

The reason for the Single market legislation

The government's Single market Bill is a necessary piece of legislation to ensure the smooth running of the UK's single market and customs union, and to provide the base for our independent trade policy after leaving the EU single market and trade policy on January 1. At the time of the Withdrawal Agreement and Political Declaration the EU signed up to two important propositions. They agreed that the core of our new relationship with them would be a free trade agreement with no tariffs, and they would respect UK sovereignty. If the EU keeps to its promises there will be no need for the arrangements envisaged for the Irish border in the current legislation. If they do not pursue these promises then the UK government has the right under Clause 38 of the EU Withdrawal Act to establish control over its borders and trade, notwithstanding the Withdrawal Agreement. This is expressly recorded in UK law. It was also clear to the EU at the time when we legislated in this way that was the UK's understanding of the Withdrawal Agreement, as we put it into primary legislation.

Qualifications for the class of 2021

Yesterday I raised in the Commons some questions about how exams should be set and marked and how standards of our main educational qualifications should be upheld for the class of 2020.

Ofqual has come up with ways of modifying the exams for next year to take into account the interruption to education experienced by pupils in some schools who did not teach a full timetable from March to September by on line means. It has also changed arrangements for field work and oral exams to respond to CV 19 social distancing rules.

As a result pupils will be offered more choice in content for the exams in History, Geography and Ancient History. In English literature pupils will be able to take three of the four blocs of work for the exam. Fieldwork in Geography and Geology will be dropped and the questions on it in the written papers. Foreign languages and English will no longer have a formal oral or spoken language requirement.

It is important next year that we get back to an exam based system. Ofqual and the Exam Boards are still considering what is best to do on dates of exams. Should they be a bit later to give schools more time to make up for lost teaching time this year? How much later can they go without jeopardising University entrance procedures?

I hope they work out a system which is fair to all students and upholds the standards established in past years. Next year they have to span the range from pupils who got a full education for the full syllabus between March and July to pupils who got very little formal education during lock down.

Non-Covid-19 Related Work in Hospitals

I have received the enclosed response to my Parliamentary Question about Non-Related Covid-19 work in hospitals:

The Department of Health and Social Care has provided the following answer to your written parliamentary question (81472):

Question:

To ask the Secretary of State for Health and Social Care, what progress the NHS has made in resuming non-covid-19 related work in hospitals and surgeries in England. (81472)

Tabled on: 28 August 2020

Answer:

Edward Argar:

The National Health Service has continued to progress with resuming non-COVID-19 services. There was an increase of 13% in patients beginning their first cancer treatment within 31 days following a decision to treat in June 2020 compared to May, whilst the number of completed admitted pathways following a consultant-led referral for treatment increased by 73% over the same period.

As the NHS has continued to restore services, further guidance was issued to local NHS providers and commissioners on 31 July outlining the next phase of the NHS response to COVID-19 and concurrent non-COVID-19 activity. The focus is on accelerating the return of non-COVID-19 health services to near-normal levels, including making full use of available capacity between now and winter, whilst also preparing for winter demand pressures. This will be done alongside continued vigilance in light of any further COVID-19 spikes locally and possibly nationally.

The answer was submitted on 09 Sep 2020 at 10:52.

My contribution to the Debate on the Extradition (Provisional Arrest) Bill (Lords) – Schedule – Power of arrest for extradition purposes, 8 September

We had a good debate earlier today, but I hope the Minister will come back to this House ere long on a couple of important issues explored in the earlier debate. The first is the protection of British citizens who are the object of one of these extradition requirements once we have entered into these agreements. My right hon. Friend for Haltemprice and Howden (Mr David Davis) made a powerful speech about how we need to look carefully at the conditions offered to people when they are taken abroad on charges, particularly as they may be innocent and particularly when the most serious offences that most of us had in mind when these extradition regimes were drawn up may not be involved. We all wish to keep our country safe and we all understand that we need reciprocal agreements to do that. We wish such agreements to be used to pursue those who are violent and commit the most serious crimes, but we need to think about how this can be extended and how in certain jurisdictions where we have extradition agreements people may not be accorded the same decent treatment we would want to accord somebody who has been charged with a crime but who may, in the end, prove to be innocent.

We also need to come back to how we are going to handle our extradition arrangements with other European countries. We are still not sure how that might work out, and we fully understand that it is still the subject of various discussions and negotiations. It is entirely prudent to make some provision today. However, some of us think that if there is to be no European arrest warrant when we have completed our so-called “implementation period”, that could be an opportunity for us to have a better and more suitable system, because the European arrest warrant had features that were not to this country’s liking and there was an element of compromise in it, as there has to be. I hope that we will therefore have some greater guidance on what might materialise.

As two other speakers in this Third Reading debate have referred to a topical issue that goes a bit wider than this Bill, perhaps I may also be permitted briefly to do that.

I have not heard or seen anything that implies that this Government wish to break the law or the international treaty. I have seen everything to say that this Government take very seriously section 38 of the European (Withdrawal Agreement) Act 2020, which was the assertion of sovereignty, and it was a fundamental proposition of the political agreement and the withdrawal agreement, which the EU willingly entered into, that British sovereignty was going to be assured and central, just as it was central to that agreement that there would be a free trade agreement. If there can be a free trade agreement, the other legal issues fall away.

One did need to correct that wider point, but, in conclusion, this Bill is a necessary one. There are issues arising from it that could warrant further thought and treatment. I hope this Government will take the advantage of that thought which our leaving the EU can provide to look again at how in the longer term we have a good judicial relationship—a co-operative relationship—with the EU that is fair to both sides and to any innocent people in Britain who may have to stand trial abroad.

My contribution to the Debate on the Extradition (Provisional Arrest) Bill (Lords) – Clause 1, Power of Arrest for Extradition Purposes, 8 September

Sir John Redwood MP (Wokingham) (Con): Two very important principles should be in all our thoughts when framing extradition legislation. First, there is the imperative to make sure that where someone has committed a serious and violent crime, such as a terrorist offence or murder or some other such crime, in the United Kingdom and has escaped abroad, we have arrangements so that we can pursue justice against them through co-operation with countries around the world. We should also have very much in our mind the issues that my right hon. Friend for Haltemprice and Howden (Mr David Davis) drew to the attention of the House. We should be very concerned about innocent people in our country who may be the object of extradition requests or demands from countries abroad to take them into justice systems that are not up to the standards of our own, or not the kind of thing we would want an innocent person, particularly, to have to approach, only to see justice not done in those countries if we have undertaken such extradition matters. I echo my right hon. Friend's request that we need to look again at how the US relationship is working. This was sold to the House some years ago on the basis that it would be targeted on those criminals we could all agree about—the terrorists, rapists and murderers who were committing violent crime—and it is of concern for us to discover that that has not been its main use at all.

I hope the Minister will share with the House his thoughts on what arrangements we will move towards with the other European countries now we have left the European Union. There may be a move to put all European Union, or European economic area, countries under these provisions, but we should definitely look at the different standards of justice system in those countries. While many of our European friends have excellent justice systems that we would be very happy with, there are very variable standards throughout the European continent. Given that we are rethinking our foreign policy and our position in the world generally, this is a good opportunity to

look at them one by one and to ask whether some of them are below the standards we would expect and whether they have not made good use in the past of the very widespread powers granted to them under the European arrest warrant.

When I was preparing for this debate, one set of figures I saw in a commentary was for the period from 2010 to 2018. It said that over that period, continental countries had used the European arrest warrant eight times as often as we had used it for criminals, or alleged criminals, that we needed to undertake it for in our courts, so it has been asymmetric. In part, that is because there are many more people on the continent than there are in the United Kingdom, but it also tells us something about the seriousness of the offences that they are interested in for extradition.

I am pleased to see that there is some recognition in the legislation that extradition should be reserved for more serious offences. One does not want a complex and expensive system such as this to be used for a lot of minor offences. The Government have chosen to define it as something that is an offence in the United Kingdom and which would command a prison sentence of three years or more in the event of somebody being found guilty. I think that is a good start, because one of the features of the European arrest warrant that many people did not like was that somebody could be extradited under it from the United Kingdom for something that was not actually an offence in the United Kingdom. That did not seem a very fair system or proposal.

I hope the Minister will share with us some of his thoughts on what would be an appropriate list of European countries and whether they should just slot into the proposals that we are debating today. I think I am happy with the list of countries that we are being asked to endorse, with the caveat that we need to look at the American relationship in the way that my right hon. Friend the Member for Haltemprice and Howden suggested. I fully understand that now is not the afternoon to try to make dramatic changes to that and why he has tabled only a probing amendment. We are asking the Government about that, but there are big issues here that we would like them to review.