryant, Chris	Edwards, Jonathan
Buck, Ms Karen	Efford, Clive
Burden, Richard	Elliott, Julie
Burgon, Richard	Ellman, Dame Louise
Butler, Dawn	Elmore, Chris
Byrne, rh Liam	Esterson, Bill
Cable, rh Sir Vince	Evans, Chris
Cadbury, Ruth	Farrelly, Paul
Cameron, Dr Lisa	Farron, Tim
Campbell, rh Sir Alan	Fellows, Marion
Carden, Dan	Field, rh Frank
Carmichael, rh Mr Alistair	Fitzpatrick, Jim
Champion, Sarah	Fletcher, Colleen
Chapman, Douglas	Flint, rh Caroline
Chapman, Jenny	Forbes, Lisa
Cherry, Joanna	Fovargue, Yvonne
Clarke, rh Mr Kenneth	Foxcroft, Vicky
Clwyd, rh Ann	Frith, James
Coaker, Vernon	Furniss, Gill
Coffey, Ann	Gaffney, Hugh
Cooper, Julie	Gapes, Mike
Cooper, Rosie	Gardiner, Barry
Cooper, rh Yvette	Gauke, rh Mr David
Corbyn, rh Jeremy	George, Ruth
Cowan, Ronnie	Gethins, Stephen

Gibson, Patricia	Long Bailey, Rebecca
Gill, Preet Kaur	Lucas, Caroline
Glindon, Mary	Lucas, Ian C.
Godsiff, Mr Roger	Lynch, Holly
Goodman, Helen	Madders, Justin
Grady, Patrick	Mahmood, Mr Khalid
Grant, Peter	Mahmood, Shabana
Green, Kate	Malhotra, Seema
Greening, rh Justine	Marsden, Gordon
Greenwood, Lilian	Martin, Sandy
Greenwood, Margaret	Maskell, Rachael
Grieve, rh Mr Dominic	Matheson, Christian
Griffith, Nia	Mc Nally, John
Grogan, John	McCabe, Steve
Gwynne, Andrew	McCarthy, Kerry
Gyimah, Mr Sam	McDonagh, Siobhain
Haigh, Louise	McDonald, Andy
Hamilton, Fabian	McDonald, Stewart Malcolm
Hanson, rh David	McDonald, Stuart C.
Hardy, Emma	McDonnell, rh John
Harman, rh Ms Harriet	McFadden, rh Mr Pat
Harris, Carolyn	McGinn, Conor
Hayes, Helen	McGovern, Alison
Hayman, Sue	McInnes, Liz
Healey, rh John	McKinnell, Catherine
Hendrick, Sir Mark	McMahon, Jim
Hendry, Drew	McMorris, Anna
Hepburn, Mr Stephen	Mearns, Ian
Hermon, Lady	Miliband, rh Edward
Hill, Mike	Monaghan, Carol
Hillier, Meg	Moon, Mrs Madeleine
Hobhouse, Wera	Moran, Layla
Hodge, rh Dame Margaret	Morden, Jessica
Hodgson, Mrs Sharon	Morgan, Stephen
Hollern, Kate	Morris, Graham
Hopkins, Kelvin	Murray, Ian
Hosie, Stewart	Nandy, Lisa
Howarth, rh Sir George	Newlands, Gavin
Huq, Dr Rupa	Norris, Alex
Hussain, Imran	O'Hara, Brendan
Jardine, Christine	Onn, Melanie
Jarvis, Dan	Onwurah, Chi
Johnson, Diana	Osamor, Kate
Jones, Darren	Owen, Albert
Jones, Gerald	Peacock, Stephanie
Jones, Graham P.	Pearce, Teresa
Jones, rh Mr Kevan	Pennycook, Matthew
Jones, Ruth	Perkins, Toby
Jones, Sarah	Phillips, Jess
Jones, Susan Elan	Phillipson, Bridget
Kane, Mike	Pidcock, Laura
Keeley, Barbara	Platt, Jo
Kendall, Liz	Pollard, Luke
Khan, Afzal	Pound, Stephen
Killen, Ged	Powell, Lucy
Kinnock, Stephen	Qureshi, Yasmin
Kyle, Peter	Rashid, Faisal
Laird, Lesley	Rayner, Angela
Lake, Ben	Reed, Mr Steve
Lamb, rh Norman	Rees, Christina
Lammy, rh Mr David	Reeves, Ellie
Lavery, Ian	Reeves, Rachel
Law, Chris	Reynolds, Emma ( <i>Proxy vote cast by Mr Pat McFadden</i> )
Lee, Karen	Reynolds, Jonathan
Lee, Dr Phillip	Rimmer, Ms Marie
Leslie, Mr Chris	Robinson, Mr Geoffrey
Letwin, rh Sir Oliver	Rodda, Matt
Lewell-Buck, Mrs Emma	Rowley, Danielle
Lewis, Clive	Ruane, Chris
Linden, David	Russell-Moyle, Lloyd
Lloyd, Stephen	Ryan, rh Joan
Lloyd, Tony	

Saville Roberts, rh Liz  
Shah, Naz  
Sharma, Mr Virendra  
Sheerman, Mr Barry  
Sheppard, Tommy  
Sherriff, Paula  
Siddiq, Tulip  
Skinner, Mr Dennis  
Slaughter, Andy  
Smeeth, Ruth  
Smith, Angela  
Smith, Cat  
Smith, Eleanor  
Smith, Jeff  
Smith, Laura  
Smith, Nick  
Smith, Owen  
Smyth, Karin  
Snell, Gareth  
Sobel, Alex  
Soubry, rh Anna  
Spellar, rh John  
Starmer, rh Keir  
Stephens, Chris  
Stevens, Jo  
Stone, Jamie  
Streeting, Wes  
Stringer, Graham  
Sweeney, Mr Paul  
Swinson, Jo  
Tami, rh Mark

Thewliss, Alison  
Thomas, Gareth  
Thomas-Symonds, Nick  
Thornberry, rh Emily  
Timms, rh Stephen  
Trickett, Jon  
Turley, Anna  
Turner, Karl  
Twigg, Stephen  
Twist, Liz  
Umunna, Chuka  
Vaz, rh Keith  
Vaz, Valerie  
Walker, Thelma  
Watson, Tom  
West, Catherine  
Western, Matt  
Whitehead, Dr Alan  
Whitfield, Martin  
Whitford, Dr Philippa  
Williams, Hywel  
Williams, Dr Paul  
Wilson, Phil  
Wishart, Pete  
Wollaston, Dr Sarah  
Yasin, Mohammad  
Zeichner, Daniel

**Tellers for the Ayes:**  
**Nic Dakin and**  
**Bambos Charalambous**

#### NOES

Adams, Nigel  
Afolami, Bim  
Afriyie, Adam  
Aldous, Peter  
Allan, Lucy  
Amess, Sir David  
Argar, Edward  
Atkins, Victoria  
Austin, Ian  
Bacon, Mr Richard  
Badenoch, Mrs Kemi  
Baker, Mr Steve  
Baldwin, Harriett  
Barclay, rh Stephen  
Baron, Mr John  
Bellingham, Sir Henry  
Benyon, rh Richard  
Beresford, Sir Paul  
Berry, rh Jake  
Blackman, Bob  
Blunt, Crispin  
Bone, Mr Peter  
Bottomley, Sir Peter  
Bowie, Andrew  
Bradley, Ben  
Bradley, rh Karen  
Brady, Sir Graham  
Braverman, Suella (*Proxy vote  
cast by Mr Steve Baker*)  
Brereton, Jack  
Bridgen, Andrew  
Brine, Steve  
Brokenshire, rh James  
Bruce, Fiona  
Buckland, rh Robert  
Burghart, Alex  
Burns, Conor  
Cairns, rh Alun

Campbell, Mr Gregory  
Cartlidge, James  
Cash, Sir William  
Caulfield, Maria  
Chalk, Alex  
Chishti, Rehman  
Chope, Sir Christopher  
Churchill, Jo  
Clark, Colin  
Clark, rh Greg  
Clarke, Mr Simon  
Cleverly, rh James  
Clifton-Brown, Sir Geoffrey  
Coffey, Dr Thérèse  
Collins, Damian  
Costa, Alberto  
Courts, Robert  
Cox, rh Mr Geoffrey  
Crabb, rh Stephen  
Crouch, Tracey  
Davies, David T. C.  
Davies, Glyn  
Davies, Mims  
Davies, Philip  
Davis, rh Mr David  
Dinenage, Caroline  
Djanogly, Mr Jonathan  
Docherty, Leo  
Dodds, rh Nigel  
Donaldson, rh Sir Jeffrey M.  
Donelan, Michelle  
Dorries, Ms Nadine  
Double, Steve  
Dowden, rh Oliver  
Doyle-Price, Jackie  
Drax, Richard  
Duddridge, James  
Duguid, David

Duncan, rh Sir Alan  
Duncan Smith, rh Mr Iain  
Dunne, rh Mr Philip  
Ellis, Michael  
Ellwood, rh Mr Tobias  
Elphicke, Charlie  
Eustice, George  
Evans, Mr Nigel  
Evennett, rh Sir David  
Fabricant, Michael  
Fallon, rh Sir Michael  
Field, rh Mark  
Ford, Vicky  
Foster, Kevin  
Fox, rh Dr Liam  
Francois, rh Mr Mark  
Frazer, Lucy  
Freeman, George  
Freer, Mike  
Fysh, Mr Marcus  
Gale, rh Sir Roger  
Garnier, Mark  
Ghani, Ms Nusrat  
Gibb, rh Nick  
Gillan, rh Dame Cheryl  
Girvan, Paul  
Glen, John  
Goldsmith, Zac  
Goodwill, rh Mr Robert  
Gove, rh Michael  
Graham, Luke  
Graham, Richard  
Grant, Bill  
Grant, Mrs Helen  
Gray, James  
Grayling, rh Chris  
Green, Chris  
Green, rh Damian  
Griffiths, Andrew  
Hair, Kirstene  
Halfon, rh Robert  
Hall, Luke  
Hammond, Stephen  
Hancock, rh Matt  
Hands, rh Greg  
Harper, rh Mr Mark  
Harris, Rebecca  
Harrison, Trudy  
Hart, Simon  
Hayes, rh Sir John  
Heald, rh Sir Oliver  
Heappey, James  
Heaton-Harris, Chris  
Heaton-Jones, Peter  
Henderson, Gordon  
Herbert, rh Nick  
Hinds, rh Damian  
Hoare, Simon  
Hollingbery, George  
Hollinrake, Kevin  
Hollobone, Mr Philip  
Holloway, Adam  
Howell, John  
Huddleston, Nigel  
Hughes, Eddie  
Hunt, rh Mr Jeremy  
Hurd, rh Mr Nick  
Jack, rh Mr Alister  
Javid, rh Sajid  
Jayawardena, Mr Ranil  
Jenkin, Sir Bernard  
Jenrick, rh Robert

Johnson, rh Boris  
Johnson, Dr Caroline  
Johnson, Gareth  
Johnson, rh Joseph  
Jones, Andrew  
Jones, rh Mr David  
Jones, Mr Marcus  
Kawczynski, Daniel  
Keegan, Gillian  
Kennedy, Seema  
Kerr, Stephen  
Knight, rh Sir Greg  
Knight, Julian  
Kwarteng, rh Kwasi  
Lamont, John  
Lancaster, rh Mark  
Latham, Mrs Pauline  
Leadsom, rh Andrea  
Lefroy, Jeremy  
Leigh, rh Sir Edward  
Lewer, Andrew  
Lewis, rh Brandon  
Lewis, rh Dr Julian  
Liddell-Grainger, Mr Ian  
Lidington, rh Mr David  
Little Pengelly, Emma  
Lopez, Julia  
Lopresti, Jack  
Lord, Mr Jonathan  
Loughton, Tim  
Mackinlay, Craig  
Maclean, Rachel  
Main, Mrs Anne  
Mak, Alan  
Malthouse, Kit  
Mann, John  
Mann, Scott  
Masterton, Paul  
May, rh Mrs Theresa  
Maynard, Paul  
McLoughlin, rh Sir Patrick  
McPartland, Stephen  
McVey, rh Ms Esther  
Menzies, Mark  
Mercer, Johnny  
Merriman, Huw  
Metcalfe, Stephen  
Miller, rh Mrs Maria  
Milling, Amanda  
Mills, Nigel  
Mitchell, rh Mr Andrew  
Moore, Damian  
Mordaunt, rh Penny  
Morgan, rh Nicky  
Morris, Anne Marie  
Morris, David  
Morris, James  
Morton, Wendy  
Mundell, rh David  
Murray, Mrs Sheryll  
Murrison, rh Dr Andrew  
Neill, Robert  
Newton, Sarah  
Nokes, rh Caroline  
Norman, 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  
 Perry, rh Claire  
 Philp, Chris  
 Pincher, rh Christopher  
 Poulter, Dr Dan  
 Pow, Rebecca  
 Prentis, Victoria  
 Prisk, Mr Mark  
 Pritchard, Mark  
 Pursglove, Tom  
 Quin, Jeremy  
 Quince, Will  
 Raab, rh Dominic  
 Redwood, rh John  
 Rees-Mogg, rh Mr Jacob  
 Robertson, Mr Laurence  
 Robinson, Gavin  
 Robinson, Mary  
 Rosindell, Andrew  
 Ross, Douglas  
 Rowley, Lee  
 Rutley, David  
 Scully, Paul  
 Seely, Mr Bob  
 Selous, Andrew  
 Shannon, Jim  
 Shapps, rh Grant  
 Sharma, rh Alok  
 Shelbrooke, Alec  
 Simpson, David  
 Simpson, rh Mr Keith  
 Skidmore, Chris  
 Smith, Chloe (*Proxy vote cast by Jo Churchill*)  
 Smith, Henry  
 Smith, rh Julian  
 Smith, Royston  
 Spencer, rh Mark  
 Stephenson, Andrew  
 Stevenson, John  
 Stewart, Bob

Stewart, rh Rory  
 Streeter, Sir Gary  
 Stride, rh Mel  
 Stuart, Graham  
 Sturdy, Julian  
 Sunak, rh Rishi  
 Swayne, rh Sir Desmond  
 Swire, rh Sir Hugo  
 Syms, Sir Robert  
 Thomas, Derek  
 Thomson, Ross  
 Throup, Maggie  
 Tolhurst, Kelly  
 Tomlinson, Justin  
 Tomlinson, Michael  
 Tracey, Craig  
 Tredinnick, David  
 Trevelyan, Anne-Marie  
 Truss, rh Elizabeth  
 Tugendhat, Tom  
 Vara, Mr Shailesh  
 Vickers, Martin  
 Villiers, rh Theresa  
 Walker, Mr Charles  
 Walker, Mr Robin  
 Wallace, rh Mr Ben  
 Warburton, David  
 Warman, Matt  
 Watling, Giles  
 Whately, Helen  
 Wheeler, Mrs Heather  
 Whittaker, Craig  
 Whittingdale, rh Mr John  
 Wiggins, Bill  
 Williamson, rh Gavin  
 Wilson, rh Sammy  
 Wood, Mike  
 Wragg, Mr William  
 Wright, rh Jeremy  
 Zahawi, Nadhim

**Tellers for the Noes:**

**Stuart Andrew and  
 Iain Stewart**

*Question accordingly agreed to.*

*Resolved,*

That this House has considered the matter of prorogation with the imminence of an exit from the European Union and accordingly resolves—

That an Humble Address be presented to Her Majesty, that she will be graciously pleased to direct Ministers to lay before this House, not later than 11.00pm Wednesday 11 September, all correspondence and other communications (whether formal or informal, in both written and electronic form, including but not limited to messaging services including WhatsApp, Telegram, Signal, Facebook messenger, private email accounts both encrypted and unencrypted, text messaging and iMessage and the use of both official and personal mobile phones) to, from or within the present administration, since 23 July 2019 relating to the prorogation of Parliament sent or received by one or more of the following individuals: Hugh Bennett, Simon Burton, Dominic Cummings, Nikki da Costa, Tom Irvén, Sir Roy Stone, Christopher James, Lee Cain or Beatrice Timpson; and that Ministers be further directed to lay before this House no later than 11.00pm Wednesday 11 September all the documents prepared within Her Majesty's Government since 23 July 2019 relating to operation Yellowhammer and submitted to the Cabinet or a Cabinet Committee.

**European Union (Withdrawal)  
 (No. 2) Act 2019 (Rule of Law)**

*Emergency debate (Standing Order No. 24)*

**Mr Speaker:** We now come to the motion in the name of the Leader of the Opposition, to be moved under Standing Order No. 24. I remind the House, although I am sure that colleagues are keenly conscious of every word of it, that the motion is

“That this House has considered the welcome completion of all parliamentary stages of the European Union (Withdrawal) (No. 6) Bill and has considered the matter of the importance of the rule of law and Ministers’ obligation to comply with the law.”  
 I call the Leader of the Opposition to move the motion.

7.31 pm

**Jeremy Corbyn** (Islington North) (Lab): I beg to move,

That this House has considered the welcome completion of all parliamentary stages of the European Union (Withdrawal) (No. 6) Bill and has considered the matter of the importance of the rule of law and Ministers’ obligation to comply with the law.

I welcome the decision that the House has just reached, and I look forward to the Government abiding by and accepting that decision, and the necessary documents being released.

I begin by welcoming the cross-party efforts of many Members of the House in getting the European Union (Withdrawal) (No. 2) Act passed into law, particularly those of my right hon. Friend the Member for Leeds Central (Hilary Benn) and the right hon. Member for West Dorset (Sir Oliver Letwin). Parliament has passed a law to ensure that the will of Parliament is upheld. The fact that Parliament is compelled to pass a law to ensure that its will is upheld shows what extraordinary times we live in. The House has rejected no deal. Businesses and trade unions are united in rejecting no deal, and there is no majority for it across the country. The Chancellor of the Duchy of Lancaster, the co-convenor of the Vote Leave campaign, said in March this year:

“We didn’t vote to leave without a deal”.

It is clear—there is no mandate for no deal.

In trying to diminish the Act, the Government’s spin doctors have branded it the surrender Bill, and Ministers have dutifully trotted out that phrase in the media. The Minister who is going to reply has already replied, like Pavlov’s dogs always do.

I remind the House again: we are not at war. The Prime Minister seems obsessed with hyperbole and aggressive language: “surrender Bill”; “do or die”; “rather be dead in a ditch”; and the list goes on. We are supposed to be having negotiations with our European partners. The lives at stake as a result of all this are not those of the Prime Minister or his Cabinet.

**Ruth Jones** (Newport West) (Lab): Where is he?

**Jeremy Corbyn:** Indeed. I do not keep the Prime Minister’s diary. He may keep his own, but he is certainly not here to reply to this debate. I believe he ought to be, as the motion is specifically directed at him. [*Interruption.*] Again, I cannot help with that question, but others may be able to do so. We learned from leaked Government papers that our constituents whose medical supplies are

[Jeremy Corbyn]

at risk from a reckless no deal are very worried, so I urge the Government and Members in all parts of the House to tone down the rhetoric and inflammatory language, and try to heal, not widen, divisions in society. I give credit to those who have worked in a cross-party way, and I have been happy to have meetings with all Opposition party leaders.

A law has been passed by this House and by the other place, and the Government must abide by it. It is not complicated—it is very straightforward and simple.

**Ms Angela Eagle** (Wallasey) (Lab): Last week, I asked the Prime Minister whether, if the Bill became law, he, as the Prime Minister of our country, would obey the law. He said that he would, and so would the Government. The next day he announced that he would rather be dead in a ditch than obey the law. Which does my right hon. Friend think it is?

**Jeremy Corbyn:** I do not really wish anyone dead in a ditch, even if that is their own wish. The first answer that the Prime Minister gave ought to have been that he accepted the will of the democratically elected Parliament. This is a parliamentary democracy—we do not have an executive president who can rule over us. We have to make it very clear that we expect the Prime Minister to abide by the details and specifics of the law that has been passed, which makes specific requirements of him.

**Ian Blackford** (Ross, Skye and Lochaber) (SNP): The Leader of the Opposition is making some very important points. The conduct not just of this debate but of the whole discourse is important. He referred to the Government's characterisation of the Act as a surrender Bill. Do not the Government bear responsibility for the language that they use? When we hear the language on the streets—he, I and many others have been told that we are traitors, and have sometimes heard much more abusive language—the Government have a responsibility to recognise the impact of their language and actions outside Parliament.

**Jeremy Corbyn:** The right hon. Gentleman is quite right. Language has consequences, as people trot out what has been said by the Prime Minister and others, and turn it into the most abusive language and the most abusive behaviour against others. Surely we can have an intelligent debate in our society without resorting to the kind of behaviour, language or violence that has been threatened against some individuals.

**Mr Peter Bone** (Wellingborough) (Con): The Leader of the Opposition is very generous in giving way. When talking about the rule of law, if we get to 31 October and one of the other European countries says that we cannot extend, would he support coming out with no deal, because that is the law?

**Jeremy Corbyn:** That is an entirely hypothetical question. The question that the Prime Minister has to answer is: an Act of Parliament has been passed, and it requires him to take a specific course of action. He, in his many statements over the past few days, appears to contradict the wishes of Parliament that he carry out those actions. Let us not go down a hypothetical road—let us get an answer from the Government about whether or not they

accept the decision of Parliament to pass that legislation into law. It is not difficult, and I am sure that when the Minister comes to reply he will give us an answer—I seriously hope so.

It is not only Conservative Members who are encouraging the Prime Minister to break the law in their numerous WhatsApp groups. Cabinet Ministers are refusing to confirm that the Government will abide by the law.

**Ian Austin** (Dudley North) (Ind): Will the right hon. Gentleman give way?

**Jeremy Corbyn:** One second. Even the Prime Minister himself implies that he will break the law.

**Ian Austin:** Will the right hon. Gentleman give way?

**Jeremy Corbyn:** No, I will not give way at the moment.

No. 10 has briefed that the Prime Minister will defy the law. Until the Government have abided by that law, I do not believe there will be a majority in the House for what the Prime Minister is proposing later today under the Fixed-term Parliaments Act 2011.

**Vicky Ford** (Chelmsford) (Con): I would like to go back to the point that was just made about what happens if we reach the end of the October and one or more EU countries do not give an extension. The clock is ticking towards the end of October, and surely we should focus on supporting getting a deal now, rather than kicking the can further down the road. If there is no extension, what does the Leader of the Opposition suggest is done?

**Jeremy Corbyn:** We have always wanted to get a deal, but what we do not want is the no-deal exit with all the dangers to jobs, living standards and supplies, and the Prime Minister and his chums taking us down the road into the arms of Donald Trump and the trade arrangements he will make with the United States.

Last week, the Prime Minister had several opportunities at the Dispatch Box, but on each and every occasion he failed to give a single detail, in response to numerous questions, about what the Government are aiming to negotiate in terms of a new deal with the European Union.

**Mr Bob Seely** (Isle of Wight) (Con): Will the Leader of the Opposition give way?

**Jeremy Corbyn:** For the last time.

**Mr Seely:** I thank the right hon. Gentleman for giving way. On a point of clarification, he says how important the rule of law is, and I agree. How many paramilitary and terrorist organisations has he supported and how many murders have they committed?

**Jeremy Corbyn:** I am glad the hon. Gentleman managed to read out his intervention that was given to him earlier.

This is a debate about a Government saying that they will not abide by a law passed by this Parliament. I would have thought it was very straightforward. The Prime Minister should simply say, "This House voted. Of course the Executive must accept the decision."

This weekend the right hon. Member for Hastings and Rye (Amber Rudd) resigned.

**Ian Austin:** Will the right hon. Gentleman give way?

**Jeremy Corbyn:** No, I will not give way any more.

The right hon. Member for Hastings and Rye resigned, saying that she had not seen any intensity of work going into negotiations with the EU. She stated:

“I no longer believe leaving with a deal is the Government’s main objective.”

That is a pretty big statement for a member of the Cabinet to make on resigning. Many of us had suspected that for a month or more, but perhaps a five-week delay is par for the course for the former Secretary of State for Work and Pensions. This week, the Chancellor could give no response to what was being negotiated, and not one shred of evidence that the Government have made any proposals whatsoever. Just this morning the Taoiseach, Leo Varadkar, said he has yet to receive

“realistic, legally-binding and workable”

plans to replace the backstop. The former Work and Pensions Secretary is therefore right to be concerned that only minimal effort, at best, is going into finding a negotiated deal.

It would be unusual for a Prime Minister to lose the confidence of the House so early in his tenure. It is extraordinary that he is already losing the confidence of his own Cabinet Ministers. If his own Cabinet members cannot have faith in his words, it explains why this House has found it necessary to legislate. For all the many criticisms I had of the right hon. Member for Maidenhead (Mrs May), as Prime Minister she welcomed scrutiny, and, as much as I often disagreed with the policy positions she set out, she saw herself as a public servant. If the Government have a position on Brexit, I hope they will publish it. This House and the people of this country deserve to be able to discuss it, and I am a strong believer that policies are improved by scrutiny.

**Ian Austin:** Will the right hon. Gentleman give way?

**Jeremy Corbyn:** No, I will not give way. I have made that clear already.

In her resignation letter, the right hon. Member for Hastings and Rye said the Prime Minister had committed an

“assault on democracy and decency”.

I would go further: the Prime Minister is also threatening an assault on the rule of law. He was asked on Friday whether he would abide by the provisions of the European Union (Withdrawal) (No.6) Bill, as it then was, and said he would rather die in a ditch. I do not wish him any ill. I do, however, wish that he would come to the Dispatch Box, set out his detailed plan for Brexit and confirm that he will abide by the law. More than that, the people of this country deserve, and democracy demands, up-front answers from the Prime Minister. So far, no answers have been forthcoming.

I hope the Prime Minister will live up to the office he holds, accept the decisions made by this Parliament, and carry out the wishes of the Act to ensure an application is made to prevent this country crashing out on 31 October, with all the damage that will do to food supplies, medicine supplies, and industrial supplies, and

prevent his longer-term ambitions of heading this country in a totally different direction which many, many people are truly frightened of. The Prime Minister could sort this out very quickly if he just had the courtesy to come to the House and confirm he will accept all the provisions of the Act the House has just passed.

**Mr Speaker:** I seek a right hon. or hon. Member on the Government Benches, but it is not immediately obvious that any wishes to contribute. [*Laughter.*] I do not see why that is a source of such hilarity; I am just making a rather prosaic, factual observation. [*Interruption.*] Order. Who was that chuntering from a sedentary position?

**Anna Soubry (Broxtowe) (IGC):** On a point of order, Mr Speaker. Is this in order? I think we all want to know who is going to reply for the Government. If it is the Foreign Secretary, many of us will find that surprising. Given the content of the motion, which is all about the rule of law, why is one of Her Majesty’s Law Officers, either the Secretary of State for Justice or the Attorney General, not replying on behalf of Her Majesty’s Government? Mr Speaker, I appreciate that you cannot answer on behalf of the Government, as much as I suppose you would like to, but this is a very serious matter, and a Law Officer should be answering the arguments being put forward in this debate.

**Mr Speaker:** The right hon. Lady may be flummoxed or irked to discover that the Government do not notify me of their intentions in relation to who might or might not speak. Unless there is a note that lists that, I do not have any intelligence on the matter. I am advised that the Foreign Secretary intends to wind up the debate for the Government. It is open to him, fleet of foot and intellectually dextrous as he is, to leap to his feet and deliver his oration now in substitution for the opportunity later, but he is not under any obligation to do so. [*Interruption.*] It appears that he does not wish to do so. However, Mr Peter Bone apparently does wish to speak. I call Mr Peter Bone.

7.47 pm

**Mr Peter Bone (Wellingborough) (Con):** Thank you, Mr Speaker. [*Interruption.*] I think it a slightly outrageous suggestion from the shadow Chancellor that I should speak for the Government. I do not know who is more offended, me or the Government.

I rise very briefly to say that I do not welcome the passage of a Bill that has been rushed through the House in a totally outrageous manner without proper scrutiny. [*Interruption.*] I have no idea whether it has received Royal Assent or not. If it has, it is the law of the land. It still does not make it a good law. It seems to me that every Government would abide by the law. The point I made to the Leader of the Opposition is that the idea we have passed an Act of Parliament that takes no deal off the table is blindingly obviously not true, because we do not have that power. You may say that this Parliament wants an extension—that is one thing—but to say that every single European Union member country has to grant that extension is just wrong.

**Mrs Anne Main (St Albans) (Con):** Will my hon. Friend confirm that one of the special circumstances in which the European Union would decide to give an

[Mrs Anne Main]

extension is if there is an election? If the Opposition were to vote for an election tonight—we might then have, if they are confident, a new Prime Minister—that would guarantee an extension. What has been done today, however, does not guarantee an extension.

**Mr Bone:** I absolutely agree with my hon. Friend, and it may well be that tonight the Leader of the Opposition will see the wisdom of her words and the Opposition will vote for a general election. I did a bit of research, and it is interesting that in this House, the Leader of the Opposition has called for a general election 35 times. It seems somewhat surprising that tonight, he is going to show support for the Government by not voting for a general election.

**Mr Nigel Evans** (Ribble Valley) (Con): Does my hon. Friend agree that, frankly, Members of Parliament should not pick and choose the laws that they obey, just as Members of Parliament should not pick and choose the results of referendums that they obey either?

**Mr Bone:** On my hon. Friend's first point, absolutely any Government must obey the law of the land. There is no doubt about that, but it seems to me that this House, by a substantial majority, including many Opposition Members who voted for this—

**Barry Gardiner** (Brent North) (Lab): Bring back Eric Forth!

**Mr Bone:** I am sure that Eric Forth was much better. He will probably be looking down, saying, "Oh my goodness, what a shower there is on both sides!" He would do this far better than me and he would wear a much better tie in the process, but alas, he is in a better place—and he will be wearing a better tie than the hon. Gentleman, that's for sure. The really important point is that this House delegated the decision to the British people, and after three years, we have failed to do it. That is the fundamental difference between this and anything else that we normally debate.

**Stephen Doughty** (Cardiff South and Penarth) (Lab/Co-op): The hon. Gentleman and I obviously disagree on the Brexit issue, but he would surely accept that since that point, we have had a general election where the Government lost their majority, and the Government have further lost their majority during that time. That is part of democracy. Given that the Prime Minister found time to vote in the last Division—we all saw him scuttling off down the corridor—is the hon. Gentleman not disappointed that neither he nor the Law Officers are here to explain whether or not they will comply with the law of this land?

**Mr Bone:** Do I think that the Prime Minister should waste his time coming to an Standing Order No. 24 debate—a general debate—about whether he is going to obey the law of the land? Of course he is going to obey the law of the land. Nobody doubts that point. The hon. Gentleman made another important point before that, which I have completely forgotten—sorry.

**Vernon Coaker** (Gedling) (Lab): This debate is important because it is about the Prime Minister obeying the law. This is not just about the Leader of the Opposition. Is the hon. Gentleman not surprised, as my hon. Friend the Member for Cardiff South and Penarth (Stephen Doughty) said, that the Law Officers of the Government are not here to hear the debate, given, quite astonishingly, that the Lord Chancellor—the chief Law Officer of Her Majesty's Government—had to see the Prime Minister to seek reassurances about the Prime Minister of the United Kingdom obeying the law passed by the legislature of the United Kingdom? Does the hon. Member for Wellingborough (Mr Bone) not agree that that is astonishing? Frankly, the importance of this debate is reflected in the fact that the Lord Chancellor had doubts about whether the Prime Minister is going to obey the law.

**Mr Bone:** The hon. Gentleman might want to withdraw that remark, because I have seen no comments from the Lord Chancellor that he in any way doubts the word of the Prime Minister—on reflection, he might wish to withdraw that.

The truth is that this is a general debate that is being held for political purposes. Nobody in this House for one moment thinks that any member of the Government is not going to obey the law of the land. My only reason for speaking in this debate was to say that I do not welcome the Act. It was pushed through in an extraordinarily unconstitutional way, and I say with all sincerity to the Leader of the Opposition that if he sits on this side of the House as Prime Minister, he will regret that constitutional outrage.

7.54 pm

**Ian Blackford** (Ross, Skye and Lochaber) (SNP): According to Pericles:

"Freedom is the sure possession of those alone who have the courage to defend it."

Our freedoms, our rights and our democracy are today under threat—under attack from a Prime Minister threatening to ignore the rule of law, ignore the wishes of Parliament and railroad against the will of the people. Today is indeed a historic day—a dark day. It will be remembered as the day that the UK Government obstructed the people and plunged the UK into an unprecedented constitutional crisis.

Let me be absolutely clear: the Prime Minister is not, not ever, above the rule of law. He says that he would rather die in a ditch than write to seek an extension to protect our economy from falling off the cliff edge. If that is the course that he chooses, the Prime Minister must resign. Undermining democracy at every turn, the Prime Minister simply cannot be trusted. The rule book has been well and truly ripped up, and with it, democracy and decency have been shredded by a cult of Brexit fan boys in No 10—unfit to govern, unwilling to govern.

What a despicable state of affairs—that an unelected bureaucrat, the Prime Minister's lead adviser, is sitting in No. 10 devising and directing an assault on democracy, preventing parliamentary scrutiny and transparency. Should we be surprised? These are the men behind the biggest con in modern times. The co-founders of fake news, who lied to the public during the EU referendum and removed the facts from the table, and here they are



again, ducking and diving the truth, seeking to operate Government using cloak-and-dagger tactics, pretending to protect the right of the people when in reality they are crushing the rights of our citizens, strangling Parliament and gagging the voice of the people.

**Liz Saville Roberts** (Dwyfor Meirionnydd) (PC): Does my right hon. Friend agree with whoever was responsible for writing a front-page article in *The Spectator* in 2004—at which time the present Prime Minister was the editor—that said

“impeachment remains part of parliamentary law, a recourse for desperate times.”?

Are these not desperate times?

**Ian Blackford**: Absolutely they are, and I say to the Prime Minister: be very careful. Do not obstruct the rule of law.

The Vote Leave campaign in No. 10 does not care about the rules. They did not care in 2016 and they do not care now about the law. We must stop them, because the stakes are frankly too high. The Prime Minister and his Vote Leave cronies are not above the law. The law must stop this dictatorship, and Parliament must stop this Prime Minister acting like a dictator. Even the Prime Minister’s own Ministers cannot trust him.

In her resignation letter, the right hon. Member for Hastings and Rye (Amber Rudd), said that

“I no longer believe leaving with a deal is the Government’s main objective.”

It has been confirmed in *The Times* today that the Prime Minister’s negotiating team has been reduced to just four members.

The truth is that the Prime Minister’s priority is not to get a deal; his priority is to rip the United Kingdom out of the EU on 31 October, no matter the consequences. With the House suspending tonight, it is essential that all papers relating to the advice on Parliament being prorogued are published, and the determination tonight must be delivered on by Wednesday evening.

We cannot allow the UK Government to destroy our democracy and operate unchecked. We need to know the truth—the public deserves to know the truth.

**Mr Seely**: If the right hon. Gentleman is so concerned about democracy, why does he not vote for a general election this evening?

**Ian Blackford**: This is a debate about observing the law. If the hon. Gentleman wants to speak in a debate about an election, that debate is taking place later on.

**Patricia Gibson** (North Ayrshire and Arran) (SNP): Government Members have said time and again that the Prime Minister and the Government will obey the law, and yet we have heard the Prime Minister talk about how he would rather die in a ditch. Does my right hon. Friend share my concern that with backroom shenanigans the Government are looking for a way to evade the law?

**Ian Blackford**: My hon. Friend says shenanigans; I would perhaps prefer to use some other words that I am prohibited from doing in this place. Let’s just think about a Government threatening to break the law.

What signal are we sending to the citizens of the United Kingdom, when the Prime Minister of this country, the highest office in the land, is telling the people it’s okay to break the law? It is a dereliction of duty and demonstrates he is not fit for the office of Prime Minister.

If the Prime Minister wants an election, he must obey the law and take a no-deal Brexit off the table. The UK Government’s Law Officers and the Secretary of State for Justice must intervene to ensure he respects the letter and the spirit of the law and removes the threat of no deal. They have responsibilities, first and foremost to uphold the law, and if they cannot receive those assurances tonight from the Prime Minister, their positions become untenable. How can they look themselves in the mirror in the full knowledge that nobody, but nobody, is above the law, and remain in office? This sorry saga should lead to more Ministers asking a simple question: are they prepared to remain in ministerial posts in a Government prepared to break the law? That is a fundamental question.

The Government should face reality. This House has legislated to remove no deal as an option at the end of October. They must signal tonight that they will comply with that legislation. Make no mistake—once the threat of no deal is off the table, we will move for an early election. Make no mistake—we in the Scottish National party want an election, but we must first satisfy ourselves that the Government will uphold the law and deliver an extension to remain in the EU. The people should not be shut out or silenced by this Prime Minister. They must be heard, and heard on the right terms, not on the terms of the Prime Minister’s shabby and shady stunts.

8.2 pm

**John Redwood** (Wokingham) (Con): Of course the Government and all Members of Parliament must obey the law, but Parliament must also pass wise laws and pass them according to our traditions, practices and rules. I wish to concentrate briefly on the question of the wisdom of the law and urge those who sponsored it to think again in the national interest.

This is no normal law. A normal law applies to everyone in the country equally, there are criminal penalties for those who break the law, and we wish to see the law enforced. This is not that kind of a law. This Act of Parliament is a political instruction to our Prime Minister about how he should behave in an international negotiation. Normally, this Parliament takes the view that international negotiations are best handled in detail by the Government, and we the Parliament judge the result by either approving or disapproving of it.

I urge colleagues to think again, because two things follow from Parliament instructing the Prime Minister in the way it has sought to do over this negotiation. The first is that the EU, the counterparties to the negotiation, can see that this Parliament has deliberately undermined the position of the lead negotiator for our country. It will take note of that, and instead of giving things it will say, “There is no point in giving things.” The second thing—even worse—is that the EU will take note that our Prime Minister under this Act is to seek an extension on any terms the EU cares to dictate. How can anyone in this House say that is good law or justice or makes sense for the British people? Those of the remain persuasion, just as those of the leave persuasion, must surely see

[John Redwood]

that this is not the way to treat our lead negotiator—putting our country naked into the negotiating chamber with the EU. It puts the country in a farcical and extremely weak position.

I thought that the Labour party wanted us to leave the EU. Labour Members did not like the withdrawal agreement—I have sympathy with that—but they do not like leaving without the withdrawal agreement—I have less sympathy with that—so they are looking for a third way. They presumably think they could do some other kind of renegotiation, but they have never explained to us what that renegotiation would be like, and they have never explained how the EU would even start talking about it, given that it has consistently said we either take the withdrawal agreement or just leave.

**Adam Afriyie** (Windsor) (Con): The Opposition have taken a really bizarre position. They have said that, even if they did manage to negotiate a new deal with the EU, they would campaign against it. It is a really odd position for this nation to be in.

**John Redwood:** That is even more bizarre. Normally, Governments do their best negotiation and then come back and recommend it to the House of Commons. It would indeed be fatuous if we ever had a Government in this country who negotiated a deal they knew they wanted to reject. They should not waste everybody's time and just say, "Let's leave without a deal."

We are wandering a little from the point of this debate, which is about the rule of law. This House of Commons should think again. This is an extremely unwise law. It undermines the Prime Minister, but, more importantly, it undermines our country. It makes it extremely unlikely that those remain-supporting MPs who could live with our exit with a variant of the withdrawal agreement will get that because they have deliberately undermined the pressure our Prime Minister may place on the EU in the negotiations he is trying to undertake. Even worse, they have invited the EU to dictate terrible terms for a few months' extension, and why would the EU not do it? Please, Parliament, reconsider. Parliament has a duty to put through wise laws and to represent the national interest. This miserable Act is an act of great political folly and is undermining our country in a very desperate way.

8.7 pm

**Jo Swinson** (East Dunbartonshire) (LD): It is astonishing that we are even having a debate about whether a Prime Minister is going to adhere to the rule of law. Let us just think about that for a minute or let it sink in. The Government have let the House of Commons be in genuine doubt about whether they will respect a law that has passed through this Chamber and the other place and received Royal Assent. We have a Prime Minister who thinks the rules do not apply to him. He is acting as though he has a majority, when he has none. His majority dissolved when the hon. Member for Bracknell (Dr Lee) joined the Liberal Democrats, and then it was made worse by his own brutal sacking of 21 Conservative colleagues, many of whom had served their party and their country with distinction and public service over decades.

The Prime Minister is on a power trip, but the truth is he does not have unfettered power, much as he would like to. There is a sense of arrogance and entitlement about this action. He acts as though rules and conventions simply do not apply to him. He will stand in front of the police—in front of public servants—and make a political speech talking with apparently no sense of irony about how he would rather die in a ditch than obey the law. This is a Prime Minister who has trampled over conventions, such as observing basic courtesies and manners, roaming the world as Foreign Secretary causing offence wherever he went.

This is a Prime Minister who has refused to stand up for the traditions of our civil servants, who give their advice to Ministers freely and frankly, who act in a neutral and independent way and who should be backed up by Ministers. Instead, he was prepared to throw Sir Kim Darroch under the bus. This is a Prime Minister who has appointed to the Cabinet the former Defence Secretary, who was sacked by the previous Prime Minister because she believed that he had leaked material from the National Security Council. This is a Prime Minister who saw fit to appoint to the heart of No. 10 a chief of staff who has been found in contempt of Parliament. This is a Prime Minister who truly thinks that rules and conventions do not apply to him.

Let me now turn to the specific law requiring the Prime Minister to request an extension of article 50 to prevent us from crashing out of the EU without a deal. The hon. Member for Wellingborough (Mr Bone) said that it does not take no deal off the table, and I have some sympathy and agreement with the hon. Gentleman on that point. This law is not perfect. This law is what we arrived at, working on a cross-party basis and building consensus in Parliament, but it is not perfect. It is a good step, but it is not a guarantee. As has been said, what happens if the EU does not grant an extension? I, for one, do not put anything past our Prime Minister when it comes to what he might try to engineer.

It was suggested that an extension would be granted for a general election, and I think that that is a fair representation of what the EU has said. The EU has also said that it would grant an extension for the purpose of a people's vote so that the specific deal could be voted on, and that remains the best way in which to resolve this issue. There is no guarantee of a resolution through a general election, but if there is a people's vote on the specific Brexit deal, we will know whether that has majority support in our country or whether it does not.

It is important for Parliament to be sitting during the period after the European Council. The right hon. Member for Wokingham (John Redwood) said that, normally, Prime Ministers would not be told how to conduct a negotiation; they would bring back what they had negotiated to the House of Commons and seek approval for it. Actually, this law does exactly that. It asks the Prime Minister to do his job—negotiating in Brussels—and either to get a deal or, if he fails to get a deal, to come back to the House and hold a vote in Parliament to see whether there is approval for what he has achieved.

**John Redwood:** Is there any limit on the conditions that the EU could impose on us to get the extension that the hon. Lady would find unacceptable? Let us say that it wanted billions of pounds that we need for schools and hospitals in Britain. The hon. Lady wants us to just pay that.

**Jo Swinson:** That is absolute nonsense. As the right hon. Gentleman well knows, our views on Brexit differ intensely. I think that the EU, in good faith, is likely to respond positively to a request for a genuine extension, such as one for a people's vote. Ultimately, it will be up to the House to decide, if a recommendation was made, that that should not be taken into law.

**Sir Geoffrey Clifton-Brown** (The Cotswolds) (Con): Will the hon. Lady give way?

**Jo Swinson:** I want to make some progress.

If an extension were not granted and we were in the days running up to 31 October, there would be a choice to be made. I am very clear about the choice that I would make, and the choice that the Liberal Democrats would make. If we are on the verge of leaving the European Union without a deal, we should revoke article 50, and that is something that we have the power to do. We have unilateral power in the United Kingdom to do it, because it does not require agreement from the European Union, and that is why we must not dissolve Parliament at this time. If we do so, and we are not sitting at that point, we shall have no reason and no ability to act at that time.

It is no wonder that the Prime Minister wants to shut down Parliament for five weeks, because it is in Parliament that the Prime Minister must answer questions, it is in Parliament that he must be held to account and it is in Parliament that he is found out for having no substance behind his bluster and bravado. The fact that we are having this debate today is astonishing, and it is a sad day for our democracy, but the voice of people in Parliament will not be silenced.

8.15 pm

**Michael Tomlinson** (Mid Dorset and North Poole) (Con): It a pleasure to follow the hon. Member for East Dunbartonshire (Jo Swinson). I will start my speech by agreeing with two of the points that she made, although I fundamentally disagree with her points and her stance on Brexit.

First, I agree that it is truly astonishing that we are having this debate today. It is faintly ridiculous that there should be an accusation, an allegation, that anyone on the Government Benches, let alone the Prime Minister, would fail to obey the rule of law. Secondly, I agree that the Act does not take no deal off the table. The hon. Lady was absolutely right to say that and to point to other weaknesses in the Act. She was right to be open and straightforward about a matter on which other Members have been less than straightforward.

**Mrs Main:** My hon. Friend is making some powerful points, and, like him, I completely agree with those points made by the hon. Member for East Dunbartonshire (Jo Swinson). However, the hon. Lady also referred to a people's vote on a deal. A deal would have to be negotiated to go to a people's vote. There would have to be a considerable delay before that could happen if a deal was not secured.

**Michael Tomlinson:** I am grateful to my hon. Friend for making that point. I was going to mention the people's vote, because that is where I fundamentally disagree with the hon. Lady. Apparently, the Liberal

Democrats want a people's vote, although we are now hearing that their position may be moving towards straightforward revocation. The irony is that they have said that if there were another vote and that vote was to leave, they would not abide by it: they would not accept it. Is that democratic? Is it democratic for the Liberal Democrats to say, "Let us have another vote, but if we do not like the result, we will not accept it"?

**Wera Hobhouse** (Bath) (LD): I am astonished by the way in which members of other parties proclaim our Liberal Democrat vision. It is simply not true that we would not abide by the result of a people's vote if we gave them a vote on the final deal. We would give the people the final say on a deal. That is our line; there is nothing about not abiding by the result.

**Michael Tomlinson:** I am delighted that the hon. Lady has turned up for the debate. However, she failed to hear a previous Liberal Democrat statement that if the vote was for leave on a second occasion, they would not abide by it and would not accept it.

**Sir Desmond Swayne** (New Forest West) (Con): It is hardly surprising that we should take that view, since the Liberal Democrats have form for not abiding by the last referendum result.

**Michael Tomlinson:** I am grateful to my right hon. Friend.

There have been questions about why my right hon. Friend the Foreign Secretary is to respond to the debate, and a ridiculous point of order was made at the beginning. My right hon. Friend is the Foreign Secretary and the first Secretary of State. He is, in effect, the Deputy Prime Minister, and it is perfectly appropriate and reasonable for him to respond to an emergency debate under Standing Order No. 24.

**Anna Soubry:** Will the hon. Gentleman give way?

**Michael Tomlinson:** No, I will not. I am going to carry on.

The leader of the Labour party stood up and said that the Prime Minister should stick to his word, and I completely agree. It is vital for the Prime Minister to stick to his word. He said that we must leave on 31 October. There has been a breakdown of trust between politicians and the people because we have not stuck to our word.

**Tracy Brabin** (Batley and Spen) (Lab/Co-op): Will the hon. Gentleman give way?

**Michael Tomlinson:** I am going to make some progress.

We have said that we are going to leave on 31 October. It is imperative that we do so, and I will be encouraging the Prime Minister to do precisely that.

There is a sense of unreality in the Chamber. We have been having, endlessly, the same debate on Brexit for the past three years, and democrats have not accepted the democratic result of the referendum. The leader of the Labour party says that the Prime Minister should stick to his word, but I invite the leader of the Labour party to stick to his word directly in relation to this Act.

This is what the leader of the Labour party said during last week's debate.

[Michael Tomlinson]

“I repeat what I said last night. Let this Bill pass and gain Royal Assent”—

and, Mr Speaker, you yourself have confirmed that this Bill has received Royal Assent—

“and then we will back an election”.—[*Official Report*, 4 September 2019; Vol. 664, c. 292.]

Those are the Leader of the Opposition’s own words, in *Hansard*, said from the Dispatch Box. He invites the Prime Minister to stick to his word: absolutely, and we must leave on 31 October, but the leader of the Labour party should stick to his words. He should have the courage of his convictions. He should stand up and do what Opposition leaders should be doing, rather than chickening out and bottling it and failing to vote tonight for an election.

**Sir William Cash** (Stone) (Con): In examining the question of the rule of law does my hon. Friend agree that it is essential to look at the wording of the Act itself? Is there not a substantial degree of uncertainty in the duties that are being imposed upon the Prime Minister, not least because of the provisions contained in the so-called Kinnock amendment, and also because it is sometimes impossible to perform a duty if the framework of the duty that is to be complied with is itself incoherent and unclear, as it is in the Bill?

**Michael Tomlinson**: I agree entirely with my hon. Friend. So far no one has suggested during the course of this debate that it would be proper to disobey the rule of law, and I agree entirely, but does that prevent the Government from examining precisely what the law does and does not say while still abiding by the rule of law?

Labour’s position on Brexit is entirely incoherent. The shadow Foreign Secretary says she is going to negotiate a deal but then, having negotiated the deal, she is actually going to vote against the deal that she herself has negotiated. The Labour leader has said that he wants a general election to be called as soon as the Bill is passed; the Bill is passed, and he is still running away from a general election.

There is such a sense of unreality in this Chamber. We have had these debates for three years. My constituents are saying, “Get on with it.” That is precisely what we should be doing.

**Several hon. Members** *rose*—

**Mr Speaker**: I called Mr Austin earlier and then he was disappointed, so I feel some compassion towards the hon. Gentleman. I call Mr Ian Austin.

8.22 pm

**Ian Austin** (Dudley North) (Ind): The part of the motion that I want to speak to is about politicians upholding the rule of law, and I have to say right at the outset that I think it is absolutely incredible to hear the Leader of the Opposition lecturing anybody else—[*Interruption*]—lecturing anybody else about observing the rule of law. [*Interruption.*] Labour Members have already started moaning, but they ought to listen. [*Interruption.*] They ought to listen; they are going to have to get used to this, because the points I am going to

raise are the questions they will have to answer in an election campaign. They will have to explain to their voters and their constituents, and the people of this country, why they think someone with an appalling record like the Leader of the Opposition is fit not just—

**Liz McInnes** (Heywood and Middleton) (Lab): Why don’t you go and sit somewhere else?

**Ian Austin**: The hon. Lady asks why I don’t go and sit somewhere else. I am sitting here—[*Interruption.*] I am standing here—[*Interruption.*]

**Liz McInnes**: Why?

**Ian Austin**: I will explain why: I am standing here because I was elected—[*Interruption.*] Because I think—[*Interruption.*]

**Mrs Main**: On a point of order, Mr Speaker. We are having great difficulty hearing the hon. Gentleman, who is making a powerful speech, because he is being barracked.

**Mr Speaker**: Order. I do not wish to be unkind to the hon. Lady, but she is not entirely averse to making loud noises from a sedentary position, so although I appreciate her important contribution on this, I think I will make the judgment myself, if she doesn’t mind. I am deeply obliged to her.

**Ian Austin**: The more Labour Members interrupt, the longer it will take: I am going to make these points. The reason I have not moved is that I did not leave the Labour party to join another party; I left the Labour party to shine a spotlight on the disgrace it has become under the Leader of the Opposition’s leadership and because I regard myself as proper, decent, traditional Labour, not like the extremists who have taken over this party and are dragging it into the mud. That is the point I am going to make in this debate.

These are people—the Leader of the Opposition, the shadow Chancellor—who have spent their entire time in politics working with and defending all sorts of extremists, and in some cases terrorists and antisemites. We should remember what these people said about the IRA. It might be ancient history to the Labour party’s new young recruits, but many people will never forget how they supported terrorists responsible for horrific carnage in a brutal civil war that saw people blown up in pubs and hotels and shopping centres.

A few weeks after the IRA blew up a hotel in Brighton—murdered five people at the Tory party conference—the Leader of the Opposition invited two suspected IRA terrorists to Parliament, and when the man responsible for planting that bomb was put on trial he protested outside the court. The shadow Chancellor said that “those people involved in the armed struggle”

—people he said had used “bombs and bullets”—should be honoured. And they have the brass neck to lecture anybody about the rule of law; what a disgrace.

**Geraint Davies** (Swansea West) (Lab/Co-op): On a point of order, Mr Speaker. I understand that this debate is about whether the Prime Minister obeys the

rule of law, not whether Members talked to people who allegedly have broken the law; it is about whether we deliver the rule of law.

**Mr Speaker:** I am extremely grateful to the hon. Gentleman, and his antennae are keenly attuned to the debate. There is a fine dividing line, and the hon. Member for Dudley North (Ian Austin) is dilating on the broad theme of disregard, bordering on contempt, for the law. If I think he has elided into a wholly different subject then I will always profit by the counsels of the hon. Member for Swansea West (Geraint Davies), but for now the hon. Member for Dudley North is all right—just. But I do warn him that I hope his speech tonight is, given that many others wish to contribute, not going to be as long as the speeches he used to deliver at the students union at the University of Essex 36 years ago, when we jostled together; it needs to be shorter.

**Ian Austin:** Well, Mr Speaker, my speeches then were a lot shorter than yours.

**Mr Speaker:** That may be, but what I would say to the hon. Gentleman is that, by common consent, mine were considerably better.

**Ian Austin:** I am not going to argue that point, Mr Speaker.

This is a debate about whether politicians can be trusted to obey the rule of law, and there is not a single Labour figure in the past—not a single one—who would have backed violent street protest, as the shadow Chancellor did when he called for “insurrection” to “bring down” the Government or praised rioters who he said had “kicked the s-h-i-t” out of the Conservative party’s offices. [*Interruption.*] The hon. Member for Heywood and Middleton (Liz McInnes) might not want to hear it, but I will tell her this—

**Liz McInnes:** Why don’t you go and stand over there?

**Ian Austin:** I have explained why I am not going over there, but I will tell the hon. Lady this.

**Liz McInnes:** You’re not welcome here.

**Ian Austin:** I am here because voters in Dudley North sent me here to represent them, and none of my views have changed on any of the things I stand up for—decency in politics, the rule of law—and everybody in Dudley knew exactly what I thought of these people at the last election. And I will tell the hon. Lady this: I will make absolutely certain that she is going to have to answer to her voters for these points at the next election.

**Liz McInnes:** How are you going to do that?

**Ian Austin:** We’ll see.

**Liz McInnes:** You’re going to have to answer to yours.

**Ian Austin:** Don’t worry about that.

No other senior figure in the Labour party’s history would have joked about lynching a female Member of Parliament. These people do not believe in the rule of law abroad, either. They always back the wrong side, whether it is the IRA, Hamas or Hezbollah, who they describe as friends. No previous Labour leader would

have supported brutal totalitarian dictatorships like the ones in Cuba or Venezuela that have no regard whatsoever for the rule of law. No previous Labour leadership would have allowed a party with a proud history of fighting racial prejudice to have been poisoned by racism—which is what has happened under these people—against Jewish people to the extent that Members have been arrested on suspicion of racial hatred and the party itself has become the first in history to be investigated under equalities laws by the Equality and Human Rights Commission. These people and the people around them are a million miles away from the traditional mainstream, decent politics of the Labour party. They have poisoned what was once a great party with extremism, and they cannot be trusted with the institutions that underpin our democracy. They are completely unfit to lead the Labour party, let alone our country.

8.29 pm

**Geraint Davies** (Swansea West) (Lab/Co-op): Our fundamental values are democracy, human rights and the rule of law—those are our fundamental values across Europe—yet we now have a Prime Minister who says he would prefer to die in a ditch than to deliver a law that was developed by our democracy, the mother of all democracies, in order to protect people’s human rights and prevent no deal. We have not seen the implications of no deal, but a lot of it has leaked out. The reality is that nobody in Britain voted for no deal. People did not vote to get out, “do or die”, on 31 October. They do not want to die.

The majority voted to leave, but the people who did so in Swansea say to me that they voted for more money, more jobs and more control. Now they learn that they will not get any of those from Brexit. We see Ford leaving Bridgend, we see Airbus leaving and we see problems with Tata Steel. We see no more control and no more money. Those people who voted leave deserve a final say and a final vote. They certainly did not vote for no deal. It is a bit like people agreeing to go to the cinema to see a love story or a comedy and ending up with a chainsaw massacre. They are being told that they agreed to go to the cinema, but now it is the chainsaw massacre and they still have to go in.

This links me back to no deal. In Wales we are going to see the slaughter of millions of sheep because we will be unable to export them, given the immediate 40% tariffs that will be imposed. We also know that 1 million diabetic people in Britain will be at risk of not having enough insulin. The list goes on, yet the Prime Minister—who has failed to turn up to this debate about whether the Government will deliver the rule of law—is now known not to be negotiating. Instead, he is spending £100 million of taxpayers’ money on delivering propaganda even though he knows from Operation Sledgehammer, or whatever it is called—Operation Yellowhammer—that we face calamitous ruin.

The unfortunate truth is that the Prime Minister is spreading the contagion of nationalist populism: the basic idea that we here are better than the Europeans over there, and that if we have a problem here, it is their fault over there. We have seen it before with Donald Trump talking about the Mexicans, the wall, the Muslims and the blacks. We have seen it in Germany with the Jews. Now we have heard it here, with people talking about the Europeans. Nigel Farage’s narrative has now

[Geraint Davies]

been taken on by the Prime Minister when he says, “Oh, they voted leave three years ago and nothing could be simpler: just leave. The reason we’re not leaving is because MPs are corrupt and parliamentary democracy is rotten.”

It is easy for everyone here to agree to leave. The difficult business is getting us all to agree where we are going to. It is no surprise that a lot of parliamentarians think the deal would have made us too close to Europe, while a lot think we would have been too far from it. We do not agree—this is not easy, and everybody here knows that—but the lie is spread around that it is the people versus Parliament, or the people versus the courts. Tonight, we are here to defend our fundamental values of parliamentary democracy and the rule of law, and it is those institutional values that are under attack on the footway to neo-fascism.

The Prime Minister wants an immediate election in the hope that the Brexit vote will unite and think that he is mad enough to vote for no deal, and that the remain vote will divide, so that he can say, “We’ll have no deal. Everything will be all right.” We know that people like Dominic Cummings, Farage and others want to undermine our fundamental democratic institutions, whether the BBC, the civil service, the universities or parliamentary democracy itself. We face a chilling time and a moment of truth as we wait to see whether the Prime Minister will in fact obey democratically agreed laws. He is willing to go around promoting the lie that no deal can be delivered without massive collateral damage. The democratic world is looking to us, as the mother of all Parliaments, to see whether we will ensure that the rule of law and democracy go forward. We must show the rest of Europe and the rest of the world that we will not bow to the language of popular tyranny, but stand true to the rule of law and democracy and move forward.

8.35 pm

**Steve McCabe** (Birmingham, Selly Oak) (Lab): We rightly heard earlier today several tributes recognising your role, Mr Speaker, in protecting Parliament and parliamentarians and making Parliament relevant and accessible to ordinary people, and I associate myself with those comments.

When my constituents ask me about what might happen down here tonight, they are recognising our role in making our laws. They are recognising that it is Parliament’s job to seek solutions. They are acknowledging that this where we argue, debate and pass laws, but people up and down the country have been shocked to discover the Prime Minister putting so much effort into a no-deal Brexit at the expense of seeking a solution, not least because that was never what he told us was his intention back in 2016. People do not understand how the leader of the Brexit campaign, who is now the Prime Minister, is closing down Parliament, pursuing no deal with such vigour, and encouraging media briefings to confirm that he will not abide by the latest Act of Parliament.

**Mrs Madeleine Moon** (Bridgend) (Lab): I associate myself with my hon. Friend’s comments in relation to Mr Speaker because, to be quite honest, people across Europe are tuning into this House and watching how

both the Speaker and this Parliament have fought back against the overweening power of an Executive that have tried to close down debate and to stop the people’s voices being heard. That is a true democracy, which is why we are fighting here tonight.

**Steve McCabe:** I certainly agree with my hon. Friend. I fear the attempts to silence and close down this House. Can any of us really talk about the rule of law and expect our constituents to respect it when those at the top of our democratic institutions are showing such disrespect for Parliament and the law on such a crucial issue?

The Prime Minister’s behaviour is simply wrong. He is treating Parliament—the people’s Parliament—with utter contempt. The Prime Minister and those around him are using language that we normally associate with repressive, dictatorial, anti-democratic regimes around the globe. In trashing the reputation of Parliament and parliamentarians and threatening to disobey the law, the Prime Minister is calling into question his fitness for office. This man led the Brexit campaign, and he was Foreign Secretary when the negotiations commenced. He is now the Prime Minister, and he should be using every waking hour to conclude the deal on which he sold his Brexit plans. He should not be closing down Parliament and running away from his responsibilities.

**Lilian Greenwood** (Nottingham South) (Lab): Does my hon. Friend agree that if we do not reach a deal with the European Union while we are a member of it, we will inevitably have to reach a trade deal from outside, where we will be negotiating from a position of abject weakness and therefore will be unable to get a good deal?

**Steve McCabe:** I think that that is the conclusion that most rational people have come to. That seems the inevitability of where we are heading. The Prime Minister of this country should not be running from his responsibilities, and we should not even have to ask whether he will obey the law. It is unbelievable.

**Wayne David** (Caerphilly) (Lab): This is about the rule of law, and we should be clear—there should be no ifs or buts about it—that, no matter how powerful and self-important they might feel, everyone should obey the law.

**Steve McCabe:** I totally agree.

**Patricia Gibson:** Does the hon. Gentleman share my concern that, during this debate, we have heard two irreconcilable positions from Conservative Members? We have heard that the Government will obey the law, but we have also heard that the Government will deliver Brexit, do or die, on 31 October. Those two things are self-evidently contradictory, and therefore the conclusion must be that there are back-door shenanigans going on to evade the law, stretching every sinew to do so.

**Steve McCabe:** The terrible fear is that the Prime Minister and other members of the Government are saying one thing and doing another, which is what the recent resignation of the Secretary of State for Work and Pensions seemed to reveal.

It seems straightforward. If this man and this Government carry on like this, they will be responsible for destroying the very institutions in which the rule of law and democratic politics are based. We should all be fearful of a Government who are intent on moving down that road.

8.41 pm

**Sir Geoffrey Clifton-Brown** (The Cotswolds) (Con): The people of this country are angry. They will not understand what this debate is all about. The people of this country voted to leave the European Union, and numerous Members on both sides of the House said during the referendum debate that the result would be honoured. We have had a general election in which the two major parties stood on a platform stating the result would be honoured, and my party voted in overwhelming numbers to trigger article 50 and for both the European Union (Notification of Withdrawal) Act 2017 and the European Union (Withdrawal) Act 2018. The people of this country will not understand these shenanigans.

I was at the Moreton-in-Marsh show last weekend, and there were angry people, both Brexiteers and remainers, who said, “For goodness’ sake, our businesses are suffering and our jobs are at risk. Just sort out this EU problem. We voted to leave the European Union.”

We are debating the hypothetical situation of whether the Prime Minister might break the law. It is inconceivable that he would break the law, but this Parliament has passed a rotten law. It has asked him to seek an extension on terms that we know not what they are or might be. We could face all sorts of terms in that extension. We could be asked to pay billions of pounds extra. We have no idea, yet this Parliament has mandated the Prime Minister to accept the terms, whatever they are.

The people cannot understand why our democratic Parliament has not sorted out this problem. The longer this whole matter goes on, the more they will hold this Parliament in contempt and the more that Parliament and its Members will lose their reputation for representing this country properly.

8.43 pm

**The Secretary of State for Foreign and Commonwealth Affairs and First Secretary of State (Dominic Raab):** It is a great pleasure to wind up this debate, and I pay tribute to the interesting points that have been made on both sides of the House.

This Government will always respect the rule of law. That has consistently been our clear position and, frankly, it is outrageous that it is even in doubt. Of course, how the rule of law will be respected is normally straightforward, but sometimes it can be more complex because there are conflicting laws or competing legal advice. The Government usually get their interpretation right, but there have been many judicial reviews down the years, under many different Governments of different complexions. The Government cannot and would not wish to prevent that. Indeed, judicial review is part and parcel of the rule of law.

When, on occasion, the Government have lost a case on one or more contentious grounds—this has been true under successive Governments—of course they must correct their position accordingly and expeditiously.

I am a lawyer by training, I have served twice in the Ministry of Justice and I can reassure hon. Members that I take this duty to respect the rule of law particularly seriously. At the same time, it is true to say that the country is appalled by what it is seeing in Parliament, not for the reasons given by the hon. Member for Birmingham, Selly Oak (Steve McCabe), but because hon. Members voted for a referendum and promised repeatedly to respect the result, and yet now people see that the Leader of the Opposition and others have repeatedly tried to frustrate Brexit. The right hon. Gentleman has now made it clear that that is Labour party policy. The ballot paper in 2016 did not say, “Leave, if and only if Brussels agrees a deal”; it did not require us to seek permission from Brussels before departure, and it did not give the EU a veto over Brexit.

The Prime Minister and this Government have been working hard for a good deal—the Prime Minister has been at it again in Dublin today—but it must be an acceptable deal that Parliament can pass. We will continue that effort. But respecting the referendum must also mean that this House allows us to leave without a deal if Brussels leaves no other credible choice. Three years of experience, to date, demonstrates that taking that option off the table severely weakened our negotiating position in Brussels, yet last week this House voted for another delay, and in doing so it further weakened our position at a critical juncture in these negotiations, a point made powerfully and eloquently by my right hon. Friend the Member for Wokingham (John Redwood).

So we are now in dangerous territory. Across the country, millions of voters are concluding that Parliament is refusing to allow Brexit to happen, because some MPs just do not like it and because some politicians think the voters got it wrong in 2016—that was the thrust of the comments made by the right hon. Member for Ross, Skye and Lochaber (Ian Blackford).

**John Redwood:** Would my right hon. Friend like to comment on the way in which the Commons swept aside the idea that support is needed for the big financial consequences of this legislation—there was no money resolution—and swept away Queen’s consent, which is normally needed when encroaching on negotiations of an international treaty?

**Dominic Raab:** I thank my right hon. Friend for that. Of course, all the normal checks and balances that would apply if the Government were bringing forward a piece of legislation cannot apply—almost by definition—as a result of the way this was done. It has been done swiftly, without the normal scrutiny, and as a result it is a flawed piece of legislation and rightly dubbed the surrender Bill, because of its impact on our negotiations in Brussels.

**Lady Hermon** (North Down) (Ind) *rose*—

**Dominic Raab:** I am going to make a bit of progress, because we are coming to the close.

In her contribution, the leader of the Liberal Democrats made the case for a second referendum, but she has also said that if people voted to leave for a second time, she would just ignore the result again. I want a deal, and this Prime Minister and this Government want a deal. I believe it would be much better than no deal. But much,

[Dominic Raab]

much worse than no deal would be to destroy confidence in the most basic democratic principle we have: that politicians respect what the people vote for. That argument was powerfully made by my hon. Friend the Member for Mid Dorset and North Poole (Michael Tomlinson).

The country wants this mess sorted out by 31 October, but the House wants to delay again. In those circumstances, the proper way to proceed is for this House to allow the voters to decide in an election who goes over to negotiate at the European Council on 17 October—the Prime Minister or the Leader of the Opposition. That is constitutionally the correct course of action. Given the position we have arrived at, it is plain common sense. What is the right hon. Gentleman afraid of? Just last Monday, the leader of the Labour party said:

“A general election is the democratic way forward.”

This is on Labour leaflets that have been delivered just this weekend, up and down the country. Just so that we are clear on this, I will read out the direct quote, so that we get it right. The leaflets said:

“We need a General Election now”.

What happened to all that bluff and bluster between the printing of the leaflets and their delivery just two days ago? The public will draw their own conclusions if the right hon. Gentleman’s actions conflict so starkly with his words. They will draw the inescapable conclusion that he does not trust the voters and he does not believe that they would trust him.

In those circumstances, if the House will not take the necessary decision, and if the right hon. Gentleman will not do the right thing, it risks further undermining respect not only for the Labour party but for Parliament. If that is the case, the Prime Minister will go to Brussels on 17 October, but let us be clear that he will not go to negotiate a delay; he will go to negotiate our departure from the EU on 31 October with or without a deal.

I urge the House to vote today not for more deadlock and delay, but for the only course of action that will break this deadlock, restore public confidence in our democracy and allow this country to move forward.

**Mr Speaker:** To wind up the debate, as it is in his name, I call the right hon. Gentleman, Mr Jeremy Corbyn.

8.51 pm

**Jeremy Corbyn:** It is extraordinary that the House is having to debate whether the Prime Minister will abide by a law that has just been passed by Parliament, and that the same Prime Minister, who managed to be here for the Division earlier, cannot be here to answer questions from Members, and no Law Officers are present either. All the Members who have spoken raised questions—

**Lady Hermon:** Will the right hon. Gentleman give way?

**Jeremy Corbyn:** Yes, of course.

**Lady Hermon:** I am very grateful to the Leader of the Opposition, who is much more courteous than the Foreign Secretary in taking interventions in this very important debate. The Foreign Secretary described as flawed the legislation that is intended to stop the country leaving without a deal, which received Royal Assent today.

May I recommend to him, and indeed to all Members of the House, Radio 4’s interview with Lord Sumption, a very distinguished former member of the Supreme Court? He said that there was not “the slightest obscurity” about the Act. I rest my case. It is not flawed.

**Jeremy Corbyn:** I thank the hon. Lady for that intervention; she makes her point very well. If the Foreign Secretary wishes to reply, I will happily give way.

**Dominic Raab** indicated dissent.

**Jeremy Corbyn:** The Foreign Secretary shakes his head and does not wish to intervene.

The situation is simply this. The House has voted several times to say that a no-deal exit must be taken off the table, and it subsequently passed legislation to prevent no deal. The Government then apparently refused to accept the decision of the House, which is why this motion has been brought before us this evening. The Government’s response is to try to prorogue Parliament later this evening so that no Minister can be put under any scrutiny for more than a month, during what they themselves must accept is quite a significant point in our country’s history. The Government have now been forced to produce Operation Yellowhammer documents, as a result of a decision taken earlier by this House.

Surely the very least we deserve from the Prime Minister is a clear undertaking that a requirement that we ask for an extension until January to prevent us crashing out must be made at the appropriate time. Why can the Foreign Secretary not say that? Why can the Prime Minister not say that? All that we have left is the ability of this House to declare its view this evening, and I hope that is what we will do.

When the Government have made it clear that they will carry out the law and, if necessary, prevent a no-deal exit, we will then be very happy to debate all their policies in a general election, including ending austerity and the poverty and misery that the Government have brought to the people of this country. I look forward to that opportunity. The priority in this is that operations in hospitals will be damaged, the supply of medicines will be damaged, the supply of food will be damaged, and the supply to manufacturing will be damaged. If all this is a lot of scaremongering, why were the Government so unkeen to present Yellowhammer documents, which will show that truth to be the case? If they have nothing to hide, why are they hiding it? This House has forced them to put those documents out to the public, but, of course, the House will not be sitting. How convenient is that? I say to the Government: do not go ahead with the Prorogation of Parliament; do not go ahead with the threat of no deal. Instead, they should look after the interests of the people of this country which will not be served by our crashing out unless, of course, there is another agenda, which is to rush into the arms of Donald Trump and all the trade deals that they want to make with him.

There we have it. First of all, no Tory MPs want to speak. Now they have all turned out to have a bit of a shouting match. That is absolutely fine, I do not mind.

**Mr Bone** rose—



**Jeremy Corbyn:** No, I will not give way.

I simply say that the House has an opportunity tonight to express its view that the Prime Minister should obey the decision that was taken by both Houses of Parliament and that was passed into law today. I hope that Members of this House will vote accordingly, and that his Government will learn the lesson that they cannot ride roughshod over our democracy.

**Mr Nicholas Brown** (Newcastle upon Tyne East) (Lab) *claimed to move the closure (Standing Order No. 36).*

*Question put forthwith,* That the Question be now put.

*Question agreed to.*

*Main Question put accordingly.*

*Resolved,*

That this House has considered the welcome completion of all parliamentary stages of the European Union (Withdrawal) (No. 6) Bill and has considered the matter of the importance of the rule of law and Ministers' obligation to comply with the law.

**Mr Speaker:** Order. There is quite a lot of noisy chuntering from a sedentary position. The hon. Member for Mid Bedfordshire (Ms Dorries) is quite beside herself in an extraordinarily irate condition, which I feel sure will not endure for very long.

I was trying to explain to our French counterparts at the weekend the significance of the term "chuntering from a sedentary position". They were beginning to understand it, but I would have to reinterpret it tonight as yelling from a sedentary position to which, apparently, there is no equal in the Assemblée Nationale.

I was going to call on the Minister to move the Northern Ireland (Executive Formation etc) Act 2019 Section 3(2) motion, but I am underestimating the exalted status of the right hon. Gentleman who graces the Dispatch Box. The motion is indeed to be moved by no less a figure in our affairs than the Secretary of State for Northern Ireland.

## Northern Ireland (Executive Formation etc) Act 2019 Section 3(2)

8.59 pm

**The Secretary of State for Northern Ireland** (Julian Smith): I beg to move,

That this House has considered the Report pursuant to Sections 3(1), 3(6), 3(7), 3(8), 3(9) and 3(10) of the Northern Ireland (Executive Formation etc) Act 2019 - regarding Executive formation; transparency of political donations; higher education and a Derry university; presumption of non-prosecution; Troubles prosecution guidance; and abortion law review, which was laid before this House on Wednesday 4 September.

Mr Speaker, may I pay tribute to you following your statement earlier today on your tenure as Speaker of this House? Despite the odd moment of friction during my time as Government Chief Whip, I would like to add my voice to those who have underlined the strength and power of your service to both your constituents and this House, particularly the work you did to establish the new Education Centre.

On 4 September, I laid a number of reports before the House in line with my obligations under the Northern Ireland (Executive Formation etc) Act 2019. Those reports underscore the vital importance of restoring the Northern Ireland Executive. This is my first priority because, without an Executive, the people of Northern Ireland have seen the quality of their public services decline and decisions kicked into the long grass. They deserve better. Since July, I have met public servants from a range of sectors who are doing an incredible job in the absence of support from their political leaders, but they cannot take the vital decisions needed on public services or make those crucial interventions in the economy.

**Lady Hermon** (North Down) (Ind): I am very grateful indeed to the Secretary of State for allowing me to intervene so early. May I just say that I am extremely disappointed and annoyed that the motion to discuss the historical institutional abuse in Northern Ireland was not even moved this evening? By proroguing Parliament tonight, the Prime Minister has wilfully and deliberately deprived the victims of historical institutional abuse in Northern Ireland of a 90-minute debate, sending out a clear signal that they do not even merit a 90-minute debate. It is appalling behaviour. I ask the Secretary of State to demand that the Prime Minister comes to Northern Ireland, sits in a meeting, looks the victims of historical institutional abuse in the face, and explains to them why he is so disrespectful and discourteous of the hurt and suffering that they have had to endure.

**Julian Smith:** To be fair to the business managers tonight, there has been a major challenge with the number of unexpected and emergency debates, but I am now coming to the issue of HIA that the hon. Lady raises. In doing so, I apologise to the House for the change in business. It in no way diminishes how seriously I am progressing the issues or affects the commitments I have made.

**Ian Paisley** (North Antrim) (DUP): I understand what the Secretary of State has said about the business managers. However, he cannot get away that easily from the business statement that was made in this House on Thursday. The first and second priorities on that list, as handed out to Members, were to do with the victims of

[*Ian Paisley*]

historical institutional abuse, as the second priority was victims' payments in relation to that matter. The matters to which the Secretary of State intends to speak this evening were fifth and sixth on the list that we were given. Why has he—as the hon. Member for North Down (Lady Hermon) has indicated—set aside these very important issues that we were promised from that Dispatch Box would be dealt with expeditiously when we came back in September?

**Mr Speaker:** Let me thank the Secretary of State for his very gracious personal remarks, which mean a great deal to me.

**Julian Smith:** The victims of historical institutional abuse in Northern Ireland have shown incredible courage and dignity through their engagement with the Hart inquiry and throughout their campaign for redress. I know that colleagues, as has been shown in the interventions I have just taken, will join me today in restating our collective determination to see progress made in delivering redress to those victims as soon as possible.

On 23 August, I had the honour of meeting representatives from the victims' and survivors' groups. These people's lives have been blighted by unforgivable, horrendous acts, yet they have continued to engage patiently and respectfully with politicians and the legislative process. We can ask no more of victims. We can ask no more of the Hart inquiry. The inquiry has been undertaken. Officials have prepared the policy. The lawyers have prepared the draft law, and I have asked that this be included in the Queen's Speech as a matter of urgent priority.

**Maria Caulfield (Lewes) (Con):** On Thursday in business questions—this is why it is disappointing that this is not being debated today—we heard that the Secretary of State committed not only that it would be in the Queen's Speech but that the legislation would be brought forward to the end of the year. That is the most important thing—that the legislation actually comes forward.

**Julian Smith:** I thank my hon. Friend for her intervention.

The EF Act requires new laws in areas including same-sex marriage, opposite-sex civil partnerships, abortion, and victims' payments. These are sensitive devolved issues, and this Government's preference is that they are taken forward by a restored Executive. Again, I am sorry that we have not been able to discuss the important issue of victims' payments in the motion that was not moved. Across these issues, this House has spoken, and these duties to legislate will come into effect if the Executive is not back up and running in the next few weeks. Despite the truncated debate today, I underscore my assurance to the House that I will continue to uphold the letter and the spirit of my obligations under the EF Act in full. I will update Parliament on these issues in the next Session, and indeed will say a bit more on abortion law in Northern Ireland later in my speech, but I now turn to each of the issues listed for debate today.

**Simon Hoare (North Dorset) (Con):** What can this House do to strengthen the Secretary of State's elbow in discussion with the business managers as to what is going to be included in the Queen's Speech? I associate myself with the remarks of other hon. Members with

regard to the victims of historical abuse. May I urge him to take this message to the business managers? Many of those who suffered that horrible abuse were placed in that situation by the state. The state let them down then; the state now looks as though it is letting them down still further. That is not good enough and we will not put up with it.

**Julian Smith:** I am confident that the business managers will look very favourably on such a Bill for the Queen's Speech.

Northern Ireland has been without devolved government since January 2017. In that time, we have seen hospital waiting lists get longer, public services deteriorate, and frustration in Northern Ireland grow. The issue of Brexit has made the need for a reformed Executive ever more urgent. It is clear that Northern Ireland's interests at this time are best served by a restored Executive in place and ready to take the necessary decisions.

The then Secretary of State for Northern Ireland, my right hon. Friend the Member for Staffordshire Moorlands (Karen Bradley), started the latest round of cross-party talks, following on from the work of my right hon. Friend the Member for Old Bexley and Sidcup (James Brokenshire). I pay tribute to their tireless work. I also pay tribute to my right hon. Friend the Member for Maidenhead (Mrs May) for all that she did to drive for Stormont to be up and running during her time as Prime Minister. I am also in no doubt, from the work we have done together since he became Prime Minister, that my right hon. Friend the Prime Minister is personally committed to the swift conclusion of these talks.

The same issues have been discussed in cross-party talks for over two years. Some aspects of those talks are very close to resolution, and I believe the parties could agree swiftly on a programme for government, on measures to increase transparency, and on the sustainability of the institutions—although gaps do remain between the two main parties on rights, culture and identity. However, both the UK and Irish Governments share the view that, notwithstanding the importance of these issues, these topics can be resolved in short order.

Political parties across the spectrum must now realise that the lack of political leadership has left public servants bearing the load for far too long. I have seen this at first hand when speaking to the principal at Ashfield Boys High School in east Belfast and to doctors and nurses at Musgrove Park Hospital, and in my many meetings with all those who serve so bravely in the Police Service of Northern Ireland. There can be no more excuses: we simply have to get the Assembly and the Executive up and running. So the UK Government, working closely with the Irish Government in accordance with the three-stranded approach, will now intensify our efforts to put forward compromise solutions to the parties. I urge the parties to make the most of the days ahead and to work with me and the Tánaiste to do what is best for the people of Northern Ireland. Whatever the outcome of that process—whether I can update on positive or negative developments—I will publish a report on or before 9 October. If I have to report that those efforts were not successful, my next update to the House will set out the next steps to ensure adequate governance in Northern Ireland and the protection of the Belfast/Good Friday agreement.

**Vernon Coaker** (Gedling) (Lab): The Secretary of State has just made a commitment that he will, in the next Session or whenever it may be, come forward with a report. I say gently to the Secretary of State that I am disappointed. A number of motions have been struck off, and for quite understandable reasons, but there is a massive amount to discuss. However we go forward in the next few months, I ask the Secretary of State or whoever holds that position to consider how we in this House of Commons and this Chamber can more properly give Northern Ireland the time it deserves to discuss these matters of major importance. The people of Northern Ireland need to hear that message. We should be talking about this for much longer than we are this evening.

**Julian Smith:** I agree with the hon. Gentleman, and I pay tribute to the work he has done during his career for the citizens of Northern Ireland, but I would say that two SO24 debates today have given the business managers a major challenge.

The issue of transparency of donations to Northern Ireland parties is one which this Government take very seriously. We are rightly proud that we were able to secure agreement of the Northern Ireland parties and bring forward legislation to open up all donations from July 2017 to full public scrutiny. I am aware that many would like to see that transparency go further and apply retrospectively to 2014. The Northern Ireland (Miscellaneous Provisions) Act 2014 provides that greater transparency could be introduced from 2014 at some point in the future. However, greater transparency must be weighed against possible risks to donors. Retrospective transparency should not threaten intimidation to those who have donated.

**Gavin Robinson** (Belfast East) (DUP): I listened to what the Secretary of State had to say on political donations. In terms of what is in the report, he is absolutely right—that is the position—but the report misses the fundamental distinction and difference that needs to be resolved in Northern Ireland, which is that foreign donations are permissible. Northern Ireland remains the only part of the United Kingdom where foreign donations, corrupting our politics, are permissible. Will he take steps to close that?

**Julian Smith:** I thank the hon. Gentleman for his intervention. I am aware that he and his party have strong views on this issue, and we are looking at all elements of this policy.

While many in this House have called for retrospection, we must not forget that the last time the parties in Northern Ireland were formally consulted on this, in 2017, there was only consensus for transparency going forward. The published data now available as a result of the legislation is a starting point for a review to consider what further transparency may be appropriate.

I will turn now to higher education. Northern Ireland has made great strides in higher education provision, with two world-renowned universities—Queen's and Ulster University—attracting students from all over the globe. While the Northern Ireland Department for the Economy has policy responsibility for higher education in Northern Ireland, universities are independent of government. As such, it is for a university, whether prospective or existing, to decide where to base any new campus.

No application has been made from any organisation to establish a university whose main campus is in Derry/Londonderry. The Government are aware that Ulster University is considering the development of a graduate medical school to be located in Derry/Londonderry, and that proposal features in Derry City and Strabane District Council's economic regeneration plans for the region. Education is key to securing a prosperous future for Northern Ireland, and it is right that we focus on where the current skills gaps lie and how they can be met.

**Mike Kane** (Wythenshawe and Sale East) (Lab): I had the great honour of visiting Derry recently. The University of Ulster has been dilly-dallying and delaying about the medical school at the Magee campus. The city needs that medical school, which will help immensely with not only its regeneration but the whole peace process. What guarantees can the Secretary of State give that Derry will get that medical school?

**Julian Smith:** On my last visit to Derry/Londonderry, I spoke about the medical campus, and we are working to ensure that we do everything we can in the Northern Ireland Office to support it. Again, however, we need the Executive—Stormont—back up and running to make sure the money flows to that campus.

This Government are unequivocal in our admiration of the armed forces, who served with heroism and bravery to protect the people of Northern Ireland and whose sacrifice has ensured that terrorism would never succeed. The Government will never forget the debt of gratitude we owe them. Providing better support for veterans is a major priority for this Government, and the creation of the Office for Veterans' Affairs is an example of the strength of our commitment.

I want to be clear: I absolutely recognise the sentiment and the principle underpinning these amendments, and I recognise the strength of feeling across the House on this matter. We have been clear that the current system for dealing with the legacy of Northern Ireland's past is not working well, and this needs to change. As the Prime Minister said recently in this House, it is "common ground"

across all Benches that it is simply

"not right that former soldiers should face unfair"—[*Official Report*, 25 July 2019; Vol. 663, c. 1467]—

and repeated investigations, with no new evidence, many years after the events in question. Two very important further amendments have been submitted, and I want to address these in turn.

**Dr Julian Lewis** (New Forest East) (Con): I apologise for intervening so soon after entering the Chamber, but as the Secretary of State has just referred to my amendment, I will take that liberty. Will he just acknowledge one thing? When the Defence Committee recommends a qualified statute of limitations, in the absence of compelling new evidence, on the question of the pursuit of people long after the events concerned, does he accept that that is not the same as an amnesty and should not be ruled out in the same way as people do rule out an amnesty?

**Julian Smith:** I want to take care about prejudging the work that the Government have put in place, cross-Government. As my right hon. Friend is aware, the Prime Minister has set a new focus on this issue, and I

[Julian Smith]

am sure he will be inputting into that. I will be working, along with the Ministry of Defence and the Cabinet Office, to move that issue forward.

I absolutely recognise the sentiment and the principle underpinning the amendments on legacy, and I recognise the strength of feeling across this House on this matter. We have been clear that the current system for dealing with the legacy is not working well, and we will move forward in the ways I have discussed. While we want to find a better way to address these issues, to do so through the presumption of non-prosecution would pose a range of challenges and may not provide a complete solution to the issues at play.

A presumption of non-prosecution in the absence of compelling new evidence is likely to need to be applied to everyone involved in troubles-related incidents, including former terrorists. However, implementing these provisions would not remove the obligations under domestic criminal law and international obligations under the European convention on human rights for independent investigations of serious allegations. With regards to troubles prosecution guidance, hon. Members will of course be aware that criminal investigations are carried out independently of the Government. Prosecutorial decisions and the guidance that underpins them are devolved matters in Northern Ireland.

**Mr Iain Duncan Smith** (Chingford and Woodford Green) (Con): I apologise for interrupting the Secretary of State in mid-flow, and I know people want to get on. However, as someone who served over in Northern Ireland—and following the question from our right hon. Friend the Member for New Forest East (Dr Lewis), which he stepped around—may I repeat this back to him? Even though he is reiterating the issues about criminal prosecutions and other jurisdictions, the point still remains, as my right hon. Friend said—this is what people have been asking for—that we should not just bring somebody in on the basis of a trawl in the hope that something new will turn up. The issue is that having to have compelling evidence to pursue an individual is critical. That does not impact on any criminal activities or any effective future prosecutions, because they would face the same issue.

**Julian Smith:** I think my right hon. Friend, who has spoken very persuasively on this issue for many years, makes some important points, but I return to the fact that the Government are looking at all these issues in our cross-Whitehall review.

In Northern Ireland, just as in England and Wales, prosecutorial decisions are made independently of Government. The Director of Public Prosecutions for Northern Ireland is not under the superintendence of the Attorney General for Northern Ireland. The Director of Public Prosecutions has a consultative relationship with the Attorney General for Northern Ireland, but the former cannot be compelled by the latter. This feature of the relationship between these key figures is an important component of the devolution settlement in Northern Ireland, and it is not within the UK Government's powers to direct the Attorney General for Northern Ireland or the Director of Public Prosecutions for Northern Ireland. Members will be aware that what

is central in these cases is not how an individual came to have a weapon, but what they did with it, and it is for the courts, not the Government, to determine innocence and guilt.

**Emma Little Pengelly** (Belfast South) (DUP): Does the Secretary of State accept that in Northern Ireland we have an abnormal situation, as all state-related deaths have been referred to the criminal justice system for examination? That does not happen elsewhere in the United Kingdom, so in those exceptional and abnormal circumstances, we need to find a solution to support those who served this country on the front line in Northern Ireland during the dark days of the troubles.

**Julian Smith:** I accept the hon. Lady's point, but I return to the fact that the ways to achieve the sorts of things that she is discussing are much more complex.

The Government are committed to finding practical, sustainable and workable solutions to establish an improved system that works better for all and ensures that soldiers and former police officers who risk their lives to maintain peace and order and to keep others safe are treated fairly.

On abortion law, if an Executive is not formed by 21 October, the Government have a duty to make the necessary regulations. As I have set out, it is the Government's preference that any questions of reform on these important, sensitive and devolved issues are considered in the right place by a restored Executive and a functioning Assembly. However, we recognise that a majority of MPs want to ensure that reform happens if we continue to see an absence of devolved government. From 22 October, the specific criminal law in Northern Ireland will fall away, and a criminal moratorium on prosecutions will come into place. I have instructed my Department, working closely with the Department of Health and Social Care and the Government Equalities Office, to develop an appropriate new legal framework that will be in operation by 31 March 2020 if that proves to be the case.

**Ian Paisley:** Does the Secretary of State realise that the legacy of what he has announced is complete and total legal chaos from 21 October to March next year? There will be no regulatory framework in place, and anything goes when it comes to the termination of the lives of innocent children. Is that the legacy that he wants? Is that the blood on the hands that he wants?

**Julian Smith:** I shall return that directness to the hon. Gentleman. If the parties get their act together, there can be a Northern Ireland solution to this issue. The challenge for the Government is that there was a free vote in the House that, under law, we need to respect.

As part of that, we have undertaken work to analyse the range of information and examples, both international and domestic, on these reform issues, because we have committed to consult carefully on this sensitive matter, and I shall update the House as soon as possible.

**Sammy Wilson** (East Antrim) (DUP): Does the Secretary of State accept that while it may be for the parties in Northern Ireland to try to get the Assembly up and running again, there is every incentive on those who pushed Members of Parliament to put through this

draconian abortion legislation not to get the Assembly up and running before the law comes into force? He cannot run away and hide behind the statement, “It is up to the parties in Northern Ireland,” as one party that is essential to the setting up of the Administration does not want the responsibility of giving the opportunity to the Assembly to overturn the legislation.

**Julian Smith:** I accept that these are highly emotive and sensitive issues. I accept that the House, having spoken, needs, wants and demands that we act. The consultation that my Department will put in place will be extremely sensitive to many of the issues that have been outlined tonight, but I return to the fact that I will do everything that I can in my power to get the Executive up and running because I strongly believe that for this issue and for many other issues that I have discussed tonight, getting Stormont up and running is the best way to address these matters.

**Diana Johnson** (Kingston upon Hull North) (Lab): I am very interested in the consultation that will take place. Will the Secretary of State confirm that organisations such as the Royal College of Obstetricians and Gynaecologists, the Royal College of Midwives, the Royal College of General Practitioners and the Royal College of Nursing will be consulted as part of those deliberations?

**Julian Smith:** They will be, but again I want and hope that we can get this issue addressed within Northern Ireland and by Northern Ireland political leaders.

I welcome the opportunity to open these issues up for debate in the House. The range of issues, largely on devolved matters, demonstrates how important it is to restore the Executive. That is why I will strive, over the coming days and weeks, to encourage the political parties to go back into the Executive and to start working for the people of Northern Ireland again as soon as possible.

9.25 pm

**Tony Lloyd** (Rochdale) (Lab): I would like to begin by making the very obvious point to the Secretary of State that had he been consulted on the question of Prorogation, and had his advice, if he had been asked for advice, been accepted—that Prorogation was inappropriate precisely because of the volume of work on Northern Ireland that needs to be done in this House—then we would have made more time and space for debates on Northern Ireland across all the issues that the House will not be able to debate tonight. This is an important issue. In the end, he has been let down by others in his Government. I need to emphasise that point, because it will come up time and again.

The hon. Member for North Down (Lady Hermon) is absolutely right to make the point that we should have had a debate tonight on historical institutional abuse. The Secretary of State is also right. He has met victims of that abuse. He knows not only how strongly they feel, but how many of their lives were changed because of what happened to them all those years ago. This House and this society of ours owe them an obligation. The Secretary of State made it clear that he will push for early inclusion in a Queen’s Speech. However, we need a guarantee not only of that but of early movement by the Government—any Government—on this issue. That also applies to the issue of victims’ pensions—we need to see early action.

Like the Secretary of State, I need to race through a number of issues, and some I will have to leave for another day. On abortion, the Secretary of State is right. I say to Democratic Unionist party Members and, through the media, those who are unhappy with the present situation, that they have some capacity for resolution in their hands. If we can see Stormont up and running—if we can see an Executive and an Assembly up and running—then of course that is the remedy to people’s concerns about this legislation. It is important that people take that point away and do not simply shuffle off with the usual finger-pointing, saying “It’s them over there that are doing it”. People in this House have to take their responsibilities seriously as well.

**Sammy Wilson:** Rather than the hon. Gentleman throwing out what he knows is a non-solution, given that Sinn Féin have been driving the pro-abortion agenda in Northern Ireland that has been taken up by Members of his own party, what has he done to try to persuade his friends in Sinn Féin to get back into the Assembly? He knows that as long as they remain in a position where they veto the formation of an Assembly, the solution that he says is in the hands of the people of Northern Ireland is not a solution at all.

**Tony Lloyd:** I would say to the right hon. Gentleman that the members of his own party who are taking part in the negotiations have a duty on them. Yes, of course, that duty extends to representatives of Sinn Féin. I want all parties to get around the table. I will come on to that a bit later on, but he cannot avoid the responsibility that members of his own party have in getting Stormont up and running. For nearly three years, we have had the absence of Stormont—three years of people making excuses about the fault lying elsewhere—and it is now time that people accepted responsibility for their actions.

I have to ask the Secretary of State, or perhaps the Minister who responds to the debate, about abortion. The House has committed to offering safe and legal abortions to women in Northern Ireland. There needs to be confidence in the law, those we expect to operate it and the way that it works. The point made by my hon. Friend the Member for Kingston upon Hull North (Diana Johnson), who has campaigned tirelessly on this issue, is important. Consultation is fundamental to all this, but again, Prorogation has dealt the Secretary of State a very difficult hand, because the House will return on 14 October, and on 22 October the legislation will come into effect. That means that the capacity for the House to make decisions to fill the legal gap that will exist between 21 October and 31 March is real. The consultation needs to take place now, and the House has to be ready to implement legislative change as soon as we are back, in the middle of October.

On veterans, the Secretary of State made some very important points—I know that he comes under pressure on this. If the right hon. Member for Chingford and Woodford Green (Mr Duncan Smith) is saying that we as a House are very clear that illegality by members of the armed forces, like any other member of society, like members of the IRA and like members of loyalist terror groups, will have the same outcome—that the law will be applied—that is really helpful, because we are then talking about how we move forward in a way that allows independence of investigation and of prosecution,

[Tony Lloyd]

which the Secretary of State referred to. In the end, it is important that the Stormont House bodies, which were agreed to by all parties in Northern Ireland, are allowed to operate, because victims who saw their loved ones killed and who were themselves victims of terror have rights in this, including the right to know that there is a proper investigation, whoever and whatever was the cause of their victimhood.

**Mr Duncan Smith:** I did not intend to intervene on the hon. Gentleman, but as he raised that point, I will. The point that I, and I think many of my colleagues, are making is that those who have served and have left—some are in their seventies, and so on—face this unedifying process of suddenly being hauled back, not because there is compelling evidence, but in the hope that people may find something that was not available to them at the time. That is surely the key issue—a lack of natural justice—and it has to be stamped on.

**Tony Lloyd:** I understand what the right hon. Gentleman said. I simply say that it is a shame that proper investigation did not take place at the time. He will agree, as a former soldier, that he would not have countenanced illegality by those he worked with. Every decent soldier I know of would agree with that premise—that illegality was not what our armed forces were sent to undertake in Northern Ireland. I hear what he says; I am not sure that we are a long way apart on this issue.

Turning to the issue underlying all this, it is three years since the Stormont Assembly and the Stormont Executive were last working. We have seen the impact in areas as wide as health, education and the way in which the interface takes place—I know that the Secretary of State was agitated about the lack of powers that he had with respect to Harland and Wolff over the summer months, for example. We need to see change take place and Stormont back together. I pay tribute to his predecessor, the right hon. Member for Staffordshire Moorlands (Karen Bradley), and him for the close working relationship that they have developed with the Tánaiste, Simon Coveney. It is important that there is a close working relationship between Dublin and London.

The single biggest threat to the United Kingdom at the moment is a no-deal Brexit, and the part of the United Kingdom facing the biggest threat is Northern Ireland, where the impact of a no-deal Brexit would be devastating, in a way that would go beyond the impact on my constituents and those of other Members in England, Scotland and Wales. The impact in Northern Ireland would not be simply economic, although the economic impact would be enormous. There would be an enormous impact on agriculture, on manufacturing, on services, and not simply on the social mores that have developed over the last 20 years, since the Good Friday agreement. There would be an enormous impact on the capacity to cross the border easily, and so on, and not simply on identity, which the Secretary of State referred to, though of course that is a fundamental issue.

The Good Friday and St Andrews agreements were milestones in establishing peace and a very different climate in Northern Ireland. It is important that nothing be allowed to jeopardise that, and a hard border, which

there would be with no deal, would jeopardise it. We have seen in the Yellowhammer papers that people are concerned that we are drifting towards a no-deal Brexit. I note today the words of the Taoiseach, Leo Varadkar, making it clear that Ireland is not prepared to accept a promise in place of legal guarantees. The Taoiseach speaks for many on the Opposition Benches.

We have an odd situation. Parliament does not trust the Prime Minister, the Irish Government do not trust the Prime Minister, and the right hon. Member for Hastings and Rye (Amber Rudd) does not trust the Prime Minister on this issue. In that context, I say this to the Government: we are facing Prorogation and a period when our Parliament cannot act. The Secretary of State himself made it clear how important it was

“in the run-up either to a deal or no deal, that the very tricky decisions can be made, and I am sure that those will have to be made at pace.”—[*Official Report*, 5 September 2019; Vol. 664, c. 364.]

Of course, he is absolutely right. We will have to make decisions very quickly, and Prorogation makes that more difficult.

**Sir Jeffrey M. Donaldson** (Lagan Valley) (DUP): The shadow Secretary of State talks about the threat to the Good Friday agreement. Can I suggest to him that right now the biggest threat to that agreement and to the peace process is the fact that none of the political institutions in Northern Ireland are operating, and that the North South Ministerial Council is not operating and has not been operating for two years and nine months? Those who brought the institutions crashing down present the greater threat to the political institutions in Northern Ireland. It is all very well saying that we do not trust the Prime Minister. With all due respect, trust has broken down in Northern Ireland not because of the actions of any UK Prime Minister, but because one political party decided to take the ball and walk off the pitch, and will not get back on until it gets its way. That is where the threat comes from.

**Tony Lloyd:** I have some difficult news for the right hon. Gentleman. The disillusionment in democratic institutions stretches across all communities in Northern Ireland, including in his constituency. I talk to those people. Those who want to see Stormont working are desperately worried that the politicians—all politicians from all backgrounds—are not making the necessary progress.

I will conclude, because other Members want to speak. I want to finish by putting some specific points to the Minister. Prorogation has made it difficult for this House to make the decisions it will have to make. We will come back here on 14 October, and between then and 31 October, if we have no deal, we will have 11 sitting days. Some of those will be taken up by the Queen's Speech. The Secretary of State rightly promised the House regular updates. The first will take place before the House returns. We need those updates to be meaningful to reassure not simply this House but the people of Northern Ireland that there is a plan and a strategy to move this forward. We need to know—the Opposition will co-operate with the Government on this—that there is the capacity to make the legal decisions that will be necessary to move the situation forward, but they have to be the right decisions and there has to be dialogue across the Chamber and an exchange of information.

There also has to be—this is really important—a maintenance of the dialogue between Dublin and London, so that when we take action here we know there will be support from the Government in Dublin so that people from all communities can be reassured that a concerted effort is being made to bring this situation to an end.

**Julian Smith:** I thank the hon. Gentleman for the remarks that he has just made, which I think were very responsible. I hope not to have to come back to discuss these matters with him, but I want to put on record my thanks for his comments.

**Tony Lloyd:** I am grateful to the Secretary of State, because I am confident that he meant what he has said. I hope that, between us, we can see a move away from a no-deal Brexit, but in the event that that does not happen, we must ensure that we work together to avoid a catastrophe that would be disastrous not only for the economy but for the people and the future of Northern Ireland.

9.40 pm

**Simon Hoare** (North Dorset) (Con): It was William Gladstone who, in his diary, noted one day that he had “felled a lime” and pacified Ireland.

I think that to many in this place, and indeed in the country, the delivery of the Good Friday agreement was “job done”: devolution had been delivered, and Northern Ireland could be allowed to get on with her own affairs. That is a very lazy attitude, and it worries me. Many Members were present last Thursday when the Secretary of State responded to the urgent question from the hon. Member for Rochdale (Tony Lloyd). The Secretary of State will have heard the concerns that were expressed, and he has heard the concerns expressed today about the dropping, or the non-moving, of motions that were on the Order Paper on the grounds of shortage of time. It is the Treasury Bench that has curtailed the timetable through Prorogation, and I will return to that in a moment, but there is, I think, a growing sense, in the House and elsewhere, that No.10—not the ministerial team—seems to care little, and understand less, about Northern Ireland.

**Maria Caulfield:** I think that that is a very harsh comment. I think that we are all working collectively, across parties, to try to support the people of Northern Ireland while they do not have an Executive.

**Simon Hoare:** My hon. Friend says that it is a harsh comment. She may have read reports in the newspapers today of a senior adviser at No. 10 effectively saying that as far as he is concerned Northern Ireland can fall into the—Members can insert the expletive—sea. That seems to me to suggest a rather lackadaisical approach to these affairs. If we were taking them seriously—and I only wish that my hon. Friend and fellow member of the Northern Ireland Affairs Committee were right—we would have taken far more time over them.

My hon. Friend knows, probably even better than I do, about the increasing complaints, in the Committee and elsewhere, about the ad hoc and emergency nature of legislation governing Northern Ireland. We know from reliable reports of the growing problems in the delivery of healthcare in Northern Ireland, the problems in education, and the need for urgent attention in the

sphere of welfare. We are caught in the trap of no Assembly and the ability of civil servants, on an ad hoc basis, to deliver funds only in the context of pre-agreed political policies.

That is not serving the people of Northern Ireland—and that is before we face leaving the European Union without a deal. I do not comment on the merits or demerits of leaving without a deal, but civil servants will not be able to mitigate or address any pressing social or economic concerns that arise in Northern Ireland in the absence of the Assembly.

We are all very keen to see Stormont back up and running, but while Westminster continues to deliver on the socially progressive policies that Sinn Féin wishes to see, why on earth would Sinn Féin wish to see Stormont restored? It gets two goes for its money because it gets the policies it wants and is able to blame Westminster for effectively declaring direct rule by the back door. That is not a way to deal with fellow citizens, who I, as a Conservative and Unionist, believe to be ranked *pari passu* with me and my constituents.

**Carolyn Harris** (Swansea East) (Lab): I congratulate the hon. Gentleman on his passionate speech. Does he agree that, with the lack of a Government in Stormont, families in Northern Ireland are being disadvantaged because the children’s funeral fund is not available in Northern Ireland, despite the best efforts of local authorities? Parents in Northern Ireland still have to suffer the dreadful burden of covering the costs of their children’s funerals, unlike those in the rest of the United Kingdom?

**Simon Hoare:** I am grateful to the hon. Lady for her intervention and pay tribute to the enormous amount of work she did on that important issue; she knows that she had my support in that endeavour. She points to another example of where, if we are to believe that “Conservative and Unionist”—Unionist is the key bit—is more than just a word on a badge or on the ballot paper we need to step up to the plate to demonstrate that we are serious. She draws proper attention to another issue where ordinary families in Northern Ireland are not able to rely on the support and the interventions of the state that others have. We have an active devolution settlement in Scotland and in Wales and the Westminster Parliament here; it is only Northern Ireland that, apart from a little bit of ad hoc direct rule, is subject to civil service managerial governance, because there is no political impetus.

I say very clearly to the two main protagonist parties, which have the fate of devolution for Northern Ireland in their hands, that if they do not step up to the plate pretty damn soon other parties will point to them and say, “You’ve tried them, they have failed, you now have to give us a chance.”

**Emma Little Pengelly:** If the hon. Gentleman has a discussion with his right hon. Friend the Secretary of State, his right hon. Friend will inform him that the Democratic Unionist party has put suggestion after suggestion on the table. I personally have put forward a number of suggestions. Sinn Féin remains adamant that it is not going back into government despite many genuine attempts by my party to get back in and deliver for the people of Northern Ireland.

**Several hon. Members** rose—

**Mr Deputy Speaker (Sir Lindsay Hoyle):** Order. We have a lot of things to do and a lot of Members want to speak. We also have a maiden speech that I want to get in, because if we do not do it tonight it will be lost.

**Simon Hoare:** I hear what the hon. Member for Belfast South (Emma Little Pengelly) says, and I have much agreement with her, but at some point the patience of the population is going to run out about the “He said, she said, I will, he won’t” and so on. Somebody is going to have to knock heads together or make some progress, and I have every faith in my right hon. Friend the Secretary of State and the Ministers, my hon. Friend the Member for Worcester (Mr Walker) and my right hon. Friend the Member for Ruislip, Northwood and Pinner (Mr Hurd), to drive that forward—with the goodwill of the main parties, knowing full well that they are now in the last-chance saloon.

**Jamie Stone** (Caithness, Sutherland and Easter Ross) (LD): Will the hon. Gentleman give way?

**Simon Hoare:** I will not give way as I want to finish; I have already taken too much time.

We have to find time—I urge those on the Front Bench to listen to this—to make sure that we legislate properly with full scrutiny for our fellow citizens of Northern Ireland: no more ad hoc, no more emergency legislation. If Northern Ireland is a normal part of the United Kingdom, just as my constituency is, it is about time we started treating it in that way, and I have confidence that my right hon. Friend the Secretary of State will do just that.

9.49 pm

**Gavin Newlands** (Paisley and Renfrewshire North) (SNP): First, may I welcome the new Secretary of State to his place, as I forgot to do so the other day? I greatly welcome him to his place; he has a tough job ahead of him.

May I also say that our thoughts tonight are very much with the police and the community in Derry facing petrol bombs? There have been appalling scenes, which nobody in the community or in this House wants to see.

We welcome the publication of this report, the central conclusion of which states:

“The UK Government, working closely with the Irish Government, will now intensify its efforts to put forward compromise solutions to the parties. If that does not succeed, then the Secretary of State’s next update to the House will set out next steps to ensure adequate governance in Northern Ireland and the protection of the Belfast or Good Friday Agreement.”

It states that the Government will now intensify their efforts, but there should be no opportunity to intensify those efforts. The Government should be acting at full capacity and beyond to ensure Stormont’s restoration. A return to direct rule would seriously undermine years of progress and successive political agreements, and the threat of direct rule risks undermining the talks on restoring the devolved Assembly. The reckless Brexit position taken by this Government is now the central instability preventing the return of power sharing. Only a

restored Government in Stormont will be capable of delivering on the priorities and needs of the people of Northern Ireland.

**Jamie Stone:** Will the hon. Gentleman give way?

**Gavin Newlands:** I am sorry, but I will not give way, because Mr Deputy Speaker has already made it clear that a number of speakers are waiting to speak—we have not heard from the Democratic Unionist party yet—and we have only about half an hour left for the debate. So, apologies, but I will not be taking interventions.

It was revealed last week that the Prime Minister did not even consult the new Secretary of State before his decision to prorogue Parliament. That decision will have significant consequences for implementing the Northern Ireland budget, which is key to delivering essential public services. The new Secretary of State has also strongly indicated that, in the continued absence of a Government at Stormont and with Brexit requiring significant Executive direction, a return to some form of direct rule will be required. This expectation was confirmed by the right hon. Member for Aylesbury (Mr Lidington), who has advocated the return of some form of direct rule in the context of a no-deal Brexit.

This year marks 50 years since the beginning of the troubles, and it would be reckless beyond belief to undermine that progress with a return of direct control and decisions on Northern Ireland being taken in Westminster. This is particularly true given the current absence of any Irish nationalist voice in this Chamber. A return to direct rule would also undermine previous political and peace agreements made between the two Governments and the political parties. As part of the St Andrews agreement, which paved the way to restoring devolved government in 2007, it was agreed that the Northern Ireland Act 2000, which returned direct rule, would be repealed. Therefore, to suspend devolution and impose direct rule again will require new primary legislation. It is clear that, to protect the delicate balance of relationships that exists in Northern Ireland, the UK Government must fully consult and agree a joint strategy with the Irish Government before taking any steps that would further undermine stability. As joint guarantors of the peace agreements since the Good Friday agreement in 1998, this is their joint responsibility, and unilateral approaches must not be initiated.

On Brexit, the progress report fails even to mention the impact that Brexit has had on efforts to restore Stormont, yet it is blindingly obvious that the threat of Brexit and the disruption it has caused and will cause to the carefully crafted equilibrium in Northern Ireland is undermining efforts to restore a Government. That has been exacerbated by this Government’s pursuit of a devastating no-deal Brexit, as was confirmed only yesterday by the former Work and Pensions Secretary. Already, we are seeing that impact. The Northern Ireland economy “has entered or is entering recession”,

according to a survey by Ulster Bank. It suggests that Brexit-related uncertainty underpinned the fall in private sector output in August and that this is just a taste of things to come.

A leaked document from the Department of Health has outlined the potentially devastating consequences of a no-deal Brexit on the NHS in Northern Ireland. Among the issues included in the list of “reasonable



worst case” scenarios are shortages of vaccines and medication, including some cancer therapies; difficulties running the children’s heart surgery service; and more than 1,000 NHS employees being unable to get to work or quitting their jobs.

The Taoiseach revealed last week that checks would be required close to the border if a no-deal Brexit were to happen. Both the European Union and the American Congress have indicated that such a development would undermine the peace process, which they were major players in bringing about and supporting since the early ’90s. A leaked analysis and summary produced by the alternative arrangements groups established to figure out a replacement for the backstop protocol confirmed that at present there is no deliverable alternative available. Furthermore, the Taoiseach discussed the issue of a Northern Ireland-only backstop with the Prime Minister at their meeting this morning. If a differentiated deal can be reached that enables Northern Ireland in effect to remain in the single market and customs union, the same deal must be available for Scotland.

The Taoiseach did not miss and hit the wall in his exchange with the Prime Minister today. Most cutting was his promise to be the UK’s friend—its Athena—as it faced the Herculean challenge ahead. It is unclear whether the Prime Minister actually understood the reference that the Taoiseach was making, but it is clear that the lack of government and political direction is inevitably deepening the crisis in Northern Ireland’s public service budgets and their capacity to deliver for the people of Northern Ireland. New Institute for Fiscal Studies analysis shows that, amid a worsening crisis in education, Northern Ireland has seen an 11% real-terms cut per pupil in school spending since 2009, and the latest hospital waiting times reveal that 300,000 people in Northern Ireland are waiting for a first appointment with a consultant.

Only a functioning devolved Government are capable of tackling such crises. They cannot be left to a dysfunctional and uninterested UK Government. That prospect should and must give a renewed impetus to the parties involved in the talks to come to a compromise that rewards all the communities in Northern Ireland through the return of a local Government. Previous talks have overcome divisions much greater than the issues currently blocking progress, so coming to a quick and sustainable agreement in the time ahead must not be viewed as impossible.

9.55 pm

**Mrs Maria Miller** (Basingstoke) (Con): My right hon. Friend the Secretary of State for Northern Ireland is absolutely right that the best way to deal with the vast majority of the issues in these reports is through a re-established Northern Ireland Executive and Assembly. He is also right that many of the provisions were not penned by this Government, so it is difficult to respond to them all in the way that the Members who tabled them might want. However, there is a particular urgency around dealing with the issues regarding access to abortion. I gently remind the Secretary of State of the report published by my Women and Equalities Committee in April, which made wide-ranging recommendations after having spoken to many people on the ground in Northern Ireland, many political parties and many organisations. Opposition Members are absolutely right to say that

there is a huge cross-section of views on the issue in Northern Ireland, which is why it would be better for them to be dealt with locally.

I will make two short points. First, the chief medical officer for Northern Ireland told my Committee directly and in public that doctors are not currently able to fulfil their duty of care to patients in Northern Ireland in cases of fatal foetal abnormality. Not all abortions are connected with fatal foetal abnormality, but we are expecting women in some situations to continue pregnancies when they know that their babies are going to die. I would not want that for any member of my family, for any of my constituents, or for any other resident in the United Kingdom, so that has to change. It cannot be acceptable to the UK Government that a chief medical officer is saying that doctors are unable to fulfil their duty of care. The law has to change, even if just for this particular issue, and, in line with the amendment from the hon. Member for Walthamstow (Stella Creasy) at previous stages of this Bill, a broader amendment would be preferable.

Secondly, this is not just about the legal framework. Abortion has been readily available in Northern Ireland for just a handful of people in recent years, so there has been a significant loss of professional expertise and services on the ground. If the law is to be changed in March next year, as is currently outlined in statute, significant work must be done at all levels of the health service in Northern Ireland to ensure that it can deliver on what will be a coherent law at that stage. I know my right hon. Friend the Secretary of State would not allow anything else to happen.

Finally, how will the Secretary of State ensure scrutiny of those who will be developing the services necessary to implement the law as it will stand in March of next year or as it will stand when a Northern Ireland Executive come into place? Of course, if an Executive are in place, the Assembly can scrutinise matters, but if one is not, will my right hon. Friend please think carefully about how to ensure that things work properly? Perhaps the Northern Ireland Affairs Committee here in Westminster could do that scrutiny, or perhaps he could set up a panel of interested parties, but that is not something that he can leave hanging.

9.59 pm

**Nigel Dodds** (Belfast North) (DUP): I will be brief because I know many Members want to get in, although there are many things I could say. I agree with what has been said about the curtailing of this debate. Some of these issues are extremely important, but nothing is more important than the victims of violence and historical institutional abuse in Northern Ireland. It is madness that we have ended up in a situation where other matters are being debated and these are not. It is just wrong, and the Government should look to themselves for how this has come about. People have talked about putting responsibility on to others, and it is easy to blame the Standing Order No. 24 debates, but the Government had choices to make and, unfortunately, these are the choices they made.

A volume of work needs to be done to address these issues in Northern Ireland, and powers need to be taken. People have complained about the impact of Prorogation. Quite frankly, this House has had months, if not nearly three years, to take responsibility and do something about some of these issues.

[Nigel Dodds]

Democratic Unionist Members have been raising the need for decisions to be made across a range of issues in Northern Ireland, and, as the Secretary of State knows from his previous job, we have constantly pressed for decisions to be made on health, education, infrastructure, housing, investment and the other crucial issues we are debating tonight. We have constantly asked for this House and its Members to take responsibility and treat the people of Northern Ireland properly in the absence of devolved government.

It was a deliberate part of both Government and Opposition policy that the decision was taken—these are important matters to people in Northern Ireland—not to take any powers and not to make the necessary moves. People talk about who should take responsibility, but it is a bit late now, in the teeth of Prorogation, to complain about lack of time. People had plenty of time before now to do something about these matters, but they decided not to.

In time, when we come to the issue of necessary powers being taken in the event of the Assembly not being restored, I make it very clear to the Secretary of State—he knows this—that the institutions in Northern Ireland and the operation of devolved government are a strand 1 issue for Her Majesty's Government and the parties in Northern Ireland, and we fully expect that the three-strand approach will be respected.

When the shadow Secretary of State talks about dialogue between the Government, the parties and Dublin, let us be very clear that, on the issue of the powers here if the Assembly is not restored, this is a matter under strand 1 for the Government and the parties in Northern Ireland exclusively. Strands 2 and 3 are different, but strand 1 is very clear. That was agreed and has been the case for the past number of decades.

Of course we want to get Stormont up and running, and we are fully committed to it. As the Secretary of State noted, Arlene Foster proposed more than 18 months ago to get the Assembly up and running to deal with these important matters, without prejudice to the issues that Sinn Féin elevated after agreeing a programme for government that did not include some of the issues that now prevent the restoration of Stormont. She offered to restore the Assembly on a time-limited basis to deal with some of these pressing issues, and it was rejected by Sinn Féin almost within half an hour. It was not even given proper consideration.

We want the Assembly to be restored but, as some of my hon. and right hon. Friends have pointed out, the incentives for getting it done have been completely switched. People on the Sinn Féin side are very content to sit back and wait until the deadline runs out, because that will achieve some of their objectives.

Some people in this House, when it comes to Brexit and Northern Ireland, simply do not know how to negotiate. They actually hand over the incentive for the other side to sit tight, and then they complain about the consequences to the Members who actually take their seats here. The fact that Sinn Féin are not here tonight is a demonstration of one of the problems we face in Northern Ireland. They boycott this place, they boycott the Executive and they boycott the Assembly, and then we are told it is all the fault of one party or the other parties, and all the rest of it.

We will continue to work with the Secretary of State in the coming days and weeks—he knows this—to try to get the Assembly up and running but, as my hon. Friend the Member for Belfast South (Emma Little Pengelly) indicated, we have made proposal after proposal, and they have been rejected. We will continue to work at it, however, because we know the importance of restoring the Assembly and the Executive, especially in the run-up to Brexit. Again, we will continue to work with Her Majesty's Government on that issue, to achieve a deal—to achieve an outcome where people can be satisfied that the objective of leaving the European Union in a sensible way that works for the whole of the United Kingdom is achieved, and so we do not undermine the economic integrity or constitutional position of Northern Ireland.

People talk about respect for the Belfast agreement, but that works two ways. Not only does it work in terms of a north-south border, but we must not implement an east-west border between Northern Ireland and the rest of the United Kingdom. I am very glad that the Government have recognised, as reflected in a letter to Donald Tusk that the Prime Minister sent in August, that not only is the backstop anti-democratic, in the sense that laws will be made for Northern Ireland over which Stormont, even if restored, would have no say, and no one here would have any say—Northern Ireland would be obliged to accept whatever was handed down in law by the European Commission or the European Council through appropriate procedure—but it is contrary to the basis of the Belfast agreement. That basis is the consent of both communities that while we respect the institutions north-south, we cannot undermine the position that Unionists adhere to, which is that we have a single market within the United Kingdom where most of our trade is done. We simply ask for a fair and balanced deal.

I wish to bring my remarks to a close earlier than I otherwise might have, because of the shortage of time. However, I want to say something to the Secretary of State. He is aware of the demonstrations and the silent, dignified marches and walks that took place in Belfast on Friday and Saturday, when tens of thousands of people turned out on the streets to demonstrate their concern about the way in which this House has undermined the devolution settlement when it comes to abortion by having this imposed without any proper consultation whatsoever. They remain concerned about how the consultation may be carried out and they simply want their rights to be respected.

In closing, may I urge the Secretary of State to continue to work with us, the Belfast MPs, particularly on the future of the Harland and Wolff shipyard in Belfast. He has talked about the lack of powers in Northern Ireland, but there are powers at a UK level that can be used to ensure the future of this great historic shipyard and the fantastic workers there. I pay tribute to the work that has been done by my hon. Friend the Member for Belfast East (Gavin Robinson) in that regard.

Finally, I wish to talk about the Northern Ireland Hospice, in my own constituency, which is an excellent and fantastic institution that we in the Democratic Unionist party and in Northern Ireland were happy to ensure was able to be rebuilt, through the Northern Ireland Executive, with £2.1 million given to that, as well as another cocktail of funding. We want to see that

rescued from its current predicament, and the Chancellor of the Exchequer mentioned it in this speech. We want to see the Secretary of State work with us; perhaps he would meet me to discuss what can be done to take that forward. However rushed and short this debate tonight, I hope he will take on board the strength of feeling that exists on these Benches on these issues.

10.7 pm

**Fiona Bruce** (Congleton) (Con): Ministers will understand that I am disappointed that we have been unable to discuss the reports on human trafficking and gambling this evening, given that they were reviewed as a result of amendments that I tabled to the original Bill. I would therefore appreciate an assurance from Ministers that these things will be debated in this House at the earliest possible date.

Turning to the abortion law review, I was surprised at its brevity, given that it represents a seismic change to the law in Northern Ireland, one that, as we have heard, led to tens of thousands of people marching on Stormont and in central Belfast in recent days. It is my fervent hope that any change to the law on abortion, a sensitive devolved issue, as the Secretary of State has said, could be taken forward by a restored Northern Ireland Executive. However, if that does not happen, and we have to be realistic about this, and an Executive are not reformed by 21 October, the people of Northern Ireland will find themselves in a situation where the provision of abortion, from conception up until the point of viability, which could be as far as 28 weeks, will take place in a complete legal vacuum from 22 October, with no guarantee that anything will be put in place until 31 March 2020. That is unacceptable. It means five months when there will, in effect, be no law regulating abortion at all in Northern Ireland—as I say, these are abortions taking place from conception until just before a baby is capable of being born alive. I said that we should not rush through this legislation when it was originally debated and now we see the results.

This country has all manner of statutory checks to protect women, including the need for clinics to be vetted and registered, none of which will exist in Northern Ireland. How is that good for the health of women in Northern Ireland? I have heard it suggested that the bodies of the relevant health professions will self-police in the interim, but that is simply unacceptable.

I believe that this House has failed the people of Northern Ireland in this Act. The Bill was rushed through, in dereliction of our duty to review legislation. We spent only 17 minutes debating the actual text of clause 9 when it returned from the Lords, which places on Northern Ireland a more permissive abortion regime than obtains in this country. It is unacceptable that there should be a five-month period during which abortions can take place in a legal vacuum, which is something I suspect most hon. Members were completely unaware of until tonight. I believe it is absurd to remove a law five months before we are required to put a new law in its place.

**Jim Shannon:** Does the hon. Lady share my view that if we had had the Abortion Act 1967 in Northern Ireland, 100,000 children would not be alive today? What we have in Northern Ireland is the acceptable

thing to have, and the people of Northern Ireland are saying that they do not want to see that change—some 60% say that they want no change whatsoever.

**Fiona Bruce:** I thank the hon. Gentleman for that intervention.

I have a few questions for the Minister. First, could he give more detail on the five bullet points on page 25 of the review, which give inadequate information on some really key issues, such as the scoping of how best to deliver the regulations? One line on that is insufficient, given that we are only 40 days away from 22 October, and on a matter of such gravity.

Secondly, given the uncertainty over the new framework, how is the health and safety of women in Northern Ireland going to be protected during the five-month period? Thirdly, will the lack of regulation from 22 October mean that Northern Ireland is not compliant with the Istanbul convention's requirement for an offence of forced abortion? This is serious. The whole point made by those in the Opposition who brought this measure forward was that there were human rights concerns. This is a human rights concern.

Fourthly, can the Minister confirm whether, as a matter of law during this interim period—I do not say that it is likely—it might be possible for abortions to take place up to 28 weeks in Northern Ireland? Fifthly, although the report mentions clarity for the medical professions, can he say how the Government will engage with them? Finally, will he be seeking advice from the Attorney General of Northern Ireland, as he will be from the Northern Ireland Human Rights Commission?

**Several hon. Members** *rose*—

**Mr Deputy Speaker (Sir Lindsay Hoyle):** Order. We will now hear a maiden speech. I remind Members that no interventions are allowed.

10.12 pm

**Lisa Forbes** (Peterborough) (Lab): Thank you, Mr Deputy Speaker, for the opportunity to deliver my maiden speech. Today's debate on Northern Ireland is an appropriate one, reminding us how important our democracy is and our role as Members in defending the rights of our citizens.

Hon. Members will know the circumstances of my election, but I want to place on the record that my predecessor, Fiona Onasanya, made a great difference to the lives of many of my constituents through her hard work.

Just as my predecessor was a black woman when there are too few here, I know that my working-class background is all too unusual too. In researching for this speech, I found that since 1918 Peterborough has had six Conservative MPs. Between them they had five peerages and three knighthoods: there were three barons, two baronets, a marquess, a viscount, an earl and a Knight Commander of the Order of St Michael and St George—like our football team, they could simply be known as The Posh. One of my predecessors also achieved an Olympic gold medal, inspiring a famous scene from the film "Chariots of Fire". I suspect that my chances of achieving that are about as good as my chances of receiving any of those other titles. I do hope that anyone growing up in Peterborough today can look at me and

[Lisa Forbes]

my predecessor and know that, whatever their gender or class, race or religion, they deserve the opportunity to succeed, because we are a diverse city and our representation should be so, too. That word is important to me; it is our duty to represent and to understand the lives of our constituents and to change them for the better. That is politics at its best.

It was back in 1790 that Parliament legislated for an Improvement Commission for Peterborough, responsible for paving, cleaning and lighting the streets. Now we are centuries on, yet, after a decade of austerity, we face similar challenges. Research from the Library shows that, in the decades since 2010, our city has lost more than a third of its Government funding. Austerity has gone further and faster than ever before. Even the Thatcher Governments never dared to cut the police, yet now residents tell me of cases where crimes are not investigated, so short of numbers are the local police.

As a Member of this House, it is my job to make the law, but what use are those laws if they are not enforced? I campaigned on local issues, but these are national issues too. How can any of us rest easy knowing that there are families without homes, children without food and services without proper funding? Even working people are forced to use food banks or survive on zero-hours contracts. I represented working people as a trade unionist, and I intend to do so again here, because, despite the damage that austerity has done, Peterborough remains a city that I am proud to represent.

We have a rich history: a Norman cathedral with the finest medieval painted ceiling in Europe. Part of our international links go back to the Romans, who settled the Nene Valley in the first century, to the Saxons who settled Meadow Homestead, to the monks who built the abbey and to the Danes who arrived to plunder it and later settled themselves. Over centuries, we have made and traded products from bricks to wool, built a cathedral and buried Mary Queen of Scots and Catherine of Aragon. We then became a new town with new industries.

I worked in a travel agency—another trade that gave the city many of its jobs. Now we have a mix of the agricultural, the industrial and the new services of our time. A Labour Government built social housing for the people on a grand scale and ensured that houses were available at a reasonable price. The Peterborough Development Corporation planned for the health and welfare of local people who benefited from community schools, the country park at Ferry Meadows and a public library. We need to rediscover our country's ability to make things and to make things work, because, beyond our history, geography or industry, it is above all the people of Peterborough who will be my great passion.

Of all the speeches I researched, I was struck by Keir Hardie's in 1901 in which he said that

“the true test of progress is not the accumulation of wealth in the hands of the few, but the elevation of the people as a whole.”

I, too, promise to work for the people as a whole, and I will do everything in my power to succeed.

10.18 pm

**Mr Owen Paterson** (North Shropshire) (Con): It is a great pleasure to follow the hon. Member for Peterborough (Lisa Forbes). It is never an easy thing to give a maiden

speech, particularly in an atmosphere such as the one that we have this evening. I offer her my heartiest congratulations. She skilfully held the attention of the House and whatever the result of the vote later on this evening, I think we probably all wish her well for the future.

I will be very brief as I know that others need to get in. Very quickly, I would like to restate the fact that every single Member of this Chamber supports the Belfast agreement, which was the result of a long peace process. We would love to see the institutions up and running, but we should never forget that that peace process and that Belfast agreement could never have come about without the conditions created by the extraordinary professionalism, skill and courage of the hundreds of thousands who served in the British armed forces, the British security services and the RUC.

I will touch very briefly on the question of the prosecutions of veterans, which was mentioned by the Secretary of State and the shadow Secretary of State. I have been going to Northern Ireland for many years and continue to go there regularly, and I have not yet met a single member of the security forces or armed forces who would like to see an amnesty. They put their lives on the line 24 hours a day to maintain the rule of law in order to ensure that those who believed in pursuing their political aims through peaceful and legal means prevailed, and they do not want an amnesty; they do not want to be on the same level as those terrorists who had an absolutely hideous refusal to respect the rule of law and who pursued their aims by violent criminal acts.

May I therefore ask the Secretary of State and, above all, the shadow Secretary of State: first, not to change any laws, but to ensure that no further prosecutions can come about unless there is categorically new evidence, because it is wrong to pursue these old veterans time and again when there is no new evidence; and secondly—a very key question—to guarantee, by working together, that the framework requires a senior lawyer to guarantee that there will be a fair trial?

10.21 pm

**Emma Little Pengelly** (Belfast South) (DUP): It feels somewhat absurd that there is so much to say today regarding the reports, but so little time in which to say it. It is deeply frustrating because the people and representatives of Northern Ireland have so many things that they need to air and discuss, and that is being denied. We are currently in a situation of political turmoil across the United Kingdom, but that turmoil and turbulence are even worse in Northern Ireland due to the fact that there are no Northern Ireland institutions.

I want briefly to reiterate the offer that the Democratic Unionist party has made to Sinn Féin. Because of the exceptional circumstances that we find ourselves in, that offer is to go back into government immediately, not just with blind faith, but by agreement that we will enter into government and discuss the issues that we are currently discussing in this talks process and cannot get resolution on; and that, by agreement, if there is no resolution, then the institutions will fall. That offer is there to Sinn Féin, and we ask all political parties to urge them to take it.

There is no risk in the offer for Sinn Féin. We could get back into government, get on with talking about these issues and deal with the historical institutional abuse payments, the much-needed funds for severely injured victims, health, education and the real policies having an impact on people across Northern Ireland every day. That is the offer and I believe that it is an absolutely reasonable one. I ask Sinn Féin to consider it seriously, and everybody in this House and beyond to urge them to take it up. We live in exceptional times; we should be doing something exceptional to try to resolve the situation.

10.23 pm

**Stella Creasy** (Walthamstow) (Lab/Co-op): All Members in this Chamber would like to see the Stormont Assembly restored, but we tabled these self-executing clauses because we recognised that the human rights of the people of Northern Ireland should not be abandoned in the face of political indecision. It now falls on us to hold the Secretary of State to account for how he is enacting the provisions. We are 35 days away from the possibility that these clauses will become law, so will he give us some more detail? In particular, he talks about consultation. Can he confirm whether there is going to be public involvement in that consultation? It is really important for this House to be clear that, just as we would not ask non-medical professionals to consult on how to conduct a vasectomy, we should not do so when it comes to an abortion.

We also need to understand the Secretary of State's timeline. I agree with the concerns raised across the House about the interim period, and about what will happen when we decriminalise sections 58 and 59 of the Offences Against the Person Act 1861 on 22 October if the Assembly is not reconstituted. I note that the Infant Life (Preservation) Act 1929 will remain in place, so the idea that there will not be any regulation at all simply is not true. We must deal with fact, not scaremongering, in this debate. But still, can he confirm that he is talking to the royal colleges—the actual medical experts? He says in the report that there is a cross-departmental Government body. Who is on that body and what is their remit? He talks about talking to the Northern Ireland Human Rights Commission, but it is the Equality and Human Rights Commission that would have any jurisdiction in terms of that consultation, so when has he spoken to it?

With 35 days to go, what is the Secretary of State's message to women in Northern Ireland who will need an abortion on 22 October, whether because they have a fatal foetal abnormality, are a victim of rape or incest, or simply do not want to be forced to continue an unwanted pregnancy? How will he make these reports CEDAW-compliant? His own report says that there is not a clear path. Will he tell us a bit more about how he is going to set that out and what international models he is looking at? Above all, can he give us the confidence tonight that when he is managing this interim process, the mother of a 15-year-old girl who is facing a prosecution because she got abortion pills for her daughter who was in an abusive relationship will not face prosecution from 22 October? If we do one thing in this House this evening that is constructive, let us take the stress and pressure off that family.

The Government said that they wanted more time. That is why they amended this clause in the House of Lords. Everybody here has talked about the importance

of dealing with that interim period. It will not be dealt with by law; it will be dealt with by regulation. So will the Secretary of State set out precisely what regulations he is looking at now so that when we get to that 35-day period we can shorten it and give everybody here comfort that the human rights of the women of Northern Ireland will continue to be upheld?

10.26 pm

**Jim Shannon** (Strangford) (DUP): I would like to speak briefly about the abortion component of the report. I am still aghast at what section 9 of the Executive Formation Act proposes. In Northern Ireland we have developed the different approach to abortion that robust statistical research suggests means that about 100,000 people are alive in Northern Ireland today who would not be had we embraced the Abortion Act 1967. One hundred thousand lives is a lot of people. In this context, it is no great surprise that our approach has clearly helped.

The democratically elected Northern Ireland Assembly considered this matter as recently as 2016 and voted not to change the law in any way. It is no surprise that on 9 July every Northern Irish Member who takes their seat in Westminster voted against an attempt to overturn our law. However, what is particularly shocking, and what is brought out clearly in the report before us today, is something I do not think, with great respect, dawned on most Members of this House when we asked to consider what was then the entirely new clause 9 on 18 July—that it was not present in the provision we debated on 9 July. What is now section 9 does not just overturn our legal tradition; quite astonishingly, it does not require anything to be put in place for five whole months. That goes against what the hon. Member for Walthamstow (Stella Creasy) said.

If the Northern Ireland Assembly is not restored by 21 October, then on 22 October all our law governing will disappear until the point at which a child is deemed incapable of being born alive. I want to put it on record that 60% of those surveyed in a national opinion poll in Northern Ireland said that they did not want any change. I am asking the House today not to make this change against the wishes of the people of Northern Ireland. We had a rally at Stormont where almost 30,000 people walked to retain the rights of the unborn baby in the womb. That has to be preserved.

10.27 pm

**Ian Paisley** (North Antrim) (DUP): It is a matter of profound regret that the Secretary of State has not been able tonight to introduce legislation to this House, as promised, on the institutional historical sex abuse cases. In a letter that he sent to members of the Northern Ireland Affairs Committee no later than 6 September, he indicated that he would be seeking to make swift progress. If this is swift progress, I would hate to see slow progress. Members of Survivors Together have already responded that this is an appalling disgrace, and other victims' groups have indicated how disappointed they are. The hon. Member for Walthamstow (Stella Creasy) quite rightly said that she wanted to have detail about issues to do with abortion legislation. It is right and proper that the House gets the detail and that Members see for themselves the stark reality that comes into play from the end of October this year. I would like

[Ian Paisley]

to ask the Secretary of State, who will be performing abortions in Northern Ireland? Under what rules will they be performed?

10.29 pm

*One and a half hours having elapsed since the commencement of proceedings on the motion, the Deputy Speaker put the Question (Standing Order No. 16(1)).*

*Question agreed to.*

*Resolved,*

That this House has considered the Report pursuant to Sections 3(1), 3(6), 3(7), 3(8), 3(9) and 3(10) of the Northern Ireland (Executive Formation etc) Act 2019 - regarding Executive formation; transparency of political donations; higher education and a Derry university; presumption of non-prosecution; Troubles prosecution guidance; and abortion law review, which was laid before this House on Wednesday 4 September.

## PARLIAMENTARY BUILDINGS (RESTORATION AND RENEWAL) BILL (PROGRAMME) (NO. 2)

*Motion made, and Question put forthwith (Standing Order No. 83A(7)),*

That the following provisions shall apply to the Parliamentary Buildings (Restoration and Renewal) Bill for the purpose of supplementing the Order of 21 May 2019 (Parliamentary Buildings (Restoration and Renewal) Bill (Programme)):

### *Consideration of Lords Amendments*

(1) Proceedings on consideration of Lords Amendments shall (so far as not previously concluded) be brought to a conclusion one hour after their commencement.

### *Subsequent stages*

(2) Any further Message from the Lords may be considered forthwith without any Question being put.

(3) The proceedings on any further Message from the Lords shall (so far as not previously concluded) be brought to a conclusion one hour after their commencement.—(Iain Stewart.)

*Question agreed to.*

## Parliamentary Buildings (Restoration and Renewal) Bill

*Consideration of Lords amendments*

### Clause 2

THE PARLIAMENTARY WORKS SPONSOR BODY

10.29 pm

**The Parliamentary Secretary, Cabinet Office (Kevin Foster):** I beg to move, That this House agrees with Lords amendment 1.

**Mr Deputy Speaker (Sir Lindsay Hoyle):** With this it will be convenient to consider Lords amendments 2 to 12.

**Kevin Foster:** Given the wide consensus that the Bill has attracted, I do not propose to go on too long—[HON. MEMBERS: “Hear, hear!”] It is nice to be liked. The Government committed to bring the spirit of several amendments that were supported in this House on Report to the other place, with appropriate wording and at the appropriate place in the Bill. We are pleased that these amendments were also supported in the other place and are now included in the Bill. They include an amendment on heritage, which was brought forward by my hon. Friend the Member for East Worthing and Shoreham (Tim Loughton) and requires that, in exercising its functions, the Sponsor Body must have regard to the special architectural, archaeological and historical significance of the Palace of Westminster.

As agreed in the House, the Bill now places a duty on the Sponsor Body to require the Delivery Authority, when considering the awarding of a contract in respect of the carrying of the parliamentary building works, to have regard to the prospective contractor’s policy relating to corporate social responsibility and their policies and procedures relating to employment, including in relation to the blacklisting of employees. I am especially grateful for the collaborative approach and constructive contribution of the hon. Member for City of Chester (Christian Matheson) in formulating that amendment.

The Bill now provides that the reports prepared by the Sponsor Body must be laid before Parliament and must include information about persons to whom contracts in respect of the carrying out of the parliamentary building works have been awarded, in particular with regard to their size and the areas in which they operate. I am particularly grateful to the hon. Member for Hackney South and Shoreditch (Meg Hillier) for her collaboration in formatting that amendment.

Lastly, in exercising its functions, the Sponsor Body must now have regard to the need to ensure that opportunities to secure economic or other benefits of the parliamentary building works are available in all areas of the United Kingdom. I would particularly like to thank the hon. Member for Airdrie and Shotts (Neil Gray) for collaborating on that amendment and for his work as a member of the shadow Sponsor Body.

I am sure that the House welcomes the fulfilment of the Government’s commitments to the House that these amendments would be included in the Bill at the appropriate place and appropriately drafted. Other amendments passed in the Lords and are now included in the Bill, and I consider that they echo the will of the House,

particularly as they build on the recommendations of the prelegislative Joint Committee. There are also minor technical amendments that ensure consistent references to the parliamentary building works in clause 2(5).

In summary, the Bill has benefited from close scrutiny both by the Joint Committee and during its passage through both Houses. I hope the House, having considered the amendments passed in the other place, will concur with them and support the passing of the Bill as it stands, so that we can progress with these important works and secure the home of this United Kingdom Parliament for future generations.

**Valerie Vaz** (Walsall South) (Lab): Mr Speaker, may I start by paying tribute to you and your excellent role as Speaker? I was one of the people who dragged you to the Chair, and you have been outstanding. I will come on to your role with the Education Centre. You have been a stalwart in terms of equality. In your efforts to help me in my role as shadow Leader of the House, you have been exemplary. I will miss business questions, and particularly your jibes at us all. Thank you for everything you have done to uphold the parliamentary system; it has been very good. [*Interruption.*] That was for you, Mr Speaker.

I thank the Minister for bringing the Bill back to this House, and I thank all Members who have taken part in the debates on restoration and renewal. I am pleased that the Bill has come back, and I want to pay tribute to the right hon. Member for Aylesbury (Mr Lidington), who started the push to move the restoration and renewal Bill forward. I want to deal with the amendments—it is important to get them on record—in three chunks, one relating to the Sponsor Body, one to the physical aspects and one to the future.

We have the Sponsor Body, which will be a single client on behalf of both Houses, and that is a good way of working. It will form the Delivery Authority as a company limited by guarantee. Amendments 10 and 12 require the Sponsor Body to lay its reports before Parliament. One of the key things that Members wanted was the accountability of the Sponsor Body to Parliament, and the amendments will ensure that. Amendment 11 will ensure that we know about all the contracts that are awarded to different companies and the people who operate around the estate.

Amendment 1 is fairly important because it is about having regard to the prospective contractor's policy relating to corporate social responsibility and the prospective contractor's policies and procedures relating to employment, which is about the blacklisting of people. Many lives have been destroyed by people being blacklisted and not being allowed to take part in contracts. That is extremely important, and I want to thank my hon. Friend the Member for City of Chester (Christian Matheson) for ensuring that this has been passed.

Amendment 9 will require the Sponsor Body, in exercising its functions, to have regard to the need to ensure that there are opportunities to secure economic or other benefits throughout the United Kingdom. That is key, certainly on our side, and it is one of the reasons why we support this Bill wholeheartedly. We wanted to make sure that any benefits were not just confined to one part of the United Kingdom, but go to the whole United Kingdom.

As the Minister said about the physical parts, it is important to ensure that the historical, archaeological and other significance of Parliament continues. That is covered by amendment 8, remembering that it was 900 years ago when the Anglo-Saxons were first involved in this place—and some of them might still be here.

Amendment 5 seeks to ensure that, after the completion of the parliamentary building works, all parts of the estate are accessible to people with disabilities. I know that the hon. Members for Airdrie and Shotts (Neil Gray) and for East Worthing and Shoreham (Tim Loughton) were involved in this, and they certainly raised it on Third Reading. If we look at what happens at York Minster, we know we can combine accessibility for people with disabilities with keeping up the building's historical significance.

As to the future, amendments 4 and 6 strengthen the reference to parliamentary building works in relation to ensuring the safety and security of staff and the public, as well as in relation to the education facilities. Amendment 7 secures your legacy of the Education Centre, Mr Speaker. It makes sure that Parliament's education and outreach facilities and programme are ensured and that they become a core part of the parliamentary estate and provide a benefit in a greater understanding of Parliament and our democracy. My hon. Friend the Member for Glasgow North East (Mr Sweeney) mentioned the craft school in Scotland. I know that Historic England is aware of it and wants to carry on with this, which could be an outstanding way to ensure that all our crafts—ancient and modern—are secured for our future.

Amendment 2 will place a duty on the Sponsor Body to promote public understanding of the purposes of the restoration and renewal programme, and amendment 3 will ensure that the views of Members, staff and the public are at the front of the Sponsor Body's mind. Everyone across the nation should feel a part of this project, because this place is in the heart of the nation. We do not have a deadline, as the Olympic Delivery Authority did, so the important part is that we make sure there is a deadline, as Members' tolerance and the public purse are not elastic. However, I again join the Minister in saying that it is important that this is all secured for future generations, and we support the Bill.

**Mr Speaker:** I am extremely grateful to the hon. Lady.

**Patrick Grady** (Glasgow North) (SNP): I will also be very brief. I, too, want to take the opportunity to pay tribute to you, Mr Speaker, following the announcement you have made. You were a huge source of support and encouragement to all of us elected as SNP MPs in 2015, and particularly to me since becoming the Chief Whip. I remember being admonished back in 2015 for clapping in the Chamber, but that reform seems to be progressing forthwith. Of course, you have been a reforming Speaker, and as the Labour shadow Leader of the House said, much of R and R will be a way to secure the legacy of some of the reforms in making this place much more family friendly and much more accessible. Perhaps, in the tradition of the rooms in Portcullis House, there will, in the restored and renewed Parliament, be a Bercow room, in which people can reflect on that legacy.

The SNP has always recognised the need for reform and renewal of Parliament. We have our own views about how much money should be spent and where Parliament

[Patrick Grady]

should be located, but we accept the progress that the Bill has made. My hon. Friend the Member for Airdrie and Shotts (Neil Gray) has been a member of the shadow Sponsor Board and has engaged significantly on this Bill, including helping to secure what has become Lords amendment 9, which we welcome, so that the money that is spent will benefit the whole United Kingdom and its constituent parts. He cannot be here today, because this morning his wife, Karlie, gave birth to twins—Emmie and Freya—and we congratulate him. I hope that under the proxy voting rules that means that I am entitled to cast two votes on his behalf when we return after Prorogation. We hope that those young girls will grow up in an independent Scotland, and we look forward to their being able to visit the House of Commons once it has been renewed.

The biggest question on everyone's lips is whether the revised and renewed Chamber will include reclining chairs for the likes of the Leader of the House and, indeed, my hon. Friend the Member for Central Ayrshire (Dr Whitford), who need to make themselves comfortable. We therefore look forward to the Bill's progress to Royal Assent and the speaking of Norman French later this evening.

*Lords amendment 1 agreed to.*

*Lords amendments 2 to 12 agreed to.*

## Points of Order

10.41 pm

**Stephen Doughty** (Cardiff South and Penarth) (Lab/Co-op): On a point of order, Mr Speaker. *[Interruption.]* I have become aware in the past few hours that the Government are already seeking to circumvent the terms of the motion that the House agreed earlier about the release of documents relating to Prorogation and Operation Yellowhammer. Mr Speaker, would you be able to advise us how we can find out how those papers can be laid in this period? There are a number of ways in which the Government can do so, including the publication of Command Papers and release on websites. Given that the House passed the motion with a majority, the Government should release the information.

**Mr Speaker:** I am grateful to the hon. Gentleman. I am sorry that one or two people, in response to the hon. Gentleman rising, yelled, "Yawn." I wonder whether people observing our proceedings think that that is a proper way for one colleague to show respect for another. It is not a matter of "yawn"—it is a matter of serious issues being raised, and responsibility being incumbent on the Chair in this case to seek to respond. It is not "yawn"—it is serious politics.

The hon. Gentleman has raised a legitimate matter. The simple answer is that the Government must comply with the Humble Address passed by the House. That is the reality of the matter. A debate has happened, a decision has been made, and it is incumbent on the Government to comply manifestly with what has been decided, the spirit, purpose and content of which are entirely clear. *[Interruption.]* This is not about game playing and machination—it is about doing what Parliament wants, which is what most people would expect their elected Parliament to do. *[Interruption.]* I do not require any help from someone chuntering from a sedentary position in evident disregard for the procedures of the House and the purport of the hon. Gentleman's inquiry.

Under Standing Order No. 158, on the presentation of Command Papers, if papers are commanded by Her Majesty to be presented to the House at any time during the existence of a Parliament, which includes periods of Prorogation, although not of Dissolution, delivery of such papers to the Votes and Proceedings Office shall be deemed for all purposes a presentation of them to the House. At least to me, at this point, that seems clear, and I hope that it is not beyond the considerable intellectual capacities of some members of the Government.

**Chuka Umunna** (Streatham) (LD): On a point of order, Mr Speaker. I was wondering whether you might be able to assist. Under the civil service code of conduct for Government special advisers who are Government employees paid for by the taxpayer, a special adviser may not undertake work for a political party during office hours. They should also not use official resources for party political activity. Based on widespread reports, it appears that the Prime Minister's chief special adviser, Mr Dominic Cummings, almost certainly has undertaken work for the Conservative party while carrying out his duties. With that in mind, I submitted a freedom of information request—*[Interruption.]*



**Mr Speaker:** Order. It is a perfectly reasonable inquiry. Whether it is something upon which I can adjudicate remains to be seen, but I will only know that if I hear it, and the hyena noises render it rather more difficult for it to be heard. The hon. Gentleman will persist, I hope, with his point of order.

**Chuka Umunna:** With that in mind, I submitted a freedom of information request to the Cabinet Secretary on 13 August asking for details of Government special advisers and, in particular, who they were employed by and whether they were paid out of the public purse. In the case of Mr Cummings, I asked whether, if he is not paid by public funds, he has security access to Downing Street and is treated in the same way as a special adviser paid out of public funds.

Mr Speaker, this is an incredibly important matter of public interest, particularly given that we are about to prorogue and potentially thereafter enter an election period. The Cabinet Office, when we had points of order earlier, replied saying that it would not provide a response to my freedom of information request, which is due tomorrow, until December. That is clearly unsatisfactory. I tried to raise it earlier with the Chancellor of the Duchy of Lancaster, but he refused to take any interventions. Given that we are about to prorogue for five weeks, what would you advise we do to ensure that public funds are not being misspent and used for Conservative party purposes in this way?

**Mr Speaker:** I am sorry, but I have to resort to my usual advice to quizzical Members in these circumstances: persist, persist, persist. Write, seek a meeting, and press again and again and again in pursuit of a response to an entirely legitimate question. Do not take no for an answer.

It is a very long time since I was a special adviser. In those days the rules were extremely strict, and what the hon. Gentleman says resonates with me entirely. I have no reason to suppose the rules have changed. I cannot possibly say what is or is not done by way of conduct on the part of particular individuals now, but that it is a legitimate matter of public interest, rather than something simply to be treated as the subject of cheap badinage and ribaldry, is entirely obvious to me. The hon. Gentleman has a fair inquiry. He should pursue it and not put up with those who sneer and smirk, and think it is all a sort of jolly wheeze and a game, and that it does not matter a damn. It does matter a damn, and I hope the hon. Gentleman will pursue it. I am grateful to the hon. Gentleman, and I hope he is suitably emboldened and fortified in pursuit of his efforts.

## Early Parliamentary General Election (No. 2)

10.48 pm

**The Prime Minister (Boris Johnson):** I beg to move,  
That there shall be an early parliamentary general election.

Before I begin, Mr Speaker, I join others hon. Members in thanking you for your long and distinguished service to the House. We may not have always agreed on everything, but I believe you have always acted in what you judge to be the national interest.

I move the motion under the Fixed-term Parliaments Act 2011. Last Wednesday, the right hon. Member for Islington North (Jeremy Corbyn) became the first Leader of the Opposition in the history of our country to show his confidence in Her Majesty's Government by declining the opportunity to have an election with a view to removing the Government. When he spoke last week, it seemed that he might recover his nerve tonight, and I wait to see how he responds. Referring to his surrender Bill, he said last week:

"Let this Bill pass and gain Royal Assent, and then we will back an election".—[*Official Report*, 4 September 2019; Vol. 664, c. 292.]

The surrender Bill—the surrender Act—has now passed. It has gained Royal Assent. He has done his level best to wreck this country's chances of a successful negotiation. By his own logic, he must now back an election, so I am re-tableting the motion for an early general election. I do not want one, and I hoped this step would be unnecessary, yet I have accepted the reality that an election is the only way to break the deadlock in the House and to serve the national interest by giving whoever is Prime Minister the strongest possible mandate to negotiate for our country at next month's European Council.

Labour, too, has accepted this reality. In its own leaflets this weekend, it says:

"We need a General Election now".

That is what it says, yet throughout the weekend, the right hon. Gentleman's cronies, together with those of other Opposition parties, have been trying to disguise their preposterous cowardice by coming up with ever more outrageous excuses for delaying an election until the end of October, or perhaps November, or when hell freezes over, in the dither, delay and procrastination that have become the hallmark of the Opposition. Why are they conniving to delay Brexit, in defiance of the referendum, costing the country an extra £250 million a week for the privilege of delay—enough to upgrade more than five hospitals and train 4,000 new nurses? The only possible explanation is that they fear that we will win it, and I will win it, and secure a renewed mandate to take this country out of the EU, a policy they now oppose. That is the sorry tale of this Opposition and this Parliament. For the last three years, they have schemed to overturn the verdict of the British people, delivered in a referendum which, in a crowning irony, almost all of them voted to hold. In fact, they did not just vote to hold it; some of them even—

**Several hon. Members** *rose*—

**The Prime Minister:** I will give way with pleasure to the hon. Member for Battersea (Marsha De Cordova).

**Marsha De Cordova** (Battersea) (Lab): I thank the Prime Minister for giving way; I am really pleased that he has chosen to give me an intervention. He is reeling off the fact that the amount of money that is being spent on Europe could pay for nurses and upgrade our hospitals, but nine years of austerity has led to our NHS being fragmented. Nine years of austerity has led to our education services being failed. Nine years of austerity has led to 4 million children living in poverty, so all you need to do, Prime Minister, is move forward, because we will call an election when it is time.

**The Prime Minister:** If that is what the hon. Lady thinks, why does she not have a word with her right hon. Friend the Leader of the Opposition and tell him to reverse his absurd policy of spending an extra £1 billion a month to keep us in the EU, when we are spending £1 billion on 20,000 more police officers on the streets of this country?

The Liberal Democrats also called for a referendum on our membership of the EU, and once they got it—by the way, they lost that referendum, of course—they did nothing but try to overturn the result, arrogating to themselves the authority to decide which democratic elections they respect and which they reject. Now—where are they, the Liberal Democrats? There they are—they want a second referendum, but they are already planning to campaign against the result. When asked whether she would implement Brexit if the people voted for it a second time, the party's new leader, the hon. Member for East Dunbartonshire (Jo Swinson), replied no. Every time the Liberal Democrats lose a referendum, they just call for a new one over and over again. It turns out she is the new leader of the referendum party, the Jimmy Goldsmith of our times.

But the Liberal Democrats are models of coherence by comparison with the Leader of the Opposition. His strategy, mysterious as it is, is that by some process he becomes Prime Minister—but without an election, because he is against elections. He then goes to Brussels and negotiates a new deal, presumably keeping us in the customs union and the single market. He then comes back and passes that deal through the House and takes it to the country in a second referendum, whereupon he campaigns against his own deal. *[Interruption.]* That's the plan, isn't it? Perhaps he can clarify. He would urge the nation to reject his own handiwork.

We know the real reason Labour does not want a general election under his leadership. Most of them do not want one because they fear that their party will lose, but there is a small terrified minority of Labour MPs who do not want an election because they actually think the Leader of the Opposition might win, ladies and gentlemen.

As for the Scottish National party, last week the First Minister for Scotland correctly said:

"It's starting to feel like Labour doesn't want an election at all".

She then issued a clarion call to her assembled armies in Westminster to "force an election". What are they doing? How do those brave stalwarts of Scottish separatism propose to force that election? By heroically abstaining!

The common thread joining all these parties is their extraordinary belief that the national interest requires them pre-emptively to protect the British people from

the consequences of their own democratic decisions. The truth is they believe in democracy only when it delivers the results they want. Her Majesty's Loyal Opposition have a constitutional duty—*[Interruption.]*

**Mr Speaker:** Order. There is far too much noise in the Chamber. The decibel level needs to reduce. The Prime Minister should not have to shout to make himself heard, and the same will apply when the Leader of the Opposition gets to his feet.

**The Prime Minister:** I am grateful, Mr Speaker. *[Interruption.]* They say they can't hear. *[Laughter.]* How's that? [HON. MEMBERS: "Yeah!"] Her Majesty's Loyal Opposition have a constitutional duty to oppose the Government and to seek to replace them. For this task, they are handsomely paid to the tune of almost £10 million of taxpayers' money. They are! That is what they are paid to do by the taxpayer.

**Anna Soubry** (Broxtowe) (IGC): On a point of order, Mr Speaker. Unfortunately, the microphone being placed so close to the Prime Minister means that he cannot hear that some of us over here are trying to intervene and have something that he and his Back Benchers do not want—a debate. We all want to know whether he will abide by the law that this Parliament has passed.

**Mr Speaker:** I say as much for the benefit of the watching public as for anybody else that that is an example of what I call the norm: superficially a point of order but entirely bogus. The right hon. Lady has made her point in her own way with suitable alacrity and it is on the record.

**The Prime Minister:** Thank you, Mr Speaker, for your characteristically impartial judgment.

The Leader of the Opposition: there he sits. His party is paid £10 million by the taxpayer and he himself is entitled to more than £140,000 of taxpayers' money, yet today we see the extraordinary spectacle of the entire Opposition collectively deciding to abrogate their most fundamental responsibility. They have their job. They know what they should be doing. In this era of creative litigation, are there not grounds for legal challenge to compel them to do it? *[Interruption.]* Hon. Members can have their say in a minute. I am concluding my remarks.

Sometimes the Leader of the Opposition says that we should leave the EU; sometimes he says that we should have another referendum; sometimes he says that we should negotiate a new deal; sometimes he says that he would accept whatever Brussels offers. Over the past few days, the Labour party has said that it wants to delay Brexit, then negotiate a new deal, then have another referendum, then campaign against its own deal in that referendum. Perhaps its next policy will be to have a referendum on whether to have a referendum.

The Leader of the Opposition cannot lead. He cannot make a decision. He cannot work out whether he is for Brexit or against it—for a referendum or against it. The only options that he likes are dither and delay. I say to Opposition Members—*[Interruption.]*

**David Linden** (Glasgow East) (SNP): On a point of order, Mr Speaker.

**Mr Speaker:** Order. I am immensely grateful to the Prime Minister for his ready compliance with the procedures of the House. I will take a point of order from Mr David Linden, which I have—*[Interruption.]* Order. Mr Swire, I do not require any assistance from you. You would not have the foggiest idea where to start. What I am seeking to establish is whether this is a point of order. When I have heard it, I will know, but until I have, I cannot.

**David Linden:** People observing tonight's proceedings, Mr Speaker, will see that the annunciator shows that this is the second occasion on which the House has been asked to approve the motion. Given that the Prime Minister is displaying something of a contradiction by saying that he wants to ask the House this question again but will not allow the people of Scotland an independence referendum, can you outline, Mr Speaker, whether this is hypocrisy on the Prime Minister's part?

**Mr Speaker:** That was an ingenious effort, but let me say to the hon. Gentleman that the motion would not be on the Order Paper unless it was orderly. I am happy to conduct a seminar for his benefit outside the Chamber at a later date, but it is, at this time, given the context, orderly. The hon. Gentleman has made his own point, but it is a different one, and it does not meet the needs of the case.

**The Prime Minister:** I say again to everyone on the Opposition Benches: if you really want to delay Brexit beyond 31 October, which is what you seem to want to do, then vote for an election and let the people decide whether they want to delay or not. If you refuse to do that tonight, I will go to Brussels—our Government will go to Brussels—on 17 October and negotiate our departure on 31 October, hopefully with a deal, but without one if necessary. I will not ask for another delay.

**Several hon. Members** *rose*—

**Mr Speaker:** Order. I apologise for having to interrupt the Prime Minister. I will take these points of order, but I hope that they are genuine. The Prime Minister will then proceed with his speech.

**Patricia Gibson** (North Ayrshire and Arran) (SNP): On a point of order, Mr Speaker. I am keen to have your guidance. Given that we are supposed to be debating whether to have an early general election, I wonder if the Prime Minister, in that context, is willing to share with the House whether he is willing to obey the law of the land.

**Mr Speaker:** That is a political observation, and not a matter for procedural adjudication by the Chair.

**Dr Sarah Wollaston** (Totnes) (LD): On a point of order, Mr Speaker, on behalf of the Liaison Committee. The Prime Minister gave an undertaking that he would appear before the Committee this Wednesday at 3.30 pm. The Committee met today, and we have written to the Prime Minister asking whether he will still appear, because—

**Mr Speaker:** Order. I recognise the hon. Lady's sincerity and the strength of her conviction. If she wishes to contribute to the debate in an orderly way, on her feet,

in a speech, because she has caught my eye, she can do so, but she should not use the device of a bogus point of order.

**The Prime Minister:** Mr Speaker, I repeat my point—*[Interruption.]*

**Geraint Davies** (Swansea West) (Lab/Co-op): On a point of order, Mr Speaker. The Prime Minister has just informed the House that on 31 October he will go to Brussels and ensure that we leave with or without a deal, in contravention of a motion we have just passed that we will obey the law in compliance with that law that has just been passed. Is that out of order?

**Mr Speaker:** I would be immensely grateful if the hon. Gentleman did not feel it necessary to keep pointing at me. I know he feels strongly, but that is not a point of order. *[Interruption.]* Order. And I would say in terms of the seemliness of these proceedings, come on, let's have fair play: the Prime Minister is entitled to make a speech and be heard, as will be the Leader of the Opposition.

**The Prime Minister:** Thank you, Mr Speaker, and thank you for allowing me to repeat my salient point: I will not ask for another delay. The people of this country have had enough of the delectable—*[Interruption.]* The people of this country have had enough of the delectable disputations—*[Interruption.]*

**Mr Speaker:** Order. This is profoundly disorderly. Members must not be shouted down in the Chamber. There are standards to be upheld, and they must be upheld.

**The Prime Minister:** It is plain from the turbulent reaction of those on the Benches opposite that they simply want another delay, and I will not have that. The public have had enough of the delectable disputations of this House, and I must warn Members that their behaviour in thwarting the will of the people is undermining respect for this House in the country.

If hon. Members want another delay, the only proper way to do it is to ask permission from our masters, the people—from our masters, the voters—and I commend this motion to the House.

11.6 pm

**Jeremy Corbyn** (Islington North) (Lab): The only point of any importance that the Prime Minister has just included in his speech is his clear indication that he does not intend to follow the law that has just been passed that requires him to ask for an extension in certain circumstances. He also gave no answer on the two decisions this House has already made today concerning the publication of Yellowhammer documents and his own behaviour as Prime Minister in respect of laws agreed by this House. He seems to have failed to grasp that those on the Opposition Benches have actually been very clear and that the House has expressed its will: until the Act has been complied with and no deal has been taken off the table, we will not vote to support the Dissolution of this House and a general election.

I want an election, as the Prime Minister pointed out, and the Conservative party has very generously broadcast footage of me and my friends saying that we want an election. I do not retreat from that at all; we are eager

[Jeremy Corbyn]

for an election, but as keen as we are, we are not prepared to risk inflicting the disaster of no deal on our communities, our jobs, our services, or indeed our rights. [Interruption.]

No deal would not be a clean break. It would not mean just getting on with it. It would start a whole new period of confusion and delay, but this time set against a backdrop of rising unemployment, further deindustrialisation and deepening poverty all across this country. [Interruption.]

**Mr Speaker:** Order. I said a moment ago that the Prime Minister should not be shouted down. Let me say to those who are shouting their heads off that it will be readily obvious to people observing our proceedings that that is exactly what they are trying to do, including some extraordinarily stupid and noisy yelling from people secreting themselves behind the Chair and thinking they are being clever. It is very low grade, it is very downmarket, it is very substandard, it is very boring, it is very predictable, and if the Whips operated any sort of discipline, they would tell those people to try to get a life.

**Jeremy Corbyn:** The point I was making was that this will be against a backdrop of unemployment, increasing deindustrialisation and deepening poverty within our society, so it is not surprising that the Government were so keen to hide the Yellowhammer documents—their own documents—which would demonstrate that to be the case. We have no faith that the Government are seeking a deal in good faith. Indeed, the former Work and Pensions Secretary said in her resignation letter:

“I no longer believe leaving with a deal is the government’s main objective.”

EU leaders have received no proposals. Government Ministers have offered no explanation of the deal they are seeking—even if there is such a deal—let alone any worked-out proposals to be presented to Parliament for scrutiny. It is no wonder they are so keen to prorogue so early, to avoid any scrutiny of what they are doing.

The only conclusion that can be reached—and it is backed up by all the leaked reports in the press—is that the Government’s pretensions to negotiate are nothing but a sham. The Prime Minister knows full well that there is no mandate for no deal, no majority support for it in the country and no majority support for it in this House, but he refuses to rule it out and refuses to set out any proposals to avoid it. This is a very serious issue: the Prime Minister is running away from scrutiny with his blather and his shouting. Many people, including the right hon. Member for Hastings and Rye (Amber Rudd), are increasingly coming to the conclusion that no deal is his only answer, but he has no mandate for that. The last general election gave no mandate for no deal, and the 2016 referendum gives no mandate for it. The co-convenor of the Vote Leave campaign said in March this year that

“we didn’t vote to leave without a deal.”

He is now the Chancellor of the Duchy of Lancaster. No deal is opposed by every business group, every industry group and every trade union, and it has been opposed in votes in this House.

I want to turf out this reckless Government— [Interruption.] This Government that are driving up poverty, deepening inequality, scapegoating migrants, whipping up divisions and failing this country. A general election is not something for the Prime Minister to play about with for propaganda points, or even his very poor quality posts on social media, so perhaps he can, possibly for the last time in this Session of Parliament, answer some questions. First— [Interruption.]

**Mr Speaker:** Order. [Interruption.] Order. Order. Mr Philp, you are very loud and rancorous. Calm down, young man! You are getting very over-excited—very, very over-excited—and you can do a lot better than that. You must try to do so.

**Jeremy Corbyn:** First, where are the Prime Minister’s proposals for the renegotiations? Where are they? When were they published? What is their content?

Secondly, if the Prime Minister seeks no deal, why does he not argue for it and seek the mandate for it that the Government do not so far possess? There is no mandate for no deal. [Interruption.] No, I am not giving way. Thirdly, if, as he claims, the Prime Minister is making progress—

**The Prime Minister:** If the right hon. Gentleman really wishes to avoid a no-deal Brexit, will he explain why he is unwilling to call an election, go to Brussels and seek— [Interruption.]

**Mr Speaker:** Order. Mr Docherty-Hughes, calm yourself. Is the Prime Minister satisfied that he has made his intervention, or does he wish to complete it?

**The Prime Minister:** If the right hon. Gentleman wishes to avoid a no-deal Brexit, why does he not call an election, get a mandate, go to Brussels and negotiate a deal himself? What is his objection to that?

**Jeremy Corbyn:** We are the responsible party in this room, and we do not want to crash out with no deal. There is also the issue of trust in a Prime Minister who is unable to answer any questions and is desperate to suspend Parliament to avoid any scrutiny.

Thirdly, if the Prime Minister is making progress, as he told the House last week, why did the Taoiseach tell him only this morning that he was yet to receive realistic, legally binding and workable plans? That was only this morning, so the Prime Minister must be able to remember it. Perhaps he could explain why the Taoiseach felt the need to say that. [Interruption.] I realise the desperation of the Tory party when all it can do is rearrange the mics on the Titanic.

Finally, since the Prime Minister did not bother to turn up— [Interruption.] With great respect, I inform Conservative Members that I have no intention of giving way to any of them, okay? Since the Prime Minister did not bother to turn up for the previous debate, will he respect the law and implement the European Union (Withdrawal) (No. 2) Act 2019 if he has negotiated an agreement that is backed by this House on 19 October?

This Parliament is not a platform for the Prime Minister’s games. It is a Chamber in which the elected representatives of the people hold the Executive to account.

That is what parliamentary democracy is about. The Prime Minister has been asked four simple questions—*[Interruption.]* I am not giving way.

The Prime Minister is talking up no deal to one wing of his party and talking up getting a deal to another. The sad reality is that he is not preparing adequately for the first and not negotiating at all for the other. Sunday 15 September is International Day of Democracy, when the UN celebrates Governments being held accountable to their national Parliaments in a democracy. This Government are only interested in shutting down Parliament to avoid any scrutiny. The Prime Minister's obfuscations and evasions are being rumbled both at home and abroad, and that is why he does not answer questions and is so keen to avoid any scrutiny.

Tonight the Prime Minister will be attempting to prorogue Parliament for one of the longest Prorogations there has ever been—shutting down Parliament, shutting down democracy, avoiding questions, and taking this country over the cliff of a no-deal exit, with all the damage that will do to many of the poorest and most vulnerable communities in our society and all the damage it will do to trade and jobs, and all because he wants to take this country in the direction of a trade deal solely with the USA rather than anybody else. We are not walking into traps laid by this Prime Minister.

11.20 pm

**Jeremy Lefroy** (Stafford) (Con): I will be extremely brief and simply ask one or two questions of the Minister. If we do vote for a general election tonight, it will mean that we enter into new types of rules. There will be purdah and other rules on the civil servants. I have heard from the Prime Minister's lips his strong contention that he is in favour of a deal and is negotiating hard for a deal, and I absolutely believe him. I would like to hear from the Government how this can be pursued and prosecuted in the course of a general election, in which I believe the Opposition would, to some extent, also have to be kept informed.

That is all I want to ask, because I think it is a very important point. During a general election, when everybody is rightly consumed with campaigning, how will we be able to prosecute these negotiations and keep everybody, including the Leader of the Opposition, informed?

11.22 pm

**Ian Blackford** (Ross, Skye and Lochaber) (SNP): It is a pleasure to follow the hon. Member for Stafford (Jeremy Lefroy), and I commend him for behaving with dignity in his speech tonight.

This is a crucial time for all of us, and it is a crucial time for all our constituents. Of course there are strong opinions, and there should be. Of course we should have robust debate. Frankly, I am utterly appalled and ashamed of what we have witnessed in the House this evening. *[Interruption.]* I can see Members laughing. We all have a sense of responsibility, and remember this: we had the death of an MP a few short years ago. Too many Members of this House are receiving death threats. Too many Members of this House are getting verbal abuse outside this place.

The leadership we show, how we all conduct ourselves in this place, is very important, and I appeal to everybody to show restraint, to act in a dignified manner and to show respect to each other. We owe that to all our constituents.

**Ian Paisley** (North Antrim) (DUP): I believe the right hon. Gentleman says what he says with total sincerity. In that spirit, is he ashamed that, when the Prime Minister was on his feet, a Member from the SNP Benches shouted, "You're a liar" and a Member from the Labour Benches shouted, "You're a thug"? Does he agree those things bring the House into disrepute?

**Ian Blackford**: I am appealing to all Members to behave in a way that is respectful to colleagues and respectful to our constituents.

I listened very carefully to what the Prime Minister said: "I will not ask for another extension." Dwell on those words, because the Prime Minister is saying with those words that he is going to ignore an Act of Parliament, that he is going to ignore the law. I simply say to the Prime Minister: be careful. You occupy the highest office in the land and what you are demonstrating to the people of the United Kingdom is that the law does not matter. That is a very serious situation to be in. I ask the Prime Minister to think again—to think very carefully or be prepared to pay the consequences of ignoring the law of this land.

**Stewart Malcolm McDonald** (Glasgow South) (SNP): Does my right hon. Friend agree that if this was the Head of Government in a country such as Georgia or Moldova, or a country in Latin America, Tory MPs would be lining up to pontificate about that country being a failed state, but because a Union flag has been wrapped around this, with the usual Tory jingoism, they think it is all A-okay?

**Ian Blackford**: I am deeply concerned about what is happening, about the proroguing of Parliament and about the fact that the Government have pushed it through on the votes of three members of the Privy Council, against the express wishes of the majority of Members of this House. That concerns me and, as democrats, it should concern us all.

I said this last week and I will say it again: the SNP wants a general election. We want the opportunity to bring this Government down, and we are going to take it. We want the opportunity for the people of Scotland to have their voices heard, to make their choice over their futures. We want the opportunity to stop this Prime Minister from ripping us out of the European Union against our will. *[Interruption.]* May I say to the—

**Mr Speaker**: Order. The right hon. Gentleman should not have to do so. You are a most statuesque figure, Mr Kawczynski, and therefore you are very readily visible and sometimes audible. I gently say to you, because you are generally a very good-natured fellow, that it is quite inappropriate when standing at the Bar of the House also to be bellowing. Stand and look impressive, rather than yell, man. That would be my advice.

**Ian Blackford**: Thank you, Mr Speaker. We want the opportunity to stop this Prime Minister from ripping us out of the European Union against our will. Members can jeer all they want, but this Prime Minister has lost Scotland. He has lost the support of the old Scottish Tory leader. Writing in tonight's *Evening Standard*, Ruth Davidson has landed a blow on the Prime Minister. Things are really that bad for the Prime Minister and for this shambolic, failing Tory Government. The matter

[Ian Blackford]

is simple: we want an election but we do not want it on the Prime Minister's terms. This is a Prime Minister obsessed with running down the clock, a Prime Minister who cannot be trusted and a Prime Minister who is seeking to shut Parliament tonight so that he can drive us off the cliff edge. We are not falling for it.

The Prime Minister thinks he can treat Parliament however he wants. He thinks he can ignore the people of Scotland and treat our Scottish Parliament, our Government and our citizens as second-class citizens. Scotland will not be ignored. Scotland voted overwhelmingly to remain in the EU. Scotland voted overwhelmingly for the SNP, to oppose the Tory Government here in Westminster. And Scotland will have the chance to vote to say that this Prime Minister and this Government do not represent the people of Scotland and our wishes. Since the referendum, we have been treated with contempt, shouted down, with our voices silenced and our interests sidelined. Let me put the Prime Minister on notice: the election is coming.

**Bill Grant** (Ayr, Carrick and Cumnock) (Con): The right hon. Gentleman fails to tell the House something. I have said this before, but more people in Scotland voted in 2016 to leave the EU than voted for the SNP in the 2017 election.

**Hon. Members:** More!

**Ian Blackford:** Members can shout for more, and I see the Prime Minister laughing, but let me tell the hon. Gentleman what happened in 2016: we had an election to the Scottish Parliament and the SNP won its third election on the trot, and we did so with a manifesto commitment that if there was a material change in circumstances, the Scottish people had the right to have a referendum on our future. My message to the hon. Gentleman and to the Prime Minister is this: respect the will of the people of Scotland.

Once the threat of a no-deal Brexit is removed from the table, the SNP will act—and we urge others to act—to bring down the Tories, oust this Prime Minister and let the people have their say. Once we are safe in the knowledge that we are not leaving the European Union at Halloween, the days of this Government will be over. When we return in October, we expect the Opposition parties to work together to bring this Government to an end. We have had enough of this dictatorship; enough of the deceit, the fake news, the sham fighting, the games and the stunts. We have had enough. I say to Members, and to people at home across these islands who are feeling lost, forgotten, anxious and worried about the future, that our time is coming. We will keep fighting for you. Where we can, we will work in the interests of the people across Scotland and the UK, to protect our economy from the Brexit catastrophe. We will create the circumstances and find a way to strip this Government of power, end the democratic deficit and give the people back control. [Interruption.] I say to the hon. Member for Ribbles Valley (Mr Evans) that if he wishes to speak in the debate, he might try catching your eye, Mr Speaker, but shouting out like this—shouting down Scottish voices—is not the way to go.

An election is coming, and the SNP will ensure that post the suspension period, when a no-deal Brexit is off the table, the people of Scotland will have the opportunity

to choose their future; to choose to be citizens who want to be part of Europe; to choose to live in a country that is outward looking and welcoming; to choose to live in an independent Scotland focused on opportunity and fairness, free of broken Brexit Britain. The Prime Minister is warned: his days in office are numbered.

11.32 pm

**Sir Alan Duncan** (Rutland and Melton) (Con): I had no intention a few moments ago of speaking in this debate, but I would like to say three things that I hope the House will take on board. The first is to appreciate the catastrophic constitutional significance of the Fixed-term Parliaments Act 2011. I tried to repeal it in a ten-minute rule Bill in 2015. We all understand why it came into being—it was to be the glue in the coalition Government after the 2010 election—but it should have had a sunset clause. Its effect is now to trammel this Government and our Prime Minister in a very Kafkaesque trap: he is finding it very difficult to govern but is unable to call a general election. I very much hope that the first act of the new Parliament will be to abolish the Fixed-term Parliaments Act.

The second point is just to issue a word of caution about the danger that comes with mixing up the difficult, complicated and unresolved issue of Brexit with a potential general election. A general election is, by its very nature, general; we are all up for grabs, and all policies in a manifesto are also there for debate. But Brexit has been the most divisive, poisonous and difficult issue of our life. If we go into a general election with an unresolved Brexit, there is no way that a clear answer on Brexit can be said to emerge from that process. Quite possibly, because of the nature of Brexit and the way that it is pushing our entire post-Victorian party system into near collapse—we may have four-way competitions in almost every constituency—we may find that it does not actually resolve the problem of Government either. I ask this House to appreciate that we are in a dreadful bind and that the binary politics of largely Labour and the Conservatives may be behind us, if not forever, at least for a very, very long time.

My third point is this: I have told my right hon. Friend the Prime Minister that, despite some of our past differences, although we worked together very closely in the Foreign Office, I will stick by the Government, but I very much regret, and it is very painful, that 21 of the most decent Members of Parliament whom I very much regard as kindred spirits have lost the Whip. I ask the House to imagine the scene: there is a slightly grotty Victorian building that passes as the headquarters of the local Conservative Association. There are portraits of Disraeli, Churchill and Thatcher on the wall, and perhaps a couple of blank spaces. The chairman is there and the phone rings. Someone says, "Look, I'm a bloke from No. 10. You have never heard of me, but I am afraid your MP has been sacked. You must strike him or her off all the records. You cannot talk to them now and we are going to re-select someone straight away." The only response that a self-respecting chair can give is, "May I thank you very much for your call, young man? Now bugger off."

We must appreciate that the constituency is still an essential unit of our democracy. It is the building block that makes this House what it is. There may, of course, be party rules, but we should be very careful about

letting party rules be superseded by the control at the centre. I very much hope that, although many of the 21 will be standing down and it matters less to them—it is not the case for some whose career should rightfully be ahead of them—my right hon. Friend and our party system through our Chairman can appreciate that a route should be found back for those who wish to stand again and that all immediate selections for an alternative candidate should be suspended so that it can be known that they have a chance.

**Paul Scully** (Sutton and Cheam) (Con) *rose*—

**Dr Caroline Johnson** (Sleaford and North Hykeham) (Con) *rose*—

**Sir Alan Duncan:** No, I will not give way to anybody.

**Dr Johnson:** Will my right hon. Friend give way?

**Sir Alan Duncan:** No!

Those are the three points that I simply want to make. I hope that, as this House goes through what is a very difficult and painful process as we approach the election, when it is recomposed after that election, we can appreciate the importance of legislation in this House and pay it proper attention so that Members of Parliament can see that making law is probably their most important role as Members of Parliament and that political combat should take a second place. If we do that, we then, I hope, will never again have the folly of the Fixed-term Parliaments Act.

**Paul Scully:** On a point of order, Mr Speaker. I fear that my right hon. Friend may have inadvertently misled the House given the fact that every single Member of this party who has lost the Whip is still a member of the Conservative party unless they have chosen to cross the Floor. Therefore, the situation that he has described is not actually the case. It is important to realise that the discussion that we are having is that we need to be in the place—

**Mr Speaker:** Order. I do not wish to be unkind to the hon. Gentleman, because I recognise that he feels that he has a serious point, but it is not a matter for the Chair. The right hon. Member for Rutland and Melton (Sir Alan Duncan) has, if I may say so, made a speech whose meaning is perfectly clear. If the hon. Gentleman wants to disagree with him, he can do so elsewhere, but it is not a matter that requires my adjudication. I was absolutely clear what the right hon. Gentleman was saying and I do not think that the House feels misled, if I may very politely say so.

11.40 pm

**Jo Swinson** (East Dunbartonshire) (LD): It is a delight to follow the right hon. Member for Rutland and Melton (Sir Alan Duncan), who made a thoughtful contribution to this debate in this important time for Parliament, by stark contrast to the beginning of this debate, which I am afraid was not a very edifying spectacle for our constituents who are watching this, many of whom are worried about what is happening in our country right now. The braying, the bluster—Britain deserves better.

I commend the right hon. Member for Hastings and Rye (Amber Rudd) for the brave decision that she took at the weekend. We are in exceptional times, and in the face of a Prime Minister who is prepared not only to shut out of his party more than 20 individuals who have given it great service, but to shut down Parliament, potentially to flout the rule of law and to inflict on the British public the consequences of no deal as outlined in the Yellowhammer report, I think it is time that others in the Conservative party examine their consciences about what they can do and the role that they are playing in all this.

In his speech, the Prime Minister goaded those of us on the Opposition Benches who disagree with his dash for an election and said that it is because we are afraid that he will win. Well, I say to the Prime Minister that people in this country are afraid. They are afraid of a no-deal Brexit: a no-deal Brexit that—according to his own Government's analysis, which he is trying to keep secret even in the face of this House voting for it to be published—will mean shortages of fresh food, rising prices, delays and disruption to fuel supplies in the south-east, and severe, extended delays for medical supplies. So it is no wonder that people are afraid, and the Prime Minister should treat this matter with more seriousness.

**Geraint Davies:** Does the hon. Lady agree that, instead of the Government spending £100 million of taxpayers' money on propaganda, they should disclose Yellowhammer and spend £100 million promulgating that to educate the public about the horror that faces us if we have no deal?

**Jo Swinson:** It is very clear that the Government should release that report, and they have been instructed to do so by this House.

I want to scotch the myth that the Prime Minister is putting about that a no-deal Brexit is in some way an end to this whole Brexit issue. As Leo Varadkar made clear today, it would be a case of getting back to the negotiating table, as a no-deal Brexit is just the beginning of many further years of negotiations. If people really want an end to this Brexit mire, the way to do it is to stop Brexit.

**Mr Bob Seely** (Isle of Wight) (Con): *The Guardian*, of which I am an avid reader, says that the Liberal Democrats are poised to back the revocation of article 50 entirely. Is that correct?

**Jo Swinson:** The hon. Gentleman cannot be surprised that the Liberal Democrats are a party that wishes to stop Brexit. In a general election, where we will stand to secure a Liberal Democrat majority, such a Liberal Democrat majority Government would indeed revoke article 50. He should not be surprised by that position; perhaps he should pay more attention.

This Government and this Prime Minister have no mandate for a no-deal Brexit that they are trying to force on the British people. It is clear from the resignations of the right hon. Members for Orpington (Joseph Johnson) and for Hastings and Rye that he has no plans for securing a Brexit deal. He is not entering into this in any spirit of seriousness. The hon. Member for Stafford (Jeremy Lefroy) made that point exceptionally well.

[Jo Swinson]

How does the Prime Minister seriously think that with the previous occupant of that role having tried to negotiate a deal over the course of three years, he and he alone can achieve in four weeks what she failed to do and fight a general election at the same time—what arrogance. If he were serious about getting a deal, he would be negotiating hard in Brussels, not running away from the responsibility of the job that he now holds and said that he wanted for such a long time.

The right hon. Member for Rutland and Melton made the excellent point that a general election cannot be guaranteed to resolve this issue one way or the other. The best way to do that is to hold a people's vote on the Brexit deal. That is the best way to resolve this crisis—to give people the choice of the Brexit deal that has been negotiated or remaining in the European Union. I do not believe that there is a majority for any specific type of Brexit in this country, and we could determine whether that were the case in a people's vote. The Liberal Democrats are crystal clear: we want to stop Brexit.

**Alex Chalk** (Cheltenham) (Con): The hon. Lady says that she wants a second referendum, but the problem for the British people will be that if the answer she gets is one that she does not agree with, the stated position of the Liberal Democrats is simply to ignore it.

**Jo Swinson:** The hon. Gentleman might do well to pay rather more attention to his constituents in Cheltenham and what they would like to see happen. In answer to his point, of course Liberal Democrats want us to stay in the European Union, and we want people to have the ability to choose that option in a people's vote. We have argued for—[*Interruption.*]

**Mr Speaker:** Order. There were points of order earlier in our proceedings about conduct that was very intimidating for Members and, in some cases, Members' families. I know that there are inflamed passions, but I just ask Members to consider this: the hon. Lady is trying to deliver a speech and doing so with her customary eloquence and fluency; she should not be shouted down and she will not be—stop it.

**Jo Swinson:** Thank you, Mr Speaker. I appreciate that others in the House would like the Liberal Democrats to be silenced, but that will not happen on my watch, because we are crystal clear on Brexit. We want to stop Brexit, and that is why thousands of people across the country are joining the Liberal Democrats, including MPs from both the Labour and the Conservative parties.

Whether it is votes in this House or ministerial colleagues, the Prime Minister is making a habit of losing. Although I believe that a people's vote is the best route to resolve this, I say to the Prime Minister that he can have his general election as soon as he secures an extension. Otherwise, we risk the scenario of a general election where we might crash out of the European Union without a deal either during or in the immediate aftermath of such an election and with Parliament not sitting at those crucial moments. It would be the height of irresponsibility to dissolve Parliament at that time.

Any general election must be undertaken in a period of calm, with an orderly approach, not in a period of national crisis.

The Prime Minister is playing at this. In his speech tonight, he made it sound like this was sport—like this was a game. This is not a student debating society. This is about the national interest and being sure that we avoid the risk of a no-deal Brexit, and that is why we will vote down his motion tonight.

11.49 pm

**Andrew Selous** (South West Bedfordshire) (Con): In normal circumstances, parliamentary democracy serves our country well, but in the past two and a bit years, I have been ashamed of the behaviour of this Parliament—a Parliament in which, as academic analysis by the Library points out, 409 out of the 650 constituencies had leave majorities. That was on an 80% turnout—far higher than any turnout we are elected on at a general election.

Over the past two and a bit years, we have a Parliament that thinks it knows better than the public whom this Parliament explicitly gave the decision to. We have a Parliament that thinks it is acceptable to use representative democracy to defeat direct democracy—a direct democracy explicitly agreed and voted for by this Parliament. We have a Parliament that has totally failed to work across party lines to find an acceptable way forward, and we have a Parliament that is very good at saying no but is bereft of ideas to come up with anything better. We also have a Parliament where an increasing number of MPs who were elected for one party, often with significant majorities, then declare for another without any agreement from their constituents.

If we value our democracy and everyone who took part in the referendum, we must honour the result and everyone who voted, all of whom were told that the result would be respected. Democracy requires that the losers accept the result. We should honour the referendum by returning powers over our money, laws, borders and trade in a way that is orderly and supports jobs. I want to see our negotiations turbo-charged. We need a Government with a mandate and a new Parliament that will actually vote for something for a change—a new Parliament that will work in the national interest for a good deal that respects the referendum result.

11.52 pm

**Sir George Howarth** (Knowsley) (Lab): It is a pleasure to follow the hon. Member for South West Bedfordshire (Andrew Selous), although I find it a little strange that he criticises the House for not working on a cross-party basis—that is why we are here tonight and that is why so many of the parties in the House of Commons will oppose the Government's motion. I think that he means that he wants cross-party working so long as the parties work with him, rather than between themselves.

In my time in this House, I have seen seven Prime Ministers come and go. We are now on the eighth. I had enormous differences with many of them, but in every case up until now, I have always accepted that they acted in good faith and what they perceived to be the national interest.

Before I go any further, I should point out that what I am about to say breaks two rules that I have set myself during my time in the House. The first is to try to play



the ball, rather than the man or woman, and the second is never to take issue with the Chair. I am not about to break the second one, Mr Speaker, but I will comment on it. All the Speakers I have served under—I think that you are the fourth—have always upheld the rights and privileges of Members of this House, which you have done, and they have always upheld the constitution of our country and the rules of this House, and they have all done it in their own distinctive way. I want to pay tribute to the way you have conducted yourself. You have stood up for the rights of this House and—often in the face of criticism, usually from Government Members—you have shown great courage in carrying out your responsibilities, and I pay tribute to you.

The other rule, which I am about to break, brings me to the right hon. Member for Uxbridge and South Ruislip (Boris Johnson). He is, as everybody would agree, often entertaining. He does, as I know from some experience with him, have an enormous amount of stamina. However, political leaders need to have three additional qualities: first, it is essential that they exercise good judgment; secondly, they need to be trusted to follow a course of action that they genuinely believe is in the best interests of our country, even in circumstances when it might not be universally popular to do so; and thirdly—I find this the most troubling part of the Prime Minister's speech tonight—they need to be absolutely clear that on no occasion would they contemplate breaking the law of the land. As, sadly, has been demonstrated in his short time as Prime Minister, the right hon. Gentleman has shown neither good judgment or any sense that he is willing to put what is best for our country ahead of his own personal ambition.

In normal times, the logic of the case I have just made would be that I supported the motion before us, but these are not normal times. The Prime Minister cannot be trusted not to use the vacuum created by a general election to thwart the will of this House. If he is serious about coming up with a deal that will suit all the concerns we have, why are we in this House at this time of night debating whether to hold a general election? Why is he not in Brussels trying to get a deal? Why is he not putting the interests of this country above his own political ambitions?

Let me be as clear as I can. I desperately want a general election because the people of Knowsley deserve better than this squalid, mean and incompetent Government, but to shut down Parliament for a general election at this critical point in our history would require us to trust that the Prime Minister would behave honourably. I cannot take that on trust. I will conclude with some words with which the House will be familiar. Those words are:

“Cometh the hour, cometh the man.”

Well, the hour has come, but certainly not the man.

11.57 pm

**Kevin Hollinrake** (Thirsk and Malton) (Con): I am pleased to be called in this debate and to follow the right hon. Member for Knowsley (Sir George Howarth).

I have lost count of the number of times in my travels through the beautiful constituency of Thirsk and Malton when I have been approached by people saying, “What on earth are you lot doing down there? Why can't you simply sort it out together?” The reality is that there are three reasons why we cannot do so.

The first is, of course, that there are an awful lot of remain MPs in this Parliament, and I speak as a remain Member of Parliament. I voted to remain and if there was another referendum I would vote to remain again, but I do not advocate a referendum. I have had my fill of referendums. I also voted in this place to give the people a vote to decide whether we stay or we leave. Nevertheless, if people are straightforward, when push comes to shove, a number of MPs in this place do want a second referendum, whatever they might say.

The second reason is party politics, and the Leader of the Opposition is of course the worst culprit. He claims now that to leave the European Union with the wrong deal would be catastrophic, despite the fact that for decades he campaigned to leave the European Union on any terms possible. The reality is that when the previous Prime Minister's deal came back before the House—a fair deal, in my view—90% of my colleagues on the Government side of the House voted to pass that deal, while only 2% of Labour Members voted for it—five Members of Parliament. Too much party politics got in the way of a sensible deal.

Finally, on Brexit perfection, 10% of my colleagues on this side of the House, for whatever reason—the deal was either too hot or too cold—did not vote for that deal. It was not seen as the Goldilocks deal. Some people said that it was not Brexit. Some said that the people had voted for a completely clean break. The reality is that the Vote Leave campaign said clearly in its manifesto that there is a European free trade zone that stretches from Iceland to the borders of Russia, and when we left we would be part of it.

It is quite reasonable for people to expect a deal when we leave, which was why the previous Prime Minister set out her red lines and brought back a deal, which respected the promises that were made before the referendum. To settle the issue, Opposition Members often ask for a people's vote. Now is the right time for a people's vote.

**James Cartlidge** (South Suffolk) (Con): As always, my hon. Friend is making a brilliant point. The only sadness about proroguing is that we will not have the Treasury Committee chairmanship elections. Many members of the public are opening their front door and finding on the doormat a Labour leaflet that says, “We want a general election, and we want it now.” Is that not confusing for them?

**Kevin Hollinrake**: It is very confusing. I, too, regret that we will not be here on Wednesday to complete the final election process for the Treasury Committee.

Nevertheless, now is the perfect time for a general election. If Opposition Members are right and the public do not want deal or no deal, the public will vote in their favour. They will return a coalition Government or another Government who can take their choice forward. If they feel that they want to move down the track of deal or no deal, they will vote for the Conservatives and their policy of delivering Brexit on 31 October this year. Now is the right time to trust the people to make that choice. Is it simply political advantage that is getting in the way of that? There are two imperatives in keeping the deadline of 31 October. The first is getting a deal with the European Union with that deadline of 31 October, and the second is that when the deal returns to the House—I believe the Prime Minister can deliver

[Kevin Hollinrake]

that—Members across the House will have a choice either to vote for a deal or to vote for no deal. Surely they will choose a deal and we will leave on 31 October.

12.2 am

**Phil Wilson** (Sedgefield) (Lab): First, I am sorry to see you go, Mr Speaker, because you have stood up for Back Benchers in the past 10 years, and you have been a great respecter of the Chamber. I wish you and your family all the best for the future.

I do not intend to speak for long, but suffice it to say that I agree with the Prime Minister. He uses the same language as me when he says, “Put it to the people”. He considers that the people should be engaged in the final say, so let them have it in a confirmatory ballot on the issue of Brexit in a people’s vote. It is wrong to conflate Brexit, which is a decision for a generation, with a general election campaign, which is meant to decide a programme of government for a maximum of five years. I think the Prime Minister knows that.

**Tom Tugendhat** (Tonbridge and Malling) (Con): Will the hon. Gentleman give way?

**Phil Wilson:** No, I am not going to speak for long.

The Prime Minister has been found out. It is about eight weeks to 31 October, but he wants to take up the next four or five weeks with electioneering, rather than going to look for a deal. I have some words of advice for him: go to Brussels, and begin to negotiate. Bring back the deal that you have promised the country, and put it to the House. I will help to facilitate its passage through Parliament, as long as it is put to the British people so that they can decide whether they want to go ahead with it or stay in the EU in a confirmatory ballot.

The Prime Minister has lost the Father of the House, Winston Churchill’s grandson and his own brother. I understand that in the past few days the Duke of Wellington has left the Conservative party. The Prime Minister has met his Waterloo. The Conservative party can change its mind on no deal, but it refuses to allow the British people to do the same on Brexit. They need to have a final say on Brexit. After three and a half years, on the will of the people and the generational decision of Brexit, they have the right to be asked again in the light of the fact that this Government are hellbent on moving towards the EU exit door without a deal. The Government will say it would be a betrayal of Brexit and the British people if we do not deliver on Brexit. I will tell you what is a betrayal of trust: leaving the EU without a deal and not telling the British people that it is not a clean break. Like any Brexit deal, but even more so in the event of no deal, it will lead to years of uncertainty and economic woes for the majority of the people in this country, including unemployment. But of course the main pursuers of Brexit are not the ones who will be losing their jobs.

We need to resolve Brexit with the confirmation of the British people. That is how it began in 2016, and that is how it should be brought to a conclusion. The people have the right to compare the facts today with what was promised to them three and a half years ago. Brexit started with the people and it should end with

the people. Prime Minister, resolve Brexit first and then let us have a general election. I will not be supporting the motion tonight.

12.6 am

**Sir William Cash** (Stone) (Con): The fundamental question that faces us today about whether or not we should have an early parliamentary election is really the same question we have been debating now for many, many years, and in particular in the past three years in relation to the referendum result. The key question is: who governs this country? That is the issue before us tonight. I have to say, with the greatest concern, that the Labour party has taken the view that it should run away from the very question that it knows it will not be able to answer unless it wins the general election. It also knows that it will not win that general election on all the present estimates. That is the real reason why Labour Members will not answer the question of who governs this country and why they will not, apparently, vote tonight to answer the question and give us a general election.

The Leader of the Opposition kept on saying that he would allow a general election only if the European Union (Withdrawal) (No.6) Bill, which has been given Royal Assent today, was passed. The Bill has been passed, but ironically it still has not answered the question I posed at the beginning about the law of the land and who governs this country. There is nothing in that Act to repeal section 1 of the European Union (Withdrawal) Act 2018, which says, as the law of the land, that 31 October is exit day as we speak in this debate. Section 1 also says that the European Communities Act 1972 is repealed. Furthermore, the commencement order has already been made. There is nothing in the Bill by which anybody can properly accuse the Prime Minister of not complying with the rule of law, because the rule of law sets out 31 October. That is the law of the land and there is nothing in the new Act that says otherwise.

I simply say this: this is a dereliction of duty by the Labour party. It is refusing to allow the British people to decide who governs this country, and it is running away from the fact that under the European Communities Act 1972 and the European Union we are governed by majority vote by the other countries of the European Union. That is how Labour is letting down the very people it represents.

In the leave constituencies of Labour Members, there are people who know very well what is happening, and increasingly, according to the opinion polls, they are not interested in supporting the Labour party, because it is running away from the one central question—who governs Britain?—and the democracy that lies behind it. Give the people the freedom to enable them to decide, instead of the rabble on the other side of the House.

12.10 am

**Mr Ivan Lewis** (Bury South) (Ind): In its handling of Brexit, this House has lost the respect of the country and made us a laughing stock around the world. Prolonged uncertainty, as much as no deal, can tip us into recession, with disastrous consequences for jobs and living standards. I hear high-minded speeches about protecting the constitution and the propriety expected of Government,

and I accept that a small number of Members are vehemently opposed to no deal but would support Brexit with a fair deal. I also regret the fact that the Government decided to prorogue this House, which was as unnecessary as it was undesirable.

The vast majority on the Opposition Benches, when they claim support for an affirmative referendum and/or opposition to no deal, are determined to overturn the result of the referendum. They have displayed an increasing contempt for our duty as democrats to respect and implement the result. They lecture others about democracy, accountability and our national interest, yet they are hell-bent on frustrating the will of the majority of the people, as expressed in that referendum. They should be honest: it is their objective to thwart Brexit in whatever the circumstances. Whatever deal is put to this House, there are many, many people who will vote against it because they want to thwart the will of the people, in terms of that referendum result.

Many of the so-called progressives in this House are fuelling right-wing extremism by showing contempt for the result and the majority who voted to leave. We asked the people and they gave us their decision—to leave the European Union. I say that as a remainer. One cannot be a selective democrat who respects democracy only when it delivers their preferred result. This goes to the root of the Leader of the Opposition's position tonight. He demands an election time and again, but now, given the opportunity, he vetoes an election, not because of the national interest or stopping no deal, but because he knows he would lose that election—not because of the vast majority of the values of decent Labour MPs and many Labour party members, but because, as a lifelong Eurosceptic leading a party of remainers, he has been caught out trying to have it both ways on Brexit time and again. He does not have the leadership skills required at a time of so many challenges facing our country, and his leadership has led to the party of anti-racism and equality becoming the party of institutionalised anti-semitism—so much so that a majority of Jews in this country feel that they would not be safe in the event of his becoming Prime Minister.

This House could not stand up for the public interest or break its stalemate for over three years. Therefore, the national interest demands a general election; then, maybe, a new House will be able to show the leadership that this country needs and deserves to begin the process of rebuilding trust in this place and healing the scars of division in our society. *[Interruption.]* I hear some of my hon. Friends saying, “What about a by-election?” That is what the Momentum-types in my constituency keep saying—that I am running away from the electorate by not having a by-election now I am an Independent. I am voting for a general election tonight. I am willing to face the people in my constituency, unlike too many of the people on these Benches.

Finally, Mr Speaker, many tributes have been paid to you, quite rightly, for the way you have presided over this House. I would like to add to that the work you did for children with speech and language difficulties, which changed the lives of many families.

When I heard the speeches earlier, in which people talked about how proud they were of this House of Commons, I thought, “They're not living in the real world”. My voters, my constituents, are not proud of this House of Commons; they think we've entirely lost the plot.

The time has come for people to be honest with the British people, and that means we need to respect the result of the referendum. The alternative would be to fuel right-wing populism like we have never seen in the history of this country.

12.15 am

**Tom Tugendhat** (Tonbridge and Malling) (Con): Nobody can argue that tonight we are not facing an impasse that affects not just our relationship with Europe, but the very constitution of our country. Sadly, I find that a people's vote is not an answer, because this question is not just one question; it is every question. The only way to answer it is to ask the British people who they want as their advocates in this House, who they want speaking for them not just on one issue but on every issue. The question is: who will stand up for the British people. Let us call an election and ask them who governs Britain. *[Interruption.]*

**Mike Gapes** (Ilford South) (IGC) *rose*—*[Interruption.]*

**Mr Speaker:** Order. I have never known a situation in which Mr Gapes cannot be heard. If there is some private spat taking place, it should take place outside the Chamber, not in it. It is very unsatisfactory.

12.15 am

**Mike Gapes:** First, may I pay tribute to you, Mr Speaker, for what you have done standing up for representative parliamentary democracy against an arrogant and overbearing Executive?

I do not have long. I want to make two points. First, there is an old adage: neither Washington nor Moscow. I say: neither Uxbridge nor Islington. In this time of national crisis, this country is in a very dangerous place, and it is time that all moderate social democrats, one nation Conservatives and Liberals came together to stop the extremism, which is going to damage our country for decades to come. We have to stop this process, and the best way is to recognise a general election will not resolve it, as the right hon. Member for Rutland and Melton (Sir Alan Duncan) made clear. We have to put the issue back to the people, as others have said. We need a people's vote, which would be an informed choice. We should pause this process, stop the no-deal Brexit, defend the people in Ireland and in Gibraltar—

12.18 am

*One and a half hours having elapsed since the commencement of proceedings on the motion, the Speaker put the Question (Standing Order No. 16(1)).*

*The House divided: Ayes 293, Noes 46.*

**Division No. 445]**

**[12.18 am**

**AYES**

Adams, Nigel	Baker, Mr Steve
Afolami, Bim	Baldwin, Harriett
Afriyie, Adam	Barclay, rh Stephen
Aldous, Peter	Baron, Mr John
Allan, Lucy	Bellingham, Sir Henry
Amess, Sir David	Beresford, Sir Paul
Argar, Edward	Berry, rh Jake
Atkins, Victoria	Blackman, Bob
Austin, Ian	Blunt, Crispin
Bacon, Mr Richard	Bone, Mr Peter
Badenoch, Mrs Kemi	Bottomley, Sir Peter

Bowie, Andrew	Gillan, rh Dame Cheryl	Lidington, rh Mr David	Robinson, Mary
Bradley, Ben	Girvan, Paul	Little Pengelly, Emma	Rosindell, Andrew
Bradley, rh Karen	Glen, John	Lopez, Julia	Ross, Douglas
Brady, Sir Graham	Goldsmith, Zac	Lopresti, Jack	Rowley, Lee
Brereton, Jack	Goodwill, rh Mr Robert	Lord, Mr Jonathan	Rutley, David
Bridgen, Andrew	Gove, rh Michael	Loughton, Tim	Scully, Paul
Brokenshire, rh James	Graham, Luke	Mackinlay, Craig	Seely, Mr Bob
Bruce, Fiona	Graham, Richard	Maclean, Rachel	Selous, Andrew
Buckland, rh Robert	Grant, Bill	Main, Mrs Anne	Shannon, Jim
Burghart, Alex	Grant, Mrs Helen	Mak, Alan	Shapps, rh Grant
Burns, Conor	Gray, James	Malthouse, Kit	Sharma, rh Alok
Cairns, rh Alun	Grayling, rh Chris	Mann, Scott	Shelbrooke, Alec
Campbell, Mr Gregory	Green, Chris	Masterton, Paul	Simpson, David
Cartlidge, James	Green, rh Damian	May, rh Mrs Theresa	Skidmore, Chris
Cash, Sir William	Griffiths, Andrew	Maynard, Paul	Smith, Henry
Caulfield, Maria	Hair, Kirstene	McLoughlin, rh Sir Patrick	Smith, rh Julian
Chalk, Alex	Halfon, rh Robert	McPartland, Stephen	Smith, Royston
Chishti, Rehman	Hall, Luke	McVey, rh Ms Esther	Spencer, rh Mark
Chope, Sir Christopher	Hancock, rh Matt	Menzies, Mark	Stephenson, Andrew
Churchill, Jo	Hands, rh Greg	Mercer, Johnny	Stevenson, John
Clark, Colin	Harper, rh Mr Mark	Merriman, Huw	Stewart, Bob
Clarke, Mr Simon	Harris, Rebecca	Metcalfe, Stephen	Streeter, Sir Gary
Cleverly, rh James	Harrison, Trudy	Miller, rh Mrs Maria	Stride, rh Mel
Clifton-Brown, Sir Geoffrey	Hart, Simon	Milling, Amanda	Stuart, Graham
Coffey, Dr Thérèse	Hayes, rh Sir John	Mills, Nigel	Sturdy, Julian
Collins, Damian	Heald, rh Sir Oliver	Mitchell, rh Mr Andrew	Sunak, rh Rishi
Costa, Alberto	Heapey, James	Moore, Damien	Swayne, rh Sir Desmond
Courts, Robert	Heaton-Harris, Chris	Mordaunt, rh Penny	Swire, rh Sir Hugo
Cox, rh Mr Geoffrey	Heaton-Jones, Peter	Morgan, rh Nicky	Syms, Sir Robert
Crabb, rh Stephen	Henderson, Gordon	Morris, Anne Marie	Thomas, Derek
Crouch, Tracey	Herbert, rh Nick	Morris, David	Thomson, Ross
Davies, David T. C.	Hinds, rh Damian	Morris, James	Throup, Maggie
Davies, Glyn	Hoare, Simon	Morton, Wendy	Tolhurst, Kelly
Davies, Mims	Hollingbery, George	Mundell, rh David	Tomlinson, Justin
Davies, Philip	Hollinrake, Kevin	Murray, Mrs Sheryll	Tomlinson, Michael
Davis, rh Mr David	Hollobone, Mr Philip	Murrison, rh Dr Andrew	Tracey, Craig
Dinenage, Caroline	Holloway, Adam	Neill, Robert	Tredinnick, David
Djanogly, Mr Jonathan	Howell, John	Newton, Sarah	Trevelyan, Anne-Marie
Docherty, Leo	Huddleston, Nigel	Norman, Jesse	Truss, rh Elizabeth
Dodds, rh Nigel	Hughes, Eddie	O'Brien, Neil	Tugendhat, Tom
Donaldson, rh Sir Jeffrey M.	Hunt, rh Mr Jeremy	Offord, Dr Matthew	Vara, Mr Shailesh
Donelan, Michelle	Hurd, rh Mr Nick	Opperman, Guy	Vickers, Martin
Dorries, Ms Nadine	Jack, rh Mr Alister	Paisley, Ian	Villiers, rh Theresa
Double, Steve	Javid, rh Sajid	Parish, Neil	Walker, Mr Charles
Dowden, rh Oliver	Jayawardena, Mr Ranil	Patel, rh Priti	Walker, Mr Robin
Doyle-Price, Jackie	Jenkin, Sir Bernard	Paterson, rh Mr Owen	Wallace, rh Mr Ben
Drax, Richard	Jenkyns, Andrea	Pawsey, Mark	Warburton, David
Duguid, David	Jenrick, rh Robert	Penning, rh Sir Mike	Warman, Matt
Duncan, rh Sir Alan	Johnson, rh Boris	Penrose, John	Watling, Giles
Duncan Smith, rh Mr Iain	Johnson, Dr Caroline	Percy, Andrew	Whately, Helen
Dunne, rh Mr Philip	Johnson, Gareth	Perry, rh Claire	Wheeler, Mrs Heather
Ellis, Michael	Jones, Andrew	Philp, Chris	Whittaker, Craig
Ellwood, rh Mr Tobias	Jones, rh Mr David	Pincher, rh Christopher	Whittingdale, rh Mr John
Elphicke, Charlie	Jones, Mr Marcus	Poulter, Dr Dan	Wiggin, Bill
Eustice, George	Kawczynski, Daniel	Pow, Rebecca	Williamson, rh Gavin
Evans, Mr Nigel	Keegan, Gillian	Prentis, Victoria	Wilson, rh Sammy
Evennett, rh Sir David	Kennedy, Seema	Prisk, Mr Mark	Wollaston, Dr Sarah
Fabricant, Michael	Kerr, Stephen	Pritchard, Mark	Wood, Mike
Fallon, rh Sir Michael	Knight, rh Sir Greg	Pursglove, Tom	Wragg, Mr William
Field, rh Mark	Knight, Julian	Quin, Jeremy	Wright, rh Jeremy
Ford, Vicky	Kwarteng, rh Kwasi	Quince, Will	Zahawi, Nadhim
Foster, Kevin	Lamont, John	Raab, rh Dominic	
Fox, rh Dr Liam	Lancaster, rh Mark	Redwood, rh John	
Francois, rh Mr Mark	Latham, Mrs Pauline	Rees-Mogg, rh Mr Jacob	
Frazer, Lucy	Leadsom, rh Andrea	Robertson, Mr Laurence	
Freeman, George	Lefroy, Jeremy	Robinson, Gavin	
Freer, Mike	Leigh, rh Sir Edward		
Fysh, Mr Marcus	Lewer, Andrew		
Gale, rh Sir Roger	Lewis, rh Brandon		
Garnier, Mark	Lewis, Mr Ivan		
Ghani, Ms Nusrat	Lewis, rh Dr Julian		
Gibb, rh Nick	Liddell-Grainger, Mr Ian		
		Allen, Heidi	
		Antoniazzi, Tonia	
		Berger, Luciana	
			<b>Tellers for the Ayes:</b>
			<b>Iain Stewart and</b>
			<b>Stuart Andrew</b>
			<b>NOES</b>
			Bryant, Chris
			Buck, Ms Karen
			Cable, rh Sir Vince

Carmichael, rh Mr Alistair	McInnes, Liz
Coyle, Neil	Moon, Mrs Madeleine
Creasy, Stella	Moran, Layla
Davey, rh Sir Edward	Murray, Ian
David, Wayne	Owen, Albert
Debbonaire, Thangam	Rodda, Matt
Dodds, Jane	Saville Roberts, rh Liz
Duffield, Rosie	Sheerman, Mr Barry
Edwards, Jonathan	Smith, Angela
Farron, Tim	Soubry, rh Anna
Gapes, Mike	Stevens, Jo
Hermon, Lady	Stone, Jamie
Hobhouse, Wera	Swinson, Jo
Howarth, rh Sir George	Umunna, Chuka
Jardine, Christine	Whitfield, Martin
Jones, Susan Elan	Williams, Hywel
Lee, Dr Phillip	Wilson, Phil
Leslie, Mr Chris	Zeichner, Daniel
Lloyd, Stephen	
Lynch, Holly	<b>Tellers for the Noes:</b>
Martin, Sandy	<b>Tom Brake and</b>
McCarthy, Kerry	<b>Ben Lake</b>

*Question accordingly agreed to, without the majority required under the Fixed-term Parliaments Act 2011.*

**Mr Speaker:** I say by way of explanation for those who observe our proceedings—the nods suggest they are well ahead of me, which I would expect—that the majority does not satisfy the requirements of the Fixed-term Parliaments Act 2011 for the purpose of engendering the election that some seek—[HON. MEMBERS: “Shame!”] I am simply the messenger, and I have reported the facts. I am glad that the matter is of interest to those who are looking upstairs. Thank you very much indeed.

**The Prime Minister:** On a point of order, Mr Speaker. I earlier urged the House to trust the people, but once again the Opposition think they know better. They want the British Prime Minister to go to a vital negotiation without the power to walk away. They want to delay Brexit yet again, without further reference to those who voted for it, handing over to Brussels an extra £250 million a week for no purpose—enough to upgrade more than five hospitals or train 5,000 new nurses. And most egregiously of all, not only have they refused to choose the way ahead; they have now twice denied the British people their say in an election. The House cannot choose; it will not let anyone else choose. It resolves only to be irresolute and decides only to be undecided, determined to dither, adamant for drift, so now the House will move to adjourn and resume with the state opening and the Queen’s Speech on 14 October. I hope the Opposition will use that time to reflect. Meanwhile, the Government will press on with negotiating a deal, while preparing to leave without one. I will go to that crucial summit in Brussels on 17 October, and no matter how many devices this Parliament invents to tie my hands, I will strive to get an agreement in the national interest.

This Government will not delay Brexit any further. We will not allow the emphatic verdict of the referendum to be slowly suffocated by further calculated drift and paralysis. While the Opposition run from their duty to answer to those who put us here, they cannot hide forever. The moment will come when the people will finally get the chance to deliver their verdict on how

faithfully this House executed their wishes, and I am determined that they will see that it was this Government who were on their side.

**Jeremy Corbyn:** On a point of order, Mr Speaker. [Interruption.] I think we have had quite enough playground politics from the Conservative party this evening. The one thing the Prime Minister did not say was that he was going to obey the law of this country. He did not say that he acknowledged or accepted three votes that have taken place in this Parliament. At his request, the House is now apparently due to be prorogued this evening for one of the longest prorogations in history simply in order to avoid any questioning of what he is doing or not doing, simply to avoid discussion about Yellowhammer, and particularly to avoid any discussion about the proposals that have been put to the European Union that he has or does not have or that do or do not exist. This Government are a disgrace, and the way the Prime Minister operates is a disgrace—[Interruption.]

**Mr Speaker:** Order. Be quiet.

**Jeremy Corbyn:** I hope that the Prime Minister will reflect on proroguing and shutting down Parliament to avoid a Government being held to account, because that is exactly what he is doing today and proposes to do to this country.

**Ian Blackford:** On a point of order, Mr Speaker. I should perhaps congratulate the Prime Minister, because at least he has been consistent. He has lost every vote he has brought to this House since he became Prime Minister. Perhaps that is why he is trying to shut down democracy this evening. The message that must go to the Prime Minister is that he can run for the next few weeks, but we will be back here in the middle of October. He is the Prime Minister of a minority Government, and he has been given an instruction that he has to go to Brussels and get an extension. Once that extension has been delivered, we will have an election, and Boris will be swept from Government. The people of Scotland will get their say, and I look forward to our securing our future as an independent Scottish Government away from the clutches of a Tory Brexit Britain—an isolationist Britain that is taking us away from our partners and friends in the European Union.

**Sir Edward Davey:** On a point of order, Mr Speaker. This is a sad day for our democracy. We are seeing this Parliament shut down because the Prime Minister is running away from accountability and scrutiny. A Prime Minister who said that he is not prepared to abide by the rule of law is running away from this Parliament. The Liberal Democrats offer the Prime Minister a way out: put it to the people in a people’s vote.

**Rachael Maskell (York Central) (Lab/Co-op):** On a point of order, Mr Speaker. Can you advise me on how I can put the views of my constituents on the record this evening? I was due to present to the House a petition from thousands of my constituents who wish Parliament not to be prorogued. Due to the procedures, the voices of my constituents will be silenced this evening and the petition will not be heard. Can you advise me on the actions I can now take?

**Mr Speaker:** There are two actions that can be taken. One is to speak on the Floor of the House, which is what the hon. Lady has just done, and to that extent she has found her own salvation. The second course of action open to her is to deposit the petition in the Bag. I have a feeling that, with a fleetness of foot that will be admired in all parts of the House, that is the action she will now take. It may be a second best so far as she is concerned but, as I say, she has found a means by which to give expression to the concerns of her constituents.

**Liz Saville Roberts** (Dwyfor Meirionnydd) (PC): On a point of order, Mr Speaker. We now face 34 days during which all the checks, balances and gears of parliamentary democracy have been deliberately stalled while the Government teeter between avoiding and evading the law. This is neither normal nor honourable.

We desperately need a new politics of citizens' conventions in every nation and of truth and conciliation in an informed referendum, with article 50 revoked, if necessary, to allow that to happen. In all honesty I know I cannot ask you to resolve this, but I think the time is fast approaching when you will have to do exactly that.

**Caroline Lucas** (Brighton, Pavilion) (Green): On a point of order, Mr Speaker. The events of tonight have clearly shown that our political system is broken. It is wrong that a Prime Minister can suspend Parliament as a mere inconvenience simply to avoid scrutiny. It is wrong that he can cynically try to use the proposal of a general election as a way of getting us to crash out of the EU while we are in the middle of a general election campaign.

We cannot continue with this uncodified constitution that depends on people playing by the rules, when we have a feral Government who are not only not playing by the rules but are not even going to abide by the law. We urgently need a written constitution and a citizens' convention to inform it. No one voted for less democracy. We should design our constitutional settlement so that such a cynical power grab can never be allowed to happen again.

**Luke Graham** (Ochil and South Perthshire) (Con): On a point of order, Mr Speaker. I seek your guidance, because I think many of our constituents will be confused tonight. They will be confused because a Labour party that has asked for a general election for two years has turned one down, because the Liberal Democrats are acting anything but democratically and because the SNP is so arrogant that it says it speaks for all of Scotland, when no one party speaks for all of Scotland.

Tonight a lot of people in this House have put our faith—[*Interruption.*] You talk about shouting people down, but you are happy to shout me down. I think not. You will not shout me or my constituents down.

A lot of people have put faith in my right hon. Friend the Prime Minister to come back with a new deal, and there are concerns about time. In the time that you have left, Mr Speaker, can you assure the House that additional time will be made available for debate when we come back? If that means late-night sittings or weekend sittings, we shall have it. We need to debate a new rule, and hopefully you will help facilitate that.

**Mr Speaker:** The House is in charge of its own procedures. I note the opinion that the hon. Gentleman holds, and it will be shared by many of his colleagues, I am sure, but not by others. As I say, the House is in command of its own procedures. We do not have Executive control of the House. The House can do as it wishes in these matters, and his opinion on this subject will have been heard.

**Mr Mark Francois** (Rayleigh and Wickford) (Con): On a point of order, Mr Speaker. I have not served in this House for as long as you, but I do recall that about a decade ago the Lisbon treaty was rammed through this House, without a referendum. That caused such ill feeling among the people of the United Kingdom that, in a way that no one could have predicted at the time, within seven years the people of this country voted to leave the EU. My point is that the people who rammed the treaty through at the time thought they were being very clever, but history proved them wrong. The people on the other side of the House who think they have been very clever tonight by resisting a general election cannot hide forever from the judgment of the people. They should ask not for whom the bell tolls, because eventually it tolls for them.

**Mr Speaker:** I am grateful to the right hon. Gentleman for that.

**Brendan O'Hara** (Argyll and Bute) (SNP): On a point of order, Mr Speaker. Could you advise me how I register my anger and deep frustration at the outrageous and profoundly undemocratic suspension of this Parliament this evening? With barely seven weeks before the UK is due to leave the European Union, my constituents are deeply worried, understandably so, that, as the right hon. Member for Hastings and Rye (Amber Rudd) said at the weekend, this Government have no interest in securing a deal and are hellbent on pursuing a catastrophic policy of no deal. Along with every other part of Scotland, my constituency voted overwhelmingly to remain. We are facing profound and devastating effects on our tourism, farming and fishing industries, and surely the least that my constituents could expect is that their view Member of Parliament is able to represent them in this Chamber at this most critical moment.

**Mr Speaker:** The hon. Gentleman began his attempted point of order by inquiring how he could register his anger, and he has of course now done so. It is on the record and it will be reproduced in the *Official Report*. Something tells me that his observations in the *Official Report* will shortly be winging their way towards the local media in the hon. Gentleman's constituency.

**Patricia Gibson:** On a point of order, Mr Speaker. The people of Scotland voted overwhelmingly to remain in the EU. I seek your guidance because tonight not only have they been ignored, but their views have been dismissed with utter contempt. I ask you what outlet the people of Scotland can have until they can express their view about their constitutional future as to being part of this moribund and corrupt Union, which has been exemplified tonight.

**Mr Speaker:** The time when the hon. Lady's constituents, and, more widely, the electorate of Scotland, might be in a position to register their views in the way she suggests could well be not long from now.

**Martin Docherty-Hughes** (West Dunbartonshire) (SNP)  
*rose—*

**Mr Speaker:** No set of points of order would be complete without the product of the lucubrations of the hon. Member for West Dunbartonshire (Martin Docherty-Hughes).

**Martin Docherty-Hughes:** On a point of order, Mr Speaker. I wonder whether you could advise me on process for what is supposed to be the mother of Parliaments. *[Interruption.]* Non-sober Members on the Government Benches should maybe wheesh a wee bit, especially those who cannae haud their drink. If the Government do not meet the obligations of a vote of the House in the next few weeks, what is open not only to Members—who have overwhelmingly rejected the Government's position not only on a general election at this time but, more importantly, on implementing the decisions of the majority of Members in relation to a no-deal Brexit—but to you, as Chair of this House, to assure not only me but my constituents that a Government who do not listen to the so-called sovereign Parliament are therefore undermining fundamentally—*[Interruption.]* The hon. Member should maybe wheesh a wee minute. I have told him once; I will not tell him again. The fact that he is not even able to take a chair—he is sitting on the flair—says mair about him than any other Member in this House. If the Government will not implement the law of the United Kingdom of Great Britain and Northern Ireland, what is open to you, Mr Speaker, and the House to ensure that they do?

**Mr Speaker:** I am grateful to the hon. Gentleman. At this stage it is a hypothetical question, because one would need to look at the specifics, but what I would say to him is that if there is a dispute as to what a law means, or what compliance with it looks like, that is ultimately justiciable, and therefore it is to be expected that it would be the subject of a court ruling. These are not uncommon matters, so it would be a very high-profile situation in the circumstances with which we are dealing, but it does seem to me that Members should reflect upon these matters, and think about their options and the attitude of their colleagues, in the cool light of day. That is not necessarily best achieved by a furious focus at 12.51 in the morning.

**Kirsty Blackman** (Aberdeen North) (SNP): On a point of order, Mr Speaker. During the course of this process, the European Statutory Instruments Committee was set up in order to sift those statutory instruments that would be required in the event of Brexit happening. In advance of 29 March, the Government brought forward a number of these no-deal SIs so that, as they said, the UK would be prepared for a no-deal Brexit. The Committee has sifted 240 of these SIs that have come forward as negative instruments—there will be 580 in total.

I have discovered today that the Government intend to bring forward 10 of these statutory instruments as made affirmative statutory instruments, in order to ensure that we are prepared for a no-deal exit. I am a bit confused as to why the Government did not bring these forward in advance of 29 March, if a no-deal Brexit was supposed to happen on that date, or the second date on which a no-deal Brexit was supposed to happen, or in

fact at any time before Prorogation happened so that the Committee could sift them, as appropriate, and the House would have the opportunity to have its say on whether or not these were appropriate statutory instruments to go through. Is there any recourse that we can have, given that Prorogation is about to happen and these instruments will be made without the say-so of the House?

**Mr Speaker:** I am not privy to the Government's thoughts on these matters. It would be perfectly open for a member of the Executive branch to respond to the hon. Lady if he or she so wished, but I do not detect a notable enthusiasm. I am not aware, looking at him now and at his body language, that the Leader of the House is about to uncoil. If he were to do so, doubtless he would give a response, but he is not doing so. Although it is a matter of very considerable importance to the hon. Lady, it is not something in relation to which I can offer her help now. I suggest that she takes it up, in view of the important position that she holds in her party, with the Leader of the House, whom I must say I have always found to be, in every dealing, a most courteous and agreeable individual. I am sure that he would be more than content to discuss the matter with her, over either a cup of English breakfast tea or, conceivably, something stronger.

**Dr Johnson:** On a point of order, Mr Speaker. Earlier this week, the Leader of the Opposition said that he would vote for a general election tonight if Royal Assent was passed, but today he said that he would not, because he wants to prevent no deal. Can you confirm that, if an election had been held on 15 October, there would have been plenty of time, had he won the election, to have prevented no deal, so, in actual fact, there must be another reason for him running scared?

**Mr Speaker:** I cannot confirm anything of the sort. The expression “plenty of time” is an evaluative statement and it is obviously a view that the hon. Lady holds and she is entitled to it, but I certainly cannot confirm anything of the sort. I think that, essentially, she is accusing the Leader of the Opposition of tergiversation. *[Interruption.]* Yes, tergiversation. It is not a new charge. It is a charge that has been levelled many times over the centuries.

**Dr Johnson** *rose—*

**Mr Speaker:** No, no. I do not need anything further.

**Dr Johnson** *rose—*

**Mr Speaker:** No, no. Nothing further is required. That is the charge that the hon. Lady is levelling, but it is not a fatal charge. It has to be said that not only is it not a fatal charge, but it is not a novel concept, or without precedent in the history of our politics. We will leave it there.

**Stephen Gethins** (North East Fife) (SNP): On a point of order, Mr Speaker. The Prime Minister has previously intimated that there may be a number of solutions and new negotiations ahead of the next European Council. Members on the Government Benches might say that he is being disingenuous, but if we are prorogued, what opportunity does this House have to consider them before the next European Council?

**Mr Speaker:** The House is scheduled to return on 14 October and the hon. Gentleman knows for what purpose we will resume—for the Gracious Address and the opening of the new Session—but the House and its Members are legendarily ingenious in ensuring that that which they wish to be attended to in the House is attended to in the House.

Order. The sitting is now suspended until 1.10 am. Shortly before the sitting resumes, I shall cause the Division bells to be sounded.

12.56 am

*Sitting suspended (Order, this day).*

### MESSAGE TO ATTEND THE LORDS COMMISSIONERS

1.18 am

*Message to attend the Lords Commissioners delivered by the Lady Usher of the Black Rod.*

**Hon. Members:** No.

**Mr Speaker:** Black Rod, I treat you and what you have to say with respect, and I recognise that our presence is desired by Her Majesty the Queen's Commissioners. They are doing what they believe to be right, and I recognise my role in this matter. *[Interruption.]* Wait a minute. I could not care less whether you like it or not. *[Interruption.]* No, I am more than happy, if people have the basics of tolerance and manners to listen, they would hear that I am perfectly happy, as I have advised others, to play my part, but I want to make the point that this is not a standard or normal Prorogation. *[Interruption.]* I do not require any assistance from you, Mr Stephenson. You would not have the foggiest idea where to start on seeking to

counsel me on this—*[Interruption.]* I require no response from you, young man. Get out man—you will not be missed.

I have already made the point, if people have the manners to listen, which they have not, that I will play my part. This is not, however, a normal Prorogation. It is not typical. It is not standard. It is one of the longest for decades, and it represents, not just in the minds of many colleagues but for huge numbers of people outside an act of Executive fiat. I quite understand. I have already said that I respect Black Rod, who is doing her duty. The Queen's Commissioners are doing their duty, and I will play my part. I completely understand. *[Interruption.]* It is not disorder. I do not require advice on order from you, Mr Stuart. You are a master of disorder, man. I completely understand why very large numbers of Members are much more comfortable staying where they are. Mr Stuart, if you do not like it, you are perfectly entitled to your view. I could not give a flying flamingo what your view is. *[Interruption.]* Thank you very much indeed.

*The Speaker, with the House, went up to hear Her Majesty's Commission; on their return, the Speaker sat in the Clerk's place at the Table.*

### ROYAL ASSENT

**Mr Speaker:** Like all of you, I feel much more at home here.

**Martin Docherty-Hughes** (West Dunbartonshire) (SNP): Will you not take a peerage then?

**Mr Speaker:** Who said it was offered?

I have to acquaint the House that the House has been to the House of Peers, where a Commission under the Great Seal was read, authorising the Royal Assent to the following Act:

Parliamentary Buildings (Restoration and Renewal) Act 2019.



## Her Majesty's Most Gracious Speech

**Mr Speaker:** I have further to acquaint the House that the Leader of the House of Lords, one of the Lords Commissioners, delivered Her Majesty's most gracious speech to both Houses of Parliament, in pursuance of Her Majesty's command. For greater accuracy, I have obtained a copy and also directed that the terms of the Speech be printed in the *Journal* of this House. Copies are being made available in the Vote Office.

The Speech was as follows:

### My Lords and Members of the House of Commons

*My Government's legislative programme has laid the foundations for the United Kingdom's departure from the European Union while pursuing wide-ranging domestic reform.*

*Landmark legislation was passed, and has now been commenced, to repeal the European Communities Act. Other laws are in place to enable the United Kingdom's smooth exit from the European Union, establishing new arrangements on international sanctions, nuclear safeguards, customs, and reciprocal healthcare arrangements. Close to 600 Statutory Instruments have been made to ensure a functioning statute book following the United Kingdom's departure from the European Union.*

*The stability and strength of the union that joins England, Scotland, Wales and Northern Ireland has been at the forefront of my Government's agenda. Preserving and promoting the social, economic and cultural bonds that unite this nation remains of the utmost importance to my Government. My Government continues to work to ensure that locally-accountable politicians can take decisions in Northern Ireland at the earliest opportunity.*

*It has been an enduring focus of my Government to strengthen the economy to support the creation of jobs and to generate the tax revenues needed to invest in the National Health Service, schools and other public services. Improving public finances, while keeping taxes low, has been a priority for my Government. Legislation passed this session has provided one hundred percent relief from business rates for agricultural nurseries and, for a period of five years from April 2017, properties used for the purpose of new fibre infrastructure.*

*My Government has set out a programme of work to improve productivity and help businesses create high quality, well paid jobs across the United Kingdom. In 2019, more than a million workers benefited from the largest increase to the National Living Wage since it was first introduced. My ministers have worked to attract investment in infrastructure to support economic growth. Legislation has been passed to ensure that the United Kingdom remains a world leader in new industries, including electric cars and commercial satellites.*

*My Government has continued to support international action against climate change, including implementation of the Paris Agreement. Recognising the need for bold steps to protect the planet, a commitment to reach net zero carbon emissions by 2050 was enshrined in law, making the United Kingdom the first major economy to do so.*

*Draft legislation was published which will establish a new body to ensure the United Kingdom's high environmental standards are maintained and to protect and improve the environment for future generations. My Government has*

*legislated to protect animals, including bans on the sale of ivory, puppies and kittens by commercial third parties and the use of wild animals in travelling circuses in England.*

*Voyeurism offences have been recognised as the crimes that they are and legislation has been passed to ensure the courts have powers to take swift action to protect children who are identified as at risk of female genital mutilation.*

*In presenting the long-term plan for the National Health Service in England, my Government strengthened its commitment to ensuring there is a world-class health system that supports everyone from birth, through the challenges that life brings, and into old age. My Government is committed to ensuring mental health support is available to all who need it and to protecting the fundamental human rights of the most vulnerable in society. Legislation enacted this session will increase access to protections and put in place robust safeguards for those who are deprived of their liberty.*

*In recognition of the need to make renting fairer and more affordable, and to promote fairness and transparency in the housing market, legislation has been enacted to reduce costs at the outset of, and throughout a tenancy, by banning most letting fees paid by tenants in England.*

*My Government has taken steps to ensure fairer markets and to protect consumers from unfair practices and financial losses. Legislation has been passed to ensure people have access to free and impartial financial guidance and debt advice and to introduce a ban on nuisance calls in relation to pensions. Measures have been enacted to reduce insurance costs for motorists by tackling the high number and cost of whiplash claims.*

*The security of the nation and its citizens remains of the highest importance to my Government. In this session, legislation has been passed to ensure the police and security services have the powers they need to keep the population safe in the face of evolving threats of terrorism.*

*Legislation passed this session marks a significant step towards my Government's commitment to tackle serious violence on the streets of the United Kingdom. Laws are now in place to prevent young people from purchasing dangerous weapons and to prosecute those who possess such items, or sell them without imposing rigorous age verification.*

*The defence of the Realm remains an utmost priority for my Government, which it has supported through investment in our gallant Armed Forces.*

*As a leading member of the international coalition against Daesh, the United Kingdom played a critical role in the military defeat of Daesh's so-called caliphate in March of this year. While the Middle East continues to suffer from serious conflict, my Government has played a leading role in de-escalating regional tensions. My Government has also played a key role in international efforts to protect the United Kingdom and its allies from hostile threats, including in response to the chemical weapon attack in Salisbury.*

*As a permanent member of the United Nations Security Council, my Government has provided political and diplomatic support to peace efforts in Yemen, Libya and Syria, as well as mitigating the human cost of these tragedies through the provision of substantial humanitarian assistance.*

*Prince Philip and I were pleased to welcome Their Majesties King Felipe and Queen Letizia of Spain and we also welcomed King Willem-Alexander and Queen Maxima of the Kingdom of the Netherlands, and the President and First Lady of the United States of America, on State Visits.*

*[Mr Speaker]*

*Prince Charles and I were delighted to attend a national commemorative event to honour and remember the heroism, courage and sacrifice of the many servicemen and women who participated in the D-Day Landings.*

**Members of the House of Commons**

*I thank you for the provisions which you have made for the work and dignity of the Crown and for the public services.*

**My Lords and Members of the House of Commons**

*I pray that the blessing of Almighty God may rest upon your counsels.*

**Mr Speaker:** The Commission was also for proroguing this present Parliament, and the Lord President said:

“My Lords and Members of the House of Commons:

By virtue of Her Majesty's Commission which has now been read, we do, in Her Majesty's name, and in obedience to Her Majesty's Commands, prorogue this Parliament to Monday the fourteenth day of this October to be then here holden, and this Parliament is accordingly prorogued to Monday the fourteenth day of October.”

*House adjourned (Speaker's statement, 25 September 2019).*

# Westminster Hall

*Monday 9 September 2019*

[JOAN RYAN *in the Chair*]

## Prorogation of Parliament

4.30 pm

**Paul Scully** (Sutton and Cheam) (Con): I beg to move,

That this House has considered e-petitions 269157 and 237487 relating to the prorogation of Parliament.

It is a pleasure to serve under your chairmanship, Ms Ryan. I will read the wording of both petitions into the official record. The first petition is titled, “Do not prorogue Parliament”, and states:

“Parliament must not be prorogued or dissolved unless and until the Article 50 period has been sufficiently extended or the UK’s intention to withdraw from the EU has been cancelled.”

That petition received 1,721,119 signatures within a very short space of time. The second petition, which has already closed, is titled, “The Prime Minister should advise Her Majesty the Queen to prorogue Parliament”, and says:

“The Prime Minister should advise Her Majesty the Queen to prorogue Parliament suspending the current parliamentary session until 2nd April 2019” —

that is clearly out of date now—

“to prevent any attempts by parliamentarians to thwart Brexit on 29th March 2019. Preparations for no-deal/WTO will continue. The Prime Minister’s deal has been rejected. No further deal is available from the EU. Remaining in the EU is not an option. Extension or revocation of Article 50 is not an option. I believe the British people voted to leave with no mention of a deal and that WTO rules, to which Britain will default on 29th March 2019, are in Britain’s best interests. We may get a better deal after, but not until, we have left.”

As I said, the second petition is out of date; events were moving so quickly at the time that it was difficult to schedule a debate on it and to keep it topical. Naturally, with the Prorogation of Parliament upon us tonight, as I believe has been declared, it was deemed suitable to bring the two petitions together.

It is important that the Petitions Committee should always try to allow people to have their views aired. There is a reason why debates on petitions in Westminster Hall are some of the most read and watched debates: it is because we are talking about what people want us to talk about, rather than what we want to talk about. Unfortunately, or fortunately, the two coincide in this case. I have noticed that over the last three years we have wanted to talk about Brexit quite a lot; and because of the topicality of the issue, and because the Prime Minister has been clear that we will leave the EU by 31 October, come what may, people want to express their opinion, whether they want to stop no deal or stop Brexit in its entirety. It is important that we discuss that in the House of Commons.

There is a clear reason why Prorogation is a sensible idea. The Prime Minister was elected by members of the Conservative party, and people have asked what his domestic agenda will be. It is therefore right that we debate the wider domestic agenda, as well as Brexit, in

this place. That can be done through a Queen’s Speech, in which the Prime Minister can set out clearly what he wants to do in the coming year, in a new Session of Parliament, to move the debate on, move Parliament on, and move the bandwidth of the media away from Brexit as we leave on 31 October.

**Catherine West** (Hornsey and Wood Green) (Lab): I thank my London colleague for giving way. Does he believe that 100,000 votes from Tory party members is enough of a mandate for making such important decisions?

**Paul Scully**: I will come back to the question of mandate, because in about five hours the Prime Minister will ask Members to vote for a general election. We have all said that we do not want one at this time, because we want to get on with the job in hand, but at the moment, that is the best way not only to resolve the conundrum that we face in the lead-up to 31 October, but to move on and to show that there is a mandate for the domestic agenda.

**Julian Knight** (Solihull) (Con): As ever, my hon. Friend is doing sterling work in presenting the petitions. The hon. Member for Hornsey and Wood Green (Catherine West) mentioned the number of 100,000; he mentioned the number of 1.1 million—those people who signed the first petition. I have another number for him: 17,410,742. That is the number of people who voted to leave the EU, but due to parliamentary artifice, they are being denied that right.

**Paul Scully**: I thank my hon. Friend for that intervention. I could not agree more, and I was one of those 17.4 million people. I understand that there are many facets to this complex argument, but we Members are charged with showing political leadership. For three years, we have talked about what we do not want; we have um-ed and ah-ed; we have had political shenanigans; and there have been games afoot. In the last few weeks—it seems a long time since the summer recess—the debate has been like the trash talk in a press conference ahead of a heavyweight boxing match, with people trying to win the fight before the first punch is thrown.

People clearly expect us to get on with the job and leave the EU, with or without a deal. By now, we should be talking about how, not whether, we will leave. The fact that we are still talking about whether we will leave, three years after the referendum, demonstrates the point that my hon. Friend the Member for Solihull (Julian Knight) made: we cannot pick and choose the election results that we want to uphold, and 17.4 million people—the most people to have voted for anything in a British election—have charged us with leaving the EU.

**Alex Sobel** (Leeds North West) (Lab/Co-op): Do we not need to know whether we are leaving with or without a deal in order to understand what legislation will be required? How can we have a Queen’s Speech on 14 October, before the European Council, and how can we frame legislation when we do not know whether we are leaving with or without a deal?

**Paul Scully**: To be fair, I have allowed the last two interventions to distract me from the fact that the key purpose of a Queen’s Speech is to set out the domestic agenda—to talk about the 20,000 new police officers,

[Paul Scully]

and to ensure that people see the benefits of frontline funding for the NHS, levelling up funding for schools, and delivering full-fibre broadband across the country. However, as we ramp up preparation for no deal, we know exactly the kind of thing that we will need if we get a deal, although the deal that we are likely to get—if we get there—will be substantively different from the last withdrawal agreement. Also, we have been trying to pass legislation regarding no-deal preparations over the last few months.

Again, I am allowing myself to be distracted. We keep talking about deal or no deal, but actually we mean the withdrawal agreement; the deal is yet to come. We use the terms interchangeably. The deal, in terms of trade deals, is all about the future relationship with the EU, and we have not even got there yet. All we are talking about—I say “all”; of course it is complicated and significant—is how we physically leave the EU. Deciding what the trading relationship will look like will take time. One of my fundamental concerns—albeit from two and a half years ago, so it cannot be revisited—was accepting the sequencing that Michel Barnier and the EU put to us: that we had to get the divorce done before we could talk about the future relationship. It would have been far more sensible—this formed the basis of the Vote Leave campaign—to do both at the same time.

On the backstop, for example, instead of coming up with the convoluted system that has failed to get through this place so many times, it would have been far easier had we known what the ultimate trading relationship between Northern Ireland, in particular, and the Republic of Ireland would be. We would then have been able to work on solutions—alternative arrangements—not just in the last year, but in the last three years. That would have been a far better and more holistic approach to leaving.

**Jeremy Wright** (Kenilworth and Southam) (Con): I agree with my hon. Friend that the public are keen for us to move on to the domestic agenda. Is it not the case, however, that we are talking about having a Queen’s Speech either in October, or in November, which would be after Brexit has taken place, given the Prime Minister’s determination to leave on 31 October? As my hon. Friend says, we may leave with no deal, and I agree that it would not be desirable or possible to take that off the table. Does Parliament not have an obligation to scrutinise the Government’s no-deal preparations, and should we not spend the five weeks during which we are to prorogue doing that, rather than anything else, including holding party conferences?

**Paul Scully:** My right hon. and learned Friend has a point in theory, but unfortunately only in theory. We have already cancelled two recesses, to the angst of several hon. Members, but what did we do during those sittings? We considered statutory instruments on the Floor of the House, because there was not enough business about Brexit coming from the Opposition. I remember walking around this place and seeing Opposition Members with their coats on, leaving early. If they had wanted to get involved in debates, and to add to the 500 or so hours of debate that we have had in this place about Brexit, they could have done so in those two weeks. They could also have cancelled summer recess, but clearly, that would have been a little too inconvenient.

**Julian Knight:** My hon. Friend inadvertently makes the case for a Queen’s Speech. In reality, the Government have been splitting up Bills to ensure that parliamentary time is used up. We need a new agenda, and a new raft of legislation to put before the House, so that people can see Parliament do something other than argue over and frustrate Brexit. That would restore their confidence in Parliament.

**Paul Scully:** My hon. Friend is absolutely right. We already have the odd addition of this fortnight, which, when coupled with the five weeks of Prorogation, smacks of, “Look busy, the boss is watching.” We are scratching around trying to find something to do. I do not dismiss the fact that scrutiny of the Government’s legislation and action is important, but I caution that actions need to match words.

**Dr David Drew** (Stroud) (Lab/Co-op): I have never known a Parliament where the business has collapsed so often, yet the Agriculture Bill, the Fisheries Bill and the Trade Bill all need to come back for Report and Third Reading, and to then go to the Lords. Where are those Bills? Why have they not come back? Why have we not used the time properly? It is quite disgraceful.

**Paul Scully:** The hon. Gentleman uses the word “disgraceful”; I have been in this place for only four years, but for three of them, I have sat here scratching my head, thinking, “I have some of the most intelligent people around me acting in the most stupid way.” I blame people on both sides of the argument equally; I am an equal opportunity critic. We should be talking about how we leave, not whether we leave.

Brexit is a big issue that divides parties, communities and families. None the less, we were asked a relatively simple question: do we leave or remain? Leave won, and it is not beyond the wit of man to give businesses, communities, EU nationals here and British citizens abroad the sense of certainty that they need and deserve. In the coming weeks, I hope that we move on and reach a resolution, so that we can get back to the domestic agenda that will be set out in the Queen’s Speech on 14 October.

We saw a lot of confected outrage, as the Leader of the House described it, when the Prorogation of Parliament was first discussed. People conflated two different sets of statements. When several Conservative leadership candidates said that it would not be good to prorogue Parliament to bring about Brexit, come what may, they were talking about a Prorogation that straddled 31 October, so that we would fall out of the EU without discussion. That is clearly not what is happening. The hashtag #StopTheCoup started to appear on Twitter and social media, but frankly, that would be the worst coup ever.

Parliament is coming back on 14 October, and on the week following that, we will debate the Queen’s Speech, which will no doubt involve Brexit, because that will clearly be a major part of it. We then have weeks after that, because a Brexit deal will come back to Parliament only if we get a deal on 18 October at the end of the EU Council. Hopefully, at that point we will achieve a deal and bring it back to this place; we can then discuss it. We will have something that we can all circle around, and that will allow us to say, “Nobody gets everything they want, but this is enough to allow us to say that we

have respected the referendum, and to enable us to start looking at the opportunities that Brexit offers, rather than at whether we are leaving.”

**Rachael Maskell** (York Central) (Lab/Co-op): This is a national crisis; it is not business as usual. We elected parliamentarians should be in this House debating all the crucial issues related to Brexit, not least of which is what the Government will come up with in relation to the Northern Ireland backstop; at the moment, it looks like the emperor’s new clothes. The hon. Gentleman’s argument that we should use the façade of a Queen’s Speech to introduce a new parliamentary agenda, while we have the big cloud of Brexit over our heads, is weak.

**Paul Scully:** I agree with the hon. Lady that this is a political crisis. It is grinding the country to a halt—certainly, to boredom. There is one way to sort it out. We can sit here contemplating our navels, or we can go out and speak to the people. We can have a general election, in which we can discuss Brexit and engage 70 million people, not just 650. To me, that is democracy in action.

Some hon. Members might say, “Let’s have a second referendum.” There are clearly issues with that. It took nine months to get the first one through this place and to hold it, and we would also have to decide on the question, and the electorate. Those issues, which would be hotly debated in this place, would have to be decided before we could even get to the referendum. People may say that the current situation creates uncertainty, but that option would perpetuate uncertainty. To those people who say, “The EU referendum caused division,” I say: why have another one?

**Graham Stringer** (Blackley and Broughton) (Lab): A new argument has come forward. A number of parties have said that if there is a second referendum, they will honour the result only if people vote in a particular way. Does the hon. Gentleman agree that that would completely undermine that referendum, and all future referendums?

**Paul Scully:** The hon. Gentleman has argued passionately in this place alongside me against a second referendum. I agree with everything he said, including about the referendum result being undermined.

I mentioned #StopTheCoup, and how bad a coup the Prorogation of Parliament would be. Instead, parliamentary games are being played by those on the other side of the argument. Parliament took control, and took parliamentary time away from the Government to pass the Benn Bill, which passed due to an amendment that was granted by the Speaker, who was frankly making it up as he went along. The right hon. and learned Member for Beaconsfield (Mr Grieve) has told me that even he did not expect the amendment to be made that allowed him to lay the path for Parliament to take the business away from the Government.

**Martin Whitfield** (East Lothian) (Lab): On the question of a referendum, would the hon. Gentleman have a similar concern about a confirmatory referendum? As was the case with the Good Friday agreement, people would be empowered to show their acquiescence with a result that could become law. Hon. Members in this place who seek to disagree with that result are 650 votes, 350 votes, or one vote among the entire electorate.

**Paul Scully:** I come back to the point that any referendum, confirmatory or otherwise, takes time. We are trying to leave the EU so that we can get on to the next stage of this debate, which we have been having for three years. I am not entirely sure that a confirmatory referendum would resolve anything, although it is a step up from the so-called people’s vote—frankly, we have already had a people’s vote; this would be a second people’s vote.

**Julian Knight:** A perverse situation would arise from a confirmatory referendum: it would almost predicate us getting a very bad deal, because the EU knows that if it gives us a bad deal, people will vote not to accept it. Frankly, it is Hobson’s choice.

**Paul Scully:** My hon. Friend is absolutely correct, as always. As I say, every time we diminish the negotiating position of the Government, we inevitably create a more distinct possibility of a watered-down deal. In fact, why does the EU need to speak to us at this time anyway? Theoretically, the way the Benn Bill works is that the letter that Parliament has written for the Prime Minister to take to the EU allows the EU to dictate the date that the UK leaves the EU. It has been nicknamed the “surrender Bill” for a reason; frankly, it is about as surrendery as it gets.

**Jeremy Wright:** I am very grateful to my hon. Friend for giving way; he is being very generous with his time.

Again, I agree that it would be wrong to postpone our departure from the EU beyond 31 October. If we leave then, we leave either with or without a deal. If we do not have a general election—we will know by the end of this evening whether we are to have one—we will prorogue. Is the point not that we will come back on 14 October and give ourselves two weeks to either analyse a new deal, pass the old one, or decide how best to the Government can prepare us for no deal—which is simply not enough time?

**Paul Scully:** We have discussed no deal over the past few months, to quite an extent. There would clearly be more specifics, if it seems that that is how it will go. Rather than us not having enough time, people will probably be moving a bit more quickly and frantically.

I have never voted to take no deal off the table, because it is a serious proposition. I have always wanted to get a deal, but I am prepared to leave with no deal if we have done everything we can to get there. However, too many hon. Members in this place have just dismissed it. This goes right back to the heart of the referendum. Not enough hon. Members have taken seriously what people charged us with doing. Many times, I have had people pat me on the head and explain to me why I voted to leave, rather than ask me—and I am a Member of Parliament. Imagine how patronised by the establishment Joe Public feels in parts of the country that voted to leave.

No deal has always been there, whether or not it has been taken seriously by the Government at various points. That is possibly an argument for another day. No deal absolutely should have been discussed as a serious proposition and scrutinised over the past three years. We are at a point at which that proposition has ramped up, and I believe that there will be plenty of time to debate it. I hope that we get a deal. I hope that

[Paul Scully]

being able to say “We will leave by 31 October” focuses all our minds on ensuring that we get rid of the backstop. Bear in mind that although we have said what we do not want to do, that is the only thing that has been voted for affirmatively.

In conclusion, I come back to the point that proroguing until 14 October for a Queen’s Speech allows the new Prime Minister to set out his bold, ambitious domestic vision for this country, which people are absolutely screaming out for. They want us to get Brexit done, so that they can talk about what affects them daily: their hospital, their children’s schools and their safety at home and on the streets. Having more policeman and infrastructure, be it rail or broadband, is what affects people daily when they walk out their door.

4.55 pm

**Helen Hayes** (Dulwich and West Norwood) (Lab): It is a pleasure to serve under your chairmanship, Ms Ryan. I rise to speak on behalf of the 8,738 residents in Dulwich and West Norwood who signed the petition in opposition to Prorogation—the eighth-highest proportion of constituents in any constituency in the country—and on behalf of all my constituents, who will be denied their voice and democratic representation as a result of Prorogation today.

It has been argued that Prorogation is normal ahead of a Queen’s Speech, and that only three days of parliamentary time are being lost; we would normally break for conference recess anyway. However, we are not in ordinary times. Brexit has riven our country. We know that the Government’s own analysis shows that there is no version of Brexit that does not inflict damage on the UK economy, and that a no-deal Brexit will deliver a calamity for jobs, the supply of medicine and food, and peace in Northern Ireland. A no-deal Brexit poses a catastrophic threat to so many of the things that our constituents hold dear and on which they depend. To prorogue Parliament at such a time is not normal business; it is an outrage to our democracy.

My constituents voted overwhelmingly—77%—to remain in the European Union. I represent one of the most diverse constituencies in the country. We are internationalist and celebrate diversity. Our values are European values. The strength of feeling in my constituency of Dulwich and West Norwood has not diminished since 2016; it has strengthened and deepened. Since June 2016, however, 77% of my constituents and 48% of voters across the country have been told that we must be quiet, and that our views no longer matter. Even in the face of evidence that Vote Leave broke the law to an extent that might have been sufficient to influence the result of the referendum, we have been told that we must be quiet. We have been told that we must be silent in the face of evidence of the impact of Brexit, which was never discussed during the referendum campaign—most notably, the impact on the Good Friday agreement and peace in Northern Ireland. We have been told to be silent as the definition of Brexit, which was not discussed during the 2016 referendum, has become ever more reckless, right wing and extreme.

That is not how democracy works. It is never the case that, when we vote in a referendum or general election in this country, people who were on the losing side must simply change their views and acquiesce to those who won.

It is never the case that, when we vote in an election in this country, everyone’s views are static from that point on for evermore. In our democracy, it is always the case that orderly discussion and debate continue in this Parliament—it is how we resolve our differences—and that we reflect on the result of a vote, on its consequences and impacts, and on what should happen next.

To shut down debate at this time—the House has not voted on the dates of conference recess, and extensive representations were made to the Prime Minister over the summer that Parliament should be recalled—is an insult to my constituents and an outrage to our democracy.

The hon. Member for Sutton and Cheam (Paul Scully) spoke of the times when business has finished early and we have not had matters to debate before us, but the Prime Minister has not brought any solutions to Brexit to this House for discussion and debate. He wants to close down debate in this place to force through a reckless no-deal Brexit that will inflict harm on constituents across the country. That is irresponsible and will drive even more division through our country.

**Jeremy Wright:** As the hon. Lady knows, I agree with the thrust of her argument that we should spend the bulk of the five weeks of possible Prorogation here discussing these issues, rather than elsewhere. Would it not be better if hon. Members on both sides of the Chamber made it clear we that we would use that time to discuss the best way for us to leave the European Union, as my hon. Friend the Member for Sutton and Cheam (Paul Scully) said, rather than to re-fight the referendum campaign, as I fear the hon. Lady may be suggesting we should do? Is not the best way of proceeding for us to leave with a deal and forge what cross-party consensus we can to find a deal that we all agree on?

**Helen Hayes:** It is clear that my constituents do not want to leave the European Union. As a Back-Bench MP on the Opposition Benches, I reserve the right to represent their views and test with them how they feel and think about any deal that is on the table. We had a deal from the previous Prime Minister that was undeliverable in this House for a range of reasons on both sides of the House. We now have a Prime Minister who says he wants a deal but will not put one on the table or negotiate one in good faith with the European Union. In that context, I am not prepared to acquiesce to an “emperor’s new clothes” argument that this will somehow be fine for my constituents. I want the right to continue to represent their views and bring to this House in an orderly fashion their views and concerns, debate them with the Government and hold this reckless Prime Minister to account.

I will not be silent. My constituents’ voices will continue to be heard, and our values will continue to be represented in this debate. I urge colleagues on both sides of the House to continue to oppose this Prorogation vigorously and to remain sitting this evening. This cuts to the very heart of our democracy and the ability of Members of Parliament to hold to account the Executive, who seem determined recklessly to drive us over the edge of a cliff. We cannot stand for that.

5.3 pm

**Justin Madders** (Ellesmere Port and Neston) (Lab): It is a pleasure to serve under your chairmanship for this very important debate, Ms Ryan. I thank my hon. Friend

the Member for Dulwich and West Norwood (Helen Hayes) for her excellent contribution: she spoke a great deal of sense. We probably disagree about some of the eventual outcomes, but her defence of democracy was first class, and I wholeheartedly support it.

The hon. Member for Sutton and Cheam (Paul Scully) talked about a lot of issues, but something I regretted hearing from him was that we should not be here contemplating our navels. That is certainly not something that I do when I am here, and no hon. Member I am aware of spends their time here doing that. They are here representing their constituents and doing their very best for them. It would be wrong to suggest to the public at large that our time here is not important: it is normally well spent.

Many of my constituents signed the petition to block Prorogation. More than 10 times as many added their names to the petition against Prorogation as signed the one to support its implementation. I suspect that the number who are concerned about events will continue to rise. Many constituents have contacted me through social media and email. I agree with them that for the Prime Minister to shut down Parliament at such an important time in our country's history, in the end stages of the Brexit process with by far the largest negotiations this country has undertaken in at least half a century, is nothing short of an outrage.

The Prime Minister is not content with ignoring Parliament: we know that he ignores his Cabinet colleagues, too. The number of people who were consulted about this decision before it was made was small. It is no wonder that most Cabinet members were not consulted, given that many of them spoke strongly against Prorogation during the Tory leadership campaign. For example, the right hon. Member for Bromsgrove (Sajid Javid) said:

“You don't deliver on democracy by trashing democracy.”

The right hon. Member for South West Norfolk (Elizabeth Truss) said that the idea was an “archaic manoeuvre”. The right hon. Member for Surrey Heath (Michael Gove) said:

“I think it would be wrong for many reasons. I think it would not be true to the best traditions of British democracy.”

I agree with what they said, even if they do not agree with themselves any more.

**Paul Scully:** Will the hon. Gentleman acknowledge that all three of those quotes were in response to the idea of proroguing Parliament and bridging 31 October—in other words, taking Prorogation beyond the date when we are supposed to leave the European Union?

**Justin Madders:** I do not know the precise context of those comments. What is clear is that Prorogation is designed to have the same effect—to shut down debate and stop Parliament analysing properly the effects of our exiting the EU by way of a deal or not. I am afraid that it amounts to the same thing—an absolute outrage for democracy.

That is where we are. Parliament will be suspended later today because the Prime Minister desires to avoid scrutiny and force us into a no-deal Brexit, despite the Government's own analysis showing that a no-deal Brexit would mean food shortages, medicine shortages and chaos at our ports, and despite Parliament legislating to take no deal off the table.

The Government have no mandate from the British people to leave the EU without a deal, but what else would we expect from this Prime Minister? It was reported last week that his chief of staff described negotiations as a scam and an attempt to run down the clock. Even the right hon. Member for Hastings and Rye (Amber Rudd) has decided that she can no longer take part in this charade. She resigned from the Cabinet this weekend because the Government had not undertaken serious formal negotiations with the EU. That exposes the truth of what the Government are about.

Let us be absolutely frank: the Government are about hiding from scrutiny and running away from the reality and the consequences of their decisions. It is a desperate attempt to cut and run before the truth catches up with them. A string of local companies came to see me over the summer with genuine concerns about the impact of a no-deal Brexit. Between them, they employ thousands of people. The Government's decisions have the potential to wreak havoc on the local economy.

This is about not just the consequences of leaving without a deal, but Government decisions relating to that that could be changed. There are industry-wide issues, and that will almost certainly mean that jobs in other parts of the country will be affected. We are denied the opportunity to hold the Government to account on these matters, because we know that the truth is that they cannot justify their decisions. We are in the middle of the biggest constitutional crisis that this country has ever seen. We are on the cusp of enacting the biggest changes that this country has made for a generation, yet the Government are acting as if there is nothing to talk about. What an outrage!

If we leave the EU on 31 October with or without a deal, we will be woefully underprepared. It is simply inconceivable that all the legislation needed for an orderly exit is place, as my hon. Friend the Member for Stroud (Dr Drew) said. To my knowledge, there are at least six Bills that have not been passed and would need to be enacted for that to happen. If we crash out on the 31st without a deal—let us not forget that, despite what the Prime Minister said, that is still an option if he can persuade Parliament that it is the right thing to do—there is still an enormous amount of contingency planning needed in transport, medicines and food, to name but a few areas. Members of Parliament should be scrutinising the Government and holding them to account for what they intend to do.

I read a very alarming report the other day that suggested that the plans for a no-deal Brexit involve relocating thousands of council staff from around the country down to Whitehall to deal with no-deal fallout. Bizarrely, the council staff will be replaced with members of the armed forces. I have no idea whether that is true—I hope it is not—but surely we deserve to know what is going on. Surely our role as parliamentarians is to scrutinise Government policies, particularly when the effect might be as dramatic as that. We should sit every day until 31 October to sort this out, which is what we were elected to do. The Prime Minister should not be going around the country electioneering at a time of national crisis. That is snollygostering of the highest order.

The Prime Minister's game—that is what it is to him—has been clear for some time: make a load of spending announcements quickly, shut down any scrutiny

[Justin Madders]

of them, and hope that the traditional honeymoon period that all Prime Ministers experience lasts until mid-October. Well, we will not play that game. I have been on to him since his second day in office, when he announced a £3.6 billion fund for towns. When I heard about that, I thought, “That sounds pretty promising and is certainly something that Ellesmere Port and Neston could benefit from.” I was keen to see whether my constituency would be on the list, but as Parliament was not sitting, I submitted a freedom of information request to the Cabinet Office, which said in its response that it had no information at all.

Here we have a Prime Minister announcing a multibillion-pound expenditure, while his office does not have even one scrap of paper to set out how the money will be spent. What a complete charlatan. I want accountability, answers and a Minister at the Dispatch Box to explain where that money is going, how it is being spent and who made those decisions. Anything less than that and it looks like a political fix—a cheap stunt unworthy of a serious party of government.

That is not the only issue on which I want answers. A major employer in my constituency is talking about shutting down in the event of a no-deal Brexit. Two secondary schools are up in arms about the way that they have been treated. There are major concerns about the way that a company contracted by the NHS suddenly went bust over the summer, and about the future of the fire service. There are major problems with access to mental health services. There is rising unemployment and a chronic lack of affordable housing. We should be tackling all of those matters here and now, in Parliament.

In truth, however, we will not be able to talk about those things because the Prime Minister does not want scrutiny as what he says does not stand up to it. He tells us that he cannot negotiate with the EU if no deal is taken off the table, but given his claim that the primary change that he wants to make is on the Irish backstop—a very specific issue—I see no connection between the changes that he says he wants and the need to keep no deal on the table. He also tells us that the first thing that the EU will ask in respect of any proposals made by the Government is whether they have the support of Parliament. How can Parliament say that it supports the proposals if it does not even know what they are and it is not sitting to find out? That does not stack up; it is a nonsense that has unravelled in a matter of days since Parliament’s return.

No wonder the Prime Minister does not want Parliament to sit. The more exposure he gets, the more even his own party walks away from the circus. The clown routine is an insult to the office of Prime Minister, to Parliament and to the people of this country, who he thinks will be duped by Eton’s answer to Arthur Daley—we will not fall for it. One cannot claim, as the Conservative party has, to believe on one hand in parliamentary sovereignty, and on the other in shutting Parliament down.

I put on the record that I do not support the Prorogation of Parliament and believe it to be an unprecedented, antidemocratic and unconstitutional attack on our democracy. Taking back control means Parliament taking back control and standing up to the bully boys who want to shut us down.

5.12 pm

**Faisal Rashid** (Warrington South) (Lab): It is a great pleasure to serve under your chairmanship, Ms Ryan. I congratulate my hon. Friend the Member for Ellesmere Port and Neston (Justin Madders) on his excellent speech.

The Prorogation of Parliament is just the latest in a series of reckless and opportunistic gambles undertaken by Conservative Prime Ministers on the issue of Europe. As always, the hardworking people of this country will suffer most as a result. David Cameron refused to face the consequences of his own decision to hold the 2016 in/out referendum on Europe with no conditions at all. Theresa May argued that no deal was better than a bad deal and, after she brought a bad deal back to Parliament, we now, unsurprisingly, face crashing out without a deal. That outcome was not even part of the discussion in 2016, yet nothing else will now satisfy this Government’s far-right backers.

In the last few years, poverty, inequality and homelessness have risen. Against that backdrop, Parliament has been reduced to banging on endlessly about Europe. As the Prime Minister suspends Parliament to take us out of Europe without a deal, experts and the Government’s own advisers warn of food shortages and limited access to medical supplies. Just stop and think about that for a second—peacetime shortages of food and medicine. That is not the result of a natural disaster but a political disaster—the Conservative party.

The damage of a no-deal Brexit will not be temporary; it threatens profound systematic damage to our economy. The Bank of England says that that outcome would permanently—not temporarily—reduce the UK’s export potential. The Treasury believes that it would result in an economy 8% to 10% smaller in 15 years than if we were to remain in the European Union, with the north-west hit the hardest. The president of the National Farmers Union, Minette Batters, said that a no-deal Brexit would be

“socially and economically catastrophic for farming in Britain.”

Make UK, the manufacturers organisation, said that it would be

“disastrous for the majority of UK manufacturers and the livelihoods of the millions of people they employ and their families.”

Yet to realise this disastrous outcome, the Government have resolved to gag Parliament in these most critical days for our country. That they can proceed with such arrogance is astonishing, after all, it will not be their families who are on the breadline or their livelihoods that are destroyed. We need to prevent the irreparable damage of no deal at all costs.

The single greatest myth of a no-deal Brexit is the idea that it avoids the need for negotiations with the European Union. The day after we crash out without a deal, the need for a strategic relationship with our largest and nearest market would remain, and we would seek a free-trade agreement. The Government talk about strengthening our negotiating position with the EU, but in reality, the day after no deal, we would be forced to go cap in hand to the EU for a trade deal, with our economy in tatters. How would we negotiate then? We talk about keeping no deal on the table to negotiate, but if we crash out without a deal, how can we expect a good free trade agreement afterwards?



MPs from across the House must fight with all our might to stop no deal. That is why I will vote against a general election this evening until the threat of leaving the EU without a deal is ruled out. Otherwise, we are up for a general election and we are ready for one.

5.17 pm

**Alex Sobel** (Leeds North West) (Lab/Co-op): This is a really important debate, not least because 1.7 million people signed the petition. We have had demonstrations up and down the country, including in Leeds both this and last Saturday. The previous Saturday saw the largest demonstration in Leeds since the protests against the Iraq war, with 5,000 people turning out to hear some of the city's and the region's MPs, who are all from the Labour party.

Those demonstrations happened because people think that we need to be in Parliament to scrutinise the Executive at this crucial time, rather than spending five weeks in our constituencies and at party conference. Nor, as my hon. Friend the Member for Ellesmere Port and Neston (Justin Madders) said, should the Prime Minister be electioneering using public money in that time, before general election spending rules apply.

It is vital that we are here because the country is in no way prepared for crashing out of the EU on 31 October as the Prime Minister seems intent on doing. Today, I read in *The Times* that our EU negotiating team is composed of just four people. How will four people negotiate a new withdrawal agreement with the European Union in the time that we have left before the European Council? That does not seem credible and does not stand up to scrutiny. That is why Parliament is being prorogued: so that scrutiny does not exist.

What else do we need in that period? A number of Bills that have started to go through the House have not completed the process, and they need to before we reach any watershed moment with the European Union. If they have not been completed, it will be absolutely chaotic—we will live in a chaotic country in which international law has not been properly legislated for; not enacted by our legislature.

The Trade Bill, for example, has not been finished. Why not, because it should have? We were on track to pass the Trade Bill in May—I do not mind if the Minister corrects me on that, but I think we should have completed the Bill then. We have not done so because of the attempts—which I would have supported—to insert a customs union into the provisions of the Trade Bill, and the Government, under both this Prime Minister and the previous one, the right hon. Member for Maidenhead (Mrs May), did not want a customs union. Progress on the Bill was therefore slowed down, so we will not complete it in time for 31 October.

An immigration Bill would have provided some surety for EU citizens in this country—though perhaps not, depending on what happened with it—and regulated immigration post Brexit. What now happens to those EU citizens if the Prime Minister does not negotiate a withdrawal agreement and we leave with no deal on 31 October? I hope that the Minister has a good answer, because 3 million people in this country are interested to know what their status will be without the completion of such an immigration Bill. They do not believe the promises that have come from Ministers and the Executive.

What about the Fisheries Bill? Central to the leave campaign in 2016 was that the UK would take back control of fisheries and fishing rights, but how will that be possible without a Fisheries Bill? Without that legislation, will not other countries with which we share our territorial waters contest us in international courts? What a laughing stock we will be if we leave on 31 October without the legislation. The Agriculture Bill, too, is meant to frame what we will have post the common agricultural policy.

I am sure the Minister will say, “Oh, but these Bills will be in the Queen's Speech”—obviously, he cannot give us a decisive answer on what will and will not be in the Queen's Speech, but he will try to reassure us. However, I want to know how we will legislate for all those Bills by 31 October.

**Martin Whitfield:** Is my hon. Friend aware—I am certainly not—whether any carry-over motions have been tabled to save those Bills? That would avoid the necessity of them having to appear in the Queen's Speech and mean that we could get back to them in the ridiculously short time that we will have left.

**Alex Sobel:** We only have a few hours before the House is prorogued. I am sure that colleagues of the Minister are busily preparing to ensure that we do not have to bring those Bills back in the Queen's Speech, but one Bill we will without doubt need to be in it is an environment Bill. We were expecting an environment Bill to be introduced; we were expecting to be through First and Second Reading and in Committee—I wanted to be on the Committee, as did my hon. Friend the Member for Cardiff North (Anna McMorrin), who is sitting next to me—but we have no environment Bill. I would like to know what regulations will exist, and how we will enforce them from 1 November, if the Prime Minister completes the task that he has set for himself.

In Leeds, we are due to have a clean-air zone, because our air quality is among the worst in this country. Three times the Government have been taken to court by ClientEarth and lost, on the basis of EU regulations forming part of UK law to enshrine, embed and widen air quality through a number of local authorities in the UK. The Government have failed to deliver to Leeds what it needs—a charging system, and equipment for such vehicles—so we in Leeds will be in breach of EU regulations on air quality for longer than we expected.

Who will provide the environmental protection that we need? I asked that question of the hon. Member for Suffolk Coastal (Dr Coffey), now the Secretary of State for Work and Pensions, but until a few hours ago the Minister of State in the Department for Environment, Food and Rural Affairs. She said that in a no-deal Brexit scenario, the new agency would not be formed until the end of 2020 or the beginning of 2021, and that people would have to take environmental action retrospectively. That means that we will have no environmental protection in this country from 31 October until that date. I have an issue with effluent discharge into the River Wharfe, and I hope for some enforcement action on it. Will I be disappointed? Will people have to swim in effluent for two more years because there is no regulation? I would like to know.

The issues are not small and minor; they are huge, and Parliament should be here, sitting to debate those Bills, scrutinising them in Committee, and getting them

[Alex Sobel]

through so that on 31 October we are not in a situation in which the people of this country have a far worse quality of life.

**Rachael Maskell:** I am grateful to my hon. Friend for his speech. So many factors are important. On 5 August, we saw the incursion in Kashmir. My constituents want to debate that issue, and to call the Government to account for their actions in the light of the lockdown in Kashmir and the sheer catastrophic humanitarian risk in Indian-administered Kashmir. Surely proroguing Parliament prevents this House from scrutinising the Government's actions on important global matters as well.

**Alex Sobel:** My hon. Friend is absolutely right. In Kashmir, the internet has been shut down, and there is a lack of reporting on the crackdown by the Indian Government. We also have the events in Hong Kong. Britain is a party to the Chinese-British agreement of 1984, so in some senses what happens in Hong Kong is a matter of foreign policy but, equally, it is not. We will not be able to hold any scrutiny of the Foreign Secretary on that matter either.

There is a whole raft of things over and above legislation, but over that period all that people will be able to see are the party conferences, when only one party's view will be given. In the week of 20 September, it will be my party's view, which I will support. Once a year, we get a platform and a fair hearing in the media, but that is not the same as the parliamentary scrutiny that we would have if we were here.

The idea that—this is complementary to the remarks made by my hon. Friend the Member for Dulwich and West Norwood (Helen Hayes)—we could vote tonight for a general election, hold one and come back with the whole issue of Brexit cleanly resolved is absolute nonsense. In the current circumstances, in what would be a general election with only one issue on the ballot paper, no one can predict what the result would be. That would subvert the general election into a vote on one issue, when it should be about the economy, our health, our education system, our environment and every other issue that is important in the country. That is not the way to deal with Brexit; the only way to deal with it is to confirm the decision of the 2016 referendum, or not, by the Government's negotiating a withdrawal agreement with the EU. The Prime Minister repeatedly tells us he has almost completed one, although today the Irish Prime Minister said that he had no evidence of any progress on it—I am not sure which Prime Minister I would like to believe at this stage, but on 14, 15, 16 or 17 October we will see which one is correct.

**Paul Scully:** Will the hon. Gentleman acknowledge that the Irish Taoiseach also said that if the UK is to leave, it should do so by 31 October? That was stated to be the viewpoint of the majority of EU member states.

**Alex Sobel:** This is an evolving situation on the EU side. If we prorogue tonight without a general election, I hope to go to Brussels tomorrow to meet a number of people in the European Parliament and the Commission, so that I can hear at first hand what is happening in the EU. It is difficult to know what is going on in the

EU from the trial by media; it is hard enough to work out what is going on in our Government, never mind in 27 other Governments.

The general election is not an adequate alternative to solve our future relationship with the European Union. The only real way to finally address this question, as my hon. Friend the Member for East Lothian (Martin Whitfield) said, is a confirmatory vote on whether to accept a withdrawal agreement, or not to and therefore stay in the European Union. That way, people would go to the ballot box on this issue in isolation and resolve it. Underlying Prorogation are attempts not to allow us the time for Parliament to decide that question. It concerns me that this is a politicised Prorogation of Parliament.

5.30 pm

**Martin Whitfield** (East Lothian) (Lab): It is a pleasure to serve under your chairmanship, Ms Ryan, and to follow my hon. Friend the Member for Leeds North West (Alex Sobel). This is an interesting debate, founded on petitions launched by people who were desperate to indicate their view to this House and this Government.

I represent East Lothian, where 3,867 constituents signed the petition not to prorogue Parliament, and 86 constituents signed the petition to prorogue Parliament. That made me think about what Prorogation is really about. It dates back to when this House was cleaned to make it ready for the arrival of His or Her Majesty—that was the reason we all had to get out. The effect is much greater at a constitutional level—we heard about the Bills that will be lost, but let me talk about one small problem that comes to mind: I will not be able to lodge any questions on my constituents' behalf when we are prorogued.

I think of an EU citizen who successfully registered online and received a letter containing a number. The letter confirms that it is not proof of her status; the only way to gain proof of status is to log on, send a code by mobile phone, get an access code and then successfully prove it. She intends to leave this country on 1 November for a holiday, but she is worried that she will not get back in. When she arrives back with her German passport, it will not be read correctly because the data will not have been transmitted. She is genuinely worried about what she is supposed to do when she tries to get access to her data, or when Border Force try to get access, as in some trials nothing has happened. I pose that question, unfairly, in the hope of an answer, because once we are prorogued later tonight, I will not be able to lodge a question. I will not be able to find out what my constituent is supposed to do.

That brings me to the length of Prorogation. We have heard that there were Ministers who disagreed with Prorogation and those who agreed with it. The fact remains that the Government have said in their many charts that, taking out conference recess, the number of days that we are being prorogued is not much greater than in the past. That is not true; it is much longer. The Government did not present the motion for conference recess and I genuinely believe that they had no intention of doing so because they are using that period to hide from being questioned. That is why they want us to go away—so they do not have to answer questions about data, medicines, transport, EU citizens, the missing Bills, the state of the environment and the state of the negotiations.

I have heard, “We have to keep this private. We can’t take no deal off the table. We have to keep our hand secret.” It is strange that the European Union seems to have taken entirely the opposite view. Right from the beginning of the negotiation, it set out the evidence and its asks; it debated them and it put all that in the public realm. We are unable to do that because, we are told, “that is not how you negotiate.” With the greatest of respect, I do not think the way we intend to negotiate—by holding our cards close to our chests and telling nobody anything, with four people left to do the negotiation—is respecting the United Kingdom.

The Government are attacking an element of our constitution. Prorogation is a relatively small backwater of our constitution. To use it to stop Parliament, so the Government do not have to answer questions posed by representatives of constituents around the United Kingdom, is an extremely dangerous precedent to make. With all due respect, if we were sitting on the other side and we tried to defend sending Members of Parliament away for five weeks so that something could happen, those opposite would not be silent.

5.35 pm

**Dr David Drew** (Stroud) (Lab/Co-op): I am delighted to speak with you in the Chair, Ms Ryan. I thank the thousands of people in my constituency who signed the petition.

I am angry. I am a mild-mannered person, as most hon. Members would agree, but I never thought I would see this in this mother of Parliaments. We created parliamentary democracy, which works because the Government run Parliament—sometimes that is not as clear as it should be—and there is a degree of fair play between Government and Opposition. That has completely broken down, to the extent that there have been a series of guns to our head for a general election and for no deal, as if that is what Parliament should accept. If this were a banana republic, we would understand that a president might manipulate us, but this is the British Parliament. Today is a hard day for Parliament.

I am reminded of an episode of “Whatever Happened to the Likely Lads?” I apologise to all those who are too young to remember that. There is a wonderful episode where they are trying to avoid the result of the England football game. They spend the whole day in and out of pubs because they do not want to know the score and want to watch it on the highlights as if it were a live game. They get to the very end, and they find the result of the game written on a beer mat. That proves to me that, with Prorogation, the Government can hide and they can run, but they will always be held to account somewhere. Prorogation is about trying to avoid being called to account over some of the most important things.

I bear a grudge, because I spent 37 hours of my time debating the Agriculture Bill as the Opposition spokesperson, along with other hon. Members. No matter how badly I did, I tried my best, and I will never get back those 37 hours. I might be fortunate enough to have another 37 hours, because hopefully the Bill will come back in some form. Why does that matter? If I am trying to plan my farm policy—trying to work out what I will grow next year and what animals I will keep—I need to know the system of agriculture, yet that is in abeyance. Yes, we can carry on with the existing common

agricultural policy, but I thought we were trying to get out of it—that was one of the drivers for leaving the EU. That is bad enough, but I also spent a lot of hours debating statutory instruments, some of which will be out of date by now.

It was not our decision to have a two-year Session—that happened at the behest of the Government. Some of us feel it was a mistake, and that Parliament should have an annual programme, but this Government decided they would have a two-year programme. It has come back to haunt us. The Agriculture Bill left this place well before Christmas last year. Therefore, we have been waiting for it to come back for the best part of nine months. I understand through the usual channels that we were offered a deal—let it through and we will not say anything else about it. With the best will in the world, we had arguments against the Bill in its current form.

That is bad enough, but as two of my hon. Friends have said, the situation of fisheries is even more drastic. If we drop out with no deal, the scallop wars over the Christmas period will be just a foretaste. People will start taking the law—whatever that may be at this moment in time—into their own hands.

If we had not been debating this petition today, I would have been summing up for the Opposition in a debate about cages, animal sentience and so on. Again, all that is in abeyance. We do not have a clear statement of the law. The law does not exist anymore. We chose not to put it in the Trade Bill. We have an animal sentience Bill, but I do not know whether that will be carried over. Does that matter? Of course it does. If someone is trying to prosecute a person who has mistreated an animal, what law do they use? Do they use the law that used to exist or the law that could have existed if we had allowed it to go through? Those issues really matter. This is not Opposition Members just kicking off; it is about the way we are being prevented from doing our job.

I would have raised this as a point of order, but I have been told by various Departments—the Department for Environment, Food and Rural Affairs, which I shadow; the Department for Digital, Culture, Media and Sport; and the Foreign and Commonwealth Office—that parliamentary questions I tabled over the recess cannot be answered because of the Prorogation of Parliament. We could all go on about how wonderful Speaker Bercow has been, but one of the great things he has put in place is the ability to ask questions for answer during recess. That was a dramatic improvement on our not being able to do our job of holding the Government to account.

I now have three Departments telling me, in advance of Prorogation, while anything could still happen—we could choose not to prorogue tonight—that they will not answer questions. That does not mean they will answer them in the future; it means they will not answer them. The questions will fall. That is wrong—particularly for me, because I will have to table them all again. However, other Departments have answered questions, so will the Minister put on the record, on behalf of the Government, the process for determining whether Departments should answer a question when we are about to prorogue? Dare I say it, some civil servants seem to work very hard to get us an answer, but others just say, “Here’s a two-line thing. We’re not going to answer it.”

[Dr David Drew]

To me, a lot of this demonstrates how Parliament is not really running by the rules any more. The idea is that Parliament should hold the Government to account, but at the moment it seems that Parliament is being held to account by the Government, who say, “Well, we’ll answer when we want to, we’ll let you take part in debates if you have to, but really, this is subject to our whims.” My friend Graham Allen, as Chair of the Political and Constitutional Reform Committee—when we had one—looked at whether we should have a written constitution. I feel strongly, on the basis of the past couple of weeks, that we must. It is wrong that Parliament cannot hold the Government to account. We should have rules on when Prorogation should take place and on whether Departments should answer questions.

This really matters. As parliamentarians, whatever party we come from and whether we are in government or opposition, we must have the security and knowledge that our job cannot be undermined; otherwise, the people will increasingly lose confidence in Parliament, because they will think the Government just use it to rubber-stamp whatever they want. In a time of a hung Parliament—and of a very hung Government, for all sorts of reasons—it is important that we have a justification for what is going on and that that is put into some form of arrangement so the rules are much more transparent, open and fair.

What is going on is undemocratic; it is unconstitutional, given that we do not have a written constitution; and it is a mess. It is not easy trying to explain to our constituents what we are all up to at the moment. Sometimes, when I write an email, I think, “Do I understand what I’m writing?” It changes from minute to minute, and whether we are in government, opposition or whatever, it is very unclear what our stance is. Deep down, I think this is a shameful period for our Parliament. We should do something about it.

5.44 pm

**Anna McMorrin** (Cardiff North) (Lab): It is a pleasure to serve under your chairship, Ms Ryan. I thank the thousands of people in my constituency who signed the petition to defend democracy against this Prorogation, which certainly is not in the spirit of our values as an open, free and transparent parliamentary democracy—although it is not hard for anyone to see the motive behind the Prime Minister’s actions. This is a blatant act of trickery by the Prime Minister and those around him in No. 10, designed only to shield a weak and divided Government from the wave of dissatisfaction among Members across the House and people across the country. It is a disingenuous act.

The Prime Minister makes much fanfare about our parliamentary democracy and lauds historical figures who led our country through past emergencies. Although he might try to compare himself to those who held the highest office before him and draw similarities between their strife and his own, the situation we find ourselves in is entirely of his making. His attempt to subvert democracy in this way is not at all fitting of comparison to the actions of any of the figures he holds in such high esteem, and it is not fitting of the office of Prime Minister.

The events of the past days and weeks have stretched the capacity of our constitutional norms, but what have they taught us? We have a Prime Minister who is

prepared to stretch the limits of democracy and abuse the parliamentary system. I agree with my colleagues that urgent reform is needed, although perhaps that is a debate for another day.

In kicking MPs out and suspending Parliament—in dismissing them and locking the door—the Prime Minister is denying my constituents the right to have their voices heard. In silencing the voices of MPs, he is silencing a nation. People and businesses in Cardiff North all tell me that. People came up to me at the weekend wanting to know what is going on. They asked, “Why is the Prime Minister doing this to our country? Why are the Government doing this?” They are worried about their future and about how this will affect them. They are worried that we are on the path to a devastating no deal that will have an impact on their livelihoods and their families.

All this is taking place in the eye of a storm, amid a growing emergency—a national crisis—during which people expect us to be present here. They want us to be here, standing up for them and working hard to resolve the crisis. As has been said, suspending Parliament means that important Bills, which we all worked hard on, will fall by the wayside. We heard about the environment Bill and the Agriculture Bill. I have my own Bill on plastics and packaging, which will fall by the wayside too. It would have extended producers’ responsibilities to ensure that the packaging they produce is far more environmentally friendly—it would have made them stand up and take notice—but it will fall by the wayside. What will happen then?

I have just come from a meeting with tens, if not hundreds of climate protesters, who are here to meet their Members of Parliament. What message does suspending Parliament send to the country and the world? That we do not care about the climate emergency? I am afraid the climate emergency will not stop just because Boris Johnson wants to massage his ego and get on with crashing us out with no deal.

**Joan Ryan (in the Chair):** Order. The hon. Lady needs to use the phrase “the Prime Minister.”

**Anna McMorrin:** My apologies, Ms Ryan. I will say “Prime Minister” from now on.

**Paul Scully:** If the hon. Lady is referring to the event in the Churchill Room, it is organised by the Extinction Rebellion Sutton group and hosted by me. It is perfectly possible to meet those people in our constituencies, as I did in organising the event, and bring the issue back over a period. We can still do our work when we are not here.

**Joan Ryan (in the Chair):** Order. If the hon. Lady wishes to use the phrase “the right hon. Member for Uxbridge and South Ruislip,” that will also be perfectly acceptable.

**Anna McMorrin:** Thank you, Ms Ryan. I thank the hon. Gentleman for his intervention. Absolutely, my job all summer and whenever this place is in recess is to work on all those issues in my constituency, as we all do. However, stopping Parliament from sitting stops vital legislation. It means that we stop scrutinising the Government on the action they are taking on this

climate emergency. It is all very well to have words, but we need action, and that needs to be taken at the highest level.

**Paul Scully:** The hon. Lady is generous in giving way. Does she agree that we did not hear much calling for action or scrutiny about all these other issues over the summer recess, when we could have been talking about any number of things?

**Anna McMorris:** I thank the hon. Gentleman for his intervention, but I do not really understand it, because Parliament was not sitting. During the summer recess, I met protesters and held various events in my constituency.

I will not stand idly by while a Prime Minister in freefall runs roughshod over our country; a Prime Minister who will use this time to roam the country, electioneering on public money. Prorogation or not, his attempts to silence us will not work. I am here to protect the livelihoods, futures and businesses of my constituents.

With a threat as big as no deal looming large and with the Government choosing ruin over delay, I will continue to do whatever I can, by joining forces with my colleagues to protect vital jobs, services, communities and livelihoods. I will continue to campaign and fight for what I believe is the best solution to the crisis we find ourselves in: to put the decision on the future of Brexit back to the people for a final say. I will campaign firmly and loudly to remain as a full member of the European Union.

5.53 pm

**Jeremy Lefroy (Stafford) (Con):** I apologise for not being here at the beginning of the debate; I was giving evidence to the review panel on High Speed 2. That issue is one reason why I am very concerned about the length of this Prorogation. HS2 phase 2a, which is being considered by Parliament and approaching the House of Lords, has a huge impact on my constituents, so it was important to be able to give evidence to the panel. I will come to the other things we will be prevented from doing in the coming weeks by this excessive Prorogation. It is right that we should have a Prorogation—I am fully in favour of a new Queen's Speech—but it should not last until 14 October.

My plea to the Government is that we should come back at the latest on 7 October, if not on 3 October, once all party conferences have concluded. That is plenty of time. We are in the midst of a crisis in Parliament and in the country. We need to respect the result of the 2016 referendum and leave the European Union but do so with a deal in an orderly way, as set out by the manifesto on which I stood in 2017. The problem with coming back from Prorogation on 14 October is that that leaves little time for Parliament to consider the new deal or revised deal that I firmly hope the Prime Minister will bring back—even perhaps in draft, if it is in advance of the European Council on 17 October. It is our responsibility to look at that. Indeed, as a member of the newly formed grouping of MPs for a deal, I will work with Members of Parliament from across the House to ensure that there is an opportunity to arrive at a deal that achieves a majority in this House.

**Andy Slaughter (Hammersmith) (Lab):** Like the hon. Gentleman, I was giving evidence to the HS2 panel, as well as meeting Extinction Rebellion and indeed Dignity

in Dying, and Shelter. I wonder why it can be said that we have little to do here if we have to try to be in five places at once. I admire what he said on Prorogation. Will he go a stage further and say that we should at least remain Members of Parliament so that we can still lobby and come back some time in October? Were an election to go ahead, we would have no control over that whatsoever. As the Prime Minister has said he may be equivocal about obeying the law, an election is to be avoided at all costs.

[MRS ANNE MAIN *in the Chair.*]

**Jeremy Lefroy:** The hon. Gentleman and I were together at the HS2 panel and I listened carefully to the important points he made about Old Oak Common and the surrounding area that is affected by HS2. I am in a quandary about an election. On the one hand, it would be decisive. I suspect it would be run on the lines of remain, leave or leave with a deal, and it would be a chance for the people to decide, in a manner of speaking. On the other hand, I see what he says: if we have an election, we will not be able to make these points. Prorogation leaves us in a halfway house where we cannot raise points in Parliament and we do not have the decisiveness of an election; it is neither fish nor fowl.

There are two main reasons why I do not want to see Parliament prorogued for as long as proposed—and the Government could still request for Prorogation to be for less time. First, we need more time to consider really important matters such as the prospective deal, which I very much hope the Prime Minister is committed to bringing before this House, and which, in some form or other, will be passed by this House so that we can fulfil the referendum result and leave in an orderly fashion.

It is also extremely important to bring up constituency matters. With your permission, Mrs Main, I will give a few examples, because I will not be able to do so at business questions or other times. First, a constituent of mine, Staff Sergeant Proverbs, who has just left the Army after 20 years of active service to this country in a number of theatres, was injured on duty at NATO headquarters in this country, yet because of the intricacies of the rules around pensions and disability, he is being deprived of a proper disability payment and disability pension. I have taken up his case with the Minister for the Armed Forces and the Minister for Defence People and Veterans and had a sympathetic hearing, but the Ministry of Defence is not dealing with my constituent in a proper manner. As a result, he faces a much lower level of income, despite his disability, which was incurred in the course of serving our country.

I also raise the case again—I have done so before in the House of Commons—of my constituent, Mr Gray, on whose behalf on a serious matter I have written to Barclays a number of times to request a meeting, but Barclays has still not replied to me.

I also want to raise the fact that not long ago I had a debate on the manipulation of precious metal prices, which is a serious matter that is fundamental to the financial system of this country and the whole world. We had a good response from the Minister but there are serious outstanding matters that need to be raised in Parliament and discussed here.

[Jeremy Lefroy]

I could go on, and I am sure other Members could do the same, but it is clear to me that we need the time in Parliament. Clearly, the Government need time to prepare the Queen's Speech. I understand that, but a couple of weeks is more than enough. It is not as if they are starting on it ab initio or that as from tomorrow they will start thinking about the Queen's Speech. They have been thinking about it for a long time, and rightly so. Two or three weeks maximum is more than enough time. I urge my hon. Friend the Minister to communicate to his colleagues in Government and to the Prime Minister that if we could resume on 3 October or, at the very latest, 7 October, it would be welcomed across the House.

6 pm

**Tommy Sheppard** (Edinburgh East) (SNP): It is a pleasure to serve under your chairship, Mrs Main.

I begin with a couple of points about the procedure we are engaged in here. Before members of the Petitions Committee leap up, I should say I do not intend any criticism of them. I have been at a number of these debates on matters on which the public have petitioned us, and I wonder if our procedures are effective and robust enough to deliver on the expectations of those who petition Parliament.

First, we are dealing with two petitions. I am not sure of the need to lump petitions together just because they cover the same topic, particularly in this instance, where they represent diametrically opposed views. One petition, which I presume has been organised by pro-Brexit campaigners because they believe this Parliament is made up of remoaners who are antipathetic to their case, has taken five months to get to the requisite threshold of 100,000 signatures. The other petition collected 1.7 million signatures in a matter of hours and reflects serious public outrage at a decision taken by the Government. To give parity of consideration to those two petitions is simply not fair.

I wonder how many people who sign such petitions understand that this is the place where their hopes and aspirations come to die on a wet Monday afternoon, in a Committee Room off the House of Commons Chamber, with 10 Members assembled who have no ability to advocate on behalf of the petitioners, or to influence, nevermind change, Government policy. It is too late for this Parliament, but if I come back to this place in the future, I will seek changes to our procedures and how we deal with those who petition this Parliament. I do not think we treat them fairly enough.

My concerns about how we deal with petitions are as nothing to my concerns about the inadequacy of our constitution when it comes to Parliament sitting. Is it not astonishing that our Parliament can be suspended for five weeks in the middle of a major political crisis, the ramifications of which are profound, legion, and no way near being concluded? Most people would find that astounding; I find it astounding myself that this can happen perfectly legally and normally.

The role of Parliament is to scrutinise and hold to account the Executive. It cannot be right that the Executive can relieve itself of that scrutiny by the simple expedient of suspending Parliament. It seems a bizarre situation, yet it is the one we are confronted by. By the time we get to 14 October, the Prime Minister will have held the

most powerful executive office in the land for 82 days, and on only four of those days will Parliament have been able to hold him and his Government to account. That is frankly a shocking state of affairs. I do not buy the argument that that is because Government Ministers and their advisers need time to prepare a new legislative programme.

**Alex Sobel:** The hon. Gentleman just outlined that the Prime Minister will have been in office for 82 days, and that Parliament will have sat for only four of them. That means that there will have been only one Prime Minister's Question Time. Members of this House will not be able to question the Prime Minister until after the Queen's Speech, even though by then he will have been in office for over three months.

**Tommy Sheppard:** I know; it is staggering.

We need to ask ourselves why this is happening. It is because we have a Prime Minister who has no mandate, no majority in the House and no ability to get legislation through Parliament. Rather than compromise with Parliament or seek a majority, he is determined simply to walk away from it and not have the debate. That is a very bad look for our democracy.

It is also bad that we have a Prime Minister who, in his public pronouncements, is uncertain whether he will deliver on the will of Parliament, and now the law of the land, which is that in the absence of a withdrawal deal with the European Union, we should seek an extension until 31 January to allow further time for an agreement to emerge. That the Prime Minister and his advisers are equivocal on that is a matter for deep concern.

I do not buy the Prime Minister's suggestion that all we need to do in these circumstances is have a quick cut-and-run election. There is no point having an election if the main point of it—to decide whether or not to crash out of the European Union without a deal—cannot be altered by the outcome. We cannot allow an election simply so that the Prime Minister can escape the obligation that Parliament has placed on him. Parliament has not allowed that to happen, and I am sure that it will not allow it later on tonight.

An election will need to come soon; the delay will be only a matter of weeks. As soon as we are confident that we will not crash out of the European Union without a deal, and have more time to consider options and strategy, it will be frankly impossible to advance the process in the country without going back to the people. It is time for them to have another say.

I sense that an awful lot of Members of Parliament, on both sides of the House, understand very well the consequences of Brexit; they are not attracted to them, but they feel that they do not have a mandate to oppose Brexit because of the nature of the manifesto on which they stood in 2017. Shaking up the political cards and allowing a different Parliament to emerge with fresh mandates may open the possibility for reconsideration of this matter. I hope that an election will allow a new Parliament to consider putting the matter back to the people who started the process.

It is not the role of Parliament to overturn, set aside or ignore the will of the people, but it is the role of Parliament to interpret it. If we have found, three years later, that what the people asked us to do—that is, to

leave the European Union and make things better—is simply undoable, and if what they ask cannot be done, and the circle cannot be squared, then we need to go back to the people, explain that, and ask them whether they want to reconsider. It may well be that they do not want to do that, and that they are content to leave the European Union knowing that it will impoverish them and their families, and diminish the character and culture of this country. That choice should be for them, and they should be allowed to make it, but I am confident that if we are given the opportunity to fight that election, we can get an alternative point of view to emerge—one that will look at the benefits of remaining in the European Union, and changing it so that it delivers for people's aspirations.

When that election comes in Scotland, my party will not just say, “Stop and reconsider the process of Brexit,” and campaign for an alternative Government to the one that we have had for nearly a decade, but demand and assert the right of the people of Scotland to choose an alternative future. It should be their right not to go down the path that they are being led down by the Prime Minister, and to say that they want to consider an alternative, independent future, in which they take political control of their affairs and determine their relationship with the rest of the people in Britain and Europe. That is the manifesto that we shall put before people in the election that I am sure will come in November, and I look forward to returning to this Chamber to argue that case.

6.10 pm

**Jo Platt** (Leigh) (Lab/Co-op): It is an honour to serve under your chairmanship, Mrs Main. I thank all Members who have taken part in the debate for their speeches, which have highlighted the seriousness of the debate. Tonight, Parliament is to suspend for up to five weeks at this most crucial time in our country's recent history. That slippery manoeuvre by the new Prime Minister is designed to scupper proper accountability and silence scrutiny when it is most needed.

The Government are already operating with even more secrecy than the previous Government, who were certainly not known for their transparency. As we saw last week when the Chancellor of the Duchy of Lancaster came to the House to provide an update on Brexit preparations, the Government are determined to conceal what is really going on. Indeed, what we know about the Government's preparations for Brexit has come mostly from leaks, and from insight from former Tories, including the former Work and Pensions Secretary, the right hon. Member for Hastings and Rye (Amber Rudd), who resigned this weekend in protest at the inaction. According to newspaper reports, the Yellowhammer papers, which outline scenarios in the event of a no-deal Brexit, speak of delays at the channel stretching over two days, food and medical shortages, and potentially even protests on the streets.

Depending on who we listen to, the Government's negotiations with Brussels are either going well or going nowhere at all. I suspect that the Minister himself does not know which, such is the way the Government are run. They are run by a small ring of unelected advisers who are more concerned with their reputations than the interests of the country. Clearly, then, there are serious questions that Parliament and the public need answers to over the coming weeks, but in closing down Parliament,

the Prime Minister has denied the chance for questions to be asked, let alone answered. As my hon. Friends have pointed out, he has shown contempt not only for Parliamentary democracy, but for the British public, who deserve reassurances that the Government have their interests front and centre. It is yet another case of the old Etonian, entitled arrogance that seems to characterise so much of this Government's policies. What this boils down to is the feeling among the Prime Minister and his allies that they know best. Clearly they do not, and every time the Prime Minister loses yet another vote in the Commons, we are reminded that far from knowing best, they have misjudged Parliament. Labour believes that they have also misjudged the mood of the public.

If the Government use the suspension of Parliament to ram through a no-deal Brexit, as many believe they will, they will not be delivering on the will of the people, but setting the country up for a period of more stagnation and hardship. We must expose no deal for what it is. It is not a quick fix to solve Brexit, but a path of more chaos, more negotiations, more unrest and no consensus across the country. Far from settling the chaos, it will take us back years, while we build from scratch the economic relationship that we want with our closest and nearest trading partners. It would be a path of more delay, rather than allowing us to forge our future relationship with the EU. We would see years of turmoil that we simply cannot afford. After a decade of Conservative austerity, that is the exact opposite of what our country needs at this key turning point.

That is why Labour is determined to use every possible means to expose and prevent the no-deal Brexit that has only ever been the desired option of a small group of hard-liners in the Conservative party, obsessed with deregulation and mythical free trade deals. Indeed, it is their obsession with a no-deal Brexit and the failure of successive Prime Ministers to show leadership that has stopped us reaching a consensus and getting a deal that works for the whole country. The Chancellor's repeated refusal to rule out an electoral pact with the Brexit party only confirms that this Government are prepared to hang on to the coat-tails of hard-liners, just like the last one.

Setting aside the question of Brexit for the moment, let us consider the shock with which so much of the public reacted not only to the news that the Prime Minister was closing down Parliament, but to the very fact that he could do that. For many people, the past few weeks have provided a crash course in how the British constitution works. I hear that Parliament overtook “Love Island” in the TV viewing ratings. Viewers are probably unhappy with the characters in both programmes.

People often talk of our unwritten constitution in glowing terms; they say it is flexible, but that flexibility has allowed the Prime Minister to sidestep Parliament completely. Consider for a moment the precedent that that sets—a Prime Minister who does not like the view of Parliament simply shutting it down and silencing elected representatives. In doing so, he has shown contempt for democracy, but he has also revealed how archaic our political system really is. Brexit is about many things, but for many people, it was a chance to express their dissatisfaction with how our political system works—and they are right to be dissatisfied. The Westminster system is over-centralised, and the second Chamber is

[Jo Platt]

unelected. Parliament is dominated by those from privileged backgrounds, and our elections are captured by big and dark money.

That the Prime Minister can suspend Parliament so easily is yet another feature of our political system that points towards the urgent need for reform. That is why the Labour party is committed to delivering a constitutional convention when it is in government—a convention that will examine and advise on reforming the way Britain works at a fundamental level. We hope that the convention will provide the impetus for a programme of democratic reform that puts power in the hands of the people. However, in the meantime, it is essential that the Labour party, working with the other Opposition parties, does everything it can to prevent a disastrous no deal. The suspension of Parliament will make that task all the more difficult, but as the last week has shown, the Government's tricks and attempts to rig the system are collapsing like a house of cards. If they continue to show contempt for Parliament and the British public, they may find themselves leaving No. 10 as quickly as they entered it.

6.17 pm

**The Parliamentary Secretary, Cabinet Office (Kevin Foster):** It is a pleasure to serve under your chairmanship, Mrs Main. I thank my hon. Friend the Member for Sutton and Cheam (Paul Scully) for opening the debate on behalf of the Petitions Committee and for speaking to the petitions that are before the House, which more than 1.7 million people have signed.

It has been quite an interesting debate and I have enjoyed sitting here listening to all of it. I have heard many passionate speeches with statements about not wanting to silence voters, about there being no mandate and no majority, about the Government not having a mandate, and about voters being silenced. If Members have those concerns, there is an opportunity to do something about it later this evening—have a general election and ask the country and electorate to make the decision about who they want to govern the country. It is somewhat telling that it is the Opposition who are likely to block that, although I hope, after some of the speeches we have heard today, that Opposition Members will get into the Aye Lobby this evening to vote for a general election. I hope they will vote for their constituents to have the loudest say of all—their vote in a general election.

**Martin Whitfield:** Will the Minister give way?

**Kevin Foster:** Briefly, and then I will answer the hon. Gentleman's other question.

**Martin Whitfield:** I am grateful for the Minister's indication that he is seeking debate. On the off-chance of tonight's vote being unsuccessful, would he consider revoking the Prorogation motion so that we could have the debate here?

**Kevin Foster:** No. The reasons for the Prorogation have been set out. To the arguments of those who have been shouting "Stop the coup!" and "Defend democracy!" but then do not want to have a general election, it must

be said that I cannot think of any example of a coup in history where a free and fair general election was offered immediately afterward. That argument is absolute nonsense.

Coming on to the more serious question that the hon. Member for East Lothian (Martin Whitfield) asked, he decided to raise a bit of a scare story about what would happen for an EU citizen coming to our border on 1 November. Luckily, he can visit the Government website; it is being promoted now and he can have a good read of it afterward. There is a section on crossing the border after Brexit and another section on EU citizens moving to the UK after Brexit, which would have answered his question.

However, the hon. Gentleman will be pleased to know that, as people come across the border on 1 November, which was the example he gave, nothing will change. They will still be able to use e-gates if they are travelling on a biometric passport, and will not face routine intentions testing. The website also goes on to say that those coming here between 31 October this year and 31 December next year will be able to move to the UK and live, study, work and access benefits and services as they do now. Bluntly, a simple Google search would have revealed all that interesting information, and I certainly encourage people who have queries to look on that website.

It has been pointed out in the debate that these petitions are clearly distinct from one another in what they ask of the Government. The first, from March 2019, calls on the Government to advise Her Majesty to prorogue Parliament. The second, launched last month, calls on the Government not to prorogue or dissolve Parliament unless and until the Government either revoke article 50 or seek a further extension. Like so much in Brexit, that makes it a debate where we cannot please everyone. In responding to these petitions, I will begin by setting out the process for proroguing Parliament, before turning to the specifics of the points made in the petitions.

**Jeremy Lefroy:** May I gently point out that there might be a way to please everyone, which is to prorogue for a shorter time, as I have suggested? A Prorogation for two or three weeks would be in accordance with previous precedent and allow the Queen's Speech to be prepared while, at the same time, hon. Members would have more time to discuss all those matters. That is in addition to the international crises that may occur during this time. We are talking about more than five weeks here.

**Kevin Foster:** I always have great respect for my hon. Friend, but the Government have set out the period of Prorogation and the reason for it, which is the Queen's Speech. I can reassure people that we will still be sitting for three weeks before the scheduled exit date and, as we have seen over recent days, it does not take long, if the House is minded, to pass a particular piece of legislation. There will still be ample and adequate time to debate Brexit and, as many would reflect on, we have certainly not been short of opportunities to do so over the past year.

**Justin Madders:** Can Minister indicate how many days the Government intend to schedule for debate of the withdrawal agreement Bill, assuming that we have one?



**Kevin Foster:** Of course, any discussion of the number of days will be a matter for the usual channels when and if a deal is agreed. Unlike my hon. Friend the Member for Stafford (Jeremy Lefroy), the hon. Member for Ellesmere Port and Neston (Justin Madders) likes to shout, “No to no deal!”, but he regularly voted no to a deal earlier this year.

Prorogation is the normal end to a parliamentary Session. It remains a matter for the Prime Minister to advise the sovereign on, as it is a prerogative power. That has not changed since the Labour party was in Government. It is for the Government to determine the length of a parliamentary Session and to advise the Queen on the date for the state opening of Parliament. The state opening is marked by the Queen’s Speech, which sets out the programme of legislation the Government intend to pursue in the forthcoming parliamentary Session.

Normally, each parliamentary Session runs for a period of 12 months before Parliament is prorogued. The current parliamentary Session is an exception to the ordinary 12 months, as was touched on during the debate, with the last state opening of Parliament having taken place more than two years ago, on 21 June 2017. This has been the longest parliamentary Session for almost 400 years, far in excess of any of the others.

**Tommy Sheppard:** Very briefly, why does it take five weeks?

**Kevin Foster:** The Prime Minister set out in his statement on 2 September 2019 the many reasons why we want to have the Queen’s Speech on the date when we will be having it. The Government have committed to recruiting another 20,000 police officers, improving both national health service and schools funding, and completing 20 new hospital upgrades. It is to progress the Government’s agenda on these and many other fronts that the Prime Minister has sought to commence a new Session of Parliament with a Queen’s Speech on 14 October.

As I have touched on already, if Opposition Members are confident in their argument, they will have the chance tonight to take that debate out to the whole country, to go and face their constituents and explain their position on this subject. If many of them are thinking of voting no this evening, that will be a rather interesting contrast.

**Anna McMorrin** *rose—*

**Ben Lake** (Ceredigion) (PC) *rose—*

**Tommy Sheppard:** Will the Minister give way?

**Kevin Foster:** I will not give way for now; I will make progress.

Interestingly, senior Opposition MPs have been calling for a Queen’s Speech. The shadow Leader of the House has called for a new Session and a Queen’s Speech five times in five months, while the Shadow Chancellor called for a new session back in May. As I have said, the Government want to bring forward a strong domestic legislative agenda, and ending the parliamentary Session and bringing forward a Queen’s Speech is the legal and necessary way to deliver that.

It is worth pointing out, though, that the larger petition asks that Parliament is not dissolved. Parliament is only dissolved before a general election. The effect of

a dissolution is that all business comes to an end and every seat in the House of Commons is vacated until a general election is held. The Prime Minister has been clear that an election should take place ahead of the European Council on 17 to 18 October. That would allow the Prime Minister, elected by the British people—either my right hon. Friend the Member for Uxbridge and South Ruislip (Boris Johnson) or the right hon. Member for Islington North (Jeremy Corbyn)—to go to that European Council and for a newly elected Parliament to be in a position to consider what is agreed, and hopefully to pass the withdrawal agreement Bill.

Colleagues will be aware that, as I have referred to several times, a motion for an early general election will be debated later today. They will have the opportunity to give a voice to their constituents, who they have repeatedly claimed in this debate will be silenced. They can give them the most powerful voice they have in this country—their vote in a general election. I look forward to seeing many of those hon. Members in the Aye Lobby. I hope that nobody will make what are, in some ways, contradictory arguments by shouting about defending democracy and stopping a coup, and then vote no on the biggest exercise of democracy that we can have in this country—a general election.

The Government’s position remains clear: we will not revoke article 50 or seek a further, pointless extension. The UK will leave the European Union on 31 October. I point out to some Opposition Members that there is no automatic right to extensions. An extension is not a solution in itself. After three years, merely kicking the can will not solve the problem.

The 17.4 million who voted to leave the EU represent the largest mandate ever given for any UK Government to deliver. Both main parties pledged to respect that result in the 2017 election, and now we must deliver on that pledge. The Prime Minister believes that Parliament must have time to consider further the UK’s withdrawal from the European Union, and to hold the Government to account. Parliament has sat ahead of the European Council and will sit for three weeks prior to exit day. That means there will be ample time to debate the UK’s leaving the EU in the coming weeks, on both sides of the summit on 17 October—ideally, with a mandate from the British people to resolve this matter.

The Government would prefer to leave the EU with a deal, and we are working in an energetic and determined way to achieve that. The Government are very willing to sit down with the Commission and EU member states to talk about what needs to be done to achieve that. If it is not possible to reach a deal, we will have to leave with no deal. The Government are preparing for that outcome, and further delay will only increase the sense of distrust that many in the public feel and the uncertainty that is so damaging to our economy.

We take note of all of the points that have been raised in the debate today, but the decision to prorogue Parliament is one for the Government, because Prorogation is a prerogative Act of the Crown, exercised on the advice of Ministers. Therefore, in responding to both of these petitions, I must be clear: it is for the Government to determine when is the appropriate time to bring about an end to a parliamentary Session and bring forward a Queen’s Speech.

The Queen’s Speech and the debate that follows form one of the great set-pieces of the parliamentary calendar, where the Government are rightly scrutinised and held

[Kevin Foster]

to account. The decision to prorogue Parliament is one for the Government of the day to make, as it always has been. We have set out our reasons for doing so—to ensure that a fresh, new domestic legislative agenda is put before Parliament.

There are those who, in recent weeks, have claimed that they wanted to stop a coup, to defend democracy and to give people a say. Tonight, they have the chance to do just that, and to give the electorate the chance to pass its own judgment. If they do not, many voters across the country will conclude that those comments were as hollow as their pledges to respect the people's vote in the referendum in 2016.

6.29 pm

**Paul Scully:** It has been a pleasure to serve under your chairmanship for the second half of this debate, Mrs Main. I thank colleagues for their contributions.

Earlier today, the Taoiseach, after meeting our Prime Minister, said:

“If it comes to a request for an extension, I think the vast majority of countries around the table would prefer that there not be an extension. We would like to see this dealt with. If the UK is leaving, it should leave on the 31st of October.”

Pretty well every other debate that we have had over the last three years has boiled down to Brexit. We have failed over the last three years. What we are asking for by moving the Benn Bill, not proroguing Parliament and not having a general election continues our failure. Too many people in this place have caused Parliament's failure, and we continue to fail. We are voting to continue to fail, because there is no clear plan as to what would be achieved by simply kicking this issue into the long grass to 31 January. That is not good enough for the vast majority of people in this country.

We have seen quotes used out of context for why Prorogation would not be a good idea if it were to kick this issue beyond 31 October. We have talked about the

lack of ability to debate other issues, but I did not hear Members asking for recesses to be cancelled when it would have affected their holidays, at Easter or other recess periods in which the House was not sitting. There are always unfortunate events around the world that we can discuss and debate. We can raise them in a variety of ways, or we can stock them up, or we can recall the House.

**Jeremy Lefroy:** Will my hon. Friend give way?

**Paul Scully:** I think I only have two minutes, if my hon. Friend does not mind.

The no deal that people have been talking about is the default option in terms of article 50, but not of the Government, as we have heard. It is really important that we retain that in our minds. There are simple ways to avoid no deal. So far as we are concerned, we could have voted for the withdrawal agreement, which Opposition Members did not do, or we can now vote for an election, to try to unlock the situation ahead of 31 October, so that someone else could go to Brussels to ask for that extension that Opposition Members want.

However, 14 October has been determined as the date for the Queen's Speech because we want to set out our domestic agenda. We want to set out our ambitions apart from Brexit over the next 12 months. It is so important that we do so; it is what members of the public are crying out for.

*Question put,*

That this House has considered e-petitions 269157 and 237487 relating to the prorogation of Parliament.

*The Chair's opinion as to the decision of the Question was challenged.*

*Question not decided (Standing Order No. 10(13)).*

6.33 pm

*Sitting adjourned.*

# Written Statements

Monday 9 September 2019

## TREASURY

### Asset Sale Disclosure: Kaupthing Singer and Friedlander

#### The Economic Secretary to the Treasury (John Glen):

I am informing the House of the sale of the remainder of a claim against Kaupthing Singer and Friedlander Limited (in administration) (“KSF”) acquired by the Government during the 2007-08 financial crisis. The Government’s claim was held by the financial services compensation scheme (“FSCS”) which compensated KSF depositors at the time of the financial crisis. This sale to Tavora Securities Limited generates proceeds of £17.8 million for the Exchequer.

#### Rationale

The Government acquired their claim in KSF to preserve financial stability. The administration of KSF has now been running for over nine years and there is comparatively little value remaining in the residual assets. The Exchequer has received £421 million of dividends prior to this sale. In addition, FSCS has repaid to the Exchequer £2.6 billion (plus interest of £146 million) which it borrowed at the time of the financial crisis to enable it to pay compensation for covered deposits in KSF.

Continuing to hold the claim until the administration of KSF concluded was considered, but this option was discounted as the analysis suggested a sale could achieve value for money and would free up FSCS and HM Treasury capacity previously used to manage the claim to pursue other work.

FSCS discussed the sale with a number of potential counterparties, having previously examined the market for selling claims. The counterparty selected offered the highest price.

The proceeds from this sale will reduce public sector net debt. This marks the conclusion of the Government’s and FSCS’s involvement in KSF.

#### Format and timing

The Government and FSCS concluded that this sale achieves value for money for the taxpayer having (i) conducted an analysis of whether market conditions were conducive for the sale of this asset; and (ii) conducted an assessment of the fair market value for the asset. The sale made use of a third party broker experienced in selling claims against insolvent companies, which was done to create competitive tension among potential ultimate buyers of the asset.

#### Fiscal impacts

I can confirm that the sale proceeds of £17.8 million are within the hold valuation range. In 2019-20 the sale reduces public sector net debt (PSND) by £17.8 million and public sector net liabilities (PSNL) and public sector net financial liabilities (PSNFL) by £2.3 million.

The impacts on the fiscal aggregates, in line with fiscal forecasting convention, are not discounted to present value. The net impacts of the sale on a selection of fiscal metrics are summarised as follows:

<i>Metric</i>	<i>Impact</i>
Sale proceeds	£17.8 million
Hold valuation	£9.9 million - £24.1 million
Net present value of the assets if held to maturity using Green Book assumptions	
Public sector net borrowing	No impact
Public sector net debt	Improved by £17.8 million in 2019-20
Public sector net liabilities	Improved by £2.3 million in 2019-20
Public sector net financial liabilities	Improved by £2.3 million in 2019-20

I will update the House of any further changes to the FSCS as necessary.

[HCWS1827]

## EDUCATION

### School Funding

#### The Secretary of State for Education (Gavin Williamson):

On 6 September 2019 I announced a review into special educational needs and disability (SEND) and the support available to children and young people. This will be a cross-Government review and is part of Government’s commitment to ensure that every child receives the best start in life, including those who need additional support because they have a special educational need or disability.

In 2014, the Government introduced significant, widely supported, reforms to improve and join up the support that children and young people with SEND receive. It is now time to review how that is working, make sure that we are supporting children and young people to reach their potential, and to take account of the lived experience of children and young people with SEND and of their parents. The review is about understanding what is happening across England for children, young people and their families and making sure money is being spent fairly, efficiently and effectively, and that the support available to children and young people is sustainable in future.

#### The review will look at:

the evidence on how the system can provide the highest quality support that enables children and young people with SEND to thrive and prepare for adulthood, including employment:

better helping parents to make decisions about what kind of support will be best for their child;

making sure support in different local areas is consistent, and that high-quality support is available across the country; how we strike the right balance of state-funded provision across inclusive mainstream and specialist places;

aligning incentives and accountability for schools, colleges and local authorities to make sure they provide the best possible support for children and young people with SEND; understanding what is causing the demand for education, health and care plans and;

ensuring that public money is spent in an efficient, effective and sustainable manner, placing a premium on securing high quality outcomes for those children and young people who need additional support.

The review will inform and support the Government commitment to revise and update the SEND Code of Practice before the end of 2020.

[HCWS1829]

### School Funding

**The Minister for School Standards (Nick Gibb):** Today I am confirming detailed aspects of schools and high needs funding arrangements for 2020-21. This follows a statement by the Secretary of State for Education on 3 September, which confirmed to Parliament that the funding for schools and high needs will, compared to 2019-20, rise by £2.6 billion for 2020-21, £4.8 billion for 2021-22, and £7.1 billion for 2022-23.

In 2020-21, this funding will be distributed using the schools and high needs national funding formulae (NFF). We will be publishing provisional NFF allocations at local authority and school level in October, including local authorities' final primary and secondary units of funding for the schools block. Alongside this, in the usual way, we will publish technical documents setting out the detail underpinning the formulae. We will then publish final schools and high needs allocations for local authorities in the dedicated schools grant (DSG) in December.

The schools NFF for 2020-21 will continue to have the same factors as at present, and we will continue to implement the formula to address historic underfunding and move to a system where funding is based on need. The key aspects of the formula for 2020-21 are:

The minimum per pupil funding levels will be set at £3,750 for primary schools and £5,000 for secondary schools. The following year, in 2021-22, the primary minimum level will rise to £4,000.

The funding floor will be set at 1.84% per pupil, in line with the forecast GDP deflator, to protect per pupil allocations for all schools in real terms. This minimum increase in 2020-21 allocations will be based on the individual school's NFF allocation in 2019-20.

Schools that are attracting their core NFF allocations will benefit from an increase of 4% to the formula's core factors.

There will be no gains cap in the NFF, unlike the previous two years, so that all schools attract their full core allocations under the formula.

As previously set out, we will make a technical change to the mobility factor so that it allocates this funding using a formulaic approach, rather than on the basis of historic spend.

Growth funding will be based on the same methodology as this year, with the same transitional protection ensuring that no authority whose growth funding is unwinding will lose more than 0.5% of its 2019-20 schools block allocation.

The Secretary of State confirmed on 3 September the Government's intention to move to a "hard" NFF for schools—where budgets will be set on the basis of a single, national formula. We recognise that this will represent a significant change and we will work closely with local authorities, schools and others to make this transition as smoothly as possible.

In 2020-21 local authorities will continue to have discretion over their schools funding formulae and, in consultation with schools, will ultimately determine allocations in their area. However, as a first step towards

hardening the formula, from 2020-21 the Government will make the use of the national minimum per pupil funding levels, at the values in the school NFF, compulsory for local authorities to use in their own funding formulae.

In addition, two important restrictions will continue:

Local authorities will continue to set a minimum funding guarantee in local formulae, which in 2020-21 must be between +0.5% and +1.84%. This allows them to mirror the real terms protection in the NFF, which is the Government's expectation.

Local authorities can only transfer up to 0.5% of their school block to other blocks of the DSG, with schools forum approval. To transfer more than this, or any amount without schools forum approval, they will have to make a request to the Department for Education, even if the same amount was agreed in the past two years.

The high needs NFF for 2020-21 will also have the same factors as at present. With over £700 million of additional funding, the formula will:

Ensure that every local authority will receive an increase of at least 8% per head of 2 to 18 population through the funding floor. This minimum increase in 2020-21 allocations will be based on local authorities' high needs allocations in 2019-20, including the additional £125 million announced in December 2018.

Above this minimum increase, the formula will allow local authorities to see increases of up to 17%, again calculated on the basis of per head of population.

The teachers' pay grant and teachers' pension employer contributions grant will both continue to be paid separately from the NFF in 2020-21. We will publish the rates that determine the 2020-21 allocations in due course.

[HCWS1828]

## FOREIGN AND COMMONWEALTH OFFICE

### Hurricane Dorian in the Bahamas

**The Secretary of State for Foreign and Commonwealth Affairs and First Secretary of State (Dominic Raab):** In the wake of Hurricane Dorian, my thoughts are with all those who have lost their lives, their homes or have been injured in the Bahamas and elsewhere. Hurricane Dorian has caused untold damage to the islands of Abaco and Grand Bahama in particular. The Caribbean Disaster Emergency Management Agency (CDEMA) estimates that 15,000 people remain in need of urgent humanitarian assistance—a number which is less than was initially feared. The Government of the Bahamas have officially confirmed 43 deaths.

To help the people and the Government of the Bahamas, the UK Government have initially committed up to £1.5 million towards the immediate humanitarian response. This funding has been provided by the conflict, stability and security fund (CSSF), for the delivery of critical aid supplies by the Royal Fleet Auxiliary (RFA) Mounts Bay, and to support CDEMA in its work to co-ordinate the international response. RFA Mounts Bay was pre-positioned in the region ahead of hurricane season and is carrying specialist equipment and vital aid supplies, including hygiene kits, emergency shelter kits and water. The Royal Navy Wildcat helicopter on board is airlifting supplies, conducting reconnaissance flights and assessing

damage. The UK was amongst the first to provide support and we are now glad to see that the international response is ramping up.

We have deployed a team to the Bahamas to help co-ordinate the emergency response and ensure aid gets where it is needed. We have also deployed additional consular staff to Nassau. They, alongside Foreign and Commonwealth Office (FCO) staff in London, are working with the Bahamian authorities and international partners to provide support to British nationals, and to scope what, if any, further assistance may be needed.

The number of British nationals in need of support is anticipated to be low. It is low season for tourists and we estimate there were 200-400 British nationals in the worst affected areas. As the only European mission in the Bahamas, the British High Commission in Nassau has legal responsibility to provide consular support for EU nationals. The FCO has been regularly updating its travel advice.

The British High Commission in Nassau is working closely with the United Nations, the United States, Canada, NGOs and other partners in the region to support the Bahamian Government. Early support was also provided by the Governor's Office in Turks and Caicos, which is a British overseas territory. The Cayman Islands have also sent a helicopter (jointly funded with the FCO).

The FCO, Department for International Development, Ministry of Defence, and other Departments and agencies have worked closely to prepare for the hurricane season. Since 2017, the Met Office has developed improved advisory arrangements for the Caribbean, and we have been working closely to gain a better understanding of the technical data as tropical storms develop. A team of experts from across Government was tracking this storm from its development as a tropical depression over the August bank holiday. This meant the UK Government were well prepared to respond quickly in support of local authorities with our resources pre-deployed in the region. We will continue to assess the situation.

Any MPs who may be concerned about the welfare of particular UK nationals in the Bahamas can contact the MPs' hotline, details of which have been emailed to all MPs' offices.

[HCWS1822]

## HEALTH AND SOCIAL CARE

### Variant Creutzfeldt-Jakob Disease (vCJD) Risk Reduction Measures: Revised Advice

**The Minister for Care (Caroline Dinenage):** I would like to inform the House that the Government, along with the Scottish Government and the Welsh Government, will be updating some specific variant Creutzfeldt-Jakob disease (vCJD) precautionary measures in England, Scotland and Wales.

In 2004, the Government were advised to establish precautionary vCJD risk reduction measures in the UK, acknowledging the unknown risks of vCJD to recipients of UK plasma and platelets. A number of measures were introduced, such as the introduction of leucodepletion of all blood components and the deferral

of previously transfused donors. These specific risk reduction measures are highly effective and will remain in place to maintain the safety of the UK blood supply.

An additional risk reduction measure adopted involved the treatment of patients born on or after 1 January 1996 with imported plasma and/or apheresis platelets. This was to reduce the risk of exposure to components that were thought to have potentially increased their risk of developing vCJD.

Over the last 15 years, accrued scientific evidence has indicated that the risk of vCJD through the transfusion of UK plasma or platelets is much lower than initially thought; there have been no known transfusion transmissions of vCJD from any blood components since the leucodepletion process was introduced. In March 2019, the independent advisory committee for the safety of blood, tissues and organs (SaBTO) reviewed the scientific evidence and operational practices, engaged with stakeholders, and recommended that some specific risk reduction measures, requiring the use of imported plasma and apheresis platelets for individuals born on or after 1 January 1996 and/or with TTP, be withdrawn.

SaBTO's final advice has been published on the gov.uk website, providing a comprehensive analysis of the risk attributed with updating these vCJD risk reduction measures. This advice is available online at: <https://www.gov.uk/government/collections/sabto-reports-and-guidance-documents>.

Upon receiving this expert advice, the Minister for Care has approved the use of domestic plasma and pooled platelets for patients born on or after 1 January 1996 or with TTP. Other risk reduction measures will remain in place, including leucodepletion, deferral of previously transfused donors and a ban on the manufacture of plasma derived medicinal products from plasma sourced in the UK.

NHS Blood and Transplant already sources 94% of plasma from UK donors and increasing domestic plasma use will provide further benefits relating to equitable provision of blood components, reduced operational complexity for hospitals and increased accessibility at the point of use. Clinicians who wish to prescribe and source commercial imported plasma products for patients, based on patient need and clinical preference, will continue to be able to do so in accordance with local and national guidelines.

The Minister for Care has now directed NHS Blood and Transplant (BT) to begin increasing domestic plasma acquisition in England through a managed, incremental transition. The Scottish Government and the Welsh Government have also asked their respective blood services to begin implementing SaBTO's recommendation. In Northern Ireland, any decision on SaBTO's recommendation to update vCJD risk reduction measures will be deferred until a Minister is in post.

[HCWS1821]

## HOME DEPARTMENT

### Immigration Rules: Statement of Changes

**The Parliamentary Under-Secretary of State for the Home Department (Seema Kennedy):** My right hon. Friend the Home Secretary is today laying before the

House a statement of changes to the immigration rules (HC 2631). Copies will be made available in the Vote Office and on gov.uk.

I have made a change to the immigration rules which will reduce costs and bureaucracy for doctors, dentists, nurses and midwives looking to come and work in the UK and support our NHS. This change will ensure that these medical professionals, who have passed a robust English language test, which includes identity checks, and are required to register with their regulatory body, do not have to sit a separate, lower level immigration English language test. This will support the Government's desire to continue to attract the best and brightest global talent to the UK and to encourage migrants to integrate into society, without compromising the safety of those using our health services.

The United Kingdom is committed to providing protection to those who need it, in accordance with its international obligations. Those who fear persecution should however claim asylum in the first safe country they reach and not put their lives at risk by making unnecessary and dangerous journeys to the UK. Illegal migration from safe countries undermines our efforts to help those most in need.

To support these principles, the immigration rules already provide for inadmissibility processes, under which we can decline to substantively consider the asylum claim of a claimant in the UK and remove them to a safe third country, provided the claimant has, or could have claimed asylum there, has refugee status there, or has some other relevant connection to the third country such that it would be reasonable for them to return there. This process requires the co-operation of the safe third country.

Some of these rules are drafted in the context of the UK's membership of the EU. As such, we are making minor amendments to the rules, to allow us to use inadmissibility processes for broadly the same range of case types once we leave the EU.

Finally, we are also introducing wider changes through these immigration rules to appendix EU which sets out the rules governing the EU settlement scheme (EUSS). This provides the basis for EU, EEA and Swiss citizens, and their family members, to apply for UK immigration status which they will require to remain here permanently after the UK's withdrawal from the European Union.

The changes make revised provision for access to the EUSS for the family members of UK nationals returning with them from an EEA member state or Switzerland, having lived there together while the UK national exercised their free movement rights, in line with the announcement on such access made on 4 April 2019.

We expect the vast majority of EUSS applicants to be genuine, and for there to be little need for status granted under the EUSS to be cancelled at the border or curtailed in-country. However, it is appropriate that, to safeguard the integrity of the EUSS, its status should be covered by some of the same powers as other forms of immigration leave, so that appropriate action can be taken where necessary. The changes therefore amend part 9 of the immigration rules to provide additional grounds for the cancellation and curtailment of EUSS status and leave acquired having travelled to the UK with an EUSS family permit, e.g. on grounds this was obtained by deception (such as where the person had claimed to be the family member of an EEA citizen when they were not). The changes also amend part 9 to provide discretionary grounds for EUSS status and leave acquired having travelled to the UK with an EUSS family permit, to be cancelled at the border, in a "no-deal" scenario, on the grounds that cancellation is conducive to the public good, as a result of the person's post-exit conduct.

The changes provide a right of administrative review where status granted under EUSS is cancelled at the border because the person no longer meets the requirements for that status, e.g. where, as a non-EEA citizen granted pre-settled status under the EUSS, they have ceased to be the family member of an EEA citizen. Such cancellation could only occur where the person no longer met any of the bases for eligibility for status under the EUSS. The changes also bring the time frame for applying for an administrative review under the EUSS in line with all other administrative reviews in cases where the applicant is detained pending their removal from the UK, which will help ensure detention is kept to a minimum.

[HCWS1823]

## HOUSING, COMMUNITIES AND LOCAL GOVERNMENT

### Towns Fund

**The Secretary of State for Housing, Communities and Local Government (Robert Jenrick):** On 27 July 2019 the Prime Minister announced that the £3.6 billion towns fund would support an initial 100 town deals across England.

The fund is part of the Government plan to level up our regions and create a more united country, one where people throughout the UK can benefit from our shared prosperity.

This Government are committed to decentralise funding and decisions away from Whitehall. We have invested in the growth of local economies and devolving powers through agreeing ambitious city and growth deals, devolving more than £9 billion of funding to local enterprise partnerships and introducing eight metro mayors in England.

However, many towns have not benefited from city-focused investment and we know that for the country to succeed, every place must play its part.

Last week I announced the 100 places I will be inviting to develop proposals for town deals. These include towns that are birthplaces of industry, that have been centres of commerce for centuries and that are bastions of the maritime economy along our coastline.

These are famous towns with great histories that unfortunately do not feel they have received benefits from the growth we are seeing elsewhere in the UK economy.

That is why we will work with these places to develop proposals for transformative investments in infrastructure, skills and culture through the towns fund. These deals will include the new homes, improved transport and broadband connectivity that towns need, as well as social and cultural infrastructure, from libraries and art centres to parks and vital public services. These investments will boost productivity and sustainably raise living standards, bringing communities together and giving places new energy and life.

We know that every place is different. That is why we will work with towns across the country to listen and give greater power to communities when developing innovative proposals for their area. I want Government to better understand the local assets towns have and the challenges they face. It will be through the towns fund that we can support these places to harness their unique strengths for future growth and community resilience.

We want to make sure that all parts of the UK can benefit from resources to boost productivity and living standards. We are in ongoing discussions with colleagues across Her Majesty's Government about how we can better support our towns in Scotland, Wales and Northern Ireland and make sure areas throughout the UK share in the opportunities of Brexit.

I will publish a towns fund prospectus shortly in order to provide greater detail on how the fund will operate. This document will set out eligibility criteria for funding and the rigorous process by which proposals will be considered, including our expectations for

community involvement and maximising the impact of spending. We will then begin working with places across the country to support them in developing their proposals for the future. Their best years lie ahead of them.

The list of places I announced last week can be found at: <https://assets.publishing.service.gov.uk/media/5d722667e5274a09881c0c58/list-of-100-places.pdf>

[HCWS1830]

## INTERNATIONAL DEVELOPMENT

### Ebola Outbreak

**The Secretary of State for International Development (Alok Sharma):** Since the House was last updated on the response to the Ebola outbreak in the Democratic Republic of the Congo (DRC) in July, sadly the situation on the ground has become even more grave—despite the brave and tireless dedication of frontline responders.

I therefore want to assure the House that the UK—in partnership with communities, local authorities and trusted international partners—is doing everything it can to save lives.

Sadly, we have recently seen new cases in areas previously unaffected by the outbreak. In August, we saw cases emerge for the first time in the province of South Kivu. And in July, a number of cases were detected in Goma, a city of 2 million people on the border with Rwanda, prompting the World Health Organisation to declare a public health emergency of international concern.

On Thursday 29 August, a nine-year-old Congolese girl was screened as a suspected case as she and her mother crossed the border from DRC. Tragically, she was confirmed as positive with Ebola and passed away. This is the seventh Ebola outbreak in Uganda since the year 2000 and the Ugandan authorities once again deserve praise for their swift response.

When I visited Uganda last month, I saw first-hand how UK aid is helping guard against the spread of Ebola. The border screening point and treatment centre, constructed with UK support, identified the above case.

The vital importance and effectiveness of health workers and communities—and of UK aid support for them—was shown again in rapidly identifying and confirming the case of the nine-year-old girl and appropriately moving her for isolation and care. Trained frontline workers and community awareness are crucial to mapping, monitoring and vaccinating potential cases. Thankfully, no further suspect cases in Uganda have yet been identified; although follow-up monitoring and surveillance continues.

Despite successes, hard work and dedication, the outbreak is still not under control. The death toll recently passed 2,000. We will not succeed in getting Ebola under control unless the international community as a whole steps up and supports the response. The world cannot afford to ignore Ebola, as it could spread further, making it a threat to us all.

That is why, in August, I announced an additional £8 million for neighbouring countries most at risk of the spread of Ebola, namely Uganda, South Sudan, Burundi and Rwanda. This funding will deliver more temperature checks at border crossings—which have been so crucial in Uganda. It will also support Ebola treatment units and provide clean water and sanitation.

This is in addition to the £45 million that UK aid has already provided for tackling the outbreak in the DRC and a previous £15 million for regional preparedness.

The British people can be proud of the UK's leading role in the response. We are the leading supporter of regional preparedness, and one of the largest donors to the overall response, alongside the US, ECHO and the World Bank. We are saving lives and bringing this outbreak to a close.

Despite the gravity of the situation, there is some cause for optimism. More than 200,000 people have now been vaccinated against the disease, which is a truly remarkable effort. This highly effective vaccine was developed with UK support during the latter stages of the west Africa outbreak, in 2013-16.

Moreover, recent results from the trials of therapeutic treatments have also shown positive results, showing that we can treat this disease if it is detected early enough. Around 900 people have recovered from the virus and more could stand to benefit.

Investment in research and development is a crucial part of the Department's work. I am extremely proud of the world-leading and innovative efforts we are supporting in this area. But if we are to tackle the spread of the disease, then more must be done. We must help support the longer-term strengthening of health systems around the world. However, more immediately, the international community needs to step up to support the response in the DRC. There is absolutely no room for complacency.

In recent months the response has been underfunded by the international community. This has had a detrimental impact on response activities on the ground: without funding, frontline responders are unable to deliver life-saving support such as treating patients, tracing and vaccinating their contacts, and burying the dead safely.

The UK has consistently pushed for other countries to step up their financial support. Although more commitments have now been given, we will continue to press our friends and partners for stronger action, including in New York later this month during the United Nations General Assembly. We must also make sure that funds are made available quickly and go where they are most needed, as set out in the recently published fourth strategic response plan, which is the joint UN and Government of DRC plan to tackle the disease.

As I saw so clearly during my visit to Uganda, we must break down the barriers between the international response and local communities. Dispelling the myths surrounding the virus is critical in ensuring that patients are both able and willing to seek treatment.

UK support is therefore funding a wide range of activities, from employing Ebola survivors to talk to communities about treatment, to engaging with local religious leaders to foster trust. UK aid has funded safe and dignified burials, allowing families to have their loved ones buried in line with traditional practices, while protecting themselves from the virus.

But mistrust remains, complicated by the fact that the outbreak is found in a region afflicted by decades of conflict and violence. The scale of the challenge cannot be underestimated.

Finally, I want to pay tribute to the health workers who risk their lives daily to combat the spread of this terrible disease. We have seen health workers attacked

and even killed for doing their job, and I am sure that the whole House will agree that we must condemn these deplorable acts of violence.

At its heart, this must be a community-led and owned response, but with strong financial and technical support from the international community. Although the risk of Ebola to the UK population remains very low, we all know that diseases do not respect borders. I can therefore assure the House that Britain remains committed to supporting the effort to combat Ebola for as long as it takes to end the outbreak.

[HCWS1826]

## PRIME MINISTER

### Government Structures for Brexit

**The Prime Minister (Boris Johnson):** I am making this statement to confirm ministerial responsibilities for delivering Brexit.

The Chancellor of the Duchy of Lancaster is responsible for practical preparations within the UK for leaving the European Union on 31 October, whether that is without a deal or with the new deal the Government are seeking. The Secretary of State for Exiting the European Union is responsible for direct negotiations with the European Union. This includes both the new deal the Government are seeking, and our future relationship with the European Union beyond 31 October, if we leave without a deal.

The Chancellor of the Duchy of Lancaster and the Secretary of State for Exiting the European Union will be supported by officials in the Cabinet Office and the Department for Exiting the European Union equally across the Brexit agenda. Officials will retain their existing reporting lines with no transfers between Departments. For the purpose of delivering Brexit they will operate in a single collective group under the Department for Exiting the European Union permanent secretary. As a result, it has not been necessary for any staff to have formally transferred between Departments.

[HCWS1825]

## WORK AND PENSIONS

### Universal Credit: Reporting Childcare Costs

**The Parliamentary Under-Secretary of State for Work and Pensions (Mims Davies):** Today the Universal Credit (Childcare Costs and Minimum Income Floor) (Amendment) Regulations 2019 will be laid, as well as the equivalent Northern Ireland regulations.

Universal credit is the biggest change of the welfare system since it was created. It is a modern, flexible, personalised benefit reflecting the rapidly changing world of work.

Up to 85% of childcare costs can be reimbursed through universal credit. However, previously those reporting costs generally had to do so in the same month-long universal credit assessment period in which they were incurred for these costs to be reimbursed.

In order to ensure that busy parents have the maximum opportunity to recover childcare costs, we are laying legislation today to give extra time for working parents to claim back childcare costs. We are doubling the period during which those who claim support for childcare costs in universal credit can report their costs—they will now have an additional month to do so.

This extension for reporting costs provides parents with more flexibility and could help claimants with two or more children avoid losing out on more than £1,100 per month. Costs can be submitted online, and those in work while in receipt of universal credit can apply for up to £646.35 per month if they have one child and up to £1,108.40 for two or more children.

In addition to the childcare support provided in universal credit, the Government also provide a wide range of childcare support for families, including 30 free hours for three and four-year-olds of working parents, 15 free hours for disadvantaged two-year-olds and for all three and four-year-olds, and tax-free childcare.

[HCWS1824]



# Petitions

*Monday 9 September 2019*

## PRESENTED PETITIONS

*Petition presented to the House but not read on the Floor*

### Proroguing Parliament

*The petition of Residents of York,*

Declares their deep concern over the proroguing of Parliament, not least during the crucial time of determining the United Kingdom's future relationship with the European Union; further that we believe that our democratically elected Parliament must have the right to set and thereby scrutinise the Government over the determinations that it is making over our future, in order to resolve democratically how it should proceed since we believe that the UK Parliament was elected by the people to serve the people.

The petitioners therefore request that the House of Commons urges the Government not to prorogue Parliament and that Parliament sits, debates and scrutinises the Government until a final agreement is made on how to proceed with our relationship with the EU, and that this is concluded democratically.

And the petitioners remain, etc.—[Presented by Rachael Maskell.]

[P002517]

### Windsor Gate development, High Wycombe

*The petition of Residents of Tadros Court, Ercolani Avenue and Roperies in the Windsor Gate development, High Wycombe,*

Declares that during the last three years, service charge costs have surged, but services have fallen for the residents of the Windsor Gate development, High Wycombe, a right-to-manage mixed estate comprising of freehold and leasehold blocks built by Bellway in 2006; further that residents are not provided with the services declared; further that the services that are provided are of substandard level or are not needed; further that freeholders are paying for locked and gated private amenity space for flats; further that the estate is run down, with little or no maintenance; further that there is litter, pests and weeds throughout; further that residents pay the same service charge whether they occupy a 1 bed flat or a 3 bed flat, due to mistakes made by the developer; further that increases in charges are not transparent and have been made without property resident input; further that there has been clear degradation of duty with regards to freeholders, with poor correlation between the rents demanded and the works undertaken in maintenance of the surrounding areas; further that resident directors and managing agents responsible for the collection of the service charges are aware residents lack rights and protections under any Act of Parliament; further that there is no process to receive and consider accounts prior to payment, or to be provided with information relating to the charges claimed; further that voting rights of all who are in shared ownership and in social housing have been removed.

The petitioners therefore request that the House of Commons urges the Government to introduce legislation to give greater transparency and accountability for service charges in residential developments; further urges the Government to conduct a full investigation of the “fleecehold” practice as it is causing owners stress, anxiety and distress and in some cases, has required going to court.

And the petitioners remain, etc.—[Presented by Mr Steve Baker.]

[P002520]

## OBSERVATIONS

### BUSINESS, ENERGY AND INDUSTRIAL STRATEGY

#### Postmasters' pay

*The petition of Residents of Chilton,*

Declares that no postmaster should be paid below the minimum wage; further that a related petition on this matter has received significant local support.

The petitioners therefore request that the House of Commons urges the Government to call on the Post Office Ltd to review postmasters' pay to prevent postmasters being paid below the minimum wage.

And the petitioners remain, etc.—[Presented by Phil Wilson, *Official Report*, 10 July 2019; Vol. 663, c. 411.]

[P002490]

*Observations by the Parliamentary Under-Secretary of State for Business, Energy and Industrial Strategy (Kelly Tolhurst):*

The Government recognise the key role postmasters play in ensuring Post Office branches thrive and remain at the heart of communities across the UK. That is why we committed in our 2017 manifesto to safeguarding the post office network and protecting existing rural services. Since 2010, the number of branches in the network has been at its most stable for decades, at over 11,500. The Post Office has invested significantly in the network to enable its branches to operate more effectively and efficiently.

While the Post Office is publicly owned, it is a commercial business. The Government sets the strategic direction for the Post Office—to maintain a national network accessible to all and to do so more sustainably for the taxpayer—and allows the company the commercial freedom to deliver this strategy as an independent business. The contractual relationship between postmasters and Post Office Limited is an operational matter for the Post Office.

I would like to reassure people that the Government and the Post Office care deeply about the thousands of postmasters who operate the network and who are independent, self-employed business people. We understand how important it is that running a post office is attractive and sustainable for them.

Since 2012, as part of the network transformation programme, for the majority of branches it has been important that the delivery of post office services is combined with a good retail offer for the Post Office to be successful. For around 3,200 community branches, where a retail offer is not viable, Post Office Limited pays some fixed remuneration to reflect this.

To explore what more can be done to ensure postmasters are adequately remunerated, on 13 June, I chaired the first in a series of quarterly working group meetings between the Government, Post Office Limited and the national federation of sub-postmasters. I, together with Post Office Limited, also kicked off a comprehensive review of postmasters pay, involving postmasters, commercial partners and the NFSP. The aim of the review is to identify products and services that could see an increase in the variable fees paid to postmasters to ensure postmasters are rewarded fairly for the vital services they provide.

On 1 August 2019 Post Office Limited announced two interim changes in agents' remuneration which they will immediately implement as the review progresses. These include bringing forward the date that postmasters would receive an increase in remuneration for cash deposits from October to August and increasing fixed remuneration for around 3,200 community status branches, which are effectively the last shop in the village. It is worth noting that cash deposits are the fastest growing banking transactions under the banking framework agreement, so postmasters are set to benefit greatly from this increase.

These first steps will make a real difference to postmasters' incomes and help those in rural branches, who are the lifeblood of their communities. Post Office Limited is fully aware that more needs to be done to enhance the value of the Post Office and they will be announcing further measures in the winter. The Government look forward to seeing further positive outcomes as the review continues in the coming months.

## EDUCATION

### Education Funding

*The petition of residents of the constituency of Colchester in Essex,*

Declares that more money should be allocated to schools and colleges to ensure that every child in Colchester receives the education they deserve; notes that whilst Education funding has increased, the cost pressures on schools and colleges have increased at a faster rate and schools and colleges have having to take difficult decisions that will impact on the education they are able to provide; further notes that schools need certainty of funding in order to set three year budgets.

The petitioners therefore request that the House of Commons urges the Government to: allocate more money to schools and colleges; provide schools and colleges with at least a three year funding settlement to provide certainty.

And the petitioners remain, etc.—[Presented by Will Quince, *Official Report*, 22 July 2019; Vol. 663, c. 5P.]

[P002501]

*Observations from the Minister for School Standards (Nick Gibb):*

We have just announced an investment of over £14 billion for primary and secondary schools between now and 2022-23. This funding package for schools includes cash increases of £2.6 billion for 2020-21, £4.8 billion for 2021-22, and £7.1 billion for 2022-23, compared with 2019-20.

In addition, we will provide a further £1.5 billion each year to cover the cost of increased employer contributions to the teachers' pension scheme.

This will bring the schools budget to £52.2 billion in 2022-23, and delivers on the Prime Minister's pledge when entering Downing Street to increase school funding by £4.6 billion above inflation, levelling up education funding and giving all young people the same opportunities to succeed, regardless of where they grow up or go to school.

As part of this announcement, every secondary school will attract a minimum of £5,000 per pupil next year, with every primary school attracting a minimum of £4,000 per pupil from 2021-22.

This new money will continue to be allocated via the national funding formula (NFF) which means that school funding is distributed to local authorities based on the individual needs and characteristics of every school in the country. This directs resources where they are needed most, providing transparency and predictability for schools, and addressing historic disparities between areas.

The announcement also includes over £700 million extra for children with special educational needs and disabilities in 2020-21, so every pupil can access the education that is right for them.

Schools will also continue to benefit from Government support to ensure they can make the most of every pound of their budgets, following the launch of the Department for Education's school resource management strategy last year.

This strategy provides schools with practical advice on savings that can be made on the more than £10 billion non-staffing spend spent across England last year e.g. direct money-saving deals which help schools save on the resources they buy regularly, from photocopiers and energy to catering and books, and a supply teacher framework.

# Ministerial Corrections

Monday 9 September 2019

## TRANSPORT

### HS2

*The following is an extract from an Urgent Question to the Secretary of State for Transport on 5 September 2019.*

**Yvette Cooper** (Normanton, Pontefract and Castleford) (Lab): Will the Government widen this review not just to their complete lack of grip on the HS2 project, but to the continued failure of the Department to remember that there are towns as well as cities in this country? It is continually locking billions of pounds into ever-delayed, ever-escalating projects for cities, while towns such as Castleford and Pontefract have inadequate trains—overcrowded, old Pacer trains, with no disabled access to our trains—and, once again, we are just expected to accept a trickle-down of benefits many decades into the future. It is not good enough. When will we actually get a fair deal for our towns?

**Grant Shapps:** As the representative of two towns—one, Welwyn Garden, calls itself a city, but it is actually a town—I absolutely agree with the idea that towns have a significant part to play in the economic and social life of our country. One good piece of news: those Pacers are finally going by the end of this year.

*[Official Report, 5 September 2019, Vol. 664, c. 357-8.]*

*Letter of correction from the Secretary of State for Transport:*

An error has been identified in the answer I gave to the right hon. Member for Normanton, Pontefract and Castleford (Yvette Cooper).

The correct answer should have been:

**Grant Shapps:** As the representative of two towns—one, Welwyn Garden, calls itself a city, but it is actually a town—I absolutely agree with the idea that towns have a significant part to play in the economic and social life of our country. One good piece of news: **most of** those Pacers are finally going by the end of this year.

## JUSTICE

### Female Offender Strategy: One Year On

*The following is an extract from a general debate in Westminster Hall on 24 July 2019.*

**Chris Ruane:** Many hon. Members mentioned the £80 million that was raised through the sale of Holloway. That huge sum of money could transform the number of women going into prisons across the United Kingdom. That would save the Government money in the end, too, so it would be a win-win situation. Will the Minister say something about that before he concludes?

**Robert Buckland:** I am very grateful to the hon. Gentleman for reminding me about that. As the Prisons Minister, I am responsible for a very large estate, and it would be difficult to hypothecate that money in the way that hon. Members desire. Having said that, some of the funds that were raised have provided a women's centre there, and the money is being ploughed back into the estate anyway. It is being used to make our prison estate safer, more decent and much better. It is difficult to hypothecate that money purely for these particular purposes.

*[Official Report, 24 July 2019, Vol. 663, c. 635WH.]*

*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 the response I made, as the then Minister of State, Ministry of Justice, to the hon. Member for Vale of Clwyd (Chris Ruane). The correct answer should have been:

**Robert Buckland:** I am very grateful to the hon. Gentleman for reminding me about that. As the Prisons Minister, I am responsible for a very large estate, and it would be difficult to hypothecate that money in the way that hon. Members desire. Having said that, **the purchasers intend including a women's centre as part of their development site**, and the money is being ploughed back into the estate anyway. It is being used to make our prison estate safer, more decent and much better. It is difficult to hypothecate that money purely for these particular purposes.



# ORAL ANSWERS

Monday 9 September 2019

	<i>Col. No.</i>		<i>Col. No.</i>
<b>EDUCATION</b> .....	475	<b>EDUCATION—continued</b>	
Apprenticeships: Quality.....	480	Leaving the EU: Higher Education.....	487
Children with Special Educational Needs and Disabilities.....	490	Leaving the EU: Tertiary Education.....	475
College Spending: Effect of VAT.....	486	Ofsted.....	490
Disadvantaged Schools: Per Pupil Funding Increase.....	489	Private Higher Education Providers: Financial Sustainability.....	488
Funding Allocation to Schools in Congleton.....	488	School Admissions Code: Summer-born and Premature Children.....	485
Funding Educational Facilities: Dudley.....	477	Specialist Maths Schools.....	486
Funding Increases for Schools: Timetable.....	481	Stoke-on-Trent City Council Plans to Fund Services for Children with Higher Needs.....	484
Further and Higher Education: Quality and Choice.....	478	Topical Questions.....	491

# WRITTEN STATEMENTS

Monday 9 September 2019

	<i>Col. No.</i>		<i>Col. No.</i>
<b>EDUCATION</b> .....	20WS	<b>HOUSING, COMMUNITIES AND LOCAL GOVERNMENT</b> .....	26WS
School Funding.....	20WS	Towns Fund.....	26WS
School Funding.....	21WS	<b>INTERNATIONAL DEVELOPMENT</b> .....	27WS
<b>FOREIGN AND COMMONWEALTH OFFICE</b> .....	22WS	Ebola Outbreak.....	27WS
Hurricane Dorian in the Bahamas.....	22WS	<b>PRIME MINISTER</b> .....	29WS
<b>HEALTH AND SOCIAL CARE</b> .....	23WS	Government Structures for Brexit.....	29WS
Variant Creutzfeldt-Jakob Disease (vCJD) Risk Reduction Measures: Revised Advice.....	23WS	<b>TREASURY</b> .....	19WS
<b>HOME DEPARTMENT</b> .....	24WS	Asset Sale Disclosure: Kaupthing Singer and Friedlander.....	19WS
Immigration Rules: Statement of Changes.....	24WS	<b>WORK AND PENSIONS</b> .....	30WS
		Universal Credit: Reporting Childcare Costs.....	30WS

# PETITIONS

Monday 9 September 2019

	<i>Col. No.</i>		<i>Col. No.</i>
<b>BUSINESS, ENERGY AND INDUSTRIAL STRATEGY</b> .....	6P	<b>PRESENTED PETITIONS</b> .....	5P
Postmasters' pay.....	6P	Proroguing Parliament.....	5P
<b>EDUCATION</b> .....	7P	Windsor Gate development, High Wycombe.....	5P
Education Funding.....	7P		

# MINISTERIAL CORRECTIONS

Monday 9 September 2019

	<i>Col. No.</i>		<i>Col. No.</i>
<b>JUSTICE</b> .....	6MC	<b>TRANSPORT</b> .....	5MC
Female Offender Strategy: One Year On.....	6MC	HS2.....	5MC

No proofs can be supplied. Corrections that Members suggest for the Bound Volume should be clearly marked on a copy of the daily Hansard - not telephoned - and *must be received in the Editor's Room, House of Commons,*

**not later than  
Monday 16 September 2019**

STRICT ADHERENCE TO THIS ARRANGEMENT GREATLY FACILITATES THE  
PROMPT PUBLICATION OF BOUND VOLUMES

Members may obtain excerpts of their speeches from the Official Report (within one month from the date of publication), by applying to the Editor of the Official Report, House of Commons.

---

## CONTENTS

Monday 9 September 2019

**Oral Answers to Questions [Col. 475] [see index inside back page]**

*Secretary of State for Education*

**Speaker's Statement [Col. 497]**

**Royal Assent to Acts passed [Col. 518]**

**Prorogation (Disclosure of Communications) [Col. 519]**

*Application for emergency debate under Standing Order No. 24*

**European Union (Withdrawal) (No. 2) Act 2019 (Rule of Law) [Col. 521]**

*Application for emergency debate under Standing Order No. 24*

**Prorogation (Disclosure of Communications) [Col. 522]**

*Emergency debate under Standing Order No. 24*

**European Union (Withdrawal) (No. 2) Act 2019 (Rule of Law) [Col. 560]**

*Emergency debate under Standing Order No. 24*

**Northern Ireland (Executive Formation etc) Act 2019 Section 3(2) [Col. 584]**

*Motion—(Julian Knight)—agreed to*

**Parliamentary Buildings (Restoration and Renewal) Bill [Col. 610]**

*Lords amendments considered*

**Early Parliamentary General Election (No. 2) [Col. 616]**

*Motion—(Prime Minister)—on a Division, negatived*

**Royal Assent to Acts passed [Col. 646]**

**Prorogation [Col. 650]**

**Westminster Hall**

**Prorogation of Parliament [Col. 191WH]**

*General Debate*

**Written Statements [Col. 19WS]**

**Petitions [Col. 5P]**

*Presented Petitions*

*Observations*

**Ministerial Corrections [Col. 5MC]**

**Written Answers to Questions [The written answers can now be found at <http://www.parliament.uk/writtenanswers>]**

---