

Backbench Business

Representations: Backbench Debates

Tuesday 6 September 2016

Ordered by the House of Commons to be published on 6 September 2016.

Watch the meeting

Members present: Ian Mearns (Chair); Bob Blackman; Kevin Foster; Gavin Newlands; Mr David Nuttall; Jess Phillips; William Wragg.

Questions 1-44

[I](#): Peter Kyle, Mrs Maria Miller, Angela Smith and Dr Eilidh Whiteford.

[II](#): Diana Johnson, Barbara Keeley and Ms Margaret Richie.

[III](#): Mr Alistair Carmichael, Ian Paisley, Sir Eric Pickles and Joan Ryan.

[IV](#): Alex Cunningham.

[V](#): Frank Field, Richard Fuller and Michelle Thomson.

[VI](#): Ruth Cadbury, Angela Crawley and Mrs Maria Miller.

[VII](#): Will Quince and Antoinette Sandbach.

Angela Smith, Dr Eilidh Whiteford, Maria Miller and Peter Kyle made representations.

Q1 Chair: Good afternoon and welcome to the first sitting of the Backbench Business Committee after the summer recess. We have seven applications this afternoon. The first is led by Angela Smith, and the title of the application is: domestic abuse victims in family law courts. Angela, over to you.

Angela Smith: I am grateful for the opportunity to bid for this debate. The *Nineteen Child Homicides* report by Women's Aid represents a review of relevant serious case reviews over a 10-year period, involving the deaths of 19 children in 12 families killed by perpetrators of domestic abuse. All the perpetrators were men and fathers of the children killed. All had access to their children through formal or informal child contact arrangements. The report's main contention is that we need improvements in family courts' understanding of domestic abuse and its impact on children, and that, first and foremost, the family courts must put children first, exactly as recommended already by the legal framework and existing guidance.

Why does this report deserve debate in the House? Well, in our view, the voices of these women need to be heard. As Members representing victims, we feel that we need to tell their stories and document their determination to secure the changes required to ensure that family courts work to protect children from such abuse.

As a quick example, Claire Throssell is a constituent of mine; her two children were killed by their father when he enticed them into the loft of the family home, ostensibly to play with a train set, only to set the house on fire once he had barricaded them into the loft. That story needs to be told properly in the main Chamber. The experiences of people like Claire need to be documented and put on the parliamentary record, so that we can understand more clearly why these women feel so strongly that the family courts need to change the way they work.

The debate will be timely in the context of the inquiry into child abuse, because we must not in all that overlook the role of domestic abuse. It is too often assumed that abusive behaviour towards a mother does not make a father more likely to abuse his children.

The call for this debate is well supported. We have a significant number of co-sponsors across the political spectrum. Also, the highly successful petition, "Child First", has been heavily supported by the public.

In conclusion, we believe that the tragedy suffered by these women and the importance of the issue itself makes our debate more worthy of time in the main Chamber. We hope that the Committee will agree and grant us the debate.

Q2 Chair: Thank you very much. Dr Whiteford, is there anything you want to add?



HOUSE OF COMMONS

Dr Whiteford: Ostensibly this is a devolved issue in Scotland, so at first glance you might think it would not necessarily preoccupy those of us representing Scottish constituencies, but it is an extremely live issue in Scotland, not just for the reasons that Angela mentioned, but because of evidence that some perpetrators of abuse use post-separation contact as a means of continuing to abuse their former partner. There are some complex issues in this and any opportunity to debate them is welcome. There is a conference taking place at Edinburgh University on this very issue next week. I think it is time for a fresh look at it, which is why I am here to support Angela's bid for a debate.

Mrs Miller: The only thing I would add is that I forwarded a copy of the report that the all-party parliamentary group published to the then Justice Secretary and I did not receive a response to that. Having a debate would put a Minister in a situation where they would have to respond to what I think are some very practical and sensible suggestions.

Chair: Could I also point out for the record that one of the co-sponsors of this debate is Jess Phillips, who is a member of the Committee? She has agreed just to sit and not take part in the discussion, which is very difficult for her. Thank you very much, Jess. Are there any comments or questions from members of the Committee?

Q3 **Bob Blackman:** It is obviously a powerful issue that is well worthy of a debate. Is there any time sensitivity to the debate? Is there a decision pending by the Government, for example? Before you come on to that, we obviously have a limited amount of time, so getting an idea from you as to when you would like to hold the debate—either before the conference recess, which would obviously be next week, or in the period after the conference recess—would be helpful.

Angela Smith: It is not time sensitive, except in the sense that these tragedies continue. We had the awful case of Ellie Butler this summer, and I think public awareness of the need to do something about this is now heightened. In that sense, Parliament needs to respond as a matter of priority to what I think is increasing public concern about these issues. The case of my constituent Claire has raised hugely the awareness of the issue in my area, to the extent that when there was a fundraising campaign because her husband cancelled the insurance on their house before he set fire to it, the BBC journalist actually got hold of me privately and said, "Angela, you do know this is going on?" There is so much support out there for doing something about these families and protecting women and their children more successfully in the future. It is a priority, but we would clearly prefer the debate to be in the main Chamber.

Q4 **Bob Blackman:** If we were able to offer you next Thursday—that is the last day before we break up for conference recess—would you be in a position to take that slot?

Angela Smith: Yes—in the main Chamber.

Q5 **Mr Nuttall:** Following up on the time aspect, when was this report



HOUSE OF COMMONS

published? It does not have to be an exact date.

Angela Smith: It is very recent—2016. The review covered the period from 2005 to 2015, so it is a very recent report.

Q6 **Mr Nuttall:** A 10-year review period.

Angela Smith: Yes.

Q7 **Mr Nuttall:** I was concerned that Maria mentioned that she had written to the MOJ and not had a reply, and that that was in the light of this report.

Mrs Miller: Jess can correct me here. It was a separate report. Jess chairs the all-party parliamentary group.

Jess Phillips: Off the back of that report, the all-party parliamentary group did an inquiry specifically into family courts, and alongside Women's Aid we produced an extra report about exactly what the Government need to be doing, and then Maria wrote off to—

Mrs Miller: I think that was about May.

Jess Phillips: Yes. It was just before they all went off to Brexit.

Angela Smith: And we have struggled—I myself have struggled—to get responses from Ministers to requests from Claire to meet Ministers and to discuss her terrible experience.

Mr Nuttall: There is some urgency to get a reply to that.

Q8 **Gavin Newlands:** I should probably declare that I am a member of the domestic abuse APPG as well, and I have read the report. It is probably the most harrowing report I have read in my time as an MP. I just have a quick question on the motion itself. Just out of curiosity, was it a judgment that you made not to ask for the Government to take any specific actions, as opposed to a review, in order to get some cross-party support for the motion?

Angela Smith: No, I think what we are calling for—and what the report calls for—is for children to be put first and for the legal framework and the guidance to be implemented. There are a number of specific measures in relation to family courts that could be implemented. For instance, at the moment a victim of domestic abuse can be questioned by her abuser in the family courts. That kind of change of decision or measure needs to be brought out in the debate next week, so that people are more aware of what we are looking for.

Chair: Thank you very much indeed. I think that's all. We will be considering what time we have to allocate this afternoon.

Diana Johnson, Barbara Keeley and Margaret Ritchie made representations.

Q9 **Chair:** Next up we have Diana Johnson, Sir Peter Bottomley, Barbara Keeley, Jessica Morden, Margaret Ritchie, Andy Slaughter and Chris



HOUSE OF COMMONS

Stephens on the reform of the support arrangements for those affected by contaminated blood and blood products. Good afternoon and welcome.

Diana Johnson: Good afternoon, and thank you for seeing us today. As many of you on the Committee will know, the reason we are here is the biggest treatment disaster in the NHS, where people received contaminated blood products in the '70s and '80s. This has been an ongoing issue for many years. We currently have an APPG that is 95-strong with Members from all the parties in Parliament. The Backbench Business Committee has been very generous since it was established in granting debates on this subject. I think it was one of the very first debates that the Committee ever allocated.

The reason we are here today is that the Government earlier this year had a consultation on increasing support and compensation for people who had received contaminated blood. You very kindly granted a debate in April, as part of that consultation period. Over 50 Members of Parliament spoke in that debate; I think there were about 22 substantive speeches. The consultation period ended, and we were told by the Government that it would take several months for them to reach a decision about what the final agreement would be on compensation and support.

However, very surprisingly, in the previous Prime Minister's last questions on 13 July, he announced that there had been a final decision on what compensation and support would be allocated to this group. That came out of the blue. It was at the very end of the summer term, before we went into recess. Many of our constituents who are affected by this were left rather bamboozled by what had been announced.

What we seek today is an opportunity to have a debate. Members of six parties have signed up saying they want to speak in the debate, to discuss the proposals that the Government are now bringing forward. There are key things we want to talk about. One is the abolition of the current structure of support—the trusts that allocate the money. We want to talk about the Scottish model. This is a devolved issue in Scotland, and they are putting forward a slightly more generous settlement. We also want to look at discretionary payments.

Finally, there is no provision on what the Government are suggesting around lump-sum payments. That is one thing that this group of people have argued for, for many years: they would like to have a lump-sum payment to allow them to get on with their lives. We think that the money from the recent sale of Plasma Resources UK, which I think has netted the Government over £150 million, could be hypothecated to pay for lump-sum payments. That was not dealt with at all in the announcement the Government made in July. That is why we are here today—to seek another debate on this subject.

Barbara Keeley: I attend the APPG—like all the other Members who attend, and attend very well—to represent a constituent with a particularly difficult case. I know that you have to be really mindful of time; you only have so much time, but for the people affected, like my constituent, time



HOUSE OF COMMONS

is really ticking away. A few months ago, he had to make a decision about paying for a drug that cost over £50,000. This was a life-saving drug for him. Remember that this was an NHS treatment failure. He is older now—decades have gone by. For this group of constituents—people who we represent—time is really of the essence. We have dragged on across the summer recess, and that is why this is so pressing. They are pushed into making decisions like the one my constituent had to make.

Ms Ritchie: Obviously, I am very happy to support this. This matter is devolved in Northern Ireland; notwithstanding that, I already had an Adjournment debate this time last year in Westminster Hall on this issue. I have at least three constituents who are similarly affected. On the day that the Prime Minister answered the question in the House of Commons, we had a meeting with the then Minister, Jane Ellison, this issue. She indicated that she had made direct contact with devolved Ministers. Subsequently, I wrote to the devolved Minister in Northern Ireland, who I thought was being rather sluggish not only in her response, but in her content, and I did not get the impression that an awful lot was going to be happening.

If there were a small group of people, we would take the view that they should receive adequate compensation, access to the required drugs and the type of one-off lump payment which will enable them to continue their lives, because their lives will not be that awfully long.

Q10 **Kevin Foster:** First, it is worth saying that I am a member of the APPG, so my views on this subject are well known. I am tempted to say that the motion could win an award—it is about the longest paragraph I have ever read. I appreciate that this is a massive issue, and I have my own views on it, but could we maybe have some tightening up just to try and get it a little more succinct?

Diana Johnson: I am sure we could.

Q11 **Kevin Foster:** There is also the question of the outcome of another Back-Bench debate, given that there has been one before. I have sat through at least one of them in the last year, and it could be a session of a couple of hours of people agreeing with each another. From the previous debate, no one is going to show up and argue, “Actually, no.” Everyone accepts that what happened at the time was a disaster. What do we see as the outcome? I am conscious, with constituents there, of what we hope will happen afterwards.

Diana Johnson: The main thing is that this all got sprung on Parliament rather quickly. To be frank, there are still quite a lot of questions that I do not think have been answered by the proposal that has now been put forward by the Government. We want to tease out what some of the things they want to do will actually mean for our constituents. In previous debates, people came along with their constituents’ stories, and I am certain that they will come along with their own constituents’ questions about how, say, some of the discretionary payment changes will affect individuals, or why Scotland is doing things slightly differently from England, or how this affects Welsh constituents. There are all sorts of



HOUSE OF COMMONS

questions that I think the Minister, who has now sadly moved on, wasn't really clear about when we met her, so we are rather taken aback that within a matter of weeks of meeting us, the Prime Minister suddenly had got to the point where everything had been clarified, and yet the written statement that came out the day after Prime Minister's Question Time did not really have the level of detail that our constituents are still looking for.

- Q12 **Chair:** In terms of time sensitivity, obviously you want this as soon as possible. Again, if you were offered next Thursday, would you be able to take it?

Diana Johnson: Yes, I think we would.

Chair: Fair enough. Thank you very much indeed. That concludes that—we will let you know as soon as we possibly can.

Sir Eric Pickles, Joan Ryan, Mr Alistair Carmichael and Ian Paisley made representations.

- Q13 **Chair:** The topic of the application is the resumption of direct peace talks between Israel and the Palestinians. Sir Eric, over to you.

Sir Eric Pickles: I am very grateful for the opportunity to request this debate. Strangely, the House of Commons has not had an opportunity to discuss a two-state solution for some considerable time, and certainly not within this Parliament. We have had various debates in which people have shown enormous ingenuity to try and get in to talk about a two-state solution—so much so that from a preliminary look at *Hansard*, I can find three references from Ministers saying, "I am really sorry that we can't go into this. It is a very complicated issue. What we really need is a bit of time and a proper debate to do so." Of course, we have been waiting for the Government to deliver this debate and they have not, so I think it is time that the Government get an opportunity as well to explain things that they have not had time to talk about.

In terms of critical time, I think things are moving after a period of being in the doldrums for some while. Peace talks now look like they are about to begin. I think there has been a change in attitude from countries who did not want to pursue this—Saudi Arabia, the UAE, Egypt and Jordan. They are very keen to revive the 2002 peace initiative. We have seen the abortive talks in Paris but, as you are probably aware Mr Mearns, we have just seen an announcement from Moscow that Mr Abbas, the President of the Palestinian Authority, has agreed to face-to-face negotiations with Mr Netanyahu in Moscow.

Some people suggest that a two-state solution does not have widespread support. We know from intense polling, in Palestine and in Israel, that the overwhelming majority of both populations look towards this as a solution. A debate would give us the opportunity, just as negotiations are about to start, to talk about borders, the state of Jerusalem, the settlements, security and Palestinian sovereignty. All those issues are things on which the House of Commons should get an opportunity to express a view. We



HOUSE OF COMMONS

have support from four political parties and, as you will have seen, 50 Members.

Joan Ryan: The point that this has not been debated on the Floor of the House since the general election is really important, especially in the context of all that is going on—the things that Eric mentioned. I would say, first and foremost, that the development with Russia on the possibility of face-to-face talks between Mahmoud Abbas and Benjamin Netanyahu is a very significant move, and it is something that we should be debating in this House with a broad-based approach because there are different views. I think it is the case that the official policy of every party in the House is a two-state solution—two states for two peoples—but there are different views within parties.

It is about time for this debate. A huge number of developments are taking place. Although I would not decry the Paris peace talks, I think we all know that direct, face-to-face peace talks are the only way in which the key issues—the five final status issues—will actually be addressed and, hopefully, resolved. Given this initiative, given the proposed Egypt-Israel-Palestinian trilateral regional peace initiative that has been pushed by President Sisi of Egypt and given the signs of a thawing of relations between Israel and moderate Arab states, I think we are in a situation in which there is a very real prospect of a much more positive way forward on the negotiations.

Given the relationship of the UK and Israel, our position as a permanent member of the UN Security Council, our historical relationship with Egypt and the general situation in the middle east—not least Syria—this is a development that we really need to be part of and encourage. MPs in this House should now be able to debate it on the Floor of the Chamber.

Chair: Ian? Anything to add?

Ian Paisley: Yes. As you know, Ian, I have been involved in a peace process. I have been part and parcel of it. Do not underestimate how important it is when this House speaks on those issues. I have heard other forums speak when I have been involved in the maelstrom of the peace process, whether it is the UN or the American Congress or Senate. When this House speaks on a subject that actually matters—sometimes because we are caught up with it, we do not understand. When you are in the middle of a process like that, you are negotiating with and hearing from different sides, but when this House speaks, it speaks with authority.

I think the time is right now for this House to clear its throat and to speak, especially when we are talking about allowing the House to focus in a measured and balanced way on the key issues. You need to get together and you need to talk. These are the areas that we need to talk about and let the House have its say. I think that that will go a long way internationally, not to put pressure on but to allow sides to realise that there is a voice and a listening ear here in this House, and it is expressing a view.



HOUSE OF COMMONS

The fact that so many parties have signed up to it, which is unusual, and, more importantly, the numbers that have signed up to it, shows that the time is absolutely right. Frankly—you might call me selfish in this—I think that the people of the United Kingdom should be trying to encourage that process more than what is happening in Russia. I think we have more credibility by encouraging that process. While I wish what happens in Russia well, it is what we do that should really matter in terms of the world's future.

Mr Carmichael: Just to pick up on that last point, you can't ignore the fact that we have historic responsibilities here and we have continuing responsibilities, as Joan indicated, as a permanent member of the United Nations Security Council. It is right that Parliament has an opportunity to say something, and it is better able to carry a wider support and a wider authority than just the Government on their own, bringing as it does the full range of voices and influences from within our politics.

The world is riddled with these historic, ethnic, sectarian conflicts. Why is this one different? Why is it deserving of particular attention and support? The thing that distinguishes it in my mind is that so many of the challenges facing us in the developed world at the moment come from that region. The continued lack of resolution in Israel-Palestine is something that is a source of grievance for many of those on a wider platform. That is where there is an opportunity for us. If we are able to rise above the temptation to take a label stuck on us as being pro-Palestinian or pro-Israeli, which is one of the most frustrating aspects of this whole debate, if we are able to transcend that, then because of our historic position and our current world influence and status, we have an opportunity to make a genuine contribution here.

Q14 **Mr Nuttall:** This application is without doubt in order on the face of it and no doubt the subject matter is complex and very important. It seems to me, however, that with so much interest across the House, you may have been ambitious in your suggestion of three hours of time for so many speakers, given the complexity of the matter. I wonder whether you have set your sights a little low in terms of the amount of time that you are asking for. If all these Members are going to take part, will they all get in?

Sir Eric Pickles: Well, you see here before you a quartet of very modest Members of the House. We are, of course, in your hands. Sometimes, less is more. What this does give us is an opportunity to properly explore and not to worry about the narrowness of the debate and whether it is on one particular aspect or not. In a way, I think we wanted a kind of debate where there were no hiding places, no procedural hiding places and no places that you weren't able to go. If the Backbench Business Committee wants to grant us three or four days over the next few months, we certainly won't turn you down.



HOUSE OF COMMONS

Mr Carmichael: If I thought we could solve it in five hours, instead of three, I would say by all means give us five. I would say that in all my years as a Member—I never thought I would say these words, but there you go—one of the best debates I have ever seen was a three-hour debate. It had almost 50 contributions, on the subject of brain tumour research in Westminster Hall at the start of this session. Sometimes economy of time can concentrate the minds in a way that more expansive speeches do not.

Ian Paisley: David, you know that all that will be said and can be said will be marshalled within that three-hour period. What we will have is an expansion on what is said, but it will all be said. I think that is the important thing.

- Q15 **Bob Blackman:** The first comment I would make about time is that normally this Committee would look at a minimum of 15 speeches for a three-hour debate. You have got 50. Effectively, and this is something for you to consider, that would mean if everyone were to speak, they would get a maximum of two minutes each. By the time you have included the Government spokesman, the Opposition spokesman and the lead-off speech, that is what you will get.

I just want to pick up on one issue that you raised at the beginning. We have had a period of the doldrums and now things are starting to pick up. Is there a time-sensitivity for having this debate? Should it be before the conference recess or after the recess? When would you ideally like to hold the debate?

Sir Eric Pickles: I think we are ready to go. I think it is time sensitive in so far as I think there is going to be movement. The House of Commons would probably want to comment before things started to get themselves in a fixed position, when there is a possibility of having some kind of effect. Maybe that effect might be encouragement to take that step to move on. I think those face-to-face negotiations are going to be difficult to do, but in a weird kind of way—I suppose just about everybody in this room has met with the Palestinian authorities and with Israel—the big decision is to walk into the room. In many ways that is one of the hardest things to do.

We are ready to go whenever you want. If things fall about tomorrow, we will debate it tomorrow.

- Q16 **Bob Blackman:** Finally, obviously you will be aware that there is another application still on the stocks about one of the issues that you have raised. Have you had any discussions with the sponsors of the other motion?

Sir Eric Pickles: We haven't. It was only last night that I looked on the channel and found the appropriate document. Certainly, we would be able to accommodate all that. I don't mean this in any disrespectful way to the opponents, but that is just another example of "just a little bit". What this debate offers is the whole spectrum.



HOUSE OF COMMONS

Q17 Chair: Thank you very much. I am thinking out loud here. As a number of you have said, this situation is moving quite quickly, and I am just wondering whether the text of a substantive motion might actually preclude a proper, open debate; by the time we actually table this, things might have moved on past where the substantive motion takes us. I am wondering therefore whether a general debate in the Chamber—you are asking for Chamber time—on the issue of the resumption of peace talks might be a better way to take it forward.

Ian Paisley: I actually think that that motion will be topical at any point. When talks are in process, there are going to be breakdowns through that, so it will be topical.

Sir Eric Pickles: I don't think we would object to a general debate but I agree with colleagues that it is always likely to be topical. The only word in there from memory is "immediate".

Chair: Thank you very much indeed. That is food for thought.

Alex Cunningham made representations.

Q18 Chair: We move now to Alex Cunningham, Norman Lamb and Flick Drummond. This is about the tobacco strategy. Alex, please.

Alex Cunningham: Thank you very much, Chair. I am not really Billy-no-mates, as you can see by the list of people that are on the application form. I won't detain the Committee long. I am here because Kevin Barron, who was going to lead the session on behalf of the group, has had a family bereavement so can't be here.

I think the application speaks for itself. It fits the criteria for a three hour debate: it is important, it is topical and it has excellent cross-party support, including from the Chair of the Health Select Committee. In addition to that, there is further considerable support in the wider public domain, including from the Smokefree Action Coalition, which is an alliance of more than 300 health organisations, and from royal colleges to cancer charities, which all want the Government to act and publish the new strategy.

We know that successive Governments have made real progress in developing a tobacco strategy but we now need to learn the next stage of the current Government's plans to build on their own and other Government's successes. They have been a wee bit slow in publishing a new strategy; the last one ran out in December. They are unlikely to propose a debate of their own at this time, I would think, and there are no immediate Opposition Front Bench plans for a debate on this issue either. We like the motion as submitted as it calls on the Government to publish the strategy, but we would be happy to have either the main Chamber or Westminster Hall, so we will settle for appropriate wording as suggested by the Committee Clerk. I will be guided by yourself, Chair.

Kevin Foster: I presume I have got the latest version, but we do not have a draft text of the substantive motion. In the paperwork it talks



HOUSE OF COMMONS

about calling on the Government to publish their next tobacco strategy in summer 2016. It is now autumn 2016.

Alex Cunningham: I think it is still summer. There is still hope.

- Q19 **Kevin Foster:** Obviously I am used to the concept of late 2016 or winter 2016 suddenly becoming March next year when the sun is coming back. *[Interruption.]* Something like that. What is the likely substantive motion? Just "To consider tobacco control"?

Alex Cunningham: The Committee Clerk has been very helpful: "That this House has considered the requirement for a new tobacco control plan." That would allow us to be in the House or in Westminster Hall.

- Q20 **Bob Blackman:** My question was about whether you have any further information on when the Government plan to publish the tobacco control strategy, given they have consulted on it quite widely?

Alex Cunningham: There has been no indication at all. We have tried a few parliamentary questions. They haven't exactly been forthcoming. There is a new month in the calendar called "Induecourse". It goes January, February, March, Induecourse, April, May, June. I don't know either. I think we need to put a little bit of pressure on the Government on the matter.

Chair: I think it is Induecoursetober. I think that is excellent. Thank you very much. That fulfils the criteria.

Frank Field, Richard Fuller and Michelle Thomson made representations

- Q21 **Chair:** We now have Frank Field, Iain Wright, Richard Fuller etc. on British Home Stores. Good afternoon and welcome.

Frank Field: Thank you for giving us this opportunity to apply for a full day's debate given the importance of the subject matter. The request for the debate is across parties and across countries, because many of our constituents are affected in two ways. First, by the brutal closure of the stores, and secondly, that Sir Philip Green has still not settled the pension issue, which is stretching out. Our wish is for the House to now give a view on what they think about his behaviour. Naturally, in Select Committees—it was a Joint Select Committee with Work and Pensions and BIS—they have been precluded from doing so, and therefore to bring their pressure to try to reach a settlement. One also hopes very much that the Government will use this opportunity for a debate that we would like when we come back to show what they think they will do and what should be done.

I say "when we come back" not because it is not urgent, not because people have not suffered and are not suffering, not because people are not left in this terrible limbo, because they are, but because the thought of having a full day's debate when I believe the anger of the House of Commons can be expressed will play a part in bringing the parties or the party to a settlement. As you see, I am supported by two Members who



HOUSE OF COMMONS

are members of the BIS Committee, from both another party and another country.

Richard Fuller: What I might add to what Frank has said is that it goes beyond the specific issues of British Home Stores. In many ways, the Select Committee—the Joint Committee—demonstrated a lot of what Parliament does best. We weren't a court assessing guilt or innocence, but we were there to reveal and to throw a probing light on issues, and in many ways the witnesses were the gifts that kept on giving, as—week after week and session after session—more concerns, issues and downright dirt came out.

Underlying that were very significant issues to do with pensions that affect not only the 20,000 pensioners at BHS who are worried about their pensions but many pensioners at the Arcadia Group and other pension schemes—defined-benefit pension schemes—across the country that are on the balance now. So this affects not just a limited number of people but a very wide range of people.

It is also important in terms of corporate governance. We have a new Prime Minister, who, on the steps of No.10, talked about a country and a society that worked for everyone—for those who were struggling to get by. I'm a free market capitalist. I believe in free trade; I believe in corporations; and I believe that most people who run businesses or who are in charge of businesses do the right thing. As Frank has said, Parliament has an opportunity when we come back to start to shape the agenda for the incoming Government on what we want companies to do and how we expect our capitalist system to look after the interests of everyone in society.

Michelle Thomson: Just to dovetail on both comments made, following on from that and underpinning a lot of these issues is the way that we do our business today in the UK, and it is particularly of interest to large private corporations. Picking up the point about corporate governance, which I understand is a somewhat boring title, underpinning that is a whole value system and how it frames out the culture of organisations.

We have seen previous examples of that with RBS and indeed in Sports Direct, where we saw today that at least some moves have been made, I believe, as a direct result of the inquiry by BIS. So, broadening it out, as Richard says, involves considering how we want to shape and drive things going forward, and it does piggyback off a number of themes.

Also, very importantly and as Frank says, it is not just for individual Members to express their anger but really to keep focusing on the fact that this is an outcome-based thing. Sir Philip Green needs to do the right thing by the employees and the pensioners, and it is important that we keep up that pressure.

Q22 Chair: Do you have any indication about the timescales within which the Government are planning to respond to the two reports that are highlighted within the substantive motion?



HOUSE OF COMMONS

Frank Field: We hope that if you grant us a debate that will concentrate their minds wonderfully, Chair. *[Laughter.]*

Q23 **Chair:** But you would prefer it after the conference recess?

Frank Field: Please, Chair.

Q24 **Bob Blackman:** Can I just point out, Frank, that we would expect for a three-hour debate a minimum of 15 speakers? You've only got eight valid speakers down, because I don't think that Amanda Milling, as a PPS, would be qualified to speak. So we would expect to see more names added in order to make sure that there is a sufficient number of speakers to flesh out a three-hour debate.

Frank Field: How many, Chair, do we need for a full day's debate? I'm sorry—I misunderstood. I thought we might establish a bridgehead today, that the joint work of the two Select Committees wished to have this debate. We will certainly show how widespread the support is among MPs who wish to participate, because the aim of the two Select Committees in doing this is, one, partly it's our job to do it, but secondly we hope to win back some public confidence for Parliament in undertaking an inquiry, which—you saw how Sir Philip behaved. And that work of building bridges with the public will continue if we can have very large numbers of Members having the opportunity to contribute. We will certainly provide you with the names.

Q25 **Chair:** I have got a funny feeling, Frank, that if you set up a trestle table in the Members' Lobby you would quickly have a queue.

Frank Field: Yes, we would. Thank you. I might do that.

Q26 **Kevin Foster:** I suspect I would be one of them, given that 120-odd constituents lost their jobs a couple of weeks back when Torquay's BHS closed.

I wanted to ask a question about the actual debate itself, because we always consider what it means for people outside looking in. Some of what I am hearing is a debate about general standards in business and we can certainly make some points about Mr Green spending, bluntly, more time attacking you than seeming to get on with some of these issues. The other side of it is the actual issues around BHS. It was probably a company that was in trouble anyway, so there is a debate about how you can make quite a lot of money yourself personally while a company does that, but the other side is a debate more widely about corporate governance and what is happening with certain pension funds. You could also argue that about steel, where there is obviously an ongoing consultation around that.

As the proposers, which do you see to be the key focuses of the debate? I am conscious that you could end up getting into lots of different areas, but if I were looking at this title as an employee who had lost their job, I would expect the BHS story to be the focus, with the issues at the end.

Frank Field: I think it is two things. One is, we know that Arcadia Group is going the same way as BHS and that in the one money-making part of



HOUSE OF COMMONS

Arcadia, which is Topshop, Sir Philip has had to or has sold a share to an American financier called Leonard Green—no relation—who I am sure has locked the tills. We therefore risk seeing the same scenario for the rest of the Arcadia Group, hence his ludicrous suggestion that Dominic Chappell, the three-times bankrupt, should have first refusal on all of the Arcadia Group except for Topshop. I think he needed to sell that to refinance the loan of £2.6 million, much of which went out through the various structure of companies that Lord Grabiner, the chairman, could not explain to the Committee what their function was.

It will be about what we fear may happen. But there is also a very large number of our constituents who feel deserted and are looking to the House of Commons to ensure that we have not published a report and the caravan has moved on—that we are not going to let this issue go until we have got a settlement which the House thinks is fair.

Q27 **Chair:** Thank you very much indeed. If you could supply the list of names, which you will very quickly get, I am sure.

Frank Field: We will get them now.

Maria Miller, Ruth Cadbury and Angela Crawley made representations

Q28 **Chair:** Good afternoon again. If you could outline the application, please.

Mrs Miller: Thank you very much, Chair. I am very grateful for the opportunity to address the Committee and for you to consider our bid for a debate on this important report. I am here really on behalf of the whole Women and Equalities Committee requesting a debate on its first ever report. The subject of the debate would be on transpeople. It is for a substantive, votable debate. We believe it is important and topical because we have only just received the Government's response to our report, though the report was actually published in January.

The Government's response came out in quite a busy period in July and did not really get the sort of coverage that we felt it should. We think it is particularly important because as a report it points out some real shortcomings in public services and the law in the way that they should be protecting and supporting transpeople. We feel very strongly that our report, which had more than 30 recommendations in it, should have had more consideration.

While we welcome some positive responses from the Government in terms of their undertaking to review the Gender Recognition Act, there is further work, particularly in terms of the Equality Act, which we really feel is pressing. Particularly as we have a new Prime Minister who has put equalities at the centre of her agenda, we want to give the Government another opportunity to come to the House to talk about this and hear the strength of feeling from colleagues. At that point I will invite my colleagues from the Committee to add their perspective.

Ruth Cadbury: The issue of transgender is growing in importance. When you talk to young people, they don't have a problem with people being



HOUSE OF COMMONS

trans. There is growing support for trans people in this country and our inquiry exposed that, so it is really important that we have a debate on the gaps in the law and service provision, particularly in the public services such as the NHS, the criminal justice system and the education system, which are letting trans people—adults and young people—down very badly. I think there would be strong popular support now to follow up soon on both our report and the Government's response, in order to encourage the Government to pick up on those further recommendations that they did not agree to this time around.

Angela Crawley: As Maria said as Chair of the Committee, the Women and Equalities Committee's first inquiry was on transgender. I think it is a very important point to make that, personally, as a member of the LGBT community, I believe that equality is at the heart of the agenda and we must take account of the experiences of those who identify as transgender, non-binary or non-gendered.

The SNP and the Scottish Government have made a clear commitment in the 2016 manifesto and the Scottish Government's programme for Government to commit to reforming the Gender Recognition Act in line with international best practice of countries such as Ireland and Malta, to name a few. The UK must now follow suit. The commitment must be made by the Government and must take account of the key recommendations that the Women and Equalities Committee have outlined.

The recommendations include things such as taking account of health provision and removing the medicalisation, and they are in favour of self-declaration and of recognising the challenges of non-binary and non-gendered individuals around single-sex services, particularly the Prison Service, as well as the importance of recognising the challenges faced by transgender individuals each day. In the inquiry we heard from individuals who spoke of their own experiences of mental health problems, of self-harm, of friends dying too young from suicide. This is something that we could do more to challenge. We could do more in the UK, and we are making tracks in Scotland to make these changes to make the experiences of transgender individuals' lives better.

I will end on this point. Since the tragic circumstances of Orlando, I believe that all countries must do more to improve the equality of LGBT individuals, whether they are lesbian, gay, bisexual, transgender, non-binary, non-gendered or however they feel they want to define themselves or who they love. Equality is at the heart of this motion. While we have celebrated Pride in the months of July and August, there are too many people in the world and too many children and adults who have been bullied, have self-harmed or have committed suicide as a result of who they are or who they love.

I am asking the Committee today to consider the importance of having this debate on the Floor of the House, because people have marched and fought for the rights that we enjoy today. It is absolutely imperative on each one of us who has been given this position in this House to stand up for the rights and equality of other members of society who identify

themselves as transgender. Scotland has made the commitment to lead the way and I believe that the UK can too.

The debate must be had on the Floor of the House because anyone who believes in equality should believe that we should support this motion. I thank you for indulging my lengthy response.

Dr Eilidh Whiteford: I am not on the Women and Equalities Committee, unlike the other women here, but I very much commend what they have done in the report that the Committee has produced. Although we have had a lot of legislative progress on LGBT issues in recent years, there is clearly quite a lot of unfinished business. It is important that we continue to complete the progress that has been made in recent years. I just want to add my support to this plea.

Jess Phillips: I just declare that I am also on the Women and Equalities Committee.

Chair: Noted. Thank you very much.

Q29 **Bob Blackman:** From the wording of the motion, as I understand the topic, this would require primary legislation. Is that the basis of what you are trying to achieve, or is it just to create awareness to lead the Government to require primary legislation?

Mrs Miller: You are absolutely right, Mr Blackman, that what we are indicating here is that there is a shortfall in the law. Let's be clear: the Equality Act is inadequate in the way it deals with trans issues. It is slightly embarrassing in its outdatedness and it needs to be updated. What we are calling for here is an undertaking by the Government to deal with that in other legislation that they might have coming through the House in the coming months. It does need to be dealt with in primary legislation.

Ruth Cadbury: May I also add that it is important, we think, that there should be a debate in the House about the whole issue of transgender? It is not just law change that we need; we need a change in attitudes and we need a change in the way public services support and serve transgender people, whether it is people being required to declare their birth identity, whether it is people being given an adequate service promptly at the point at which they apply for transitioning, whether it is people in the criminal justice system being allowed to go into the appropriate gendered prison, and so on. There is lots about this that does not just need primary legislation, so we would like to see a debate in the round at this point. It is needed; it has never happened before as far as I am aware and it would be a good precursor to primary legislation, which is perhaps where your question is going.

Mrs Miller: Ruth is absolutely right that the response that we received, which unfortunately came out at a very busy time, did not address a lot of the issues that we brought up with regard to NHS treatment and other public service treatment. In response to your question, I was talking about primary legislation, but that is only one part of a much bigger need. The Government just really need to get to grips with this issue.

Q30 Chair: In terms of time sensitivity?

Mrs Miller: To be honest, Chair, we have a real problem because we have had seven months of lack of response and a lot of people whose lives are being devastated by the way public services are being provided, and who are anxious that they can see no progress. So we feel that this is of the utmost urgency, not least because it can mean that organisations like the NHS and the Prison Service can really be putting in place reforms that are urgently required. We feel it is really urgent, and people are feeling frustrated at the lack of action.

Chair: Thank you very much indeed. I think that that concludes all the questions. Thank you very much for the application.

Antoinette Sandbach and Will Quince made representations.

Q31 Chair: We move swiftly on. Last but not least, we have Antoinette Sandbach and Will Quince.

Antoinette Sandbach: Mr Chairman and members of the Committee, thank you very much for allowing us to address you in respect of this application for a debate. I have heard you ask other applicants whether matters are time-sensitive.

Q32 Chair: The first week back in October.

Antoinette Sandbach: The first week back in October will be Baby Loss Awareness Week, as you and the Committee will know. More than 6,000 babies are stillborn. We have some of the worst figures in Europe. We are 33rd out of 35 countries in terms of our stillbirth rate. This debate—we hope on the Floor of the House—will allow MPs to talk about the experiences of their constituents and also to highlight some of the really good practice that there is around the country and bring it to the attention of the Government. This is an area that urgently needs addressing. Every time this House talks about it—there has been an Adjournment debate and a Westminster Hall debate—members of the public come forward and speak about their experiences in hospital and about the impact of a lost child. This is something that has traditionally been brushed under the carpet and dealt with. It is effectively a silent killer, as it were. I therefore plead with the Committee to allow us this.

For the first time, we are launching in the House of Commons baby loss awareness week and the Speaker is hosting an official event. This will be the first time that it will be officially recognised by Parliament in that week and we therefore think that the debate should be in the week of 9 to 14 October—the 10th is the Monday and the Speaker's reception is on the Wednesday of that week.

The issues cover everything from miscarriage to sudden infant death and child accidents. Every single Member of Parliament will have their own constituency experiences and, indeed, charities and fundraisers who have fought on their own to improve services locally. We believe that this should come to the Floor of the House in a way that is deeply personal and

actually shows some of the good work that we can do here in Westminster.

Q33 **Chair:** Okay. I have a queue of people wanting to ask questions. Will, do you have anything you want to add?

Will Quince: Very briefly, I think this is a very exciting opportunity for the House. Since the original Adjournment debate in November, we have had a Westminster Hall debate. Antoinette was quite right when she talked about the number of members of the public from across the country who came forward and raised their own circumstances, but also the number of MPs who came up to us privately and said, "That was incredibly brave. We would love to have been able to tell our story. We've had similar experiences ourselves or close family members have."

The other reason this is exciting is that since that Adjournment debate, we have formed a thriving all-party parliamentary group, which is working very closely with all the major charities in this area and also very closely with the Government. The Government have made some very ambitious targets in relation to reducing our stillbirth rate by 20% by the end of this Parliament and by half by 2030. We need to hold their feet to the fire on that and make sure we keep the pressure on.

This would be the first time ever that Baby Loss Awareness Week was marked in Parliament. As I say, there are people in every constituency across the country who have been affected by this. In Britain, we don't like talking about death, and in particular we don't like talking about the death of children or babies. If there is anywhere we can talk about it and show that there is no subject that is too taboo or one we cannot discuss, it is on the Floor of the House of Commons Chamber.

Q34 **Jess Phillips:** I think it is a great idea for a debate and worthy of the Chamber of the House of Commons. I note you have not put in a substantive motion. I wondered if there was anything specific you wanted the Government to do. In my constituency, the rates of infant mortality are incredibly high. Do you want something specifically about targets or maybe some of the NHS developments currently happening?

Antoinette Sandbach: The subject is very broad, but it is broad for a reason. For example, the APPG is looking at developing a bereavement care pathway, so members of the APPG may want to talk about that work and the progress that has been made. Previous debates, for example, highlighted the fact that some local hospitals do not have bereavement suites. There has been progress on that. This has been drafted as a general topic to give Members of Parliament the maximum opportunity to raise the issues that are particularly relevant to their constituency. If we narrowed it down, we feel we would cut out potentially important issues.

It is very important to get this debated, in order for the Government to see the breadth of experience of families who are experiencing child loss across the UK. There may well be opportunities for later Westminster Hall debates to focus on particular aspects. We know, for example, that the bereavement care pathway is being looked at, but that may be totally



irrelevant. There may be someone who particularly wants to talk about, for example, miscarriage, where there have been multiple miscarriages. By phrasing the application in the way we have, we hoped to draw in the largest number of MPs and the greatest breadth of experience that Members of Parliament come across in their casework.

- Q35 **William Wragg:** I commend both applicants before us. They are Members of Parliament from my intake who have both spoken extremely bravely on the subject and, indeed, used other channels, as evidenced by Will's ten-minute rule motion earlier today. You talked about highlighting good practice, but in terms of the indifferent and bad practice out there, will you be able to draw on the work of your APPG and draw that into the debate?

Antoinette Sandbach: Certainly. I have put in FOI requests to every single NHS trust. I have got answers. Some trusts did not even bother to send a reply. I have now put in a further FOI request to every English NHS trust around the counselling support that is available. I have put in an FOI request to every CCG in order to look at what counselling is commissioned or made available by those CCGs for parents. There is an enormous range of bad practice, and there will be opportunities for Members of Parliament to look at the experience.

Next week, we are holding a photographic opportunity for Members of Parliament so that they can come along and put out a press release that will highlight the debate and what is happening in that awareness week. That will hopefully encourage discussion locally. There are a number of very small charities that have been set up by parents who have been bereaved that particularly deal with a local area. I have one in my constituency called Elsie Ever After, but there are many other charities—it is not just the national charities—and this week will give them an opportunity to highlight in the local press their work, their experience on the ground and the reforms they seek in terms of bad practice. There is bad practice out there, and some parents are not given access to a bereavement suite and are effectively sent away from the hospital with no access to support whatsoever. They are handed a leaflet—that's it.

- Q36 **Kevin Foster:** I was at that Adjournment debate, which was probably one of the most powerful half hours I have sat through. More was said in that half an hour than has been said in many much longer debates in the Chamber. Are there any specific asks that might be put in the text of a motion? I see that you have done a ten-minute rule Bill today. For example, the new common one we have asks for consideration or a formal response to a strategy document that has been produced, or else just a general consideration.

Antoinette Sandbach: There is going to be the launch of a document, hopefully on the Wednesday, containing key asks of the Government. I know it is being drawn up, so we might be able to provide you with a draft. We will take guidance from the Committee. If the Committee feels that they would prefer a more specific motion, we are happy to work together with the Clerk to take guidance. As I answered previously, we are



HOUSE OF COMMONS

looking at debating all the issues around child loss. I dare say that Members of Parliament will have lots of asks of the Department of Health. It is really important that we see the Government standing up there and answering them.

Will Quince: Part of the issue as well is that it is such a broad area, and it covers different Government Departments. As Antoinette said, there is the proactive side, which is about how to try to avoid stillbirth—that is about smoking cessation, alcoholism and drugs, and all sorts of other preventive measures—but it is also about the reactive side and what facilities we have for those who sadly end up going through this process. Then there is the Ministry of Justice side, which is about birth and death registration. It is about the treatment of ashes. You cannot register miscarriages, for example, before 24 weeks. These are all issues that need to be brought to the fore.

We have different people within the APPG, and different charities and organisations that feed into it, from different areas that are all so very important to this overall topic of baby loss. Yes, we could have several shorter debates on all these areas, but one debate covering the whole area of baby loss would allow the Government to see the breadth of feeling about this issue and why we need to start tackling some of it. That would be very useful.

Q37 **Bob Blackman:** On time sensitivity, you mentioned that you have the awareness week. Presumably you would ideally want to have a debate during that week or subsequent to it.

Antoinette Sandbach: We would ideally like to have the debate during that week because that is when we feel it would have the most impact.

Q38 **Bob Blackman:** At the moment, quickly checking your form, you only have 13 valid speakers. We would ask for a minimum of 15. I am sure you could get them, but the position is that we have to ration the time available to us. If an application meets all of our criteria, it is more likely to be smiled upon than an application that doesn't, even though it is worthy. All I would ask is that you please provide us with a few extra speakers so that we can feel confident that you can fill a three-hour debate.

Finally, we don't know what time we will get available to us in the Chamber for the week you are asking for, but it may be that time is made available in Westminster Hall. Would it be preferable for you to have the debate in Westminster Hall during the awareness week, rather than actually not having the debate at all?

Antoinette Sandbach: Yes. I think it is really important that we debate this issue. We would obviously prefer it to be—

Q39 **Bob Blackman:** Sorry, just to be clear—you wouldn't get a debate in the Chamber; you would have a debate in Westminster Hall instead during that week if we don't get time allocated for the Chamber.

Antoinette Sandbach: Yes.

Q40 Jess Phillips: The week is the priority, rather than the room?

Antoinette Sandbach: Yes.

Will Quince: It is, although I think, for public perception and for gravitas, this hasn't really ever been addressed substantively in the House. The fact that so many men and women are affected every single year in the tens of thousands—

Q41 Bob Blackman: I'm not unsympathetic at all. I agree. I think it is an important subject to be debated, but it is your application. We are given limited time by the Government. We know today that we could allocate you a debate in Westminster Hall during that week. We don't know whether we will get any time in the Chamber. It is better possibly to know that you are going to have a debate, rather than be thinking, "We are going to get a debate, aren't we?". That's all I'm probing.

Will Quince: Failing the Chamber, we would obviously be delighted to have it in Westminster Hall. As long as we have a debate in that week, that is our main objective.

Chair: In terms of Chamber time, Mike and I had a meeting with the Leader of the House yesterday. He was asking us—because we were asking him about assurances for time in advance, because we have got to organise the day for Back-Bench debates—for early advance notice of any time sensitive debates that we would like to have tabled. We have given that undertaking, so if we can put an application in to him we might have an indication next week that the time is available or not.

Antoinette Sandbach: That would be fantastic. Thank you.

Q42 Mr Nuttall: Can I just follow up on exactly when this week is? This application says it is the week of 14 to 18 October, which is more like a weekend, because it is a Friday to a Tuesday. It is crucial that we get this right.

Antoinette Sandbach: I apologise to the Committee. The application was logged without me seeing those dates. It is 9 to 15 October, the formal week. All of the major charities—

Q43 Mr Nuttall: The 9th to the 15th?

Antoinette Sandbach: Yes, and the 9th is a Sunday, so it will effectively be the 10th.

Chair: The 10th to the 13th will be parliamentary time.

Q44 Mr Nuttall: So not the 14th to the 18th?

Antoinette Sandbach: No.

Mr Nuttall: I think that is crucial.

Chair: Thank you very much for the application. From my perspective, it is worthwhile discussing and listening to the applications. Thank you very much indeed. That now concludes the formal sessions of the Backbench



HOUSE OF COMMONS

Business Committee for today. We will now go into private session. Order.