



THIS WEEK IN PARLIAMENT 30 October - 03 November 2017

Welcome to my *This Week in Parliament*, my weekly newsletter on events and developments in Parliament. **Your feedback is always welcome!**

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It has been a busy and full week in Parliament, the House sitting on a Friday as well as its usual Monday to Thursday programme. The week proved to be rather eventful. The opposition were able to corner the Government by using an old procedure to compel the Government to act on their opposition day motion by making the vote binding. Further to this the week saw the debating of two Private Members Bills. The Bill to support Seni's Law in relation to restraint of people with mental health problems passed unopposed. The Votes at 16 Bill was talked out so fell. All in all the week has been something of a triumph for the process of Parliament, showing that the function of the institution is still going strong and prospering. This was all done with the background of a shake up in the Government following the resignation of Sir Michael Fallon and the appointment of the former chief Whip Gavin Williamson to the now vacant position of Defence Minister.

Monday

The start of this week was somewhat overshadowed by the Sexual Harassment accusations in the press. Monday morning was greeted by an [urgent question](#) relating to this issue.

Mrs Maria Miller (Basingstoke) (Con): I welcome the statement made by the Leader of the House, and particularly the leadership shown by the Prime Minister on this issue. I welcome the idea of an independent grievance procedure for everybody who works in this place, but I also gently remind hon. Members that two thirds of girls in our schools experience sexual harassment on a regular basis, half of university students experience sexual harassment and half of women in work experience sexual harassment. What more support might the Leader of the House be able to give to debates on those issues and to encouraging the Government to take action? Mr Speaker, you will be aware that the hon. Member for Birmingham, Yardley (Jess Phillips) and I are holding a debate in the Chamber on Thursday on sexual harassment in schools.



Andrea Leadsom (Leader Of The House) (Con): My right hon. Friend raises an incredibly important point, which highlights that we should be role models and that what we do in this House sets an example to those in the rest of the country. It is a pretty poor show if we cannot sort out our own house, particularly at a time when we are so concerned about sexual harassment in schools.

After this business carried on as usual, with the [Second Reading of the Armed Forces \(Flexible Working\) Bill](#). This Bill would allow members of the Armed forces to apply for temporary changes to their working conditions in order to allow for changes to family or personal circumstances. This would allow better quality living and in the long run retention of skilled personnel.

[Ruth Smeeth \(Stoke-on-Trent North\) \(Lab\)](#): *It is an honour to follow the hon. Member for Chichester (Gillian Keegan). In the role that I am privileged to hold as chair of the all-party group on the armed forces covenant, I welcome the Bill's key measures. However, as far as I am concerned, this is the just beginning of the process, not the end. There are four issues that we need to explore further, most of which have already been touched on by Members on both Front Benches. I am talking about recruitment, retention, family life and the development of female personnel.*

A challenge lies ahead: we have a 5% deficit in our armed forces personnel and this Bill, while I welcome it wholeheartedly, will require us to appoint and recruit even more people to ensure that flexible working is more than just a phrase and that it is a reality. We will simply need to recruit more people to make this policy work, which, given where we are, will provide additional challenges.



On recruitment, a third of our armed forces cite flexible working as a reason why they will stay in the forces. Of great concern is the fact that, within the Royal Navy, 46% of service personnel cite the lack of flexible working as a reason why they would consider leaving. Those are not our figures, but their figures, which gives us cause for huge concern.

Then there is the issue of family life. None of us, especially those who serve in this House, operates without the support of others to enable us to do our job. That should be no less the case for those who are serving every day to keep us safe. We need to look not just at flexible working but at other issues, including the delivery of the covenant and making sure that it is tangible for our armed forces personnel. In the last Parliament, the hon. Member for Berwick-upon-Tweed (Mrs Trevelyan), who was then chair of the all-party group, introduced the Children of Armed Services Personnel (Schools Admission) Bill, which focused on how children could get school places when families were redeployed very quickly. It is issues such as that which cause retention problems and which are the bread and butter to our families and our service personnel. Unless we make some significant changes—and even some minor ones—to how the system operates, we will continue to lose our armed forces personnel.

We also have the unfortunate reality of the service family accommodation model. I am talking about the reality of trying to get accommodation to work for personnel and their families; of trying to ensure that they can get the right property in the right place at the right time and in the right school district; and of trying to ensure that properties have boilers that work, hot water and all those other things that people require. We would not put up with not having those things, so why should those people who are keeping us safe and their families do so? The reality is that the contract with CarillionAmey needs to be greatly improved, otherwise the actions that we are calling for today become irrelevant and we will continue to have a recruitment and retention challenge in our military.

[Mr Francois \(Rayleigh and Wickford\) \(Con\)](#): *On the point about CarillionAmey, does the hon. Lady agree that, when we speak to serving personnel, it becomes clear that they are not exactly enamoured of that company? The Ministry of Defence needs to compel its contractor materially to raise its game. If the contractor does not do so, it*

should lose the contract.

Ruth Smeeth: *I could not agree more with the right hon. Gentleman. In fact, one thing that has proved to be both a huge honour and a heart-breaking experience is that, as chair of the all-party group, service personnel families contact me on a regular basis to detail their experiences. What goes on is simply not good enough. I have had representations from some of the service personnel charities, even as late as last week, and they are now worried about what happens next. Just as CarillionAmey seems to have woken up to the fact that it has some responsibilities, the charities are now concerned that, if things are put on a regional basis, we will have to start all over again explaining the needs and requirements of our personnel. Therefore, as bad as it is now, we are concerned about what happens next. We in this House have a responsibility to ensure that the MOD understands the concerns and the fact that it is simply not acceptable for a family to have to wait eight days for their boiler to be fixed.*

The concerns that we are talking about relate not just to those experiences, but to how much people earn. Members will appreciate, from the trial of flexible working, that there were concerns about how tour bonuses were to be paid and how reduced hours would have a knock-on effect on salaries. These issues are compounded in the current climate by the mini defence review. It has been raised directly with me that serving personnel are concerned about losing their tour bonuses and what will happen to them next. Due to a lack of communication, they are being told by senior officers that they might lose some of their core terms and conditions. That would mean that flexible working will become just words and will not help to fix the problem.

Away from the main chamber, Westminster Hall also saw a debate responding to a petition which received over 100000 signatures on [proportional representation](#).

Tuesday

With the budget looming, the reading of the annual [Finance Bill](#) for the renewal of the tax system and debating of any new tax proposals was the main business for the day. Tuesday also saw an important [urgent question](#), taking advantage of the reading of the Finance Bill, on the social responsibility of Gambling companies when it comes to gaming machines was asked. Sandwiched between these two was the presentation of a [Bill](#) by Maria Eagle MP to limit the age of tyres used on Buses and coaches.

The main debating point when it came to the Finance Bill, was clause 1, which called for an end to non-Domicile status in order to ensure everyone resident in the UK was subject to the same tax regime. The clause was a tabled by the opposition, but not supported by the government and proved a point of contention between the two.

John Redwood (Wokingham) (Con): *Does not the hon. Gentleman think that his well-intentioned proposal might actually backfire, as it would mean that fewer rich people would come here and pay us any tax at all?*



Peter Dowd (Bootle) (Lab): *The problem is that that has been a persistent argument for years, but there does not actually appear to be any evidence to back up such an assertion.*

I understand that HMRC is responding to EU directives on money laundering and has started the process of registering new trusts, and that those already operating must provide additional information by 31 January 2018. However, HMRC has also confirmed that it will not penalise anyone as long as they register before 5 December 2017. The rules state that all trusts with UK tax liabilities must be registered, but the process is conveniently silent

about trusts registered in Crown dependencies and overseas territories. The information provided to HMRC will not be made publicly available.

The Minister and Government Members have made much of the claim that the Conservative party has been clamping down on tax avoidance. In fact, that was considered such a priority in the general election that the Prime Minister—at her most imperious, at that stage—gave the subject a grand total of eight lines in the Conservative party manifesto. However, after seven years in power, the Government’s record is still there to see. The measures in the Bill are another example of how the Government wish to be seen to be doing something, but in fact their proposals are artificial and will amount to little while the exemption for offshore trusts remains intact.



The topic of inquiry of the Defence Select Committee this week was on the UK's relationship with NATO. This began before the General Election and has since been re-established. On Tuesday we heard evidence from Sir Adam Thomson, a former UK representative to NATO, and Elisabeth Braw from the Atlantic Council, a think tank working on international affairs.

During the evidence hearing I raised the issue of the target to spend 2% of GDP on defence and general public understanding of NATO. I asked about how some European allies who do not spend 2%, may contribute to the security of Europe in other ways which is not necessarily included in the 2% calculation. For instance, Italy spends below 2% on defence, yet has been one of the main actors in dealing with the major migration and refugee crisis. However, these efforts to maintain European stability are not included in the 2% calculation. You can read more about this from the evidence session [here](#).

Wednesday

Wednesday kicked off with Welsh Questions with the Minister unsurprisingly being grilled about electrification of the Swansea Main Line... again.

Alex Norris

On 16 May, the Transport Secretary said that electrification was definitely happening and that he wanted to see an end to “smelly diesel trains”, so there was widespread disappointment on 20 July when electrification was cancelled between Cardiff and Swansea, and also for the midland main line, with Ministers citing the fact that new technology made electrification unnecessary.

Prime Minister’s Questions followed this and opened with Theresa May responding to the concerning reports of sexual harassment in Parliament.

The Prime Minister (Mrs Theresa May)

Members on both sides of the House have been deeply concerned about allegations of harassment and mistreatment here in Westminster. This demands a response, which is why my right hon. Friend the Leader of the House has been meeting with her counterparts, and we are hopeful that all sides can work together quickly to resolve this. I have written to all party leaders to invite them to a meeting early next week, so that we can discuss a common, transparent and independent grievance procedure for all those working in Parliament. We have a duty to ensure that everyone coming here to contribute to public life is treated with respect.

The core exchanges however were centred on tax evasion and ensuring that the super-rich pay their fair share of taxes.

Jeremy Corbyn



If we are leading the world, perhaps the Prime Minister could explain how the amount of income tax paid by the super-rich has fallen from £4.4 billion to £3.5 billion since 2009. Earlier this year, the Public Accounts Committee said that HMRC's record of getting multi-millionaires to pay their taxes was "dismal" and that the super-rich were getting "help with their tax affairs that is not available to other taxpayers."

Our schools' budgets are being cut, more people are waiting longer for treatment—[Interruption.]

Since Conservative Members get so excited, I must say it again: our schools' budgets are being cut, more people are waiting longer for treatment on the NHS, and more elderly and disabled people are not getting the social care they need. When it comes to paying taxes, does the Prime Minister think it is acceptable that there is one rule for the super-rich and another for the rest of us?

The first Opposition Day Debate called on the Government to end the public sector pay cap for the Armed Forces and to give service personnel a fair pay rise. Pay for our brave Armed Forces has been capped at 1 per cent in 2017-18 which represents yet another below inflation pay settlement. I managed to make an intervention in this important debate:

Mrs Madeleine Moon (Bridgend) (Lab)

Perhaps it depends on where you come from, because certainly in Wales plenty of people are complaining to me about pay issues in the armed forces, and people are struggling to cope with their bills. People have rung me this morning concerned about press reports on the cutting of the £29-a-day allowance for service in Iraq, which they see as a further cut to their capacity to cope while remaining in the armed forces. I thank my hon. Friend for bringing this debate forward today. It is an issue and I am glad we are here to discuss it.

Nia Griffith

I thank my hon. Friend. She very much lives in the real world and is very aware of the cuts that have affected our armed forces, particularly the cuts to pay.



The headline business which took place this week was arguably the Opposition Day Debate on *Exiting the EU: sectoral impact assessments*. The Government has commissioned economic impact assessments of Brexit on 58 different sectors, however they have thus far refused to publish these findings. Labour have been calling on the Government to publish these documents for months. Ministers have avoided sharing them which prompts questions over what information the documents contain that the Government have been so adamant not to share?

Labour used an arcane and ancient parliamentary procedure known as a "humble address" which has been rarely used since the 19th century. Such a motion has traditionally been binding on the Government, so they could not ignore this Opposition Motion as they have done previously, such as with the Universal Credit vote.



Keir Starmer

*What is important about this procedure is that we believe this is a binding motion, and that makes it—we hope—impossible for the Government to pull their usual Wednesday afternoon trick of not voting on Opposition day motions or not taking any notice of them. That is why we have chosen the procedure that we have. But let me be clear: **our motion does not require blanket publication without further consideration. Instead, it would require that the documents covered in the list should be provided to the Brexit Select Committee—or other Select Committees if the Government's concern is that that is too limited and these things ought to go to all the Select Committees.** We are very open to that discussion, but these documents should go to the Brexit Select Committee. Then it would be for that Committee—or any other Select Committee—to decide which documents should and should not be published. It would also fall to that Committee to decide in what*

Anna Soubry

Let me explain why it is so important that we know what is in these documents. I am getting a bit of a feeling here. I rather take the view that there might be stuff in these huge impact assessments that perhaps hon. Members on this side do not want to put out into the public domain. They can and should redact every piece of commercially sensitive material in the documents, and anything that could undermine the security of our country should also be redacted. However, I am getting a rather strong feeling that, if the Government were to say that, whatever the options might be for the final deal, everything in this wonderful new post-Brexit world that awaits us was going to be brilliant and rosy, those Members who favour no deal would be the first to stand up and say to the Government, "Disclose these impact documents! Let the people see what wonders await them in this wonderful new post-Brexit world." So what's the problem?



*I must say to my right hon. Friend the Member for Wokingham (John Redwood), as he represents all those fishing men and women who live in his constituency: **how on earth can he say that we should not disclose all these documents because that would undermine the negotiations if he has not seen them—or even some form of summary of them—in the first place? The implication is quite clear: there is something in them that is not to be disclosed because it might actually prick this golden bubble, this balloon, that is the promised land of Brexit.** My constituents are entitled to know the consequences of the options that are available to this Government as they negotiate the transition and then, most importantly, the final deal. My constituents are concerned about their jobs, and so are the businesses in my constituency.*

The motion passed unanimously as the Government said they would not oppose it, however there was some confusion in the Chamber about whether or not the motion was actually binding and if the Government had to release the studies. As always, Mr Speaker was on hand to clarify the matter.

Keir Starmer

On a point of order, Mr Speaker. The motion having been carried unanimously and the wording being that "the impact assessments arising from those analyses be provided to the Committee on Exiting the European Union", can you confirm whether that means this motion is effective or binding and whether that means a failure of the Government to comply with it is, in fact, a contempt of the House?

Mr Speaker

I am grateful to the right hon. and learned Gentleman for his point of order. First, as I said in response to the point of order from the right hon. Member for Exeter (Mr Bradshaw) a few minutes ago, motions of this kind have traditionally been regarded as binding or effective. Consistent with that established pattern, I would expect the Vice-Chamberlain of the Household to present the Humble Address in the usual way.

I say what I do, as colleagues on both sides of the House and on both sides of any argument will recognise, on the strength of an understanding of advice received in relation to precedent grounded in "Erskine May". When I am asked, as I think I was by the right hon. and learned Gentleman, about contempt or breach of privilege, what I would say is that, if anybody wishes to make an accusation of a breach of privilege or a contempt of the House, it must be done in writing to the Speaker. If I receive such a representation in writing, I will consider it and apply my best endeavours, and take advice, in reaching a view and reporting it to the House.



form publication should occur.

Members may ask why we have chosen the Brexit Select Committee. We have done so because it is a cross-party Committee; it has a lot of expertise and support staff; and it has a Government majority, so the Opposition cannot be accused of being party political here. It is a trusted and responsible Committee.

Hilary Benn

On all other matters, including relatively minor ones, the Government produce an impact assessment that is shared with Parliament and the public, so it really is extraordinary that for the single most important decision that this country, as a result of the referendum, has taken since the end of the second world war, the Government have published nothing by way of an impact assessment.

Paul Blomfield from the Shadow Brexit team clearly outlined what the motion exactly seeks to do:

Paul Blomfield

I want to repeat what our motion seeks, so there can be no misunderstanding. We have not, and we would not, advocate publishing any information that would compromise the country's negotiating position. We are requesting that the 58 sectoral impact assessments—the economic assessments of how the Brexit process will affect the industries that account for 88% of our economy, the jobs of up to 30 million people, and the livelihoods of many more—be released to the Exiting the European Union Committee. It will then be for that Committee, as a cross-party body of the House, to agree a process for publication, and the Chair of that Committee, my right hon. Friend the Member for Leeds Central (Hilary Benn), made a powerful contribution on why that publication is so important.

I have explained the position, I think, as clearly as I am able, but of course on this sensitive matter, about which I understand passions have raged this afternoon, I will take further points of order, if there are such.

The Government have since conceded that it will share the sectoral impact assessments with the Brexit Select Committee who would then decide what aspects would be released more widely without undermining the EU negotiations.

Thursday

Thursday was a busy day for the House. The day opened with questions to the Secretary of State for Leaving the European Union, David Davis and the rest of his department. Questions ranged from Citizen and Workers rights, to the support the UK government will provide to farmers after we leave and Britain's position within the Erasmus programme for students after our exit. However, as so often with Brexit questions, the line of enquiry eventually moved to the eventual leaving agreement and the transitional arrangements timetable.



Mr Philip Hollobone (Kettering) (Con): 12. What assessment he has made of the powers available to the European Parliament to block a UK-EU withdrawal agreement.

The Secretary of State for Exiting the European Union (Mr David Davis): Article 50 of the treaty on European Union stipulates that the final withdrawal agreement should be concluded on behalf of the Union by the Council after obtaining the consent of the European Parliament. The European Parliament is entitled to a straight yes or no vote. It does not have the power to amend the withdrawal agreement between the UK and the EU. As the Prime Minister has said, we are confident that we will be able to conclude the negotiations and agreement in time to honour the voting commitments made in our Parliament and in the European Parliament. We do not approach these negotiations expecting failure; we are expecting success.

Catalonia

Following Brexit questions was an answer to an urgent question to the crisis in [Catalonia](#). Members were concerned with what the Government's reaction to the crisis was and what their approach to both the Spanish government and the Catalanian Leaders would be.

Hywel Williams (Arfon) (PC): I am asking the Government to act in two ways: to call on the parties in Catalonia to enter into talks and to offer their good offices to facilitate progress. No one can doubt that this is eventually a political matter, rather than a legal one. Getting both parties to talk is the way forward. In this situation, the UK Government have a responsibility and an opportunity.

First, they must do all they can to ensure the safety and security of UK citizens living in Catalonia. Secondly, this is happening in our neighbourhood as we are a leading European power, and a member of the Council of Europe, the EU, NATO and the United Nations Security Council. Thirdly, uniquely, the UK Government have recent experience of an independence referendum carried out in Scotland, largely by agreement. We have some advice to offer. And, of course, the hard-won peace agreement in Northern Ireland rests partly on the opportunity there was for all to have their say in a referendum.

In my debate on Catalonia on 10 October, the Minister replying said that no request for advice had been made by the Spanish Government, and none had been offered by the UK Government. I now ask that that offer be made.

The Minister for Europe and the Americas (Sir Alan Duncan): I do not share the hon. Gentleman's view of how Britain should take an interest in the internal affairs of Spain. Talks for Spain are an internal matter. This is, indeed, a legal matter. We held an independence referendum, but it was within the law: in the case of Spain, it was not. In respect of UK citizens, I believe I am right in saying that we have had no reported consular problems, and I obviously hope that that remains the case.

The day continued in this vein, following [Business questions](#), with a statement about the progress of restoring a functioning Assembly to [Northern Ireland](#). Before Back Bench Business on the issue of unaccompanied [child refugees](#) in the Europe and a motion on [sexual harassment in schools](#) concluded the day, there was a statement by the Lord Chancellor on [sentencing](#).



Friday

The work of Parliament extended into Friday this week with two Private Members Bills under consideration. The first of these was a [Bill](#) that has been dubbed "[Seni's Law](#)", after a young man who tragically died due to being placed under severe physical restraint in a mental health hospital. The Bill has been designed to prevent this happening again and had wide cross-party support.

Victoria Prentis (Banbury) (Con): I am most grateful to have been called first, Mr Speaker, out of the smorgasbord of choice available to you.

It gives me genuine pleasure to rise to support the Bill and to be the first to congratulate the hon. Member for Croydon North (Mr Reed) on his hard work. The Bill stems from great tragedy, but it is always good to see a piece of constituency casework come to fruition and get as far as the Floor of the House. I have enormous respect for the hon. Gentleman, and the all the work he has done with people across the House and outside to get this far. I wish him all the best.

Wera Hobhouse (Bath) (LD): *Is it not also time to pay tribute to my right hon. Friend the Member for North Norfolk (Norman Lamb), who as Health Minister introduced the “Positive and Safe” guidelines, a two-year programme with funding to end the deliberate use of face-down restraint in all health and care settings? Unfortunately, those guidelines have not always been followed.*

Victoria Prentis: *I thank the hon. Lady for her intervention. It is very important in these cases to congratulate Members from across the House and to work together on cross-party lines to achieve the consensus needed, so we support those in our communities who need laws like this to keep them safe.*

The second **Bill** to be brought before the house was a move to lower the **voting age to 16** for Westminster elections. This Bill did not receive the same kind of cooperation from all parties as “Seni’s Law” and as a result time ran out for a division to be held, this was due to the vast amount of Conservative MPs who felt impassioned to talk on the issue, James Cleverly in particular had a lot to say. This tactic of talking until time runs out, known as filibustering, is an old ploy for parties who do not wish for a vote to be held on a particular issue.

Jim McMahon (Oldham West and Royton) (Lab/Co-op): *I beg to move, That the Bill be now read a Second time.*

We have just had a very important debate on mental health. I congratulate my hon. Friend the Member for Croydon North (Mr Reed) on bringing forward his Bill on that important issue, and I reflect on the quality of the contributions made. It was, though, apparent that some Members were keen to talk at great length in support of that Bill, no doubt to reduce the amount of time that was available to discuss this Bill...

James Cleverly (Braintree) (Con): *I made this point in an intervention, but I think it is well worth making again. This is an important issue. It rightly goes to the heart of what it means to live in a democracy. It goes to the heart of what it means to be an active member of a democracy. I would imagine that a debate on votes for 16 and 17-year-olds would, unsurprisingly, be keenly watched by people of that age and perhaps by those who are even younger who have an interest in politics.*

Joanna Cherry (Edinburgh South West) (SNP): *Does the hon. Gentleman agree that the 16 and 17-year-olds watching this debate in the Public Gallery or at home will feel thoroughly patronised by the end of this debate?*



James Cleverly: *Certainly not by me; perhaps by her. [Interruption.]...*

Joanna Cherry: *I invite the hon. Member for Braintree (James Cleverly) to withdraw that remark. I have said nothing patronising. My point is that the tone of the debate from others who have spoken is patronising. I invite him, as a gentleman, to withdraw the remark.*

James Cleverly: *As far as I can make out there is nothing to withdraw. The hon. and learned Lady put forward the idea that young people in the Public Gallery or watching at home might feel patronised by the debate. I simply made the point that I had no intention of patronising them, and I merely asked whether they might feel patronised by her. It was not an assertion...*

Joanna Cherry: *I asked the hon. Gentleman how I had been patronising, but I think it would be much better to return to the issue at hand. Why should the young people of the United Kingdom aged 16 and 17 not get the vote as they have done in Scotland?*

James Cleverly: *I will address the implicit question in the hon. and learned Lady’s intervention, which is about the differential between certain voting rights north of the border and voting rights in England, Wales and other parts of the United Kingdom. Scotland has for many centuries since the Act of Union had a number of differentials in law.*

The classic one, which we have debated in the Chamber, is about the age at which someone can get married. Gretna Green is famous as the place in Scotland where runaway brides and grooms went to get married without the need for parental consent. I certainly would never want to impose English will in the form of marriage laws on Scotland, and I would ask her not to do such a thing...

Jim McMahon: *On a point of order, Madam Deputy Speaker. I respect the ruling of the Chair and I am not challenging it, but what advice can I give to people who are watching this debate and cannot understand why, when more than 150 MPs have come to support the Bill, we cannot move on to a vote?*

Madam Deputy Speaker: *The advice the hon. Gentleman can give is that the Bill will of course come back on another day. The fact that debate is curtailed because it is nearly 2.30 pm does not mean there will not be another opportunity.*

James Cleverly: *Conscious of time, my intention had been to wrap up my comments relatively quickly. However, looking up at the Annunciator I can see that the various interventions and points of order mean that I have hardly been able to make any progress at all. I know that it is never a good idea to try to apply pressure on the Chair, but I would hope that—as I now have very limited time to make my points in what is an important debate—when this Bill returns to the House on a sitting Friday, as it will, you, Madam Deputy Speaker, or Mr Speaker if he is in the Chair, will look favourably upon me and call me early so I can make my points.*

