

Backbench Business Committee

Representations: Backbench Debates

Tuesday 29 November 2016

Ordered by the House of Commons to be published on 29 November 2016.

Watch the meeting

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

Questions 1-22

Witnesses

[I](#): Tom Brake, Steve McCabe, and Mr Edward Vaizey.

[II](#): Mr Alistair Carmichael.

[III](#): Tom Brake and Chris Law.

[IV](#): John Mann.

Steve McCabe, Tom Brake and Mr Edward Vaizey made representations.

Chair: Good afternoon and welcome to the Backbench Business Committee. We have four applications in front of us this afternoon, the first being from Mr Steve McCabe, Mr Ed Vaizey and Mr Tom Brake.

Steve McCabe: Good afternoon. I should confess: I do not think I have applied for one of these before, so I hope I have got this right. This is a relatively simple request. It reads: "The House has considered the decommissioning of IVF and other NHS services." I should point out that by "other NHS services" I am talking about fertility-related services. It is not an attempt to widen the debate into something much broader.

The background to this, as you may have seen from the application, is that this issue affects about one in six couples in the UK. It is the second most common reason for a woman to visit her GP. Infertility is classed by the World Health Organisation as a condition like any other that is deserving of medical treatment.

I came across this because, as lots of us do in these situations, a couple of constituents came to see me to explain the difficulties they had experienced in seeking IVF treatment. We know that the problem of infertility has an impact right across couples' relationships and families. A reasonable study done by Fertility Network UK and Middlesex University shows a very high preponderance of depression and suicide associated with it. In fact, that figure has doubled from about 20% to 42% since 1997. That is the background.

The difficulty that we experience at the moment is that NICE is clear that eligible couples should have three full cycles of IVF when the woman is aged under 40 and that there should be a further option of one cycle for a woman aged between 40 and 42, but eight in 10 clinical commissioning groups do not comply with the NICE guidelines. We know that, at the moment, three clinical commissioning groups in England have totally decommissioned their assisted conception service and a further 26 are currently considering reducing or decommissioning the service entirely.

The fact that this motion specifically focuses on IVF services means it is unlikely to be heard in Government or Opposition time, hence the request for a Backbench debate. If it helps, I have tried to secure an Adjournment debate on this, albeit unsuccessfully. This was not debated in the Commons in the last Parliament and it has not yet been debated in this one.

Obviously this is a cross-party request: we have identified 16 other MPs who say they would be interested in taking part in such a debate and we know that there are over 60 MPs, 50 of whom are Back Benchers, who represent constituencies where a clinical commissioning group is currently considering the provision of the service.



HOUSE OF COMMONS

If it helps, the Chair of the Health Committee has recently raised this when questioning the Health Secretary, and of course Professor Gillian Leng, who is the author of the IVF guidelines for NICE, has indicated that she would also welcome some kind of debate.

I hope that sets out why we are asking for this. It would be cross-party, it is designed to focus on the question of IVF and fertility services, and it is about a group of people who are suffering and ought to be heard.

Q1 Chair: Thank you, Steve. That was a very full application. Tom, do you have anything to add?

Tom Brake: Only to say that cases involving IVF are clearly some of the most distressing for our constituents. I estimate that for at least the last 10 years I have been arguing with the PCTs—the predecessor of clinical commissioning groups—over the provision. It is very clear what the NICE guidance is. It is equally clear that PCTs, and now the CCGs, are not delivering that.

Mr Vaizey: Steve knew of my interest because I had a meeting with Fertility Awareness, which is a countrywide pressure group that campaigns on these issues. The reason I had the meeting was because Oxfordshire does not comply with the guidelines and it transpires that most of the Thames valley and most of the south-east is the same. I have put in a freedom of information request to my CCG. I am just processing the information that has come out of that, so I am making this quite a big campaign.

I feel so strongly about this because I think that too many health authorities regard IVF and fertility treatment as somehow a second-class, luxury, nice-to-have service. I do not come to this from a vacuum. I come because my constituents have contacted me—couples who are in great distress and have had their lives ruined by not being able to conceive, and made much worse by the inability of the local health authority to meet their concerns and needs. Although it sounds a bit perverse—I am possibly putting words into my constituents' mouths—I think that some of the pain and suffering they go through would be mitigated if they felt that they at least had what they regarded as their due, because the NICE guidelines in this case are absolutely explicit.

A lot of health authorities have sat back. They made these decisions 10 years ago. They are unaware, for example, that funding for IVF has been dramatically reduced. They do not do enough analysis of some other out-of-date services they might offer, which they could decommission to find money for IVF. This debate would put on the record Parliament's concern about this issue, and Parliament's recognition that these services are valid health services for many couples whose lives quite often depend on being able to access them.

Q2 Kevin Foster: For a first time, Steve, that was a very good presentation. I just want to clarify something. We usually offer 90-minute, 30-minute or three-hour slots in Westminster Hall. I presume you are looking at a



HOUSE OF COMMONS

three-hour slot, which is likely to be a Thursday. Would you be happy with that?

Steve McCabe: Yes. I would be very happy with that.

- Q3 **Bob Blackman:** I have every sympathy with the request. However, in terms of having a debate, is there anyone on your list of speakers who will put a contrary view to the case you have put—that is, supporting the health service and CCGs in rationing this service? Or will it be a debate where several Members will highlight what is going on in their areas?

Steve McCabe: I confess that I have consciously sought out people who have experienced constituency problems, but there was a recent opinion poll as part of a consultation. I cannot remember which CCG carried it out, but a surprisingly large number of people were opposed to the notion of allowing IVF on the NHS, and the question of three cycles. There are clearly people here who would represent a contrary view. I am quite happy to identify some of them, if that would be helpful.

- Q4 **Gavin Newlands:** Further to Kevin's point, this is obviously a general debate. We have a number of 90-minute slots to fill in Westminster Hall. I am not offering you a 90-minute slot at this point, but for the purposes of the Committee allocating debates, would a 90-minute debate in Westminster Hall be suitable?

Steve McCabe: Yes, we would accept that. I was asked whether we would prefer three hours, which we obviously would, but we would accept 90 minutes.

Chair: Thank you very much indeed for the application. We will make a decision and let you know as soon as we possibly can.

- Q5 **Bob Blackman:** There is a potential slot on Tuesday 10 January, which is the day after we come back from recess. If we offered it, would that be an acceptable date?

Steve McCabe: Yes.

Chair: Thank you.

Alistair Carmichael made representations.

Chair: Next up is Alistair Carmichael on the future of the UK maritime industry.

Mr Carmichael: Thank you, Mr Chairman. Just reviewing the application, we have ticked "In the Chamber", but I think those of us who have applied for this debate would be equally happy to have any time in Westminster Hall if it is available. That may give you a clue as to our feelings about this issue.

What happens at sea is out of sight and largely out of mind. I have been astonished in recent years to hear from constituents who work in the maritime sector, especially those working in the North Sea oil industry, about the way in which the industry has developed in recent years. A



HOUSE OF COMMONS

recent documentary on Scottish Television indicated the extent of the problem of people working for significantly less than the minimum wage. In fact, more recently, there has been significant publicity about a particular contract in fleet services within UK waters where the ratings working on the ships work for as little as £2.66 an hour. That indicates what is at stake here and is symptomatic of a wider malaise.

There are any number of issues with the general standard of shipping going around the world these days. If we go back 10 or 12 years, the Government made significant inroads into rebuilding a UK-flagged fleet through implementation of the tonnage tax. The tax encouraged people to flag under the red ensign, in return for which the shipping companies gave undertakings on the recruitment and training of UK-domiciled officers. That has resulted in impressive numbers of officer cadet trainees on UK-flagged boats, but when they come to the end of their training, there is no job for them. There is a constant throughput of trainees with no prospects in charge of ratings who are recruited from different countries around the world. There really is a need for the Government to revisit the tonnage tax.

Much of the issue is techy, but for those of us from coastal and island communities it affects a substantial number of our constituents and that will continue now that we have the Oil and Gas Authority pushing for joint working among the companies to drive down costs for maximum economic recovery of the last of the oil in the North Sea. We have good evidence to suggest that that is being achieved partly by the oil and gas majors pushing a lot of the costs on to the shipping companies operating the stand-by boats and the supply vessels working in the North Sea.

Frankly, there is a whole range of issues here. If they were happening in any business or industry on dry land, we would have people marching on Parliament, but because they are happening at sea, trying to get attention or to get them on the agenda is that much more difficult. Even 90 minutes in Westminster Hall would be of significant assistance in that regard.

Q6 Chair: Is there a significant problem because even though some of the ratings might embark in British ports, the majority of the work they are doing is in international waters?

Mr Carmichael: That is the crux of the matter, and very often what are considered to be international waters. I touched on an example. The freight ferry service that runs from Aberdeen to the Northern Isles—to Lerwick and Kirkwall—is deemed by HMRC to be wholly outwith UK territorial waters. That is a Government decision, which I think was probably taken at official level rather than at ministerial level, but it shows the interaction between the Government and the industry, and how it is frankly not really working at the moment.

Q7 Kevin Foster: I am going to be fairly blunt, Mr Carmichael. What you have outlined is a very serious issue. There are major concerns and people are being exploited and it is something that should be genuinely considered for debate, but, to be blunt, this is one of the worst



HOUSE OF COMMONS

applications that I have seen. Given that you are a former Cabinet Minister, we would have expected better, quite bluntly. I will help you with some guidance, in terms of some questions. First, are you planning to try and find more speakers—about 10 to 15, including some from the Government Benches as well? I don't think you will find that a problem. Secondly, will you be looking to submit a slightly better form and better application for the debate? I hear the reasoning for the debate and I totally agree—I represent a coastal community—but this really should have been done better.

Mr Carmichael: Okay, I take that as friendly guidance, which I am sure is what you are intending it to be, Mr Foster. In fact, it is probably because I am a former Cabinet Minister. I was the business manager, the Government Deputy Chief Whip, when we set up this Committee. Having set it up, it then ran for five years and I have had very little experience of having an appearance before it, other than in support of other people's applications. I am quite happy to be guided by those like yourself who doubtless have greater experience of these matters.

Q8 **Jess Phillips:** I was going to say something similar to what Kevin said. I mean, I was going to be more polite, which I am famous for.

Mr Carmichael: I have here a list done by my office of seven or eight different people who are prepared to come in behind the debate.

Q9 **Jess Phillips:** Seven or eight different people. Are there any women on that list?

Mr Carmichael: Yes. One of the names is Mary Glindon.

Q10 **Jess Phillips:** It was raised last week in the Committee that we needed more male speakers in a debate about domestic violence. I happen to know, for example, that Lillian Bilocca is one of the greatest people who ever campaigned for maritime safety. She campaigned for the workers in Hull and led a group called the Headscarf Revolutionaries, who were all women. Do you have any women on that list?

Mr Carmichael: Yes. Mary Glindon and Liz Saville Roberts.

Jess Phillips: Good; I am just standardising from last week when we were criticising an application for not having any men listed.

Q11 **Bob Blackman:** Which Department do you see answering the debate?

Mr Carmichael: I have spoken to John Hayes, who is the shipping Minister and who would have the overall responsibility for the industry.

Q12 **Bob Blackman:** So it is Transport.

Mr Carmichael: Yes, it would be Transport. But it is cross-cutting and it does bring in areas relating to minimum wage and other issues.

Bob Blackman: That's why I wondered, because a range of issues is involved.

Q13 **Mr Nuttall:** As my own brother is involved with the UK maritime industry,



HOUSE OF COMMONS

I am familiar with all the comments that the applicant has made. It is certainly a subject for debate. Clearly, as has been said, on the face of it the application would be rejected as it stands before us at this minute because it needs more names. Subject to that, I certainly think that this thorny issue could do with debate. I have to say in passing that I don't think there is an easy answer because it involves essentially international matters, which are, to use the word you just used, outwith the purview of our own Houses of Parliament. There are a lot of international issues. Perhaps the organisation a few yards down the road—the IMO—might be able to help.

Mr Carmichael: If it helps the Committee, I am quite happy to formally submit the list of names that we have.

Chair: Please. We would appreciate that. If you give that in to our Clerk, that would be appreciated. Thank you very much indeed.

Tom Brake and Chris Law made representations.

Q14 **Chair:** This is the case of Andy Tsege and other UK nationals imprisoned abroad.

Tom Brake: Thank you, Chair. We were also due to have Steve McCabe joining us, which he might do, out of breath, if he manages to get back here in time.

We are seeking a three-hour debate in Westminster Hall. We have 21 Members who have been spoken to and have said they would be willing to take part. I must disappoint the men on your Committee by saying that 11 of them are women and 10 of them are men, so we have a good balance. It is cross-party in that there are Liberal Democrat, Labour, Green, Conservative, SNP and SDLP Members, so we have nearly all the parties represented. We want to use this as an opportunity to raise the cases of Andy Tsege, Nazanin Zaghari-Ratcliffe and potentially a number of others involving UK nationals imprisoned abroad who might be prisoners of conscience or indeed may simply be detained abroad for whatever reason.

I think that is probably all I need to say. Perhaps to pre-empt a question from Mr Foster, I must say I have not sought to identify anyone who wants to speak in favour of Andy Tsege or Nazanin being detained, but I am sure there may be people out of the 21 who consider that the FCO are doing all they need to do in terms of supporting UK nationals or dual citizens abroad. There may equally be people who feel the FCO should be doing more. We would expect the FCO to respond to the debate.

Chris Law: To add to that, the particular case for me is Andy Tsege's. I have met his family and raised questions in Parliament. We have had a less than satisfactory response. If we are hoping one day to have an ethical foreign policy that is the international gold standard, that is what we should be campaigning and working hard towards, which is why I support this debate being held.

Q15 **Kevin Foster:** I am going to ask you to expand a little more on why there



HOUSE OF COMMONS

is one case specifically named and the motion then says “and other British nationals detained abroad”. I can see why you wish to have the debate, but why specifically include in the motion, “That this House has considered” that specific case as well as all other British nationals detained abroad, given that he is covered in both?

Tom Brake: I suppose that the case of Andy Tsege, particularly at the point when we were collecting names in support of this bid, was very topical—perhaps the most topical—because of concerns about his personal safety, in that he had just been moved to a cell that he was sharing with someone else who he thought presented a threat to him and there had been no consular access. That was why the focus was on Andy Tsege, but clearly, perhaps more recently, Nazanin and other cases have come to the fore, so we want to widen it. I suspect that had we focused exclusively on Andy Tsege, we would have struggled to fill the time, but by including Nazanin and any other Members’ constituents who may currently be detained abroad, we will have good representation. It will also perhaps enable us to pick up on some of the trends in terms of the support that the FCO does or does not provide.

Q16 **Gavin Newlands:** Poor handwriting aside, this is a significantly better application—

Tom Brake: I will talk to my researcher about that.

Gavin Newlands: It is a significantly better application than the previous one. Just one quick question on timing: are there any issues that mean you would like this debate to be held by a certain date or as soon as possible? That would help the Committee decide on allocating debates.

Tom Brake: Given the topicality of both of these cases—given the security concerns around Andy and the health concerns around him and also Nazanin—the sooner the better. I don’t know whether the Committee has any time before the Christmas recess, but if it were possible to do that, I am sure we would secure the support of sufficient Members for that date. I am assuming you haven’t got Thursday 1 December free; that would not be a suitable date, for Richmond Park reasons.

Chair: I haven’t the faintest idea what you are talking about.

Chris Law: The obvious point in Andy Tsege’s case is that he was trialled in absentia and delivered a death sentence, so he is currently in a very particular situation. The sooner the better.

Q17 **Bob Blackman:** Obviously I understand the issues and concerns. The difficulty we have is the amount of time available. If we were able to offer an earlier date, would you be prepared to have a 90-minute debate? That would allow you to have the debate sooner, rather than having to wait for a potential three-hour debate.

Tom Brake: Given the concerns about both Andy and Nazanin, we would take an earlier date, even if that meant a 90-minute debate rather than a three-hour one.

Chair: Thank you very much for your application.

John Mann made representations.

Q18 **Chair:** Next up, we have John Mann on security and the political situation in the Great Lakes region.

John Mann: This is an application that the all-party parliamentary group on the African Great Lakes region has considered and is putting forward. The three Commons officers behind it are myself, Mark Durkan and Pauline Latham, and a number of other Members have already indicated by their activity that they would want to participate.

There has not been a debate on the Great Lakes in this Parliament since the general election. When there was one in the last Parliament, there was a huge level of participation by Members across the Commons. There are very many who have a big interest in Rwanda and have been there, and they normally turn up in considerable numbers to debate Rwandan issues.

Our reasons for wanting a debate, though, actually have to do with two other countries in the Great Lakes region. One is Burundi, which has just pulled out of the International Criminal Court and is in a situation of quite some conflict at the moment, with a president insisting on an additional term that his constitution does not allow him and armed militia supporting him in that.

There is quite considerable violence there, but even more in the Democratic Republic of Congo, which most people in this country know, and I know you all know, is the third biggest recipient of UK overseas aid in the world. We put a huge amount of money into it, but it is on the verge not just of civil war but potentially of several cross-border conflicts. There are due to be elections in December. Again, the president, this time President Kabila, has a 7% opinion poll rating among his population, and is clinging on to power and not going when his constitution says he must. There is a danger of a major resurgence in the already high levels of violence in eastern Congo, which has an impact over the border in several countries, including potential war in and out of Burundi. More pressingly, there are Angolan troops already on the western border of the DRC and there has been war between those countries previously.

To be honest, we are keen to have any slot that's going. This week would have been very bad, because half the people are away on important Select Committee business, but now the only week that is not very good is the week of 5 to 10 December. Any other time is good. Having it as early as possible, to try to influence the election, would be our preference, but if that is not possible, having it after the non-elections would be our second preference.

We think there would be considerable interest, and we will be putting in a lot of work and giving briefings, particularly to new Members of the House who have not had the opportunity to participate. Doubtless many Members in the London area will be contacted by Congolese and other nationals the moment a debate is scheduled, because there are quite a lot of vociferous



HOUSE OF COMMONS

pressure groups out there, particularly in London, which will descend in large numbers should there be even a sniff of a debate.

- Q19 **Kevin Foster:** In terms of Members wanting to take part, I will tentatively say that on the form at the moment there is only your own name, Mr Mann. You don't need to read out the list now, but if there are a list of names it would certainly be helpful if that could be supplied to the Clerks, given that we would look for a number of Members to take part.

John Mann: *indicated assent.*

- Q20 **Kevin Foster:** Also—I say this tentatively, not so much for Members' benefit but more for members of the public looking through the Order Paper—would you be amenable to changing it to “The political situation in the African Great Lakes region”? Those scanning the Order Paper may not necessarily twig that it is not about the border between America and Canada, even though some people might have some views on that at the moment.

John Mann: I fully accept both points. These days, perhaps we ought to be very careful about use of the term “Great Lakes”.

- Q21 **Mr Nuttall:** Roughly how many are there on the list? We don't need to hear the names, but is it four or five, or 10?

John Mann: Eight at the moment.

- Q22 **Bob Blackman:** You have put in for a 90-minute debate in the Chamber. Obviously it is a general debate without a substantive motion; if we found you some time in Westminster Hall, would you accept that?

John Mann: Of course.

Chair: Thank you very much indeed, John. That concludes the formal business of the Backbench Business Committee for this afternoon. We will now go into private session.