

15 October 2019

1.20 pm

Hywel Williams (Arfon) (PC)

(Urgent Question): To ask the Secretary of State for Foreign and Commonwealth Affairs if he will make a statement on the imprisonment of Catalan leaders.

The Minister for Europe and the Americas (Christopher Pincher)

I congratulate the hon. Gentleman on securing this urgent question. I appreciate it is a question that will drive passions among him and individually among other right hon. and hon. Members of this House, but the position of Her Majesty's Government on Catalonia is clear: it is a matter for Spain. The United Kingdom strongly supports the rule of law and remains clear that political leaders, like anyone else, have a duty to abide by the law. Questions related to Catalan independence should be resolved within the proper constitutional and legal channels, and questions related to the legal penalties handed down by the courts of Spain are a matter for Spain and its democratic institutions.

Hywel Williams

I thank the Minister for that answer, as far as it went.

Many Members of this House have been concerned by the cases brought before the Spanish Supreme Court against 12 Catalan political and civic leaders on charges of sedition, the embezzlement of public funds and disobedience in relation to the 2017 referendum on Catalan independence. I wish to make it entirely clear that my question today is about what happened yesterday and that it is not about whether independence is right or wrong.

Nine of those accused have already been held in preventive detention for nearly two years and have been visited by Members of this House, Members of the Scottish Parliament and Members of the Senedd of Wales. Yesterday, they were sentenced. One of those sentenced is Carme Forcadell, the Speaker of the Catalan Parliament, whom you kindly welcomed to Speaker's House and to our Chamber when she visited us shortly before her detention, Mr Speaker. Her offence, apparently, is to have allowed a parliamentary debate on independence. Yesterday, she was sentenced to 11 and a half years in prison. Mr Speaker, as you confirmed in respect of a point I made some time ago, we would not expect your detention and prosecution were you to allow a debate on Welsh independence. Others jailed include former Vice-President Oriol Junqueras, who was given the harshest sentence of all: 13 years in prison.

Bringing criminal charges is no way to resolve political differences, so will the Government today join calls for the Government of Spain to engage in a proper and respectful process of dialogue with the Government of Catalonia? Will the Secretary of State commit to pressing the relevant EU institutions to consider launching a procedure under article 7 of the treaty on European Union in respect of the Spanish state's response to the Catalan crisis? This would include consideration of the prosecution and sentencing of the Catalan political and civic leaders, as this is a clear example of how Spain is bringing about a risk of serious and persistent breach of the EU's founding values of respect for freedom, democracy, justice and human rights, as outlined in article 2 of the treaty. This is a matter for us and the European Union, and is not just a Spanish domestic matter.

Christopher Pincher

As I said, I appreciate that this is a matter that will drive high passions among our colleagues. I note that Members of the Scottish nationalist party are here in force. I welcome them back from their conference and am sorry that they have had to sojourn for this urgent question. I hope that in the future we will be able to find an accommodation to allow them to have their conference without interference from the activities in this Chamber.

As for the right to debate independence in Spain, I will make two points. First, the Spanish constitution, which was agreed by Spain—including the people of Catalonia—in 1978, makes it quite clear that it is not legally possible to hold a legal secessionist vote without a change to the constitution. Secondly, I fully recognise the rights of the parliamentarians in question to make speeches, to debate and to make their points, and they have done so several times in the regional Parliament of Catalonia, as they have every right to do. They also have the right to elections in that regional Parliament. Those elections were held in 2017, and the people of Catalonia made their choices.

Let me turn to the legal rights of the parliamentarians who have been imprisoned. That is a matter for the Spanish courts, and we would not seek to interfere in those courts, just as I am sure that SNP Members would not seek the Spanish authorities to interfere in the proceedings of the Court of Session in Edinburgh. The parliamentarians we are discussing have a right to appeal to the Spanish constitutional court and to the European Court of Human Rights. Let us see how the law takes its course.

Sir Desmond Swayne (New Forest West) (Con)

It is a matter for Spain, but it is also shocking, horrifying and a reminder of a former Spanish regime.

Christopher Pincher

The Spanish courts are transparent and robust, and they have handed down the penalties according to Spanish law. Whether individual Members of Parliament like it or not, that is the Spanish law and it is for the Spanish Government to change it, if the Spanish people wish it.

Emily Thornberry (Islington South and Finsbury) (Lab)

I thank you, Mr Speaker, for granting this urgent question and the hon. Member for Arfon (Hywel Williams) for securing it.

As a former lawyer—although I suppose some would say “once a lawyer, always a lawyer”—I am always loth to criticise the courts. I am afraid, though, that what we saw yesterday was the judicial equivalent of what we saw from the Spanish police on the streets of Catalonia two years ago: unnecessary, heavy-handed and entirely counterproductive. In an effort to crush the Catalan independence movement, these incredibly harsh sentences have simply given it fuel. They will serve not just to radicalise what has hitherto been a peaceful pro-independence movement, but to drive many Catalans who were not previously part of that movement to join the cause. As one of the banners carried at yesterday’s protest so pithily put it, “I’m not pro-independence but I’m not an idiot.” That same sentiment will be shared by many—not just in Catalonia, but across Spain—who see in these sentences a basic injustice being committed, which is unworthy of any nation, let alone a member of the European Union.

But I believe that there is hope, and that hope is the approach being taken by the freshly elected socialist Government in Spain. This is a crisis that they inherited, not one that they created. Even in these court cases, the state prosecutor urged leniency in sentencing. This is reflective of an approach that the Spanish Socialist Workers’ party Government have taken and that Labour—its sister party—supports. That approach is that the only way past this ongoing crisis is through peaceful dialogue and the eventual agreement of a political solution drawn up in accordance with the Spanish constitution.

If the answer instead is a further escalation of division and confrontation, the radicalisation of the pro-independence movement and more heavy-handed action by the Spanish police or the Spanish courts, then that is not an answer at all, and all the parties of good will must resist it.

I hear what the Minister says about this being a matter for Spain, but I wonder if he can perhaps help us with this. Given the sentences handed down by the Spanish courts and the ongoing threat that hangs over the former Catalan leader, Carles Puigdemont, can he confirm that that

gentleman would be free to visit Britain and speak to supporters, universities, the media and politicians without any risk of being arrested for extradition for Spain?

Mr Speaker

He could speak here. He could come and speak in the Palace of Westminster and would be extremely welcome. [Hon. Members: "Hear, hear."]

Christopher Pincher

Thank you, Mr Speaker, for reminding us of our rights and the rights of our friends who may choose to come to speak to us in the Palace of Westminster.

I am obliged to the right hon. Lady for her comments and for the reasonable tone in which she undertook them, although I would note that this week she seems to be against the judges whereas a couple of weeks ago she was for the judges. I do not think you can be against the judges one week and for them the next; you need to be for the judges all the time.

Emily Thornberry

I am not against judges. I am married to a judge.

Christopher Pincher

Well, I would not wish to comment on the right hon. Lady's domestic circumstances. She can do that for herself from a sedentary, if not a supine, position.

The right hon. Lady mentioned the approach that Prime Minister Sánchez has taken. I would echo that. He has called for dialogue—for the use of carrot rather than stick. It is incumbent on all of us, as parliamentarians, to encourage sober and reflective debate on what is an exceptionally passionate topic, not least in Spain, and in Catalonia.

With regard to Mr Puigdemont and his right to travel here, which I think was the substantive point that the right hon. Lady made, any European arrest warrant is a matter for the issuing authority and for the independent agencies in this country—the police, the courts and the prosecuting authorities. It is a convention that I do not propose to break in this case that we do not comment on any arrest warrant until or unless an execution of that warrant is made.

Mike Wood (Dudley South) (Con)

Is my right hon. Friend satisfied that due process seems to have been followed and that those sentenced received a fair trial?

Christopher Pincher

The legal framework of Spain is a matter for Spain. Its courts, as I said earlier, are open and transparent. Spain has a robust legal infrastructure that allows for right of appeal, and we support its infrastructure.

Peter Grant (Glenrothes) (SNP)

Gràcies—thank you—Madam Deputy Speaker. I commend my hon. Friend the Member for Arfon (Hywel Williams) for securing this urgent question.

It is all very well for the Minister to hide behind the constitutionality of what has been done, but could I gently remind him that some of the most unspeakable acts of evil that Europe saw in the 20th century, and that the United States and South Africa have seen, were constitutional and legal? Being constitutional does not make something either legally or morally defensible.

Many of these people are our equivalents. They are Members of Parliament, they are Government Ministers, they are the Speaker of the Catalan Parliament, whose only offence was to seek to implement the mandate they had been given by their people in a free, fair and democratic election. The question is not whether we think that Catalonia should or should not be independent; it is whether we, as parliamentarians, are prepared to stand up and defend the right of parliamentarians across the world to say things that Governments do not like and to implement the policies that their people have put them there to implement without fear of arrest and imprisonment.

Any political system—any constitution—that allows parliamentarians to be arrested for being parliamentarians is a constitution that is not fit for purpose and that needs urgent change. In the case of the constitution of Spain and of Catalonia, the only legitimate vehicle for that constitution to change is through the ballot box. While it is not for us to decide the future of Catalonia, as it is for nobody other than the people of Catalonia to decide that, I stand with the people of Catalonia—estic amb Catalunya—in their right to determine their own future and to do so in a free, fair and democratic process.

Does the Minister agree that the right of self-determination and the right to freedom of assembly are fundamental to the concept of modern human rights? Does he accept that sending armed police to break up peaceful demonstrations sets the wrong tone and is likely to inflame the situation rather than to encourage peaceful and legal dialogue? Will he even attempt to persuade the Government of Spain that the way to resolve this crisis is through the democratic political process and not through the criminal justice system? What conversations has he had with his Spanish counterpart, and with his counterparts throughout the rest of the European Union, to remind them that the founding principle of the European Union is that all peoples have the right of self-determination and that any state that impinges on those rights through the use of force should not be supported by this or any other democratic Government?

Christopher Pincher

The question of whether the referendum in Catalonia was legal is quite clear: it was not legal. It was marked down by the Spanish courts who said that it was illegal. The MPs who decided to use public funds for that illegal referendum knew what they were doing. They knew that they should not have done it. They knew that they were breaking the law. Therefore, they must accept that the law will be done.

In terms of the rights of people to assemble, the rights of people to protest and the way in which police action has occurred in Catalonia, as the right hon. Member for Islington South and Finsbury (Emily Thornberry) said, I would encourage great care to be taken in the policing of these events. We, in our own country, know how very important it is to allow people to protest peaceably and then to encourage them to disperse in a similar way, so I would certainly encourage our Spanish friends to do that.

Have I had conversations with the Spanish Government and with the Spanish authorities here? Yes, I have discussed diplomatically with the Spanish ambassador the likely outcome of the court action that we heard of yesterday, and I shall be talking to him again, I am sure, in the next weeks or months.

Stephen Kerr (Stirling) (Con)

Does my right hon. Friend agree that the regional elections that were held on 21 December provided a path to restoring the rule of law, and that it is for all the people of Catalonia to have their say via democratic processes that are consistent with the constitution as it stands presently?

Christopher Pincher

My hon. Friend is quite right. The elections in December 2017 gave the people of Catalonia the right to exercise their democratic mandate, and they did that. That created a regional Parliament that has debated the questions before Catalonia, including the question of independence, several times. It is for that mechanism, and the mechanism in the Cortes Generales if necessary, to amend the Spanish constitution to allow for legal plebiscites to take place. It is a matter for that procedure and not for illegal procedures which, of course, only cause more harm than good.

Mr Paul Sweeney (Glasgow North East) (Lab/Co-op)

The Minister talks about acts that are lawful. We know of many acts in history that have been lawful. I am thinking of the response of the British state to the Easter rising 103 years ago—it might have been lawful, but it can be best described as a massively counterproductive act of repression. Will the Minister urge his Spanish counterparts to at least learn the lessons of history before further inflaming situations and encourage peaceful dialogue and reconciliation?

Christopher Pincher

I am grateful for the hon. Gentleman's question. I think the Spanish Government and Spanish parliamentarians of all stripes and colours will be exceptionally mindful of history. If anybody has read Antony Beevor's "The Battle for Spain" about the terrible events that took place in Spain between 1936 and 1939, they will understand what can happen when disagreements get out of hand. I am sure that the Spanish Government, the Spanish Opposition and many people in Spain are very mindful of that.

Stewart Malcolm McDonald (Glasgow South) (SNP)

When the Minister is at the Dispatch Box, he and I will discuss Ukraine fairly often, and we will more often than not find ourselves in agreement, because we have chosen that what happens there is in our interests. If what is happening in Spain and Catalonia now was what Yanukovich's Government had been doing to people in Ukraine back in 2014, the Minister would rightly be condemning it, and I would rightly be saying he was right to do so. Why does he not recognise his unique position as a Minister in a Unionist Government who oversaw an independence referendum that was held legally and fairly, and inject some common sense into his Spanish counterparts?

Christopher Pincher

Self-determination, as set out in international law, is a long-standing convention to which we subscribe, but the circumstances in individual states are often very different. He will know that the situation in Ukraine in 2013-14 was very different from the one in which the people of Spain

and Catalonia find themselves today. We should treat individual circumstances individually, and that is what we are doing.

Conor McGinn (St Helens North) (Lab)

As other Members have said, this is not about the merits or otherwise of independence for Catalonia. It is about the subjugation of political and civic leaders for pursuing a legitimate cause in a democratic and peaceful manner. That cannot be tolerated. It does not reflect well on Spain—a country I have great affection for—and, frankly, if it were happening in some other parts of the world, the Minister’s response would be far more robust.

Christopher Pincher

I understand the passion that the hon. Gentleman brings to his position and his conviction. I will simply repeat that the law of Spain is clear, transparent and robust. Those people who, equally passionately, decided to pursue a secessionist agenda knew that they were breaking Spanish law. The consequences for them were clear, and though he may have his own individual viewpoint about those consequences, the position of this Government is also clear: it is a matter for Spain.

Joanna Cherry (Edinburgh South West) (SNP)

I know that the Minister, like others on the Conservative Benches, values highly freedom of speech. Freedom of speech and freedom of expression are protected under the European convention on human rights. Does he agree with the International Commission of Jurists that these convictions for sedition “represent a serious interference” with freedom of expression, freedom of association and freedom of assembly, and that the resort to the law of sedition to restrict those important rights is

“unnecessary, disproportionate and ultimately unjustifiable”?

Christopher Pincher

I am grateful to the hon. and learned Lady for bringing her legal knowledge to bear. That viewpoint is not necessarily the viewpoint of the Spanish courts. It may be the viewpoint of an international body, and it may be her viewpoint, but it may not be that of international courts. It is for the defendants who have been found guilty by the Supreme Court to appeal, if they so wish, to the Spanish constitutional court, and beyond that to the European Court of Human Rights. Let us see whether they do so and how successful their cases are.

Susan Elan Jones (Clwyd South) (Lab)

The Minister has been remarkably weak in his responses, and I do not think he has noticed that only one Member in this Chamber has asked a question that is sympathetic to what he has said. Will he forget the whole debate about separatism, which is totally different, and talk to the Spanish Government, reflecting the concerns of Members across parties in this House and speaking loudly for what we have said today?

Christopher Pincher

I am sure that the Spanish embassy and the Spanish Government will have heard what individual Members of this House have said. Individual Members can make their views plain, and they have, but as far as it is a matter for Her Majesty's Government, our position is plain: Spanish courts are independent, and their processes are transparent and robust. The court penalties handed down are a matter for those courts, and any change to Spanish law is a matter for Spain.

Liz Saville Roberts (Dwyfor Meirionnydd) (PC)

The Minister is at pains to justify the Spanish judicial process, which is interesting when we recall that only last month, the Supreme Court found his Prime Minister to have acted unlawfully. Does he propose that the Spanish rule of law is proportionate, when Speaker Forcadell has been sentenced to 11 and a half years in prison for permitting debate? Does he believe that that is proportionate?

Christopher Pincher

When the Supreme Court of the United Kingdom handed down its verdict last month, we made it plain that we would accept that verdict and obey the law. How can we then say that people in Spain should not obey the laws of Spain? Why should we interfere or comment upon the judicial processes or the penalties handed down by courts in a country that is democratic, robust and open? I do not think we should, and I will not.

Gavin Newlands (Paisley and Renfrewshire North) (SNP)

In the four and a half years that I have been a Member of this place, I have never been more ashamed of this so-called bastion of democracy than following this weak response from the Minister. I stand in solidarity with all the political prisoners, because let us be in no doubt: that is what they are. I want to ask the Minister about Jordi Cuixart, a civic leader—a non-politician—who was arrested on trumped-up charges, convicted and now sentenced to nine years' imprisonment, nearly two years to the day since he was held on remand. I have met Jordi's wife

and young child, and during that meeting the toddler kept calling out for dad. That child was six months old when Jordi was remanded but will be 11 when he is released. What is the Minister's message for them? They deserve a lot better than these weasel words.

Christopher Pincher

Of course I am sorry—I am sad—if a child is unable to reach out and touch his father and see him, but the hon. Gentleman says that in that particular case, the charges are trumped up. That is his viewpoint. The courts of Spain have decided otherwise. If we are going to be a country that accepts and respects the rule of law, and if we accept that Spain has a robust and transparent legal procedure, we must accept the outcome of those court decisions, however much he or others may personally disagree with them.

Chris Evans (Islwyn) (Lab/Co-op)

The Minister says that this is a matter for Spain. However, the fact that a European arrest warrant has been issued for the President of Catalonia means that other countries are now involved. Is he confident that the warrant has not been issued merely for political purposes?

Christopher Pincher

I am confident about the robust processes of our own country. As I made clear before, the issuing authority would be in Spain. It is for our independent agencies—the police, the courts and our prosecuting authorities—to decide the merits or otherwise of the warrant, and unless or until one is executed, we should not comment further.

David Linden (Glasgow East) (SNP)

The Minister has said repeatedly that it would be inappropriate to comment on the activities of another country's judicial system, but some of us on these Benches find that very difficult to believe, given that unnamed sources in his Government were quite happy to criticise the Scottish courts last month. However, there is a wider issue here. The scenes we saw last night of Spanish police acting with brutality against their own citizens is the kind of thing, if it happened in any other country outside the EU, about which the Minister would be on the phone in diplomatic channels, is it not?

Christopher Pincher

If we believed all the unsourced quotations in all the newspapers we read every day, I think we would be in a pretty pickle. What matters in this country and in this House of Commons is what

is said at this Dispatch Box, and it is the view of the British Government that the processes of the Spanish courts are transparent, open and robust. It is incumbent on all of us as democrats and as upholders of the rule of law to accept the outcome of those decisions, however much we may individually dislike or disagree with them.

Douglas Chapman (Dunfermline and West Fife) (SNP)

The imprisonment of legitimately elected parliamentarians does not fit with being a modern European democracy. On that basis, what discussion has the Minister had with the Spanish Government in the past 24 hours regarding a mediated solution to the Catalan crisis, and will the Foreign Secretary take legal advice on pursuing a procedure under article 7 of the EU treaty as a matter of urgency?

Christopher Pincher

I have had no discussions with the Spanish Government in the last 24 hours, but I am always happy to keep in touch with them. I have a very good relationship with the Spanish ambassador, and as events develop perhaps I shall speak to him further.

Jamie Stone (Caithness, Sutherland and Easter Ross) (LD)

It is a hell of a mess in Spain, and it is likely to get worse. That is the fact of the matter. As the SNP Members in front of me know, I was on a different side when it came to the Scottish independence referendum, yet I think it is to the great credit of Scotland and indeed of the colleagues in front of me that we kept it civil and keep it civil today. I am also mindful that Senator Mitchell and General de Chastelain helped to improve—let us put it that way—the peace situation in Northern Ireland. Is it worth the Government considering forming together a party, perhaps of people from the independence movements of Scotland and Wales with those of us who were on the other side, to offer our services to Spain to try to de-escalate an extremely dangerous situation at this stage?

Christopher Pincher

I am obliged to the hon. Gentleman for the tone he has struck. It is a matter for parliamentarians and political parties to offer support to, or indeed to disagree with, other political parties or countries on the continent, but it is not for the British Government to interfere in the legal processes of Spain or the constitutional settlement of Spain. That is a matter for Spain, and Spain alone.

Angus Brendan MacNeil (Na h-Eileanan an Iar) (SNP)

Oppression everywhere has a long history of always being legal. We know that, and that statement was made by my hon. Friend the Member for Glenrothes (Peter Grant) earlier. I would like to say to Catalans watching today that, in fact, I was in a debate earlier with a Tory and a Labour politician who support Catalonia, so this is cross-party.

The approach of the European Union has been spineless and shameless. Guy Verhofstadt has made comments on China, Brazil, Turkey and almost anywhere else we could mention, but on Catalonia he is utterly silent. He plays Pontius Pilate, and he cannot get enough bowls of water with which to wash his hands. I am afraid to say that that position seems to be shared by the UK Government. The cry of action is the cry for more bowls of water with which to wash their hands—and this in a Chamber that has just spent an hour telling UEFA and FIFA what to do. No courage at all has been shown in relation to telling the Government in Madrid to behave with a modicum of decency.

I want to ask the Minister: what sort of oppression by Spain in Barcelona or Catalonia will the UK Government tolerate? Forget independence and the fact that Catalonia was annexed in 1716. What level of oppression do they oppose? Is it a Hong Kong level of oppression, a Barcelona level of oppression or being in jail for 14 years? What will they eventually stand up and oppose? The cowardice that has been shown is not on, and the people should not be having to live with it.

Christopher Pincher

I think the hon. Gentleman, with whom I have an occasional drinking friendship, did himself a disservice in the way he has just comported himself. If the situation—the passionate situation—in Catalonia and in its cities is to be de-escalated and the situation is not to be further inflamed, I do not think that commentary such as that helps, frankly. I would call on all parties in Spain—all those who wish to protest and all the agencies that are responsible for good governance and order in Spain—to treat themselves and each other fairly and soberly so that this particular problem and this great challenge can be dealt with democratically and peaceably within the rule of the Spanish law.

Marion Fellows (Motherwell and Wishaw) (SNP)

I am appalled by some of the words coming out of the Minister today. In Catalonia, people get hit, beaten and forcibly removed from places for simply standing up for their human rights, and this Government refuse to condemn that? I find that inexcusable. Estic amb Catalunya!

Christopher Pincher

Of course the British Government deplore any form of oppression, but we also deplore any form of riotous behaviour that undermines the rule of law and threatens public property or public safety. I would encourage all sides to desist, to calm down and to make sure that they address this question, which is a question for Spain, quietly, soberly and peaceably. As far as any support goes, of course the British Government support that.

Ronnie Cowan (Inverclyde) (SNP)

I have had the incredible privilege of visiting Jordi Cuixart, Jordi Sànchez and Raül Romeva in their prison cells, and they are intelligent, humble and proud men. Everything they have done was peaceful and appropriate. Dr Martin Luther King once said:

“Our lives begin to end the day we become silent about things that matter.”

I refuse to be silent because this matters, while the UK Government’s silence has been deafening. The UK Government like to talk themselves up as a force in the world who think they sit at the top table with the big boys and girls. Well, here is a chance to prove it. Will the Minister—here, today—defend democracy and denounce these prison terms?

Christopher Pincher

I am grateful to the hon. Gentleman, and I will defend and support the rule of law. I have no doubt that the gentlemen to whom he refers are humble; I have no doubt that they are articulate; I have no doubt that they can make powerful cases in their own defence and in the promulgation of the matters that concern them—

Ronnie Cowan

Peaceably!

Christopher Pincher

And peaceably so. I have no doubt of that, but they must always act and operate within the law. The Spanish legal system, as I have said and will say again, is open, robust and transparent, and it has handed down sentences that, whether we like them or not, we must accept.

I will make the further observation, if I may, that constitutionally Spain cannot of course have a secessionist plebiscite without a change to the constitution. That is in keeping with the constitutions of France and Italy. They are all built in the same way and they are all meant to achieve the same ends, and we have to support them as long as they are in place.

Patricia Gibson (North Ayrshire and Arran) (SNP)

It is quite difficult to sit and listen to the Minister talking about the importance of observing the rule of law. I wait for him, when he gets back on his feet, to condemn the Leader of the House, sitting beside him on the Bench, who condemned the judges who found against the Government's breach of the law during Prorogation. Clearly, the sentences that were passed down in Madrid were an act of vengeance, not an act of justice. This is not about independence for Catalonia; this is about the fundamental principles of democracy. Does he not understand that all who believe in democracy have a duty to condemn the kind of repression that we witnessed yesterday; that to say it is a matter for Spain is a complete abdication of the UK's international responsibility; and that to do nothing is a dereliction of duty, with all the shame that that will bring?

Christopher Pincher

Then who is it a matter for? Is it a matter for this Parliament, this Government, the European Union? Who? The hon. Lady says that Ministers in this Government have criticised judges. She does not seem to appreciate the irony that she is doing exactly the same thing here and now about judges sitting and handing down sentences in Spain, a country that is democratic, has a robust legal system, and adheres to the rule of law. That is all that we are doing in this House right now. We are supporting the rule of law and the right of the Spanish courts to hand down justice as they see it to be right.

Drew Hendry (Inverness, Nairn, Badenoch and Strathspey) (SNP)

Is it not the case, Minister, that any country that seeks to perpetrate a human rights abuse will claim that its legal systems are robust, and that it is happening under the rule of law? What criteria do his Government place on speaking out when free speech is challenged in this way?

Christopher Pincher

The people of Catalonia have the right to freedom of expression through the ballot box in the regional Parliament, which they have done. The Catalanian parliamentarians have the right to freedom of expression when they debate the question of independence, which they have done, so I do not really see why the hon. Gentleman is making the argument that he is. They have a right in the Spanish Parliament, and in the Catalanian Parliament, to speak, to debate and to be

heard, but they must do that within the rule of law, which the Spanish courts have decided they have not.

Hannah Bardell (Livingston) (SNP)

As a younger woman in my 20s I visited Catalonia as part of a European Free Alliance Scottish delegation, where I met and worked with many young Catalan activists and leaders who wanted one thing—to decide their own future in a democratic and legal way. Whatever his views on independence for Catalonia or any other country around the world, surely the Minister agrees with the right to self-determination and of citizens to decide the future path of their nation and people. The Minister has an opportunity to redeem himself. Does he agree with that right and that it cannot be right for any political differences to be solved by police brutality and incarceration?

Christopher Pincher

I certainly agree that people have the right to self-determination, but they must pursue it within the law. In the case of Spain, that requires a change to the Spanish constitution and it is for Spain to change its constitution, not for this Parliament or the British Government.

Brendan O'Hara (Argyll and Bute) (SNP)

I and many others are dismayed at the complacency that the Minister has shown at the jailing of elected politicians for up to 13 years for simply organising a referendum. If this had been a regime anywhere else in the world that was renowned for oppressing democracy, the United Kingdom rightly would have been at the head of the queue to condemn that regime. Just because it is Spain does not make this any less wrong. No reasonable person could look at the sentences and say that they were not excessive, punitive, disproportionate and vindictive. If the Minister cannot bring himself to condemn them legally, will he at least condemn these sentences morally?

Christopher Pincher

I am rather dismayed at the rather liberal way in which the hon. Gentleman casts aside the rule of law and due process. It is for individual Members of Parliament to decide whether they agree or disagree with the sentences handed down by the Spanish courts. They may have a view on whether the defendants should appeal or not, but for the British Government this is a matter for Spain. It is for the Spanish courts to hand down the laws of Spain and for the Spanish Parliament, as expressed through the Spanish people, to decide whether they wish to change the Spanish constitution.

Alison Thewliss (Glasgow Central) (SNP)

I have worn yellow pretty consistently in this Chamber for the past two years, not just because I like the colour—it is the colour of my party—but in solidarity with the people of Catalonia. How can the Minister defend a regime that jails political opponents, cracks the heads of those who want to cast a democratic vote and is running scared of the political symbolism of the colour yellow?

Christopher Pincher

With all due respect, I disagree with the hon. Lady's characterisation of the Government of Mr Sánchez as a regime. The Government of Mr Sánchez have attempted dialogue with the Catalan independence movements and parties. He has attempted to sensibly bring this question to a peaceful and equitable conclusion. He is also of course in the middle of an election, to be decided on 10 November, so I do not agree with this categorisation of Spain as a regime. As I have said before—I am sorry if I have to repeat it—these legal matters are for the Spanish courts. The constitutional settlement in Spain is a matter for the Spanish Parliament, and ultimately for the Spanish people. Unless they wish to change their laws, nothing is going to change, but those changes are a matter for them and not for the British Government.

Tommy Sheppard (Edinburgh East) (SNP) rose—

Madam Deputy Speaker (Dame Eleanor Laing)

The prize for patience and perseverance goes to Tommy Sheppard.

Tommy Sheppard

Thank you, Madam Deputy Speaker. To be clear, the question before us today is not whether we support Catalan independence. It is not even whether an offence was committed under the Spanish constitution. The question is what we think about the jail terms that were issued yesterday to elected politicians. I know what I think. I think that they were barbaric and outrageous and that they diminish how people perceive Spain in the world. I already know of several friends who were planning to visit Spain next year on holiday who are now making alternative arrangements. The question to the Minister is not whether he wants to interfere in internal Spanish matters. The question is what he thinks about it. What do his Government think about it? What relationship will change as a result of what has happened? It is not good enough, Minister, to sit there and say nothing and do nothing. [Interruption.]

Madam Deputy Speaker

Order. It is getting a little bit noisy, and we ought to hear the Minister's final answer.

Christopher Pincher

Thank you, Madam Deputy Speaker. The hon. Gentleman, with his usual pugnacity, asks what we think of Spanish judges and the sentences that they have handed down. I would gently say that if we start questioning what judges hand down, and if we think that we can think better than them and interfere in their right to hand down justice, as prescribed by their Parliament and their laws, we set in train the sort of barbarity that he was criticising.