

Backbench Business Committee

Representations: Backbench Debates

Tuesday 16 April 2024

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[Watch the meeting](#)

Members present: Bob Blackman; Kevin Foster; Patricia Gibson; Chris Green; Nigel Mills; Kate Osborne.

In the absence of the Chair, Bob Blackman took the Chair.

Questions 1-22

Representations made

[I](#): Matt Warman

[II](#): Dame Andrea Jenkyns

[III](#): Chris Law

[IV](#): Kate Osborne

[V](#): Patricia Gibson

Matt Warman made representations.

Q1 **Chair:** Welcome to this meeting of the Backbench Business Committee. Unfortunately, the Chairman, the hon. Member for Gateshead (Ian Mearns), cannot be with us today: very sadly, his daughter-in-law is extremely ill, and he is at home with the family at this difficult time. I am sure the Committee wishes to place on the record our hope that his daughter-in-law will make a speedy recovery and that he will be back with us as soon as possible. In his absence, the Committee has once again asked me to chair the meeting.

The first application, on pylons and National Grid's "great grid upgrade", is from Matt Warman. Over to you, Matt.

Matt Warman: Thank you, Chair. I endorse what you have said about the hon. Member for Gateshead; I hope he is back soon.

As you will know, the national grid is in the midst of an enormous and necessary upgrade. Fundamentally, the reason I am here today is that that upgrade has a profound effect on a large number of constituencies.

I should address head-on the Committee's request that there be a range of parties to the application by saying that it is simply a geographical fact that the issue affects primarily Conservative constituencies. That is why there is an imbalance. I have made particular efforts to talk to Scottish MPs, for instance, and there are some other issues around the geography where there will be widespread interest, but I should be honest and say that although it will be cross-party, it will primarily be Conservatives. I think it is important to be straight about that.

There will be an impact on large numbers of constituencies. Part of it relates to the building of large numbers of new pylons. National Grid is pursuing 13 projects around the country. I have a constituency interest in Lincolnshire, and large numbers of people in Essex, Suffolk and Norfolk have already made representations on various versions of this issue.

It also touches on the much broader interest in net zero and why we are upgrading the grid. Part of it is around connecting to offshore wind farms and the changing way in which the grid will be used, for instance to power electric vehicles, which it is not currently set up to do.

My main reason for coming here relates to the ambition of the Backbench Business Committee to make sure that Back-Bench voices are heard. The issue affects many Back-Bench colleagues, as well as some Front Benchers. I hope the Committee will see that it is only fair to give us a voice to challenge the Government's current approach and to highlight the approach being taken by National Grid as an arm's length body.

Q2 **Chair:** Thank you for that. You have ticked only the Chamber for this application. The Committee has a standard policy that we expect to see 15 speakers for such a debate, but you have only 11, of whom 10 are Conservative. If we were minded to offer you a Westminster Hall debate, which could be on Thursday 2 May, would you accept it?



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Matt Warman: Beggars can't be choosers—anything is better than nothing. I stopped at 11 because I wanted to get the application in before the recess, rather than because there were only 11 people interested. I think the range means that it merits a full Chamber outing, but I accept the Committee's desire to fill up Westminster Hall.

Q3 **Kevin Foster:** The Chairman has already covered one of my points. A debate on a motion "That this House has considered" would usually be in Westminster Hall. Is that your intention? Are you not thinking of anything substantive?

Matt Warman: I have discussed with a couple of other sponsors the prospect of having a debatable motion about the transparency of National Grid's decision making and its ability to accurately forecast the various different options. There is already a real appetite for that sort of thing among some of the sponsors. I cannot promise that every single person who has already signed up would definitely be prepared to sign up to something slightly different, but I do not think it would be a hard sell.

Q4 **Kevin Foster:** As to the decision between the Chamber and Westminster Hall, substantive debates have to be in the Chamber.

Secondly, this Committee's approach is based firmly on the idea of a request being politically balanced. Although I appreciate the point that some constituencies—around places like Hinkley Point C, for example—that are getting new pylons are mostly concerned, I would want to see more Opposition signatures before being minded to grant the debate. We have had debates that tend to be more one party than another—for example, debates around certain former industries or around farming, which is more likely to get Conservative speakers—but I would expect at least a level of Opposition support, particularly from the major Opposition party.

Matt Warman: Yes, I absolutely take that point. It is an unfortunate fact that there is nothing less controversial to an MP than a pylon in someone else's constituency. The challenge around getting those signatures is a real one, but I do take the point. If I sought to broaden the debate out and emphasise the net zero aspects, interest could be widespread, but focusing on the issue that is of such great concern to a large number of people is the right thing to do. Maybe I am tying my hands and therefore to some extent tying your ability to satisfy my desires.

Q5 **Kevin Foster:** Perhaps I will gently suggest looking at issues around how people connect to the grid, for example. If we widen it out to net zero, it would change the whole nature of the debate. But we need at least some support, particularly from the SNP or the Labour party.

Matt Warman: There are Lib Dem and Plaid Cymru signatories, though I appreciate that they may not be what you are after. It is called "The great grid upgrade" on the application for the reasons you describe, rather than simply being called "Pylons".

Chair: Thank you, Matt. There are no other questions, so the Clerks will be in touch with you.

Dame Andrea Jenkyns made representations.

Q6 **Chair:** Dame Andrea, your request is for a debate on the true costs of illegal immigration.

Dame Andrea Jenkyns: Thank you, Chairman and Committee. I am seeking support for my application for this debate. I feel that it is a matter that the whole public care deeply about. Illegal migration affects every constituency of whatever party. I would like a debate on the true cost of illegal migration. There are effects on communities; we are talking about GP appointments, dentist appointments, housing and school places. There is also the local government aspect.

There is one DUP signature that I believe has been missed off, as it came in late, but we have got those extra five signatories. I have the support of 15 MPs; it will be 16 when I give you the name of the other one. We have two former Secretaries of State: the right hon. Suella Braverman and the right hon. Robert Jenrick.

I know that the public care passionately about this. We have seen it constantly in the media. By the end of March alone, we had 5,000 people cross the English channel on small boats illegally. We know the risks involved from people traffickers and the risk to life. It is the highest level on record for the time period. My constituents and others across the country are struggling on a daily basis to get GP appointments and so on.

I would like a true, open and frank debate from both sides, as there are cross-party challenges. We can also look at the knock-on effect on local government, which has a big part to play in housing people and with hotels, and there is a knock-on effect on the community. I hope that you will consider my application.

Q7 **Chair:** Thank you. You are quite right to say that you have the number of speakers that we would normally request for a Chamber debate, but it is very heavily weighted toward the Government side, as opposed to being a more even split, particularly among other Opposition parties. I think your application would benefit from having them participate in that debate.

Dame Andrea Jenkyns: Yes, I completely agree. With this subject, quite often Opposition MPs take a different approach, but I would like to see them take part in the debate, because I think we need a robust debate on this.

Q8 **Chair:** The second issue is the title that you have put down. It needs a more neutral title for us to table it. The Clerks will give you help with that.

Dame Andrea Jenkyns: Yes, that would be very good.

Q9 **Patricia Gibson:** If you alter the title, it might persuade some Opposition Members to sign up to it, because the title expresses a view. If it is more neutral, more people might feel able to participate. You can still have exactly the same debate.



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Dame Andrea Jenkyns: Yes, that makes sense. If we remove the word “true”, would that be okay? Is that what you are saying?

Q10 **Patricia Gibson:** Personally, I would just put “Illegal immigration”, but it is up to you.

Dame Andrea Jenkyns: I am happy with something like that. I just want to get this robust debate to be cross-party.

Q11 **Kate Osborne:** Along the same lines, have you asked any MPs from Labour, the main Opposition party, to sign the application—or did they feel for whatever reason that they did not want to?

Dame Andrea Jenkyns: I will be honest with you: I have not done one of these for a long time, having been a Government Minister and a Whip, so I just grabbed people in the Lobby.

Chair: You won’t find too many Labour Members in there with you.

Dame Andrea Jenkyns: Exactly. Because I have been in Government positions, I have not done one for a while. I will happily approach Opposition Members.

Q12 **Chair:** There is obviously a long queue for Chamber time. If you want a debate in Westminster Hall, we can offer one. The earliest date we have is 2 May. If that were offered to you, would you accept?

Dame Andrea Jenkyns: The only thing is that I cannot do Thursdays. I have a child who goes to school in London and Yorkshire, so I need to get him back up for school in Yorkshire—I would rather him not miss a day from school. Ideally, I would take any other time in Westminster Hall, if possible.

Q13 **Chair:** What would be the answering Department?

Dame Andrea Jenkyns: Well, it crosses between the Home Office and DLUHC, doesn’t it? I think either, really, but it is probably the Home Office predominantly.

Q14 **Chair:** That could potentially allow you to have a Tuesday debate in Westminster Hall on Tuesday 7 May, if it were the Home Office answering.

Dame Andrea Jenkyns: That would be perfect.

Chair: Thank you very much. The Clerks will be in touch.

Chris Law made representations.

Q15 **Chair:** Finally, of our non-Committee applicants, we have Chris Law. Come forward, Chris.

Chris Law: Thank you, Chair. I am here today to make an application for a very important Commons debate, given the context of what is happening between Israel and Gaza just now.

As a little bit of background, I sat on the Committees on Arms Export Controls for seven years before CAEC came to an end in December. Before I came to see you today, I sought to find a way to reconvene it so that the four Chairs of the Committees could help to draw this together. I wrote to Liam Byrne, the Chair of the Business and Trade Committee, but he said that that would not be appropriate any longer; it would need to be a debate. As part of putting together this application, I got all four Chairs of the Committees that would have been directly involved in the Committees on Arms Export Controls, along with 33 others.

The reason for the debate is very clear: there is an urgent need to scrutinise UK arms export licences to Israel. Given the International Court of Justice's ruling that there is a plausible risk of genocide by Israel, the UK risks breaching both the genocide convention and the arms trade treaty should it continue to export arms. In addition, court papers have shown that legal advisers to the FCDO were unable to conclude that Israel was in compliance with international humanitarian law in its bombardment of Gaza, with an internal assessment unit stating, "the volume of strikes, total death toll as proportion of those who are children raise serious concerns."

Furthermore, on a leaked recording received by *The Observer*, the Chair of the Foreign Affairs Select Committee, who has her name to this application, has stated that the UK Government "has received official legal advice that Israel has broken international humanitarian law" in Gaza. The decision not to suspend or stop granting export licences to Israel is due to be kept "under careful review". However, that policy has not changed since the ICJ ruling. Given the significant change and the revelations about the FCDO's internal advice, those responsible within the UK Government must be held accountable on the UK's complicity in Israel's military action.

I have since also written to the Attorney General to seek legal advice, and I had the support of over 70 parliamentarians, both from the House of Commons and the House of Lords. So far, I have not had any advice. What has been put in the public domain by the UK Government is that they do not publish legal advice, but that is not strictly true—we have had precedents for that.

I think this is a broad-ranging, well-supported debate that will give us an opportunity to scrutinise where we are. It is partly a failure that we do not have a proper Committee, like the Committees on Arms Export Controls that we once had. We fought and failed to have a separate Committee set up, but it has been taken into the FCDO.

- Q16 **Chair:** Thank you for your presentation. The first thing to say is that there is only one representative of the Government side on your list. Although the application is well supported, our clear requirement is to get a balanced debate between the two sides of the argument. What approaches have you made to MPs on the Government side to sign the application?



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Chris Law: I have made a number of approaches, but there are several issues with it. First, most people do not know much about arms export controls. Lots of people are interested in coming along to the debate, but they are not willing to sign up to something that they do not know much about. It is quite technical and quite legalistic, so that has been an issue.

The second side, of course, is that it is UK Government policy at the moment not to publish legal advice. Given that there is a general election coming up, quite a lot of Conservatives have said to me privately, "We will be there, but we can't sign for it just now." The most important point is that those who do know how arms export control works, including all Chairs of the Committees that were previously involved, have signed this or submitted a letter to confirm that they would like to be part of it. I expect more Conservative MPs to be there, but at this point, because of the technical, legal side of it, people are a bit restrained about it.

- Q17 **Kate Osborne:** I totally take on board what you are saying. I think we can understand what some of the Government MPs would have said to you, and maybe colleagues here from the Government side may wish to add something to this. If you don't mind, I wonder if I could offer a word of advice around asking them to sign. That would be to emphasise the point that it is a debate, and they do not necessarily need to be in agreement with what you are putting forward, because if we do not have people with an opposing view to what you have laid out, there is not a debate.

Chris Law: I made that very clear. In fact, I specifically focused on Israel to ensure that this was a debate specifically around this, rather than the broader debate about arms export control, which really loses lots of people, including myself after seven years on the Committee. I have made that case. I could go and pursue them again, but I think the time for this is now. I could be waiting another three or four weeks before I come back to you with names. At the moment, we are losing 700 people a week in Gaza, and I really think that the time to bring this forward is as soon as possible.

- Q18 **Kate Osborne:** I don't disagree with you. What I would say is that we are normally looking for four signatures. You have one, so if you could secure maybe three more, that should suffice, I think it is fair to say.

Chair: Are there any other questions?

Chris Law: Can I just come back on that, if you don't mind? I have only ever put in for one Backbench Business Committee debate before, and I only had one signature on the Conservative side last year. It was on human rights and Gaza. It turned out that we had a full half-hour debate. People did turn up, but again, for the same reasons, people were a bit reluctant about putting their names down at the beginning. Particularly if it is on a Thursday, sometimes people like to have the flexibility. I am pretty confident that we will have more than one Member from the Conservative Benches there, but I am happy to take any signatures this afternoon if anyone is prepared to offer them.

Chair: Thank you very much, Chris. The Clerks will be in touch. We will now move on to Committee members who have made applications.

Kate Osborne made representations.

Q19 **Chair:** For the sake of everyone who is observing our proceedings, let me say that Kate, as a member of the Committee, will take no part in the deliberations in private on the allocation of time or approval of her request. Over to you, Kate, to present your case.

Kate Osborne: Thanks very much, Chair, and thank you to the Committee for giving me this opportunity. I would like to say at the beginning that my pitch is for the Chamber, because I am aware that there is a space that has not been allocated for this particular week. The week in question is next week, commencing 22 April. I think it is fairly obvious that if I cannot secure it in that week, there is little point in going ahead.

Lesbian Visibility Week is the last week of April every year. It has been going for some years and has been going in the UK since, I think, 2008—my apologies; I left my notes at the table. The debate would be part of a week of activity in and around Parliament and across the UK. I am also hosting an event on the Monday evening in Parliament to celebrate Lesbian Visibility Week. It is really an acknowledgment and celebration of the achievements and struggles of lesbian and gay women and a chance to reflect on how they are treated within the LGBT community and, basically, in everyday life.

You can see from the application that I have signatures from all sides. I could have got more signatures. The event that I am hosting will, I believe, be very well attended. I have had lots of positive responses. I hope that you can support my application, and I am happy to take questions.

Q20 **Chair:** Thank you, Kate. The one question I have to ask is: if we were able to allocate you 25 April, would you accept it?

Kate Osborne: Yes.

Chair: Are there any questions from colleagues? No. You have got off very lightly.

Patricia Gibson made representations.

Q21 **Chair:** Finally, Patricia, your application is on the PHSO report on the women's state pension age.

Patricia Gibson: I proposed this debate after the publication of the findings of the much-anticipated report by the Parliamentary and Health Service Ombudsman. Thank you, Chair and Committee, for allowing me to present the case for this debate.

I will not rehearse the arguments about the WASPI situation, because we are all well versed in them. I think the question has moved on to where



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we go now. It has been a cause of real frustration and, I have to say, anger among the women affected that when the report was published, no commitment was made by either the Conservative Government or the expected incoming Labour Government even to the principle of compensation. We are not even talking about numbers at the moment; we are talking about accepting the findings of the report and how we move on from there.

The number of MPs who have sponsored the debate is testament to the fact that views on this are strongly held, from right across the House and from every political party. There are 58 signatures on the application, but I have recently received another two expressions of interest from two different political parties, so there are actually 60. That reflects the fact that the House needs to do what is recommended in the report, which is—to quote the ombudsman—“to act swiftly, and make sure a compensation scheme is established”. We think that that will provide women with the quickest remedy. The report criticised the DWP because it would not—will not—take steps to put things right, and stated that its refusal to comply is “unacceptable”.

This is an issue that the House has to debate. We cannot allow it to be the case that WASPI women have won the battle but do not get the spoils of war. There will be different views across the House of what the compensation might look like, but that is all part of the debate. The principle for compensation has to be established, and it has to be established quickly, because the longer this report goes unanswered, the more despair will set in.

I remind the Committee that since the campaign for pensions justice began, 270,000 of the 3.8 million WASPI women affected have died, and every day more and more of them die without seeing justice. Perhaps this is a sign of the times, with the infected blood scandal and the injustice by the Post Office, but it is starting to feel to a lot of our constituents as if the little guy never wins and does not even get heard. Our duty as parliamentarians is to ensure that we listen to and voice the concerns of our constituents.

Members are free to respond in different ways to the report and how we move forward. That is why I have put in a request for a votable motion. We are trying to establish the principle of compensation. Once the House agrees that compensation should come forward, we can reflect on what it ought to look like, but not even to go as far as accepting the principle is a real dereliction of duty by the House of Commons. A lot of MPs across the House are unhappy with that.

Q22 Chair: Thank you, Patricia. This is clearly a very well-supported application on a cross-party basis, so there is no question about the numbers. The only issue would be how many people get more than about a minute to speak in the debate, but that is a separate issue.

Patricia Gibson: You make an important point, Chair, about how long people would get to speak. That might be an argument for a full afternoon



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in the main Chamber, but I will leave that to the Committee's consideration. I know that Chamber time is hard-pressed and that you are booked up for the next few weeks, but I hope that the Committee will accommodate the strength of the application and its importance.

Chair: If all these people did turn up, I suspect that some of them would be very frustrated about not even getting the chance to speak.

Kevin Foster: I understand the point that Ms Gibson makes. A previous debate in Westminster Hall was fairly full, at three hours. It was fairly oversubscribed, if I recall correctly.

Patricia Gibson: Yes, and because of the nature of this debate, a lot of constituents will be asking their MPs to attend. That will drive up numbers on the day.

Chair: What we can do is approve this application and add it to the list to see when time becomes available in the main Chamber. As you will understand, on Thursdays the time gets squeezed anyway, so it is very rare—almost impossible—that you would get three hours of debate, even if you got half a day. Having a debate on a topic such as this for a whole Thursday afternoon might be appropriate, but the Committee will have to consider that a little later in May, I suspect.

Patricia Gibson: Okay.

Chair: Thank you. That brings our public proceedings to an end.