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Representations: Backbench Business

Tuesday 25 January 2022

Ordered by the House of Commons to be published on 25 January 2022.

Watch the meeting

Members present: Ian Mearns (Chair); Duncan Baker; Bob Blackman; Patricia Gibson; Nigel Mills.

Questions 1-19

Representations made

[I:](#) Brendan O'Hara

[II:](#) Alec Shelbrooke

[III:](#) Peter Aldous and Judith Cummins

[IV:](#) Caroline Lucas

Written evidence from witnesses:

– [Add names of witnesses and hyperlink to submissions]



HOUSE OF COMMONS

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Chair: Good afternoon, everyone, and welcome to the Backbench Business Committee. Sorry for the delay in beginning our proceedings, but we are following immediately on from Divisions in the House. Our first application this afternoon is Mr Brendan O'Hara, and the subject of his application is the UK Government's position on the Yazidi genocide following the conviction of Taha al-Jumailly in Germany. Brendan, over to you, please.

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Brendan O'Hara: Thank you, Mr Mearns. As you say, the landmark ruling in Germany in November changed everything in terms of how a genocide is perceived. Up until now, the UK Government position, which was reiterated as recently as Thursday, was that it is not for Governments to decide what is or is not a genocide—that it is very much for the courts to decide.

It is interesting that last week, at the Uyghur tribunal debate, the Government were very clear that the reason the Uyghur tribunal was independent and unofficial was that no court had officially said that what was happening in China was, in fact, a genocide. Now, a court in Germany has said that this is a genocide: this individual was tried for the murder of a child—put on trial under the German ruling of universal jurisdiction. He defended it vigorously, saying that it was not genocide, but the courts found that it absolutely was. Given that change, this debate would seek to allow Members to inquire of the Government what consideration they have made of this ruling, and to put on record how that will change the legal position of the Government, in terms of what is and what is not a genocide. Further to that, recommendation 21(b) of the Bishop of Truro's report said that we should be trying more people, not on terrorist charges but on other, wider charges. That is due to be in by July 2022, so again, a debate would give an opportunity for the Government to say where their thinking is on that.

There is no doubt that the Yazidi community are among the most beleaguered and brutalised people in the world. Thousands have been murdered by Daesh; thousands have been put into sexual slavery; and thousands of women and girls are still missing. The UN has said that there is clear and convincing evidence that a genocide was committed. A court has now confirmed that, and on a human level, it is to say to the Yazidi communities that we have not forgotten them—that we will not allow time to make us forget what happened to them. They have very few, if any, powerful friends and allies in the world, and it would be a good example for us to be able to show that we have not turned a blind eye to their suffering. The German ruling makes it imperative that the Government respond, and this will give the Government a chance to respond to that.



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the answering Department for the debate would be the FCDO?

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Chair: Okay. Bob, please.

Q3 **Bob Blackman:** Thanks very much for your presentation. I agree with the concerns you raise. In terms of allocation of time, would a Tuesday morning suit you, rather than a Thursday, for a Westminster Hall debate?

Brendan O'Hara: I am at the mercy of the Committee on that. I am just very keen that this is debated, and I will accept whatever the Committee offers.

Q4 **Bob Blackman:** So if we offered you Tuesday 8 February—

Brendan O'Hara: Yes, I can see no reason why I wouldn't do that.

Chair: It is the right answering Department, and it would get your debate in in a timely fashion, because for a Chamber debate, you would probably be waiting until after February half term. In that case, if there are no further questions, colleagues, thank you very much indeed, Brendan. We will let you know in due course, quite soon, if that is exactly what we determine.

Brendan O'Hara: Lovely. Thank you very much.

Alec Shelbrooke made representations.

Q5 **Chair:** Good afternoon, Alec, and welcome. Your application this afternoon is on fulfilling the recommendations of the Cumberlege report, so Alec, over to you, please.

Alec Shelbrooke: Thank you, Chair. The Cumberlege report was a highly intense, important, and respected report done by Baroness Cumberlege, and it was called "First Do No Harm". This is in direct relation to women's health. It covered Primodos, it covered mesh, and it covered sodium valproate. Those issues have left women with deformed babies, which came from the Primodos; babies with autism, which came from sodium valproate; and the mesh scandal. The sponsors on the form are specialising in different areas, and the one I am specialising in is mesh. We also have Caroline Nokes, Emma Hardy and Hannah Bardell—they are the leaders, really, from the other main parties.

In terms of mesh, women in this country had been given this miracle cure over the last 20 years, then the problems started to occur. A lot of these women did not know it had been done to them; a lot of women were being recommended for an operation they did not need; and now the NHS is



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saying that they cannot do the operations to remove it. The Baroness Cumberlege report made several recommendations, not least about redress. On the last sitting day before the summer recess, at the very last moment, the then Minister of State put out a written ministerial statement saying that some of the key recommendations would not be carried forward, and those key recommendations were absolutely essential to these steps forward, to try and sort out this terrible imposition on women that continues to this day.

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We did have a debate in July, in which we thought we had made some very important points about the Cumberlege review overall. The report came out, and then covid meant that we had to do it again on the year's anniversary of the report coming out. But since we had that debate, areas of the report have been binned. We think it is important that this report is implemented in full. You will notice, Chair, that I have managed to get a third of Conservatives, a third of Labour, and a third of SNP on the application, so I feel that this would certainly be a well-attended debate and one that really had cross-party support. We hope that, with a new Minister of State in place, we will be able to make the point that this needs to be revisited.

Q6 Chair: Thank you very much. According to your form, you are asking for Chamber time, but it is a general debate. If you wanted Chamber time, we do give precedence on a Thursday to applications with a votable motion.

Alec Shelbrooke: I am looking for a three-hour debate, because I think it has that much interest. As far as I am aware, you cannot have that in Westminster Hall. I would be happy to have it anywhere as long as I can get the maximum, because there is such interest among colleagues from across the House.

Q7 Chair: I think we could organise three hours, but it would have to be on a Thursday afternoon in Westminster Hall.

Alec Shelbrooke: I am perfectly happy to have it in Westminster Hall as long as we get the three hours, because I think that that time will be oversubscribed.

Q8 Bob Blackman: Obviously, I have every sympathy. The other attraction of a Westminster Hall debate is that you will get three hours, as opposed to the Chamber, where you are lucky if you get two and a half.

Alec Shelbrooke: My request for the Chamber was just because I am looking for three hours.

Chair: Actually, Bob, we have been quite fortunate recently, but there have been many occasions when Thursday Chamber debates are squeezed



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Error! document property name. to 90 minutes, so if you want three hours, we could probably organise that in Westminster Hall.

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Q9 **Bob Blackman:** Are there any dates or anything coming up? Is it time sensitive?

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Alec Shelbrooke: It is not time sensitive, and a ~~property is a pretty~~ convenient for myself. NATO responsibilities will be finishing on Wednesday, so I can do a Thursday. It is not time sensitive in the sense that something is urgently coming up, but it is time sensitive in the sense that the binning of certain recommendations happened just before the summer recess, and we need to have that conversation and appeal to the Minister to start recognising why it is important that this issue is revisited.

Q10 **Bob Blackman:** Could you do 3 February?

Alec Shelbrooke: When is that? Next Thursday? What time would it be?

Chair: 1.30 pm.

Alec Shelbrooke: Yes.

Chair: We obviously need to look at the rest of the applications this afternoon, but that is a distinct possibility—only a possibility at the moment.

Peter Aldous and Judith Cummins made representations.

Q11 **Chair:** This representation is close to my heart: access to NHS dentistry.

Peter Aldous: Many thanks for listening to us. I will start with a bit of background information, and I am sure Judith will add to what I have to say. From my perspective, this has been the No. 1 issue in my inbox for the past 10 months. It does affect coastal and rural communities, such as the one I represent, but it is an issue across the country. I will quote Sir Robert Francis, who chairs Healthwatch England, who said: "Every part of the country is facing a dental care crisis, with NHS dentistry at risk of vanishing into the void."

The BDA has shown that 38 million NHS dental appointments have been lost during the pandemic, which is the equivalent to a whole year of NHS dentistry appointments prior to covid. The problem has been around a long time, but covid has exacerbated it. There is now a growing backlog that needs to be addressed.

There are also tragic concerns when oral health issues are not addressed, particularly with regard to cancer. Dentistry is the No. 1 reason for hospital admissions for young people at the current time.



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I tabled an amendment to the Health and Care Bill on Report shortly before Christmas, and 40 colleagues signed it. However, it was frustrating that, given the constraints of the Report stage, we only got four minutes to highlight the concerns.

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I am aware that it has been announced today—I do not know the full details—that the Government are putting additional money into NHS dentistry, but it is not just money that is needed to address the problem. There are recruitment challenges, in both the short term and the long term. There has been talk about reforming the 2006 contract for a long time. The industry is actually concerned that that may be kicked back into the long grass. There are procurement challenges. Then the issue of transparency and accountability needs to be addressed through the emerging integrated care systems.

You have seen our submission, and we have 39 colleagues on the form backing it. Since then, Giles Watling has come up, so we are up to the 40 mark. Ideally, we would prefer a three-hour debate, because if you allow half an hour for an opening speech and 10 minutes each for the closing speeches by the Opposition and the Government, the remaining 60 minutes would give everyone else only a minute and a half for their submissions. I am sure they all have a great deal more to say than that.

That is a little bit of background from me. I will hand over to Judith to add to it.

Judith Cummins: As Peter outlined, dentistry is in real crisis. Covid has had a devastating impact on NHS dental services, but this problem pre-dates the pandemic. For years now, dentistry has not got enough in terms of commissioning. It has had savage cuts. It is the only service in the NHS that went into the pandemic with 2010 levels of funding. It is the Cinderella service of the NHS, and we are in real danger of seeing NHS dentistry wither on the vine. It is a really timely debate. It is an urgent debate. We have seen a funding cut of about a third in real terms over the past decade. As Peter mentioned, 40 other colleagues support this application.

Peter also mentioned the new money announced for dentistry today. To put that in context, it is £50 million for a dentistry blitz, but the BDA says that it will take much more than that to tackle the backlog, because that will fund only 350,000 additional funding appointments, which is less than 1% of what has been lost since the start of the pandemic. It is estimated that about £880 million is needed to tackle that backlog, so it is a drop in the ocean. While people are not ungrateful, there is a further problem with the funding that is being made available, because it is has to be spent by March. Obviously, giving money that cannot be spent because of time



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constraints is not real money at all, I'm afraid.

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We really are at crisis point in dentistry. We need more sustainable funding and, crucially, we need a reformed dental contract—which has been on the cards and promised for years—that is sustainable and fit for purpose and will actually serve patients right across the nation.

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A lot of issues need to be covered. We have unprecedented low morale in the profession, with long-standing systemic problems such as underfunding and delays, as well as delays to contract reform, coupled with the challenges raised by covid. We are seeing a massive exodus of dentists from the NHS dentistry service, couple with an increased need for dentists right across the country. That is why so many people right across Parliament support this debate. We would be very grateful if you could look at it favourably. Obviously, we would love three hours in the Chamber, but we recognise that that might not be available. We would like three hours more than anything.

Q12 **Bob Blackman:** Last night's Adjournment debate was a substantial one about dentistry in general, so obviously there has been a debate, although I absolutely recognise the number of colleagues who want to have this debate.

You have asked for a general debate, so would you take time in Westminster Hall? Otherwise you are going to have to wait quite a long time. We can give you a three-hour debate in Westminster Hall, but we cannot guarantee that you would get three hours in the Chamber.

Peter Aldous: I would say two things. First of all, there have been an awful lot of Adjournment debates on dentistry. I have had one and I am aware that Caroline Johnson had one about Lincolnshire, and obviously there was the debate last night. I think that illustrates the depth and seriousness of the issue.

From my perspective, the three hours sooner is better. Judith has outlined the announcement on additional funding and the fact that it is time limited. We need to get in, I think, as quickly as possible, just to highlight that it is not a question of a short-term fix. Now is the time to be coming out with a long-term solution.

Q13 **Bob Blackman:** We could allocate you Thursday 10 February.

Peter Aldous: My immediate reaction is that that would be great.

Q14 **Chair:** That is, of course, the last afternoon before the recess, but it is a timely debate and I think you would get enough colleagues to hang back to take part if the time were to be available.

Judith Cummins: We tend to see Members really committed to this.



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Chair: I come from an area that was blessed with relatively good dental services prior to the pandemic. It was not perfect by any stretch of the imagination, but it was relatively good by comparison. Unfortunately, what we are seeing with the pandemic is a situation where people who regularly went for their check-ups every six months have not been to see a dentist for two years now. We have gone from a situation where we had some of the best dental health in the western world to one where it is deteriorating very, very quickly because of that lack of preventive input.

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Q15 **Duncan Baker:** Speaking as the son of a dentist who was an NHS dentist for 34 years, as Peter knows quite well, this is a specialist subject. My father is very pleased he left the profession when he did, which is a sad thing to say. The service is an absolute disgrace at the moment. My inbox, probably because I am known as the son of a dentist in my local patch, includes cases every single week of people who simply cannot get treatment. I think 40 signatures show that this is widespread. I cannot believe there is anybody out there who does not have problems in their patch, so it is a very important matter to raise.

Chair: I would go as far as to say, Peter and Judith, that you should take the time in Westminster Hall. If you do not get the answers that you are looking for, I think that this would be a popular subject for a votable motion at some time in the future, later in the spring in the Chamber. Is that okay?

Peter Aldous: That would be great.

Judith Cummins: Thank you.

Caroline Lucas made representations.

Q16 **Chair:** We now welcome Caroline Lucas. Make yourself comfortable, Caroline, and tell us about your application on protecting and restoring nature at COP15 and beyond. Over to you, Caroline.

Caroline Lucas: Apologies that it is only me making the pitch to you this afternoon. It seems this time of day is one when an awful lot of things are happening, one of which is the all-party group on the environment, which is where a lot of my co-sponsors are. I hope that the range of Members and parties represented on the application form demonstrates the strength and breadth of the support for this debate. You will see that over half of the names are from the Government party, and we are applying for a three-hour general debate in the Chamber on the forthcoming UN convention on COP15.

I have heard what you said and completely understand the pressure on the Chamber. I understand that it is easier to get debates in Westminster Hall, but I want to make the pitch because there has been so little on this



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subject in recent months, and I think the interest outside this place is very high. I know the green groups will be organising to make sure that people watch what happens. I think we would get a good number of people in the Chamber. We have got about 44 people so far signed up to the debate. It has been the easiest debate I have ever had to get people's names on. It was not difficult.

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On timing, this delayed biodiversity COP runs from 25 April to 8 May in Kunming in China. I understand the pressure before the February recess. If it were possible after the February recess but before 25 April, that would be lovely.

Q17 **Chair:** So you are really looking between the February recess and the Easter recess.

Caroline Lucas: Yes. On the significance of the conference, it is regarded as the most important biodiversity conference in a generation, and it is an opportunity for the UK to build on what it has already said in the Environment Act 2021, particularly its commitment to reverse the decline in species abundance by the end of 2030. I think what was shocking to me was that there had been no debate or ministerial statements on COP15 in the House of Commons. While there are lots of mechanisms for COP26—the climate COP—which is understandable because obviously the UK was the presidency, none the less the Government have said many times that climate and nature are two sides of the same coin and indeed that they want their strategy for the two different COPs to be integrated to some extent. So it does feel really important that we have the opportunity to scrutinise what the Government are planning to take to COP15 and the possibility to work with Ministers to ensure that there is a positive outcome.

A Backbench Business debate, as I say, ahead of Easter recess, would be a really timely moment for MPs to discuss this. It would also make sure that we can really get the best possible pitch from the UK Government going into these international talks.

A very final thing to say, obviously, is the urgency of the issue itself. You won't need me to remind you about just what kind of freefall nature is in at the moment and the amount of pressure there is on this particular COP15 to really come up with something far more ambitious than we have had to date and, crucially, to deliver on it. The last COP in the series came up with a whole set of targets that I do not think any country in the world has come close to meeting, unfortunately. It really is important.

Q18 **Chair:** Okay, thank you very much indeed. If a slot became available immediately prior to the February recess, would you be happy to take that or would you rather wait?



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Caroline Lucas: In the Chamber?

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Chair: Yes.

Caroline Lucas: Yes, for sure.

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Chair: You would take it.

Caroline Lucas: We would certainly take it.

Q19 *Chair:* I'm not saying it will, but in recent weeks, because of covid and people taking ill who are lead sponsors and other business coming up, slots have become available at relatively short notice. So if that was to be the case, you would be interested.

Caroline Lucas: In principle, we certainly would be.

Chair: Thanks, Caroline. Much appreciated.