

Backbench Committee

Representations: Backbench Business

Tuesday 19 June 2018

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Watch the meeting

Members present: Ian Mearns (Chair); Bob Blackman; Patricia Gibson; Nigel Mills; Mr William Wragg.

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Representations made

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David Hanson made representations.

Q1 Chair: Good afternoon and welcome to the Backbench Business Committee. In front of us we have a number of applications for estimates day debates, which are scheduled to be heard in the House on Monday and Tuesday 2 and 3 July. The first application is on the spending of the Ministry of Justice. David Hanson, could you outline the reasoning for the application?

David Hanson: Thank you, Chairman, for the opportunity to ask for an estimates day debate. I am speaking on behalf of my colleague Bob Neill and the other members of the Justice Committee, but also a number of Back-Bench MPs who have expressed an interest.

The reason why we want to do this is that we think it is an important opportunity for the Justice Department's estimates to be scrutinised; this would be a very rare occasion. The Justice Department has had a 25% reduction in its expenditure over the past seven years, and it currently has planned an 11% reduction in its expenditure over the next 12 months, yet it is going through a period of some significant challenge in the system. Members will be aware that we have a large number of issues to do with overcrowding in prisons, attacks on prison officers and the impact of new psychoactive substances in prison. We had an informal announcement last week by the Government that they are reviewing community rehabilitation companies, with the potential to reduce the number of community rehabilitation companies from the current 21 to 14. We have no clarity on that yet. We have no clarity on the funding of it; we have no clarity on the costs of it. The Government put significant resource—some £200 million-plus—into community rehabilitation companies only last year, yet there is now potentially a further major reorganisation.

This matters because although the Justice expenditure is relatively small as an overall expenditure in Government, every constituency in the country is impacted by crime, by reoffending and by individuals who are not being supported as well as they should be in education, employment and rehabilitation, because of the challenges that exist. We think it is an opportunity on a cross-party basis, as the Justice Committee, to scrutinise the estimates and to ask the Government where the 11% will be found, and about changes in CRC companies and how they are responding to the challenges in prison safety.

Finally, it is also an opportunity to look at their capital spend. There is some major capital expenditure on new prison build, and we want to scrutinise how that capital expenditure is being implemented and particularly whether it impacts on the savings that they are trying to make in other areas. By any stretch of the imagination, 35% to 36% loss of budget, when the prison numbers have stayed the same and when reoffending has not fallen, is a significant challenge. My colleagues, on a cross-party basis, have all agreed that we need to scrutinise this in an effective way.



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Q2 **Bob Blackman:** Given that we have five applications for potentially four debates and we expect the debates to be on the 2 and 3 July, if you are successful, are there any time restrictions on when you could host the debate on either 2 or 3 July?

David Hanson: We are content to take any time offered on Monday 2 July, and we are content to take the second debate on 3 July. The only reason I say we are not content for the first debate on 3 July is that we have a joint Health Committee and Justice Committee investigation into health in prisons. As you can imagine, it is quite difficult to get two Select Committees together at a particular time and we have had the first debate in the diary for 1 July for some months. We are free from 4.30 pm onwards on 3 July and all day on 2 July.

Chair: Thank you very much for your application.

Dr Sarah Wollaston and Mr Clive Betts made representations.

Q3 **Chair:** The application is on the spending of the Departments for Health and Social Care and Housing, Communities and Local Government, particularly on health and social care.

Dr Wollaston: Thank you, Chair. We have come in tandem because essentially, Health and Social Care and Housing, Communities and Local Government are joined at the hip when it comes to the future of health and social care and also public health spending.

We have seen some very significant announcements this week, but we need to examine them. I think this could be the ideal opportunity to examine how that impacts not only on the current year's spending but on the future, and how this is going to be paid for and how it should best be distributed to gain the maximum benefit for those who use services.

Mr Betts: We are also, as two Committees, nearing the end of an inquiry into the funding of social care. This would certainly be an opportunity for us to explore in more detail with Members of the House in general the outcome of that inquiry, which we hope will influence and help to set the agenda for the Government's Green Paper which is going to come out.

I think we all recognise that social care and its funding have been a preoccupation of Governments and Parliaments for a number of years. We keep finding temporary solutions. What we really want is a wider debate about a longer-term solution to this issue, which everyone recognises we need to have.

This is an absolutely crucial issue for Members in their constituencies and for Government in looking forward at the finances of the country. It would be very timely to have a debate during these estimates days.

Q4 **Bob Blackman:** Sarah, you also have the privilege of chairing the Liaison Committee. I note that part of the arrangements for these debates is that the Backbench Business Committee and Liaison Committee have to swap



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days. You have the Chamber for 28 June, and we have five applications for four slots. You potentially have the power to use 28 June for such a debate on the future of adult social care.

Dr Wollaston: It is an excellent point. As you will know, there has been huge frustration in the past that we have not been allowed to talk about the estimates in estimates day debates. I understand that there are a number of applications from Select Committees for these slots and there would be flexibility to change those around, so that other Select Committees could use that other slot on the 28th, but we would very much appreciate the opportunity actually to discuss the estimates.

We also have a very important opportunity to try to influence things in advance of the Budget. The financial aspects of this are going to be particularly crucial, so that is why I would hope we could discuss it in the estimates day slot.

Mr Betts: And our report from the inquiry, when it comes, as I think you are aware, Mr Blackman, is about the funding of social care—

Q5 **Bob Blackman:** I understand that completely. I am looking at a creative solution to resolve the dilemma of five applications for four slots.

Dr Wollaston: Indeed, but I think there would be great flexibility then for other Committees that wish to do so to take the other slot. I do completely appreciate that point, and we are in your hands for that decision.

Chair: I would point out that not all of the applications have come in from Select Committees; they have come in from other sources as well.

Dr Wollaston: Yes, I understand, Chair.

Q6 **Chair:** In terms of timing, David Hanson just talked about a joint meeting between yourselves and Justice on the Tuesday. That would rule out that slot, I would take it.

Dr Wollaston: We have a preference for the second slot on the Monday but, again, we are in your hands.

Chair: Okay. Thank you.

Robert Halfon and Thelma Walker made representations.

Q7 **Chair:** This is an application on the spending of the Department for Education, from the Education Committee and others, led by Mr Robert Halfon, the Chair of the Committee, and Thelma Walker.

Robert Halfon: Good afternoon, Committee, and thank you for seeing us. I am here with a senior member of the Education Committee, Thelma Walker, on behalf of all the Committee and 18 MPs, including the former Secretary of State for Education. We are here to request a debate during the estimates days.



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The importance of this matter has been highlighted over the past day or so, given the NHS announcement of £20 billion. As has been seen in *The Times* and elsewhere, the Treasury has appeared to indicate that there will be no extra money for key areas such as education. That is of incredible concern to us because we are doing an inquiry into future funding for education at our schools and colleges and whether there should be a 10-year plan for education and schools, just as there is for the NHS.

The NHS has NHS England to speak up for it. Our Committee wants to use the debate to ensure that we take on a similar role to that of NHS England in ensuring that education has the right resources as we move forward in the 21st century. I will pass over to my colleague.

Thelma Walker: I am here to speak in support of the estimates day debate. The Education Committee stands for and works for social justice with all the evidence we take in all the inquiries that take place. In all of those inquiries—be it alternative provision, fostering, whatever we are working on—the shortage of funding comes up time and time again, in whichever sector we are focusing on.

That shortage of funding is affecting all the individuals and families in our constituencies. With the announcement yesterday of the increase in funding for the NHS, we are also talking about parity of esteem. What about our education service? We find as a Select Committee that everything is pointing to a system that is stressed and creaking because of a lack of funding. I am speaking in support of this because I think it is a much-needed debate.

Q8 **Bob Blackman:** We are likely to get 2 and 3 July. If you are given a slot, is there a preference?

Robert Halfon: We appreciate the pressures on the Backbench Business Committee's time, so we would be happy with any slot, because we would rather make sure that we get a slot.

Q9 **Mr Wragg:** Just for the benefit of the Committee, am I right in saying that during the last allocation of time for estimates days, the Department for Education was not one of the Departments that was scrutinised in this way?

Robert Halfon: I believe so, yes. We are very keen that education gets the same voice that the NHS does in Parliament.

Chair: Just for the record and to be completely open and transparent, William and I are members of the Education Committee, but have not subscribed to the application. Thank you.

Meg Hillier and **Mr Mark Francois** made representations.

Q10 **Chair:** This is an application on the Ministry of Defence from Meg Hillier.



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Meg Hillier: Thank you very much, Chair and Committee. I am here representing Members from all parts of the House and members of two Select Committees in particular. The other is the Defence Committee, and Dr Julian Lewis sends his apologies that he is unable to be with us today. Thirty-two Members have backed the application, including four Chairs of Committees, representing all parties of the House.

We are keen to have an estimates day debate, because as the Committee will be aware, it has been difficult to discuss the estimates in the past. We have worked to achieve this outcome so that we can discuss the money. We are very concerned across our Committees about the state of the defence budget, which has a hole in it of between £8 billion and £20 billion. A lot of extra commitments were added in the last defence plan, yet there is not the money to fund that and the headroom is fast shrinking.

We are very clear that it is important that a Minister comes to the House and is asked detailed questions on the finances and how the Department and the Government plan to ensure they square that circle. We have also got the aircraft carriers under way and the F-32s arriving in the country. We are very concerned that all these expensive bits of kit are having an impact down the line on provision for our armed forces at the frontline, with smaller expenditure as the Department has to rein in its funding.

Both Committees have been producing reports on the issue—I will not go through the detail with you—and have others in the pipeline. We think it is vital that we have a Minister in front of us in the House. Members will work with the National Audit Office to ensure that we are all fully briefed on the detail of the budget so that we can challenge Ministers on exactly how much of a grip they have on the budget and what the impact will be on defence spending. Mark Francois is a member of the Committee, and he is with us, too.

Mr Francois: Good afternoon. First, I echo the apologies from my Chairman, Dr Lewis. He is sorry he cannot be here to make this application in person. He is across the road at Church House, at the land warfare conference. He is speaking to a bunch of NATO generals as I speak. He hopes that you will accept his apologies on that basis.

On the Defence Committee, as Ms Hillier has said, we have been doing a fair amount of work trying to analyse in detail the Ministry of Defence budget. As Meg said, it is seriously over-programmed by somewhere between £8 billion and £20 billion, we estimate. We believe that a debate would be particularly timely for several reasons. First, the Ministry of Defence is shortly to conclude its defence review, the Modernising Defence Programme. You may recall that that was broken out separately from the National Security Capability Review. We understand that that review is within a few weeks of coming to a conclusion. We would like to be able to question Ministers on elements of the programme before that review concludes.



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In addition, I read *The Times* this morning, and there is an article in there suggesting that there could be at least one major procurement announcement at the Farnborough air show, which is due to take place in mid-July. Again, we would like to be able to pressure Ministers to explain to the House how, when the budget is already over-programmed, they feel they would be able to afford additional multi-billion-pound programmes when they are in the process of juggling and struggling to afford what they are currently committed to. For those reasons, we believe that having an opportunity to hold Ministers to account in detail would be particularly timely.

Q11 Bob Blackman: Obviously I have the same question as I asked other colleagues. We have four slots. If we decided to allocate you a slot, would you have any preference?

Meg Hillier: The Public Accounts Committee is looking at nuclear enterprise on the afternoon of Monday 2 July, so that is not a good slot, but the others are. Dr Julian Lewis is available only for the second half of the Monday, but he is willing to fall on his sword because his excellent colleagues on the Defence Committee would step up if the 3rd were the only day available. Obviously, the Monday would mean that the Chairs and members of both Select Committees were available.

Q12 Mr Wragg: You will have heard my question to those representing the Education Committee. The Defence Committee was allocated a debate on one of the previous estimates days—or defence was the subject of one of those slots. Given that, how can you justify this further application?

Meg Hillier: As Mr Francois said, the Modernising Defence Programme is just coming out. This is a really significant step. The Secretary of State came in and got that spun out of the major security review across Government, and there are a lot of questions about what that will come up with. Our Committee has also looked at cyber-security, as I know has the Foreign Affairs Committee, the Chair of which is a signatory to this application. We are very concerned that additional things will come out of that, and its parameters demand savings, too. On the one hand, they are looking at Modernising Defence adding more capability, and on the other they are asking for savings. We are expecting that just before the summer recess—we hope. If it were any later than that, it would get very problematic. This is really the time to pin Ministers down on the precise numbers, and perhaps we will get a hint of what is coming.

Mr Francois: All I would add to what the Chair of the PAC said is that all our information thus far—things seep out when these reviews are under way—is that, despite all this analysis, they are still genuinely struggling to square the circle. We do not think they have cracked it since the last debate, to put it bluntly, and we want an opportunity to hold them to account for that before it is too late.

Stewart Malcolm McDonald made representations.



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- Q13 Chair:** Last up on the estimates day applications, we have Mr Stewart Malcolm McDonald with an application for a debate on the spending of Her Majesty's Treasury and its consequences for grants to the devolved institutions. Stewart, over to you.

Stewart Malcolm McDonald: Thank you, Mr Mearns, and good afternoon to Committee members. I will be brief, but if I might, I will provide some historical context for why I have come here to plead with the Committee for a debate on spending allocated to the devolved Administrations.

In 1994, when Lord Lang was the Secretary of State for Scotland, a Government White Paper said that a frequent criticism of the UK Parliament was that there was insufficient time in the schedule for Scottish affairs. It seems that the more things change, the more they stay the same. Last week, of course, we had 19 minutes to discuss the entire Brexit legislation in relation to devolved Administrations. There is great frustration among Scottish MPs of all political parties at the lack of opportunity to debate Scottish issues. I know that is shared by some colleagues from Wales and Northern Ireland.

However, the purpose of this application is not to rehearse that debate from last week. Obviously, the money that is allocated to devolved Administrations affects millions of citizens in the United Kingdom, in terms of the delivery of the public services that remain reserved to this Parliament for people in England. There has never been a debate on the devolved element of the Budget—obviously these estimates day debates are fairly new—so a chance to debate it on the Floor of the House with a Treasury Minister would be welcomed by Members from different political parties representing the devolved nations that make up the UK. I ask the Committee to shine on the application as radiantly as you can.

- Q14 Patricia Gibson:** Thank you for that. I attempted to help the Committee before we went into public session by addressing a query about the spending of the Treasury. Of course, the Treasury does not do the spending; the spending goes through the Scotland and Wales Offices, so the assumption is that your application is for a debate about the decisions made about grants to the devolved Administrations.

Stewart Malcolm McDonald: Absolutely.

Patricia Gibson: I just wanted to clear that up.

- Q15 Bob Blackman:** Two quick issues. All the other applications are commensurate with our normal rules of engagement—they have at least 15 itemised speakers—but yours does not. I think you have six potential speakers from Scotland and Wales, without necessarily one from Northern Ireland. What attempts have you made to get other speakers, particularly from other political parties?

Stewart Malcolm McDonald: It is a very fair question. I confess that I sent the application around colleagues somewhat last-minute, and since then I can assure you there has been an effort on my part to secure speakers. The Labour party's Front-Bench team for Scotland told me this



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afternoon that they would be supportive. Similarly, Welsh Labour colleagues have told me that they would like to speak, as have colleagues from Northern Ireland. I will not name any names from Northern Ireland, but one in particular who always speaks in the Adjournment debate would certainly be interested.

Chair: Ah, the hon. Member for Strangford.

Stewart Malcolm McDonald: Indeed. I accept fully the lack of names on there. The context is that it was rather last-minute on Friday afternoon.

- Q16 **Bob Blackman:** The reason why I am interested in it is twofold. First, we have five applications for four slots, so we have got to select one that does not pass. As I would look at it, four applications are within our normal criteria, and I think I am right in saying that the other four are from Select Committees as opposed to individuals. So we have a challenge on our hands about which one we drop. From that perspective, yours stands out as one that does not conform to our normal rules.

The second issue is, if we were minded to give you a slot, as we are likely to get allocated 2 and 3 July, is there a particular slot you would like or any you cannot do?

Stewart Malcolm McDonald: I am entirely at the mercy of the Committee in terms of timing. I am happy to take whatever the Committee decides.

On the first point, conforming to the rules has never been my favoured thing to do, but I accept that in terms of the standard you look for in interest it does not meet that threshold.

- Q17 **Bob Blackman:** Sorry, the point is that we have to facilitate debate. For a three-hour debate, we would expect to see 15 speakers. We want to be assured. We don't want, "Oh yes, don't worry—we'll get 15 speakers." We have to know who those 15 speakers are, particularly when we are making decisions between one application and others. That is why I say those are the rules the Committee operates.

Stewart Malcolm McDonald: Sure, and it is no one's fault but mine that I am not able to come here with a list. I entirely accept that. But we are talking about expenditure—billions of pounds of taxpayers' money—that delivers public services across the United Kingdom that the public rely on, and it has never been debated. I accept that I do not come here with the weight of a Select Committee behind me, but I am sure we would all agree that this is a worthy issue to debate. The question is, do you do it in these slots?

I hope to be able to convince you that it is a matter that affects millions of people, concerning billions of pounds of public spending in different parts of the United Kingdom. The consequential for devolved Administrations of the NHS announcement will be of interest, and the fact that there is no functioning devolved Government in Northern Ireland brings a particular dynamic that it is worth Members exploring. I would not be sitting here if I did not think we could cover that three-hour debate. In all honesty, I



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would have withdrawn the application. But I accept that I was not able to put that list in to you before the meeting.

Q18 **Chair:** In essence, Stewart, if you have got names, bung them in straight away, please.

Stewart Malcolm McDonald: Sure.

Q19 **Mr Wragg:** You are looking to the benevolence of this Committee—

Stewart Malcolm McDonald: And you in particular.

Mr Wragg: Indeed, and we always want to satisfy. Could I implore you perhaps to ask some of my esteemed colleagues in the Scottish Conservative and Unionist party? I know you get on so well. It would be really useful to have those names on there to make this application even more creditable.

Stewart Malcolm McDonald: Absolutely. No one loves to talk about Scottish Government spending more than Scottish Conservative colleagues—some of them left the Scottish Parliament to come here and do it. In all seriousness, I have come here to facilitate a debate for Conservative, Labour and Liberal Members, who I know have interest in the issue. So I ask the Committee to look on it favourably and hopefully give us a slot.

Q20 **Nigel Mills:** Isn't there a risk that this debate duplicates what we do for six days on the Budget and four days on the spring statement every year? We will just be talking about departmental budgets and public spending. Don't we already have enough opportunity to debate exactly those points?

Stewart Malcolm McDonald: Well, you could say that about any of the applications that have been before the Committee this afternoon.

Q21 **Nigel Mills:** You cannot generally hold individual Departments to account for how they are spending their money in a Budget debate, but the total level of public spending and its allocation around the devolved Administrations—that is what the Budget debate is for, isn't it?

Stewart Malcolm McDonald: I guess that could be argued. I think the chances of getting more of a devolved focus both from Back Benchers and in the Government's response is minimal to say the least in a Budget debate. That is why I felt the need to come here and plead to the Backbench Business Committee to grant us some time to explore these issues in the estimates day debates.

Chair: Thank you very much for the application, Stewart.

Rachel Reeves made representations.

Q22 **Chair:** Lastly but certainly not leastly this afternoon, we are back to our regular affair: an application for a Back-Bench debate in Back-Bench

time. It is Rachel Reeves and the lessons from the collapse of Carillion. Rachel, over to you.

Rachel Reeves: Thank you very much. By 12 June, five Select Committee will have looked at the collapse of Carillion: the Select Committee that I chair—the Business, Energy and Industrial Strategy Committee—the Work and Pensions Committee, PAC, PACAC and the Liaison Committee. By July, it will be six months since the collapse of Carillion, and the House will not have had an opportunity since then to debate what happened at Carillion and to learn the lessons.

Many of Carillion's competitors in the market are also facing different types of financial difficulties. There is the wider issue of outsourcing as well as issues of corporate governance and support for small businesses in the supply chain. All of those are pertinent for political debate. They affect people in all our constituencies, right across the country. There are important lessons to be learned so that we do not allow anything like the disastrous collapse of Carillion to happen again. As I say, by 12 July all five Committees will have reported. This application has the support of the Chairs of the Work and Pensions Committee, PAC, and PACAC.

One of your questions might be: why don't we look at having a Liaison Committee debate on this? The issue there is that PACAC will not have reported until 12 July. If it was going to be a Liaison Committee debate, we would want all the Select Committees looking at the collapse of Carillion to have reported. That would mean that we would not be able to come back until the autumn, I think. That is why we thought that having a Backbench Business Committee debate would be the right way forward.

There are also lots of people who are not on those Select Committees who have an interest in this, whether because Carillion is in their constituency or because one of the projects that has now been mothballed was in their constituency. This is something that affects Members right across the House.

Q23 **Bob Blackman:** You have kind of anticipated one of the questions I would have asked. The other issue is that you have asked for a general debate. Can I just be clear that you do not want it before 12 July? Is it from 12 July onwards?

Rachel Reeves: We would be looking to have this from 12 July onwards.

Q24 **Bob Blackman:** Because it is a general debate, would you accept a slot in Westminster Hall, if it is offered?

Rachel Reeves: I think you will see from the application that an awful lot of Members have an interest in this issue, so I think it would be more appropriate to have it in the Chamber, given the amount of interest and the significance of the collapse of Carillion.

Q25 **Bob Blackman:** Chamber time is at a premium. We have a queue of debates. We also potentially have a slot in Westminster Hall on 12 July, which would give you ample opportunity to get a three-hour debate on the issue. It will obviously depend on the Committee, but my personal



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view, having looked at the other applications, is that it is unlikely that you will get Chamber time this side of the summer recess.

If you got a slot offered for 12 July for a guaranteed three-hour debate in Westminster Hall, would you accept it, or is it more important for you to wait for the Chamber, probably waiting until after the conference recess?

Rachel Reeves: I think we would like to have this in the Chamber, and I think that is the views of the Chairs of the Committees. Given that by 12 July it will be six months since the collapse of Carillion and we will not have had a chance to debate these issues in the Chamber, I would have thought it would be a good use of Chamber time.

Q26 **Bob Blackman:** What I am saying is, the choice is likely to come down to Westminster Hall on 12 July or waiting till October if you do not take 12 July in Westminster Hall.

Rachel Reeves: I think we would like to have the debate in the Chamber of the House of Commons. We would also like to have it before the recess, but that is your prerogative.

Chair: The thing about Westminster Hall is that it is a guaranteed three hours, and if you have a lot of interest you have a guaranteed three hours. Any time allocated in the Chamber tends to be squeezed by Government statements, urgent questions and so on. Often an allocation of three hours turns into two and a quarter hours, two hours, or one hour and 45 minutes.

Bob Blackman: Or nothing at all.

Q27 **Chair:** Or nothing at all, as happened recently. What Bob is saying is a genuine concern. If you think you have an awful lot of speakers, a three-hour Westminster Hall debate would be a guaranteed three hours.

Rachel Reeves: I understand that.

Chair: Okay. Anyone else, please? In that case, thank you very much indeed. That concludes the public business of the Backbench Business Committee this afternoon. We will now go into private session.