

**Wednesday  
29 June 2022**

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**HOUSE OF COMMONS  
OFFICIAL REPORT**

**PARLIAMENTARY  
DEBATES  
(HANSARD)**

**Wednesday 29 June 2022**

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# House of Commons

Wednesday 29 June 2022

*The House met at half-past Eleven o'clock*

## PRAYERS

[MR SPEAKER *in the Chair*]

## Oral Answers to Questions

### SCOTLAND

*The Secretary of State was asked—*

#### Shipbuilding Sector

1. **Tom Randall** (Gedling) (Con): What steps the Government are taking to help support Scotland's shipbuilding sector. [900697]

8. **Jane Stevenson** (Wolverhampton North East) (Con): What steps the Government are taking to help support Scotland's shipbuilding sector. [900705]

**The Parliamentary Under-Secretary of State for Scotland (Iain Stewart)**: As you were notified, Mr Speaker, the Secretary of State is unable to attend today as he has long-standing commitments in Scotland. However, I am very pleased to be joined by the Under-Secretary of State for Levelling Up, Housing and Communities, my hon. Friend the Member for Harborough (Neil O'Brien), and the Minister for Energy, Clean Growth and Climate Change, my right hon. Friend the Member for Chelsea and Fulham (Greg Hands).

We published our updated shipbuilding strategy in March, and it sets out a comprehensive package of Government support to further a shipbuilding renaissance for the whole UK. There will be well over £4 billion of investment in UK shipbuilding over the next three years alone, including a range of opportunities for Scottish shipbuilders.

**Tom Randall**: The UK Government's refreshed national shipbuilding strategy commits £4 billion to deliver 150 new naval and civil vessels over the next 30 years, in stark contrast to the Scottish Government's squandering of £250 million on ferries that do not float. Does my hon. Friend agree that, when it comes to shipbuilding, it is the UK Government who are delivering for the sector in Scotland?

**Iain Stewart**: My hon. Friend is absolutely right. SNP Members are usually only too keen to tell us about what the Scottish Government are doing and how the UK Government should follow suit. That clearly does not apply in the case of shipbuilding, on which the Scottish Government's record is shameful. It is the UK Government who are delivering for Scotland, not just on shipbuilding but on levelling up, energy security and transport connectivity. We are taking the lead.

**Jane Stevenson**: The SNP has not built any of the planned replacement ferries announced in its 2012 ferries strategy and, since it came to power, the average lifespan

of these lifeline vessels has soared from 17 to 24 years. Does my hon. Friend agree that the Scottish Government need to address this as a matter of urgency?

**Iain Stewart**: My hon. Friend is absolutely right. Not only are the two overbudget ferries languishing in the yard, but the head of CalMac's engineering division has revealed that the existing vessels could fail at any time. At the weekend, he said that there are no spare ferries, so stand-ins are deployed from other services when one goes out of action, and that has a knock-on effect on other routes. The ships are so basic

"we do not have time to do deep maintenance."

It was reported that more than a third of CalMac's fleet is beyond its 30-year design life, making breakdowns more likely. These are the issues on which the Scottish Government should be concentrating, rather than an unnecessary and unwanted rerun of the independence referendum.

**Dave Doogan** (Angus) (SNP): Does the Minister agree with the Minister for the Armed Forces, who went on the record last week to confirm that the record of warship building in Scotland is based on engineering excellence, outstanding quality and the role of higher education in defence manufacturing in Scotland? It is not charity or any kind of gesture politics; it is about skill and ability.

**Iain Stewart**: Scotland has a long and proud history of shipbuilding. What I can say to the hon. Gentleman is that the biggest threat to future orders is his party's plan to break up the United Kingdom.

**Christine Jardine** (Edinburgh West) (LD): I come from a shipbuilding community and I saw the decline of shipbuilding on the Clyde, but my constituents in Edinburgh West are concerned about building up our industries and creating jobs. Does the Minister agree that moves to improve shipbuilding are far more important than money wasted on vanity projects, ferries that do not work and a referendum that the majority of people in Scotland do not want—[*Interruption.*]

**Mr Speaker**: Order. I want to hear the question. If Members do not want to hear it—[*Interruption.*] I would not challenge me.

**Christine Jardine**: Unfortunately, in Scotland we are used to the SNP shouting down people with whom it does not agree.

Does the Minister agree that the people of Scotland would be far better served by addressing these problems, assisting the UK Government in rebuilding our shipbuilding industry and helping constituents such as mine in Edinburgh West, rather than by wasting £20 million on a referendum on an issue we do not want to discuss again?

**Mr Speaker**: Come on, Minister. We have only half an hour. We cannot use it all on one question.

**Iain Stewart**: I completely agree with the hon. Lady. Our shipbuilding strategy gives a long-term vision and yards in Scotland and the supply chain confidence to make the investments and deliver the ships, whether for military or civilian use, that we want.

### Carbon Capture and Storage

**2. Fleur Anderson** (Putney) (Lab): What recent steps he has taken with the Secretary of State for Business, Energy and Industrial Strategy to support carbon capture and storage in Scotland. [900698]

**The Minister for Energy, Clean Growth and Climate Change (Greg Hands):** The Government recognise the importance of Scotland in achieving our goals on carbon capture utilisation and storage. We have supported Scottish CCUS projects through the industrial decarbonisation challenge fund, and regularly meet project developers and stakeholders.

**Fleur Anderson:** I am glad to hear about those regular meetings. During COP26 in Glasgow, both the UK and the Scottish Governments rightly spoke of the importance of doing everything we can at home to reduce our emissions. Yesterday, Nicola Sturgeon re-announced her plans for an independence referendum, so action on the environment, the cost of living crisis, kickstarting the economy and upgrading the health service have taken a back seat to greater constitutional division. Has the Department estimated what impact a divisive referendum would have on investment in carbon capture and storage in Scotland?

**Greg Hands:** I thank the hon. Member for her question and I agree with her sentiments. We are engaging continuously on CCUS with the Acorn cluster and other possibilities. I agree with her on the impact that the SNP would have on energy policy. The SNP is anti-nuclear and anti-oil and gas. It is hard to see where it thinks it is going to get its energy from in the event of independence; perhaps it has some idea of a future deal with Vladimir Putin.

**Jacob Young** (Redcar) (Con): Carbon capture and storage is critical for the production of blue hydrogen and, therefore, in helping us to reach the Government's 2030 hydrogen target. What opportunities does the Minister see for the potential of the hydrogen economy in Scotland, Teesside and the rest of the UK?

**Greg Hands:** I thank my hon. Friend, the chair of the all-party group on hydrogen, for his continuing support for hydrogen-related and CCUS-related projects. We see that as offering opportunities for the whole of the UK. Teesside will play a big part in it, as will Scotland and other parts of England and Wales. We see it as a big whole of the UK effort, crucial to levelling up and to the Union.

### Union's Impact on Scotland

**3. Angela Crawley** (Lanark and Hamilton East) (SNP): If he will make an assessment of the impact of the Union on Scotland. [900699]

**The Parliamentary Under-Secretary of State for Scotland (Iain Stewart):** The United Kingdom is the most successful political, economic, social and cultural union the world has ever seen, and is the foundation on which our citizens and businesses are able to thrive. This Government are committed to protecting and promoting its combined strengths, building on hundreds of years of partnership and shared history, because when we work together collaboratively, as one United Kingdom, we are safer,

stronger and more prosperous, better able to draw on the skills of our great shared institutions and better able to respond to challenges, such as the pandemic and supporting families with the cost of living.

**Angela Crawley:** Last year, the Scottish Tory manifesto stated that a vote for them was a vote to stop an independence referendum, yet they achieved only 22% of the vote. Does the Minister accept that the people of Scotland have a right to have a vote on 19 October 2023 because their campaign message has failed?

**Iain Stewart:** The constitutional issues were so far down the list of people's priorities when that poll took place. What the people of Scotland want are their Governments, whether that is local, Scottish or UK, to be working together on addressing the issues that matter to them and responding to the big challenges we face as a country and a world.

**Mr Speaker:** I call the shadow Secretary of State, Ian Murray.

**Ian Murray** (Edinburgh South) (Lab): Thank you very much, Mr Speaker. I am sure the Minister would wish to join me in congratulating the Bridge café in Gilmerton in my constituency on winning café of the year yesterday and the Rotary Club of Braids on its 50th anniversary. We have had some wonderful achievements locally, and good luck to Andy—no relation—Murray at Wimbledon this afternoon.

In the latest poll in Scotland, the Prime Minister has a net approval rating of minus 71. Included in that negative figure of course are the Scottish Conservative leader and every Conservative MSP and Scottish MP—except for the Secretary of State. So does the Minister think that the threat to the Union posed by the Prime Minister clinging to his job is a price worth paying?

**Iain Stewart:** First, I would be delighted to congratulate the café in the hon. Gentleman's constituency and when I am next in Edinburgh I will endeavour to pay a visit.

I do not agree with the hon. Gentleman. This Government and this Prime Minister are focusing on the big issues that face Scotland and the whole United Kingdom: keeping the west safe from Russian aggression; dealing with the global economic challenges from the pandemic and the war; and addressing the long-term challenges such as energy security and climate change. That is what we are focusing on.

**Ian Murray:** The very fact that the Minister has to read that list tells its own story. The simple truth is that the Prime Minister puts the Union at risk every single day that he clings on. The country knows that, his party's Back Benchers know it and even the First Minister knows it—which is why she wants him to stay. Yesterday was nothing more than an attempt by the First Minister to deflect from her horrendous record in government and to hinder the prospect of a future Labour Government replacing the Prime Minister's Government. That is what she fears the most. The only thing that matters to Nicola Sturgeon is, of course, independence—not soaring NHS waiting times, hungry children, drug deaths, increasing poverty, a widening educational attainment gap or Scots worried about their bills. Why will the Minister

not recognise that the Prime Minister is nothing but a gift to the SNP and put the future of the UK ahead of his blind loyalty to the Prime Minister?

**Iain Stewart:** I do agree with one part of the hon. Gentleman's question, and that is about the real focus of the Scottish Government: it is, as he says, not about addressing the real challenges in Scotland; it is about appeasing the hard-liners in the separatist party. We are not going to be deflected from getting on with the job we were elected to do.

**David Duguid** (Banff and Buchan) (Con): I totally agree with my hon. Friend the Minister when he says there are multiple priorities that should be at the forefront of the attention of the First Minister and SNP Members in this House. All of those are very challenging, but one simple thing the Scottish Government could do is adopt the UK Government's approach to genetic technology and precision breeding. Does my hon. Friend agree that that would be a simple way to meet the priorities of Scottish farmers, food producers and research institutes?

**Iain Stewart:** The gene editing of crops is an important issue, and my hon. Friend is right to raise it. There is a widespread view in the agriculture sector in Scotland that it is a good move and would improve crop yields and resilience, which are part of our food security. It is only the dogma of the SNP Government that prevents Scotland from joining the rest of the UK in adopting this important technology. The door is open for them to put aside their blind adherence to EU laws and join us in developing this important technology.

**Mhairi Black** (Paisley and Renfrewshire South) (SNP): Given that the UK wields the most control over the Scottish economy, my question is pretty simple: why is it that independent countries similar to Scotland are wealthier and more productive and have higher social mobility, lower poverty levels, a smaller gender pay gap and lower inequality? In other words, can the Minister not see that, when it comes to Scotland, it is this Government and this Union that are holding us back?

**Iain Stewart:** Before I answer the hon. Lady's question, may I congratulate her on her recent wedding? Although we will disagree on many subjects, on this one I hope we can agree that a union is better than independence.

On the substance of the hon. Lady's question, this Union has been one of the most economically productive in history. Only the separatists could believe that creating a hard border between Scotland and England, when 60% of Scotland's exports are to the rest of the United Kingdom, would be in our economic and social interests.

**Mhairi Black:** I welcome the Minister's warm words, but I remind him that unions have to be voluntary as well. The leader of the Scottish Conservatives has changed his view on the Prime Minister three times in six months, so why do this Government refuse to let people in Scotland change their view after eight years?

**Iain Stewart:** The Union is, of course, voluntary. The question in the referendum was put and decisively answered. Of all the comments recently, the most revealing was from Cabinet Secretary Angus Robertson, who basically said that, even if there was another referendum and

Scotland voted to stay part of the Union, the SNP would keep going—it would be a neverendum. That uncertainty and chaos would be bad for Scotland and bad for the United Kingdom. We want to level up the country and address the challenges; the SNP wants to divide Britain and divide Scotland.

### Union Connectivity

4. **Scott Benton** (Blackpool South) (Con): What recent discussions he has had with Cabinet colleagues on improving Union connectivity. [900700]

9. **Matt Vickers** (Stockton South) (Con): What recent discussions he has had with Cabinet colleagues on improving Union connectivity. [900706]

11. **John Stevenson** (Carlisle) (Con): What recent discussions he has had with Cabinet colleagues on improving Union connectivity. [900708]

**The Parliamentary Under-Secretary of State for Scotland (Iain Stewart):** I regularly discuss important issues on improving Union connectivity with ministerial colleagues. Earlier this year, for example, I co-chaired a roundtable discussion with Transport Ministers and Scottish stakeholders.

**Scott Benton:** The Union connectivity review provides a boost for regional airports and domestic aviation by suggesting ways in which public service obligations could be reformed to support regional flights. Does the Minister agree that restoring commercial passenger flights between Blackpool airport and locations in Scotland would boost economic growth and help to create jobs and investment in both locations?

**Iain Stewart:** Scotland's love affair with Blackpool has existed for decades and is well known. The more Scots who can visit my hon. Friend's lovely constituency, the better. We of course recognise the importance of maintaining a thriving and competitive aviation sector in the UK. I know that he is a strong campaigner for more air services to and from Blackpool, and we will continue to consider whether there are further opportunities to utilise public service obligations to meet our Union connectivity and levelling-up objectives.

**Matt Vickers:** The Union connectivity review recommended that the UK Government work with the Scottish Government on an assessment of the east coast transport corridor to include improvements to the east coast main line and the A1. Can my hon. Friend update the House on progress in bringing forward that recommendation?

**Iain Stewart:** The Government are grateful to Sir Peter Hendy for his work and we are considering his recommendations carefully. The Prime Minister has welcomed, and intends to accept, the proposal for the creation of UKNET, a strategic transport network spanning the entire United Kingdom. The funding that the UK Government have set aside for this review will put us on the right path to strengthen and maintain our transport arteries for people and businesses across the UK.



**John Stevenson:** Connectivity between Scotland and England matters, especially for the area that I represent in Cumbria, and south-west Scotland. Does the Minister share my concerns that the Scottish Government are not helping to deliver the investment, especially with regard to the Borders rail feasibility report and roadbuilding generally?

**Iain Stewart:** Yes. I was pleased to be able to visit my hon. Friend's constituency and see the value of the levelling-up projects in his area as part of the growth deal in and around Carlisle station. I am keen to see the feasibility study work commence on extending the Borders rail line. I have recently met the Minister of State for Transport, my hon. Friend the Member for Aldridge-Brownhills (Wendy Morton), to progress that project.

**Martin Docherty-Hughes** (West Dunbartonshire) (SNP): Belfast harbour has reported levels of trade and an increase in turnover and profits of 17%, to £73.3 million, for 2021, so improving Union connectivity for Northern Ireland, even with a tweaked protocol. Why will the Secretary of State's office not campaign for Union connectivity with the greatest booster of our economy, the European Union?

**Iain Stewart:** What we are focusing on in terms of the trade from Northern Ireland to Scotland and the rest of the United Kingdom is that part of the Union connectivity recommendations on upgrading the A75 and the A77. We want to do that. I have been very keen to meet the Scottish Transport Minister, who continues to refuse to meet me or my ministerial colleagues. Perhaps the hon. Member could have a word with her to get that meeting in place.

**Mr Alistair Carmichael** (Orkney and Shetland) (LD): The decision to leave the European Geostationary Navigation Overlay Service satellite programme last year has had catastrophic implications for the reliability of lifeline air services, and even the Air Ambulance Service, across the highlands and islands. We were told at the time that it was done on the basis of cost, but we now know that, for every pound spent on EGNOS, there is a £2.60 benefit to the UK economy. This was one of Dominic Cummings' madder ideas. Is it not time to admit as much, rejoin EGNOS, and improve air services in the highlands and islands?

**Iain Stewart:** I am grateful to the right hon. Gentleman for his question. I am aware of the EGNOS issue and discussed it with the Under-Secretary of State for Transport, my hon. Friend the Member for Witney (Robert Courts), some time ago. I am aware that Loganair has written to the Secretary of State for Transport, pointing out additional evidence. I would be very happy to meet him to discuss that further, but I do know that my colleagues in the Department for Transport are working with the industry to deliver a good replacement.

**Alan Brown** (Kilmarnock and Loudoun) (SNP): We were promised a bridge to Northern Ireland, which everybody knew would not happen, but we have not seen the money for that. We were promised that High Speed 2 would run to Scotland on day one. Not only is it not running on day one, but the Government have now taken away the Golborne link. Is it not the case that this UK Government are running a scorched-earth policy on Union connectivity and the Union overall?

**Iain Stewart:** The hon. Gentleman is, I am afraid, completely wrong. Scotland will be connected to HS2 from day one and the project will deliver enormous capacity and journey time improvements. On the specific issue of the Golborne link, Sir Peter Hendy's review found that it was not the optimal way to connect the high-speed line to the classic network, but we are looking at better alternatives to deliver that increase in capacity.

### Freeports: Economic Impact

5. **Alexander Stafford** (Rother Valley) (Con): What recent discussions he has had with Cabinet colleagues on the potential economic impact of building two freeports in Scotland. [900701]

**The Parliamentary Under-Secretary of State for Levelling Up, Housing and Communities** (Neil O'Brien): The Department for Levelling Up, Housing and Communities and the Scotland Office are delighted that the UK Government's freeport programme is being extended to Scotland. UK Government funding of up to £52 million for two new green freeports will boost Scotland's economy by regenerating communities, creating high-quality jobs and supporting the transition to a net zero economy.

**Alexander Stafford:** The UK Government expect the existing confirmed freeports to add £24 billion to the UK economy. Does my hon. Friend agree that it is vital that all political parties get behind the green freeports initiative to maximise the benefits they will bring to Scotland and the whole UK, rather than a divisive, costly and unwanted referendum on Scottish separatism?

**Neil O'Brien:** My hon. Friend is absolutely right. We have received five competitive bids for Scottish green freeports and the two Governments are working closely together to assess the proposals. I am confident that we will announce two outstanding winners that will create highly paid jobs, help to regenerate the areas around the ports and become global and national hubs of trade, innovation and investment.

**Mr Speaker:** I call shadow Minister Liz Twist.

**Liz Twist** (Blaydon) (Lab): There are five excellent bids from across Scotland for the two proposed green freeports. Each of the bids is of such high quality that it would be a great shame not to support the local economies in Inverness and Cromarty, Orkney, the Forth, the Clyde, and Aberdeen City and Peterhead. Will the Minister's Department consider what support can be given to unsuccessful areas, and whether that support can be widened?

**Neil O'Brien:** We will certainly look at that. Of course there is intense competition for the freeports, which will create huge benefits not only for the local area, but for all of Scotland.

### High Speed Rail 2

6. **Chris Elmore** (Ogmore) (Lab): What recent discussions he has had with the Secretary of State for Transport on the effect of High Speed Rail 2 on Scotland. [900703]

**The Parliamentary Under-Secretary of State for Scotland** (Iain Stewart): As I just said in answer to the hon. Member for Kilmarnock and Loudoun (Alan Brown), Scotland is set to benefit from the boost in connectivity

and huge economic benefits that HS2 will bring. Scotland will be connected to the HS2 network from the day it opens, and further work will be done in the years ahead to optimise the journey times and capacity. In addition, I am very pleased that 100 permanent jobs will be created at the new HS2 Annandale depot in Dumfries and Galloway.

**Chris Elmore:** On the day of the confidence vote in the Prime Minister, the Government tried to sneak out the news that the HS2 Golborne link, a £2 billion rail link between Glasgow and the north-west of England, had been scrapped. How can the Minister say that Scotland will benefit from connecting to HS2 when the Government are secretly trying to get rid of lines linking the north of England with Scotland and reducing the overall connectivity between the nations of the United Kingdom?

**Iain Stewart:** As I have just said to the hon. Member for Kilmarnock and Loudoun, the removal of the Golborne link was because Sir Peter Hendy's connectivity review had found that it was not the best way to address the capacity constraints between Crewe and Preston. However, we are looking at better options for it; we are committed to HS2, and I believe the line will help connectivity between Scotland and England and encourage a modal shift to more environmentally friendly forms of transport.

**Michael Fabricant** (Lichfield) (Con): With millions of tonnes of soil being moved across Lichfield, roads closed and the canal obstructed because of HS2, perhaps we can help Scotland by giving them our bit of HS2?

**Iain Stewart:** I know my hon. Friend is a doughty campaigner against HS2, but we have had that debate, I am afraid. I am always happy to discuss with him how we can optimise the building work. I am sure that my right hon. Friend the Transport Secretary, who is sitting next to me, has heard his representations. I am an enormous believer in the potential of high-speed rail links to transform the economic potential of this country.

**Mr Speaker:** Before we come to Prime Minister's questions, I would like to point out that British Sign Language interpretation of proceedings is available to watch on [parliamentlive.tv](https://www.parliamentlive.tv).

## PRIME MINISTER

*The Prime Minister was asked—*

### Engagements

Q1. [900782] **Andrew Jones** (Harrogate and Knaresborough) (Con): If he will list his official engagements for Wednesday 29 June.

**The Deputy Prime Minister (Dominic Raab):** I have been asked to reply on behalf of my right hon. Friend the Prime Minister. He attended the Commonwealth Heads of Government meeting in Rwanda and the G7 leaders summit, and today he is at the NATO summit in Madrid.

I know that the thoughts of the whole House will be with the family and friends of Dame Deborah James following the news of her death. I lost my father at a young age to cancer and I know first hand the pain that

her family must be feeling. But we also know that Dame Deborah was a huge inspiration to so many and raised millions to help others affected by cancer.

**Andrew Jones:** Nationally, 52% of disabled people are in work compared with 81% of non-disabled people. Disability Action Yorkshire, which is a charity based in Harrogate, works to close that gap, and it has highlighted the success of the Access to Work scheme. For example, one young person, having been told he would never work, is now, thanks to the targeted support available, a trainee brewer at Rooster's brewery. Will my right hon. Friend consider how we can boost awareness of the Access to Work scheme among employers and also consider how we can simplify the application process so that more disabled people do not get deterred and will embrace it?

**Dominic Raab:** I thank my hon. Friend for raising the work of Disability Action Yorkshire, which is doing terrific work in his constituency. I can reassure him that the Department for Work and Pensions is committed to improving awareness through campaigns and partnerships with employers, but also disability organisations. It is also working specifically on a digital service that will make the scheme more accessible and more visible.

**Angela Rayner** (Ashton-under-Lyne) (Lab): I share with the Deputy Prime Minister his deepest condolences and his personal experiences as we mourn the loss of Dame Deborah James, who fearlessly campaigned to inspire so many and, I am absolutely sure, saved the lives of many more. I also think of the family of Zara Aleena, who was tragically murdered this week on the streets of Ilford.

I want to congratulate the two new hon. Members who won in the by-elections last week, including my hon. Friend the Member for Wakefield (Simon Lightwood). Last week the Government lost two by-elections in one day, for the first time in three decades. It is no wonder that the Prime Minister has fled the country and left the Deputy Prime Minister to carry the can. The people of Wakefield and Tiverton held their own vote of no confidence. The Prime Minister is not just losing the room; he is losing the country. But instead of showing some humility, he intends to limp on until the 2030s—so does the Deputy Prime Minister think the Cabinet will prop him up for that long?

**Dominic Raab:** I thank the right hon. Lady, and I gently point out to her that we want this Prime Minister to go on a lot longer than she wants the leader of the Labour party to go on. We have a working majority of 75. We are focusing on delivering for the British people. Record low unemployment would not have happened if we had listened to the Labour party. We have more policing and tougher sentencing enforced this week through the Police, Crime, Sentencing and Courts Act 2022. She voted against both; so did the Labour party. We will protect the public from these damaging rail strikes when we have the scene of Labour Front Benchers joining the picket lines.

**Angela Rayner:** Here we go again. The truth is that what I want for my right hon. and learned Friend the Leader of the Opposition is not to be the Leader of the Opposition but to be the Prime Minister of this country—and to be honest, it could not come quickly enough.

Britain cannot stomach this Prime Minister for another eight years. His own Back Benchers cannot stomach him for another eight minutes. If they continue to prop him up, I doubt the voters will stomach him for even eight seconds at the ballot box.

Now, let us imagine that the Prime Minister is still clinging on into the 2030s. Under this high-tax, low-growth Tory Government, at this rate by 2030 the British public will have endured 55 tax rises. How many more tax rises will this Government inflict on working families before the Deputy Prime Minister says enough is enough?

**The Deputy Prime Minister:** I think the right hon. Lady was right the first time. I will tell the House what we are doing: we have near-record levels of youth employment and 3.8% unemployment; we are cutting taxes next month on national insurance by £330 million; and we are delivering for families through the difficult times with the cost of living. What about the Labour party? We heard yesterday what its plan is: its plan is no plan. The leader of the Labour party said he is wiping the slate clean and starting from scratch. He has only been in the job two years. Sir Tony Blair, who has some experience of winning elections, has said there is a “gaping hole” in Labour’s policy offer, and all the while—there is a smile creeping over her face—the right hon. Lady is revelling in it. We are getting on with serving the people of this country; she is just playing political games.

**Angela Rayner:** I would revel in the opportunity for the people of this country to have more than just by-elections to show what they think of this Government. Call a general election, and see where the people are. The Deputy Prime Minister is a man who once said that high levels of government taxation were “hurting UK competitiveness”. Now, he is backing the Prime Minister, who wants to put taxes up 15 times. At this rate, working people will be paying £500 billion more in tax by 2030. How high does he think the burden on working people should get before he says enough is enough?

**The Deputy Prime Minister:** We are the ones helping working people with a tax cut of £330, with support for those on the lowest incomes, with the £650 support for 8 million people on the lowest incomes and with, frankly, record levels of investment coming into this country, from the £1 billion by Moderna for vaccines to the highest level of tech investment in Europe, according to Atomico. We are the ones with the plan for low unemployment and a high-wage, high-skill economy. For Labour, it is back to year zero.

**Angela Rayner:** The Deputy Prime Minister pretends to empathise with those struggling with the Tory cost of living crisis, when he himself once said that food bank users are not in poverty, but simply have “a cashflow problem”. He does not; he has spent more than £1 million in nine months on private jets. It shows how out of touch this Government are, but at this rate, by 2030, a million more people will be using food banks. How many more working people will be pushed into poverty by his Prime Minister before he says enough is enough?

**The Deputy Prime Minister:** If the Labour party and the right hon. Lady want to help working people, they should be clear in standing up against these militant, reckless strikes by the National Union of Rail, Maritime

and Transport Workers. The right hon. Lady has flip-flopped all over the place when it comes to these strikes. First, she said they were “lose-lose”. Then, she tweeted that

“workers were left with no choice”.

When she was asked by the BBC the straight question—she is normally a straight-shooting politician—of whether she liked the RMT, she said, “I am going to have to go now, I have a train to catch.” She talks about working people, but where was she when comrades were on the picket line last Thursday? Where was she when the Labour Front Benchers were joining them, rather than standing up for the public? She was at the Glyndebourne music festival, sipping champagne and listening to opera. Champagne socialism is back in the Labour party.

**Angela Rayner:** Well, well; that says a lot about the Conservative party. I will tell Conservative Members a few things about militancy. It is this Government who are acting in a militant way. While they should have been at the negotiating table, they were at the banqueting table getting hundreds of thousands squeezed out of their donors, instead of dealing with the crisis. The Deputy Prime Minister talks about trains. No one can get trains, because of his failed Transport Secretary. I will say that the Deputy Prime Minister has a stronger stomach than his—[*Interruption.*]

**Mr Speaker:** Order. I think we will have a little quiet. I want to hear the question, and hon. Members will also want to hear the answer.

**Angela Rayner:** Mr Speaker, I think it is rather ironic that you have to intervene because of the baying mob here, when the Government, through their noisy protest laws, have people being stopped after protesting out on the street. The thing is, they do not like it when the public say what they think of them. The right hon. Gentleman has a stronger stomach than his colleagues behind him—[*Interruption.*]

**Mr Speaker:** Order. Honestly, I want to hear the question and I want to hear the answer—and, I hate to say it to hon. Members, but so do their constituents. Think about them for once, instead of yourselves.

**Angela Rayner:** When Conservative Back Benchers were asked about the absent Prime Minister’s plans to stick around until 2030, one said that he had “lost the plot” and another said that

“anyone with half a brain”

would realise how dire things are. A former Conservative leader said that

“the country would be better off under new leadership.”

Now the Prime Minister is at war with his own Defence Secretary after confirming that he will break his manifesto pledge to increase defence spending. Under this Government, Britain is set to have less troops, less planes and less ships. The only thing the Prime Minister is interested in is defending his own job. Just how many more troops have to lose their jobs before the Deputy Prime Minister finally says enough is enough?

**The Deputy Prime Minister:** In fact, there is a £24 billion increase for our armed forces. Spending on the armed forces is rising to 2.3% of GDP—again, making us the largest military spender in Europe. Frankly, we will take no lessons from the right hon. Lady when it comes to



the security of this country. The first thing she did when she became an MP in 2016 was to vote against Trident, leaving us exposed, and she campaigned for the right hon. Member for Islington North (Jeremy Corbyn), who would take us out of NATO, to be Prime Minister.

**Angela Rayner:** Talking about NATO, where was the right hon. Gentleman during the situation in Afghanistan? On a sun lounger; that is where he was. I take no lectures from him when it comes to doing my job. The Prime Minister said that he felt no shame over the by-election defeats and that the Government have been “quite exceptional”. Well, I agree that they have been exceptional, all right—an exceptional record on stagnant wages, rising poverty and broken promises. The Prime Minister wants to drag this out until the 2030s. How much more can the Deputy Prime Minister stomach before he finds the guts? How many more tax rises, how many more families driven into poverty, and how many manifesto pledges broken? For the sake of the British public, I hope that we never find out. When will he finally grow a backbone and tell the Prime Minister that the game is up?

**The Deputy Prime Minister:** I cannot help thinking that the right hon. Lady is auditioning for the leadership contest on her side of the House, and not really referring to anything that is happening on this side. *[Interruption.]* She has the support of the hon. Member for Edinburgh South (Ian Murray). I will tell her what we are doing: we are putting in place the policies to grow our economy, to help—*[Interruption.]*

**Mr Speaker:** Order. Mr Murray, we have already had Scotland questions. They are not continuing; it is not your debate.

**The Deputy Prime Minister:** The hon. Member for Edinburgh South was just announcing his support for the right hon. Lady in the forthcoming—*[Interruption.]* We are putting in place the economic plan to help people with the cost of living; the Labour leader is getting ready for year zero. We are the ones supporting Ukraine with sanctions on Russia and military support; she voted to abolish Trident. We are the ones making the streets safer with more police and tougher sentencing under the Police, Crime, Sentencing and Courts Act 2022, which came into force this week; she voted against both. The Opposition have no plan. They are not fit to govern.

Q2. [900783] **David Morris** (Morecambe and Lunesdale) (Con): The Eden Project North has been five years of my parliamentary life. We have gone through three Prime Ministers, four Chancellors and a plethora of Ministers, but we have now got to a point where the levelling-up bid is going in very shortly. We have a shovel-ready plan and full planning permission. Does my right hon. Friend agree with me that it is money worth spending in Morecambe?

**The Deputy Prime Minister:** There is no greater or more tenacious campaigner for his constituents than my hon. Friend. He will know that I cannot discuss the details of any specific bids, but the next round of funding allocations will be announced in the autumn, so he will not have to wait too much longer.

**Mr Speaker:** I call the parliamentary leader of the SNP.

**Ian Blackford** (Ross, Skye and Lochaber) (SNP): I associate myself with the remarks of the Deputy Prime Minister and the deputy leader of the Labour party at the sad death of Dame Deborah James? Our thoughts and prayers are with her family at this trying time, and we thank her for all that she has done to raise money for anti-cancer work.

Scotland's First Minister has set the date and started the campaign. Our nation will have its independence referendum on 19 October 2023. The reality is that Scotland has already paid the price for not being independent, with Westminster Governments we did not vote for imposing policies that we do not support, breaking international law, dragging Scotland through a damaging Brexit we did not vote for, and delivering deep austerity cuts. Contrast that with our European neighbours, which have greater income equality, lower poverty rates and higher productivity—why not Scotland? In the weeks and months ahead, we will make the positive case for independence. Will the opposition, if they can, make the case for continued Westminster rule?

**The Deputy Prime Minister:** I thank the right hon. Gentleman. It is always good to see him in his place. *[Laughter.]* No, genuinely, it is good to see him in his place. It is not the right time for another referendum given the challenges we face as one United Kingdom. He referred to some of the challenges in Scotland, but I think actually the people of Scotland want their two Governments to work together, and we are keen, willing and enthusiastic to do so.

**Ian Blackford:** There is no case for the Union, as we have just heard from the Deputy Prime Minister, because the harsh reality is that the Tories might fear democratic debate, but they do not have the right to block Scottish democracy. As the late Canon Kenyon Wright said:

“What if that other voice we all know so well responds by saying, ‘We say no, and we are the state’?”

His answer:

“Well, we say yes—and we are the people.”

Just last year, the hon. Member for Moray (Douglas Ross)—the leader of the Scottish Conservatives no less—put it, in his own words, that

“a vote for the SNP is a vote for another independence referendum.”

You will not often hear me say this, Mr Speaker, but I agree with him, and so do the Scottish people. Scottish democracy will not be a prisoner of any Prime Minister in this place. So why are the UK Government scared of democracy, or is it simply that they have run out of ideas to defend the failing Westminster system?

**The Deputy Prime Minister:** I thank the right hon. Gentleman, but I think he is rather airbrushing history with that long soliloquy. He mentioned the problems that Scotland faces: a huge tax burden imposed by the SNP; Scotland's record on science and maths under the international PISA rankings has now dropped below England and Wales; and the SNP has presided over the worst drug death rate in Europe—the highest since records began. I think the people of Scotland expect their Governments in Holyrood and in Westminster to work together to tackle the issues facing them in their day-to-day lives. That is what they want.

**Mr Speaker:** I call Peter Aldous.

Q3. [900784] **Peter Aldous** (Waveney) (Con): Thank you very much, Mr Deputy Speaker. [*Laughter.*] Mr Speaker, my sincere apologies.

There are, Mr Speaker, great opportunities to create exciting new jobs in low-carbon energy along the East Anglian coast, and East Coast College is up for the challenge of providing local people with the necessary skills. However, it and other colleges are finding it increasingly difficult to recruit and retain teachers in such work as fabrication, engineering and construction. Will my right hon. Friend ensure that the Government come up with a cross-departmental strategy to address this staffing crisis in our further education colleges, which could undermine the levelling-up agenda?

**Mr Speaker:** It is obviously Deputies day.

**The Deputy Prime Minister:** My hon. Friend is absolutely right, which is why we are investing nearly £52 million to support the sector in recruiting and retaining excellent staff, and in particular looking at and focusing on the experience and skills that we often find in industry, to train the next generation of technical experts.

**Neale Hanvey** (Kirkcaldy and Cowdenbeath) (Alba): Mr Speaker,

“No country that values its independence, and indeed its self-respect, could agree to a treaty that signed away our economic independence and self-government,”—[*Official Report*, 25 July 2019; Vol. 663, c. 1458.]

and

“Ultimately, membership of any union that involves the pooling of sovereignty can only be sustained with the consent of the people.”—[*Official Report*, 4 December 2018; Vol. 650, c. 746.]

Does the Deputy Prime Minister agree with the Prime Minister and his predecessor—yes or no?

**The Deputy Prime Minister:** That is why we had the referendum a few years ago. The people of Scotland have spoken, and we think it is not the right time to be relitigating that issue.

Q6. [900787] **Mr John Baron** (Basildon and Billericay) (Con): Having spoken to Lord Ahmad yesterday, I thank the Government for listening and now allowing high-risk British Council contractors still in Afghanistan to be processed immediately on their application to the citizen resettlement scheme, rather than having to wait a further two months until the application window closes.

With taxation at a 40-year high, when will the Government be bolder in cutting taxes, given that all the evidence the world over shows that lower taxes increase prosperity, raise living standards and better enable the Government to help the less fortunate—even if such a policy means cutting spending such as HS2?

**The Deputy Prime Minister:** My hon. Friend makes an important point about driving growth and the economy, which is why we are cutting taxes with the 130% super-deduction for capital investment. That will create not just good jobs, but well paid and better paid jobs, by boosting productivity. That is why we are increasing the employment allowance, which represents a tax cut of £1,000 for half a million small businesses, and that is why we have provided business rate relief of £7 billion

over the next five years. Of course, just next month we are cutting national insurance, worth £330 for a typical employee.

Q4. [900785] **Patricia Gibson** (North Ayrshire and Arran) (SNP): As Tory MSP Murdo Fraser points out, Scotland has a third of Britain's land mass, half its territorial waters, over 60% of UK fishing zones, 98% of oil reserves, 63% of natural gas, a quarter of Europe's offshore wind resources, and 90% of the UK's fresh water. Will the Deputy Prime Minister explain whether his opposition to Scottish independence is because he fears the loss of those invaluable resources?

**The Deputy Prime Minister:** The hon. Lady is absolutely right in what she just said. There are huge assets right across Scotland, and that is why we think we are stronger together in delivering for the people of Scotland.

Q7. [900788] **Sir Oliver Heald** (North East Hertfordshire) (Con): The Deputy Prime Minister will be aware that in North East Hertfordshire we have some of the best farmland in the country. At a time when there are concerns about food production and food security, and when the Government are considering rural land use, is it time to ensure that our productive farmland is not covered in solar plants, and that those are instead positioned on brownfield sites, buildings, and low-grade agricultural land?

**The Deputy Prime Minister:** My right hon. and learned Friend makes a powerful point, and our 2023 Land Use Framework will set out our priorities for land use across the country. He is right that we must protect the most versatile agricultural land, and any plans for ground-mounted solar installations will have to take that into account. His point is well made.

Q5. [900786] **Rosie Duffield** (Canterbury) (Lab): So far this year, 52 women have been killed in the UK. Our rights to free speech, safe spaces, fairness in sport, and even the words we use to describe our own bodies, are all under threat. Will the Deputy Prime Minister send a clear signal, as some of his Cabinet colleagues have done this week, that Britain respects the rights of women? Will he accept the cross-party amendment to the Bill of Rights Bill, which would enshrine in law a woman's right to choose?

**The Deputy Prime Minister:** I thank the hon. Lady for her question, and let me say at the outset what huge respect I personally have for her and for the way she has stood up for women's rights despite, frankly, the appalling, harassment, trolling and bullying she has faced. As she knows, the position on abortion is settled in UK law and it is decided by hon. Members across the House. It is an issue of conscience, and I do not think there is a strong case for change. With the greatest respect, I would not want us to find ourselves in the US position, where the issue is litigated through the courts, rather than settled, as it is now settled, by hon. Members in this House.

Q8. [900789] **Tim Loughton** (East Worthing and Shoreham) (Con): In February 2019, the House passed my excellent Civil Partnerships, Marriages and Deaths (Registration etc) Act 2019, mandating the Government to extend civil partnerships to opposite-sex couples, enabling marriage records to include mothers' details and requiring the

Justice Secretary to produce a report empowering coroners to investigate stillbirths. The first two have come into force successfully, but, two and a half years on, despite further shocking revelations about deaths of babies at several hospitals, no report has yet been published; nor are there regulations to give coroners the powers they need. Why not?

**The Deputy Prime Minister:** My hon. Friend is absolutely right to raise that. Stillbirth is an appalling tragedy that has the most devastating impact on families across the country. The Ministry of Justice and the Department of Health and Social Care have jointly consulted on proposals to provide coroners with new powers in that regard. I have looked at that personally, and we will publish the Government's response to the consultation shortly.

Q11. [900793] **Layla Moran** (Oxford West and Abingdon) (LD): Threatened, terrified and alone. That is how survivors of sexual violence told me they felt when they were pressured into signing non-disclosure agreements and gagging clauses by their universities. No victim of sexual assault or harassment should ever be coerced into silence by the very institutions that are meant to protect them—not at university, not at work, not anywhere. Will the Government back my Non-Disclosure Agreements Bill to ban the use of NDAs in cases of sexual harassment, bullying and misconduct? Will the Deputy Prime Minister consider meeting me in his role as Justice Secretary to discuss how we will put a stop to this deplorable practice once and for all?

**The Deputy Prime Minister:** I will look carefully at any particular proposals that the hon. Lady has. We have got to do everything we can to protect women and girls in this country and to make them feel more confident in the justice system. That is why I am relieved—but restless to go further—that in the last year the volume of rape convictions is up by two thirds. In the Police, Crime, Sentencing and Courts Act 2022, which came into force this week, we took extra measures. For example, we have: extended the time limit for reporting domestic abuse; and criminalised taking photos of a mother breastfeeding without consent. I will certainly look at her proposals.

Q9. [900791] **Daniel Kawczynski** (Shrewsbury and Atcham) (Con): This year, we are investing nearly £190 billion in the NHS, and yet many of us see disturbing deficiencies within NHS management, no more so than in the Shrewsbury and Telford Hospital NHS Trust. In 2018, my right hon. Friend the Member for Ludlow (Philip Dunne) and I secured £312 million for a major A&E modernisation in our local hospital trust, but, four years on, construction has still not started. What message can the Deputy Prime Minister give to the people of Shrewsbury as to how the Government can intervene to break the gridlock and finally allow the £312 million that we secured to be used to benefit the people of Shropshire and mid-Wales?

**The Deputy Prime Minister:** My hon. Friend is a doughty champion for his constituents, particularly on NHS services. The DHSC recently received the strategic outline case for the transformation of A&E services in Shrewsbury and Telford. It is still being processed, but I

can tell him that the trust is aiming to present the full business case in 2023, with construction starting in the same year.

Q12. [900794] **Liz Saville Roberts** (Dwyfor Meirionnydd) (PC): When the Deputy Prime Minister announced his Bill of Rights last week, he said that it would strengthen our UK “tradition of freedom” Freedom? That is shameless from a Government whose contempt for the rule of law and devolution can be judged in equal measure. They are scrapping Welsh law against our will and denying Scotland the right to choose its own future. That is not freedom. Will he prove me wrong by enshrining self-determination in his Bill of Rights?

**The Deputy Prime Minister:** The right hon. Lady was deft in getting that in. Across the Benches, we have all heard the case for reinforcing free speech, whether that is about judge-made privacy laws or how people are shouted down when they express legitimate opinions. The people of Wales—this is true across the country—will also want to join us in making sure that we can deport more foreign national offenders. That is the reality for the people in Wales and across the United Kingdom. The Bill of Rights will strengthen our tradition of freedom while curbing those abuses and making sure that we inject a bit more common sense into the system.

Q10. [900792] **Johnny Mercer** (Plymouth, Moor View) (Con): Derriford Hospital in my constituency is part of the new hospital building programme announced by this Government; work on the new emergency department starts this year. That is a significant investment for the amazing staff there and the brilliant chief executive, Ann James, who works so hard. Given the incredible pressures on real estate in Derriford, will my right hon. Friend consider prioritising capital investment in that part of the UK to ensure that we can accelerate these plans—particularly in digital—so that people in Plymouth get the world-class healthcare they deserve?

**The Deputy Prime Minister:** My hon. Friend is absolutely right: this is the largest hospital building programme in a generation, and his constituents are going to benefit very directly. I can tell him that there will be a new integrated emergency care hospital scheme for University Hospitals Plymouth NHS Trust at the Derriford emergency care hospital. On tech, he is absolutely right: the facilities will be at the cutting edge of modern technology, and that will really help drive up the quality of patient care.

Q14. [900796] **Gill Furniss** (Sheffield, Brightside and Hillsborough) (Lab): The victims of black cab rapist John Worboys were able to challenge the police's failure to investigate his appalling crimes only because of the Human Rights Act. They would not have been able to do so under the Deputy Prime Minister's new so-called Bill of Rights. Why does he want to stop women like the victims of John Worboys from making sure that police protect them from rape and sexual assault, and getting the justice they deserve?

**The Deputy Prime Minister:** I thank the hon. Lady for the opportunity to say that it was not the result of litigation that addressed the problems with the Worboys case. If she wants to look after victims in such cases, the



Labour party should join us in supporting not just the Bill of Rights but our parole reforms, which will make sure that dangerous offenders are not released and that we protect the public.

Q13. [900795] **David Simmonds** (Ruislip, Northwood and Pinner) (Con): My constituent Joel Lindop has suffered the abduction of his young children to Poland. His is one of many families in the UK who go through a similar experience every year. Despite repeated judgments in his favour in the courts in Poland, he has been unable to persuade the Polish authorities to fulfil their obligations under international law and return those children to their family. Will my right hon. Friend intercede so that my constituent, and the many other families who face this challenge, can ensure that their children are returned safely and in a timely fashion in the future?

**The Deputy Prime Minister:** I cannot imagine how appalling that situation must be for any parent to find themselves in. My hon. Friend will know that we are committed to the 1980 Hague convention on child abduction, which provides a mechanism. He is right that that has to be driven through the courts. That is not something that we can directly interfere in, but I will speak to the Foreign Office and see whether there is anything further that Ministers can properly do to support my hon. Friend's constituent.

**Angus Brendan MacNeil** (Na h-Eileanan an Iar) (SNP): I have a serious question about the conduct of the Government as regards free trade agreements. I cannot overstate the fury of the International Trade Committee this morning, which led us to unanimously empty-chair the Secretary of State for International Trade. The Government have broken their word to the Committee, to the House and to you, Mr Speaker, on scrutiny of the Australia trade deal by triggering the Constitutional Reform and Governance Act process and endangering a Committee report. It is the unanimous view of the Committee—Tory, Labour, SNP and DUP—that the CRaG process should be delayed to allow proper scrutiny, as was promised. Will the Government deliver on their promise and therefore delay the CRaG process?

**The Deputy Prime Minister:** I understand that the Secretary of State for International Trade has agreed to go back and address the Committee just as soon as possible.

**James Sunderland** (Bracknell) (Con): I was privileged last week to attend the malaria summit in Kigali. Even today, malaria remains the biggest single killer of mankind ever, and 1.7 billion people live every day under its shadow of misery. But we are on the cusp of something really special: recent advances, education and our world-leading British vaccines can now eradicate it forever. Can my right hon. Friend please confirm that the UK will fulfil its full commitment to the Global Fund?

**The Deputy Prime Minister:** I know from working in the Foreign Office just how powerful the Global Fund is; it is a very high-performing international organisation. My hon. Friend will know that since 2002 we have been the third largest donor, so we have stepped up to the plate. The UK has not yet determined our pledge for the seventh replenishment, but the Foreign Secretary will have heard loud and clear my hon. Friend's advocacy in that regard.

**Bell Ribeiro-Addy** (Streatham) (Lab): In its efforts to pursue a hostile environment, the Home Office routinely tears families apart and breaks human rights and equalities legislation. It is reported to be sending another deportation charter flight to Nigeria and Ghana. In Pride month, it will deport LGBT asylum seekers fleeing homophobia as well as grandmothers and mothers of British children who have lived in this country for more than 25 years. Given that the Home Office repeatedly gets it wrong and ends up having to take people off such flights, will the Deputy Prime Minister tell me how many people have been removed from that flight already and when the Home Office will stop these inhumane deportation charter flights?

**The Deputy Prime Minister:** The hon. Lady is right in one respect at least: of course, people who come here need to be treated decently and humanely. We are absolutely committed to that. We also need to make sure that we cut down illegal routes and that those who are here who have committed serious offences can be returned home. The crucial thing—I am working on this with the Home Secretary—is to ensure that we do both those things. We cannot allow illegal routes into this country to flourish—otherwise, we will just attract more people—and we cannot allow people who commit serious offences in this country to stay and continue to pose a threat to the public.



## Steel Safeguards

12.36 pm

**The Secretary of State for International Trade (Anne-Marie Trevelyan):** With permission, Mr Speaker, I will make a statement on the Government's final decision regarding the UK's steel safeguards.

A strategic steel industry is of the utmost importance to the UK, especially given the uncertain geopolitical and economic waters that we are all charting. Trade remedies are one of the ways that Government can protect their businesses. Trade remedies tackle issues of dumping, unfair Government subsidies or, as in the case of safeguards, give businesses time to adjust to unforeseen increases in imports.

When we left the EU, the UK rolled over the relevant trade remedies that were already in place. That included safeguards on 19 different categories of steel imported into the UK from the rest of the world. Last year, the Trade Remedies Authority reviewed those measures and recommended keeping the safeguard on 10 categories of steel and removing it on nine. On 30 June 2021, the Government announced that they would extend the safeguard, as recommended by the TRA, on 10 product categories of steel for three years and remove it on four of the remaining nine, but that they would extend the safeguard for one year on five categories of steel to allow further time to review them.

In March this year, we passed legislation to allow the Government to take responsibility for the conduct of transitional reviews and reconsiderations of any transitional review. In March, I called in the reconsideration of the steel safeguards with the new authority. The TRA has since completed additional analysis for my consideration. I have considered its report and findings and have concluded that there would be serious injury, or the threat of serious injury, to UK steel producers if the safeguards on the five additional categories of steel were to be removed at this time.

Given the broader national interest and significance of this strategic UK industry and the global disruptions to energy markets and supply chains that the UK faces, we have concluded that it is in the UK's economic interest to maintain these safeguards to reduce the risk of material harm if they are not maintained. I am therefore extending the measure on the five steel categories for a further two years until 30 June 2024, alongside the other 10 categories. That means that the safeguard will remain in place on all 15 categories, updated from 1 July to reflect recent trade flows.

The Government wish to make it clear to Parliament that the decision to extend the safeguards on the five product categories departs from our international legal obligations under the relevant World Trade Organisation agreement as it relates to the five product categories. However, from time to time, issues may arise in which the national interest requires action to be taken that may be in tension with normal rules or procedures.

The Government have therefore actively engaged with interested parties—including those outside the UK—on the future of the UK safeguard, and have listened to the concerns raised, including the needs of the many thousands of people employed throughout our downstream steel industry, who play a vital role in the economic life of the UK. Throughout the investigation, downstream users of steel have raised concerns about difficulties in

sourcing some steel products in the UK, particularly those classified under category 12. I have listened to those concerns and am acting to protect this vital part of the economy by increasing the tariff rate quota on category 12A to ensure that it better reflects trade flows.

The Government have also decided to suspend the safeguard measure for steel goods coming from Ukraine for the next two years. The Government are clear that we will do everything in our power to support Ukraine's brave fight against Russia's unprovoked and illegal invasion and to ensure long-term security, prosperity and the maintenance of the world order from which we all benefit. The Government have already removed all tariffs under the UK-Ukraine free trade agreement to zero to support Ukraine's economy. This decision means that Ukrainian steel will not be subject to the additional safeguard quotas and duty.

These are unusual times. The aftershocks of the gravest pandemic have combined with the biggest war in Europe since 1945, the spike in energy costs is creating huge stresses on manufacturing, global steel markets are facing persistent overcapacity, and the TRA's findings provide clear evidence of serious injury or the threat of serious injury to our UK producers. The Government have a duty to use our democratic mandate to the greatest possible effect to protect the interests of the British people and provide leadership in these challenging times. On balance, we have therefore decided that it is in the vital public interest that the Government act to protect the steel sector, which is why we have taken these steps.

We believe that our approach is in the public interest. The decision has been taken collectively and with reference to the ministerial code, noting the conflict that I have outlined. It has been a finely balanced decision. Steel is a vital industry for the UK and is in constant use in our everyday lives, but the global position for steel production is challenging. The use of unfair subsidies contributes to global overcapacity, putting domestic industries at risk around the world, so the measures that I am announcing today will further support our steel industry and those who work in it. They come on the back of the Government's having secured an expansive removal of section 232 tariffs on imports of UK steel and aluminium products into the USA, which came into effect earlier this month. The tariff-free volumes that we have secured mean that UK steel and aluminium exports to the US can return to levels not seen since before 2018.

It is important to remember that safeguards are a temporary, short-term measure. We will continue to work with international partners, alongside other Departments, to support our domestic steel sector for the long term. I hope that the House will support the Government's stance in defending our strategically important steel sector. I commend this statement to the House.

**Mr Speaker:** I call the shadow Secretary of State.

12.43 pm

**Nick Thomas-Symonds (Torfaen) (Lab):** I am grateful to the Secretary of State for her statement and for advance sight of it. The extension of safeguards will come as a welcome relief to the steel sector. It is not anti-competitive to provide a level playing field for our steel industry. I also support the decision to exclude Ukrainian steel.

[Nick Thomas-Symonds]

Labour backs our steel communities up and down the country. Our steel sector is foundational for our economy; we must support it, now and as we transition to net zero. However, it is regrettable that resolution of the issue has once again gone to the eleventh hour, just as it did when the present Foreign Secretary extended the safeguards last year, and that the Secretary of State did not even attend the Select Committee this morning to face scrutiny.

Labour has called on the Secretary of State to extend the safeguards, but also to change the law in advance of this latest decision. When the same safeguards were extended last year, Labour called on the Government to introduce emergency legislation, which we would have supported, so that the national interest could be invoked by Ministers in relation to Trade Remedies Authority advice. It is too weighted towards the interests of importers rather than those of domestic industry, and too narrow in scope in that it does not give sufficient weight to issues such as regional employment and support for nationally important industries, and, indeed, the international context for these safeguarding decisions. The United States and the European Union have such measures, and in the case of the EU, the World Trade Organisation has not found the extension of the safeguards to be in breach of its rules. In short, if there is to be a challenge at the WTO, it will be a mess entirely of the Government's own making.

Although, of course, I thank the Trade Remedies Authority for its work, there are still issues with its framework.

Ministers appeared to agree with Labour's analysis when, a year ago, the Government announced a wider review of the Trade Remedies Authority framework "as an urgent priority", in the words of the then International Trade Secretary—the present Foreign Secretary, the right hon. Member for South West Norfolk (Elizabeth Truss). Well, it has not been a priority for Ministers. That review has disappeared into the long grass, leaving the country in the position we are in today. Had the review been completed, with wider factors eligible for consideration by the TRA, the Secretary of State would be in a much stronger position, just like other major economies that have steel tariffs in place and have had no problems at the WTO. Ministers knew that this issue of extending the safeguards was coming, but they did not plan for it properly, either in terms of our domestic law or internationally, by working with those countries that have extended safeguards without any problems.

Let me also put on record that the last-minute rush to extend safeguards in no way makes up for the shortcomings in support for the steel industry from this Government, and that Labour has set out plans to secure the industry's future for years to come by investing £3 billion in the transition to net zero over the next 10 years.

May I ask the Secretary of State when that wider review of the Trade Remedies Authority framework will be completed? May I also ask whether she intends to introduce further legislation once the review is completed? Will she publish all the TRA papers relating to this decision, and will she tell us what lessons have been learned from the WTO ruling on the EU safeguards

that have been extended? Finally, can she reassure steelworkers and their families that the framework will have been fully reformed before this matter is considered again?

**Anne-Marie Trevelyan:** I am grateful to the right hon. Gentleman for welcoming the statement and supporting the Government's decision to extend the safeguards applying to these five categories of steel, but I do not agree with his claim that this has been done in a rush. The statement has been made today because the rollover is to take place on 1 July, and it was therefore appropriate to make an announcement this week.

The right hon. Gentleman made an interesting point about the EU's choice to maintain the safeguards after it was found not to be in breach of the rules. I was unable to be present at the Select Committee this morning—frustratingly—because I was indeed dealing with the international part of these processes as much I could. I will continue to do so over the next few days in order to ensure that our WTO partners and friends understand the reasons for my decision, which I am pleased to hear is supported by the right hon. Gentleman and the Labour party. Obviously we stand ready to take up any concerns that WTO members may have about the decision, but I am certain that it is the right decision, enabling us to avoid as much harm or risk of injury to our steel producers as we can.

The TRA, as an independent organisation, has done an excellent job in examining the challenges faced by the industry. It is also working apace on many issues brought to it by British companies that have concerns, and I am pleased to see it up and running on a daily basis. I meet its representatives regularly, but its submissions to me are made independently, which allows me to make my decisions more broadly.

**Holly Mumby-Croft** (Scunthorpe) (Con): Steel is of course a strategic industry, and it is worth remembering that no one in the House or the country can go a single day without needing to use some. I thank my right hon. Friend and the Prime Minister for their sensible approach to this issue. They have stood behind steel jobs in Scunthorpe, and they have ensured that we have the right steel safeguards, just like every other country. Does my right hon. Friend agree that it is beyond any doubt that the future of the UK steel industry is safest under a Conservative Government?

**Anne-Marie Trevelyan:** My hon. Friend is genuinely an incredible champion for her constituency, and indeed for her steel constituents. I can tell the House that a week does not go by without her appearing to remind me of the importance of the Scunthorpe steelworks, and that is a fantastic consideration. As a Conservative MP, she never stops doing that, and her voice has been well heard as we have reached these decisions. As she says, we do not spend a day without using steel—I had never thought about that. It is an integral part of our day-to-day lives, and in all the investments we are making through the green revolution and the transport revolutions, steel is at the core of all that. I very much hope that this decision will ensure stability and a reduction in the risk of injury to our fantastic steel producers in Scunthorpe.

**Mr Speaker:** We now come to the Scottish National party spokesperson, Marion Fellows.

**Marion Fellows** (Motherwell and Wishaw) (SNP): Scotland's whisky producers have already suffered significantly from Trump-era tariffs of 25% and the current 100% tariff imposed by the Indian Government. The prospect of retaliatory tariffs from India and South Korea is alarming, especially when the Asia-Pacific makes up a quarter of Scotland's whisky export markets. What is the Secretary of State doing to mitigate the likelihood of retaliatory tariffs that will harm Scotland's whisky industry?

I am not going to repeat the question asked of the Deputy Prime Minister at PMQs today, but could the reason that the Secretary of State is sitting here be that she has managed to avoid scrutiny in the International Trade Committee? The House has known for weeks that the deadline for renewing steel safeguards is tomorrow. Why have the Government waited until the dying hours of this timeline before coming to the House with a decision? This does not paint a picture of a long-term organisation and strategy that is working well within the Department for International Trade. In the light of this move, and of the prospect of retaliatory tariffs from those countries I have already mentioned, the Government must now move fast to ensure that the UK can improve the level of steel exports to the EU to make up for this. Is the Department for International Trade formulating a plan to increase steel exports to EU markets? Finally, can I ask the Secretary of State if she is going to speak to the Secretary of State for Business, Energy and Industrial Strategy and look at the price of making steel in this country? That issue has been going on as long as I have been here—seven years—and even before that.

**Anne-Marie Trevelyan:** I am slightly disappointed that the hon. Lady does not support us, as she has the Liberty steelworks in her constituency. I will repeat, because clearly I was not heard, that the reason I was unable to make it to the International Trade Committee this morning—we have, I hope, set a date for next week—is that I was dealing with those international relationships and discussions that are necessary to ensuring that WTO members understand why we have taken this decision and will therefore choose not to bring retaliatory charges to any other industry. It is incredibly important that those relationships are maintained. I was at MC12—the WTO ministerial conference—in Geneva two weeks ago, where those relationships were building, as ever, to make sure it was understood that we are defending our British steel interests because of some of the imbalances across the steel sector. I very much hope that the hon. Lady will welcome the decision we have taken, because it will support her own constituency steelworks, and that she will support me in the continuing work that I will be doing at the WTO to ensure that every other member understands why we have taken this decision.

**Miriam Cates** (Penistone and Stocksbridge) (Con): I thank my right hon. Friend to listening to representations from myself and other MPs representing steel industries. Extending the safeguards like this is really great news for the steel industry, and I know that my constituents who work for Speciality Steels in Stocksbridge will agree. The safeguards will ensure that the UK steel

industry is protected from market-distorting practices such as dumping, but our industry faces other disadvantages, including unfair energy prices. Will she commit to working with colleagues across Government to address the disadvantages affecting our UK steel industry and making it uncompetitive?

**Anne-Marie Trevelyan:** My hon. Friend has been championing her steelworks, and we have worked closely to understand the support needed. There are already a number of examples of supports for the sector. Since 2013, more than £600 million of relief has been provided to the steel industry to help with high electricity costs. The £315 million industrial energy transformation fund is also available, and the £1 billion net zero innovation portfolio is also a really important part of the work that we are going to do. I absolutely hear my hon. Friend and I will continue to work with colleagues across Government, especially the Secretary of State for Business, Energy and Industrial Strategy, to support the steel industry, to transform it and to take on the challenges of clean steel, which is part of our net zero challenge.

**Mr Speaker:** We now come to the Chair of the Select Committee, Angus Brendan MacNeil.

**Angus Brendan MacNeil** (Na h-Eileanan an Iar) (SNP): The Secretary of State will of course know of the cross-party fury of my Committee as regards the constant run-around, with this morning being the tin lid. She also knows that I know that she knew she would be making this statement at least a week ago, which further underlines our fury, but I will leave that there. The UK has no known trade strategy, and it cannot export the famous prawn sandwich to any country in the world without the same, or nearly the same, weight of bureaucratic paperwork going with the said sandwich. Today we are here with the next move on steel tariffs, but the only manufactured good not seeing any tariff removal in the Australian free trade agreement on imports and exports between the UK and Australia is UK steel. Why is that? Did the Government drop the ball or is it because they have no strategy to know what they are doing from one day to the next?

**Anne-Marie Trevelyan:** I am at risk of repeating myself, but I will do so for clarity. I was unable to make it to the Committee this morning because I was dealing with those international relationships and having really important conversations. Obviously I was not able to do that until I had made a final determination as a result of those. The information was passed to the Committee yesterday that I would not be able to make it, once we knew that you had granted a statement for today, Mr Speaker. That was the point at which I was able to make a final determination, and then of course I needed to start talking to my WTO friends and colleagues. The timeframe is such that one thing comes from another, but we are always at the disposal of the Chair to determine when those statements are able to be made in the House.

**Jacob Young** (Redcar) (Con): Seven years ago Teesside faced the single biggest event of the industrialisation, with the collapse of the SSI steelworks and the loss of 3,000 jobs overnight. I wish to pay tribute to my predecessor, Anna Turley, for her work in trying to prevent the closure of that plant. Since this Prime Minister took



[Jacob Young]

office, the Government have stood up for our industry with support for British steel protecting 900 jobs in Redcar and Cleveland and extending the safeguards last year and again this year, as we have heard today. Can I urge the Secretary of State to continue her support for the steel sector, recognising how crucial steel is as a strategic national asset?

**Anne-Marie Trevelyan:** My hon. Friend is absolutely right, and I also pay tribute to his predecessor, whom I know well and who was a great champion. We have discussed some of the challenges that the steel industry continues to face, and this Government are absolutely focused on finding the right solutions for them. I am pleased that the category 17 safeguard, which we will keep, should at least help the steelworks in my hon. Friend's constituency to play on a level playing field with the products that it makes.

**Stephen Kinnock** (Aberavon) (Lab): This is absolutely the right decision, and it will be warmly welcomed by steelworkers and their families in my Aberavon constituency. Unusually for this Government, it actually complies with international law, so the Secretary of State should be congratulated on that as well. However, as the shadow Secretary of State, my right hon. Friend the Member for Torfaen (Nick Thomas-Symonds), said, this cliff edge—this leaving things right until the last minute—creates a huge amount of instability for an industry that is already under a tremendous amount of pressure. In his questions, my right hon. Friend called on the Secretary of State to do a proper review of the framework within which the TRA operates, so that we can have a long-term solution to this and do not end up with the same last-minute scramble next time. Can the Secretary of State please set out what steps she is taking to ensure that that happens?

**Anne-Marie Trevelyan:** I thank the hon. Gentleman for his support. I am pleased that we have cross-party support for what I think is an incredibly important decision that we have taken, both as a Government and I would like to say as a country, to support our steel sector at this challenging time for the whole market. I know that his steel mills are busy and productive, and we want to see that continue.

The TRA is an independent organisation, and the Government use our powers to ask for investigations. I use the information the TRA gives me to make determinations, on the Government's behalf, on what we should do. That will continue to be the case, and I am grateful to the TRA for its work. The TRA team's investigations are extremely thorough, and in this case it was very comfortable in presenting to me the indications of serious injury or potential for serious injury. I am completely satisfied that the TRA has, indeed, undertaken its responsibilities very effectively in this case.

**Sir Edward Leigh** (Gainsborough) (Con): The single greatest motor of world prosperity is free trade. Although it is allowable to have trade remedies to deal with unfair dumping or subsidies, they must be strictly temporary and must be based on the clearest evidence. Will the Secretary of State proclaim once more that this Conservative Government are fully committed to world free trade?

**Anne-Marie Trevelyan:** It is well known that I am a champion of free trade, and I have the extraordinary privilege of going around the world to share the United Kingdom's perspective on free trade and champion it in multinational fora. This was at the heart of the discussions we were driving forward at MC12 just two weeks ago to make sure, exactly as my right hon. Friend says, that anticompetitive activities such as dumping are found to be unacceptable.

Where there are domestic issues—in this case, a surge of imports alongside the need for our steel industry to find its place after leaving the European Union—the safeguards can run for only a further two years. The safeguards are temporary, which is why we will continue to work with the steel industry across the country to make sure we support it to find solutions, especially to the challenge of high energy use and the clean steel transformation we want to see. As my hon. and right hon. Friends have stated, the reality is that every part of our economy contains steel, so we want to make sure that future generations use clean steel.

**Mr Clive Betts** (Sheffield South East) (Lab): I have talked to engineering firms in my constituency such as Tinsley Bridge and Forged Solutions in the last few days, and they use specialist steel that has to be imported because they cannot source it in this country. They have therefore been paying hundreds of thousands of pounds a month between them in tariffs imposed on those imports. The Secretary of State says she is extending the category 12A quota to help this situation, but these firms will still have significant costs because of the tariffs and quotas that have been imposed. Will she agree to meet me, the companies and the Confederation of British Metalforming to consider how the introduction of greater flexibility could help these companies?

**Anne-Marie Trevelyan:** I am very happy to meet the hon. Gentleman to discuss the specifics of those businesses in his constituency. I have met many steel producers and downstream users, and they repeatedly raised the category 12A issue, which is why I decided to extend the tariff rate quota very substantially to create enough headroom to ensure the tariff risks do not affect those businesses. I look forward to discussing that with him more fully.

**Mark Garnier** (Wyre Forest) (Con): The Secretary of State will understand that these very complex issues need proper parliamentary scrutiny, and the best way to do that is through the Select Committee process. I completely understand her reasons for not being at the International Trade Committee this morning. I have known her for seven years, and she and her fellow Ministers are not shy of parliamentary scrutiny, but there is no doubt that the relationship between the International Trade Committee and the Department for International Trade is not what it should be. Having been a Minister in the Department, I know that some outstanding civil servants work there, but it needs to be beefed up.

I am the Chairman of the Committees on Arms Export Controls, which have a similar problem with the Department for International Trade. We have to work hard to make sure these relationships work well. Parliamentary scrutiny is important, and we need to make sure we are demonstrably getting it right.



**Anne-Marie Trevelyan:** I thank my hon. Friend for his honesty. I am not known for being shy of discussing anything, and I am always happy to do so. I was required to be on the phone this morning to discuss urgent WTO matters, and I very much hope to be able to attend the International Trade Committee next week to discuss the Australia trade deal.

I note that my hon. Friend and other members of the Committee have raised some issues between the Committee and some of my team. We continue to work to resolve those issues and to provide information, at every opportunity, in as timely a manner as possible within the confines of market sensitivity.

**Mark Tami** (Alyn and Deeside) (Lab): I welcome this announcement but, as the Secretary of State says, it just buys her some time. What will the Government do to help the industry invest for the future, particularly at it moves to hydrogen, and to help it with the crippling energy prices it faces today and has faced for many years?

**Anne-Marie Trevelyan:** As the right hon. Gentleman says, the safeguards will be in place until June 2024, and we will obviously need to act in concert with our international partners and our domestic steel sector to find longer-term solutions. The energy security strategy that the Government announced a few weeks ago includes an extension and an increase of the compensation for energy-intensive industries, including steel, to help with the current incredibly high electricity prices.

The right hon. Gentleman is right that, as part of the 10-point plan set out by the Prime Minister back in 2020 and the work the Government have continued to do to be at the forefront of solving some of the net zero challenges, of which steel is at the heart of so many, the Government will continue to work with the industry to find long-term solutions both through technological change and through developing clean steel. Hydrogen and other potential energy solutions are currently part of that mix.

**Anthony Mangnall** (Totnes) (Con): I never thought that being a free trader would be such a unique and rare position in the Conservative party. I am fully supportive of supporting the steel industry, but not through protectionist measures. What message does it send to Australia, New Zealand, Singapore, Japan or any other country with which we are signing a free trade agreement when we cite national interests above the agreements we have signed?

We have invited the Secretary of State to come before the International Trade Committee eight times to discuss the Australia free trade agreement. She says she could not appear this morning, which I accept, but guess what? We are seeing the TRA this afternoon. Why does she not join us to discuss the Australia agreement and these measures in full? There must be parliamentary scrutiny, but we are not having it. When we come to it, I urge all colleagues to reject the Australia free trade agreement and to extend the Constitutional Reform and Governance Act 2010 process for a further 21 days.

**Anne-Marie Trevelyan:** I am pleased to hear that the independent TRA team will be able to discuss their work with the Committee this afternoon. I look forward to reading the transcript.

**Anthony Mangnall:** Join us.

**Anne-Marie Trevelyan:** Sadly, I must decline the invitation as my diary precludes it today, for pretty much the same reason as this morning. I will be working with international partners to ensure these clear and temporary safeguards are understood by our WTO partners and can be used as a springboard to support our steel industry to think about how it can transform to be important and successful globally.

**Sarah Champion** (Rotherham) (Lab): Protecting British steel from unfair competition is, of course, welcome, but we need more to safeguard the industry itself. Will the Secretary of State explain what the Government are doing to protect the sector as a whole? I am particularly interested in Liberty Steel in my constituency, regardless of the broader issues in the sector.

**Anne-Marie Trevelyan:** The hon. Lady, with whom I have worked on many issues, is a doughty champion of all in her constituency, including Liberty Steel. We will continue to work with all steel producers through the DIT and across Government to make sure we drive forward solutions not only on high energy prices, on which there are a number of sources of support for the steel industry, but on making sure we have the best steel we need, produced in the UK, as we move towards net zero. It is a strategically crucial industry for us. Our producers need to be able not only to produce what our downstream users need, but to export some of the finest steel production in the world to the rest of the world, where it is needed. Having been able to remove the section 232 tariffs, we are now going to see some of our high-end steel production back in the US market. That is important to the US, because some of the stuff it imports we make here, and it needs it. So we are going to continue to work to ensure that those flows—imports and exports—are as they should be and are part of the free and fair trade that the steel industry needs to have.

**Mike Wood** (Dudley South) (Con): I welcome the Secretary of State's recognition of the need for support not only for British steel producers, as a strategic national interest, but for downstream users, such as our world-class manufacturers and engineering firms in Dudley South. What assessment has she made of the needs of industry in reaching her decision today?

**Anne-Marie Trevelyan:** I have had a number of meetings with various groups of downstream users of steel, where I have learned a great deal about all sorts of things. What came across strongly was that category 12A was where we had a shortage of capacity for our downstream users to use without getting caught in the tariff framework, because we do not produce enough of it here and so it must be imported. As I say, we have set out the change to that tariff rate quota to ensure—I hope—that our downstream users who want to make use of that particular quality of steel will be able to do so without tariff imposition.

**Alex Cunningham** (Stockton North) (Lab): As the hon. Member for Redcar (Jacob Young) acknowledged, we all know how the Government abandoned the steel industry on Teesside and failed to provide support in the recent past. Thousands of people lost their jobs as a

[Alex Cunningham]

result. We are, however, being promised a renaissance, with investment in clean green steel. News releases and talk are cheap—where is the action?

**Anne-Marie Trevelyan:** As I mentioned, there is a £1 billion net zero innovation portfolio, managed by the Department for Business, Energy and Industrial Strategy, in which we are seeing the thinking and the projects coming through to help our industries move into clean steel and the clean generation of any number of parts of our economy, so that we can meet our net zero commitments. We have committed to be 78% net zero by 2035—this is one of the highest commitments in the world. That is a huge challenge and every one of our industries needs to be involved, making changes not only to themselves but through their supply chains, so that we can meet that net zero challenge. We are doing that not because we like a big industrial challenge, but because it is incredibly important that we do it, as part of our commitment to the global challenge to bring down our carbon dioxide emissions and because British businesses are designing and coming up with the innovative solutions with which we can help the rest of the world to do it. My Department is proud of, and is championing, all that British innovation is doing with the rest of the world to help it meet those challenges as well.

**Martin Vickers** (Cleethorpes) (Con): I welcome the Secretary of State's decision. Many of my constituents work at the Scunthorpe plant, and I fully endorse the comments of my hon. Friend the Member for Scunthorpe (Holly Mumby-Croft). However, we must acknowledge that the industry still faces many challenges. Will my right hon. Friend the Secretary of State give an assurance that her Department will work with the industry to explore new export markets, as that is vital to its future?

**Anne-Marie Trevelyan:** I am happy to give my hon. Friend that assurance. Indeed, in managing to remove the section 232 tariffs, we have opened up, once again, the US markets for some of our specialist steel producers. That is a really exciting and much-needed part of those exports. As we champion all that is the best of British and as we go around the world not only with our free trade agreements, but in looking to unlock market access barriers and allow British businesses to bring their goods and services to new markets, the steel industry is going to be at the heart of so many of those things, for the very reason that has been mentioned: steel is in every part of our lives.

**Stephen Doughty** (Cardiff South and Penarth) (Lab/Co-op): The Secretary of State will be aware of the importance of Celsa Steel to jobs and the economy in my constituency, to crucial national infrastructure projects, because of the rebar it produces, and to our construction industry. If the energy price crisis continues or deepens, what new measures will the Government consider taking, particularly for those energy-intensive industries? What more is she going to do to boost procurement? Crucially, it is that procurement chain and those long-term orders from within the UK, using UK-made steel, that will secure those jobs for the future.

**Anne-Marie Trevelyan:** I am afraid that I cannot give the assurance, but we have one of the BEIS Ministers, the Under-Secretary of State for Business, Energy and

Industrial Strategy, the hon. Member for North East Derbyshire (Lee Rowley), on the Bench, he will have heard the hon. Gentleman's questions and he will be happy to discuss them more fully. We will continue to work with our industries. Of course, procurement is interesting; it has been raised with me by many of the downstream producers. Some of the steels needed in the procurement contracts we do not make here. Many we do. We have discussed at length some of the incredible work. The rebar from his constituency is used in places such as Hinkley Point C and in new nuclear. That will continue to be an important part of our steel producers' opportunities to make sure that the UK's new infrastructure is very well and robustly held together by British steel.

**Marco Longhi** (Dudley North) (Con): I welcome the Secretary of State's statement. I am sure she will be aware that my constituency is home to several small and medium-sized enterprises, notably engineering companies and manufacturers supplying to the defence, automotive and offshore wind sectors—that is increasingly the case as we move to quadruple our offshore wind output. What steps can she take to remove market access barriers to increase exports for this market segment to countries such as Brazil, which has a potential 700 GW in the near future for offshore wind?

**Anne-Marie Trevelyan:** My hon. Friend is absolutely right on this. As my Department champions opportunities for green trade exports, particularly in the technologies and manufacturing where the UK is now genuinely a world leader—offshore wind and others that are coming through—we want to make sure that we have the ability to find those routes to market for our brilliant British businesses. In things such as the trade deal with Australia and New Zealand, we have stripped away tariffs on green and environmental goods to ensure that those markets can open as quickly as possible and that we can see the best of British around the world.

**Jessica Morden** (Newport East) (Lab): As others have said, extending safeguards is, of course, a welcome announcement, but all it does is preserve the status quo for steelmakers such as those in my constituency. With the potential for the targeted charging review to massively increase network costs for steelmakers, what can this Department do, in consultation with BEIS, to bring forward a green steel deal, in partnership with the industry, to make sure that the UK is the best place in the world to make steel?

**Anne-Marie Trevelyan:** The hon. Lady is a champion and the BEIS Minister on the Bench will be happy to meet her to discuss more fully the issues that she raises.

**Mr Richard Holden** (North West Durham) (Con): North West Durham and Consett have a proud history of steelmaking and, although the blast furnaces closed more than 40 years ago, there are still many small manufacturers working in very high-end specialised production. What assessment has the Secretary of State made of the impact of the illegal Russian invasion of Ukraine in wiping out the manufacturing of some important steel products and the impact that has had on downstream manufacturers in the UK, especially in terms of cobalt steel? A lot of my constituents work in the high-end manufacturing of that for cutting and

mining equipment. If she cannot answer that specifically now, will she write to me and, and if necessary, meet me about it in the future?

**Anne-Marie Trevelyan:** I am very happy to meet my hon. Friend to discuss the details of the particular businesses in his constituency that have found that their markets are distorted and disturbed by the illegal invasion of Ukraine. One reason I have decided to strip away all restrictions on Ukrainian steel is that we want to make sure that, as Ukraine, in due course, is able to get back up and running in those industries, its high-quality steel has a route to market in the UK. We wish to continue to be its champion and supporter, and to ensure that that democracy can rebuild its economy as quickly as possible.

**Sammy Wilson (East Antrim) (DUP):** I appreciate that it is sometimes necessary in the national interest to impose trade restrictions, but free trade is the way to increase competition, bring down prices and raise living standards. The fact is that energy-intensive industries in the United Kingdom have been shedding jobs for many years now, partly because of the energy price costs that have resulted from the Government's net zero policy. Does the necessity for today's decision not give the Government another reason to examine the wisdom of the current net zero policy, given that the priority for our competitors is cheap energy produced from fossil fuel?

**Anne-Marie Trevelyan:** As I said earlier, we have provided over £600 million in financial relief to the steel industry since 2013 to address high electricity costs, and the recent security strategy on energy continues to support that. This will be an issue for some time, which is why my right hon. Friend the Secretary of State for Business, Energy and Industrial Strategy continues to work with all energy-intensive industries to find solutions. However, it is absolutely right to continue pushing forwards on our net zero agenda, because we need to have security of electricity and other energy supplies and to move to clean energy sources as we transition away from hydrocarbons. In that way, we will have not only security but clean energy, and we need the rest of the world to do the same. If we do not do these things, large parts of our planet will no longer be habitable, because of the climate change impacts.

**Mark Pawsey (Rugby) (Con):** I want to stick with energy costs, because the biggest challenge that steel faces as an energy-intensive industry is having far higher energy costs than our international competitors. Will the Secretary of State say a little more about why, as an alternative to tariffs—which operate against Conservative free market principles and carry the risk of retaliation—the Government have not considered providing UK steel producers with more targeted support to put them on a level playing field with their competitors?

**Anne-Marie Trevelyan:** As I said, we have set that out in the strategy. My hon. Friends in BEIS will be happy to discuss the issue in more detail if my hon. Friend wants to raise particular industries. We will continue to work on this issue. Importantly, we want to make sure we move towards clean steel production, because the opportunity to sell the finest, most innovative steels will help the industry and the UK to be a global leader. As

the Department for International Trade champions what we do on green trade across the world, we also want to make sure that we lead in this sector.

**Bill Esterson (Sefton Central) (Lab):** Leaving it until the last minute to announce the renewal of safeguards denies UK steel producers certainty. Certainty matters if they are to secure investment, and investment matters in an industry that is strategically important for our economic and national security. The Secretary of State has talked a lot about clean steel. If she wants to demonstrate that the Government really do back investment in moving to clean steel, will she tell us whether they will provide the certainty needed by businesses, workers and steel communities and match Labour's commitment to a £3 billion green steel fund?

**Anne-Marie Trevelyan:** The Under-Secretary of State for Business, Energy and Industrial Strategy, my hon. Friend the Member for North East Derbyshire, will have heard that question. It is not within my purview to set such a policy, but the Government want to continue to ensure that, as we drive forward our net zero strategy to meet these challenges, every part of our industrial base moves to a net zero position, and that will involve clean steel. We will continue to work across Government to help find those solutions in the long term.

**Mr Peter Bone (Wellingborough) (Con):** My constituents work at the nearby Corby steelworks, and I see the Under-Secretary of State for the Home Department, my hon. Friend the Member for Corby (Tom Pursglove), on the Front Bench supporting the Minister. However, I have concerns that we have gone down the protectionism route rather than cut energy costs. I am afraid that the Secretary of State has mentioned net zero more times than she has mentioned cutting energy costs. I am disappointed that we do not have a policy of saving the steel industry. It is no good talking about green steel in the future if we do not have an industry. I hope that the next statement will be about cutting the energy costs to the steel industry.

**Anne-Marie Trevelyan:** As I said, these safeguards, which will run for a further two years, are only temporary. They were brought in because, as we transitioned out of the EU, we brought across EU-wide protections, to ensure a fairer balance across a global industry in which there is over-capacity and in which some countries have followed unfair market practices. That has provided assurance, and it has given the industry time to rebalance and think about how it works, so that we manage the shift in imports and exports. As I said, I will continue to work with colleagues across Government to help to tackle the energy challenges we see today. The compensation scheme is obviously in place, and I know that colleagues are happy to discuss that in more detail.

**Jim Shannon (Strangford) (DUP):** I thank the Secretary of State for her statement, which is very welcome. It is critical that our manufacturing base is retained, so does she not agree that, given the substantial increase in transport costs, which has seen containers treble in price, the time to help British steel is now? That being the case, will she fund investment in new factories and plants that are built with cutting-edge technology, so



[*Jim Shannon*]

that we lessen environmental impacts while retaining the high-quality British steel that we are famed for in this great United Kingdom of Great Britain and Northern Ireland?

**Anne-Marie Trevelyan:** The hon. Gentleman is right, and we want to see those new, innovative solutions coming through across the UK, including in Northern Ireland, where we are seeing incredible growth in innovation in a number of areas—for example, in high-end engineering, where we continue to see real leadership as those innovative ideas come to fruition. He is absolutely right that the challenge of energy prices affects transport costs, as well as many other areas for businesses, and the whole Government are incredibly focused on finding support for business.

**John Penrose** (Weston-super-Mare) (Con): President Reagan once said that there is “nothing so permanent” as a temporary Government subsidy. I therefore gently say to my right hon. Friend that, unless we fix the underlying structural problems, including the energy cost problem, which we have heard about on multiple occasions, she will be coming back here in two years’ time—and again after that, and again after that—to prolong these measures. That will put a very serious dent in the Conservative party’s free trade credentials.

May I, further, press my right hon. Friend on the point in her statement that this decision has been taken with reference to the ministerial code? Given the comments in Lord Geidt’s resignation letter, will she please confirm that this decision is not just “with reference to” the ministerial code but “compliant with” it?

**Anne-Marie Trevelyan:** The Department for International Trade has had no contact with Lord Geidt, although I understand that, obviously, the Prime Minister and his former adviser spoke regularly on a number of matters. The Government have a duty to use their democratic mandate to the greatest possible effect to protect the

interests of the British people and provide leadership, and the balanced decision I have reached is that today’s course of action is the right one.

To my hon. Friend’s point, these measures are only temporary and can last only a further two years, so the challenges of solving some of the big structural questions are closer to us than ever before—they are not getting further away. We will continue to work closely with the industry, so that, as these safeguards fall away in due course, we support it to move towards becoming the modern steel industry we all need.

**Sir Christopher Chope** (Christchurch) (Con): May I thank my right hon. Friend on behalf of all those who work for REIDsteel, which is the largest private sector employer in Christchurch, manufacturing and supplying steel structures across the world? However, what will happen in two years’ time? Can she guarantee that REIDsteel will be able to get supplies of clean British steel in two years’ time? If not, will she not need to abandon this net zero doctrine? What is more important than actually being able to supply homegrown steel so that people in Christchurch can manufacture and export their products?

**Anne-Marie Trevelyan:** My hon. Friend is a champion for his constituents, and it is great to hear more about REIDsteel. As all downstream users look to meet their net zero commitments and demand cleaner steel, we will see industry changing. A healthy industry, as we see now, has both imports and exports. We export some of our British steel to the US for its defence industry—they do not make that particular specialist steel themselves. As in any good business, we are sharing our expertise with industries abroad. Equally, there are some steels that we do not make in the UK that we therefore import. As regards the category 12 steel safeguard, I have decided to extend the TRQ because downstream users have been clear to me that they need more of that steel. We do not produce it domestically in the quantities that would meet that need, so it is right to ensure that the balance of the market is right for our downstream users. I look forward to seeing REIDsteel continuing to thrive in the years ahead.



## Metropolitan Police Service

1.30 pm

### **The Minister for Crime and Policing (Kit Malthouse):**

May I start by expressing my condolences to the family of Zara Aleena? We were all shocked by her horrific killing in the past few days, and our thoughts and prayers are with her loved ones.

With permission, Madam Deputy Speaker, I would like to make a statement about the Metropolitan Police Service, following the decision yesterday of Her Majesty's inspectorate of constabulary and fire and rescue services to place the service in the "engage" process, which has been described as a form of special measures.

The public put their trust in the police and have every right to expect the country's largest force to protect them effectively and carry out their duties to the very highest professional standards. The public expect the police to get the basics right. Although very many Metropolitan police officers do exactly that, it is clear that the service is falling short of these expectations and that public confidence has been severely undermined.

The Government support the action that the inspectorate has taken to escalate the force into special measures and address where it is falling short. The public also elected a Mayor to bring governance and accountability in their name, and I now expect the Mayor of London, as the police and crime commissioner, to act swiftly to ensure that he and the force deliver improvements, win back public trust and make London's streets safer. We expect him to provide an urgent update explaining how he plans to fix this as soon as possible.

Now is not the time for the Mayor to distance himself from the Met. He must lean in and share responsibility for a failure of governance and the work needed to put it right. Over the past three years, this Government have overseen the largest funding boost for policing in a decade, and we are well on the way to recruiting an extra 20,000 police officers nationally, with 2,599 already recruited by the Metropolitan police, giving them the highest ever number of officers.

By contrast, as many Londoners will attest, the Mayor has been asleep at the wheel and is letting the city down. Teenage homicides in London were the highest that they have ever been in the past year, and 23% of all knife crime takes place in London, despite its having only 15% of the UK population. The Mayor must acknowledge that he has profound questions to answer. He cannot be passive and continue as he has. He must get a grip.

There are many areas of remarkable expertise and performance in the Met, and, in many areas, the Met is understandably the best in the world. However, there have been persistent Met failures on child protection, and, earlier this year, following the catalogue of errors found by the independent panel, which looked at the investigations into the murder of Daniel Morgan, the inspectorate issued a damning report on the Met's approach to tackling corruption. There have been exchanges of extremely offensive messages between officers, and, of course, we had the truly devastating murder of Sarah Everard by a serving officer.

It is reported that the inspectorate has raised a number of further concerns in its recent letter to the Metropolitan police. It makes for sorry reading, I am afraid. The

inspectorate reportedly finds that the force is falling short of national standards for the handling of emergency and non-emergency calls, and that there are too many instances of failure to assess vulnerability and repeated victimisation. An estimated 69,000 crimes go unrecorded each year, less than half of crimes are recorded within 24 hours and almost no crimes are recorded when victims report antisocial behaviour against them. The inspectorate has also found that victims are not getting enough information or support.

Other concerns are thought to include disjointed public protection governance arrangements; insufficient capacity to meet demand in several functions, including high-risk ones such as public protection; and a persistently large backlog of online child abuse referrals. The inspectorate also highlights an insufficient understanding of the force's training requirements, and the list is not exhaustive. This has all undermined public confidence in the Metropolitan Police Service, and we have not heard enough from the Mayor about what he plans to do about it. Blaming everyone else will just not do this time. *[Interruption.]* I am glad that hon. Members find this amusing, but I am afraid this is not funny.

As I have already said, it is vital that policing gets the basics right and that there is proper accountability for those in charge. Every victim of crime deserves to be treated with dignity, and every investigation and prosecution must be conducted thoroughly and professionally, in line with the victims code. Recent reports of strip searches being used on children are deeply concerning and need to be addressed comprehensively. We have a cherished model of policing by consent. The police force is a service—a public service—and the public must have confidence in it. Plainly, things have to change.

The Government are working closely with the policing system as a whole to rewire police culture, integrity, and performance. Last October, my right hon. Friend the Home Secretary announced an independent inquiry to investigate the issues raised by the conviction of Wayne Couzens for the murder of Sarah Everard. In the same month, the Metropolitan police commissioned Baroness Casey of Blackstock to lead an independent and far-reaching review into its culture and standards. We also welcome the College of Policing's new national leadership standards, which are aimed at ensuring continuous professional development. Policing is a very difficult job and demands the highest possible training standards.

The process to recruit a new Metropolitan Police Commissioner is well under way and the Government have made it crystal clear that the successful candidate must deliver major and sustained improvements. The whole country, not just London, needs to know that our biggest police force is getting its act together. The Mayor of London, supported by his deputy mayor for policing and crime—a role that I once had the privilege to hold—is directly responsible for holding the commissioner and the Metropolitan police to account. Notwithstanding what Opposition Members think, the Mayor needs to raise his game. He has an awesome responsibility which he has hitherto neglected, in my view.

This is not an insurmountable problem, but it is extremely serious. Trust has not been shattered beyond repair, but it is badly broken and needs strong leadership to fix it. Through the police performance and oversight group, the Government look forward to seeing the

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Metropolitan police engage with the inspectorate and produce a comprehensive action plan to sort this out, and be held to account by City Hall.

The national system for holding forces to account and monitoring force performance is working well. Sunlight is the best disinfectant, and every public service must be held to account. I am grateful to the inspectorate for its work. It now falls to the Metropolitan police and to the Mayor of London to make things right. Given my admiration of so many who work in the Met, it is with some personal sadness that I commend this statement to the House.

1.37 pm

**Sarah Jones** (Croydon Central) (Lab): May I add my condolences to the family of Zara Aleena after her horrific murder?

I am deeply disappointed with the Minister, who shared with us a statement that included none of the political attacks on the Mayor of London that we have just heard. The statement that we were sent was much shorter, and it contained not a single political attack on the Mayor of London. That is very bad form, as I am sure you would agree, Madam Deputy Speaker, and it is not how things should be done.

**Madam Deputy Speaker (Dame Rosie Winterton):** Order. I interrupt the hon. Lady to say that this is unusual. I also have a slightly different statement. It is expected that the Opposition have the statement that is actually given. I say this as a reminder for future reference.

**Sarah Jones:** Thank you, Madam Deputy Speaker.

Many of us will have heard this morning and last night the dignified and gracious interviews with Mina Smallman following the announcement that Her Majesty's inspectorate is moving the Metropolitan police into what is called an "engage" phase. The way that the disappearance and then the deaths of Mina's daughters were investigated, and the fact that altered images of their bodies were shared widely by some officers, have come to epitomise the problems within the Met that we, the Mayor of London and London residents have been so concerned about for some time.

We know that tens of thousands of people work in the Met and, of course, we know that so many have that sense of public duty that reflects the incredibly important job that they do. They have been let down by poor leadership, lack of resources and an acceptance of poor behaviour. It is for them, as well as for victims and the wider public, that we seek to drive forward improvements.

The announcement yesterday comes after a long list of serious conduct failures from the Metropolitan police: the murder of Sarah Everard by a serving Met officer, the conduct of officers following the murder of Bibaa Henry and Nicole Smallman, the strip-searching of children such as Child Q, the conduct unveiled in the report of the Independent Office for Police Conduct into the Charing Cross police station and the

"seemingly incomprehensible failures to recognise and treat appropriately a series of suspicious deaths in the Stephen Port case".

The list of failings from the inspectorate makes for grim reading and goes way beyond those more high-profile cases: it includes performance falling far short of national standards, a barely adequate standard of crime recording and the quality of basic supervision to officers. All that has undermined public trust, and we all have a role to play in building that trust back up. As the Mayor of London has said, a first and crucial step for the new commissioner will be to start rebuilding trust and credibility in our communities.

The Minister's announcement about what needs to be done is incredibly weak. He talks about support for victims, but where is the victims' law that the Government have been promising for years? We know there is a massive increase across the country in the number of cases collapsing because victims drop out—on his watch. He talks about reform to comprehensively address the strip searches on children, but he has totally failed to bring forward the new guidance on strip searches that we have been calling for for months. He talks about reforming culture, but he only refers to two long-term inquiries that may not provide answers, even though we know that action is needed now.

The Minister is right that the system for holding forces to account has worked in this case, but we need change to follow. We need a national overhaul of police training and standards. There is much to be done on leadership. We need a new vetting system. We need to overhaul misconduct cases, with time limits on cases. We need new rules on social media use. We need robust structures for internal reporting to be made and taken seriously, and we need new expected standards on support for victims, investigation of crimes, and internal culture and management. That is for the Home Office to lead.

The Met cut its police constable to sergeant supervision ratio after the Conservatives cut policing, and after the Olympics—when the Minister was deputy mayor—it was cut more than any other force. A police sergeant said this morning:

"I do not have a single officer that I supervise that has over 3 years' service, so not a single officer that policed pre Covid."

Does the Minister now accept that, no matter how much he promises in terms of new, young and inexperienced officers right now, the Met and forces across the country are still suffering from the loss of 20,000 experienced officers that his Government cut?

Policing should be an example to the rest of society, and supporting our police means holding officers and forces to the highest possible standards. The concerns today are about the Met, but we know there are problems in other forces, too. Can the Minister confirm how many other forces are in this "engage" phase, and which forces they are? Can he outline what the steps the Home Office is taking now to drive up standards in the police across the country?

The British style of policing depends on public trust. The public deserve a police service that they not only trust, but can be proud of. Victims need an efficient and effective force to get them justice. Our officers deserve to work in a climate without bullying, toxic cultures. We need to see urgent reforms. The Government can no longer leave our police facing a perfect storm of challenges and fail to lead that change.

**Kit Malthouse:** Madam Deputy Speaker, it is the case that I made amendments to the statement, and I apologise that they were made at the last minute. The reason is

that I held the job of deputy mayor for policing myself for four years and I feel very strongly about this issue. I apologise to you. I feel very strongly because, had I been in the position that the Mayor and the deputy mayor are in—I must tell the hon. Member for Croydon Central (Sarah Jones)—I would have considered my position, after six years in control of the force.

I am disappointed in the hon. Member for Croydon Central. We have just heard a huge attempt at deflection, trying to move what is an incredibly serious issue for her constituents, as a London Member of Parliament, away from the local accountability structures that have obviously failed in these circumstances towards a national fog of issues that policing faces, in an attempt to absolve the Mayor of London of his share of responsibility for dealing with the issue.

I am not quite sure what the hon. Lady thinks the 145 members of staff in the Mayor's office for policing and crime are for, if not for holding the Metropolitan Police to account and trying to identify these kinds of issues before they arise. It is disappointing that this decision seems to have come as a surprise to the Mayor's office for policing and crime and, indeed, to the Mayor. I do not think the hon. Lady mentioned the Mayor once in her statement; I am sorry that she does not recognise that the primary accountability structure and primary responsibility for the integrity and trust that the people of London have in the Metropolitan Police is the Mayor of London.

Whatever one's view, I do not think that there are many people in London—I speak not just as the Minister for Crime and Policing but as a part-time Londoner myself, given that I spend half my week in the capital—who do not believe that the Mayor of London has failed on crime in the capital and that he has been far too passive in his approach. I have done my best to step in to that void, and we have pushed the force hard on issues such as serious violence, murder and county lines, where we have offered significant funding. We have put more money into the Met so that, over the past three years, it has built the number of police officers up to the highest level the force has ever had in its history. The past three years have seen extremely good and generous financial settlements. There is no excuse beyond a profound failure of accountability.

Whatever one might think about the rights and wrongs—hon. Members can call it a political attack if they wish—the truth is that the Mayor must lean in. He is elected primarily to do that job; if he is unwilling to do it, that calls into question whether he should have the job at all.

**Dr Matthew Offord** (Hendon) (Con): The Government introduced the role of police and crime commissioners to be the voice of the people and hold the police to account. PCCs are responsible for the totality of policing and should aim to cut crime and deliver an effective and efficient police service within their force area. That is simply not happening in London. This is Sadiq Khan's second term of office. He has said that he has long known of the problems with the Met, so what has he done about them? He has undertaken one tangible action: to bully the police commissioner into resigning. That left a vacuum of leadership and we are still without a commissioner in London. The decision to place the MPS in special measures is his responsibility and he has failed to protect the public. Will the Minister consider

removing responsibility for policing from the Mayor of London and introducing an intervention team to deliver on the first role of elected representatives to keep the public safe?

**Kit Malthouse:** My hon. Friend reflects in his remarks the seriousness of the situation. He is right to point to the failings of governance. I was the first deputy mayor for policing and effectively the first police and crime commissioner in London. The whole idea was that we should be the voice of those people who elect us and share accountability with the force we govern, and, as he said, that we should focus on cutting crime. Obviously, the removal of responsibility would need primary legislation, but I hope the Mayor will now focus on the task in hand, which is to produce an action plan to sort this situation out and step into his responsibilities in a way I feel he has failed to do thus far.

**Madam Deputy Speaker (Dame Rosie Winterton):** I call the Chair of the Home Affairs Committee, Dame Diana Johnson.

**Dame Diana Johnson** (Kingston upon Hull North) (Lab): The catalogue of failings at the Met is rightly a serious concern for the Home Secretary and the Mayor of London. The Home Secretary has said that the Met is just not getting the basics right, but sadly the Home Office is not getting the basics right either. When acting commissioner Sir Stephen House gave evidence to the Home Affairs Committee in April, he said it was not just a case of “a few bad apples”, but a systemic problem that the Met needed to deal with. As the Met accounts for 25% of policing and has not only responsibility for London, our capital city, but national responsibilities and even international responsibilities, for example around the investigation of war crimes, what consideration has the Minister given not only to issues of performance, leadership and culture, but to whether there should be a review of the responsibilities of the Metropolitan Police?

**Kit Malthouse:** I am grateful to the Chair of the Select Committee for her question. As she will know, we are in the middle of an inquiry by Dame Elish Angiolini into the first stage of the employment of Wayne Couzens and then more widely into the culture of the Met. Once we have seen that and digested the urgent work required to correct the situations we see presented in this report, we will have to consider what if any further measures may need to be taken to ensure that, as the right hon. Lady says, not only national but international confidence in the Metropolitan Police as our lead force is maintained.

**Nickie Aiken** (Cities of London and Westminster) (Con): I pay tribute to the thousands of police officers who do a great job in providing service to Londoners, but they need robust and focused leadership, and I think it is clear that we are still in need of that. We are now on our third commissioner in six years, soon to be fourth, but we have had the same Mayor of London and the same deputy mayor for the past six years. Does my right hon. Friend think that there should be more political accountability and that perhaps one of those two characters should think about their role moving forward?

**Kit Malthouse:** The creation of police and crime commissioners was designed to provide a focused point of accountability for the electorate. They replaced police



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authorities, which were opaque organisations in which no one person could be held responsible at the ballot box. As I said, if I had been in that job—I had the privilege of holding the post of deputy mayor for policing for four years—and I had had it for six years when this situation occurred, I would consider my position.

**Ms Diane Abbott** (Hackney North and Stoke Newington) (Lab): The Minister will be aware of the seriousness of the issues set out in the inspectorate's report. He should also be aware that Londoners do not want to see us in this Chamber passing responsibility between ourselves like some grim game of pass the parcel. Nothing in the inspectorate's report will come as a surprise to London MPs because, in one way or another, they have dealt with these types of issues, which have affected our constituents. The Minister can try to lay blame where he wishes, but he has not dealt, as all of us have dealt, with people whose lives have been ruined and whose children have been targeted. He has not dealt with those people; otherwise he could not be playing politics with this issue. There is no question but that the Met needs reform, and no doubt that this situation did not come about in a month or two. Will he confirm that the two short-listed candidates for commissioner are Nick Ephgrave and Mark Rowley, and does he accept that it is unlikely that the Met can be reformed by men who have spent almost their entire careers in it? Does he accept that many of us think that the selection process for the commissioner needs to be reopened?

**Kit Malthouse:** Let me be clear: I am not playing politics; I am telling the truth, and every Londoner knows it. When the Prime Minister and I were at City Hall, we stepped forward and took responsibility for what was happening in London on our watch. We fought crime. We sat with the parents of murdered children and took blame and responsibility for it in a way that the current Mayor does not. Opposition Members can spend all the time they want attempting to deflect and make this a political matter, but that is the truth. Those Members who represent Londoners, on both sides of the House, know inside themselves what Londoners think about the Mayor's performance on crime. The reason that this situation exercises me so much is that I have been there and dealt with it. Contrary to what the right hon. Lady says, over the past couple of years in this job I have spoken to and dealt with lots of victims of crime in London. In fact, only a few months ago I met four mothers of dead children brought to me by the Met who talked about the failures of dealing with knife crime and their willingness to step forward and help us to improve. So I ask the right hon. Lady, please, not to try to teach me any lessons about dealing with victims of crime. In terms of her wider question, I cannot confirm who is in the selection process, but we can only interview those people who apply.

**Several hon. Members** *rose*—

**Madam Deputy Speaker (Dame Rosie Winterton):** Order. This is obviously an extremely important statement. We have the main business to move on to, so I remind colleagues that we need short questions, with only one question at a time.

**Mr Andrew Mitchell** (Sutton Coldfield) (Con): One of the principal problems, bluntly, with the Metropolitan police is the quality of leadership at the very top, which determines the quality of leadership at street level. As the Minister seeks very diligently to find a new Metropolitan Police Commissioner, will he bear in mind the precedent from some time ago of finding a commissioner from outside the police forces, and bear in mind that within the military establishment there is a cohort of utterly brilliant generals and leaders who could bring those skills to bear on behalf of the Metropolitan police?

**Kit Malthouse:** My right hon. Friend is absolutely right to recognise the importance of leadership. I am sure he will be encouraged by the significant investment that we have made in the College of Policing leadership programme, which was designed to produce the future policing leaders. I say from a personal point of view that whether outside people with different professions could run a constabulary is open to question. In the reverse case, I am not sure whether, for example, a police officer could command a battalion in the Army. Also, modern policing is a much more complex environment than it used to be. However, we hope that through the work we are doing on leadership we will develop leaders who can drive policing forward into the 21st century.

**Ms Karen Buck** (Westminster North) (Lab): The accountability of the Met is complex because, among other things, the appointment of the commissioner rests with the Home Secretary, having regard to the Mayor but not as a joint appointment. Given that it is impossible to overstate the importance of getting the next leadership of the Met right, can the Minister confirm today that the Mayor of London and the Home Secretary will jointly make the appointment, and not just the Home Secretary having regard to the Mayor?

**Kit Malthouse:** I have to confess that I am not entirely sure what the arrangements are between them, but I am sure that the Home Secretary and the Mayor will discuss the final choice of commissioner at some point.

**Tracey Crouch** (Chatham and Aylesford) (Con): May I place on the record my thanks to the Under-Secretary, my hon. Friend the Member for Corby (Tom Pursglove), who, as victims Minister, recently met a constituent of mine regarding a historical rape case where no justice for my constituent has been secured? We may think that the police dramas of the '80s are fictional, but for many, historical corruption and cover-up is a reality, leaving victims such as my constituent severely traumatised. Will the Minister reassure the House that lessons will be learned from the victims, who in the past have been so let down by the police, and that their voice will be central to reform of the Metropolitan police?

**Kit Malthouse:** I am very sorry to hear about my hon. Friend's constituent. One of the failings that is reportedly identified is the lack of support and information required to be given to victims. As I hope she knows, the victims Bill, which is in pre-legislative scrutiny, will bring into statute the support and information that victims should get, and I hope in future will get.

**Mr Ben Bradshaw** (Exeter) (Lab): Rarely have I heard a more complacent and partisan statement by a Government Minister. He has been warned, as has the



Home Secretary, countless times by Members on both sides of this House about the toxic culture of the Met. He did nothing and left it to the Mayor to change things by withdrawing his confidence in the now-departed commissioner. Was there not another example today of the completely perverse priorities of the Met in sending a posse of officers to hound the peaceful and non-threatening protester, Steve Bray, outside Parliament instead of tackling serious crime?

**Kit Malthouse:** It is the inspectors sent in by the Home Secretary under an inspection regime influenced and designed by me who have revealed the failings that have resulted in the incident today. As to the dismissal of the Metropolitan Police Commissioner, that happened just a few weeks after the Mayor was pushing for a three-year extension.

**Felicity Buchan (Kensington) (Con):** The Mayor of London, supported by his deputy mayor for policing and crime, is the police and crime commissioner for London. I, as a London MP, feel that it is an appalling indictment of the police and crime commissioner for London's performance that the Met has been put into special measures. Does my right hon. Friend agree that the police and crime commissioner for London—that is, the Mayor of London—needs to get a grip? May I ask in this Chamber that the Mayor of London stops his appalling sale of Notting Hill police station in my constituency, which will mean that there is no police presence in the north of my borough after the end of this year?

**Kit Malthouse:** As I have said, I profoundly hope that the Mayor will do his best to get a grip of this situation. *[Interruption.]* He has the authority and the mandate to do it, notwithstanding the shouting from the Opposition. I do not know how much more serious it can get for London's police force. This is the first time in its history that it has been put into special measures. It is supposedly our premier—our biggest—police force, and the primary accountability is with the Mayor of London, as my hon. Friend says. He has to step forward and do his job.

**Ms Lyn Brown (West Ham) (Lab):** We all knew that when PCCs were created, it was about putting clear blue water between accountability and our police forces. I hope that PCCs of all political hues across this country have listened to this outrageous statement by the Minister today, because I think they will be horrified. As the Minister will know, I have worked hard trying to find solutions to the county lines issues. I have worked hard with my local police force, under the leadership of Commander Richard Tucker. May I say to the Minister that all the solutions need us to have trust in our police forces at the very heart of our communities? What will the Minister be doing to ensure that this process reignites trust in our local forces?

**Kit Malthouse:** The hon. Lady is quite right, and she has been working hard on county lines. As she will know, we put significant funding into the Met police and four other forces to do that fantastic work. I referred in my statement to some areas of the Met police that are world-beating and of astounding performance, and one is the work on county lines. We will do our best to make sure that the commissioner

selected has the right idea about reform, but I will also take a close interest in the engagement process with the inspectorate and make sure that that works accordingly.

**Simon Hoare (North Dorset) (Con):** In 1829, the Metropolitan police was formed and London had a population of 1.8 million. Now it has a population of about 9.5 million. Is the Met police either too big to fail or too big to succeed, or has London become just too geographically large to police on the model that it has today?

**Kit Malthouse:** My hon. Friend raises some interesting questions, but I believe that the Metropolitan police as currently constructed is capable of policing London appropriately and can and does show some astonishing performance in some particular areas of its activity. Certainly the work we have been doing, for example, on violence and knife crime, where we have been leaning in and providing significant extra resource, will I hope pay dividends over the years to come. We should all constantly pay attention to the structure and effectiveness of those police forces, and I am afraid that the report we have seen today tells us that there is room for improvement.

**Bell Ribeiro-Addy (Streatham) (Lab):** Policing confidence is at an all-time low under this Government. The Minister may say that the Mayor of London should consider his position, but perhaps the Government should consider theirs. As he says, this is the first time that the Metropolitan police has been under special measures, and that has been under the Government's leadership. We on this side of the House have consistently called for reform and an overhaul of the vetting and training of officers, and the Government do not listen. At what point will they accept responsibility for their failures?

**Kit Malthouse:** I am absolutely willing to accept responsibility for systemic failures across the whole of policing where they occur. I do not know whether the hon. Lady was in the House at the time, but she will have heard me apologise profoundly for the problems we have seen in rape investigation over the past decade, for example, and put a plan in place to sort that out. Happily, that plan is showing early signs of improvement.

What is really depressing about this exchange is the unwillingness of the Opposition to accept that even a shred of responsibility or accountability should attach to City Hall, notwithstanding the fact that in law and in truth the Mayor of London is the primary accountability mechanism.

**Bob Blackman (Harrow East) (Con):** Thousands of police officers in the Met put their lives on the line every day not knowing whether they will return home safely when they are trying to apprehend violent criminals and take them off our streets. Clearly there are some who are bad apples—we understand that—but in all this time, violent crime in London is up and the Mayor of London is totally silent. He is the one responsible to the people of London, and he must not abrogate his responsibilities. Can my right hon. Friend confirm that prior to Dame Cressida Dick being forced out by the Mayor of London, the Mayor was lobbying the Home Secretary to extend her contract for three years?

**Kit Malthouse:** First, I am happy to hear my hon. Friend celebrate the work of the many thousands of men and women in the Metropolitan Police Service who are out there today keeping us safe. We should never forget them, and they will be as disappointed by the events of the past 24 hours as the rest of us. They will turn their shoulders and their efforts to improving things, alongside their colleagues, and I look forward to working with them in doing that. He is right that the Mayor was pressing for an extension.

**Munira Wilson (Twickenham) (LD):** This decision is long overdue, but I pay tribute to rank and file police officers and local police leaders in my own borough of Richmond upon Thames, who do a fantastic job week in, week out. However, Londoners' confidence in the Met has plummeted to 49%. More than a third think the police cannot be relied on when needed. That level of public confidence is not just damning, but downright dangerous: without public confidence, the police cannot keep our streets safe and victims will not come forward. I am afraid that my constituents and Londoners across the city are seeing this partisan political point-scoring between Conservative Ministers and a Labour Mayor, which will do nothing to restore that confidence.

It is incumbent on all of us on all sides to work together with the Met police to start to restore public confidence. I have asked the Minister this question before, so I hope he will reconsider his answer. Will he break with precedent in the appointment of the new Met Police Commissioner and ensure that it is a cross-party appointment ratified by both the Home Affairs Committee and the London Assembly—not just a personal appointment by the Prime Minister, the Home Secretary or the Mayor of London?

**Kit Malthouse:** As I said earlier, this is not partisan; it is the truth. The process for appointing the commissioner is, I am afraid, laid out in law.

**Laura Trott (Sevenoaks) (Con):** The Met police has been strip-searching teenage girls and telling women worried about being attacked by police officers to flag down a bus. All the while, sexual violence and rape numbers have been going up. The Met police is failing women, so can the Minister please ensure that within the action plan is a plan to tackle systemic sexism? When we look at the new commissioner, we should make sure that tackling violence against women and girls is a priority.

**Kit Malthouse:** My hon. Friend makes a strong point. Although, as I am sure she will accept, on occasion police officers need to strip-search young people of all genders, that must be done within the law and appropriately. She will know that an inquiry is ongoing under Dame Louise Casey, looking at the culture of the Met and particularly these issues, and the Home Secretary has commissioned an inspection of the investigation of policing and violence against women and girls across the whole of UK policing. The conclusion of those, plus part 2 of the Angiolini review, will inform our work in this area, and I look forward to keeping her posted on progress.

**Clive Efford (Eltham) (Lab):** The Minister was deputy mayor for policing in London when the worst cuts were imposed by this Government, and I do not remember

him raising his voice against those cuts once. People cannot take a wrecking ball to the Metropolitan police and not expect problems like this to come about, but the issues go back many, many years. Daniel Morgan was killed in 1987, and it was 2011 before the Met admitted it was corruption that bedevilled that investigation. There was the bungled investigation into the murder of Stephen Lawrence. We could go on and on.

Those things show that there are systemic problems within the Metropolitan police, so will the Minister admit that if we are to resolve these problems, appointing a commissioner from within the Metropolitan police is just not going to cut it?

**Kit Malthouse:** Obviously the decision on the Commissioner of the Metropolitan Police is for the Home Secretary, who will advise Her Majesty on making the appointment in consultation with the Mayor of London. Just on two of the hon. Gentleman's substantive points, first, I fought hard for resources for the Metropolitan police when I was deputy mayor for policing. In fact, we managed to maintain police officer numbers, such that it is starting from a very high base with the uplift, meaning that the Met now has the highest number of officers it has ever had in its history. That is not true of all forces across the country, because of decisions made by the police and crime commissioners. If he looks back at the record, he will see that I was successful in winning resources.

As for the Daniel Morgan investigation, if the hon. Gentleman looks at the papers he will find that it was a letter from me to the then Home Secretary that stimulated the meeting that resulted in the inquiry.

**Gareth Bacon (Orpington) (Con):** This week, the Mayor of London Sadiq Khan made a statement about the malaise that the Metropolitan police finds itself in. He blamed a number of people. He blamed the Prime Minister, the Home Secretary and the outgoing Commissioner of the Metropolitan Police, Dame Cressida Dick. The one person who was entirely absolved from blame was the person who has been the police and crime commissioner for London for the past six years, and that person is Sadiq Khan.

What is the point of Sadiq Khan, given that he is so utterly unable to influence affairs, and so utterly irresponsible for anything that has happened? Is it not now time to remove responsibility for the Metropolitan police from the Mayor of London's orbit and return it fully to the Home Office?

**Kit Malthouse:** My hon. Friend and I were London Assembly Members together, although he continued under the Labour Mayor and I never had that sad experience. He is right that a peculiarity of the Mayor's term has been the seeming willingness to step away from the issues assailing the capital, rather than step into them. When we were elected to City Hall, we faced a similar spate of knife crime and teenage killings, and we stepped into that without reservation—some would say at enormous political risk. I hope that the current Mayor will take the political risk required to step in and sort out this issue for my hon. Friend's constituents and those of many other hon. Members. As I said, following the work required to get the Met into shape over the next few months and years, we will have to consider what we should do further about the structure.

**Janet Daby** (Lewisham East) (Lab): It is 50 years since the Confait case of 1972, when a transvestite was murdered and burned alive in a house in my constituency. That led to the bringing forward of the Police and Criminal Evidence Act 1984, which put in place provisions to ensure that there is an appropriate adult at a police station when children are there. The Metropolitan police has been failing in that area, as have police forces across our country, where appropriate adults have not been in place when children were presented in custody—and on average, children are in custody for 13 hours. Will the Minister agree to look into that as part of the failings of the Met police, and with other police forces across the country?

**Kit Malthouse:** The hon. Lady is right that a strip-search should not take place without the presence of an appropriate adult. I am sure she is aware that, notwithstanding the case of Child Q, the Met has now made other referrals to the IOPC. She raises a good point. I have asked questions internally in the Home Office about what more we can do to ensure that the rules are being adhered to.

**Henry Smith** (Crawley) (Con): A significant number of Metropolitan police officers live in my constituency and I pay tribute to their work and professionalism. Thousands more of my residents work across Greater London and deserve to feel safe and secure while in the capital. Is it not a damning indictment of Mayor Sadiq Khan that the Metropolitan police now finds itself in special measures, despite significant additional resources?

**Kit Malthouse:** My hon. Friend makes a strong point about our shared responsibility to support not only the police officers who do a brilliant job every day, but those who they seek to protect, and I agree. As I said earlier, if Sadiq Khan is not primarily responsible, I am not sure why he stood for election or why crime even featured on his election literature—I ask myself whether it will at the next election. He is absolutely the primary point of responsibility and he must step forward to take that mantle.

**Barry Gardiner** (Brent North) (Lab): The Minister's statement was unworthy of this House, and even of the Minister. The danger is that it takes the focus of the debate away from the failings of the Metropolitan police and puts it on to personal and political responsibility.

The Metropolitan police has been failing primarily in two areas. The first, as the hon. Member for Sevenoaks (Laura Trott) ably and rightly highlighted, is violence against women and girls, on which issue I have been working closely with my borough commander Sara Leach. Secondly, it has systematically failed on racism. I am fed up of people coming into my surgery because they are black and have been badly and violently treated or have had spurious prosecutions made against them by police officers. Mina Smallman's two daughters were murdered in my constituency. It took two years for the Metropolitan police to get off its payroll the police officers who took photographs of them and circulated them to their colleagues and other people. That is a disgrace. I want to know not what anybody else is doing, but what the Minister will do to sort out racism and misogyny in the force.

**Kit Malthouse:** Obviously, the murder of the Smallman sisters was an appalling act that shocked the entire nation. Although it took a couple of years for the officers to be punished, they were in the end. There have been problems over the years with the speed of the police disciplinary process. I am sure the hon. Gentleman will acknowledge that police officers are entitled to due process, as everyone else is, but I hope he will also recognise that we have put measures in place to ensure that IOPC inquiries happen as swiftly as possible.

On the hon. Gentleman's point about racism, I hope he will have seen that the National Police Chiefs' Council has published its national race action plan and we are supporting its prosecution of that change programme. I am sorry about his opening comments. My statement may not have met with his approval, but the reason is that I feel incredibly strongly, having done that job before. I represented parts of central London for a significant proportion of my adult life and I feel it personally that the failure of governance, as well as leadership in the Met, has to be called out as well.

**James Daly** (Bury North) (Con): In 2020, Greater Manchester police was put into special measures in part, certainly, due to a lack of accountability and scrutiny. Importantly, as has been highlighted, there was also a lack of care and services towards the victims of crime. Since, steps have been taken by the Minister and others to address that situation. What lessons can be learned to help and assist the Metropolitan police to get out of the appalling situation that it finds itself in under Sadiq Khan's leadership?

**Kit Malthouse:** My hon. Friend is right that, sadly, the issues that we saw in Greater Manchester police have been reflected again in London. In the end, as my right hon. Friend the Member for Sutton Coldfield (Mr Mitchell) said, the solution is leadership. I was pleased to be able to assist the Mayor's office in Manchester to find a great leader for Greater Manchester police, who I know is driving forward a programme of change and progress that Mancunians will be feeling on a daily basis on the streets. We must now find a great leader for the Met who can reproduce that here in London.

**Florence Eshalomi** (Vauxhall) (Lab/Co-op): As a proud south Londoner—I have lived in Brixton all my life—I know that if the Minister thinks that the issues in the Met police started under Sadiq Khan's tenure, he is in cloud cuckoo land. From when I was a young girl, the issues with policing were at the forefront of the issues in my community, and they continue to be almost 40 years later. I do not want my young children to have to go through what men—my uncles and cousins—have gone through. That starts with our Met police taking seriously the community's issues and realising that policing is by consent. The Mayor has clearly set out reforms, and I hope that the Minister will outline how he will support the Mayor to address those reforms, how he will welcome them and how he will work with the Mayor, instead of making the issue a political football.

**Kit Malthouse:** I am sorry that the hon. Lady feels that way. Certainly, when I was at the Met police, we did a lot of work to examine the problems with the culture. In fact, I instituted a race and faith inquiry at the Metropolitan Police Authority to look at exactly the



[Kit Malthouse]

issues that I know trouble her, as they have many people over the years. With a large organisation such as the Metropolitan police, that area requires constant attention. My sadness about the exchanges today is that no Opposition Member has once yet recognised the responsibility of the Mayor of London. If he is not responsible for policing and crime in London, I am not sure what he is doing in the job.

**Robert Largan** (High Peak) (Con): I am grateful for the Minister's statement on the worrying underperformance of the Metropolitan police and the Mayor of London. On the wider point of underperforming police, it was recently reported that the comedian Joe Lycett was investigated for telling a joke at one of his shows. It was also reported that over the last three years, not a single burglary has been resolved in nearly half the neighbourhoods across the country. Does the Minister think those two stories are connected?

**Kit Malthouse:** I have seen both those stories; I cannot comment on the first one. On the second one, we are looking into those statistics carefully. Of course, now that we do not take into account when burglars stand up in court and say, "I plead guilty but I would like 120 other offences taken into account," we are not necessarily sure whether we have caught the burglar in another area and have therefore solved the burglary. As my hon. Friend will know, last year we published the "Beating crime plan", which has a chapter on "Excellence in the basics" and was specifically designed to drive forward the efficient and effective investigation of offences such as burglary.

**Ruth Cadbury** (Brentford and Isleworth) (Lab): Labour has called for a complete overhaul of police vetting, training, whistleblowing policies and misconduct proceedings. In the light of the Her Majesty's inspectorate's decision, will the Minister finally back our calls?

**Kit Malthouse:** We are doing significant work in all those areas.

**Jim Shannon** (Strangford) (DUP): Restoring trust in the police force can sometimes seem insurmountable, but does the Minister not agree that it must be remembered that not all police are guilty? This report demands change, as it should, but it cannot be used as an excuse for abuse of the overwhelming majority of upstanding police officers who do their job to keep us all safe to the detriment of their own physical and mental health.

**Kit Malthouse:** Well, bravo to the hon. Gentleman—bravo! That is exactly the right sentiment. There are thousands of police officers out there every day who, if something happened to any of us, would run towards us to assist us. They get up in the morning and do their job to the best of their ability with integrity and honesty, and we should recognise that that is the case.

May I also say a word for the leadership of the Metropolitan police, who I know will be battered and bruised by the report today? I was heartened by their dignified statement following the issuing of this report, and I know that they will bend every sinew to bring in the changes that are required. In particular, the acting commissioner, who I know is a man of honesty and

integrity and who has had a fantastic career in policing—he has put many villains behind bars and kept millions, unknowingly, safe in their beds at night—deserves our support as he drives forward the undoubted changes needed at the Metropolitan police.

**Chris Bryant** (Rhondda) (Lab): There are some moments when I feel ashamed of being an MP, and to be honest, the last 50 minutes has been one of those. I do not think Londoners really care about throwing blame here, there and everywhere; they just want to see something sorted. I would gently point out to the Minister that he knows that I think he has been a bit complacent about the Daniel Morgan situation, whatever he said earlier. He also knows that he was the person in charge when I had to sue the Metropolitan police, at enormous cost, to get justice for the victims of phone hacking at the *News of the World*, and there was massive corruption and a revolving door between Downing Street, the newspapers and the Metropolitan police. I think everybody just wants to hear answers on how we can make sure, for instance, that the situation that happened with Stephen Port and those murders, when homophobia clearly played a role in letting other young men die, will never happen again. So can he just give me one thing that he personally is going to do that will make sure that will not happen again?

**Kit Malthouse:** I will give the hon. Gentleman one thing, but I understand, and this seems to be a tactic by Opposition Members, that their deflection comes with, "Oh, this is a disgrace!" I really wish that somebody had acknowledged the role of City Hall, with 145 staff and a Mayor's Office for Policing and Crime. What on earth do they think they are for if it is not for this? In all honesty, if they represent Londoners and they think the Mayor's Office for Policing and Crime has done its job in this case, then we are in a whole world of pain that we do not need. I realise that they are attempting all sorts of deflection, but I have to tell them that if I had been doing the job, I would not have allowed that deflection to take place, and I have to tell them that if it had been a Conservative in that job, I would have said exactly the same things.

On the hon. Gentleman asking for something concrete, I, for example, specifically changed the remit of the inspection regime away from pure process and efficiency towards crime fighting. It was the case that, until a couple of years ago, the police could get an astounding report from the inspectors while their crime performance was still poor. That is now not the case, and we are seeing these results coming through as the inspections start to land.

**Yvette Cooper** (Normanton, Pontefract and Castleford) (Lab): On a point of order, Madam Deputy Speaker. The Minister for Crime and Policing told the House that he had only added the several paragraphs launching a political attack "at the last minute". Those paragraphs were not included in the statement that either you or shadow Home Office Ministers were given. However, the list of questions circulated to Conservative Back Benchers, which I have here—it will have taken some time to prepare and to circulate, with input from the Home Office—repeats the same script that the Minister used in his attack. In fact, those questions include nothing on the actual failings in the Metropolitan police

and nothing on the reforms that are needed to the Metropolitan police or to policing across the country, but only political attacks instead. It is not credible that these political paragraphs were only added “at the last minute”. Did the Minister give inaccurate information to the House?

**Madam Deputy Speaker (Dame Rosie Winterton):** I thank the right hon. Lady for her point of order. As I said previously, it is the usual courtesy for a Minister to give the Opposition an advance copy of a statement. The Minister has already apologised for adding material to the version given to the Opposition, but he may like to reflect on the point that the right hon. Lady has made—and I sense that he wishes to respond further.

**Kit Malthouse:** Further to that point of order, Madam Deputy Speaker. It is certainly the case that the statement was moving with some fluidity over the last hour or so. I am sorry if it did not make it through in its completed terms. I did add a number of items myself at the end. It should come as no surprise that the approach in the statement was being discussed between us and the special advisers. In future, if there are late changes, I undertake that I will issue a late version of the statement that includes all of my remarks.

**Yvette Cooper:** Further to that point of order, Madam Deputy Speaker. To provide reassurance to the House, will the Minister provide the email details and the internal records from his computer and from the computer on which the statement was drafted to show at what point this information was added to the statement, just so that we can be sure that the House has been given accurate information?

**Madam Deputy Speaker:** I think the right hon. Lady is now having an exchange with the Minister as opposed to Chair, but she has put her request on record. That is up to the Minister; it is not really a matter for me.

**Chris Bryant:** Further to that point of order, Madam Deputy Speaker. Would you have a word with Mr Speaker about this issue, because I believe that exactly the same process happened in another statement last week? The Transport Secretary added a whole load of stuff at the last minute, which was then regurgitated in lots of Back-Bench Conservative Members’ questions, so it was clearly intended long before the statement was made in the House, that a different statement would be made in the House from the one given to the Opposition and, for that matter, that was subsequently circulated around the House.

**Madam Deputy Speaker:** I thank the hon. Gentleman for that point of order. The Minister has just given an assurance that he will ensure that, in future, any last-minute changes are communicated to the Opposition. I hope that those on the Treasury Bench will notice what this Minister has said, because I know that Mr Speaker would wish other Ministers to follow that example. I hope that that will be communicated back to other Ministers, and I will ensure that the Speaker is aware of the exchange that has taken place. I think we should now move on.

I thank the Minister for his statement and subsequent comments.

## BILLS PRESENTED

**Madam Deputy Speaker (Dame Rosie Winterton):** As the House can see, we have 10 Bills to be presented today. To save time and to get on with the main business, I will accept private notice of the dates of Second Reading from John Spellar, who is presenting nine Bills. These dates will be minuted accordingly in *Hansard* and the *Votes and Proceedings*. Layla Moran is presenting one Bill and will name the date for Second Reading as usual.

### BRITISH GOODS (PUBLIC SECTOR PURCHASING DUTY) BILL

*Presentation and First Reading (Standing Order No. 57)*

John Spellar presented a Bill to place a duty on public bodies to have a presumption in favour of purchasing goods of British origin in purchasing decisions; and for connected purposes.

*Bill read the First time; to be read a Second time on Friday 16 September, and to be printed (Bill 122).*

### CONSUMER PRICING BILL

*Presentation and First Reading (Standing Order No. 57)*

John Spellar presented a Bill to prohibit the practice of offering preferential pricing to new customers compared to existing customers; and for connected purposes.

*Bill read the First time; to be read a Second time on Friday 16 September, and to be printed (Bill 123).*

### BROADCASTING (LISTED SPORTING EVENTS) BILL

*Presentation and First Reading (Standing Order No. 57)*

John Spellar presented a Bill to expand the list of sporting events that must be made available for broadcast by free-to-air television channels; and for connected purposes.

*Bill read the First time; to be read a Second time on Friday 16 September, and to be printed (Bill 124).*

### PUPPY IMPORT (PROHIBITION) BILL

*Presentation and First Reading (Standing Order No. 57)*

John Spellar presented a Bill to prohibit the import of young puppies; and for connected purposes.

*Bill read the First time; to be read a Second time on Friday 16 September, and to be printed (Bill 125).*

### EMPLOYMENT (APPLICATION REQUIREMENTS) BILL

*Presentation and First Reading (Standing Order No. 57)*

John Spellar presented a Bill to regulate the use of minimum qualification or experience requirements in job applications; and for connected purposes.

*Bill read the First time; to be read a Second time on Friday 16 September, and to be printed (Bill 126).*

### PUBLIC SECTOR WEBSITE IMPERSONATION BILL

*Presentation and First Reading (Standing Order No. 57)*

John Spellar presented a Bill to create the offence of impersonating a public sector website for the purpose of collecting payment or personal data; and for connected purposes.

*Bill read the First time; to be read a Second time on Friday 16 September, and to be printed (Bill 127).*

HUNTING TROPHIES (IMPORT PROHIBITION)  
(No. 2) BILL

*Presentation and First Reading (Standing Order No. 57)*

John Spellar presented a Bill to prohibit the import of wild animal specimens from trophy hunting; and for connected purposes.

*Bill read the First time; to be read a Second time on Friday 16 September, and to be printed (Bill 128).*

ARMENIAN GENOCIDE (RECOGNITION) BILL

*Presentation and First Reading (Standing Order No. 57)*

John Spellar presented a Bill to require Her Majesty's Government to formally recognise the Armenian genocide of 1915-16.

*Bill read the First time; to be read a Second time on Friday 16 September, and to be printed (Bill 129).*

HOUSE OF LORDS (HEREDITARY PEERS) (ABOLITION OF  
BY-ELECTIONS) BILL

*Presentation and First Reading (Standing Order No. 57)*

John Spellar presented a Bill to amend the House of Lords Act 1999 so as to abolish the system of by-elections for hereditary peers.

*Bill read the First time; to be read a Second time on Friday 16 September, and to be printed (Bill 130).*

NON-DISCLOSURE AGREEMENTS BILL

*Presentation and First Reading (Standing Order No. 57)*

Layla Moran presented a Bill to make provision about the content and use of non-disclosure agreements; and for connected purposes.

*Bill read the First time; to be read a Second time on Friday 17 March 2023, and to be printed (Bill 131).*

**Asylum Seekers  
(Permission to Work)**

*Motion for leave to bring in a Bill (Standing Order No.23)*

2.30 pm

**Carol Monaghan** (Glasgow North West) (SNP): I beg to move,

That leave be given to bring in a Bill to make provision for granting permission to work to asylum seekers who have waited six months for a decision on their asylum application; and for connected purposes.

Over the last few months, we have been enjoying returning to normal life—going to shops, on holiday, or to pubs and restaurants. However, staff shortages caused both by Brexit, and by companies struggling to recruit post-pandemic, have meant that the return to normality has not always been as smooth as we would have hoped. Meanwhile, we have a willing resource within many of our communities: asylum seekers who have fled war, persecution and violence, coming here to build a new life. The problem is that, except in a small number of shortage—[*Interruption.*] I apologise, Madam Deputy Speaker. It appears that some Members are not able to follow the conventions of the House. The problem is that, except in a small number of shortage occupations, asylum seekers are currently banned from working. That ban is a clear example of the Government's hostile immigration environment—a hostility that includes criminalising those seeking refuge, with barbaric detention centres and GPS trackers. Such policies may please those of a UKIP mindset, but they certainly do not support our communities.

The benefits of lifting the ban would be significant. We could increase the workforce in areas of most need, allowing asylum seekers to take up roles as HGV drivers, baggage handlers and farm labourers, or even as civil servants, processing passport applications and driving licences. There are good financial reasons why that makes sense. Lift the Ban's most recent calculations show that over the last 10 years, the Treasury has wasted nearly £1 billion as a result of preventing people from working. If even 50% of those currently waiting more than six months for a decision were able to work full time on an average salary, the Chancellor would receive more than £190 million annually in tax and national insurance contributions, and that is before we consider the staggering amount of money—£120 million—that was frittered away on the disastrous Rwandan deal. Instead of wasting stupid amounts of money on ineffective policies, it is time that this Government implemented policies that make economic sense, and the right to work is just that.

Currently, asylum seekers may apply for permission to work only if they have been waiting for a decision on their asylum claim for more than 12 months. Even then, there are only a small number of occupations that they can work in—as a geophysicist, for example, or a ballet dancer. Why is the current situation a problem? According to the Government's own statistics, 76% of people waiting for a decision on their asylum claim are now waiting for more than six months, and people are left with no other option than to claim asylum support of £5.84 per day. But that masks a much bigger problem, because many are waiting year upon year for that



decision, and meanwhile their life prospects and wellbeing are put on hold. Those Home Office delays force people to live in utter poverty, and sadly, in such circumstances, some people become victims of trafficking.

Some would have us believe that asylum seekers are here to “scrounge off the state” and—paradoxically—to “steal all our jobs”. In truth, however, the vast majority of asylum seekers in this country are willing and committed to work, and to contribute. According to a survey by Lift The Ban, 94% of individuals with experience of the asylum system would work if they were given the chance to do so. The Bill simply asks that they are afforded that dignity.

Today, this Government continue to talk about making asylum claims through “safe and legal means” and about the so-called “pull factor” of the UK’s asylum system, although it is, in fact, one of the least generous in the western world. For most people seeking asylum, there are no safe and legal routes. The UK’s immigration rules make no provision for people to come, or apply to come to the UK to claim asylum. Home Office policy is explicit that for someone to claim asylum in the UK, they must already be in the UK. The current situation in Afghanistan is an example of that. It is important to recognise that many of those fleeing war and persecution are coming from parts of the world where Britain has had, or continues to have, an influence. We cannot embark on foreign wars without accepting our responsibility to those who are then displaced or forced to leave. Rather than interfere and then wash our hands of the resultant chaos, this Government could take seriously their responsibility by rebuilding such countries and supporting those who have left.

Working while awaiting an asylum decision would not only allow asylum seekers to function independently but facilitate language learning and the formation of bonds between people from different cultures. Early intervention, including access to the labour market, is crucial for the successful integration of refugees. The Government have hailed the post-Brexit era as one of “global Britain” that is both open and outward-looking, and giving those seeking sanctuary the chance to integrate into communities is crucial to delivering that promise. Internationally, the UK lags far behind almost all its counterparts in Europe and North America. Countries such as Canada and Sweden allow near immediate access to the labour market, and Germany and Belgium grant access after three and four months respectively. If the UK were to reduce the 12-month waiting threshold to six months, it would join ranks with the United States, France, Spain, the Netherlands, and Denmark. There is no reason for us to remain an outlier.

The justification given by this Government, which is that there could be pull factors if the rules were liberalised, has no basis in evidence. Those fleeing trauma, war and persecution have no inclination that they will be banned from working when they arrive in the UK; they simply seek safety, and often hope to reunite with family members already here. Although the claimed pull factor is the core argument put forward to rebut calls for change, the Government have yet to produce a single shred of evidence for it. Despite the Government’s hostility, lifting the work ban has great public support, with a recent YouGov poll reporting public backing

of 81%. Indeed, the Deputy Prime Minister himself has made his “open-mindedness” towards lifting the ban well known.

This Bill is a small contribution to a policy area that demands considerable reform. We must apply common sense. There is nothing controversial or unreasonable in the contents of the Bill, and those who object to it are basing their arguments on fear or populism, rather than on facts and public opinion. In the context of a global pandemic, a shambolic Brexit and a well-documented worker shortage, the untapped potential of asylum seekers is especially pertinent. Are we really in a position where this Government would further damage the economy rather than soften their hard-line immigration policy? It makes little practical or political sense to prevent asylum seekers from working, and I hope Members across the House will join me in calling for the ban to be lifted. This is a small change that will transform lives and communities.

*Question put and agreed to.*

*Ordered,*

That Carol Monaghan, Stuart C. McDonald, Alison Thewliss, Angus Brendan MacNeil, Kirsten Oswald, Dr Philippa Whitford, Owen Thompson, Ms Anum Qaisar, Martyn Day, Joanna Cherry, Drew Hendry and Amy Callaghan present the Bill.

Carol Monaghan accordingly presented the Bill.

*Bill read the First time; to be read a Second time on Friday 16 September, and to be printed (Bill 132).*

### NORTHERN IRELAND TROUBLES (LEGACY AND RECONCILIATION) BILL: PROGRAMME (NO. 2)

*Ordered,*

That the Order of 24 May 2022 (Northern Ireland Troubles (Legacy and Reconciliation) Bill: Programme) be varied as follows:

- (1) Paragraphs (2), (3) and (4) of the Order shall be omitted.
- (2) Proceedings in Committee of the whole House, any proceedings on Consideration and proceedings on Third Reading shall be completed in two days.
- (3) Proceedings in Committee—
  - (a) shall be taken in the order shown in the first column of the following Table, and
  - (b) shall (so far as not previously concluded) be brought to a conclusion at the times specified in the second column of the Table.

TABLE

Proceedings	Time for conclusion of proceedings
Clause 1; new Clauses relating to Part 1; new Schedules relating to Part 1; Clause 2; Schedule 1; Clauses 3 to 6; Schedule 2; Clauses 7 to 9; Schedule 3; Clauses 10 to 14; Schedule 4; Clauses 15 to 25; Schedules 5 and 6; Clauses 26 and 27; Schedule 7; Clauses 28 to 32; new Clauses relating to Part 2; new Schedules relating to Part 2	The moment of interruption on the first day

Proceedings	Time for conclusion of proceedings
Clauses 33 to 38; Schedules 8 and 9; Clause 39; Schedule 10; Clauses 40 and 41; Schedule 11; new Clauses relating to Part 3; new Schedules relating to Part 3; Clauses 42 to 50; new Clauses relating to Part 4; new Schedules relating to Part 4; Clause 51; Schedule 12; Clauses 52 to 57; new Clauses relating to Part 5; new Schedules relating to Part 5; remaining proceedings on the Bill	One hour before the moment of interruption on the second day.

(4) Any proceedings on Consideration and proceedings on Third Reading shall be taken on the second day and shall (so far as not previously concluded) be brought to a conclusion at the moment of interruption on that day.—(*Gareth Johnson.*)

## Northern Ireland Troubles (Legacy and Reconciliation) Bill

[1ST ALLOCATED DAY]

*Considered in Committee*

*[Relevant Documents: Oral evidence taken before the Northern Ireland Affairs Committee on 7, 15 and 21 June 2022, on Addressing the Legacy of Northern Ireland's Past: The UK Government's New Proposals, HC 284.]*

[DAME ROSIE WINTERTON *in the Chair*]

### Clause 1

MEANING OF “THE TROUBLES” AND OTHER KEY EXPRESSIONS

2.42 pm

*Question proposed,* That the clause stand part of the Bill.

**The First Deputy Chairman of Ways and Means (Dame Rosie Winterton):** With this it will be convenient to discuss the following:

Amendment 73, in clause 2, page 3, line 11, leave out “one, two or”.

*This amendment would require the ICRIR to comprise three other Commissioners, in addition to the Chief Commissioner and the Commissioner for Investigations. It is linked to an amendment to leave out paragraph 6 of Schedule 1.*

Amendment 75, page 3, line 22, after “Troubles” insert

“sexual offences linked to conduct forming part of the Troubles”.

Amendment 74, page 3, line 25, at end insert—

“(4A) At least one Commissioner should have significant international experience or expertise.”

*This amendment would include in the ICRIR's functions referring Troubles-related sexual offences to prosecutors.*

Amendment 76, page 3, line 41, at end insert

“and to the Northern Ireland Assembly and each House of Parliament”.

*This amendment would require the ICRIR to provide a copy of its annual reports to Parliament and the Northern Ireland Assembly.*

Clause 2 stand part.

Amendment 91, in schedule 1, page 48, line 34, leave out paragraph 6.

*This amendment would require the ICRIR to comprise three other Commissioners, in addition to the Chief Commissioner and the Commissioner for Investigations. It is linked to an amendment to Clause 2(3).*

Amendment 113, page 48, line 37, at end insert—

“(1A) The Secretary of State must convene the appointments panel before appointing the Commissioners.

(1B) In this Schedule “appointments panel” means—

- (a) the Attorney General for Northern Ireland,
- (b) a member of the Commission for Victims and Survivors for Northern Ireland,
- (c) the person who is the head of the Northern Ireland Civil Service, and
- (d) a person with experience of managing major criminal investigations, appointed to the panel by the Northern Ireland Justice Minister.

(1C) The appointments panel must make a recommendation in relation to the appointment of a Commissioner.

(1D) Any such recommendation must be made with the agreement of all the members of the appointments panel.

(1E) The Secretary of State must act in accordance with the recommendation of the appointments panel in appointing a person to be a Commissioner.

*This amendment would require the Secretary of State to gain the approval of an appointments panel before appointing a commissioner.*

Amendment 92, page 49, line 8, at end insert—

‘(4A) The term of office of a person appointed as a Commissioner under paragraph 7(1) must not begin before—

- (a) the person has, in connection with the appointment, appeared before the relevant select committee of the House of Commons, and
- (b) the House of Commons has approved the appointment by resolution no earlier than 10 sitting days after the person appeared before the relevant select committee of the House of Commons.

(4B) Sub-paragraph (4A) does not apply if the person is appointed as a Commissioner on an acting basis, pending a further appointment being made.

(4C) The reference to the relevant select committee of the House of Commons—

- (a) includes the Northern Ireland Affairs Committee and the Justice Committee,
- (b) if the name of a Committee is changed, is a reference to that Committee by its new name, and
- (c) if the functions of those Committees (or substantially corresponding functions) become functions of a different Committee or Committees of the House of Commons, is to be treated as a reference to the Committee or Committees by which the functions are exercisable.

(4D) Any question arising under sub-paragraph (4C) is to be determined by the Speaker of the House of Commons.’

*This amendment would require the appointment of Commissioners to be subject to parliamentary scrutiny and approval.*

That schedule 1 be the First schedule to the Bill.

Clause 3 stand part.

Amendment 77, in clause 4, page 4, line 19, after “would” insert “reasonably”.

Amendment 78, page 4, line 21, after “would” insert “reasonably”.

Amendment 79, page 4, line 23, after “would” insert “reasonably”.

Clause 4 stand part.

Amendment 80, in clause 5, page 4, line 35, leave out “reasonably”.

*This amendment would remove a limitation on the material which the Commissioner of Investigations may require a relevant authority to make available to the ICRIR.*

Amendment 81, page 4, line 38, leave out “may” and insert “must”.

Amendment 82, page 5, line 1, leave out “, in the view of that authority, may” and insert “are”.

Clauses 5 and 6 stand part.

That schedule 2 be the Second schedule to the Bill.

Clauses 7 and 8 stand part.

Amendment 83, in clause 9, page 7, line 43, leave out from “subsection (1)” to end of line 44.

*This amendment would remove the condition of appropriateness for another family member to make a request for a review where there are no close family members of the deceased.*

Clause 9 stand part.

That schedule 3 be the Third schedule to the Bill.

Clause 10 stand part.

Amendment 84, in clause 11, page 9, line 35, at end insert—

‘(3A) A request for a review may be re-submitted to accord with the form or manner required by the Commissioner for Investigations.’

Clauses 11 and 12 stand part.

Amendment 111, in clause 13, page 11, line 10, at end insert—

‘(3A) The Commissioner for Investigations must ensure that each review—

- (a) has access to all information, documents and other material held by Government Agencies that may be reasonably required for the exercise of the review,
- (b) establishes whether any forensic opportunities exist to identify those responsible for a potential Troubles-related offence,
- (c) identifies and engages any potential witnesses, members of the security forces or other persons who may be able to assist in identifying who is responsible for the Troubles-related offence,
- (d) is conducted with integrity and objectivity, conforming to nationally recognised standards,
- (e) does not overlook any investigative opportunities, and
- (f) identifies and shares investigative and organisational best practice.’

*This amendment would ensure that any review conducted by the ICRIR is carried out in line with the standards for Operation Kenova, the investigation into activities linked to an alleged British Army agent, known as Stakeknife.*

Amendment 112, page 11, line 15, at end insert—

‘(4A) When exercising the powers conferred by subsection (4), the Commissioner for Investigations must ensure that each review is carried out in a timely manner.’

*See explanatory statement for Amendment 111.*

Clauses 13 and 14 stand part.

Amendment 95, in schedule 4, page 62, line 39, leave out “£1,000” and insert “£5,000”.

*This amendment would increase the penalty for failure to comply with a notice under section 14 requiring the supply of information to the Commissioner for Investigations.*

That schedule 4 be the Fourth schedule to the Bill.

Clauses 15 to 17 stand part.

Amendment 96, in clause 18, page 16, line 10, leave out “A to C” and insert “A to D”.

*This is a paving amendment for Amendment 98.*

Amendment 97, page 16, line 30, at end insert—

‘(6) If Condition C is not met because P’s account is found by the panel to be not true to the best of P’s knowledge and belief, the Chief Commissioner must direct the Commissioner for Investigations to submit a prosecution file to the Public Prosecution Service for consideration and direction.’

*This amendment is intended to reduce the risk of claimants deliberately misleading the panel.*

Amendment 98, page 16, line 30, at end insert—

‘(6A) Condition D: P has not fled the jurisdiction of any court in the United Kingdom [or Ireland] after being arrested or charged or being the subject of a warrant issued in connection with any Troubles-related offence.’

*This amendment is intended to prevent the grant of immunity to any person subject to active proceedings who has moved abroad to escape prosecution.*



Amendment 99, page 16, line 31, leave out “A to C” and insert “A to D”.

*This amendment is consequential on Amendment 98.*

Amendment 85, page 16, line 37, after “offences” insert “excluding rape and other serious sexual offences”.

*This amendment would exclude rape and other serious sexual offences from immunity from prosecution.*

Amendment 100, page 16, line 38, leave out subsections (9) to (12).

*This probing amendment is one of a series removing general immunity from the Bill.*

Amendment 115, page 17, line 7, at end insert—

‘(12A) But certain offences of sexual violence listed in Schedule (Exempt offences) must not be treated as within the scope of immunity from prosecution.’

*This amendment is linked to NS1.*

Amendment 101, page 17, leave out lines 13 and 14.

*This probing amendment is one of a series removing general immunity from the Bill.*

Amendment 102, page 17, leave out lines 21 and 22.

*This probing amendment is one of a series removing general immunity from the Bill.*

Amendment 119, page 17, line 24, at end insert—

‘(16A) Nothing in this Act confers any immunity from prosecution (after immunity has been granted to P) if P commits an offence under section 1 (encouragement of terrorism) of the Terrorism Act 2006 or section (Office of glorifying terrorism: Northern Ireland) of this Act.’

Clauses 18 and 19 stand part.

Amendment 86, in clause 20, page 19, line 1, leave out subsection (4).

*This amendment is intended to remove the possibility of immunity being granted solely on the basis of a perpetrator’s claims made with no corroboration.*

Amendment 105, page 19, leave out lines 23 and 24.

*This probing amendment is one a series removing general immunity from the Bill.*

Amendment 106, page 19, leave out lines 26 and 27.

*This probing amendment is one a series removing general immunity from the Bill.*

Clause 20 stand part.

Amendment 87, in clause 21, page 19, line 41, at end insert—

‘(2A) The same panel membership must hear the whole of an immunity request.’

Amendment 88, page 20, line 3, at end insert—

‘(3A) Where a panel has been reconstituted in accordance with subsection (3), the reconstituted panel must hear the whole immunity request afresh.’

Clauses 21 and 22 stand part.

Amendment 89, in clause 23, page 21, line 6, leave out “reasonable”.

Amendment 90, page 21, line 16, leave out paragraphs (4) and (5).

Clauses 23 to 25 stand part.

That schedule 5 be the Fifth schedule to the Bill.

That schedule 6 be the Sixth schedule to the Bill.

Clauses 26 and 27 stand part.

That schedule 7 be the Seventh schedule to the Bill.

Clauses 28 to 32 stand part.

New schedule 1—*Exempt Offences*—

‘1 The following offences are not to be treated as within the scope of immunity from prosecution (see section 18 (12A)).

2 An offence under any provision of the Sexual Offences Act 1956.

3 An offence under section 1 of the Indecency with Children Act 1960 (indecent conduct towards child under 14).

4 An offence under section 54 of the Criminal Law Act 1977 (inciting child under 16 to commit incest).

5 An offence under section 1 of the Protection of Children Act 1978 (indecent photographs of children).

6 An offence under section 160 of the Criminal Justice Act 1988 (possession of indecent photograph of a child).

7 An offence under any provision of the Sexual Offences Act 2003.

8 An offence under section 63 of the Criminal Justice and Immigration Act 2008 (possession of extreme pornographic images).

9 An offence under section 62 of the Coroners and Justice Act 2009 (possession of prohibited images of children).

10 An offence under section 33 of the Criminal Justice and Courts Act 2015 (disclosing private sexual photographs and films with intent to cause distress).

11 An offence under section 2 of the Modern Slavery Act 2015 (human trafficking) committed with a view to exploitation that consists of or includes behaviour within section 3(3) of that Act (sexual exploitation).

12 An offence at common law of outraging public decency.

13 A reference in paragraphs 2 to 14 to an offence (“offence A”) includes—

(a) a reference to an attempt to commit offence A,

(b) a reference to a conspiracy to commit offence A,

(c) a reference to incitement to commit offence A,

(d) a reference to an offence under Part 2 of the Serious Crime Act 2007 in relation to which offence A is the offence (or one of the offences) which the person intended or believed would be committed, and

(e) a reference to aiding and abetting, counselling or procuring the commission of offence A.’

*This new schedule would exclude sexual offences from being granted immunity, and is linked to Amendment 115.*

**The Minister of State, Northern Ireland Office (Conor Burns):** It is a humbling experience to come before the Committee to deal with the first of the two days in Committee of the Northern Ireland Troubles (Legacy and Reconciliation) Bill.

On Monday evening, I attended an event at Queen’s University Belfast hosted by the vice-chancellor Professor Ian Greer, where we heard video messages from President Clinton, Sir Tony Blair and my right hon. Friend the Prime Minister, and we heard speeches from me and the former Taoiseach Bertie Ahern. We gathered to pay tribute to my right hon. and noble Friend Lord Trimble, to thank him for his career of service in Northern Ireland and to thank his wife Daphne for her support of him over all those years. In my remarks, I said that we thanked him for his courage to compromise, his conviction to lead and his audacity to dream. I reflected on how much Northern Ireland has changed over the years since the Belfast/Good Friday agreement, of which he was such a key part.

The measure before the Committee is an attempt to try to continue the process of moving Northern Ireland on. I begin by genuinely and humbly saying that these

measures are difficult, are a compromise and are contested. I pay tribute to my right hon. Friend the Secretary of State, who has had the courage to grapple with this issue when many others in the years since the Belfast/Good Friday agreement simply decided that it was too difficult.

**Mr Gregory Campbell** (East Londonderry) (DUP): The Minister quite rightly says that the proposals are contested, and he is accurate in that. Does he agree that the most important people in this equation—the innocent victims of many, many terrorist activities—are the ones who find the proposals most contestable, and they are totally and utterly opposed to them?

**Conor Burns:** Where I agree with the hon. Gentleman is on the fact that the victim must be absolutely at the heart of what we are trying to do. It is our contention that the measures are victim-centric, but they also acknowledge that the current system has not been delivering for victims as we think they deserve.

**Jim Shannon** (Strangford) (DUP): The Minister of State mentioned that he was at Queen's University. He will know that Edgar Graham was murdered just outside the university, and no one was ever held accountable for that crime. When it comes to settling things, my colleagues, my constituents and I want total accountability in the process. We want accountability for those who murdered Edgar Graham, who murdered the four Ulster Defence Regiment men—my constituents—at Ballydugan, who murdered my cousin Kenneth, who murdered Daniel McCormick and who murdered Lexie Cummings. Will the Minister of State tell me, the Committee and my constituents how there will be any accountability in the process when the people who did that are getting off scot-free and will never be held accountable? That is exactly what the legislation will do.

**Conor Burns:** I understand why the hon. Gentleman makes that point. It is our responsibility to explain in greater detail how the legislation will help to recover information and get knowledge to families and those who are still grieving for profound and unimaginable losses. At the event on Monday, we heard from Professor Lord Bew, who spoke of many memories of hearing bombs and of people being murdered in the vicinity of Queen's University. As my right hon. Friend the Secretary of State has explained on multiple occasions, however, we are starting from a position where the current mechanisms are not delivering for victims. There was never going to be a perfect way to do that, but this is an attempt to try to get better processes in place.

**Johnny Mercer** (Plymouth, Moor View) (Con): Is that not precisely the point of what the Government are trying to do—to act in the art of the possible? Everybody would like every single crime to be punished and all perpetrators to be held to account, but that process has been done to death over 25 years and it has not produced results for the victims.

**Conor Burns:** My hon. Friend is absolutely right. If the mechanisms currently in place were working and delivering, we would not be bringing this legislation before the House. As my right hon. Friend, who has joined me on the Front Bench, and I have acknowledged on multiple occasions, this is not a piece of legislation

that we are heralding; it is an attempt to try to make things better in Northern Ireland by trying to bring a degree of information to those who simply want to know what happened to their loved ones.

**Several hon. Members rose—**

**Conor Burns:** I will take a few more interventions and then explain, in the context of the Bill, what we are trying to do. I want to make as much time as possible available to hon. Members in all parts of the Committee. I give way first to the leader of the Social Democratic and Labour party.

**Colum Eastwood** (Foyle) (SDLP): The Minister says that he wants to put victims at the centre, that he wants to provide information and transparency, and all that. There were a number of victims on the estate last night. They were families of people—of children, actually—who were murdered during the conflict. One of those children was Julie Livingstone. She was 14 years old in Lenadoon in west Belfast in 1981, and she was shot by the British Army and killed. Her file has been closed until 2064. How can Julie Livingstone's family believe this Government when they say they want to give accountability, truth and transparency?

**Conor Burns:** The unimaginable tragedy and grief that people in Northern Ireland experienced is understood, as much as it is humanly capable of being understood by those who did not go through it. I am sorry that I could not attend the hon. Gentleman's meeting last night. I received the email to my parliamentary email address; I was travelling back from Northern Ireland and did not return to Westminster in time to come. I would have been delighted and humbled to come and meet those people who came to Westminster, as my right hon. Friend the Secretary of State and I have met victims' families and victims groups across Northern Ireland in the process of getting the Bill to where it is.

One of the reasons why my right hon. Friend and I have taken the time that we have taken, as we have both said, is to get the Bill right, and to make sure that what we are proposing will work. The hon. Member for Foyle (Colum Eastwood) is absolutely right that the test of the Bill will be when the information recovery body is up and running and functioning—when people can refer cases to it and when the British state transfers to it the documents that we have at our disposal. The test will be in the delivery of that body for victims and families.

**Gavin Robinson** (Belfast East) (DUP): The Minister is outlining to the Committee that he wants to get this right. It is a fundamental part of scrutiny in this House that the Committee is meeting on the Floor of the House today and will meet again on Monday, and that scores of amendments have been tabled to get this right. I had a meeting with the Secretary of State on Monday, and we discussed amendments. He knows from Second Reading that there is no consequence should somebody choose not to engage in this process, and for those who do engage, there is no consequence for lying. Those amendments are before the Committee today, and the Government can engage with them. Will they accept some of them? Is there any update from the meeting on Monday?

**Conor Burns:** The hon. Gentleman makes an incredibly valid point. I will build, if I may, on the points that I made in reply to the hon. Member for Foyle. We have deliberately taken time to get this right. The Bill has evolved from the Command Paper that was published in July 2021. We are determined to get this as right as we can and make sure that it delivers. As my right hon. Friend the Secretary of State has said, and as I have said repeatedly, where we think amendments could improve the objectives of delivering for victims and increasing the attractiveness of engaging with the independent commission—and potentially making the sanction for not engaging stronger—we are absolutely up for that.

As the hon. Member for Belfast East (Gavin Robinson) knows, the other day I was in the primary school that his son goes to. We were unveiling the shortlist for our platinum jubilee rug competition in alliance with Ulster Carpets. Our motivation is to make absolutely sure—as much as we can—that those young people grow up in a society that acknowledges a past but is no longer defined by something called “the past”. We believe that these proposals will edge Northern Ireland society further in that, I hope, noble ambition.

**Sir Iain Duncan Smith** (Chingford and Woodford Green) (Con): Further to the intervention by the hon. Member for Belfast East (Gavin Robinson), the Minister will know that I have expressed my support for the Bill, caveated by the fact that it is by no means perfect. It is far from perfect; it has lots of flaws, and we ought to iron some of them out. However, on Second Reading, I said quite categorically to our right hon. Friend the Secretary of State that one of the key issues that victims need to see settled is what happens to those who do not take part and those who are demonstrated to have lied to the commission. At present, they will get a two-year tariff even if they have committed the most heinous murders. Will we move to a position whereby those who play no part in the process, and those who are proven to have lied deliberately, lay themselves open to the normal criminal justice process and a full-life tariff for heinous crimes?

**Conor Burns:** I am incredibly grateful to my right hon. Friend. His contribution on Second Reading impacted powerfully on me and on my right hon. Friend the Secretary of State, and we have been having discussions and deliberations internally about how, as we progress the Bill, we can address to his satisfaction some of the points that he makes, which are made sincerely and with conviction and are solid. We believe that his motivation, if carefully enacted, could improve the proposals that are before the Committee today.

**Richard Drax** (South Dorset) (Con): My right hon. Friend the Member for Chingford and Woodford Green (Sir Iain Duncan Smith) has just taken the words out of my mouth; I wanted to ask the question that he asked. As I understand it, if those who we want brought to book—terrorists, in particular—do not come and give evidence when asked to do so, they will still be subject to the full force of the law. However, at the moment, the most that anyone could be jailed for is two years. I, as well as many who served out there, the victims and those who have suffered, want those who are found guilty to go to jail for a very long time indeed.

**Conor Burns:** My hon. Friend echoes the powerful words of my right hon. Friend the Member for Chingford and Woodford Green (Sir Iain Duncan Smith). This is exactly what Parliament is for, and this is what Committee stage is for. We do not claim to have a monopoly on wisdom or righteousness in the Northern Ireland Office. We have some incredibly bright officials, who have supported my right hon. Friend the Secretary of State in the development of these proposals, but we also want to draw on the collective wisdom and insight of this House as we progress the legislation. I just say to my hon. Friend that I have no doubt that we will return to this and the Government will have more to say on it as the Bill progresses.

**Several hon. Members** *rose*—

**Conor Burns:** I am conscious that I have not read a word of what I stood up to say, but I give way to the former Secretary of State.

**Julian Smith** (Skipton and Ripon) (Con): As the Minister is aware, victims are incredibly upset and retraumatised by the Bill. Often, they feel uninvolved in the process. As well as consulting the House, what thought have the Government given to reigniting a discussion with victims during proceedings on the Bill?

**Conor Burns:** There has been a significant amount of engagement by my right hon. Friend the Secretary of State and me, and our officials, with victims groups, families and others, not just in Northern Ireland. As my right hon. Friend the Member for Skipton and Ripon (Julian Smith) will understand from his previous incarnation, a lot of that is not very visible. A lot of it is in private, at the request of some of the organisations and families. That consultation—that listening—is not an event; it is a process, and it is ongoing. In addition to listening to this House, we will listen to those who need to be our motivation for the Bill—the victim is at the heart of this legislation. I cannot pretend for a moment to my right hon. Friend that we would expect an outbreak of consensus among victims and families, because we are seeking to legislate in a contested space, on which there are very strongly held and deeply emotional sentiments. I have consistently been struck by the range of views on what victims and families want to happen. This is not a tax Bill where there is a right or wrong answer. It will be contested, but the Secretary of State and I and officials in the Northern Ireland Office will continue to engage as the Bill progresses through the House.

3 pm

**Sammy Wilson** (East Antrim) (DUP): Let us be blunt about what the Minister has summarised so far. The best that anyone can hope for is to get, from the lips of the people who carried out the crimes, information about what they did—and that is it. The worst scenario could be that the individual who carried out the crime lies through their teeth and has no sanction placed on them. The Bill does not even give people an incentive to tell the truth. Is that not the reason why the amendments tabled by my hon. Friend the Member for Belfast East (Gavin Robinson) should be accepted—voted on and approved by the Government? At least that would stop people lying or give them a disincentive to lie about their crimes.



**Conor Burns:** The Government welcome the motivation behind the amendments from the hon. Member for Belfast East. We are looking at how that motive could best be translated into the Bill. I do not agree with what the right hon. Member for East Antrim (Sammy Wilson) said about the information recovery body. We talk about reviews and so on, but the body will have full police powers. We are not setting up some sort of seminar. If people do not engage with the body, it will be able to pass information to the prosecutorial services in Northern Ireland and people could go before the courts. This is about trying to find a mechanism to get information to victims and families about what went on.

By the way, another assumption that lies behind a lot of the debate about the Bill is that somehow just agents of the state will be looked at. It is worth remembering that the state holds much intelligence about other actors who were not acting on behalf of the state. That information will also be furnished to the body, which can make inquiries into that.

**Several hon. Members** *rose*—

**Conor Burns:** I give way to the hon. Member for North Antrim (Ian Paisley), because he has not had a go yet.

**Ian Paisley** (North Antrim) (DUP): The Minister is so generous; his days in Ballycastle served him well. He says that he wishes to improve the Bill, and we have to take that at face value. Many cross-party and cross-community amendments have been tabled from across the House and we want to test his sincerity. Will the Government accept amendment 115, for example? It states that

“certain offences of sexual violence listed in Schedule (Exempt offences) must not be treated as within the scope of immunity from prosecution.”

What is the argument against including that in the Bill?

**Conor Burns:** I expect that we will turn to amendment 115 in greater detail throughout the afternoon and into the evening. It is our view, given the scope of the Bill, that sexual offences would not be within the scope of the panel. We do not believe that sexual offences can be defined as being troubles-related. A rape is a rape. It is not a republican rape or a loyalist rape; it is a crime—a hateful, heinous crime. It will absolutely be the right of the House to test that—

**Colum Eastwood** *rose*—

**Conor Burns:** Perhaps the hon. Gentleman would give me a second. It will absolutely be the right of this House and another place to test that. If the House comes to a conclusion that there needs to be greater clarification, the Government, the Secretary of State and I will listen incredibly closely, because that concern is clearly being expressed. We do not believe, however, that the Bill, as drafted, would see sexual offences fall under the competence or purview of the information recovery body to grant immunity in that space.

**Several hon. Members** *rose*—

**Conor Burns:** I give way to the Chair of the Northern Ireland Affairs Committee.

**Simon Hoare** (North Dorset) (Con): I am grateful to my right hon. Friend. The hon. Member for North Antrim (Ian Paisley) is right to point to the cross-party nature of proposals. Amendment 85, in my name, addresses this issue, but amendment 115 really should be unarguable. I hear precisely what the Minister says—that the Government believe something—but he recognises the seriousness of the crime and there is a firm belief that sexual intimidation, sexual violence and rape were used as a tool of intimidation and criminality during the troubles. For the sake of clarity and the peace of mind of those who are concerned about this issue, I hope that the Government could move on it. That would provide peace of mind on a point of argument which, frankly, should not be an argument.

**Conor Burns:** I listen very carefully to what my hon. Friend the Chair of the Northern Ireland Affairs Committee says. The Secretary of State and I were again discussing this issue in detail yesterday, this morning and just now, as we have done many times in recent months. The Government's view is that sexual offences would be outside the scope of the Bill. If we need to bring greater clarity to that, we are listening and we will find a way to do that, but we believe passionately and sincerely that that is not within the scope of the Bill before the Committee today.

**Several hon. Members** *rose*—

**Conor Burns:** I am almost tempted to let you decide who should intervene, Dame Rosie, but I will let my hon. Friend the Member for North Dorset (Simon Hoare) come back in.

**Simon Hoare:** I am very grateful. Let us be absolutely clear: nobody is doubting the sincerity on this issue of either the Minister or the Secretary of State—both are on the Front Bench today. However, belief and certainty are two entirely different things. Would it not be much better to have the provision in the Bill so that belief, certainty or whatever is immaterial? It would be in the Bill and be very clear for everybody to see. This is a very simple ask. I am not asking the Minister to do this today; I am asking for due consideration of the issue in the other place in order to provide certainty and peace of mind, which would not rely on belief or understanding of any Minister at any time. The face of the Bill is the place for the provision.

**Conor Burns:** I hear clearly what my hon. Friend says. We will need to find a way to bring greater clarity to this issue. However, I restate our view that someone coming to the information recovery body and saying that they had committed rape would not be eligible for immunity from the body for that offence. If we need to find greater clarity on that, we will find a way to do that.

**Julian Smith:** I have letters in front of me to rape victims declaring that they are victims of troubles-related activity. Where do the Minister's words leave victims who have received letters stating clearly that they are troubles-related victims, and how do they avoid their perpetrators being able to seek an amnesty?

**Conor Burns:** I entirely understand my right hon. Friend's point. This hinges on the definition of “troubles-related” in the Bill. It is our belief that it would not be in the scope of what we are proposing to the Committee.

**Sir Iain Duncan Smith:** Perhaps it would be helpful for me to put a case to the Minister. Let us say, for example, that somebody committed a terrorist offence, in the course of which they committed a sexual offence such as rape. They put themselves forward on the basis that they committed a terrorist attack, but the sexual offence is a criminal offence—it should be a criminal offence, not a terrorist offence. My point is that they would get cleared due to the fact that it was locked into the troubles, because it was committed at the same time. The individual who suffered rape would then have no recourse to the courts. Will my right hon. Friend take away a commitment to review the matter and come back categorically, if necessary on Report, with a way in which this issue can be specific, clear and obvious in the Bill?

**Conor Burns:** I am absolutely happy to give that explicit undertaking to my right hon. Friend and the Committee today. The fact of an offence having been committed during the period of the troubles does not make that offence troubles-related. That is key.

**Laura Farris (Newbury) (Con):** I respect the tone that my right hon. Friend is taking on this very sensitive subject, but we know that rape is often used as a weapon of war; it is a subject that we speak about more and more in this place. The Prime Minister recently endorsed from the Dispatch Box the view that rape as a weapon of war is equivalent to the use of chemical weapons in war—it is as serious as that. I understand that there is not a large number of legacy rape claims. Given the Minister's very strong sentiments about the issue, is there anything to prohibit him from putting the provision in the Bill, just as a matter of simplicity, ease and clarity?

**Conor Burns:** We think that the position is clear in the Bill. However, it is clear that the Committee does not totally think so, so I give the Committee the undertaking that I have given my right hon. Friend the Member for Chingford and Woodford Green (Sir Iain Duncan Smith): that we will return explicitly to this specific measure as the Bill progresses.

I would also say to my hon. Friend the Member for Newbury (Laura Farris) that Northern Ireland was not at war; Northern Ireland suffered a grievous period of barbarism by terrorist groups. In that sense, the analogy of rape in war does not translate easily across.

**Colum Eastwood:** I am grateful to the Minister for giving that commitment, but I think he understands very well what we are talking about. We do not need to theorise. We know of individual cases in which members of paramilitary organisations raped members of our community; the rape was investigated by paramilitary organisations and covered up; the victim was victimised further, abused and hounded out of their own community—and what happened then? The perpetrators were moved to other parts of Ireland to work within the community.

These are high-profile cases, which the Minister knows about and which would not have happened in the same way in Liverpool or Manchester. Paramilitary organisations exist in our communities and they coerce and control communities. People have been shifted around our country to rape whoever they want under the protection of the IRA and other organisations.

**Conor Burns:** The hon. Gentleman makes a very powerful point. I think that I am acknowledging the strength of feeling on the issue. I can keep saying the same thing over and over: we will take it away and return to it. We have two days to get the Bill through Committee, and then the other place will take a look at it.

The Secretary of State and I were discussing the issue as the hon. Gentleman was speaking. There is a very clear definition and understanding in the Bill of what “troubles-related” means. The panel will clearly be able to bring a degree of interpretation and flexibility to its approach to the individual circumstances, many of which are very complicated indeed. However, we will return to the issue and seek to give the House the greater assurance that the Committee clearly seeks.

**Mr John Baron (Basildon and Billericay) (Con):** As one of several Members across the House who served during the troubles and saw the losses incurred by both sides, I believe—as I think the Committee does—that the Minister is dealing with the issue sensitively at the Dispatch Box. I thank him for that.

I suggest to the Minister that the perfect should never be the enemy of the good. I am very sympathetic to the amendments tabled by the hon. Member for Belfast East (Gavin Robinson), and indeed to amendment 115, but I remind the Committee that since the Good Friday agreement there have been hardly any successful prosecutions on behalf of victims during the troubles. If the Bill can help us to move forward, as I think for a good number of families it will, that has to be a good thing even though we accept that it is not necessarily perfect.

**Conor Burns:** First, may I thank my hon. Friend at this Dispatch Box for his service in the forces? We acknowledge and thank all those who served in Northern Ireland, and we thank the families of those who gave their lives to uphold law and order and fight against the barbaric, evil terrorist campaign that Northern Ireland, and indeed Great Britain, endured over so many years.

3.15 pm

As I acknowledged right at the beginning, the Bill is an attempt to help society in Northern Ireland to move forward—to help the next generation not to be defined by things that happened before they were born. Is it perfect? No, by definition, because there is no consensus. There is no binary right or wrong in this area because it is so contested and so difficult. That is why I am saying that there are elements on which we will listen very carefully to the Committee. If Members across the Committee have ideas about how the Bill could be improved, we will absolutely listen.

**Dr Andrew Murrison (South West Wiltshire) (Con):** The Minister's sincerity in trying to deal with the issue shines through. I did his job in 2014; we came up with something, and it clearly has not worked. I have to tell him that I do not like this approach, because none of us likes bending justice—we once thought that that was an absolute, but that ship sailed in 1998. However, it is being underwritten by victims, as I think we need to acknowledge.

On the subject of serious sexual offences, I agree with the comments that have been made. I really appreciate the Minister's statement that he will go away and look at the issue. Just to add to the ambiguity, may I draw his attention to the definition of "serious physical or mental harm" in clause 1(6), which lists "severe psychiatric damage" in paragraph (d)? Many of those who have been sexually abused will be suffering severe psychiatric damage. I think the Minister will have to consider that point and the ambiguity that it introduces in dealing with this subset of heinous crime.

**Conor Burns:** My right hon. Friend knows the subject incredibly well; he did the job with distinction and was widely liked and admired in Northern Ireland. He will understand the difficulty of grappling with some of this. As I said earlier, I pay tribute to the Secretary of State for having the courage to pick this up and have a go—there is a reason why Governments have not done a lot.

My right hon. Friend talks about bending justice. Seriously courageous decisions were taken to bring that dreadful period in the history of Northern Ireland and our United Kingdom to an end. People who had been convicted of the most appalling offences were released early. We are operating in a very contested space, but we are absolutely determined to do the right thing by those who need to be at the heart of the matter—those who suffered and those who lost their lives.

The Bill very clearly defines what a troubles-related offence is. It specifies that such an offence

"is 'serious' if the offence...is murder, manslaughter or culpable homicide...another offence that was committed by causing the death of a person, or",

as my right hon. Friend says, if it

"was committed by causing a person to suffer serious physical or mental harm".

Those are the definitions with which the information recovery body will have to engage to make very finely balanced judgments.

**Julian Smith:** On amendment 115, may I refer to a role that I had in a previous life? My understanding is that the Opposition and the DUP are planning to press the amendment to a vote this evening. I am concerned for my hon. Friends, because voting against the exclusion of rape from the scope of immunity is not a place where they want to be. May I urge the Minister and the Whips Office to look before 7 o'clock at how the amendment can be accepted, even if it needs to be slightly amended later, so that no one in the Conservative party has to vote against the exclusion of rape?

**Conor Burns:** I have great admiration for my right hon. Friend, as he knows. He and I maintained a very warm dialogue when he was Chief Whip in extremely trying political circumstances. He was sitting alongside me when I gave the Committee the commitment that we will take this away and look at it, and will seek to give reassurance and comfort to Members that what we are saying about the provisions and definitions in the Bill is soundly based, and that if we need to consider mechanisms before the House gives final assent to the Bill, we will do that.

I can say to my right hon. Friend that I am confident that we can vote for this measure this evening before it leaves this place for scrutiny in the other place, and I am

confident that his fears are not grounded. I will be listening for the rest of the afternoon, and we may want to say something later on, but I am paying very careful attention to the mood of the Committee on this issue.

**Simon Hoare:** May I echo what my right hon. Friend the Member for South West Wiltshire (Dr Murrison) said? No one doubts the sincerity of the Minister. I would say to the shadow Secretary of State that we all know the processes whereby a write-round will have to take place. The Minister is in an invidious position, in that he cannot meet at the Dispatch Box the perfectly legitimate request made by my right hon. Friend the Member for Skipton and Ripon (Julian Smith). There is, I think, unity in the Committee on this issue.

It may be sensible for the shadow Secretary of State—who, I know, is an honourable and good man—not to press amendment 115 to a vote this evening, but with the absolute caveat that if the Government move away from, effectively, what the Minister has said at the Dispatch Box, an amendment will be tabled on Report, there will be a free-for-all, and the Government will be defeated.

**Conor Burns:** I have listened carefully to what the Chairman of the Select Committee has said. Ultimately, it will be up to the shadow Secretary of State and his Front-Bench team to decide what to do. I share my hon. Friend's affection—

**Gavin Robinson:** On a point of order, Dame Rosie. For the sake of clarity and for the benefit of all Members, may I ask you to confirm that there will be a Report stage? I have listened to these exchanges, but given the timescale that we have for the Bill's remaining stages on Monday—given that the second day of the Committee stage will end an hour before the moment of interruption—and given the likelihood of many Divisions, I expect that there will not even be time for a substantive Third Reading, let alone a Report stage.

Just in case people fall into the view that there will be enough time for a Report stage and the opportunity to table further amendments, I must express my view that that will not be the case on Monday. But I ask you, Dame Rosie, for clarification.

**The First Deputy Chairman of Ways and Means (Dame Rosie Winterton):** Report stage is currently scheduled for Monday. As I understand it, amendments would need to be tabled at the close of Committee stage on Monday, as manuscript amendments. I hope that is helpful.

**Gavin Robinson:** Further to that point of order, Dame Rosie. In principle there can be a Report stage, but in practice, if the Committee stage runs until an hour before the end of proceedings and there are Divisions—four, potentially—there will be no time whatever for a Report stage or a Third Reading. We cannot predict what will happen with Divisions, but I am asking for confirmation that a set of circumstances could arise whereby no effective Report stage would occur.

**The First Deputy Chairman:** Obviously it is difficult to predict what would happen on the day. In such circumstances, Members can all agree that they wish to



[*The First Deputy Chairman*]

allow enough time for Report stage by means of shorter speeches or fewer votes. On the other hand, I understand that it is also possible for the business managers and the Government to table a Business of the House motion that could perhaps give specific protected time to a Report stage, but that would be a decision for the Government. Again, I hope that that is helpful.

**Simon Hoare:** Further to that point of order, Dame Rosie.

**The First Deputy Chairman:** I am slightly anxious that we will use the whole debate for points of order, but I will take this one from the hon. Gentleman.

**Simon Hoare:** It was my understanding, Dame Rosie, that the usual channels could alter the programme motion, but could you also confirm that when we reached the stage of what we normally describe as ping-pong, were such an amendment to be passed in the other place, we would debate it here in the context of the Government's response to the amendment? That would also afford an opportunity for this place to accept an amendment from their lordships that the Government might still be trying to resist, although I doubt that they would. Is that not still open to us as Members of the House of Commons?

**The First Deputy Chairman:** This is something that I suggest would lead to ping-pong, as the hon. Gentleman calls it, but, again, the scheduling is not a matter for the Chair; it is a matter for the business managers and the Government.

I have a feeling that the Minister has heard all the points that have been made, and I think we should probably return to the debate.

**Conor Burns:** I am conscious that I have taken a significant number of interventions so far this afternoon, so, if I may, I will make some progress and talk briefly about the actual content of the Bill—

**Jim Shannon** *rose*—

**Conor Burns:** However, I did promise to give way to the hon. Gentleman. Go on.

**Jim Shannon:** I thank the Minister. I did indicate my wish to intervene earlier.

The Minister will be aware of the victims involved in three cases: the Old Bailey bombing of 1973, the docklands bombing of 1996, and the Manchester bombing of 1996. Victims of those bombings are taking out an action against Gerry Adams—the man who said he was never a member of the IRA, although he clearly was. It is a civilian case and I know that the victims are seeking damages amounting to a nominal £1.

If it is proved that Gerry Adams was responsible for those cases as a commander of the IRA, will the Government make legal aid available to people who take action primarily against him, and also against the IRA and those who were responsible at that time? If the information is there and it is proven, can the Bill make that happen? Will legal aid be available to those people?

**Conor Burns:** The hon. Gentleman probably anticipated my reply before he asked the question. It would be inappropriate for me to comment from the Dispatch Box on something that is, or may be, before the courts. However, the hon. Gentleman has made his point powerfully, and he should address it to a Law Officer.

**Jim Shannon:** The reason for my question is quite simple. I understand that the Bill debars that from happening. If that is so, can the Minister indicate to us on these Benches whether those people have any chance of justice in relation to those three events?

3.30 pm

**Conor Burns:** What we are talking about today is what is in the Bill, what the Bill will establish and how the body will work, and about the definitions, the powers, the functions, the independence, the appointment process and who will be on it. Those are the things we are discussing today and it will then be for that body to make determinations on cases, on individuals and on evidence that is presented to it—[*Interruption.*] The hon. Member for Foyle is shouting at me from a sedentary position, but this is exactly what the Committee stage is for. It is an opportunity for us to explore these things and to take them on board.

**Colum Eastwood:** Will the Minister give way?

**Conor Burns:** No. I heard the hon. Gentleman clearly when he was sitting down; there is no need for him to stand up to say it again. I want to make a little progress. I am conscious that I have already been on my feet for nearly 45 minutes, and I want to give some time to the Committee.

Clauses 2 to 4, clause 6 and schedules 1 and 2 provide for the formation of the independent commission for reconciliation and information recovery as a body corporate consisting of a chief commissioner, a commissioner of investigations and up to three additional commissioners. We very much agree with the sentiment behind amendment 74, tabled by my hon. Friend the Member for North Dorset, that it would be beneficial for one of the commissioners to have significant international experience or expertise. There is nothing in this legislation that would preclude that; indeed, that would be an ambition of the Government.

The functions of the commission will be, when requested, to carry out reviews into the deaths that resulted from conduct forming part of the troubles and, when requested, to carry out reviews of other harmful conduct, as defined in the Bill, forming part of the troubles. The term review in the Bill provides the commission with the scope to conduct the investigative process as it determines to be appropriate in each case, including the use of police powers where appropriate. Where there is an outstanding article 2 obligation, the body will be able to conduct a review to that standard. The body will produce reports on the findings of each of these reviews, determine whether to grant immunity from prosecution for serious or connected troubles-related offences, refer deaths that were caused by conduct forming part of the troubles and other harmful conduct forming part of the troubles to prosecutors, and produce an historical record of all other deaths that resulted from conduct forming part of the troubles.

**Bob Seely** (Isle of Wight) (Con): May I just check something? I am hoping that the Minister will be able to provide a positive confirmation. I have a constituent, a former serviceman, who was involved in an incident in 1980. He gave evidence then, and he gave evidence later in the decade. The matter was then closed. The Police Service of Northern Ireland's historical investigations team then got back in contact with him in 2013 and 2018. My constituent feels that he has been hounded, despite the fact that he has been positively involved and engaged in any investigations process. So, for the many UK servicemen who are finding themselves unjustly, repeatedly and legally hounded—as they feel—which makes a parody of natural justice, what reassurance can the Minister give to my constituent and many others who are in the same boat?

**Conor Burns:** I refer my hon. Friend to what I have said about the gratitude that this Government and the whole country feel towards those who served in Northern Ireland. There is no parity of esteem between what those who were upholding law and order and the Queen's peace, or seeking to, in Northern Ireland did, and those who were waging a barbaric, evil, terrorist campaign against this country. Many of us on the Government Benches know colleagues who suffered grievously at the hands of those murderous thugs. I would say to my hon. Friend that if someone comes forward and engages in good faith with this body and gives an account of something that happened, and if the body accepts that, the person will be eligible for the immunity that this body can grant. The other thing I would say to him is that previous interactions with other bodies will transfer into this body, so someone who has already had a dialogue with different agencies will not be starting all over again.

**Bob Seely:** My constituent has already had a dialogue and was told that the matter was closed, but the matter was then reopened even though he had already had that original dialogue. Does he then have to engage again, as an article of good faith, having already done so for many years, for something that happened 42 years ago?

**Conor Burns:** If my hon. Friend's constituent has previously engaged in those mechanisms and there is no live inquiry or investigation into him, he has no obligation. If he is not being investigated for anything and there is no threat of prosecution to him, he would not have to come forward to this body. He is living his life without blemish and hopefully enjoying a happy retirement, reflecting on his life of service to our United Kingdom.

**Sarah Atherton** (Wrexham) (Con): I am pleased to hear that my right hon. Friend is putting victims at the centre of this process. Robert, the brother of my constituent Mr Vaughan-Jones, was killed at Warrenpoint some 40 years ago. My constituent has had 40 years of unanswered questions, and he and his family now just want to move on. They want closure. How will this process help Mr Vaughan-Jones and his family eventually receive that closure?

**Conor Burns:** The central ambition of this legislation is to provide that closure.

**Colum Eastwood:** Will the Minister give way?

**Conor Burns:** Bear with me.

We have to be humble in acknowledging that the current mechanisms are not delivering. In many of these cases, after so many years, the chance of a successful conviction in a court of law—beyond reasonable doubt—is vanishingly unlikely. That is why, with this Bill, we are moving towards the principle of information recovery.

There are contested views on the right way to do this. Some people still want prosecution, some want information and some want an acknowledgement of what actually happened. We believe the bodies created by this Bill will help people in that ambition.

**Several hon. Members** *rose*—

**Conor Burns:** I have not yet given way to an Alliance Member, but I will do so now.

**Stephen Farry** (North Down) (Alliance): I am grateful to the Minister for giving way.

On people coming before the panel and not acting in good faith, will the Minister explain how the prospect of investigation or prosecution is anything more than purely theoretical? Given that anyone giving an account before the panel would not be under police caution, and therefore their statement could not be used in evidence, who exactly would start an investigation from first principles to take forward any prosecution by giving a file to the Public Prosecution Service?

**Conor Burns:** The hon. Gentleman makes an important point, and the Bill covers how the body will begin work and who can refer a case to it for review—the Secretary of State, a close relative of a victim or the victim themselves may all refer to the body.

On disclosure and how the commission is compelled to interact, we are empowering it to deliver its functions through full disclosure. As detailed in clause 5, the commission will have full access to relevant material by placing an obligation on authorities to provide information that the commission may reasonably require. The commissioner for investigations will be designated as having the powers and privileges of a constable, and they will be able to designate other ICRIR officers with the same powers and privileges when certain conditions are met, which will ensure that officers of the commission, where required, have access to the powers they need to carry out robust article 2-compliant investigations. The commission must ensure that, as far as practicable, its officers include individuals with experience of conducting criminal investigations in Northern Ireland and elsewhere.

**Richard Drax:** Will the Minister give way?

**Conor Burns:** I need to make a little more progress, but I will come back to my hon. Friend towards the end. The Committee will then want to hear from other Members.

The Bill also places a duty on the commission not to do anything that would risk prejudicing or would prejudice the national security interests of the United Kingdom, that would risk putting or would put the life and safety of any person at risk, or that would risk having or would have a prejudicial impact on any active or prospective criminal proceedings in the United Kingdom. Members will recognise that these are standard but important protections. Reports will be produced and issued as

[Conor Burns]

soon as possible after a review has been carried out, unless the commissioner for investigations refers any conduct of individuals in the final report to a prosecutor.

Clauses 18 to 21 address immunity from prosecution. After we published our Command Paper in July 2021, many individuals and organisations told us that the unconditional statute of limitations for all troubles-related offences is too painful to accept and is not right. We also heard from those in the veterans community who feel uncomfortable with any perceived moral equivalence between those who went out to protect life and uphold the rule of law and the terrorists who were intent on causing harm. Based on what we heard, we adjusted the proposals in the Bill.

Clause 18 establishes that for someone to get immunity from prosecution for a troubles-related offence, that person must request immunity from the commission, provide an account that is true to the best of their “knowledge and belief” and in doing so disclose conduct that would be capable of exposing them to criminal investigation or prosecution. It makes it clear that it is possible for people to rely on previous statements and sets out how the commission can formulate an offer of immunity, and how an individual must be notified about the outcome of an application for immunity. In response to amendments 101 to 105, in making a decision on whether or not to grant immunity the panel must take into account any relevant information that holds or obtains as part of the investigation. That might include information that the commission has obtained as part of the investigation, either from disclosure from relevant authorities, or from biometrics or witness testimony from individuals who engage with the commission.

**Ian Paisley:** On this test of the veracity of the witness, will the material that the Minister referred to in his earlier comments—the intelligence material—be made available, completely and totally? Will it be retained afterwards, in case there is a civil trial, or will it be shredded and destroyed? What is going to happen to that great bank of material that he referred to, which could confirm whether a person is telling lies through their teeth or whether they are telling the truth?

**Conor Burns:** The hon. Gentleman asks about an important point. Central within this legislation will be the passing over of the state’s information—the intelligence gathered in the course of the period of the troubles and held by the authorities. That will include information on members of the security forces, the Royal Ulster Constabulary and others. It will also include intelligence that has been gained and retained about terrorist organisations and individual actors within that. The panel will be able to see and make judgement on that. As I explained, there are protections, as there rightly are all the time for those of us who have to deal with this source material, for named individuals who might be at risk by that information coming into the public domain. However, we are of the view here that the widest possible disclosure is the way in which this body can gain credibility, acceptance and authority. It is only on the basis of that credibility, acceptance and authority that the body will have the ability—[*Interruption.*] There will be no destruction of evidence.

**Colum Eastwood:** I just ask the Minister to guarantee that. Many people are very concerned that this Bill may pass through these Houses of Parliament but will not stand the test of time when it comes to the courts, because some of us believe it is fundamentally illegal, never mind unjust. Will he give a guarantee that whatever happens in terms of disclosure—we can debate that all day—evidence will not be destroyed after that process is over? Will he guarantee that evidence will be maintained and retained?

**Conor Burns:** The credibility of the body will be determined by its effectiveness and how quickly it can gain the trust of those who engage with it. People engaging with it—coming forward to it—will be a process that will be encouraged by seeing how the body actually works and delivers. As my right hon. Friend the Secretary of State has said previously, it is absolutely our determination to provide the body with the effective tools it needs to gain the confidence of victims. It is only in doing that that the body will be successful. If I may, I will return to the hon. Gentleman specifically on the evidence point later in the debate, because I do not want to say something from the Dispatch Box until I am certain it is the correct thing; I would rather delay the answer to that than give him an incorrect answer.

**Several hon. Members** *rose*—

**Conor Burns:** Dame Eleanor, I am conscious that I have been on my feet for more than an hour now and that Members from across the Committee will want to participate in this debate. I will take a couple more final interventions, however.

**James Sunderland** (Bracknell) (Con): Clause 18 clearly states:

“The ICIR must grant a person...immunity from prosecution if conditions A to C are met.”

Condition C is that the person engages

“true to the best of”

their “knowledge and belief”. If it is later proven that the information that individual gave the process is false, will immunity be revoked?

3.45 pm

**Conor Burns:** My hon. Friend makes an important point, which others have raised in the past. The position in the Bill is that immunity, once given, cannot be revoked. However, I hear the point he and others have made, and I am sure we will return to it later in the debate. This body will have significant latitude in testing an individual’s credibility and sincerity. I would hope that the engagement and professionalism of those appointed to serve on the panel will be such that such cases will rarely, if ever, arise.

**Richard Drax:** I commend my right hon. Friend and the Secretary of State for doing such a difficult job and doing it so well. Can I just clarify something in my own mind? If a soldier is freed from all the appalling hounding and so forth that they have been subjected to and there is then a demand for an inquest, which would be a legal procedure, would that trump the decision of this panel, or would that soldier be free from that point on? Could the panel’s decision be legally challenged by, for example, an inquest court? That worries many soldiers.



**Conor Burns:** We are very clear on this, and the Bill sets out the timetable. Where an inquest is ongoing and has reached a substantive part of its deliberations, that inquest would carry on. New inquests can continue to be opened until the Bill is law and this body is enacted. Once this body is up and running, there would not be new inquests for these cases; this panel would then be the body that dealt with them.

I have one final point about a decision whether to grant immunity. The panel must also take into account any relevant information that it holds or obtains as part of the investigation. That might include information that the commission has obtained as part of its investigation, from disclosure, relevant authorities and so on. Before the ICIR becomes operational the Secretary of State will publish guidance that sets out how the body should go about deciding whether the conditions for immunity are met when it considers an application for immunity. The Bill is clear that the panel must take that guidance into account when deciding whether an individual should be granted immunity, and we will develop that crucial guidance with key partners.

**Fay Jones (Brecon and Radnorshire) (Con):** Before the Minister closes on immunity, does he agree that language is crucial here? The word “amnesty” suggests wrongdoing in the first place and therefore cannot be applied to British soldiers, who were working to bring about peace.

**Conor Burns:** My hon. Friend makes a powerful point, and it has been said repeatedly by myself, the Secretary of State and other members of the Government that there is absolutely no moral equivalence between the actions of those who were in Northern Ireland to uphold the rule of law and those who were engaged in a terrorist campaign. I also agree—I hope I have demonstrated this to some degree today—that language is incredibly important when we are dealing with these highly contested, deeply emotional topics. Often the overriding thing that someone wants is their loved one back, and that is the one thing that none of us can give them. What we can try to do is give them the information and help them to find a way through these processes and a way to deal with and face up to the traumatic events in their past.

**Sir Iain Duncan Smith:** I do not wish to detain my right hon. Friend, but I was listening to what he said about inquests, and I am a little concerned or confused—or both—about how this process will work. If somebody goes to the commission, will it be public knowledge that they have gone there on the basis of a set of issues and have been clear about those issues, one of which may relate to a potential inquest? If that individual’s situation is not related to a particular area of crime, can that inquest still not go ahead because they have been in front of the commission? How do we actually define when an inquest cannot go ahead? Will the coroner know that? Who will have the information? My right hon. Friend’s statement was a bold one, but I am not quite sure I understand how the process will work.

**Conor Burns:** The intention—

**Several hon. Members** *rose*—

**The Chairman of Ways and Means (Dame Eleanor Laing):** Order. The Minister has to answer one question before he can take the next one, even if it is on the same point.

**Conor Burns:** The intention behind the Bill is to have this body as the one to which people will go to recover information and to find out the truth of what happened in the deaths of their loved ones or others. One driver for the creation of the independent information recovery body is that the current complex and competing legal frameworks and routes are not bringing things to a conclusion for people. We have to acknowledge, in humility, how long ago many of these things happened. For many of those who suffered, time is running out—they are becoming very elderly. It is the intention that this is the body and the process for people to go to, not competing inquests and other forms of legal remedy.

**Julian Smith:** I have two points to make before the Minister concludes. This issue of “review” and “investigation” is not just semantics. In the case of Operation Kenova, we have seen that when it has been asked to review cases, it has led to some limits on the information that it could receive, whereas if it had been asked to investigate a case, that has given it much more scope and much more access to material. Can the Minister clarify why we are unable to be use much firmer in the language in the Bill to make it clear that we are talking about investigations?

On the point about inquests, I intervened on the Minister in his closing remarks on Second Reading, and he committed to returning to the House with a revised commitment to look at the pipeline of inquests so that victims who have been promised an inquest can be absolutely certain that they will be heard as part of the programme of inquests that was agreed only a year ago. Can the Minister clarify what his thinking now is on that?

**Conor Burns:** On the very specific question as to why the terminology is “review” rather than “investigate”, there may well be a legal reason for that. I have not actually asked that question—it is a very good question. What I have been interested to look at is the scope and the powers of the body. The fact that it will have full police powers, the ability to cross-examine people and to contest what is put to it, and the ability to see source material looks to me, as I have examined this, very much like investigations. There may be a reason for the choice of word, and I will return to my right hon. Friend if there is a technical reason, but it seems to me that, for all intents and purposes, the body can undertake investigations if it so determines.

On the point about the pipeline of inquests, I am happy to give that commitment again to my right hon. Friend. Nothing will change until this Bill becomes an Act, and that is a little way off. We will certainly want to have a look at those that are in the pipeline before the Bill kicks in. The panel would be appointed, and it would become the alternative mechanism to the inquest route.

**Colum Eastwood** *rose*—

**Nigel Mills (Amber Valley) (Con)** *rose*—

**Conor Burns:** I think I have been reasonably generous in giving way, and I have been on my feet for well over an hour now. I am very interested to hear contributions from across the Committee for the remainder of this afternoon, and I can reply to points of detail and information when we conclude this evening’s debate. On that note, I commend this Bill to the Committee.

**Peter Kyle** (Hove) (Lab): I am very grateful to you, Dame Eleanor, for calling me to speak. I listened carefully to the Minister's expansive oration, and I am grateful to him for taking the time to make it. Obviously, the issue that is vexing the Committee the most relates our amendment 115, which I shall come to towards the end of my comments. I look forward to any debate around the amendment and hope that I can answer some of the questions that have arisen on it.

The test of a way forward on legacy issues is that it must provide more benefit for victims than for perpetrators of terror. Labour opposed the Bill on Second Reading because it fails that test. Today in Committee we are dealing with part 1 of the Bill, which defines the troubles, and part 2, which contains clauses on how the independent commission for reconciliation and information recovery will work.

As we consider this legislation, we cannot overstate the importance of the task before us. The legacy we are talking about is the deaths of more than 3,000 people during the troubles in Northern Ireland, across Great Britain and in Ireland, and thousands more who were injured. Among those were 722 service personnel who were killed by terrorist actions. I put on record once again that we cannot forget and we remain grateful for their service.

**Johnny Mercer:** The hon. Gentleman mentions that victims are at the centre of this, and that is right, but I hear repeatedly that when that is said, veterans do not get mentioned. Can he clarify to the Committee and to me where veterans sit in this and where their concerns are based? Ultimately, that is why we are here. We have reached the point, 25 years down the line, where this process is not working and we must find a way of bringing fairness to it. Where do veterans sit in his thinking on what he would do in this process?

**Peter Kyle:** I am grateful for the hon. Gentleman's intervention, as always. We recognise that service personnel were victims too, including the 722 service personnel killed by terrorist actions during the troubles. I put on the record yet again that we cannot forget the service they provided. They must have justice. Many of them and their families remain without the justice they deserve.

**Bob Stewart** (Beckenham) (Con): Victims also include service personnel who have been repeatedly pulled up before the courts. We have not made that clear so far in the debate, but I want to do so now. There are many servicemen—and some servicewomen, perhaps—who are still suffering. They are victims too, because things have not been cleared up for them. I hope this Bill will sort that out.

**Peter Kyle:** These were issues that dominated the debate on Second Reading. I know there are people here with lived experience, including the right hon. Gentleman himself, an honourable and gallant Member of this place, and that there are speeches to follow from both sides of the Committee that will encompass that. Believe me, among Members on the Opposition Benches our respect for the service of those he mentions is enduring.

**Jack Lopresti** (Filton and Bradley Stoke) (Con): I agree with the sentiments that the hon. Gentleman expresses about our servicepeople and the injustices they have suffered. Does he not accept that this Bill is a

huge step forward in righting some of those injustices, so that people can retire and live without the fear of being prosecuted and hounded to their dying day?

**Peter Kyle:** At the risk of rehearsing the Second Reading debate again, the concern we have always had is that those who served our country so bravely during the troubles are subjected to the same legislation as those who committed acts of terror. They should not be treated the same way, because they are not the same and the motives were not the same. Those are the difficulties and troubles we have had with the approach to this Bill, but these points will be ventilated elsewhere.

**Colum Eastwood:** We have heard already that many of these events were a long time ago. Well, in August 1971 Kathleen Thompson, a mother of six, was shot by the British Army. Today, in 2022, they finally got the result of an inquest that proved that that shooting was unjustified. Under these proposals, no other family would be entitled to get that truth and justice—it would be barred. They would not get access to the inquest process. Whatever people may say about things being a long time ago, we have a case today proving that inquests work, that they get truth for families and that families who have had to suffer and argue and debate and campaign for 50 years can get at least some truth out of this process. This Government want to bar that. Does the hon. Gentleman recognise that?

**Peter Kyle:** Yes, of course. I am very grateful to the hon. Gentleman for putting that on record and bringing in the experiences of families, many of whom will be watching the proceedings today from home. It is very important that those experiences are brought into this.

As I said at the start of Second Reading, we approached the Bill hoping that we could shape it and that there would be ways of really improving it. For many victims of the troubles, particularly from the early troubles era, the passage of time may mean that this is their last chance for a piece of legislation that can deliver the truth and justice that they deserve. That is why we have, from the outset, tried very hard to engage with Government. Only because the voice of victims has been so fundamentally shut out of the process did we decide that this was simply not good enough for them and they need support.

4 pm

**Ian Paisley:** It is absolutely right and proper that the shadow Secretary of State refers to the victims who will be watching our debate, and probably hanging on every word that is said. It is therefore important that we treat this very sensitively. It is 39 years ago, almost to the day, that Iris Moffitt-Scott's husband was shot dead for doing no more than his job ploughing a field on their farm—shot dead because he was a UDR part-time soldier. The day he was murdered was his child's first day at school. In the case of the two officers murdered in Lurgan, just a few days ago their orphaned children gave an interview on our television screens. It is one of the most powerful interviews I think I have ever heard in which the next generation of those who have suffered tell their story. This is not over. The legislation does not end it. This only begins another generation of suffering.

**Peter Kyle:** The hon. Gentleman speaks from the heart and puts on record the experience of many, many families across Northern Ireland and across Britain

who suffered at the hands of terrorists during that time. He is right; they need to be respected. I am pleased that their experiences are being brought into our proceedings today, and I am grateful for his intervention.

On Second Reading, there were thoughtful contributions from across the House. Members from Northern Ireland demonstrated how the troubles had touched the lives of everyone in their constituencies. Members who had served in the armed forces spoke about their experiences serving our country and the impact of being questioned about their service many years later. In Northern Ireland, as elsewhere, the vast majority of veterans deserve the chance to talk about their experiences and their service with pride. Speeches demonstrated a profound respect for victims' families and the dignity they have shown.

There was a consensus that this Bill needs substantial changes if it is to begin to make up for the failures of successive Governments on behalf of victims. With victims in mind, the amendment I have tabled would mitigate some of the worst effects of the Bill.

**Mr Baron:** Does the hon. Gentleman not accept, though, that where we are is nowhere close to perfection? We have had 25 years, broadly, since the troubles. To my knowledge—I stand to be corrected—there has not been one successful prosecution—[*Interruption.*] I do apologise; there have been a few, but they have been pitifully small in number given the scale of the troubles. We need to move the process forward. The Bill allows a step forward in the sense that people are encouraged to co-operate by the prospect of immunity, and if they do not co-operate, they can still be liable to the full force of the law. That has to be a move forward.

**Peter Kyle:** We have not made the degree of progress that we should have done, but the progress that has been made is transformative for the families and those impacted by the crimes of the time. The hon. Gentleman keeps saying that it is a small number, as if it is inconsequential, but I urge him to look at two things. For a start, there is the work of the Kenova investigation, undertaken by Jon Boutcher. With the Stakeknife investigation, it is currently looking at 220 murders—220. There is substantial progress. Is the hon. Gentleman going to put his hand up and make the gesture for “small” when we talk about resolving 220 murders?

There will not be justice for everyone, but families and victims are not naive. They know that not everybody will get a prosecution out of this, but they might get the results of an investigation done to criminal standards. This is the kind of thing that gives families a sense of justice and enables them to start healing after the damage that the troubles have inflicted on them. I do not accept the premise that because the numbers are small and do not match the scale of the challenge, this is not consequential.

**Gavin Robinson:** I am grateful to the shadow Secretary of State for taking that line in response to the hon. Member for Basildon and Billericay (Mr Baron). Twice now he has said in Committee that we cannot allow perfection to be the enemy of the good, and yet today we have amendments from the shadow Secretary of State and his colleagues, amendments from me and my colleagues, amendments from the hon. Member for Foyle (Colum Eastwood) and his colleagues, and amendments

from the hon. Member for North Down (Stephen Farry) and those elsewhere in the Chamber. That is the process. We cannot allow perfection to be the enemy of the good, but today is about making the Bill better. Rather than ignoring the amendments because we cannot achieve everything, surely the purpose of Committee is to try to get as much of this right as we can.

**Peter Kyle:** I am grateful for the tone and the content of what the hon. Member says.

**Mr Baron:** Will the hon. Gentleman give way?

**Peter Kyle:** I will give way once more, and then I have to make progress, because there are meaningful issues to discuss.

**Mr Baron:** To be absolutely clear, in relation to the intervention from the hon. Member for Belfast East (Gavin Robinson) and what the shadow Minister has said, one is here to try to improve the legislation. I suggested in my previous intervention that I would probably be sympathetic to the amendment tabled by the hon. Member for Belfast East, but also to amendment 115. That is the process, but the message one is trying to get across is that opposing this Bill without due consideration of all the amendments will not improve the situation as it stands. We have to try to work together to make sure that we do improve it. I, for one, may support the amendment just to prove a point, but that does not mean that the Opposition should oppose this Bill when we stand a chance of improving it.

**Peter Kyle:** I urge the hon. Member not to take the advice of just one or two members of Parliament from Northern Ireland. I suggest that he listens to all of them, and to every victims group and the Northern Ireland Human Rights Commission, because there is unanimity. We are not freelancing to make political points; we are trying very hard to be constructive and to give voice to something that will deliver the justice that we need.

On that note, I am pleased that the right hon. Member for Chingford and Woodford Green (Sir Iain Duncan Smith) is here, and I hope that his need to have a cup of tea at some point will not prevent him from waiting until I address some of the issues that he raised in his interventions. I know that our proceedings are lengthy.

I support amendments 97 and 98, which would raise the bar for immunity; that is something that concerns the Committee. We will also vote with parties that seek to remove clause 18 from the Bill, as there has been no compelling argument for how the proposed immunity will lead to new information.

For the Labour party, the Belfast/Good Friday agreement is one of our proudest political legacies. We did that with many other parties, working constructively through that process. We understand, deeply, that compromise is the only path to progress in Northern Ireland, but we have seen no sign from the Government that they are willing to listen to those who oppose this Bill. I remind the Committee that among the opponents are every one of the Northern Ireland parties, all victims groups and the Northern Ireland Human Rights Commission, which, incidentally, was established as part of the statutory outcomes of the Good Friday agreement.



[Peter Kyle]

The Government claim they are seeking to achieve reconciliation in Northern Ireland with this Bill, but the simple, inconvenient truth is that reconciliation cannot be imposed; it is built with painstaking effort, respect and an unwavering commitment to listen to all sides.

**Johnny Mercer:** The hon. Gentleman is absolutely right. All the parties in Northern Ireland oppose the Bill, and that is respected. I will speak later about the 25 years that have elapsed in which other and better ideas that might have brought happiness could have been implemented. We talk about Tony Blair, his Government and the 1998 agreement, which everybody recognises is a huge piece of work. Jonathan Powell, who had a huge part to play in that, endorses these plans. What, therefore, would the shadow Secretary of State say to Jonathan Powell?

**Peter Kyle:** I have spoken to Jonathan Powell, who is, of course, always worth listening to on such issues. The hon. Gentleman says that Jonathan Powell endorses the plans, but I do not think that he endorses the Bill wholesale; he has concerns too. Like Tony Blair and others who participated in the lead-up to and signing of the Good Friday agreement, he is desperately keen for progress. They also recognise that not everybody can be satisfied by the Bill, but I think that more people can be satisfied by it than is currently the case—that is what we aspire to.

Most importantly, the Government need to listen when people tell them that they have got it wrong. In recent weeks, Ministers have gone to great lengths to highlight the necessity of cross-community support in Northern Ireland when it comes to the protocol, yet the Bill has achieved cross-community opposition. The Government cannot have it both ways: either consent matters or it does not.

Since Second Reading, the Northern Ireland Affairs Committee has held evidence sessions. People whom the Government should have consulted on the Bill prior to its publication have had to say that, regrettably, it just does not work. That includes the Northern Ireland Human Rights Commission and the Northern Ireland victims commissioner. That would force most Governments to reconsider their proposals to address such a sensitive issue, and to look at amendments that could be brought forward to address any concerns. We have seen none of that, however. The Government's reckless single-mindedness shows its face again.

The Government must be aware that the lack of real prelegislative scrutiny and consultation, and the Bill's rushed journey from publication to Second Reading, undermines its ultimate aims. The process has damaged trust in the investigative body before it has even been established. Alyson Kilpatrick, the chief commissioner of the Northern Ireland Human Rights Commission, does not believe that the Bill can be made compatible with our human rights commitments. On 7 June, she told the Northern Ireland Affairs Committee:

"I am very sorry to say, because I want to be constructive, that I certainly cannot see a way in which this Bill can be made compatible when taken as a whole. One cannot simply pick out bits and pieces. You have to see it in the context of the whole Bill, what led up to it and the absence of any democratic accountability, public support or political support for it."

I also put on the record the words of David Clements, whose father was an RUC reserve constable serving in the station at Ballygawley, County Tyrone, in 1985. He was off duty with a colleague and was opening the security gates when IRA gunmen stepped out from the shadows and shot both of them in the head. As David's father lay dead, the gun was taken from his body. Three years later, three other men were murdered with it. David has actively supported victims and survivors over many years since his father's murder. About the Bill, he said:

"No one was ever charged for my father's murder—though I have some reasons to believe that at least some of those responsible for his death were later themselves killed in Troubles related shootings. I recognise that discovering the whole truth about my father's murder and anyone ever being held to account may now be almost impossible, but what I find hard to swallow is for this process to legislate that slim hope into an...impossibility".

There is a real fear among victims that the Bill will not deliver them information.

**Colum Eastwood:** A lot has been said today about closure. The Government have said that they have engaged and listened—I think that was the word—to victims. I know that the shadow Secretary of State has engaged with victims, as have all of us on this side. Can he tell us if he has met any victim who has told him that they support the Bill or that it will give them closure?

**Peter Kyle:** I have met victims via their representative bodies and organisations, and directly, on every visit I have made to Northern Ireland since I had the privilege of being appointed to this job in early December. I have not had the opportunity to hear any one of them support the Bill as it is. I have also never met a victim who believes that they are going to get all of the justice that they want. Victims recognise that they will not get everything that they would in an ideal world and they know that the passage of time has changed what is practicable in delivering justice, but they know there are investigative methods that they have a right to expect and they know that there is a right to keep the full judicial process at least on the table as an opportunity should the threshold be met. They also know that the broad agreement there has been in Stormont House has been disbanded and ignored by the current method, and they know that they have been let down over time, with trauma heaped on trauma.

4.15 pm

**Jim Shannon:** Will the hon. Gentleman give way?

**Peter Kyle:** I will give way, and then I must make some considerable progress.

**Jim Shannon:** What probably keeps all of us who have lost loved ones going has been that flicker of life, or flicker of a candle, with the opportunity that, possibly some day, someone who has carried out despicable crimes will be made accountable. What keeps us going is that we believe that some day those people who thought they would get away with it will not get away with it. That is what we are all about.

**Peter Kyle:** One more time, the hon. Gentleman brings humanity and lived experience to the debate in an extremely powerful way. The first job I had on the Front Bench was as the shadow victims Minister, and everything

he has said applies also to victims of other serious crimes in other circumstances, but never more so than it does in the situation we are addressing today. I am very grateful for what he said and how he said it.

There are warnings from the human rights safeguards established by the Belfast/Good Friday agreement that this Bill is not compliant with the European convention on human rights. The Government have failed to convince anyone that the new independent body and the immunity panel, which are at the core of their proposals, will lead to more information for victims and their families. In fact, the Secretary of State has said openly that only “one or two” people might end up giving information to this new body. He said that just last week in an interview for *The House* magazine. That seems scant compensation for shutting down all coronial, civil or criminal actions. I want to share the words of Julie Hambleton, whose sister Maxine was killed alongside 20 other innocents in the Birmingham pub bombings in 1974. In her words:

“Our loved ones did nothing wrong. They were law abiding, tax paying citizens. There is nothing in this legislation that provides anything for victims’ families or survivors.”

Turning to our amendments, amendment 111 would ensure that any review conducted by the independent body is carried out in line with the standards of Operation Kenova. During debates on legacy, the only process that was praised time and again by members of all parties was the work of Jon Boutcher and Operation Kenova. Crucially, their work has managed to gain the trust and support of victims, families and the security forces. Our amendment is based on a definition of reviews, which Operation Kenova has provided, that would greatly strengthen the reviews in the Bill. It was surprising to hear the Minister’s lack of awareness about a review as compared with an investigation, because both legally and most certainly in practice, there is a very profound difference with a review, which our amendment addresses.

Our amendment would mean that a review must have access to all material relating to the case held by Government agencies. It would establish whether any forensic opportunities exist to identify those responsible for the crime. It would identify potential witnesses, members of the security forces or suspects who may be able to assist with understanding who was responsible for the crime. It would conform to nationally recognised standards, be conducted with integrity and objectivity, not overlook any investigative opportunities, and identify and share investigative and organisational good practice.

Given Operation Kenova’s success in gaining the trust of so many of those affected by legacy issues, we should take every opportunity we can to learn as we seek a way forward. Victims need and deserve to be persuaded that the Commissioner for Investigations is going to carry out more than a desktop review of deaths and serious injury. These standards for review are not exhaustive and could be built on further, but the starting point should be what we have seen work in legacy and Operation Kenova. This is a probing amendment in the hope that Members in the other place will take a fuller and more expansive look at the issue. I think the amendment strikes to the heart of the Bill, but I will not push it to the vote today, in the sincere hope that it is one of the central planks of investigation in the other place.

**Julian Smith:** Does the hon. Gentleman agree that this issue is also important for attracting the right people to be chief investigator and lead the unit? If the

Government do not confirm that legal commitment to investigations, that will have a net effect on the types and quality of people who will be attracted to come in and do the work that we need them to do.

**Peter Kyle:** The former Secretary of State for Northern Ireland makes an incredibly important point, which has been raised with me by investigators in other situations. I say investigators—plural—because there is a lot of intense interest in this role, but if we are to get somebody of calibre interested in it, they will want to know that the work, and the legal framework for their work, is robust, credible, and will provide the foundations for work of which they as individual investigators can be proud.

Amendment 113 would involve Northern Ireland’s actors in the appointment process for the commissioners. The Bill gives vast powers to the Secretary of State. As it stands, it is up to the Secretary of State alone to appoint commissioners who will be in charge of the new body. With the greatest respect to the current Secretary of State, that concentration of power has damaged perceptions of the Bill, and it undermines its chances of support in Northern Ireland. Multiple Governments have failed on legacy issues. Simply put, there is not enough trust in the UK Government within Northern Ireland to give sole power for appointing the commissioners to the Secretary of State. Our amendment would require the Secretary of State to consult with the appointments panel before being able to appoint a commissioner. We have based the panel on the Stormont House agreement proposal. It would contain the Attorney General for Northern Ireland, a member of the Commission for Victims and Survivors for Northern Ireland, the head of the Northern Ireland civil service, and a person with experience of managing major criminal investigations, appointed to the panel by the Northern Ireland Justice Minister.

Reconciliation cannot be imposed. The Government’s proposals are supposedly based on the principles of the Stormont House agreement, but that approach was rooted in Northern Ireland and was supposed to flow from its institutions. The amendment would require those Northern Ireland institutions to approve the Secretary of State’s recommendations for commissioners. It would strengthen the independence of the commission, and provide reassurance that only candidates of the highest calibre could become commissioners.

Finally, amendment 115 would exclude sexual offences from the scope of immunity provisions in the Bill. The need for such an amendment highlights once again how the Bill has come forward without the required consultation or scrutiny. I listened to the debate unfold earlier, which was sparked by friends from the DUP and other Northern Ireland parties asking questions in support of amendment 115, and the discussion that unfolded, and I listened with some frustration. Why frustrated? It is because, for us, this debate has been going on for a very long time. I raised the point on Second Reading, when I was assured multiple times that it was not an issue, and I was reassured that Ministers would go away and consider it. I even intervened on the Minister in his summing up, to recheck whether the issue would be addressed. I was told that it was not a legal problem, and that it would be looked at once again in an open-spirited way.

I listened carefully to the Northern Ireland Affairs Committee’s inquiry, where reams of evidence was given by witnesses that criticised and said in no uncertain

[Peter Kyle]

terms that the Bill did not exclude sexual offences from immunity. Once again, if I as shadow Secretary of State was listening, why could not the real Secretary of State and all his officials have listened too, and realised that there was a problem? I tabled the amendment and have had channels open to people responsible for such things. Nobody could have been in any doubt whatever about my intentions in the Bill, so it cannot be claimed that the problem has just emerged in this debate.

**Simon Hoare:** I absolutely concur with the shadow Secretary of State. He points to the weakness that, while Ministers have asserted one thing, too many people for comfort have got a concern about the issue, so the Bill is not clear enough and further work needs to be done. He referenced the exchanges across the Committee. I asked him this through my right hon. Friend the Minister, and I now ask him directly: cannot additional time be found through the usual channels to safeguard extra time for Report, which, to take the point made by the hon. Member for Belfast East (Gavin Robinson) would ensure that an amendment could be considered? His office and the Secretary of State's office should be given the space and time to sort this out either through an amendment in the other place or by allowing us time to consider an amendment on Report that he and I know the House will support. However, may I plead with him not to divide the Committee on such an important and sensitive issue this afternoon?

**Peter Kyle:** I am always grateful for the hon. Member's considered and sincere interventions. He will sense my frustration that it has come to this moment in time. In effect, he is asking me to play the role of Government party managers, Front Benchers and Ministers, who should have been considering the issues and discussing and debating them with Front Benchers, Back Benchers and the party way in advance of today. I have been designing solutions to the problem based on the work of the hon. Member's Committee and involving victims, and it has not been done in secret. I might add that it has involved doing the hard work of going through previous legislation to see how the exact same issue has been overcome in other circumstances. We have several more hours of consideration on the Bill, so I think that we have plenty of time to come to an agreement, but it needs to be rooted in amendment 115.

**Bob Stewart:** Will the hon. Member give way?

**Peter Kyle:** I will ventilate my argument and then of course give way so that the right hon. Member does not encourage me to say something that I am already about to say—I fear that might be the case.

On Second Reading, I raised the warnings from experts that the Bill would allow immunity to be granted to rapists and other sexual offenders. During the debate, Ministers insisted that that was not the case. Since then, we have had months of Select Committee evidence hearings where multiple witnesses confirmed that the Bill would allow immunity to be granted to perpetrators of sexual offences committed as part of the troubles.

Daniel Holder from the Committee on the Administration of Justice and the model Bill team clearly stated:

“Our interpretation of the Bill as it stands is that it does not exclude sexual offences. They are included in the potential amnesty/immunities scheme, which, as you will know, is pretty much

unheard of in international practice—torture as well. We are aware of the argument that has been made by another Member of Parliament that they are not Troubles-related offences and therefore they would not be included, but that, in itself, is problematic, to deny that sexual violence was part of the Troubles, as it very clearly was.”

I heard that—I was watching—and Ministers and officials would have been watching as well. That needed to be considered before the Bill got to this place.

Other witnesses from the Northern Ireland Human Rights Commission and the Victims' Commissioner echoed that exact view. I do not believe for a second that the Minister fails to take this issue incredibly seriously—I know that he does—and I am certain that he wants those who committed acts of sexual violence during the troubles brought to justice as much as I do.

I want to explain for colleagues' benefit exactly what our amendment 115 would do. It is simple and straightforward. It reads:

“Clause 18, page 17, line 7, at end insert—

“(12A) But certain offences of sexual violence listed in Schedule (Exempt offences) must not be treated as within the scope of immunity from prosecution.”

The schedule of offences is based entirely on the Overseas Operations (Service Personnel and Veterans) Act 2021. As many Members will know, that Act went through exactly the same kind of debate that we are having now, with the Government refusing to include the amendment and then suddenly, at the last moment, realising there was a problem and tabling the amendment that they wanted themselves.

4.30 pm

We are not just repeating the same process but arguing over a fix similar to the one that the Government came up with to the same problem, and now I am being asked to help the Government get over the line. This is the approach that has been used in the past, it is in statute and it works. I simply do not see why I should be asked to take the Government's word for it that they will find a way to inject this provision at another point. It is there, it is tested and the principle is in statute. We will divide the Committee on amendment 115 today, and I urge Members to support it.

**Sir Robert Buckland** (South Swindon) (Con): I am listening to the hon. Gentleman with great care—this is what Committee is all about. May I take him back to what he has just said about pressing the amendment to a Division? His point about the overseas operations Act is a powerful one. I was involved in the development of that legislation. There is, I think, a difference between that Act and this Bill, which is the terms in clause 18. He has been striving valiantly to find a solution, and I commend him for that; he knows that there are people on the Government Benches with equally good intentions. I make the gentle plea to him that it would be better to try to resolve the point without a Division today. I undertake to work as hard as I can on my side of the House to achieve the common goal that we share.

**Peter Kyle:** I certainly hear the right hon. and learned Gentleman's gentle plea. I know what a gentle plea is, because I have been making strident pleas to the Government to address this issue for weeks and weeks. I have a way forward. Even by his own admission,



amendment 115 is in the ballpark of where we are going to land, whether it is the Government or the Opposition who come up with the solution, so we should allow the amendment to pass tonight. If it can be improved upon, there is a perfect place where that can happen: the House of Lords. That strikes me as a reasonable way forward—indeed, as a compromise, because I can say with absolute assurance that members of my party in the House of Lords stand ready to work with Government Members on this issue.

**Simon Hoare:** There may be a third way, which is for the Government to accept amendment 115 today without a Division, but with the caveat that the two Front Benches will work on the wording to ensure a joint Front-Bench amendment in the other place or for our consideration on Report.

**Peter Kyle:** And we get to where we need to be. I am extremely grateful for the hon. Gentleman's approach.

**Conor Burns** *rose—*

**Colum Eastwood** *rose—*

**Peter Kyle:** I give way first to the Minister.

**Conor Burns:** I am grateful to the shadow Secretary of State. I was very clear in what I said to the Committee earlier, and the Secretary of State was sat behind me when I said it. I want to reiterate the sincerity of what I said earlier—that we are where we are and we want to find a way to resolve this. There is some time to go before we get to the moment of interruption, and I am sure the usual channels are hearing our debate very clearly.

I certainly heard, sensed and felt the mood of the Committee. I do not think it would be in anyone's interest if we divided the Committee tonight on this very serious and emotive subject, where we share an absolute ambition to achieve the same outcome. We are determined to find a way through, and I just reiterate that to the shadow Secretary of State.

**Peter Kyle:** I am grateful for the Minister's sentiments. After we listened to the esteemed and senior Chair of the Northern Ireland Affairs Committee—the hon. Member for North Dorset (Simon Hoare), who is from the Minister's party—I think we got to where we should be aiming for. Other senior Members of this place are nodding along in agreement. In that spirit, I look forward to any conversations that we might have around this place after the Minister and I have finished our opening remarks.

**Colum Eastwood:** It is lovely to hear all this agreement. In my view, the pressure is on the Government. It has been made very clear to us—the hon. Member for Belfast East (Gavin Robinson) drew this out—that it is very unlikely that we will even get a Report stage. We have an amendment on the Order Paper. Members should be forced to vote for it.

**Peter Kyle:** I do not think I could have been stronger in what I said. If needs be, we will vote on the amendment tonight, but if the Government do not oppose it, there will be no vote. Let us see where this takes us; we will find out pretty shortly.

**Sir Iain Duncan Smith:** I say to the hon. Member, having sat here for 30 years, that he has every right to press his amendment to a vote. That is what this place is all about. We debate something and decide which side we will take. I will not ask him not to press it to a vote. On the contrary, I say to the Minister: the clock is ticking. Let us get something sorted before we end up in that situation.

**Peter Kyle:** I agree; the clock is ticking. Let us get on with it. It feels like it has been 30 years since we started talking about this amendment.

As we consider the amendments, I want to echo the words of my friend, the hon. Member for Plymouth, Moor View (Johnny Mercer)—what a shame he is not in the Chamber to hear me heaping praise on his previous oration. He said on Second Reading that

“we have to go further and over-compensate for a past that has failed victims...Families do not have confidence and we must commit to a level of transparency and openness.”—[*Official Report*, 24 May 2022; Vol. 715, c. 256.]

If the Government are sincere in their desire to deliver reconciliation with the Bill, I hope that they will look at our amendments as a way to begin the process. Victims and their families deserve nothing less.

**Several hon. Members** *rose—*

**The Chairman of Ways and Means (Dame Eleanor Laing):** I was about to call the Chair of the Northern Ireland Affairs Committee, the hon. Member for North Dorset (Simon Hoare), but he is not in his place. How curious—I appear to have nobody standing on the Government side of the Committee.

**Sir Robert Buckland:** On a point of order, Dame Eleanor. I wanted some help as to how to explain—[*Interruption.*] When an hon. Member has had to leave the Chamber for comfort purposes, I wonder how that is to be put on the record. I seek your guidance.

**The Chairman:** I thank the right hon. and learned Gentleman for his point of order. I think it would be better if we just glossed over the last minute or so, with the understanding of Opposition Members who were standing to indicate their intention to speak. I will nevertheless turn my gaze back to the Government side of the Committee, as I normally would when the shadow Secretary of State has finished his remarks.

I thank the hon. Member for Hove (Peter Kyle) for his speech. I call the Chair of the Northern Ireland Affairs Committee, Simon Hoare.

**Simon Hoare:** Perhaps that was due to turning 53 yesterday or perhaps it was because I was referred to as “senior” and “esteemed”—it shows that being senior also has some other callings. I am very grateful to the Committee.

Let me make two “Second Reading points”, as I would describe them. Anybody who attended yesterday's performance of “The Crack in Everything” from the Derry Playhouse, which was organised beautifully by the hon. Member for Foyle (Colum Eastwood), and anybody who saw the final episode of “Derry Girls”—which so reminded us of what we are talking about, notwithstanding the time differential—will know that they serve as two

[*Simon Hoare*]

very painful and stirring reminders of the seriousness of these issues, the sadness that they evoke and how we need to deal with them in a very painstaking and clear way.

I am also conscious of the words of Sir Declan Morgan, who recently gave evidence to the Northern Ireland Affairs Committee about the Bill. He made a point worth bearing in mind, which is that these are not easy issues. If this issue were easy, previous Governments would have dealt with it by now, but there is not even an “it” to deal with—there are different issues, different people and different responses.

How people respond is entirely individualistic, but given how long things have taken and how there have been patent, clear and demonstrable failures to guarantee and provide the support and closure that people need, Sir Declan made a valid point: it is this Bill, as amended, or nothing. Without the Bill, there will just be a continuation of the very unsatisfactory status quo; it is not as if there is something better out there. It might have been Stormont House. I prayed it would be Stormont House—Stormont House had the agreement—but that has not come to pass, and I think that too many years have elapsed.

Let me say a few words about the amendments in my name. The Committee will be relieved to hear that I do not propose to press them to a Division this evening. As and when the Bill becomes an Act, part of the challenge will be not in trying to garner and maximise support so much as in trying not to maximise questions, opposition and hostility. Ensuring in statute that there are five commissioners will provide the scope for those commissioners to represent a wide constituency of interests and experiences.

**Fay Jones:** The Chairman of the Northern Ireland Affairs Committee speaks about the membership of the commission. He also referred to the final episode of “Derry Girls”; the two are linked. Does he agree that, where possible, international experience ought to be brought to the commission?

**Simon Hoare:** My hon. Friend is absolutely right. I have an amendment to that effect: amendment 74, which is about bringing in one or two people with international experience, an international perspective, no particular skin in the game and a fresh pair of eyes—an honest broker, if you will. The credibility of their international experience could be drawn from the United Nations, from Rwanda or from other conflicts in places such as South Africa, where different sides have been brought together and a path to peace has been found—sometimes with baby steps, halting or retracting along the way, but slowly and surely making the progress that we wish to see.

**Bob Stewart:** I agree with my good friend the Chairman of the Northern Ireland Affairs Committee that we should have several commissioners, and I agree with their being international. As I understand it, however, the human rights commissioners are all appointed by the Secretary of State and no one seems to object. I do not really see the need for the process to be expanded beyond the Secretary of State, as people seem to accept the appointments that he has already made.

**Simon Hoare:** My right hon. and gallant Friend makes a perfectly respectable point that is sustainable under scrutiny. I do not seek to challenge him on it.

Let me set out to the Committee the thinking that underpins my amendment 92. We are aware that all the political parties in Northern Ireland are opposed, in whole or in part, to the proposals before the Committee. We also know that a vast swathe of civil society in Northern Ireland is concerned about the Bill. I know that of itself, amendment 92 will not address all those concerns, but the argument that my right hon. Friend the Member for Beckenham (Bob Stewart) and I have heard in the Select Committee—and, indeed, as my hon. Friend the Member for Brecon and Radnorshire (Fay Jones) and other Committee members on both sides of the Chamber have heard—the Secretary of State, by dint of office, is part of Her Majesty’s Government, and state actors representing Her Majesty’s Government, in the armed forces, the security services or the Royal Ulster Constabulary, were part of that “Government machine”. A concern that amendment 92 seeks to address relates to the imprimatur, the democratic imprimatur, of a pre-appointment hearing—I was responding to the point made by my right hon. Friend the Member for Beckenham, but he seems to be about to leave the Chamber.

**Bob Stewart:** Sorry!

4.45 pm

**Simon Hoare:** I was going to say that the imprimatur of a pre-appointment hearing by the Northern Ireland Affairs Committee and/or the Justice Committee, along with, possibly, the scope for an affirmative vote of appointment in this place, would provide an element of clear water between the Secretary of State, by dint of his or her office as a representative of the Government, and the commissioners who will be discharging such important duties. If those candidates could secure strong, hopefully unanimous but certainly cross-party and cross-community support, as represented by the parties in this place, that of itself might just provide—although there is no guarantee—a wee crumb of comfort for those who would ask, “Who identified these commissioners, who appointed them, and by what mechanism were they appointed?” In other words, this would not be an appointment arranged behind closed doors; there would be an element of the disinfecting benefits of sunlight, transparency and openness. That is what underpins amendment 92.

Amendments 77 to 82 effectively restrike a balance in suggesting that the authorities from whom information is required for the purposes of an investigation should not be able to deem what is “reasonably” handed over. That is not for them to interpret. They should hand over the whole box file, folder or whatever it might be—it might be a microfiche film—so that the commissioners and those leading the inquiries can see it all. As I have said, I am not pressing the amendments to a vote this evening, but I hope that the Government will consider these proposals as the Bill progresses.

I tabled amendment 83 because I do not think it is for the state to decide who is an “appropriate” member of the family to request a review. The amendment would allow family members to apply for a review, rather than there being a narrowly prescribed list of appropriate family members.

Amendment 84 addresses what I call the cock-up problem. Someone may have completed a form requesting a review, but may not have completed it properly. Those who look at it to see whether it gets over the first hurdle dismiss it, because there has been an administrative error on the part of the person filling it out. That person may not have had access to professional legal advice or guidance. There should be an opportunity for the commissioners to point to errors, not errors of substance but errors relating to boxes not ticked or to the language used, for instance, and to say, “Go away and make these amendments, and the request can then be submitted.” Under the Bill as currently drafted, a person makes a single application which is judged on its merits. According to my reading of the Bill, if the application fails on the basis of a technical aspect, it cannot be resubmitted.

I am not going to spend the time of the Committee rehearsing the approach to rape and sexual offences, which we have been discussing. It is set out very clearly in amendment 115, tabled by the hon. Member for Hove (Peter Kyle), although my amendment 85 is similar.

For those who are diametrically opposed to the Bill or who wonder about its article 2 compatibility, I think the courts should be able to determine that when it becomes an Act and is under progress. However, I say to the Minister that there is scope here, after a little quiet reflection, to introduce those elements of transparency and sunlight in order to deal with this. Another point relates to the proposal that if a commissioner is rendered incapable, falls ill or is taken off the case, the application for immunity could continue to be heard by that panel, but with a new voice. We would not do that in a court. We would not have a judge suddenly change halfway through. They need to hear all the evidence from beginning to end. To change halfway through would be like trying to watch a film from halfway through and to work out whether you liked it or not. The end might have been great but the start might have been hopeless, or the other way round. I do hope that the Government will give consideration to my amendment on this, which proposes that the same people should hear a review case from start to finish. If, for whatever reason, one of the panel could not do that, there would be a bit of an administrative time lag but a new panel would have to hear the case again. That could involve two of the same people, but having the same three people listen to the whole of the case is important on the ground of natural justice.

A perfect Bill? No. A Bill that has good intentions in it? Yes. I am encouraged by the response and tone not only of my right hon. Friend the Minister of State but of the other parties, and I pay particular tribute to the shadow Secretary of State, the hon. Member for Hove (Peter Kyle), who has set out his frustration very clearly. It is one that he and I share on this. There are many issues on which the House will almost take pleasure in being on different sides of the debate in a vote, but I say gently to those on the Front Bench—I know that my right hon. Friend the Minister is more than cognisant of this—that the issue of rape is not one on which we want to see political division. It is just too heinous and horrible. I say that as a husband and a father of daughters. One just does not want to be playing politics with that issue, and I think the Committee is probably with me on this.

I hope that, through the usual channels, we can find a way in which the very best of this House can be reflected on this sensitive issue. This is a democratic debate about making this right for people who vote for us, and I look to the business managers—my hon. Friend the Member for Mid Dorset and North Poole (Michael Tomlinson), my right hon. Friend the Member for Tamworth (Christopher Pincher) and others—to ensure that we have time in this place for a proper Report stage, perhaps through an amendment to the programme motion, to give those on the two Front Benches a window of opportunity to address this important issue.

**Richard Thomson (Gordon) (SNP):** I am sure that whatever view each of us here today takes of this Bill, from whichever vantage point, we all feel a great weight of responsibility in dealing with these matters. I am mindful of the time, so I will keep my remarks as brief as I possibly can. The Scottish National party has serious concerns about the Bill and the approach that has been taken to it in terms of its principle. I have been clear throughout, leading on this for my group, that where independent prosecutors consider that there is a sufficiency of evidence and the likelihood of a conviction, and where they judge it to be in the public interest to do so, they should still be able to bring forward these prosecutions. I am sorry to say that this Bill and the general principle behind it utterly squash that prospect. I do not intend to reprise my arguments from the Second Reading debate, except to say that we do not believe that the goal of achieving truth and reconciliation is advanced by closing down the prospect of further investigations that can be conducted to a criminal threshold, or indeed by setting aside the norms of the rule of law and the fundamental rights of individuals to seek recourse through that law.

The SNP has not tabled any amendments. We oppose the fundamental principle behind the Bill, and we do not believe it can be amended into acceptability. I am quite up front in saying that we will continue to oppose the Bill. That said, if the Bill is going to pass, which it certainly will, there are aspects on which we will join others in trying to improve.

In that vein, I place on record our very strong support for amendment 115. I heard all the dialogue with the Minister, and I do not doubt his sincerity on this for one moment. If the wheels are whirring behind the scenes on how a possible compromise might be brokered before we conclude our business tonight, all well and good. If not, I strongly urge him to accept the amendment and, if necessary, improve it elsewhere. We do not want to divide on this, but we cannot go another day without having clarity on how sexual offences will be treated under this Bill.

I listened closely to the arguments advanced for the other amendments, and we will approach the remainder of today's proceedings on that basis.

**James Sunderland:** I spoke in support of the Bill on Second Reading, although I highlighted several frictions and concerns that may merit further work, which is where we are today.

The people of Northern Ireland, our veterans and those directly affected must be at the heart of this Bill, and I hope to offer a wider perspective that may be



[James Sunderland]

of use. On Second Reading, the Chair of the Northern Ireland Affairs Committee, my hon. Friend the Member for North Dorset (Simon Hoare), said:

“Is the Bill perfect? No, of course it is not, and no legislation is, but let us not lose the good, or at least the intent to achieve the good, in pursuit of perfection.”—[*Official Report*, 24 May 2022; Vol. 715, c. 195.]

That is where I think we are today.

We know what the Bill does, as it has been covered a lot over the past few weeks and months: it establishes an independent commission for reconciliation and information recovery; it grants immunity from prosecution to those who engage with the commission—this is a key point—on a case-by-case basis; it ends, in theory, troubles-related criminal investigations and protracted legal proceedings; it commissions a historical record of every troubles-related death; it covers memorialisation; and, importantly for me and for many others, it does not provide moral equivalence, which is an important improvement on the draft Bill.

The lingering concern of many I have spoken to, both here in England, Wales and Scotland and over the water in Northern Ireland, is that perpetrators may now never be brought to justice and the truth may never be known, notwithstanding what the Bill says it does on the tin.

**Bob Stewart:** I thank my good friend for allowing me to intervene. One thing the Bill might do, and I hope it does, is ensure the names of those who go before this reconciliation body are made public so that people know who they are and understand who carried out the deed, whatever the result for the person concerned. Victims and families may understand who did it, and I hope that will be considered in the Bill.

**James Sunderland:** I thank my right hon. and gallant Friend for his intervention. He is absolutely right, and I hope the Minister heeds his point.

Having looked at what the Bill does, and having discussed it on Second Reading, I ask: where can we go from here? Where do we need to go as a Committee? First, I would urge the Government to reconsider the exclusion of rape and sexual offences, which merits further work, although I fully understand the arguments that exist in law. It may be a political point as opposed to a legal point, or it might be both, but it requires extra work.

Secondly, clause 18 currently says that the ICRIR must grant a person immunity from prosecution if conditions A to C are met. Condition B states that a person needs to have engaged and stated the truth to the best of their “knowledge and belief”. That is a very low and subjective expectation of one individual’s account, for which the immunity panel is not required to seek corroboration. What if that individual is not telling the truth?

**Jess Phillips** (Birmingham, Yardley) (Lab): I thank the hon. Gentleman for the speech he is making. I, too, have concerns, but even if that was ironed out—I stand here to speak for the 21 families of the victims of the Birmingham pub bombings, the biggest mass killing on our streets in this country for which no one has faced justice—does he think that that would be enough for the lives of Maxine Hambleton, Tommy Marsh and

Paul Anthony Davies? Would anything we could do today allow the families of those people to feel that an amnesty was enough?

5 pm

**James Sunderland:** I thank the hon. Lady for her intervention and she is not wrong, but the point I would want to make to her is that the Bill provides for a truth and reconciliation process whereby the truth could become known. After 24 years of the Good Friday agreement, and with prosecutions limited so far to date, it is important that we move on and not only offer hope to families wanting the truth but draw a line in law under the endless prosecution of vexatious complaints.

Let me return to the issue of people potentially stating falsehoods to the commission. There are numerous reasons why a perpetrator may give a false account to gain immunity, with the obvious one being to play down their role in an offence. There is also the potential for cynical abuse of the immunity process, perhaps by political elements. We must also address the issue of someone who acquires immunity for pre-1998 offences yet may still have been involved in terrorism post-1998 and still perhaps to this day. A distinction is required in that regard.

**Fay Jones:** I think my hon. Friend is referring to amendment 97, which has been tabled by DUP Members and calls for a file to be passed to the Public Prosecution Service if it becomes clear that lies have been told to the commission. Although that is incredibly well intentioned, does he share my concern that it confers a status on the commission that it has not necessarily asked for and may not even want?

**James Sunderland:** I thank my hon. Friend for her intervention, and she is not wrong. My personal view is that we need to do a little more to ascertain that proof. It may be that the word of one individual may not be enough to grant them immunity; independent evidence and independent corroboration over a period of time may be needed to secure that immunity.

**Gavin Robinson:** First, the panel will already have to make an assessment of whether the information it has been given has been given truthfully, to the best of the person’s knowledge. Amendment 97 simply says what should then happen should it decide that that information was not given truthfully, to the best of the individual’s knowledge. It would not have much to do; it would already have made the assessment, and the file would then just go to the PPS.

I ask the hon. Gentleman to look at the exact provision, in clause 20(4), I believe, which sets out that the panel does not need any information other than that which is given to it by P, and then to have a read of subsections (1), (2) and (3). I think that there lies the answer to the question he is raising—subsection (4) could simply be deleted. An amendment has been tabled by my party and the Chair of the Northern Ireland Affairs Committee for that precise purpose.

**James Sunderland:** I thank the hon. Gentleman for his intervention. The Minister is now in his place and I hope he is paying heed to what we are saying, because these are all tweaks to the Bill that I feel we could make.

Let me return to clause 18 and ask, first, what defines an acceptable level of engagement. How do we specify it? Nothing in the Bill defines what level of information someone needs to give in order to qualify for immunity, and I think that needs work.

Secondly, Where a person is deemed a subject of interest, and perhaps is assessed as being a current threat, is there a case for their not being granted immunity? I believe that there is a bit of work to do there, and that this may be possible.

My third point is that we should perhaps legislate so that if a person is convicted of a post-1998 terrorist offence, the offence they were granted immunity for can be taken into consideration for the purpose of sentencing for other offences—I know that that is tricky and divisive, but it is worthy of consideration.

My last point on clause 18 is about what happens if the person's account is found not to be true to the best of their knowledge and belief. We discussed amendment 97 earlier. If it is proved that the information given is completely false, perhaps immunity could and should be revoked. I know that the Minister will cover this issue later, but I think there needs to be a bit of work on what happens if there is compelling evidence that proves that the information given at the time was not true. In my view, therefore, clause 18 needs work.

That may not be possible, but I have outlined some suggestions to the Minister. My next point relates to clause 20, which is entitled “Determining a request for immunity”. In forming a view on the truth of the person's account, the immunity requests panel will not currently be required to seek information from a person other than P. I reiterate my previous point that the threshold for the provision of information by the perpetrator is already very low and subjective. What change might we wish to make? Perhaps there should be a requirement that corroboration is sought before any immunity can be granted.

On the issue of prisoner release, the Bill states:

“Schedule 11 makes provision about prisoner release under the Northern Ireland (Sentences) Act 1998.”

Paragraph 5 of schedule 11 states:

“If a fixed term prisoner is released on licence under this section, the prisoner's sentence expires”.

The key point is that the existing early release scheme provides that if a person's application for early release is successful, they must serve the minimum term under their sentence before being released. Paragraph 5 replaces and repeals several provisions of the 1998 Act, potentially removing any minimum sentence. That virtually removes any incentive for a perpetrator to engage with the process. I therefore urge the Minister to look at that provision.

There are other areas that are not covered in the Bill, and we may come to them later. First, there is no legislation on the glorification of terrorism, or to enable those who flout such legislation to be held accountable. The issue is not provided for at all in the Bill, and that may require further work.

We may also need a better UK-wide definition of a victim or survivor of terrorism. In addition, there is the tricky issue of reparations for the bereaved. I know that that is difficult in law and difficult politically, but perhaps we could look at it in due course as part of the reconciliation process.

Perhaps we could even conduct a review in due course of how this legislation evolves and how it works in practice. Is the truth and reconciliation process working? Are people coming forward? Perhaps we need to build into the Bill a clause whereby we can legally review these issues in due course, with a view to tweaking what goes through Westminster.

This is a very difficult issue and this is a difficult Bill. I commend Ministers and everyone involved, particularly in the Northern Ireland Office, for getting this far. We now have something on the table that needs to go through. Time is short, and I recognise that the Bill will come back to the House on Monday, but I urge the Minister to consider what I have said over the weekend.

**Gavin Robinson:** It is a privilege to follow the hon. Member for Bracknell (James Sunderland), who has engaged continuously with Northern Ireland issues since his entry into the House in 2019. We are grateful that he has shown such an interest. His speech allows me to make an initial point for people outside this place who do not understand how we operate. Today we are dealing with parts 1 and 2 of the Bill, and on Monday we will deal with parts 3 and 4.

The hon. Gentleman hit the nail on the head when it comes to the requirement for an amendment that allows for the revocation of immunity in circumstances where somebody has lied; one on the repeal of the Northern Ireland (Sentences) Act 1998 so that there is an inducement for people to engage in the ICRIR process rather than stay outside; and one on the glorification of terrorism. While there is a discrete amendment on the glorification of terrorism today, we will debate new clauses 3, 4 and 5 on Monday, and they deal with all those points. I do hope that, after hearing what the hon. Member for Bracknell has had to say, colleagues throughout the Chamber will not only look at those new clauses and the thrust behind them, but encourage the Government to look on them favourably when we debate them on Monday. They are demonstrable and positive changes that would make this Bill better.

I am delighted that the hon. Member for Basildon and Billericay (Mr Baron) is back in his place. Perhaps I was a little hard on him, especially after he suggested that he was going to support some of my amendments. I genuinely believe that I would not have wasted my time over the past number of weeks, with colleagues from across Northern Ireland, in the preparation of amendments to make this process better if none of those amendments had the prospect of success today.

It is disappointing that, even when we hear positive noises not just on amendment 115 but on a range of issues that have been put before the Committee today to make the Bill better, we really get zero traction. It is very frustrating.

**Mr Baron:** Let me put the hon. Gentleman's mind at rest. He was not too hard on me. Having served in the Province a few times, I am used to the Belfast way of things. What I would say, though, is that we are all, in good faith, trying to improve the Bill. We must remember that there are further stages, but I hear what he says.

**Gavin Robinson:** I am grateful to the hon. Member.

This Committee stage highlights the fact that there is a strong body of opinion in Northern Ireland that this Bill is irredeemable, that it should not progress and that

[Gavin Robinson]

it has no support among politicians or victims' groups in Northern Ireland. The SNP spokesperson right crystallised that opinion, and said that his party had decided not to participate in amendments.

I stand here as a member of a party that has tabled scores of amendments in the hope that we can get this Bill to a better place. But I recognise that, for many at home, this is not a comfortable place to be. Without reiterating the comments made on Second Reading, I say that this Bill, whether it will affect a small number of people or a large number, is a true corruption of justice. The very idea that, under schedule 11, as the hon. Member for Bracknell read out, somebody prosecuted for heinous terrorist offences would serve no time in prison whatsoever for a prosecution arising either because that person has chosen not to give any information to victims' families and stays outside the process, or because they engage in the process in an untruthful and dishonest way, is an affront to justice.

**Johnny Mercer:** How would the hon. Member describe the 1998 agreement that let murderers out having served two years? Would that be a corruption of justice? Would that be an affront to justice? And—

**Gavin Robinson:** Absolutely. I am very grateful to the hon. Gentleman. Let me make this point: we are not going to get unanimity of opinion on that issue from people in Northern Ireland. The Democratic Unionist party did not support the Belfast agreement. One of the strong reasons was the corruption of justice and the denial of rights to victims who saw the perpetrators walk the streets.

**Claire Hanna** (Belfast South) (SDLP) *rose*—

**Gavin Robinson:** I will give way to the hon. Lady, because she will take a different view, and I want to be respectful of that different view. Then I need to move onto the amendments tabled for this Committee stage.

**Claire Hanna:** It is fair to say that, over the past couple of years, there have been a lot of new converts to the Good Friday agreement. Will the hon. Member concede that although the issue of prisoner releases was a very difficult pill to take for every single person in Northern Ireland, it was done with democratic legitimacy—in a referendum that more than 70% of the population voted for—and those people were in jail after due legal process?

**Gavin Robinson:** People were in jail after due legal process. Not only did we have that corruption of justice then, but we have had subsequent corruptions of justice on the provision of on-the-run letters, on letters of comfort, and on attempts to make sure that people get an amnesty or immunity from prosecution. Here we have a further iteration.

**Bob Stewart** *rose*—

**Gavin Robinson:** I will not give way at this stage if the right hon. Gentleman does not mind, because I am deviating from the amendments and I recognise that we do not have much time.

We should be encouraging people in this process to give information, and we do that not by removing the consequence of avoiding the process, but by ensuring that there is a consequence should they not engage.

My hon. Friend the Member for North Antrim (Ian Paisley) made reference to Mrs Iris Moffitt-Scott, who gave an interview this morning on “Good Morning Ulster”. She asked that the Government not trample on victims. She said that today, on the 39th anniversary of her husband's murder. Her husband had no affiliation; he was a farmer cutting hedges, and had just delivered his four-year-old child to the bus for the first day of school when he was murdered in cold blood. There was no reason for his murder other than pure, base sectarianism, and she is just asking today that the Government not trample on her and other victims like her.

5.15 pm

**Ian Paisley:** I think in my earlier intervention I may have said that he was a part-time member of the UDR, but I was wrong in that. He certainly was not—in fact, reports at the time record his family saying he was a friend for all, a man with friends right across the entire community. There was no justification. His local canon, I think, indicated that the only reason he was murdered was that he was a member of the Protestant community. It was a straightforward, dirty, evil sectarian murder and it must be called out as that. As my hon. Friend will know, for those of us who grew up through those days—I was 17 at the time; he is slightly younger than me—our days were punctuated by the sounds of those bullets and bombs going off. Our news bulletins were punctuated by the soundtrack of the troubles. Unfortunately, this legacy Bill does not bring that soundtrack to an end.

**Gavin Robinson:** I thank my hon. Friend for that.

I have made reference to some of the substantive amendments that we will consider on Monday. I want to raise a series of amendments that I hope are not controversial, which representatives from across Northern Ireland would be able to accept, and put them forward in the hope that the Minister can offer some positivity. Then we will get on to the substantive amendments that I think will form part of our considerations later on.

An innocent victim: we know what that is. It is somebody who has been injured through the troubles through no fault of their own. They have not engaged in illegality; they have not gone out to damage, to murder, to kill. They have been injured. The Government accepted that definition when they published regulations around troubles pensions. There is an opportunity, which we can come back to on Monday when we talk about memorialisation, for this Government to provide a legal definition of an innocent victim.

There has been a debate about immunity. The legislation talks about its being general immunity, and that has caused concern for victims. The Minister, through engagement and with the NIO, has been very clear that it is immunity specific to an event, but covers the generality of offences during that event. The immunity attaches to the incident and not the person. I think the Minister should take the opportunity to clarify that and look at whether that can be strengthened through amendment.



I had an exchange with the hon. Member for Bracknell on clause 20 subsections (1) to (4). Subsection (4) is unnecessary. It suggests that the panel does not need to take information from anywhere other than the person before it, but subsections (1) to (3) suggest all the relevant information that the panel can and should take into account in making its determination on an individual incident. Clause 20(4) should be removed.

Amendment 97 is one that I hope hon. Members will engage with. An assessment must be made of whether the individual perpetrator who is giving information to the panel has done so truthfully, to the best of their knowledge. If they lie, if they seek immunity and spin the process out, playing with victims and their families, there is no consequence for them whatsoever. At the very least, amendment 97 would see a file issued to the Public Prosecution Service.

Amendment 119, which I referred to, is about the glorification of terrorism. The last thing we should do, if we are truly interested in achieving reconciliation in Northern Ireland, is to offer someone immunity only for them to go out and talk positively or proudly about their heinous exploits. That would be a fundamental outrage. We will never get reconciliation in Northern Ireland if we empower people to rub salt in the wounds of victims and their families there.

**Sammy Wilson:** Does my hon. Friend accept that the point he is raising is based on evidence that we already have of where, for example, members of Sinn Féin who engaged in a prison break-out in which an officer died went around boasting about the part that they played in that break-out? He is not making a theoretical or an academic point, but a very real point that we have to make sure is addressed.

**Gavin Robinson:** Yes. It is appalling—sickening—that people organise events and dinners, fundraise, sell books and write scripts for movies, then benefit on the backs of the blood of our neighbours in Northern Ireland. That is not appropriate.

I ask Members to consider amendment 98 very seriously indeed. This process is about providing answers to families who do not know all the circumstances of their loved one's demise or who was responsible for it. That is a significant subset of legacy cases that are yet to be resolved in Northern Ireland. There are, however, other cases where the family know exactly who was responsible and know all the circumstances, and furthermore the state knows who is responsible and has sought the perpetrator for investigation and prosecution. Then what did the perpetrator do? They stood up and walked across the border and evaded justice. In amendment 98, we ask the Committee to accept that there are no circumstances in which we can provide a process that would grant immunity and allow somebody who has evaded justice, skipped the jurisdiction and made sure that loved ones had no answers the opportunity to come back to Northern Ireland and retire with dignity. That would be an affront to democracy and to justice. I hope that Members will look at accepting amendment 98 on such runaways.

**Jim Shannon:** One example of that, as this House already knows because I have said it before, is Lexie Cummings. He was having his lunch out at a shop in

Strabane and was murdered—shot in the back of the head. The person who did it was apprehended by the police, who took him to court. They made a mistake in the subpoena that they handed out and got it wrong. While the subpoena was being changed, the person escaped across the border. He is now a very prominent member of Sinn Féin, as my hon. Friend the Member for East Londonderry (Mr Campbell) knows very well. That is an example of where the system has fallen down. My family, who are relatives, want to see justice for him in court. He has an on-the-run letter, which makes it very difficult for us as a family to comprehend and deal with issues, knowing that justice is not seen to be done and because we know who the perpetrator is.

**Gavin Robinson:** I agree with my hon. Friend and I hope that Members will look on amendment 98 favourably.

Finally, because I recognise that time is short—here we are, three hours in, before we get a Northern Ireland voice, but I appreciate the interest in the Bill—I turn to amendment 115. There has been considerable attention on amendment 115 during the Committee stage. My colleagues drafted our own amendment to exclude sexual offences from immunity. It was not as good or as strong as the Labour amendment, and, in truth, it was in the wrong place in the Bill, so we did not table it and signed amendment 115 and new schedule 1. We did that because we want to get to the end point. We are not interested in the politics, but we want to make sure that on such a wedge issue that engages issues of compassion and controversy, and affects communities right across the board in Northern Ireland, we have our name on that amendment, and we want to see progress on it this evening.

I have already highlighted the frailty of the argument that we could leave this issue until Report. I have heard that we could change the programme motion. Here we are with a programme motion that has already been extended once, at the end of Second Reading for this Committee stage, and I am the first Northern Ireland MP to speak when we have been debating the Bill since 20 minutes to 3.

**Colum Eastwood:** Can I take the hon. Gentleman back to what he was saying a little bit earlier? We obviously disagree on the Good Friday agreement and the need for prisoner release, but I think we both recognise that those prisoners were released on licence. A licence is capable of being revoked and has been on a number of occasions. If this Bill went through, would that get rid of that, so that those prisoners would then be totally immune from going back even on licence?

**Gavin Robinson:** I know that some from Northern Ireland did not take technical briefings on this Bill, but sadly I did and had to listen through them. Schedule 11, where we are talking about moving two sentences down to one, could lead to a circumstance where, were somebody prosecuted outside of this process, they would have a conviction on their record and would automatically be on licence for it. It is not that they would not be on licence—they would—but they would serve no time in jail whatever. We need to incentivise this process, and that is why I have talked about new clauses to be debated on Monday, which would ensure real terms and a real-life consequence for not offering truth to victims' families.

[Gavin Robinson]

I was talking about amendment 115 just before I was derailed. The Government have a huge opportunity to respond to what has been said this evening. This is a hugely important amendment. We talk about some amendments being inconsequential, and I accept that this one would affect a very narrow subset of legacy cases, but that does not make it any less of a touchstone. It genuinely is, and it has the support of our party. I am sad to say that there is no Northern Ireland Office representation in the Chamber at the moment. They are not here, and I genuinely believe that they had better be outside getting an agreement over this amendment so that it does not need to be pressed to a Division this evening.

**Mr Baron** *rose—*

**Simon Hoare** *rose—*

**Gavin Robinson:** I will give way in turn to the hon. Members, and then I will conclude.

**Mr Baron:** I hope that the hon. Gentleman is assured when I say that a number of others are making representations to those on our own Front Bench on a number of the amendments being discussed. One hopes that people are listening, which I suppose reinforces the point that we are trying to move in the same direction here and improve the Bill.

**Gavin Robinson:** I accept that and I am grateful to the hon. Gentleman.

**Simon Hoare:** I want to add to the hope of my hon. Friend the Member for Basildon and Billericay (Mr Baron), if it is of any help. To the best of my knowledge, conversations are taking place within Government and with the official Opposition to try to resolve this issue before we get to the moment of interruption. Principally that is because of the strong case that has been made by the hon. Member for Belfast East (Gavin Robinson), by colleagues and by the shadow Secretary of State, which I hope a number of us on the Government Benches have helped to augment.

**Gavin Robinson:** I do not want to sow discord or break the prospect of agreement, but I will say this to those who are outside talking about an amendment that we have signed, but who are not talking to us about that amendment: it is not just the first signatory who can ensure it proceeds to a Division. I hope there is an agreement on that amendment, but as signatories to it, should there not be an agreement, we think the Committee should divide on it.

**Sammy Wilson:** Does my hon. Friend not find it rather strange, given the debates in this House over the past week about the lack of response from the police and the courts on rape victims, the way in which so few rape cases are being brought to court, and the commitments that Ministers have made, that there is even a debate or a discussion about those who use their paramilitary positions and power to cover up rape having their crimes overlooked?

**Gavin Robinson:** I have to give way to seniority, but my right hon. Friend makes the point incredibly well for me, and it needs no further explanation. I am grateful for the time of the Committee.

**Simon Hoare:** On a point of order, Dame Eleanor, the hon. Member for Belfast East (Gavin Robinson) has raised an important question in regard to who can move an amendment. Clearly it does not just have to be the principal signatory. It is my understanding—I am probably wrong, and I would welcome your guidance—that any member of the Committee of the whole House can press an amendment to a Division, even if they are not a signatory to it, so long as the amendment has been selected, which of course it has been. Is my understanding correct?

**The Chairman of Ways and Means (Dame Eleanor Laing):**

The hon. Gentleman makes a perfectly good point of order, and he is correct. We are in Committee of the whole House, and it is indeed the case that if the lead name on an amendment does not move the amendment at the appropriate time, any other Member can do so. I note that amendment 115, which is the one to which the hon. Member for Belfast East (Gavin Robinson) was referring, has five names in addition to the shadow Secretary of State's, including the hon. Member for Belfast East and some of his colleagues. I have every confidence that if for some reason it was not moved by the shadow Secretary of State on behalf of the official Opposition, plenty of other people could move it.

I am also sure that that matter is being dealt with at this moment—from what I have seen from the debate—in the way that it ought to be dealt with. It is a matter of some satisfaction to see the House working as it should in Committee, which is about not grandstanding or soundbites, but getting the best legislation that we can produce by working together. That is exactly what is happening at this moment.

5.30 pm

**Johnny Mercer:** I am grateful to be called in this incredibly important debate. I had a speech prepared about the usual things that I have bored everyone about for many years, but instead I will address some critical points that have been advanced by hon. Members—particularly on the Opposition side of the Committee, but some on the Government side too—about their concerns with this legislation.

It is important to remember that those who oppose the Bill have genuinely good intentions, as has consistently been the case since the Bill was announced. I understand what has been said, particularly on the issue of rape, which is an incredibly difficult subject to legislate on. It is also difficult to talk about whether it should be on the face of the Bill. When I oversaw the passage of the Overseas Operations (Service Personnel and Veterans) Act 2021, we encountered that exact problem. Clearly, everyone finds the use of rape in war, Northern Ireland or wherever it may be completely abhorrent, but the issue is what it looks like politically if the Department does not put it on the face of the Bill. That is where it needs to do a bit of work. I understand why it has not done that, but in my experience it is worth having those conversations to see what can be done to ensure that hon. Members and those who will use the Bill are under absolutely no illusion as to its reach and extent.

The problem that the Department faces is that if rape and then sexual assault are on the face of the Bill, what makes up sexual assault and what was sexual assault in the period of the troubles? It becomes increasingly

difficult to define those offences. It is important to have such debates, and I hope that the Government will work to change their position on the legalities of what is in the Bill so that people feel comfortable, but hon. Members should not demonise those who think, as I do, that the Bill should go through to the Lords as it is. We should talk about the amendments when it gets down to that process and send it through unamended today, even though there is a particular issue around this crime that we all agree is abhorrent.

I totally understand why the Northern Ireland parties oppose the Bill, and why the DUP opposed the Good Friday agreement. Nobody on the Government side of the Committee wants anybody who has committed an offence, whether they were in uniform or a paramilitary, to get away with that—nobody wants that at all. If people ask me what I want from the Bill, I say that I want justice, fairness, and anything that brings a degree of peace and an ability to live on past the troubles to come forward.

The problem is that we have to deal with the world as it is, not as we want it to be. My hon. Friend the Member for Basildon and Billericay (Mr Baron) said that we should not make the perfect the enemy of the good, and that was raised as a bad thing, but that is what we are here to do. I totally understand where the Northern Ireland parties are coming from, and this has been an educational journey for me as well. We have had some pretty feisty debates in this place, and I totally understand where those on all sides in the debate are coming from in Northern Ireland. The only problem I have is that, as politicians, we have to be pragmatic and we have to work in the space of what is physically possible.

I would, I suppose, have more time or more understanding for the argument that we have to try these different things if we were not 24 years on from the Good Friday agreement, and individuals such as Dennis Hutchings, who did nothing wrong and was never convicted of any offence, are repeatedly dragged over to Northern Ireland—he eventually died in a hotel room on his own in Belfast—because we have not been pragmatists. We have all been idealists, because we all want the perfection of a clear result in relation to what was an incredibly difficult period in Northern Ireland, but it is just not possible to achieve that.

**Bob Stewart:** I thank my good friend very much for allowing me to intervene, and I totally endorse what he has said. Those of us sitting here utterly understand how awful it is, and we totally understand why the parties in Northern Ireland cannot accept allowing people to get away with it. I feel the same, and when I vote tonight I will be using quite a long spoon because I totally understand where they are coming from. It hurts me, too, that anyone might get away with cold-blooded murder.

**Johnny Mercer:** I thank my right hon. and gallant Friend for his intervention, and I pay tribute to his extraordinary service in Northern Ireland in some of the most appalling atrocities of that conflict.

That is a really important point. We think about the mother of Stephen Restorick, a lance bombardier from one of my regiments, who was the last soldier killed in the troubles in Northern Ireland. He was asking for the driving licence of a lady passing through his checkpoint,

and she said, “All I can remember about him was that he was a beautiful boy, and his smiling face as he leant down to the window to take the driving licence”, when he was shot in the back by a sniper. No planet exists where people such as me, from exactly the same organisations, would want an individual who had committed that to be released.

The individual who did it was convicted and sentenced to 490 years, yet was released under the 1998 Good Friday agreement. There is no comparison here. My friends from Northern Ireland live over there in their communities, but the truth is that pragmatism has to win—it has to—because to continue doing the same thing and expect it to be different is a definition of insanity.

I have not seen anybody else in the Committee sit through such trials in Northern Ireland, but I have seen the absolutely ludicrous nature of them. We talk about victims. I know this will make me unpopular in some circles, but I actually feel sorry for a lot of the victims for being dragged down this pathway now. Everybody there knows that we will never reach the threshold for a criminal conviction, but nobody has the courage to say to them, “Do you know what? I’m so sorry, but this is unlikely to be successful so we have to take the next best option. The best option is that we find somebody and we put them in prison. I’m so sorry—and it’s the state’s fault, it’s lots of people’s fault; we didn’t investigate properly—but that is not an option. So you now have to deal in this space, which is the pragmatic space. What are you going to do? Do you want to know what happened to your loved one, and that they mattered, in their final hours—or do you want to continue to progress down this path where you will never get an answer?” That is my experience of dealing with victims, and I totally respect that other people have different experiences.

**Colum Eastwood:** I am grateful to the hon. Member for giving way. I think he and I are two of the people who have some of these feisty exchanges that he talks about, and I will attempt not to be too feisty with him today. He has made it clear that he believes that there is no prospect of criminal convictions, and that those on this side of the Committee are appalled because people will get away with terrible crimes. Yes, that is one thing.

The other thing is that we do not believe the Bill will provide more truth or more transparency. We recognise that. By the way, we are very open with victims and all that, but we do not have to be because they are grown-ups. They have been doing this for a lot longer than any of us. They know the process, they know how difficult it is, and they would love convictions. In some cases convictions are possible, but in many they are not. But the very process of actually investigating, and having civil cases—that is what gets someone to the truth, and that is what the Bill will bar. That is the real problem behind our issue with the Bill, and the issue that every victims’ group I have met has with it.

**Johnny Mercer:** There has to be a landing zone. We are never going to reach an agreement that allows us to adhere to those standards. The hon. Gentleman’s point about trust in the state is valid. When it comes first to opening the books—I have experience of this not only as a Minister, but when I served in secret organisations, and I know there is an attitude or appetite to overclassify things and so on. Families have really felt the brunt of



[Johnny Mercer]

that over the years, and if I was part of one of those families, I would be deeply mistrustful of the state. I totally get that, and the Department must work harder to bring that integrity to the process.

However, I do not think we should throw away what is probably the last chance to get this right—well, “right” is not really the word, because we are not going to make it right: we are not going to bring anybody back. But we have to get to a space where we can deliver something for victims and veterans. We talk about prosecutions, but there have been no successful prosecutions of security force personnel since the Good Friday agreement. That is a fact.

What these victims are looking for is not there. If it was there, I would be the first to champion it. People such as my right hon. Friend the Member for Beckenham (Bob Stewart) are absolutely repulsed by those who think that uniform is a place where they can commit crime. The idea that we would not want people who have done those things to be held to account is for the birds. People who promote that—I see it in Northern Ireland about me all the time, but I never respond to it because it is totally false. Nobody wants those people convicted more than those who served there and adhered to the standards, showing extreme courage.

**Gavin Robinson:** I would be keen to hear which amendments the hon. Gentleman is supporting. He wants to get this right, but does he understand that one consequence of the Bill at Royal Assent is that, unless a decision has been made to prosecute by the Public Prosecution Service, the prosecutions lapse? There are 32 or 33 actual active files with the PPS as a result of Jon Boutcher’s Operation Kenova. Unless a decision is made now, or before Royal Assent, the prospects of live files will disappear.

**Johnny Mercer:** That is a good example of technical details in the Bill that need work. Aspects of this do need work. I think I have spoken individually to everybody on the other side of the Committee who opposes the Bill, and I agree with their technical changes to it. The idea that immunity cannot be revoked, or that there is no real compulsion to get involved because of jail sentences—I do not agree with that. At the same time, however, I am not going to say, “Don’t vote for this Bill”, because this is it; this is as good as it gets. There is an opportunity coming down the line, when the Bill goes to the Lords, when things such as that will happen.

**Jess Phillips:** Will the hon. Gentleman give way?

**Johnny Mercer:** With deep reticence, because I think my good friend from the Opposition will give me an extraordinarily hard time.

**Jess Phillips:** I am absolutely not going to give the hon. Gentleman an extraordinarily hard time, and I thank him for taking the intervention. He may be right as a pragmatist—I am a pragmatist myself—to say that this is as good as it will get, but the families affected by terror incidents, including the incident I ran away from myself in Birmingham, do not think that his saying, “What you’ve got is as good as it’s going to get” is enough for 21 people lying dead with no justice. That is not good enough for them. On whether it takes them

the rest of their lives, Julie Hambleton is in her fifties now. She has been doing it since she was 13—she is in for the long haul—and the reason she keeps going is that she believes in the British state.

5.45 pm

**Johnny Mercer:** The hon. Member is totally right. If it was my son or daughter, or the son or daughter of any of us, and there was a 0.1% chance that we would find out who did it or what happened, we would keep going down that burrow hole as far as we could.

All I would say is that there is another side to the ledger: people—yes, a lot of them are veterans—who are incredibly adversely affected and have a right not to go through the experiences of those such as my friend Dennis Hutchings. That is why this is such a difficult space.

**Jim Shannon:** I am mindful of many incidents in Northern Ireland. I think of La Mon, where on 17 February 1978 12 people were killed and 30 people were seriously injured—the people who were killed were incinerated. The person who gave the order for that was the IRA commander in west Belfast, who just happened to be Gerry Adams. I want accountability for my constituents who were burned alive, but the legacy Bill does not give me or my constituents the chance of that. For that reason, I want to see a legacy Bill that speaks for victims and ensures that those who perpetrated crimes are held accountable. They might get away with it in this world, but they certainly will not get away with it in the next world.

**Johnny Mercer:** I have huge sympathy for the hon. Member, whom I am close to and have huge affection for. He can imagine my views on Gerry Adams—thankfully we are in the House, so I will not get sued just for uttering his name—and on the incident that he refers to. However, I would say pragmatically that it has been a long time since that incident and, if that justice were possible, it would have happened. I want that more than anybody else, but it has not happened, so we must deal with the world as we see it, which is incredibly conflicted: evidence was not gathered correctly, the crime scene was a mess, and it is very difficult to reach the threshold of criminal conviction.

**Jack Lopresti** (Filton and Bradley Stoke) (Con) *rose—*

**Tony Lloyd** (Rochdale) (Lab) *rose—*

**Johnny Mercer:** I will give way to my hon. Friend, then to the hon. Member, and then I will shut up.

**Jack Lopresti:** Until the previous intervention, I was not entirely clear whether my hon. Friend was going to support the Bill; I am pleased that he will. He talks about seeing the world as it is—we all do that, and we have to deal with reality—but, as politicians, do we not have a responsibility to show some leadership and moral courage as well as appreciate that legislation is not always universally acclaimed? There are tough decisions to be made and, as a soldier, he will appreciate that.

**Johnny Mercer:** We are here because over many years our predecessors looked at this issue and thought that it was too difficult. I focus on two groups: the victims, who have been dragged down the legal pathway; and veterans, for whom—I am sorry—the experience is

equally unacceptable. I have seen 85-year-old men in court who needed a loo break every half-hour—they could not remember what happened yesterday—getting spat at on their way in. They were not guilty of anything. Their cases got thrown out and the judge said, “I can’t believe this has come this far.” So there are two sides to the ledger, and we are here because we have not had the courage to deal with the issue as we find it.

**Tony Lloyd:** Like the hon. Member, I believe that, had there been action in the past, we may not have needed to be here today. He said that the search for truth by the families of victims is valid, but he also said that little can be done now. We recently had the Ballymurphy inquest, which came to a definitive conclusion and gave some truth to the victims’ families. On that basis, will he at least accept that getting rid of inquests would fly in the face of the interests of victims’ families?

**Johnny Mercer:** This will be deeply unpopular on the Opposition Benches, but the reason we have inquests and they do not result in criminal convictions is that they do not reach that threshold. Obviously, the evidence is there in the inquests, and I do not decry them—they are very important—but they are not at the criminal threshold, which has driven the experiences of veterans and so on. Yes, inquests have made findings—they have found things around collusive behaviour—but they have never been proved in court. While people will have very strong views—I have seen that across the Committee—we have to go with what is proved in court. That is the lie of the land. Even cases that I cannot believe have not been prosecuted have not been proved in court. It is a desperately sorry situation for everybody—the victims, veterans and so on. While I understand the hon. Gentleman’s concern, I just do not see what good end point that achieves.

I understand that we must be open. The Department could be more open with this process than it is with inquests, because of all the legalities included in that. The idea behind this immunity from prosecution is that there could be total transparency. I accept that people think, “They won’t be transparent,” but what do we do? Do we just throw away this last chance—do we let these old guys die in a hotel room in Belfast and let the sectarianism continue, the protests outside the courts continue, the spitting at me when I walk in continue—or do we try to do something just a little bit different?

I have never asked for favours for anybody. All I have asked for is fairness—just fairness. There are some people you will never find me defending, because I have my own thoughts about it. All I have asked for is fairness, and I have been treated in a particular way in Northern Ireland. I just urge colleagues to think about the art of the possible. We all have a duty—to victims and to veterans.

**James Sunderland** *rose—*

**Johnny Mercer:** I will give way one last time and then I will finish.

**James Sunderland:** As we all know, my hon. and gallant Friend has been a proud champion for veterans. He has probably accomplished more for veterans in his time than many other parliamentarians. But he is also very keen, when he needs to, to be critical and challenge the Government, so what he is saying this afternoon

carries a lot of weight, certainly for me. Does he agree that this is about pragmatism and timing, and that the time is now? Does he agree that we have admired the problem for far too long, that we still have an opportunity, with the Minister in his place, to amend the Bill as we need to over the weekend, and that the Bill does need to pass?

**Johnny Mercer:** I thank my hon. and gallant Friend for his kind words. I strongly agree with him that the Department needs to reflect on what has been said. I was a lone voice in opposing what came out from the Secretary of State for Northern Ireland in August. I pay tribute to him again, because many people—me, certainly, and the Opposition too—were pretty rude about him and rude to him about his proposals. He has had the courage to look at them. He wants to get this right. He has no skin in the game to do something that is going to divide communities and not stand the test of time.

I say to colleagues across the Chamber that there is a way around this rape-on-the-face-of-the-Bill stuff. I had exactly this issue with the overseas operations Bill. There is a way around it. We can deal with the legal language and make it really clear that that is not part of this.

**Mr Baron:** Will my hon. Friend give way one more time?

**Johnny Mercer:** Yes. *[Interruption.]* What do you want me to do? *[Interruption.]*

**Mr Baron:** I will keep it very brief. I commend my hon. Friend for his excellent speech, but may I suggest that what has been underplayed in this debate is the fact that for the victims, just knowing answers can help people move on? This is about justice, but it is also about providing and knowing answers, and we have not heard too much about that.

**Johnny Mercer:** I will sit down, but my hon. Friend is right: it is about truth and knowing answers, and we really need to get there. I just urge pragmatism and courage in this space to get stuff done.

**Several hon. Members** *rose—*

**The Second Deputy Chairman of Ways and Means (Mr Nigel Evans):** Order. I will call the Minister no later than 10 minutes to 7. You can see how many people are standing, so if you want to get your colleagues in, please show some time discipline—we cannot have speeches of the length that we have had up to now.

**Claire Hanna:** I will try to be brief, because I appreciate that there are colleagues who have been working on these issues for years and decades, who understand them fully and who wish to advocate for their constituents. I shall build on the points that we made on Second Reading and speak to some of the amendments in my name and those of my hon. Friend the Member for Foyle (Colum Eastwood) and the hon. Member for North Down (Stephen Farry).

By way of context, we spent Monday discussing the departure from the rule of law and bilateralism that is the Northern Ireland Protocol Bill. This is another day and another treaty breach. People have to understand that many see this Bill in that context—that it is unravelling

[Claire Hanna]

the culture of lawfulness that we have been working on for many decades. I say that completely without pleasure and I agree with the chief commissioner of the Northern Ireland Human Rights Commission, who believes that the Bill is unamendable.

I will focus on the setting up of the ICRIR. It relies on the fiction that is being presented, which is that we are doing the same things over and over again. We are here because things have not been done, because the architecture to enable truth and justice has been suppressed, because files have been locked up, because omertà has been practised by paramilitaries, and not because we have done all these things incorrectly. We are taking this action when there is a live and productive programme of investigations. Hon. Members have referred to Operation Kenova, which is an active programme of investigation and inquest.

The Bill exploits a population who are worn down by discussing legacy. They are tired of these issues, the politicking and the revisionism. Nobody is being false with victims. Everybody knows that the possibility of prosecutions is vanishingly rare, but information can come out of these inquests and investigations. That is what people want and it has absolutely not been demonstrated that that will come out of these bodies in any way. That is why victims oppose this. Nobody wants to move on more than victims, but we have a general amnesty masquerading as a conditional amnesty, with perpetrators walking free. As Members have indicated, they will have no licence, which they would have had under prisoner release. Perhaps the Minister will confirm whether the licences of prisoners who have already been released will go under the Bill as well.

We have examples on the books, such as the Independent Commission for the Location of Victims' Remains, which existed for years. People could clear their conscience and give information to relieve families and give them the dignity of a burial without any threat of prosecution, but people did not do that. Nothing in the Bill or during these days of debates has indicated why we suddenly believe that people will come forward.

It is fair to say that the amnesty is a variation on a theme. We have been down this road before. My hon. Friend the Member for Foyle asked about files that have been sealed for decades and will be sealed for decades to come. How are people supposed to believe that the same Government who do that are suddenly interested in advancing information to them? As we all know, national security means whatever the security agents want it to mean. We know that they were intimately involved with both loyalist and republican paramilitaries—it is a fact. Although Members may wish to shut down the inquests, court cases and civil actions that establish that, it is a fact, as has been acknowledged by many people. How are people supposed to believe that the same Government who are suppressing that information suddenly want to advance it?

We know that the first motivation is the protection of security force elites, but we can call a spade a spade: this applies equally to paramilitaries. There is a joined-up quid pro quo between the sets of victim makers that keeps all this behind closed doors. Our amendments seek to address that.

The Bill outlines reviews that are not compliant with article 2 of the ECHR. They are a sham and are half-baked. The ruling on “flexibilities” because of reconciliation has been ruled out by a number of witnesses to the Northern Ireland Affairs Committee. It is also clear that the Secretary of State will be the person who can appoint all the commissioners who will be involved in the process of investigation. I refer to my earlier points about the fact that they have been actors. Essentially, victims are being told, “Move on because Brandon Lewis and Boris Johnson want you to move on, and they will create all the people who will help to facilitate it.”

I want to be very clear: the SDLP does not propose that we do nothing, and we are not letting the perfect be the enemy of the good. We have worked with integrity on the issues for many years. We supported Eames-Bradley, which was imperfect; we supported Stormont House, which was imperfect; and we supported Haass-O’Sullivan, which was imperfect. The Government committed to Stormont House in December 2014 and committed to it again two and a half years ago, under this Prime Minister, so they cannot say that it has been done on anybody else’s watch. We are asking for the principles of that agreement to be enacted, which would address the issues with the jurisdiction of the Republic of Ireland. It was a bilateral treaty that had obligations for the Irish Government as well.

6 pm

In summary, the ICRIR has no requirement for truth, no requirement for any accounts to be corroborated and no capacity for any of those affected, whose lives were completely ruined and derailed by the killings, to have any representation or any voice in the process. The fallacy keeps being repeated that if people do not co-operate, they will face prosecution. How will they face prosecution if there is no investigative body?

Let me briefly address the issue of sexual offences. For many well-documented and distressing reasons, many people do not come forward for years as a result of the long-term effects of their awful experiences. We know that many people have been manipulated into non-disclosure. Rightly, society does not apply a statute of limitations to any sexual offences. We will support amendments on that issue, but we want to be very clear that although we support the categorical exclusion of sexual offences, for which there is precedent in places such as Colombia, we cannot get into the business of parcelling up who should or should not get amnesties or what they should or should not get them for. We have a principled objection to the concept of unfettered amnesty. I caution hon. Members against being sucked into the fiction that the Bill is amendable and that we can improve it. The principle of these amnesties is at stake.

I implore all hon. Members to listen to the voices of the victims—all of the victims. Other hon. Members have mentioned the play at the Derry Playhouse last night about six children—minors—who were killed by loyalist paramilitaries, by republican paramilitaries and by the state. They were different kids from different families in different circumstances, but the impact was exactly the same. People have experienced absolutely the same fetters on their access to justice. The Bill will not give them closure. They have been very clear about. They are not stupid. They are not being duped by us or by anybody else, but really by this Bill.



**The Second Deputy Chairman of Ways and Means (Mr Nigel Evans):** I thank Claire Hanna for keeping her remarks short.

**Mr Baron:** Let us be clear. In this debate, which overall has been a very good one, there is great sincerity about the issue among all hon. Members. However, I respectfully point out to Opposition Members that I stand by what I said earlier: there have been relatively few successful criminal prosecutions since the troubles. That is a fact, no matter how one cuts and splices it.

I hear from Opposition Members about the quest for justice. We get that. Those of us who support the Bill genuinely get it. I know that time is short, but let me point out that I served in a variety of locations in the Province during the troubles. As a young platoon commander in Crossmaglen, I played billiards with a Royal Ulster Constabulary officer one evening. The following day, I had to put up a cordon because he was caught by an improvised explosive device and he was in pieces. That brought home the cost of the troubles not just to the individual but to the families concerned, and how bloody they were—for both sides, but I can speak only for the side that I was representing.

I say in the nicest possible way that I will not accept any suggestion that Conservative Members do not believe in justice. We firmly do, 100%. I am not suggesting that there is any division on that point, but from what we have heard, one could take away the view that we downgrade the need for justice. That is simply not true.

We must remember what the Bill is trying to do. I have not heard too much in this debate about the fact that the Bill is trying to provide answers to many, many families of victims. Answers help people to move on, but there are too few answers, given the scale of the troubles, the number of lives lost and the number of people injured. I think we need to focus on that, because it is a large part of the purpose of the Bill: to try to move things on in the hope that we can bring about greater reconciliation and provide answers for families, while leaving the door open to prosecutions for those who are not co-operating.

The hon. Member for Belfast East (Gavin Robinson) is not in the Chamber now, but I have certainly been pressing Ministers on a number of the amendments he mentioned. What we must try to understand about the Bill is that this is not the end of it; there are other stages to come, and some of us, while we support the Bill, will be seeking to firm it up and give it some teeth. I ask Opposition Members to bear that in mind when we vote tonight.

I do not want to speak for much longer, because I know that others want to contribute, but I will say this. Some say that the legal system was not suspended during the Good Friday agreement, but in many ways it was. People who had committed heinous crimes were let out of prison. The Democratic Unionist party may not have agreed with that, and at the time I had trouble swallowing it, but it was put to a referendum in the Province, and 71.1% of the people of Northern Ireland backed the Good Friday agreement. In many respects, the legal process was suspended then. No one could pretend that the rule of law was being enforced, whether I agreed or not. The bottom line is, however, that we have to deal with the art of the possible in trying to help many, many families in Northern Ireland to move on.

The Bill is not perfect, although I hope it will get better as it proceeds through its various stages, but as I said earlier, perfection should not be allowed to be the enemy of the good, especially when we are dealing with such a momentous period in our history as the troubles were. The Bill encourages co-operation, as I have also said, in trying to provide answers for families while also trying to ensure that we do not completely lose sight of the need for justice. I will look very sympathetically at amendments 97, 98 and 115, for example. I have had a chat with the Minister, and I know that the Government are actively engaged in looking at those amendments.

Let me end on this note: we have to see things in the round. Twenty-four years after the Good Friday agreement, there have been relatively few successful criminal prosecutions, but a great many answers are still needed for a great many families. If the Bill helps us to move closer to providing those answers without ruling out the use of the criminal justice system for those who do not co-operate, it still may not be perfect, but it will be better than what we have seen in recent decades, and we will have a chance to improve it beyond the votes tonight.

**Several hon. Members rose—**

**The Second Deputy Chairman:** Order. As I said earlier, I will be calling the Members who will wind up the debate no later than 6.50 pm. In order to accommodate as many Back Benchers as possible, I am now introducing a time limit of seven minutes.

**Dan Jarvis (Barnsley Central) (Lab):** It is a pleasure to follow the hon. Member for Basildon and Billericay (Mr Baron). I should declare an interest, as a veteran of Operation Banner.

I will speak as briefly as I can, because I want to give as many other Members as possible an opportunity to speak. Let me begin by saying that the Bill is one of the most controversial pieces of legislation that I have been asked to consider during my time in the House. I do not doubt the sincerity of the Government's intentions, and I completely understand how complex and difficult this issue is, but if passed in its current form the Bill will mean that those who are guilty of kidnap, torture and murder will never see the inside of a courtroom or a prison, or even, for that matter, be subject to a proper investigation. Indeed, they will not even need to say sorry to be granted immunity for their crimes.

Members have rightly focused today on the impact that the Bill will have on victims. As has already been observed, many of the victims were members of our armed forces, and it is this cohort on whose behalf I want to speak, very briefly, this evening. I know that many of their loved ones and comrades will be watching this with great interest. They will know that 722 UK service personnel were killed in paramilitary attacks while serving on Operation Banner. A freedom of information request to the PSNI from the Centre for Military Justice just this month revealed that it still had 202 unsolved cases of victims who were members of the armed forces and a further 23 cases where the victim was a veteran. That is 225 unsolved alleged murders where the victim was someone who had stepped forward and put themselves in harm's way to serve our country.

[Dan Jarvis]

Behind every one of those 225 cases is a story of enduring pain caused by the absence of truth and justice.

One of those stories began on 11 August 1971 outside the Corpus Christi church in west Belfast, when a joiner by the name of John McKerr fell to the ground after being shot by a single bullet to the head. John's family only found out he had been hurt from a newspaper report the following day after he failed to return home from work. He was labelled a member of the IRA. A little over a week later he died of his injuries in hospital, becoming one of the 10 victims of the Ballymurphy massacre. For half a century, John's family were forced to live under a cloud not just of distress but of deception.

On 11 May last year, Mrs Justice Keegan published the findings of her inquest into the Ballymurphy killings, confirming what John's loved ones had always known to be true: John was unarmed and not doing anything that could have caused a threat. He had no associations with the IRA. In fact, John had lost his right hand while serving in the British Army in the second world war. His daughter said:

"The only thing he belonged to was the British Legion."

In the words of the coroner:

"He was an entirely innocent man who was indiscriminately shot on the street."

The inquest at least removed the stain on John's character, but it is worth noting that under the Government's proposals, inquests will be brought to an end, meaning that others will not have the same access to the truth as John's loved ones. After more than 50 years, the McKerr family still do not know who was responsible for his murder. John sacrificed so that we could be free, but he was shot in the head and left in the street to die. The response of the institution he once proudly served was to tarnish him as a terrorist. John McKerr's family told the inquest that their objective was not punishment but truth. It is in that spirit that I urge the Minister to consider the merits of amendment 115, about which there has been much debate, and also amendment 111. Strengthening reviews in line with the standards set by Operation Kenova will at least provide the families of members of the armed forces killed during the troubles with a degree of truth and justice.

There is deep unease in the service community about the Government's proposals, not least from the family of Private Tony Harrison, a soldier from 3 Para who was brutally murdered by the IRA in front of his fiancée and his fiancée's family. One of those involved has admitted his involvement, but no one directly responsible for his killing has been investigated. We owe John McKerr, Tony Harrison and all those who perished a debt. We can start to repay that debt by giving their families the dignity of knowing what happened to their loved ones. As it stands, the Bill will not afford them any comfort. It will only compound their misery, and for that reason I cannot support it.

**Mary Kelly Foy** (City of Durham) (Lab): Today I will be speaking against several of the proposals in part 2, specifically clauses 18, 20, 23 and 24, and in support of amendments 111 and 115. My position on the Northern Ireland Affairs Committee has allowed me to hear a range of views on the legacy of the troubles, and the

reality is that victims and survivors groups have been let down for decades with successive Governments preventing them from finding out the truth about their loved ones and failing to investigate the most horrific crimes. It is now a sad reality that there can be no perfect solution to how we address legacy issues. There is simply too much division and too many lives lost for that ever to be possible. We must one day accept that we will have an imperfect solution, but that does not mean we have to accept this bad one.

The solution offered in part 2 is unquestionably a bad one. It fails victims, denies them justice and conceals the truth. It threatens the Good Friday agreement, violates article 2 of the European convention on human rights and breaches both the Stormont House agreement and the New Decade, New Approach commitment made just two years ago.

6.15 pm

The Bill has been met with huge disappointment and anger from victims and survivors groups across Northern Ireland. Above all, there is a sense of betrayal that their pain and right to justice have been unilaterally rejected by the British Government. The proposal to create an independent commission for reconciliation and information recovery to review deaths and consider granting immunity from prosecution in relation to the troubles simply does not contain sufficient protections to ensure that information provided by a person seeking immunity is accurate or full.

Under clause 18, the only criteria an individual has to meet to be granted immunity are: first, to apply for immunity; secondly, to give what they believe to be a true account; and thirdly, to give an account that would previously have left them open to investigation for serious troubles-related offences. Essentially, the only criterion for immunity is to provide a true account. This process not only offers immunity; it gives a *de facto* blanket amnesty.

On amendment 115, I think the Secretary of State has accepted the mood of the Committee that the Bill is not clear on whether sexual offences are excluded. Members of every party, even Conservative Members, have said that we need clarity and absolute certainty on this issue. The Secretary of State should not ask for the amendment to be withdrawn; he should accept it. Sexual assault and rape should never be excused or justified.

There is also no requirement for the information provided to be new or comprehensive. That means someone could provide information that we already know, or that they gleaned from the public domain, and receive immunity from prosecution. They could confess to one murder in order to receive a general immunity covering every serious troubles-related crime they committed, regardless of whether they initially provided a full account. How does that add to the healing process or to the quest for justice?

Furthermore, the Bill offers no thorough verification process to test whether what is said is true. If the information is later proven to be false, the immunity still stands. Shockingly, clause 20 specifically states that there is no requirement to corroborate with any other person what a person seeking immunity says.

On top of that, clauses 23 and 24 talk about a historical record of all remaining deaths, but it is unclear how that can be produced when other measures in the

Bill say there will be no further investigation in some cases. What happens in cases where there has not been an investigation? If the Bill passes, there will be no investigation or review, so the historical record will inevitably be inaccurate and/or incomplete. How can this give any comfort to families who have waited for years to find out what happened to their loved ones? How can people have any faith that the accounts given are a true and accurate report? We cannot let down these families and victims again by providing an amnesty to those who killed their loved ones in order to receive a probably inaccurate official history.

Any individual can apply for immunity, and people who have been convicted of murder can apply for immediate release. This Bill causes more problems than it could ever solve. Ultimately, the immunity element of the Bill is perpetrator-focused and denies justice to victims and families.

As I have touched on, there is the question of article 2 compliance to address. In her evidence to the Northern Ireland Affairs Committee, Alyson Kilpatrick was clear that the Bill is not compliant with the European convention on human rights, as it fails in the state's obligation in respect of an effective investigation. Not only is there no requirement for the families of victims to be involved in the process, but the standard of the review process is nowhere near fit for purpose. Although there is no fixing this awful legislation, at the very least the investigations should meet Operation Kenova standards, and I will therefore be supporting amendment 111.

To finish, I want to say that this Government seem intent on ripping up the rights of people in the UK: our right to take industrial action; our right to protest; and now our human rights—and they are breaking the Good Friday agreement in the process. Rather than giving families the answers that they need and that they have been awaiting for years, this Bill removes all possibility of their ever getting to the truth. I, too, went to the play last night and it was about the murder of those six children. This Bill will not achieve anything for those families. What it does will have a devastating impact on their need to heal, recover and move on.

**Stephen Farry:** I will try to be brief, in order to allow colleagues to get in. First, I wish to say that the Bill overall is fundamentally flawed, unworkable and unamendable. That is the strong view we have heard from stakeholders—academics and, most importantly, the victims sector in Northern Ireland. There are alternatives, despite the accusations from many in this House that there is no alternative to this Bill; I appreciate that Stormont House may well not be an option that people currently favour in some regards, but Stormont House with some tweaks, based upon the recent Northern Ireland Office consultation from 2019, is a potential way forward. Indeed, Stormont House implementation was mentioned within New Decade, New Approach as recently as January 2020.

I also say, with a heavy heart, and in the knowledge that this will find opposition from a number of people, that the current status quo in Northern Ireland is messy. It is piecemeal, selective and not a comprehensive approach to legacy, but even that is better than this Bill, because at least there are some mechanisms that are achieving some results for some people. We need to do better, but what is in the Bill takes us down a different avenue. The Bill is not article 2-compliant. The reviews are hard-wired

into the entire Bill, rather than investigations. This is more than simply a case of language; we have thought about trying to amend the Bill to change the word “review” to “investigation” but that itself would not make it article 2-compliant. We also need to address serious issues regarding independence; there are step-in powers for the Secretary of State across a very broad front.

I wish to focus particularly on immunity and what is, in effect, a de facto amnesty, as that is a central issue for me. With the support of the Committee, we hope to have a Division on whether clause 18 should stand part of the Bill; we think it is a fundamental point of principle that the Committee should divide on, because the issue of immunity goes right to the heart of why this Bill is viewed as unacceptable by so many people. The test for immunity in the legislation is extremely low; it is inherently subjective; there is a presumption in favour of it being granted; and it is framed around the interests of the perpetrator rather than the victim. Those are the four key reasons why immunity should not be proceeding.

In the rare event that the panel does not grant immunity, the question as to what happens then is still very much up in the air. People talk about investigations happening and potential files going to the Director of Public Prosecutions, but that is very much a theoretical prospect, because there is no investigative arm that will do that work in practice. In addition, any statements given to the panel are not given under caution and so they cannot be the basis of an investigation. An investigation will have to be from first principles. As we know from other examples of the legacy process as it stands, that will seriously complicate the prospects of any prosecution actually happening.

There are quite a few issues with the mechanics of the ICRIR that I could go into, but I want to make a broad point. This body could very much be a white elephant—and an expensive one. There is no real incentive for perpetrators to come forward to it, and they might do so only when there is a genuine risk of action against them, so it is hard to see exactly when and how that will happen.

Equally, victims might not engage with this process, and there is a major question mark as to whether they will see it as legitimate. They might not wish to take the risk of seeing a perpetrator associated with the loss of their family member receiving immunity; that might be a very difficult prospect for them, and that might well deter people from going forward.

The Secretary of State also has the option of arbitrarily closing the process at any point. Again, that gives no confidence about the longevity of the process. The commission is there to create an historical record, but there may well be so many gaps that the process becomes pointless. There are also issues about what are relevant materials and how those are defined, and the definition is seen as incredibly loose.

We look forward to having a Division on clause 18; it sets out a key principle, and it is important that the Committee gives its view on it.

**Several hon. Members rose—**

**The Second Deputy Chairman of Ways and Means (Mr Nigel Evans):** Order. I am going to reduce the time limit, because there are four Members left to speak. If I reduce it to six minutes, by the looks of it, we will hopefully get everybody in. I call Ian Paisley.



**Ian Paisley:** Thank you for calling me, Mr Evans. I want to speak first to amendment 98 and then to amendment 115 if I get an opportunity.

Amendment 98 is very specific. It says that those who have previously been arrested and perhaps even charged but who have then fled justice will not be able to benefit from this process. Why are we saying that? It is very simple. The evidential material is there. These people have evaded justice—they have evaded the entire process of law—and they now have the opportunity literally to get out of jail scot-free.

If the amendment were to have a name, it would be the Rita O'Hare amendment. Although she is not the only example, she is a very good example of the sort of person the amendment would encapsulate and capture—there are many other notorious examples, but hers is a specific example. She is now a Sinn Féin employee. She has worked in the United States of America and the Republic of Ireland. She tried to kill Warrant Officer Fraser Patton in October 1971. She was arrested and charged with that and with malicious wounding. When she was on bail, she fled, evaded justice and got sanctuary in the Republic of Ireland, where she continued her dastardly work. Indeed, in 1979, she smuggled more explosives and ammunition and faced a shorter jail sentence. The Republic of Ireland refused to send her to Northern Ireland.

Rita O'Hare then went to the United States of America, where she has had a glowing career. It has been so glowing that if we look her up on Facebook or elsewhere on the internet, we can see her standing with no less a figure than President Biden in one of her most recent posts. We can also see her standing with President Obama in one of her posts. Then there is Mr. Richie Neal, who likes to visit Northern Ireland and lecture people about peace and prosperity—there he is, arms around a person who has evaded justice in Northern Ireland and who should be facing justice.

The amendment would capture that type of person and say, "There's a body of evidence here. You're not getting away with this. We're going to put you through due process and get the sort of justice that Warrant Officer Fraser Patton is entitled to." That is what the amendment would do, and I urge support for it.

I got the Minister into a fairly broad discussion about amendment 115, but I think it was worth while, because we got to the kernel of the issue. There should be nothing preventing the Government from accepting this amendment. I do not accept that it is outside the scope of the Bill. I do not accept the woolly and quite condescending argument that we cannot tie this issue into Protestant and Catholic stuff or Ulster Volunteer Force and IRA stuff. We can—speak to Máiría Cahill; speak to others. If a victim finds that someone could benefit from this legislation—if it is enacted—and the name is sparked off, it will have a trigger effect. They will say that that is the person who abused me. It will have that trigger opportunity. Therefore, if we do not address this sexual offences matter immediately, we do ourselves a gross disservice. I hope that the Minister has been listening—I think that he has—but, more importantly, I hope that we have not just fine words and eager listening, but actual actions that will speak much louder than words.

6.30 pm

My hon. Friend the Member for Strangford (Jim Shannon) raised the issue of the Docklands bombing. This is an important issue, because cases such as that, civil action cases, will now be prevented. To close down one course of justice—criminal action—is one thing, but to close down civil action is something else. It is a double whammy of injustice for victims. I am glad that the Minister did confirm that the raft of intelligence material would not be destroyed in the future.

There is a little plaque behind you, Mr Evans; it was unveiled a few weeks ago. What this legacy Bill does not address is the hatred that exists all across these islands as a result of terror. The man remembered on that shield is Henry Wilson—an Irish man from Longford serving in the British Army and serving here as an Irish Unionist. He was murdered by two Englishmen, O'Sullivan and Dunne. Such was the hatred of Ireland towards one of its own that, in 1967, it insisted that the bones of the two killers were reinterned in the Republic of Ireland and that those two killers were given a state funeral, to commemorate the killing of an Irish man by two English men.

This Bill does not address that sick hatred and it never will. The only way we will have it addressed is when we have some honesty and justice in the process. I must say that there has been some unity across the parties on these Benches for quite some time. We want to get to the same destination. We might wish to take a slightly diverted journey, but we should be allowed to get there.

**Mr Gregory Campbell:** It is a pleasure to follow my hon. Friend the Member for North Antrim (Ian Paisley). The issues surrounding this Bill, I suppose, can be traced back to 1994—rather than to 1998, as many people allude to unrepentantly over and over again—because that was when paramilitary groups decided, in various ways, to call it a day. Those who had inflicted pain, misery and mayhem on all of us in Northern Ireland said that the game was up and that terror was going to finish. Political negotiations then came about. Four years later, unfortunately, terror was then legitimised. Those were the unfortunate origins of where we are today. We might try to rehearse history or to rewrite it, as others have tried to do, but that is what happened.

We then had a period of diminishing violence. All of us tried to come to terms with what we hoped would be a much better future. I fully understand, accept and share the view that many have on the Conservative Benches: that the problem now is that IRA terrorists, by and large, are not pursued, but there are the soldiers and former police officers caught in very difficult circumstances who, in many instances, had a split second to decide whether their lives were at risk or to take action to try to preserve an innocent life by taking someone else's—a split second to decide whether a person was a threat to themselves or to their colleagues. Therein lies the difficulty.

Again, I fully understand the views of Conservative Members, especially those who have served, who say that we have to try to draw a line under this, and that this Bill is a way of doing that. Several Conservative Members have alluded to, for example, the late Dennis Hutchings. His case would, I believe, have collapsed, as did those of Soldier F and several others. There are

different reasons for each case, but the underlying reason is that the passage of time has meant that even where the Public Prosecution Service thinks there is a possibility of a successful prosecution, it finds that for a variety of reasons it is not able to bring it to a successful conclusion, no matter how much it presses.

The passage of time has occurred and people's memories are dimmed, and it is almost impossible to get an accurate recollection of what happened on a particular day. For example, I was on the city streets of Londonderry on the very day of Bloody Sunday. I have a reasonably clear recollection of what happened, even though I was a very young teenager at the time, but I could not give a second-by-second, minute-by-minute account of everything that happened on that day. I do remember that three days before two police officers had been gunned down with a machine gun. We will never know whether it was the same machine gun that the Saville inquiry said Martin McGuinness held on Bloody Sunday.

We come to the point now of assessing whether the Bill—even with some of the amendments that we hope, if passed, would make it a less bad Bill—will draw a line under what is happening. My view is that it is unlikely to do so. There are many people in Northern Ireland and a whole range of victims. Some have moved on, while some find it difficult to move on. Some have come to terms with the loss of loved ones, while others continue to grieve. What they all know is that even before this Bill is considered, there is very little likelihood of any successful prosecution.

The problem the Bill presents is that, if it is passed—even in slightly amended form—it slams shut the possibility of any potential prosecution or any justice ever being brought to bear on the cases involving loved ones. For that reason, my colleagues and I will be opposing the Bill.

**Carla Lockhart** (Upper Bann) (DUP): Like other Northern Irish Members, I live among so many people who, through no fault of their own, are victims of terrorism. Those victims have approached me, while going about their daily business, to express how hurt they are by the Bill and how it extinguishes that glimmer of hope of any form of justice—although they know all too well that justice has already been grossly perverted in Northern Ireland.

We table our amendments in recognition that the Bill is likely to be made law. It will never be good law; it will always be fundamentally flawed and will always represent injustice and pain. However, it can be made to be better law, and we urge hon. Members to give serious consideration to what we believe are measured, constructive and victim-focused amendments. My hon. Friend the Member for Belfast East (Gavin Robinson) has eloquently outlined the rationale for the amendments in our names and the names of our colleagues, and I wish to reiterate some of the thinking behind some of the amendments.

Much of the public cynicism, certainly within the victim's community, is based on the belief that if someone is willing to put a gun to a person's head and take their life, lying about their actions will not disturb their moral compass. Amendment 97 would offer some form of recourse for lying to the panel. It is also, we believe, appropriate that such cases at the very least be directed to the Public Prosecution Service. If this process is to have any semblance of credibility, surely the Committee will agree that making a mockery of the process should come with an appropriate penalty.

We must also consider the situation of those who have deliberately evaded justice. That is our rationale for amendments 96, 98 and 99. The DUP utterly rejects the idea of immunity for any terrorist, but the Bill needs to offer specific provision for cases where those terrorists fled from justice. Whether they have scuttled off to the safe haven of the Irish Republic, the United States or elsewhere, those subject to active proceedings should not be afforded immunity. The thought of such individuals being welcomed through airport terminals by cheering crowds, to be embraced as heroes by leading figures of Sinn Féin, makes me sick to the pit of my stomach, as did similar images at the release of terrorists following the Belfast agreement. To permit such circumstances through this Bill would be wholly wrong. We therefore ask the Committee to support our amendment that addresses that salient point.

Amendments 100, 101, 102 and 199 relate to the whole issue of immunity. My party has always opposed immunity, for one reason—it is wrong. On Second Reading, my hon. Friend the Member for Strangford (Jim Shannon) gave numerous examples of terrorist atrocities in a very personal and moving contribution. His story is the story of so many people in Northern Ireland, and indeed here in Great Britain. How anyone could listen to that account of loss, pain and suffering and believe that immunity for the perpetrator is acceptable is beyond comprehension. Members across the Committee seem to think the situation is justified by saying, "It is not perfect and we don't like it, but we have no other option." Yet there is always one option, and that is to do what is right. Victims want this Committee to do what is right.

I cannot close my contribution any more powerfully than by using the words of two victims of IRA terror. I urge Members to give their ear to these voices—to listen to these broken hearts speak. Abbie Graham lost her father, Constable John Graham, and Louie Johnston lost his father, Reserve Constable David Johnston, when they were shot dead while on foot patrol in Lurgan in my constituency of Upper Bann on 16 June 1997. Abbie and Louie were aged seven and in primary school when their much-loved fathers were murdered. I urge Members to listen to these words. Abbie says:

"The way the law works is that if the killers were caught and jailed they could only do two years. That would be a formal recognition of the wrong that was done. But if this law was to come in and then someone came forward with the information, it's too late."

**Louie Johnston** states:

"We're 25 years on from and there are always new forensic opportunities becoming available and always the chance someone will come forward. But if the government is going to remove that opportunity it leaves us without any hope. This was the murder of two fathers who said goodbye to their children on a normal school day, the same thing that was happening in every decent human being's house."

He says:

"We need to look at what is right and wrong and take the politics out of all of this. What is happening now is that we are creating a justice system based on a postcode lottery. You can get justice as long as you don't live in Northern Ireland. This government is burying justice and Boris Johnson and Secretary of State Brandon Lewis are playing the role of undertaker."

**The Second Deputy Chairman of Ways and Means (Mr Nigel Evans):** Order. Please do not refer to the Prime Minister by name.

**Carla Lockhart:** My apologies, Mr Evans. The Prime Minister and the Secretary of State are playing the role of undertaker. Louie went on:

“How can you say to someone that if their loved one was killed before April 1998 it doesn’t count? How can people be willing to stand for that?”

That is the question for this Committee: how can anyone be willing to stand for that?

**The Second Deputy Chairman:** I call Jim Shannon, but please resume your seat at either 10 to 7 or before.

**Jim Shannon:** Thank you, Mr Evans.

I am not unaware of the Government’s aim. We absolutely need to move forward. We need to investigate processes to be used in proper form instead of the rewriting of history that currently sees us so badly abused, with Sinn Féin being the guilty party. We need our ex-service personnel to be allowed to retire without, at 75 years of age, being questioned about a case that they handled 45 years ago and asked to validate statements or investigations they carried out, and the pressure of that leading to illness. We need soldiers to be allowed to retire and not to be asked the exact wording of an order given to them 40 years previously when under fire and attempting to save their colleagues.

I understand the Government’s objective, but in the time that you have allocated to me, Mr Evans, I want to be very conscious of the victims. I did that at some length in the previous debate, as my hon. Friend the Member for Upper Bann (Carla Lockhart) said. For me, it is all about the victims and all about justice. My hon. Friend the Member for East Londonderry (Mr Campbell) referred to the flicker of light.

I hold on to that flicker of light that someday justice will come for the murderer of Lexie Cummings—he fled across the border. He has an on-the-run letter. He is a prominent Sinn Féin member, and he has not been held accountable for his misdoings or for the murder. Kenneth Smyth and Daniel McCormick were murdered on 10 December 1971, some 50 and a half years ago. Where is the justice for them when it comes to this Bill? I do not see that tonight either. I do not see justice for the four UDR men murdered in Ballydugan. Nine people were arrested, and only one person has ever been held accountable. I cannot see that justice.

6.45 pm

I do not see justice for Stuart Montgomery, a young police officer two weeks out of the college, who was murdered. It makes me angry to think about. I do not see the justice for the Irish Collie Club, who were at dinner in La Mon on 17 February 1978. My hon. Friend the Member for Belfast East (Gavin Robinson) will remember that very well. Where is the justice for those people? Where is the justice when it comes to making sure that my constituents can see that the people who carried out the murders and murder attempts are made accountable? I do not see that process. Where is the justice for those who were murdered at the Omagh bombing and the IRA men who carried that out? We need to have that justice in this system. We do not want a Bill brought forward that is clearly flawed, and that is what we have at the moment.

I say gently, but firmly to the Minister of State and to all Government Members that the legislation before us tonight does not give us any succour or comfort. I am a

very good friend of Raymond McCord, whose son was murdered by the UVF. He seeks justice, and he has not seen justice. I speak for Raymond McCord, who I know is watching this on TV, when I say that the legislation before us does not help that justice to happen either.

I stood at an RUC centenary event in Newtownards a number of weeks ago, and looked at the hundreds of retired RUC officers as we respected and remembered their sacrifice and the lives lost during the troubles. I listened to the rapturous applause that accompanied the remarks made by Stephen White OBE, chair of the RUC George Cross Foundation. He did not write a groundbreaking poem or a history of the RUC; he simply stated that it was time for the demonisation of the RUC to stop, for the systematic abuse of the system to end and for history to be factually accurate. The overwhelming majority of deaths in the troubles were carried out by terrorists—that is a fact. Now is the time for justice. My constituents who grieve and demand justice ask for that.

I very much support our service personnel wholeheartedly, but this Bill is not the way to approach this matter. I am asking the Minister, respectfully but firmly, as we all are on this side of the Committee, to return this Bill with a different approach that fulfils these aims. My constituents wish for accountability for all the perpetrators who carried out vile murders and think they may have got away with it. I want to see them getting justice in this world—I know as a Christian they will get their justice in the next world, and the fires of hell will burn them in eternal damnation, but that is just me speaking out about the way I want to see life for them. I want to see justice in this world.

**Johnny Mercer:** What would the hon. Gentleman say to the family of Dennis Hutchings in this situation?

**Jim Shannon:** I supported Dennis Hutchings, and I still do. I will speak for the victims every time, and I will speak for Dennis Hutchings as well. I support him and his cause, but it is all about the victims. Let us focus on the people who have no justice, but who want justice. We should do that—not through this Bill, because this Bill is flawed—but in a different way. Many of my constituents and my people cannot grieve because justice has not been seen to be done. That is the issue for my people, for my constituents and for people on this side of the Chamber. I wish it was an issue for those on the Government Benches.

**Conor Burns:** We have had a very full debate. It has been emotional and emotive. It has lived up to what we said earlier: it has been contested and there has been an absence of consensus—we certainly got that on steroids. We have heard some harrowing and moving accounts of horrible lived experience in Northern Ireland, and individuals have been named who suffered grievously and lost their lives during the troubles.

I express gratitude to everyone who has participated for the tone of the debate. I will address one issue head on, which is amendment 115 in the name of the shadow Secretary of State on behalf of the Opposition. Earlier, I sought to explain the Government’s thinking and why we were sure that the Bill as written would not have the perverse consequence that the shadow Secretary of State feared. However, as I said—the Secretary of State



and I discussed it on the Front Bench—we have heard loud and clear the mood of the Committee and its wish to see greater clarity in the Bill. With that intent clear, and our recognition of the mood of the Committee on that, we are willing to accept the amendment on the condition that we will work over the coming days to see if we can find a refined wording that we can bring back to the House on Report.

**Peter Kyle:** I am grateful to the Minister for the way that he has approached the issue and the conversations we have had throughout the debate, both across the Dispatch Box and beyond. I accept the offer that he has made and the spirit in which he has made it. The Opposition obviously have an overarching concern about the overall Bill, but I am pleased to be working with him on this. I assure him and the Committee that I will do so on behalf of the Opposition and other parties in an open-hearted and sincere way and in a way that I hope will improve the Bill in time for Report on Monday.

**Conor Burns:** I am grateful to the shadow Secretary of State for the way that he has responded to my offer. We and our officials will work collaboratively with him and hon. Members across the House to find the solution that gets us to where we want to be by Monday.

**Simon Hoare:** I am hugely grateful to the Minister. Any of us could do it, but on behalf of everyone who has spoken on the issue, I thank the Minister, the Secretary of State and the shadow Secretary of State for the work they have done on it in the last hour or so. Notwithstanding the contested nature of the Bill and some of the outcomes, I hope that, for people who are concerned about these issues, we have been able to show a glimmer of how well the House can work when it pulls together.

**Conor Burns:** I thank the Chair of the Northern Ireland Affairs Committee. That is exactly what Committee of the whole House is about—drawing on collective experience and wisdom to improve the legislation before us.

**Sir Iain Duncan Smith:** I congratulate the Minister on this, but I have a specific question. I want to be absolutely certain and get clarity from the Dispatch Box that a Report stage will be guaranteed in the business motion and that it will not be bumped. That will allow us to rectify and fiddle around with what goes on, so it is settled.

**The Treasurer of Her Majesty's Household (Christopher Pincher)** *indicated assent.*

**Conor Burns:** One of the leading business managers is nodding positively from the Bar of the House at my right hon. Friend's question. That is absolutely our intention. I am pleased by the way we have managed to resolve the issue this afternoon. I pay tribute to my right hon. Friend the Secretary of State, who has spent much of the afternoon outside the Chamber trying to help us to reach a resolution that would be agreeable.

**Julian Smith:** I also pay tribute to Members of the DUP, SDLP and Alliance—the Northern Ireland parties—who have represented their constituents who are very much at the centre of the issue. They, as well as the Opposition, worked together with those on the Government Benches this afternoon.

**Conor Burns:** I absolutely join my right hon. Friend in paying tribute to Members of parties from across Northern Ireland, who speak so eloquently and passionately for those they were elected to serve. The one thing that unites us across the Chamber is a determination—even if we disagree about the means—to try to do the right thing for the people of Northern Ireland, who it is our pleasure and obligation to serve.

If I may, I want to come specifically to some of the amendments discussed at various points this afternoon. My hon. Friend the Member for North Dorset (Simon Hoare) and the shadow Secretary of State raised questions about the independence of the commissioner. We are absolutely clear that central to the effective delivery of this legislation is the need for the body to be independent and to carry out robust investigations and reviews. We see the merits of requiring the ICRIR to provide a copy of its annual report to Parliament and to the Northern Ireland Assembly, and we will take that away and consider it further.

On my hon. Friend's suggestion that one of the commissioners should be someone of international experience, we certainly see advantages in that. We do not necessarily see an advantage in writing that into the Bill, but it is certainly something the Secretary of State will bear in mind when we get to the point of appointment.

On amendments 111 and 112, tabled by the shadow Secretary of State, the commissioner for investigations will be a senior individual with significant experience in conducting criminal investigations and the authority to conduct the commission's investigative processes as they see fit. There was some conversation about the difference in scope between an inquiry, a review and an investigation. The term "review" represents the scope of the investigative process that can take place. If the body is required to fulfil an article 2 obligation, it can conduct an appropriate investigative process to do so. In other circumstances, a different approach will be required and the commission will have to be flexible in order to do that.

I do not see the hon. Member for Birmingham, Yardley (Jess Phillips) in her place, but she talked about the very tragic circumstances in Birmingham and public inquiries. Just to be absolutely clear, the role and power of the commission is comparable to a public inquiry. It will be led by a judicial figure, as chief commissioner, and the investigative process will be supported by full state disclosure. We have continually made the point that we will be passing across state documentation for the body to consider.

**Bob Stewart:** When the ICRIR meets and gets evidence, and perhaps gets evidence of the identity of some person who has committed a heinous crime, can the Minister guarantee that the name of that person, who may well then get immunity from prosecution in some way, is made public so that those poor people who have lost someone will actually know who has killed their next of kin?

**Conor Burns:** I am afraid that the answer to my right hon. Friend is conditional. That will be a matter for the panel itself to determine, and it will have all the evidence at its disposal to make the appropriate judgment. In reference to what I said a moment ago about passing over state records, we will obviously have to take precautionary measures to make sure that we do not

[Conor Burns]

jeopardise named individuals who may have been involved in different things where their naming could put them at risk of significant harm.

Just to clarify the question from the hon. Member for Foyle (Colum Eastwood) about the keeping of evidence, biometrics will be destroyed a reasonable period after the end of an inquiry, but all the records given to the body by other bodies will of course be retained, because they will be with the bodies—the police and others—that supplied the information to the body in the first place.

In response to amendment 83, we think the definition of close family member provided in schedule 3 to the Bill casts a significantly wide net as to who may request an investigation and a review into the death of a loved one. The legislation's primary focus is on effective information recovery. The ICRIR will conduct investigations for the purposes of providing answers for those who want them. To be absolutely clear, individuals who have moved to a jurisdiction outside the United Kingdom and are subject to ongoing prosecution proceedings initiated prior to the entry into force of this legislation by a UK prosecutor for a troubles-related offence will be unable to avail themselves of immunity in the scope of the Bill before the Committee today.

There was some mention of concern about the glorification of terrorism and granting immunity for those who could go on to glorify terrorism in their communities. The Terrorism Act 2006 already makes it illegal for the encouragement or glorification of terrorism, whether in the past, in the future or generally. Nothing in the Bill would prevent the prosecution of individuals who are deemed to have committed an offence under the Terrorism Act 2006. The Bill is an ambitious attempt to try to move society in Northern Ireland forward. The role of the Committee today, and the role of the other place in days to come, will hopefully improve the Bill further, as we seek to steer it through to the statute book. I commend it to the Committee.

7 pm

*Debate interrupted (Programme Order, this day).*

*The Chair put forthwith the Question already proposed from the Chair (Standing Order No. 83D), That the clause stand part of the Bill.*

*Question agreed to.*

*Clause 1 accordingly ordered to stand part of the Bill.*

**The Second Deputy Chairman of Ways and Means (Mr Nigel Evans):** I remind the Committee that 10 minutes are allocated for the first Division, with eight minutes for each subsequent Division. I am anticipating at least three Divisions, but—who knows?—there may be more.

*The Chair then put forthwith the Questions necessary for the disposal of the business to be concluded at that time (Standing Order No. 83D).*

*Clause 2 ordered to stand part of the Bill.*

*Schedule 1 agreed to.*

*Clauses 3 to 6 ordered to stand part of the Bill.*

*Schedule 2 agreed to.*

*Clauses 7 to 9 ordered to stand part of the Bill.*

*Schedule 3 agreed to.*

*Clauses 10 to 14 ordered to stand part of the Bill.*

*Schedule 4 agreed to.*

*Clauses 15 to 17 ordered to stand part of the Bill.*

## Clause 18

### IMMUNITY FROM PROSECUTION

*Amendment proposed:* 97, page 16, line 30, at end insert—

“(6) If Condition C is not met because P's account is found by the panel to be not true to the best of P's knowledge and belief, the Chief Commissioner must direct the Commissioner for Investigations to submit a prosecution file to the Public Prosecution Service for consideration and direction.”—(*Gavin Robinson.*)

*This amendment is intended to reduce the risk of claimants deliberately misleading the panel.*

*Question put, That the amendment be made.*

*The Committee divided: Ayes 191, Noes 271.*

**Division No. 20]**

**[7.1 pm]**

### AYES

Abbott, rh Ms Diane  
Abrahams, Debbie  
Ali, Rushanara  
Ali, Tahir  
Allin-Khan, Dr Rosena  
Amesbury, Mike  
Anderson, Fleur  
Antoniazzi, Tonia  
Ashworth, rh Jonathan  
Bardell, Hannah  
Baron, Mr John  
Beckett, rh Margaret  
Benn, rh Hilary  
Betts, Mr Clive  
Blackman, Kirsty  
Blake, Olivia  
Blomfield, Paul  
Bonnar, Steven  
Bradshaw, rh Mr Ben  
Brennan, Kevin  
Brock, Deidre  
Brown, rh Mr Nicholas  
Bryant, Chris  
Buck, Ms Karen  
Burgon, Richard  
Byrne, Ian  
Cadbury, Ruth  
Campbell, Mr Gregory  
Carden, Dan  
Charalambous, Bambos  
Cherry, Joanna  
Cooper, Rosie  
Cooper, rh Yvette  
Corbyn, rh Jeremy  
Crawley, Angela  
Creasy, Stella  
Cruddas, Jon  
Cummins, Judith  
Cunningham, Alex  
Daby, Janet  
Davies, Geraint  
Davies-Jones, Alex  
Day, Martyn  
De Cordova, Marsha  
Debbonaire, Thangam  
Dhesi, Mr Tanmanjeet Singh  
Docherty-Hughes, Martin

Donaldson, rh Sir Jeffrey M.  
Doogan, Dave  
Doughty, Stephen  
Dowd, Peter  
Duffield, Rosie  
Eagle, Dame Angela  
Eagle, Maria  
Efford, Clive  
Elliott, Julie  
Elmore, Chris  
Eshalomi, Florence  
Esterson, Bill  
Evans, Chris  
Fellows, Marion  
Ferrier, Margaret  
Flynn, Stephen (*Proxy vote cast by Owen Thompson*)  
Fovargue, Yvonne  
Foxcroft, Vicky  
Foy, Mary Kelly  
Furniss, Gill  
Gardiner, Barry  
Gibson, Patricia  
Gill, Preet Kaur  
Girvan, Paul  
Glindon, Mary  
Grant, Peter  
Green, Kate  
Greenwood, Lilian  
Greenwood, Margaret  
Griffith, Dame Nia  
Hamilton, Fabian  
Hamilton, Mrs Paulette  
Harvey, Neale  
Hardy, Emma  
Hayes, Helen  
Healey, rh John  
Hillier, Dame Meg  
Hodgson, Mrs Sharon  
Hollern, Kate  
Hopkins, Rachel  
Hosie, rh Stewart  
Howarth, rh Sir George  
Huq, Dr Rupa  
Hussain, Imran  
Jarvis, Dan  
Johnson, rh Dame Diana

Johnson, Kim  
Jones, Darren  
Jones, Gerald  
Jones, rh Mr Kevan  
Jones, Sarah  
Kane, Mike  
Kendall, Liz (*Proxy vote cast  
by Mr Pat McFadden*)  
Khan, Afzal  
Kyle, Peter  
Lammy, rh Mr David  
Lavery, Ian  
Leadbeater, Kim  
Lewell-Buck, Mrs Emma  
Lewis, Clive  
Lightwood, Simon  
Lloyd, Tony  
Lockhart, Carla  
Long Bailey, Rebecca  
Lynch, Holly  
Madders, Justin  
Mahmood, Mr Khalid  
Maskell, Rachael  
Mc Nally, John  
McCabe, Steve  
McCarthy, Kerry  
McDonagh, Siobhain  
McDonald, Stuart C.  
McDonnell, rh John  
McFadden, rh Mr Pat  
McGinn, Conor  
McGovern, Alison  
McLaughlin, Anne  
McMahon, Jim  
Mearns, Ian  
Mishra, Navendu  
Morden, Jessica  
Morgan, Stephen  
Morris, Grahame  
Newlands, Gavin  
Nichols, Charlotte  
Nicolson, John  
Norris, Alex  
O'Hara, Brendan  
Onwurah, Chi  
Osamor, Kate  
Oswald, Kirsten  
Owatemi, Taiwo  
Paisley, Ian  
Peacock, Stephanie  
Pennycook, Matthew  
Perkins, Mr Toby

Phillips, Jess  
Phillipson, Bridget  
Pollard, Luke  
Qaisar, Ms Anum  
Qureshi, Yasmin  
Rayner, rh Angela  
Rees, Christina  
Reeves, Ellie  
Reeves, Rachel  
Reynolds, Jonathan  
Ribeiro-Addy, Bell  
Robinson, Gavin  
Rodda, Matt  
Russell-Moyle, Lloyd  
Shah, Naz  
Shannon, Jim  
Slaughter, Andy  
Smith, Jeff  
Smith, Nick  
Smyth, Karin  
Sobel, Alex  
Spellar, rh John  
Stephens, Chris  
Stevens, Jo  
Streeting, Wes  
Stringer, Graham  
Tami, rh Mark  
Thewliss, Alison  
Thomas, Gareth  
Thomas-Symonds, rh Nick  
Thompson, Owen  
Thomson, Richard  
Thornberry, rh Emily  
Timms, rh Sir Stephen  
Trickett, Jon  
Twigg, Derek  
Vaz, rh Valerie  
Wakeford, Christian  
Webbe, Claudia  
Western, Matt  
Whitehead, Dr Alan  
Whitley, Mick  
Whittome, Nadia  
Wilson, rh Sammy  
Winter, Beth  
Wishart, Pete  
Yasin, Mohammad  
Zeichner, Daniel

#### **Tellers for the Ayes:**

**Liz Twist and  
Sarah Owen**

#### **NOES**

Adams, rh Nigel  
Afolami, Bim  
Afriyie, Adam  
Aiken, Nickie  
Aldous, Peter  
Allan, Lucy  
Anderson, Lee  
Anderson, Stuart  
Ansell, Caroline  
Argar, Edward  
Atherton, Sarah  
Atkins, Victoria  
Bacon, Gareth  
Bailey, Shaun  
Baker, Duncan  
Baker, Mr Steve  
Barclay, rh Steve  
Bell, Aaron  
Beresford, Sir Paul  
Blackman, Bob  
Blunt, Crispin  
Bone, Mr Peter  
Bottomley, Sir Peter  
Bowie, Andrew  
Brady, Sir Graham  
Braverman, rh Suella  
Brereton, Jack  
Bridgen, Andrew  
Britcliffe, Sara  
Browne, Anthony  
Buchan, Felicity  
Buckland, rh Sir Robert  
Burghart, Alex  
Burns, rh Conor

Butler, Rob  
Cairns, rh Alun  
Carter, Andy  
Cartlidge, James  
Cates, Miriam  
Caulfield, Maria  
Chalk, Alex  
Chishti, Rehman  
Chope, Sir Christopher  
Clark, rh Greg  
Clarke, rh Mr Simon  
Clarke-Smith, Brendan  
Clarkson, Chris  
Cleverly, rh James  
Clifton-Brown, Sir Geoffrey  
Coffey, rh Dr Thérèse  
Colburn, Elliot  
Collins, Damian  
Costa, Alberto  
Courts, Robert  
Coutinho, Claire  
Crosbie, Virginia  
Crouch, Tracey  
Daly, James  
Davies, David T. C.  
Davies, Gareth  
Davies, Dr James  
Davies, Mims  
Davies, Philip  
Davis, rh Mr David  
Dines, Miss Sarah  
Djanogly, Mr Jonathan  
Docherty, Leo  
Donelan, rh Michelle  
Double, Steve  
Dowden, rh Oliver  
Doyle-Price, Jackie  
Duddridge, James  
Duguid, David  
Duncan Smith, rh Sir Iain  
Dunne, rh Philip  
Eastwood, Mark  
Edwards, Ruth  
Ellis, rh Michael  
Ellwood, rh Mr Tobias  
Elphicke, Mrs Natalie  
Eustice, rh George  
Evans, Dr Luke  
Evennett, rh Sir David  
Everitt, Ben  
Fabricant, Michael  
Farris, Laura  
Fell, Simon  
Firth, Anna  
Fletcher, Katherine  
Fletcher, Mark  
Fletcher, Nick  
Ford, Vicky  
Foster, Kevin  
Francois, rh Mr Mark  
Frazer, rh Lucy  
Freer, Mike  
French, Mr Louie  
Fuller, Richard  
Fysh, Mr Marcus  
Gale, rh Sir Roger  
Garnier, Mark  
Ghani, Ms Nusrat  
Gibson, Peter  
Gideon, Jo  
Glen, John  
Goodwill, rh Sir Robert

Gove, rh Michael  
Gray, James  
Grayling, rh Chris  
Green, Chris  
Green, rh Damian  
Griffith, Andrew  
Griffiths, Kate  
Grundy, James  
Gullis, Jonathan  
Halfon, rh Robert  
Hall, Luke  
Hammond, Stephen  
Hands, rh Greg  
Harper, rh Mr Mark  
Harris, Rebecca  
Harrison, Trudy  
Hart, Sally-Ann  
Hayes, rh Sir John  
Heald, rh Sir Oliver  
Heaton-Harris, rh Chris  
Henderson, Gordon  
Henry, Darren  
Higginbotham, Antony  
Holden, Mr Richard  
Hollobone, Mr Philip  
Holmes, Paul  
Howell, John  
Howell, Paul  
Huddleston, Nigel  
Hudson, Dr Neil  
Hughes, Eddie  
Hunt, Jane  
Hunt, rh Jeremy  
Hunt, Tom  
Javid, rh Sajid  
Jenkin, Sir Bernard  
Jenkinson, Mark  
Jenrick, rh Robert  
Johnson, Dr Caroline  
Johnston, David  
Jones, Andrew  
Jones, rh Mr David  
Jones, Fay  
Jones, Mr Marcus  
Jupp, Simon  
Kawczynski, Daniel  
Keegan, Gillian  
Knight, Julian  
Kruger, Danny  
Largan, Robert  
Latham, Mrs Pauline  
Leadsom, rh Dame Andrea  
Leigh, rh Sir Edward  
Lewer, Andrew  
Lewis, rh Brandon  
Liddell-Grainger, Mr Ian  
Loder, Chris  
Logan, Mark  
Longhi, Marco  
Lopresti, Jack  
Loughton, Tim  
Mackinlay, Craig  
Mackrory, Cherilyn  
Maclean, Rachel  
Mak, Alan  
Malthouse, rh Kit  
Mann, Scott  
Marson, Julie  
McCartney, Jason  
McCartney, Karl  
McVey, rh Esther  
Menzies, Mark



Mercer, Johnny  
 Merriman, Huw  
 Metcalfe, Stephen  
 Millar, Robin  
 Miller, rh Dame Maria  
 Milling, rh Amanda  
 Mills, Nigel  
 Mitchell, rh Mr Andrew  
 Moore, Damien  
 Moore, Robbie  
 Mordaunt, rh Penny  
 Morris, Anne Marie  
 Morris, David  
 Morris, James  
 Mortimer, Jill  
 Morton, Wendy  
 Mullan, Dr Kieran  
 Mumby-Croft, Holly  
 Mundell, rh David  
 Murray, Mrs Sheryll  
 Murrison, rh Dr Andrew  
 Neill, Sir Robert  
 Nici, Lia  
 Nokes, rh Caroline  
 O'Brien, Neil  
 Offord, Dr Matthew  
 Pawsey, Mark  
 Penning, rh Sir Mike  
 Penrose, John  
 Philp, Chris  
 Pincher, rh Christopher  
 Poulter, Dr Dan  
 Prentis, Victoria  
 Pritchard, rh Mark  
 Pursglove, Tom  
 Quin, Jeremy  
 Raab, rh Dominic  
 Randall, Tom  
 Redwood, rh John  
 Richards, Nicola  
 Richardson, Angela  
 Robinson, Mary  
 Rowley, Lee  
 Russell, Dean  
 Sambrook, Gary  
 Saxby, Selaine  
 Scully, Paul  
 Seely, Bob

Shapps, rh Grant  
 Shelbrooke, rh Alec  
 Simmonds, David  
 Smith, Chloe  
 Smith, Greg  
 Smith, Henry  
 Solloway, Amanda  
 Spencer, Dr Ben  
 Stafford, Alexander  
 Stephenson, Andrew  
 Stevenson, Jane  
 Stevenson, John  
 Stewart, rh Bob  
 Stewart, Iain  
 Streeter, Sir Gary  
 Stride, rh Mel  
 Stuart, Graham  
 Sturdy, Julian  
 Sunderland, James  
 Swayne, rh Sir Desmond  
 Syms, Sir Robert  
 Thomas, Derek  
 Throup, Maggie  
 Tolhurst, Kelly  
 Tomlinson, Justin  
 Tomlinson, Michael  
 Tracey, Craig  
 Trevelyan, rh Anne-Marie  
 Trott, Laura  
 Vickers, Martin  
 Vickers, Matt  
 Walker, Sir Charles  
 Wallis, Dr Jamie  
 Warman, Matt  
 Watling, Giles  
 Whately, Helen  
 Whittaker, Craig  
 Whittingdale, rh Mr John  
 Wiggin, Sir Bill  
 Williams, Craig  
 Wood, Mike  
 Wragg, Mr William  
 Young, Jacob

**Tellers for the Noes:**  
**Andrea Jenkyns and**  
**Gareth Johnson**

*Question accordingly negated.*

*Amendment proposed:* 98, page 16, line 30, at end insert—

“(6A) Condition D: P has not fled the jurisdiction of any court in the United Kingdom [or Ireland] after being arrested or charged or being the subject of a warrant issued in connection with any Troubles-related offence.”—(*Gavin Robinson.*)

*This amendment is intended to prevent the grant of immunity to any person subject to active proceedings who has moved abroad to escape prosecution.*

*Question put,* That the amendment be made.

*The Committee divided:* Ayes 175, Noes 271.

**Division No. 21]**

**[7.14 pm**

**AYES**

Abbott, rh Ms Diane  
 Abrahams, Debbie  
 Ali, Rushanara  
 Ali, Tahir  
 Allin-Khan, Dr Rosena

Amesbury, Mike  
 Anderson, Fleur  
 Antoniazzi, Tonia  
 Ashworth, rh Jonathan  
 Baron, Mr John

Beckett, rh Margaret  
 Benn, rh Hilary  
 Betts, Mr Clive  
 Blake, Olivia  
 Blomfield, Paul  
 Brennan, Kevin  
 Brown, rh Mr Nicholas  
 Bryant, Chris  
 Buck, Ms Karen  
 Burgon, Richard  
 Byrne, Ian  
 Cadbury, Ruth  
 Campbell, Mr Gregory  
 Carden, Dan  
 Carmichael, rh Mr Alistair  
 Charalambous, Bambos  
 Cooper, Daisy  
 Cooper, Rosie  
 Cooper, rh Yvette  
 Corbyn, rh Jeremy  
 Creasy, Stella  
 Cruddas, Jon  
 Cummins, Judith  
 Cunningham, Alex  
 Daby, Janet  
 Davies, Geraint  
 Davies-Jones, Alex  
 De Cordova, Marsha  
 Debonnaire, Thangam  
 Dhesi, Mr Tanmanjeet Singh  
 Donaldson, rh Sir Jeffrey M.  
 Doughty, Stephen  
 Dowd, Peter  
 Duffield, Rosie  
 Eagle, Dame Angela  
 Eagle, Maria  
 Eastwood, Colum  
 Efford, Clive  
 Elliott, Julie  
 Elmore, Chris  
 Eshalomi, Florence  
 Esterson, Bill  
 Evans, Chris  
 Farron, Tim  
 Farry, Stephen  
 Foord, Richard  
 Fovargue, Yvonne  
 Foxcroft, Vicky  
 Foy, Mary Kelly  
 Furniss, Gill  
 Gardiner, Barry  
 Gill, Preet Kaur  
 Girvan, Paul  
 Glendon, Mary  
 Green, Kate  
 Green, Sarah  
 Greenwood, Lilian  
 Greenwood, Margaret  
 Griffith, Dame Nia  
 Hamilton, Fabian  
 Hamilton, Mrs Paulette  
 Hanna, Claire  
 Hardy, Emma  
 Hayes, Helen  
 Healey, rh John  
 Hillier, Dame Meg  
 Hodgson, Mrs Sharon  
 Hollern, Kate  
 Hopkins, Rachel  
 Howarth, rh Sir George  
 Huq, Dr Rupa  
 Hussain, Imran

Jardine, Christine  
 Jarvis, Dan  
 Johnson, rh Dame Diana  
 Johnson, Kim  
 Jones, Darren  
 Jones, Gerald  
 Jones, rh Mr Kevan  
 Jones, Sarah  
 Kane, Mike  
 Kendall, Liz (*Proxy vote cast by Mr Pat McFadden*)  
 Khan, Afzal  
 Kyle, Peter  
 Lammy, rh Mr David  
 Lavery, Ian  
 Leadbeater, Kim  
 Lewell-Buck, Mrs Emma  
 Lewis, Clive  
 Lightwood, Simon  
 Lloyd, Tony  
 Lockhart, Carla  
 Long Bailey, Rebecca  
 Lynch, Holly  
 Madders, Justin  
 Mahmood, Mr Khalid  
 Maskell, Rachael  
 McCabe, Steve  
 McCarthy, Kerry  
 McDonnell, rh John  
 McFadden, rh Mr Pat  
 McGinn, Conor  
 McGovern, Alison  
 McMahon, Jim  
 Mearns, Ian  
 Mishra, Navendu  
 Moran, Layla  
 Morden, Jessica  
 Morgan, Helen  
 Morgan, Stephen  
 Morris, Grahame  
 Nichols, Charlotte  
 Norris, Alex  
 Olney, Sarah  
 Onwurah, Chi  
 Osamor, Kate  
 Owatemi, Taiwo  
 Paisley, Ian  
 Peacock, Stephanie  
 Pennycook, Matthew  
 Perkins, Mr Toby  
 Phillips, Jess  
 Phillipson, Bridget  
 Pollard, Luke  
 Qureshi, Yasmin  
 Rayner, rh Angela  
 Rees, Christina  
 Reeves, Ellie  
 Reeves, Rachel  
 Reynolds, Jonathan  
 Ribeiro-Addy, Bell  
 Robinson, Gavin  
 Rodda, Matt  
 Russell-Moyle, Lloyd  
 Shah, Naz  
 Shannon, Jim  
 Slaughtier, Andy  
 Smith, Jeff  
 Smith, Nick  
 Smyth, Karin  
 Sobel, Alex  
 Spellar, rh John  
 Stevens, Jo

Stone, Jamie  
 Stringer, Graham  
 Tami, rh Mark  
 Thomas, Gareth  
 Thomas-Symonds, rh Nick  
 Thornberry, rh Emily  
 Timms, rh Sir Stephen  
 Trickett, Jon  
 Twigg, Derek  
 Vaz, rh Valerie  
 Wakeford, Christian  
 Webbe, Claudia  
 Western, Matt

Whitehead, Dr Alan  
 Whitley, Mick  
 Whittome, Nadia  
 Wilson, Munira  
 Wilson, rh Sammy  
 Winter, Beth  
 Wishart, Pete  
 Yasin, Mohammad  
 Zeichner, Daniel

**Tellers for the Ayes:**

**Liz Twist and  
 Sarah Owen**

**NOES**

Adams, rh Nigel  
 Afolami, Bim  
 Afriyie, Adam  
 Aiken, Nickie  
 Aldous, Peter  
 Allan, Lucy  
 Anderson, Lee  
 Anderson, Stuart  
 Ansell, Caroline  
 Argar, Edward  
 Atherton, Sarah  
 Atkins, Victoria  
 Bacon, Gareth  
 Bailey, Shaun  
 Baker, Duncan  
 Baker, Mr Steve  
 Barclay, rh Steve  
 Bell, Aaron  
 Beresford, Sir Paul  
 Blackman, Bob  
 Blunt, Crispin  
 Bone, Mr Peter  
 Bottomley, Sir Peter  
 Bowie, Andrew  
 Brady, Sir Graham  
 Braverman, rh Suella  
 Brereton, Jack  
 Bridgen, Andrew  
 Britcliffe, Sara  
 Browne, Anthony  
 Buchan, Felicity  
 Buckland, rh Sir Robert  
 Burghart, Alex  
 Burns, rh Conor  
 Butler, Rob  
 Cairns, rh Alun  
 Carter, Andy  
 Cartledge, James  
 Cates, Miriam  
 Caulfield, Maria  
 Chalk, Alex  
 Chishti, Rehman  
 Clark, rh Greg  
 Clarke, rh Mr Simon  
 Clarke-Smith, Brendan  
 Clarkson, Chris  
 Cleverly, rh James  
 Clifton-Brown, Sir Geoffrey  
 Coffey, rh Dr Thérèse  
 Colburn, Elliot  
 Collins, Damian  
 Costa, Alberto  
 Courts, Robert  
 Coutinho, Claire  
 Crosbie, Virginia  
 Crouch, Tracey

Daly, James  
 Davies, David T. C.  
 Davies, Gareth  
 Davies, Dr James  
 Davies, Mims  
 Davies, Philip  
 Davis, rh Mr David  
 Dines, Miss Sarah  
 Djanogly, Mr Jonathan  
 Docherty, Leo  
 Donelan, rh Michelle  
 Double, Steve  
 Dowden, rh Oliver  
 Doyle-Price, Jackie  
 Duddridge, James  
 Duguid, David  
 Duncan Smith, rh Sir Iain  
 Dunne, rh Philip  
 Eastwood, Mark  
 Edwards, Ruth  
 Ellis, rh Michael  
 Ellwood, rh Mr Tobias  
 Elphicke, Mrs Natalie  
 Eustice, rh George  
 Evans, Dr Luke  
 Evennett, rh Sir David  
 Everitt, Ben  
 Fabricant, Michael  
 Farris, Laura  
 Fell, Simon  
 Fletcher, Katherine  
 Fletcher, Mark  
 Fletcher, Nick  
 Ford, Vicky  
 Foster, Kevin  
 Francois, rh Mr Mark  
 Frazer, rh Lucy  
 Freer, Mike  
 French, Mr Louie  
 Fuller, Richard  
 Fysh, Mr Marcus  
 Gale, rh Sir Roger  
 Garnier, Mark  
 Ghani, Ms Nusrat  
 Gibson, Peter  
 Gideon, Jo  
 Glen, John  
 Goodwill, rh Sir Robert  
 Gove, rh Michael  
 Grayling, rh Chris  
 Green, Chris  
 Green, rh Damian  
 Griffith, Andrew  
 Griffiths, Kate  
 Grundy, James  
 Gullis, Jonathan

Halfon, rh Robert  
 Hall, Luke  
 Hammond, Stephen  
 Hands, rh Greg  
 Harper, rh Mr Mark  
 Harris, Rebecca  
 Harrison, Trudy  
 Hart, Sally-Ann  
 Hayes, rh Sir John  
 Heald, rh Sir Oliver  
 Heaton-Harris, rh Chris  
 Henderson, Gordon  
 Henry, Darren  
 Higginbotham, Antony  
 Holden, Mr Richard  
 Hollinrake, Kevin  
 Hollobone, Mr Philip  
 Holmes, Paul  
 Howell, John  
 Howell, Paul  
 Huddleston, Nigel  
 Hudson, Dr Neil  
 Hughes, Eddie  
 Hunt, Jane  
 Hunt, rh Jeremy  
 Hunt, Tom  
 Javid, rh Sajid  
 Jenkin, Sir Bernard  
 Jenkinson, Mark  
 Jenrick, rh Robert  
 Johnson, Dr Caroline  
 Johnston, David  
 Jones, Andrew  
 Jones, rh Mr David  
 Jones, Fay  
 Jones, Mr Marcus  
 Jupp, Simon  
 Kawczynski, Daniel  
 Keegan, Gillian  
 Knight, Julian  
 Kruger, Danny  
 Langan, Robert  
 Latham, Mrs Pauline  
 Leadsom, rh Dame Andrea  
 Leigh, rh Sir Edward  
 Lewer, Andrew  
 Lewis, rh Brandon  
 Liddell-Grainger, Mr Ian  
 Loder, Chris  
 Logan, Mark  
 Longhi, Marco  
 Lopresti, Jack  
 Loughton, Tim  
 Mackinlay, Craig  
 Mackrory, Cherilyn  
 Maclean, Rachel  
 Mak, Alan  
 Malthouse, rh Kit  
 Mann, Scott  
 Marson, Julie  
 McCartney, Jason  
 McCartney, Karl  
 McVey, rh Esther  
 Menzies, Mark  
 Merriman, Huw  
 Metcalfe, Stephen  
 Millar, Robin  
 Miller, rh Dame Maria  
 Milling, rh Amanda  
 Mills, Nigel  
 Mitchell, rh Mr Andrew  
 Moore, Damien

Moore, Robbie  
 Mordaunt, rh Penny  
 Morris, Anne Marie  
 Morris, David  
 Morris, James  
 Mortimer, Jill  
 Morton, Wendy  
 Mullan, Dr Kieran  
 Mumby-Croft, Holly  
 Mundell, rh David  
 Murray, Mrs Sheryll  
 Morrison, rh Dr Andrew  
 Neill, Sir Robert  
 Nici, Lia  
 Nokes, rh Caroline  
 O'Brien, Neil  
 Offord, Dr Matthew  
 Opperman, Guy  
 Pawsey, Mark  
 Penning, rh Sir Mike  
 Penrose, John  
 Philp, Chris  
 Pincher, rh Christopher  
 Poulter, Dr Dan  
 Prentis, Victoria  
 Pritchard, rh Mark  
 Pursglove, Tom  
 Quin, Jeremy  
 Raab, rh Dominic  
 Randall, Tom  
 Redwood, rh John  
 Richards, Nicola  
 Richardson, Angela  
 Robinson, Mary  
 Rowley, Lee  
 Russell, Dean  
 Sambrook, Gary  
 Saxby, Selaine  
 Scully, Paul  
 Seely, Bob  
 Shapps, rh Grant  
 Shelbrooke, rh Alec  
 Simmonds, David  
 Smith, Chloe  
 Smith, Greg  
 Smith, Henry  
 Solloway, Amanda  
 Spencer, Dr Ben  
 Stafford, Alexander  
 Stephenson, Andrew  
 Stevenson, Jane  
 Stevenson, John  
 Stewart, rh Bob  
 Stewart, Iain  
 Streeter, Sir Gary  
 Stride, rh Mel  
 Stuart, Graham  
 Sturdy, Julian  
 Sunderland, James  
 Swayne, rh Sir Desmond  
 Syms, Sir Robert  
 Thomas, Derek  
 Throup, Maggie  
 Tolhurst, Kelly  
 Tomlinson, Justin  
 Tomlinson, Michael  
 Tracey, Craig  
 Trevelyan, rh Anne-Marie  
 Trott, Laura  
 Vickers, Martin  
 Vickers, Matt  
 Walker, Sir Charles

Wallis, Dr Jamie  
Warman, Matt  
Watling, Giles  
Whately, Helen  
Whittaker, Craig  
Whittingdale, rh Mr John  
Wiggin, Sir Bill  
Williams, Craig

Wishart, Pete  
Wood, Mike  
Wragg, Mr William  
Young, Jacob

**Tellers for the Noes:**  
**Andrea Jenkyns and**  
**Gareth Johnson**

*Question accordingly negated.*

*Amendment made:* 115, page 17, line 7, at end insert—

‘(12A) But certain offences of sexual violence listed in Schedule (Exempt offences) must not be treated as within the scope of immunity from prosecution.’—(*Peter Kyle.*)

*Question put (single Question on successive provisions of the Bill),* That clause 18, as amended, and clauses 19 to 25 stand part of the Bill; that schedules 5 and 6 be the Fifth and Sixth schedules to the Bill; that clauses 26 and 27 stand part of the Bill; that schedule 7 be the Seventh schedule to the Bill; and that clauses 28 to 32 stand part of the Bill.

*The Committee divided:* Ayes 273, Noes 205.

**Division No. 22]**

**[7.26 pm**

# **AYES**

Adams, rh Nigel  
Afolami, Bim  
Afriyie, Adam  
Aldous, Peter  
Allan, Lucy  
Anderson, Lee  
Anderson, Stuart  
Ansell, Caroline  
Argar, Edward  
Atherton, Sarah  
Atkins, Victoria  
Bacon, Gareth  
Bailey, Shaun  
Baker, Duncan  
Baker, Mr Steve  
Barclay, rh Steve  
Baron, Mr John  
Bell, Aaron  
Beresford, Sir Paul  
Blackman, Bob  
Blunt, Crispin  
Bone, Mr Peter  
Bottomley, Sir Peter  
Bowie, Andrew  
Brady, Sir Graham  
Braverman, rh Suella  
Brereton, Jack  
Bridgen, Andrew  
Britcliffe, Sara  
Browne, Anthony  
Buchan, Felicity  
Buckland, rh Sir Robert  
Burghart, Alex  
Burns, rh Conor  
Butler, Rob  
Cairns, rh Alun  
Carter, Andy  
Cartledge, James  
Cates, Miriam  
Caulfield, Maria  
Chalk, Alex  
Chishti, Rehman  
Chope, Sir Christopher  
Clark, rh Greg

Clarke, rh Mr Simon  
Clarke-Smith, Brendan  
Clarkson, Chris  
Cleverly, rh James  
Clifton-Brown, Sir Geoffrey  
Coffey, rh Dr Thérèse  
Colburn, Elliot  
Collins, Damian  
Costa, Alberto  
Courts, Robert  
Coutinho, Claire  
Crosbie, Virginia  
Crouch, Tracey  
Daly, James  
Davies, David T. C.  
Davies, Gareth  
Davies, Dr James  
Davies, Mims  
Davies, Philip  
Davis, rh Mr David  
Dines, Miss Sarah  
Djanogly, Mr Jonathan  
Docherty, Leo  
Donelan, rh Michelle  
Doule, Steve  
Dowden, rh Oliver  
Doyle-Price, Jackie  
Duddridge, James  
Duguid, David  
Dunne, rh Philip  
Eastwood, Mark  
Edwards, Ruth  
Ellis, rh Michael  
Ellwood, rh Mr Tobias  
Elphicke, Mrs Natalie  
Eustice, rh George  
Evans, Dr Luke  
Evennett, rh Sir David  
Everitt, Ben  
Fabricant, Michael  
Farris, Laura  
Fell, Simon  
Firth, Anna  
Fletcher, Katherine

Fletcher, Mark  
Fletcher, Nick  
Ford, Vicky  
Foster, Kevin  
Francois, rh Mr Mark  
Frazer, rh Lucy  
Freer, Mike  
French, Mr Louie  
Fuller, Richard  
Fysh, Mr Marcus  
Gale, rh Sir Roger  
Garnier, Mark  
Ghani, Ms Nusrat  
Gibson, Peter  
Gideon, Jo  
Glen, John  
Goodwill, rh Sir Robert  
Gove, rh Michael  
Gray, James  
Grayling, rh Chris  
Green, Chris  
Green, rh Damian  
Griffith, Andrew  
Griffiths, Kate  
Grundy, James  
Gullis, Jonathan  
Halfon, rh Robert  
Hall, Luke  
Hammond, Stephen  
Hands, rh Greg  
Harper, rh Mr Mark  
Harris, Rebecca  
Harrison, Trudy  
Hart, Sally-Ann  
Hayes, rh Sir John  
Heald, rh Sir Oliver  
Heaton-Harris, rh Chris  
Henderson, Gordon  
Henry, Darren  
Higginbotham, Antony  
Holden, Mr Richard  
Hollinrake, Kevin  
Hollobone, Mr Philip  
Holmes, Paul  
Howell, John  
Howell, Paul  
Huddleston, Nigel  
Hudson, Dr Neil  
Hughes, Eddie  
Hunt, Jane  
Hunt, rh Jeremy  
Hunt, Tom  
Javid, rh Sajid  
Jenkin, Sir Bernard  
Jenkinson, Mark  
Jenrick, rh Robert  
Johnson, Dr Caroline  
Johnston, David  
Jones, Andrew  
Jones, rh Mr David  
Jones, Fay  
Jones, Mr Marcus  
Jupp, Simon  
Kawczynski, Daniel  
Keegan, Gillian  
Knight, Julian  
Kruger, Danny  
Largan, Robert  
Latham, Mrs Pauline  
Leadsom, rh Dame Andrea  
Leigh, rh Sir Edward  
Lewer, Andrew

Lewis, rh Brandon  
Liddell-Grainger, Mr Ian  
Loder, Chris  
Logan, Mark  
Longhi, Marco  
Lopresti, Jack  
Loughton, Tim  
Mackinlay, Craig  
Mackrory, Cherilyn  
Maclean, Rachel  
Mak, Alan  
Malthouse, rh Kit  
Mann, Scott  
Marson, Julie  
McCartney, Jason  
McCartney, Karl  
McVey, rh Esther  
Menzies, Mark  
Mercer, Johnny  
Merriman, Huw  
Metcalf, Stephen  
Millar, Robin  
Miller, rh Dame Maria  
Milling, rh Amanda  
Mills, Nigel  
Mitchell, rh Mr Andrew  
Moore, Damien  
Moore, Robbie  
Mordaunt, rh Penny  
Morris, Anne Marie  
Morris, David  
Morris, James  
Mortimer, Jill  
Morton, Wendy  
Mullan, Dr Kieran  
Mumby-Croft, Holly  
Mundell, rh David  
Murray, Mrs Sheryl  
Murrison, rh Dr Andrew  
Neill, Sir Robert  
Nici, Lia  
Nokes, rh Caroline  
O'Brien, Neil  
Offord, Dr Matthew  
Opperman, Guy  
Pawsey, Mark  
Penning, rh Sir Mike  
Penrose, John  
Philp, Chris  
Pincher, rh Christopher  
Poulter, Dr Dan  
Prentis, Victoria  
Pritchard, rh Mark  
Pursglove, Tom  
Quin, Jeremy  
Raab, rh Dominic  
Randall, Tom  
Redwood, rh John  
Richards, Nicola  
Richardson, Angela  
Robertson, Mr Laurence  
Robinson, Mary  
Rowley, Lee  
Russell, Dean  
Sambrook, Gary  
Saxby, Selaine  
Scully, Paul  
Seely, Bob  
Shapps, rh Grant  
Shelbrooke, rh Alec  
Simmonds, David  
Smith, Chloe



Smith, Greg  
Smith, Henry  
Solloway, Amanda  
Spencer, Dr Ben  
Stafford, Alexander  
Stephenson, Andrew  
Stevenson, Jane  
Stevenson, John  
Stewart, rh Bob  
Stewart, Iain  
Streeter, Sir Gary  
Stride, rh Mel  
Stuart, Graham  
Sturdy, Julian  
Sunderland, James  
Swayne, rh Sir Desmond  
Syms, Sir Robert  
Thomas, Derek  
Throup, Maggie  
Tolhurst, Kelly  
Tomlinson, Justin

Tomlinson, Michael  
Tracey, Craig  
Trevelyan, rh Anne-Marie  
Trott, Laura  
Vickers, Martin  
Vickers, Matt  
Walker, Sir Charles  
Wallis, Dr Jamie  
Warman, Matt  
Watling, Giles  
Whately, Helen  
Whittaker, Craig  
Whittingdale, rh Mr John  
Wiggin, Sir Bill  
Williams, Craig  
Wood, Mike  
Wragg, Mr William  
Young, Jacob

**Tellers for the Ayes:**  
**Andrea Jenkyns and**  
**Gareth Johnson**

### NOES

Abbott, rh Ms Diane  
Abrahams, Debbie  
Ali, Rushanara  
Ali, Tahir  
Allin-Khan, Dr Rosena  
Amesbury, Mike  
Anderson, Fleur  
Antoniazzi, Tonia  
Ashworth, rh Jonathan  
Bardell, Hannah  
Beckett, rh Margaret  
Benn, rh Hilary  
Betts, Mr Clive  
Blackman, Kirsty  
Blake, Olivia  
Blomfield, Paul  
Bonnar, Steven  
Brennan, Kevin  
Brock, Deidre  
Brown, rh Mr Nicholas  
Bryant, Chris  
Buck, Ms Karen  
Burgon, Richard  
Byrne, Ian  
Cadbury, Ruth  
Campbell, Mr Gregory  
Carden, Dan  
Carmichael, rh Mr Alistair  
Charalambous, Bambos  
Cherry, Joanna  
Cooper, Daisy  
Cooper, Rosie  
Cooper, rh Yvette  
Corbyn, rh Jeremy  
Crawley, Angela  
Creasy, Stella  
Cruddas, Jon  
Cummins, Judith  
Cunningham, Alex  
Daby, Janet  
Davies, Geraint  
Davies-Jones, Alex  
Day, Martyn  
De Cordova, Marsha  
Debbonaire, Thangam  
Dhesi, Mr Tanmanjeet Singh  
Docherty-Hughes, Martin  
Donaldson, rh Sir Jeffrey M.

Doogan, Dave  
Doughty, Stephen  
Dowd, Peter  
Duffield, Rosie  
Eagle, Dame Angela  
Eagle, Maria  
Eastwood, Colum  
Edwards, Jonathan  
Efford, Clive  
Elliott, Julie  
Elmore, Chris  
Eshalomi, Florence  
Esterson, Bill  
Evans, Chris  
Farron, Tim  
Farry, Stephen  
Fellows, Marion  
Ferrier, Margaret  
Flynn, Stephen (*Proxy vote  
cast by Owen Thompson*)  
Foord, Richard  
Fovargue, Yvonne  
Foxcroft, Vicky  
Foy, Mary Kelly  
Furniss, Gill  
Gardiner, Barry  
Gibson, Patricia  
Gill, Preet Kaur  
Girvan, Paul  
Glindon, Mary  
Grant, Peter  
Green, Kate  
Green, Sarah  
Greenwood, Lilian  
Greenwood, Margaret  
Griffith, Dame Nia  
Hamilton, Fabian  
Hamilton, Mrs Paulette  
Hanna, Claire  
Hanvey, Neale  
Hardy, Emma  
Hayes, Helen  
Healey, rh John  
Hillier, Dame Meg  
Hodgson, Mrs Sharon  
Hollern, Kate  
Hopkins, Rachel  
Hosie, rh Stewart

Howarth, rh Sir George  
Huq, Dr Rupa  
Hussain, Imran  
Jardine, Christine  
Jarvis, Dan  
Johnson, rh Dame Diana  
Johnson, Kim  
Jones, Darren  
Jones, Gerald  
Jones, Sarah  
Kane, Mike  
Kendall, Liz (*Proxy vote cast  
by Mr Pat McFadden*)  
Khan, Afzal  
Kyle, Peter  
Lake, Ben  
Lammy, rh Mr David  
Lavery, Ian  
Leadbeater, Kim  
Lewell-Buck, Mrs Emma  
Lewis, Clive  
Lightwood, Simon  
Lloyd, Tony  
Lockhart, Carla  
Long Bailey, Rebecca  
Lynch, Holly  
Madders, Justin  
Mahmood, Mr Khalid  
Maskell, Rachael  
Mc Nally, John  
McCabe, Steve  
McCarthy, Kerry  
McDonagh, Siobhain  
McDonald, Stuart C.  
McDonnell, rh John  
McFadden, rh Mr Pat  
McGinn, Conor  
McGovern, Alison  
McLaughlin, Anne  
McMahon, Jim  
Mearns, Ian  
Mishra, Navendu  
Moran, Layla  
Morden, Jessica  
Morgan, Helen  
Morgan, Stephen  
Morris, Grahame  
Newlands, Gavin  
Nichols, Charlotte  
Nicolson, John  
Norris, Alex  
O'Hara, Brendan  
Olney, Sarah  
Onwurah, Chi  
Osamor, Kate  
Oswald, Kirsten  
Owatemi, Taiwo  
Paisley, Ian

Peacock, Stephanie  
Pennycook, Matthew  
Perkins, Mr Toby  
Phillips, Jess  
Phillipson, Bridget  
Pollard, Luke  
Qaisar, Ms Anum  
Qureshi, Yasmin  
Rayner, rh Angela  
Rees, Christina  
Reeves, Ellie  
Reeves, Rachel  
Reynolds, Jonathan  
Ribeiro-Addy, Bell  
Robinson, Gavin  
Rodda, Matt  
Russell-Moyle, Lloyd  
Saville Roberts, rh Liz  
Shah, Naz  
Shannon, Jim  
Slaughter, Andy  
Smith, Jeff  
Smith, Nick  
Smyth, Karin  
Sobel, Alex  
Stephens, Chris  
Stevens, Jo  
Stone, Jamie  
Streeting, Wes  
Stringer, Graham  
Tami, rh Mark  
Thewliss, Alison  
Thomas, Gareth  
Thomas-Symonds, rh Nick  
Thompson, Owen  
Thomson, Richard  
Thornberry, rh Emily  
Timms, rh Sir Stephen  
Trickett, Jon  
Twigg, Derek  
Vaz, rh Valerie  
Wakeford, Christian  
Webbe, Claudia  
Western, Matt  
Whitehead, Dr Alan  
Whitley, Mick  
Whittome, Nadia  
Williams, Hywel  
Wilson, Munira  
Wilson, rh Sammy  
Winter, Beth  
Wishart, Pete  
Yasin, Mohammad  
Zeichner, Daniel

**Tellers for the Noes:**  
**Liz Twist and**  
**Sarah Owen**

*Question accordingly agreed to.*

*Clause 18, as amended, ordered to stand part of the Bill.*

*Clauses 19 to 25 ordered to stand part of the Bill.*

*Schedules 5 and 6 agreed to.*

*Clauses 26 and 27 ordered to stand part of the Bill.*

*Schedule 7 agreed to.*

*Clauses 28 to 32 ordered to stand part of the Bill.*

## New Schedule 1

### EXEMPT OFFENCES

- 1 The following offences are not to be treated as within the scope of immunity from prosecution (see section 18 (12A)).
- 2 An offence under any provision of the Sexual Offences Act 1956.
- 3 An offence under section 1 of the Indecency with Children Act 1960 (indecent conduct towards child under 14).
- 4 An offence under section 54 of the Criminal Law Act 1977 (inciting child under 16 to commit incest).
- 5 An offence under section 1 of the Protection of Children Act 1978 (indecent photographs of children).
- 6 An offence under section 160 of the Criminal Justice Act 1988 (possession of indecent photograph of a child).
- 7 An offence under any provision of the Sexual Offences Act 2003.
- 8 An offence under section 63 of the Criminal Justice and Immigration Act 2008 (possession of extreme pornographic images).
- 9 An offence under section 62 of the Coroners and Justice Act 2009 (possession of prohibited images of children).
- 10 An offence under section 33 of the Criminal Justice and Courts Act 2015 (disclosing private sexual photographs and films with intent to cause distress).
- 11 An offence under section 2 of the Modern Slavery Act 2015 (human trafficking) committed with a view to exploitation that consists of or includes behaviour within section 3(3) of that Act (sexual exploitation).
- 12 An offence at common law of outraging public decency.
- 13 A reference in paragraphs 2 to 14 to an offence ("offence A") includes—
  - (a) a reference to an attempt to commit offence A,
  - (b) a reference to a conspiracy to commit offence A,
  - (c) a reference to incitement to commit offence A,
  - (d) a reference to an offence under Part 2 of the Serious Crime Act 2007 in relation to which offence A is the offence (or one of the offences) which the person intended or believed would be committed, and
  - (e) a reference to aiding and abetting, counselling or procuring the commission of offence A."—(*Peter Kyle.*)

*This new schedule would exclude sexual offences from being granted immunity, and is linked to Amendment 115.*

*Brought up, and added to the Bill.*

*The occupant of the Chair left the Chair (Programme Order, this day).*

*The Deputy Speaker resumed the Chair.*

*Progress reported; Committee to sit again tomorrow.*

### DEFERRED DIVISIONS

*Motion made, and Question put forthwith (Standing Order No. 41A(3)),*

That, at this day's sitting, Standing Order No. 41A (Deferred divisions) shall not apply to the Motion in the name of Mark Spencer relating to Estimates (Liaison Committee recommendation). —(*Mr Marcus Jones.*)

*Question agreed to.*

## Business without Debate

### DELEGATED LEGISLATION

*Motion made, and Question put forthwith (Standing Order No. 118(6)),*

### ELECTRICITY

That the draft Contracts for Difference (Allocation) and Electricity Market Reform (General) (Amendment) Regulations 2022, which were laid before this House on 11 May, be approved.—(*Mr Marcus Jones.*)

*Question agreed to.*

### ESTIMATES (LIAISON COMMITTEE RECOMMENDATION)

*Motion made, and Question put forthwith (Standing Order No. 145(3)),*

That this House agrees with the Report of the Liaison Committee of 27 June:

(1) That a day not later than 5 August be allotted for the consideration of the following Estimates for financial year 2022-23: Department for Work and Pensions, insofar as it relates to the spending of the Department for Work and Pensions on the cost of living measures; Office of the Secretary of State for Wales, insofar as it relates to the spending of the Office of the Secretary of State for Wales on measures to support the Welsh economy, and its consequences for funding the devolved institutions; and Department for Business, Energy and Industrial Strategy, insofar as it relates to the spending of the Department for Business, Energy and Industrial Strategy on action on climate change and decarbonisation; and

(2) That a further day not later than 5 August be allotted for consideration of the following Estimates for financial year 2022-23: Department for Education; and Foreign, Commonwealth and Development Office, insofar as it relates to the spending of the Foreign, Commonwealth and Development Office on the strategy for international development.—(*Mr Marcus Jones.*)

*Question agreed to.*

### The Minister for Crime and Policing (Kit Malthouse):

On a point of order, Mr Deputy Speaker. Earlier today, during my statement on the Met police, there was an exchange about the prior notification of the contents of my statement to the Opposition. On reviewing the fast-moving events of the morning, it was clear that we could have sent an updated copy to the hon. Member for Croydon Central (Sarah Jones), which would have contained some but not all of the amendments I and others had made. In that regard, my comments were not completely accurate. For that, and the associated discourtesy, I apologise to you, to the hon. Lady and to the House, and undertake that there will be no repeat.

**Yvette Cooper** (Normanton, Pontefract and Castleford) (Lab): Further to that point of order, Mr Deputy Speaker. I thank the Policing Minister for checking the records and the emails, as I requested him to do at the end of the statement earlier, and for correcting the record. Clearly, it was not a last-minute addition, as he had said, to put so many additional deliberate political attacks into the statement. Obviously, it should not have taken my asking such forensic questions to elicit this and to elicit this apology in the first place. Given that this is such an incredibly sensitive and serious subject—the future of the Metropolitan police—and that we have had repeated examples of this, could you use your offices to urge other Departments not to add in these political statements that are not included in the statements that are given to the House? In addition, will you urge Ministers to see this as a lesson to stop playing political games with something so important?

**Mr Deputy Speaker (Mr Nigel Evans):** I thank both right hon. Members for their points of order and their forward notice of them. Clearly, both stand on the

record and I am grateful as well that the correction has been made at the earliest possible moment. As for what the right hon. Lady has said, those on the Treasury Bench will have heard her comments and will make sure they get noted and followed by all Departments.

## Ambulance Waiting Times: Royal Cornwall Hospital

*Motion made, and Question proposed,* That this House do now adjourn.—(*Mr Marcus Jones.*)

7.42 pm

**Cherilyn Mackrory** (Truro and Falmouth) (Con): This issue of ambulance waiting times at the Royal Cornwall Hospital is vital to my constituents and the whole of Cornwall. I want to start by thanking all health and social care colleagues for their hard work. They work with such professionalism, dedication and selflessness, despite being short-staffed and under immense pressure. It is telling that the constituents who write to me on these issues include praise for the staff who have helped them with such compassion and care in their time of need. Over the past 12 months, I, alongside my five Cornish MP colleagues, have had many meetings with NHS leaders and other Cornish healthcare stakeholders to discuss these challenges. We have also written to Ministers to highlight individual cases and the wider situation on numerous occasions, and I appreciate this opportunity to again highlight the situation in Cornwall to Ministers.

Ambulance waiting times at the Royal Cornwall Hospital are an increasing concern, with the hospital recently recording the worst ambulance wait times in the country, topping the list for the proportion of arrivals that were delayed by more than an hour, at 41%; this represents 10% of the wait times in the whole of England. There is widespread consensus that ambulance response times are slow in Cornwall due to handover delays. The Royal Cornwall Hospital has the highest percentage of handovers over 60 minutes, at 25%. That is particularly concerning, given that the NHS standard contract states that all handovers of patients between ambulances and accident and emergency should take place within 15 minutes, with none taking more than 30 minutes. These handover delays of over 15 minutes have contributed to an average of 255 ambulance hours lost every day in May. I receive several emails each week from constituents who have experienced these delays first hand. One such constituent wrote recently that they were transferred by ambulance to the RCH in the early afternoon. On arrival, there were 15 other ambulances already waiting for their patients to be admitted. During the afternoon, evening and night, they were transferred to five other ambulances and crews. The various categories of ambulances offered stretcher beds of varying levels of discomfort, and there was a shortage of blankets, no access to food and no toilet facilities. They were eventually admitted to the emergency department at around 5 the following morning.

Delayed handovers result in poorer ambulance response times, as ambulances queue outside A&E unable to attend patients waiting in the community. That leaves patients at increased risk of delays in diagnosis and treatment, and compromises the ability to respond to serious incidents. These delays also increase pressure on clinical staff and on ambulance service call handlers, who look after distressed patients and their families, who call again and again, desperate to hear their wait time. That can lead to thousands of additional calls, placing even more pressure on the service. Constituents have told me that they have waited 13 hours for an ambulance and that they have called many times in the interim to chase an update on the expected arrival time.



*[Cherilyn Mackrory]*

Let me be clear: these delays are not to do with ambulance service call handlers; they are a whole-system issue and are impacted by acute challenges elsewhere in the system, particularly with hospital capacity and patient flow. The issues include delayed discharges to social care and other services, as well as bed occupancy. As such, a whole-system approach is needed to tackle this issue.

**Luke Pollard** (Plymouth, Sutton and Devonport) (Lab/Co-op): This issue is important not only in Cornwall but in Plymouth, because Derriford Hospital serves part of Cornwall, providing some of the ambulances she mentioned. She is right that this is not the fault of the people who drive the ambulances or who dispatch them, but does she agree that it is utterly unsustainable that many ambulance crews may get only one shout per shift, because they spend the remainder of the shift queuing outside an emergency department in Cornwall or Plymouth waiting to hand over their patient? That is simply unsustainable if we are to have the NHS recovery we need in the south-west.

**Cherilyn Mackrory:** I thank the hon. Gentleman for his intervention, and he is absolutely right. He will know that, purely because of their geography, hospitals in Cornwall and Devon rely on each other, and the ambulance crews go between the two. He is also right that this is a multifaceted issue. Hopefully I will cover most of it in my speech and the Minister will respond knowing that there are many things we need to do to try to tackle it.

In Cornwall the capacity challenges stem partly from the hangover from the covid-19 restrictions. Predominantly, however, they are about staffing, which hinders our social care system's ability to safely assess and care for patients at the rate necessary to clear the beds in the hospitals. On a single day last month, 190 beds in Cornwall were occupied by patients awaiting discharge into social care. Those patients had no medical need to be in those beds. Thankfully the number has now fallen below 130, but the issue remains that too many people are staying in hospital beds because of discharge challenges.

In March the Care Quality Commission inspected the whole of the Cornwall and the Isles of Scilly urgent and emergency care system. The report states:

"Delays in ambulance response times in Cornwall are extremely concerning and pose a high level of risk to patient safety. Ambulance handover delays at hospitals in the region were some of the highest recorded in England. This resulted in people being treated in the ambulances outside of the hospital, it also meant a significant reduction in the number of ambulances available to respond to 999 calls. These delays impacted on the safe care and treatment people received and posed a high risk to people awaiting a 999 response....Delays in discharge from acute medical care impacted on patient flow across urgent and emergency care pathways. This also resulted in delays in handovers from ambulance crews, prolonged waits and overcrowding in the Emergency Department due to the lack of bed capacity."

The report goes on to state:

"Without significant improvement in patient flow and better collaborative working between health and social care, it is unlikely that patient safety and performance across urgent and emergency care will improve."

That is key. Although we have seen some pilots and seen community services adapt to meet changes in demand, additional focus on health promotion and preventive healthcare is needed to support people to manage their own health needs.

The report also identified that adult social care in Cornwall has had one of the highest short staff shortage rates in the entire country. That directly affects the ability to discharge patients into the social care sector, as well as A&E and ambulance response times.

**Richard Foord** (Tiverton and Honiton) (LD): During the by-election campaign in Tiverton and Honiton, almost everybody I spoke to on the doorstep had their own personal story about having to wait for an ambulance. This is not the fault of ambulance crews, but it is absolutely the system-wide issue that the hon. Member describes. Does she agree that what we really need is a community ambulance fund to alleviate some of the pressures we are experiencing in the south-west, given that we have the longest ambulance waiting times in the country?

**Cherilyn Mackrory:** I thank the hon. Gentleman for his intervention, and welcome him to the House for his first contribution. He will be aware that the CCG is responsible for distributing and commissioning services within his area. Therefore, this is not something that Ministers should have to implement. He should lobby his own CCG if he thinks that that is a beneficial service for his area.

The report also identified that adult social care in Cornwall has one of the highest rates of staff shortages in the entire country. It is right that the hospital has a comprehensive handover delay improvement plan that aims to maintain patient safety, to ensure the health and safety of trust staff and to promote effective joint working. These will cover key areas including: incidents management; reporting and external reviews; internal and external communication; data quality; and joint handover escalation plans.

The CCG is also taking positive action, working with the Conservative Cornwall Council, to use commission spend to try to bring more reablement workers online with more flexible care across Cornwall. In addition, it is plugging gaps in domiciliary care in central and mid-Cornwall, and in district nursing teams. Seventy five reablement workers will come online from November, and they are working with Health Education England to transfer their apprenticeship levy so that it is possible to employ even more people across Cornwall.

The CCG is also identifying young people who might want to stay in Cornwall. It has been learning from the work on recruitment fairs of the University Hospitals Plymouth NHS Trust, which is in the constituency of the hon. Member for Plymouth, Sutton and Devonport (Luke Pollard), and which has successfully attracted young people in Plymouth wishing to remain in the area.

In addition, the CCG is ensuring that joined-up, accessible care in local communities is treated as a priority, responding to local needs with the inclusion of NHS services, organisations and charities. The new integrated care board, which meets for the first time on Friday, will utilise existing assets in the community to improve the availability of care services.

It is also right that the providers of the Integrated Urgent Care Service have been commissioned for a six-month pilot to test new methods for handling incoming calls. This involves ensuring that low priority calls are being assessed by a clinician, such as a GP, and in turn being directed to the most appropriate setting for treatment and care. The initial phases of the pilot have provided a

clear demonstration of positive outcomes for patients, showing a 71% reduction in the need for ambulances, so it is right that it is upscaling this approach to continue to reduce demand on the ambulance service.

Another trial aims to remove ambulance need for non-injury falls, by ensuring that calls are pulled from the call stack and passed to the IUCS call centre in Truro, where a dispatcher can dispatch a resource from the independent ambulance service. This means that where someone has fallen but is not at risk from an injury that might mean they should not be moved, they are attended and settled into a more comfortable place within their own home. They then have a follow-up referral with a community team, which aims to identify why they fell, allowing it to put in place safeguards to prevent reoccurrence. Early data has shown that, in positive cases, where paramedics have responded and assessed, the person is placed back in bed in their own home within an hour.

I am also pleased that the CCG is working on the vital development of facilities at Bodmin Hospital, including the development of the urgent treatment centre, the community assessment and treatment unit and the diagnostic hub, which will all contribute to reducing the care pressures that Cornwall faces and the pressure on the RCHT.

The next few weeks see the standing down of the CCG and the standing up of the integrated care system, which will provide a much more collaborative approach to the healthcare system. As a new MP, I will be grateful for that, because, learning on the job means that we have to learn what board does what, and now there will be just one board that is accountable. I am also grateful to the Government for already taking a range of actions to tackle this issue. In 2020, I was delighted that the hospital had £42.5million-worth of debt written off as part of the Government's announcement to reset NHS finances. After NHS England announced its goal for a seven-minute average for ambulance response time, the Government stepped in with a £55 million investment in the NHS, helping to provide 700 additional staff in control rooms and on the frontline to improve response times.

That is alongside £4.4 million to keep an additional 154 ambulances on the road over the winter. In addition, NHS 111 is recruiting an extra 1,100 staff. Moreover a £250 million winter GP capacity fund will help to avoid unnecessary ambulance calls and visits to A&E. The Government are also right to have taken the difficult decision, which was unpopular in some corners, to implement the 1.25% health and social care levy, raising £12 billion a year on average over the next three years to fix the social care crisis.

Despite that progress, we still have an alarming situation, which is why the Government must look at all options to tackle the problem. They must look urgently at tackling the staffing shortages preventing us from moving patients out of hospital beds and into domiciliary care. Constituents who are already being cared for at home are seeing a reduction in care packages due to staff shortages, which will clearly have a cumulative effect on trying to discharge hospital patients.

Cornwall has recently been found to have the country's most understaffed social care system, with ongoing challenges around recruitment and retention. Employers in the space compete for staff with the hospitality and

retail sectors, with cost of living increases and housing affordability and availability problems adding to the weight of issues. I should add that that was the case before the pandemic, but it has been compounded by the effect of covid and we see it acutely now.

We must advertise care as a profession and a career path, not just a job. We should look at creative new measures to make the profession more attractive, improve the workplace culture, tackle burnout and offer higher salaries. We must also ensure staff can afford to rent or buy affordably in the area by tackling the housing crisis and promoting key worker housing. The Government must also recognise the challenges of rurality, an ageing population, higher demand for services and the hangover from covid, which have all contributed to this issue. I believe we should also increase the number of first responders in rural areas and look at the model of the parish nurse; both are vital to the local village I live in.

Reducing ambulance waiting times at the Royal Cornwall Hospital is an urgent issue for the people of Cornwall. I look forward to working with the Government on a range of solutions available to improve the situation, and of course the Minister is always welcome to come and visit.

7.56 pm

**The Minister for Health (Edward Argar):** I congratulate my hon. Friend the Member for Truro and Falmouth (Cherilyn Mackrory) on securing this important debate. Since her election, she has been a notable advocate both in this House and more privately with Ministers on behalf of her constituents and those who work in her local healthcare system—as, indeed, are all six Members of Parliament representing seats in Cornwall.

May I also take the opportunity—I know we do not always use this sort of language now, but I will—to congratulate the hon. and gallant Member for Tiverton and Honiton (Richard Foord) both on his election to this House and on his contribution to the debate this evening. I look forward to his maiden speech, but it is a privilege for me to have had the opportunity, I think, to be the first Minister to respond to him and congratulate him. It is always a pleasure to see the hon. Member for Plymouth, Sutton and Devonport (Luke Pollard), who may not be my hon. Friend but is my friend. I thank him for his contribution, highlighting the issues at Derriford Hospital.

As my hon. Friend the Member for Truro and Falmouth has made clear, there are complex causes behind the challenges faced by her constituents and those of other right hon. and hon. Members around the country with ambulance services and ambulance response times. As she will know, ambulance services faced significant pressures during the pandemic and continue to do so. I join her and Members on both sides of the House in putting on record, as she did, our gratitude to all the ambulance service staff and the NHS for their outstanding work, both at this time and particularly in recent years.

The service is still working under exceptional demand and pressures. In May 2022, the ambulance service answered more than 850,000 calls, an increase of 7% on May 2021 figures. Those are national figures; I will turn to my hon. Friend's local situation in Cornwall in due course. She is right to highlight that the issue is not just with the ambulance service itself, although that is often

[Edward Argar]

the visual manifestation or symptom of broader challenges within the health ecosystem and the pressures it is under. It is about handovers and the ability to do turnarounds and get the ambulances back on the road, having had a patient safely admitted to the A&E department in an acute setting. I will turn to that in a moment too. As she will be aware, other issues as well as demand impact on performance, including, still, although less so than there have been, elements of infection prevention and control measures. There are issues in particular areas with staff absence—for example, still, where there is an outbreak of covid. She also highlighted some very specific local factors that I will turn to.

Touching on that, I am aware of the local context that my hon. Friend set out, in that in Cornwall the demand for NHS services has combined with wider systemic issues, placing particular stress on the system. Some of those local factors include the demographic challenges of the age profile of the population and difficulties or challenges in securing the adult social care capacity to meet current and projected demand. I suspect that much of what I say about Cornwall will apply to Devon as well, as the context both demographically and in terms of patterns of demand are not completely dissimilar.

Other factors that play a key part include geography and, as my hon. Friend highlighted, the cost of living, affordable housing, and the ability to retain a skilled workforce. It is also worth remembering, in the context of Cornwall, that whereas many parts of the NHS system see very pressured demand over the winter period that tends to ease somewhat during the summer, allowing them time and space, Cornwall, and, I suspect, Devon as well, being such popular holiday destinations, see a different range of challenges and pressures on the system as holidaymakers come into the area and often need to use these services. I am very sensitive to that point.

I assure my hon. Friend, who touched on some of those issues, that significant work is under way across the entire local health and care system to improve patient flow through the hospital, which is the key element in making the system work smoothly to reduce the wait times for emergency care and reduce the numbers of delays in handing ambulance patients over to A&E. Importantly, the NHS Kernow clinical commissioning group, as it currently is—as she rightly highlighted, as of 1 July ICSs become statutory bodies—is continuing to work with all providers to create and commission additional capacity, including a plan to release 80 additional hospital beds now and 20 to 40 further beds in time for the winter. This will help to increase the flow of patients out of the emergency department, reducing overcrowding and the numbers of ambulance-patient handover delays. I pay tribute to my hon. Friend for the summit that she and local Cornwall Members convened with me earlier in the year not only to talk about the pressures faced by the system at the time but to begin looking forward to how we can mitigate future pressures.

The trust is expanding the use of virtual wards whereby patients are monitored remotely at home rather than being admitted to hospital. This further reduces pressure on local bed capacity and allows for patients to be safely treated at home, which can be beneficial for their recovery. Of course, that is done on the basis of clinical triage and assessment. There has also been an increase

in the adult social care domiciliary care pay rate, helping to generate more social care capacity locally and ensure that patients are able to be discharged from hospital to home as soon as they are medically fit. That is supported by the Proud to Care recruitment campaign. I understand that the NHS and Cornwall Council are aiming to launch a targeted campaign in the autumn to encourage more under-25s to work in the care sector.

I now turn to discharge. I have highlighted some of the action that is being taken locally to improve patient flow through hospitals by discharging patients more quickly. The aim is partly to increase the number of discharges a day, but it is also to bring more discharges forward to earlier in the day, when it is clinically safe to do so, thus making those discharges much better managed. It is important that all partners work well together on that. At a national level, we have set up a national discharge taskforce. As Minister, I now get weekly statistics about where we are on delayed discharges. My hon. Friend alluded to the number of people who are clinically fit for discharge but have not been discharged, for a variety of reasons. Reducing that by even a small proportion would have a significant impact on the availability of beds and thus patient flow. It is a complex picture with a variety of reasons behind delayed discharges. However, it is important that we continue to work across the system locally and with national support to get the number of delayed discharges down.

The CCG locally is also establishing community assessment and treatment units for frail and elderly patients as an alternative to hospital admission, alongside an innovative reablement ward that is now moving to a community hospital location, as my hon. Friend mentioned, as a permanent model of care. Taken together, these interventions will help to ensure the effective flow of patients through hospital, reducing those waiting times and crucially reducing the number of ambulance handover delays, allowing ambulances to get back on the road more rapidly.

To address the wider issues around staff recruitment and retention, the NHS is working with local partners on schemes to address cost of living concerns, including work with the Supportmatch charity on the homeshare scheme, where a householder helps to offer affordable accommodation to someone working in the sector. There is the new guardianship programme developed by Supportmatch, NHS England and NHS Improvement in the south-west that enables householders to offer a spare room to fully vetted and checked health and care workers. Typical agreements can run from two months to two years. We should recognise those sorts of innovations that have grown up locally for the beneficial effects they can have.

It is also encouraging to see that these measures are delivering improvements. Performance against the four-hour A&E standard improved from 76.9% meeting that in April to just shy of 80% meeting it in May. There is more to do, clearly, but that is a positive direction of travel. The South Western Ambulance Service also saw notable improvements across all response time categories in May compared with April, including a 24-minute reduction in the average category 2 response time. Again, there is still more to do to get those down to target levels, but that is a positive step and a positive direction of travel.



There was a reduction of more than one minute in the average response time to the most serious category 1 calls. That does not sound like a huge amount, but in April, when we were seeing challenges, that was a bit over 11 minutes. Shaving a minute off that is still hugely important. There is more to do to get it down to the circa six or seven minutes that it was in May 2019, before the pandemic. We have further to go, but we are focused upon it.

Then there is investment in hospitals locally. In this context, I highlight the £1.3 million in 2020-21 of the elective recovery estates funding, the £2 million for technology to help elective recovery, the £2.8 million for A&E upgrades and the £1.7 million previously given to tackle the backlog maintenance in my hon. Friend's trust. I pay tribute to her, but I pay particular tribute to my hon. Friends the Members for North Cornwall (Scott Mann) and for St Austell and Newquay (Steve Double), who in the nature of their roles in this place are not able to intervene directly in this debate. It is important that I put on record their work on behalf of their constituents in lobbying Ministers and securing that investment from Government in their local hospital trust.

There is a wide range of national support in place to improve ambulance performance more widely.

**Luke Pollard:** According to the South Western Ambulance Service, three of the five hospitals in the country with the longest ambulance waiting and hand-over times are south-west hospitals—Derriford, Bristol and Royal Cornwall. Is there something south-west specific that the Minister needs to look at as to why south-west hospitals are experiencing the longest hand-overs?

**Edward Argar:** I gently say to the hon. Gentleman that the hon. Member for North Shropshire (Helen Morgan) made the point about delays in respect of her county in March, so we are seeing significant challenges across the country. I have highlighted some of the specific

points about Cornwall, such as the geography and the distances. It is also about demand, which, as I alluded to, does not abate even slightly in the summer. There is a range of factors—my hon. Friend the Member for Truro and Falmouth highlighted a number of them—and I have set out some of the measures that we are taking to address them.

Nationally, as my hon. Friend alluded to, a wide range of support is in place. Ambulance trusts receive continuous central monitoring and support from the National Ambulance Coordination Centre, and NHSEI has allocated £150 million of additional system funding for ambulance service pressures in 2022-23, which will support improvements to response times through additional call handler recruitment, retention and other funding pressures.

National 999 call handler numbers have been boosted to more than 2,300 at the start of May 2022, which is about 400 more than in September 2021, with further potential increases. We are also investing £20 million of capital funding in ambulance trusts in each of the three financial years to 2024-25, in addition to the £50 million national investment across NHS 111.

We continue to work closely, in terms of additional resources and system pressures, with the ambulance trusts in the south-west and across the country. I am grateful to my hon. Friend for highlighting this hugely important issue. Her constituents are lucky to have her representing them in this place. I will continue to work with her and other right hon. and hon. Members, and the system, to deliver the improvements that we all wish to continue seeing.

**Mr Deputy Speaker (Mr Nigel Evans):** I, too, welcome Mr Foord to the House on his maiden intervention—if such terminology exists; it does now.

*Question put and agreed to.*

8.10 pm

*House adjourned.*



# Westminster Hall

Wednesday 29 June 2022

[CLIVE EFFORD *in the Chair*]

## Hong Kong Anniversaries

9.30 am

**Sir Iain Duncan Smith** (Chingford and Woodford Green) (Con): I beg to move,

That this House has considered the anniversaries of the handover of Hong Kong and the implementation of the National Security Law.

It is a pleasure to serve under your stewardship, Mr Efford. I shall try to keep my remarks brief, but as a politician you know what that means.

Today's debate is very important. It is important because we need to recall the plight of those in Hong Kong who were guaranteed under a treaty that their system would pay attention to the nature of how they had been previously governed under the UK, that their freedoms, to a greater or lesser extent, would be respected, and that there would be proper free and fair elections, yet that treaty, having been signed—fully agreed by both parties, China and the UK—has completely broken down.

A little background here is important. On 1 July 1997, Hong Kong was handed over to China by the UK, under the conditions set out in the 1984 Sino-British joint declaration. The joint declaration provides for fundamental rights, a high degree of autonomy, and one country, two systems in Hong Kong. The People's Republic of China has stated since 2014, however, that the treaty has no further legal effect, while the document remains binding, in essence, in operation. The UK Government have declared the PRC as being "in a state of ongoing non-compliance with the...Joint Declaration". As co-signatory to the treaty, the UK absolutely has the legal and moral responsibility to act in defence of a treaty that it signed and which was agreed.

The UK Government have declared there to be an ongoing breach of the Sino-British declaration, but we have not done much—we have not done enough—to hold China and the Chinese to account. I welcome some issues being resolved, such as the British national overseas passports scheme, which has opened a pathway for more than 100,000 Hongkongers to move to the UK and is a generous offer, but that is ultimately a humanitarian operation, not an accountability mechanism.

I welcome also the Government's move to extend the BNO scheme to those born after 1 July 1997, following a campaign involving many who are here today. That means that many young pro-democracy activists will be eligible for the scheme. Many others around the Commonwealth—I think of Australia and a number of others—have opened their doors to those people should they wish to stay much closer to Hong Kong.

From 1 July 2020 to 28 March 2022, 183 individuals were arrested for alleged national security crimes. I have here a list of all those people. I am not going to read out all their names, but I might selectively look at a few, particularly Jimmy Lai and others, who have been appallingly treated.

Most of the arrests were related to the national security law, but some were for other crimes, such as so-called sedition. More than 50 civil society groups have been disbanded, and in June 2021 police arrested five senior executives from *Apple Daily* for alleged collusion with foreign forces. The media outlet, which was fair and free, was forced to close the same week. Prosecutors later affirmed that the arrests stemmed in part from apparent editorials published in *Apple Daily* calling on western countries to impose sanctions on Hong Kong officials.

In December 2021, the Hong Kong authorities arrested editorial staff of Stand News, citing conspiracy to publish seditious materials under the Crimes Ordinance. On the day of the arrests, Stand News announced its immediate closure. Prominent figures such as Jimmy Lai and Joshua Wong were arrested and charged under the national security law.

Arbitrary detention has taken place. Through the denial of bail in the vast majority of the related cases, the Hong Kong Government have created a system of de facto long-term detention without trial. On 28 February 2021, the authorities charged 47 politicians and activists over their role in organising a primary election in advance of Legislative Council elections in July 2020. Almost a year and a half later, most of those charged individuals remain in jail awaiting trial.

The truth is that the UK has a treaty responsibility to hold accountable those in power who are the perpetrators. That includes our own citizens who have aided and abetted the crackdown in Hong Kong. I am thinking in particular of senior British police officers who oversaw the use of indiscriminate tear gassing of peaceful pro-democracy protesters, and the same individuals who were in charge of detention facilities where violence and, we believe, even torture have been carried out against young Hongkongers. Think about that: British citizens involved in such levels of abuse.

Organisations campaigning on this issue have compiled an incredible dossier on the actions of the Hong Kong Government and the many abuses that have taken place. Once that dossier is complete, colleagues and I intend to submit it directly to the Government, with recommendations for further actions to be taken against those responsible. I expect that we will receive a very clear answer.

**Ms Nusrat Ghani** (Wealden) (Con): I congratulate my right hon. Friend on securing this important debate. Does he share my concern that, unless the Government are forthright in showing how they will protect press freedom, all the content we have will disappear even further? We owe thanks to Hong Kong Watch and the Inter-Parliamentary Alliance on China for gathering that information. It is incredibly dangerous for people to speak the truth, in or outside Hong Kong, for fear of arrest and abuse.

**Sir Iain Duncan Smith:** My hon. Friend is absolutely right. Our thanks go out to Hong Kong Watch, the Inter-Parliamentary Alliance on China and other groups that have facilitated this debate. My hon. Friend is sanctioned by the Chinese Government, as I am, for our concerns over the Uyghurs and the abuses in Xinjiang, and because of our complaints about what has happened in Hong Kong. She is right to raise the point that the Government need to do much more, which I want to come to in a minute.



**Graham Stringer** (Blackley and Broughton) (Lab): The right hon. Gentleman is making an excellent point about the individuals involved. Does he agree that HSBC, headquartered in London, is a business that regularly breaks the law? It is the money-laundering choice for a number of illegal operations and has been fined three times. HSBC is not only involved in Xinjiang, but in Hong Kong it has frozen the accounts of individual protesters—people who were trying to restore democracy in Hong Kong. Does he agree that the Government could do more to influence or control that dreadful bank?

**Sir Iain Duncan Smith:** I am grateful to the hon. Gentleman, because that is correct. I had clashes with HSBC when it froze the accounts of those who had fled Hong Kong under the Government schemes. The same applies to Standard Chartered. HSBC's answer was that it has to obey the law. My answer to the bank is, "You are headquartered in London. You take advantage of the freedoms in London, yet you behave like a brutal part of the Government in Hong Kong in obeying their every whim. You cannot ride both horses." Those who take advantage of our common law purpose and the rights that exist in London need also to obey the norms of how those things came about and how they are operated. The hon. Gentleman is absolutely right. The abuses of those banks are shocking and the Government should pay attention. I was going to raise that appalling situation, but now he has done.

On other issues, I welcome the Foreign Secretary's support for the withdrawal, finally, of serving UK judges from the Hong Kong Court of Final Appeal. I was surprised that we had to campaign for that at all, and that judges, whose responsibility in the UK is to arbitrate fairly in disputes in a democratic country under the rule of law, should so position themselves in Hong Kong while arbitrary detention was taking place, and carry on earning a living while serving in the UK. I am enormously pleased that that has now come to an end.

The President of the Supreme Court, Lord Reed, has agreed that High Court judges will no longer act in Hong Kong, but retired judges continue to do so. He said:

"the judges of the Supreme Court cannot continue to sit in Hong Kong without appearing to endorse an administration which has departed from values of political freedom, and freedom of expression".

We obviously welcomed that decision, even though it was overdue, but I would have thought that retired judges were bound by much the same principle. If the Supreme Court has reached the opinion that its judges can no longer appear to act with an Administration who have departed from the values of political freedom and freedom of expression, how is it that retired judges, who are meant to be bound by the same principles, can in all honesty look themselves in the mirror and say, "That's all right, but we are different"? I appeal to them today, for the sake of all those who are being traduced, arrested, tortured and dealt brutally with: it is time for us to show the world that the legitimacy of the legal system in Hong Kong is no longer. I understand that they have defended their decision, and I am not going to go through the details, but we must now call time on it.

What should the UK be doing? This is important: we should implement individual sanctions against Hong Kong officials who are responsible for the crackdown

on civil liberties in Hong Kong. The UK is yet to impose sanctions on any Hong Kong official, which is astonishing given the fact that we had a joint requirement to see fairness. We see it trashed, yet we have done nothing about those who are clearly and obviously guilty. Here is the irony: the USA has done exactly that, and it did not have the same responsibilities that the UK Government had. The outgoing Chief Executive, Carrie Lam—sanctioned. The incoming Chief Executive, John Lee—sanctioned. Seven officials of the Hong Kong special administrative regions—sanctioned. That is Teresa Cheng Yeuk-wah, Xia Baolong, Zhang Xiaoming, Luo Huining, Zheng Yanxiong, Chris Tang Ping-keung and Stephen Lo Wai-chung—they have all been sanctioned by the US Administration. I ask my right hon. Friend the Minister: why have we not done the same? Should we not be leading the USA and others, rather than be following them? Bold action and a bold answer are required.

The Government should conduct an audit of assets belonging to Chinese and Hong Kong officials held in the UK. A recent Hong Kong Watch report states that 11 Hong Kong officials and legislators own property in the UK. We have already established over time, and particularly since the Russians invaded Ukraine, the level of abuse that has taken place in the UK property market. We are now at last bearing down on that, and sanctions are moving, yet for Hong Kong, where people have been abusing the system for some time, we have still not carried out the audit that has been requested.

The Government should further scrutinise and limit the export of surveillance technology to Hong Kong. Following the outbreak of protests in 2019, I welcomed the announcement that the British Parliament would stop issuing export licences for crowd-control equipment to Hong Kong and announced the extension of the arms embargo on Hong Kong. However, technology that can be used for surveillance, such as facial recognition, closed circuit camera systems and technologies fuelled by the mass collection of personal data, can still be exported if they do not fall under the scope of existing legislation. That needs to be shut down immediately.

We must introduce "know your customer" and due diligence requirements for entities that produce surveillance technology. I understand that a local branch of the UK company Chubb has been providing surveillance products and services to detention facilities in Hong Kong that have been involved in the inhuman treatment of detainees. The reality is that it is in our power to act, and I do not understand why we are so resistant. Surely it is the decent thing to do.

**Ms Ghani:** My right hon. Friend is making an incredibly important point. Would he, like me, like to hear from the Minister about why we have not responded to the biometrics and surveillance camera commissioner, who has raised concerns about contracts not only here but in Hong Kong and mainland China, in particular about the contracts with Hikvision, which we know is involved and complicit in the abuse of Hongkongers and Uyghurs?

**Sir Iain Duncan Smith:** I am grateful for that intervention because I was coming to that, and my hon. Friend is right to prompt me. The commissioner has made it very clear that Hikvision is a security risk. It is used for abuse not just in Hong Kong but in the wider region, for

the detention, genocide and slave labour of the Uyghurs, and there are plans and applications for Tibetans, Christians and others. We have highlighted endlessly with the Government how Hikvision cameras are being implemented in many prisons and detention facilities around China, particularly in Hong Kong, so why in heaven's name are Government Departments still using it?

I have here a list of my parliamentary questions to each Department about how many cameras each of them holds and whether they will get rid of them. Of all the Government Departments, two have responded openly. One is the Department of Health and Social Care, which says it will eradicate them, and the second is the Department for Work and Pensions, which responded in a similar way. Every other Department has fallen back on the same phrase, saying that they do not respond to matters that are security risks. Well, the only security risk is the Departments themselves and it is high time they responded. Today I am FOI-ing every single one of those Departments. They need to respond immediately to say what they are doing and why they have not done it yet.

I also want the Government to implement “know your customer” and due diligence requirements on entities that facilitate the violation of human rights. Joint ventures with Chinese entities that develop surveillance technology should stop. There are at least 18 research partnerships with Huawei and CloudWalk in the UK. Let us for a second touch on Huawei, a company involved in the surveillance of the Uyghurs in the Xinjiang arena. It has partnered with a number of UK academic institutions, including King's College London, the University of Cambridge, Barking & Dagenham College, University College London, Queen Mary University, the University of London and the University of Edinburgh. I understand there are more, but I will not detain the House much longer on that.

Huawei was banned from our telecommunications systems because it was deemed a security risk, yet it has its headquarters in Cambridge, where it is busy funding all sorts of programmes, many of which have security links. Honestly—what other country in the world would allow that to happen? Good gracious me! Bits of Government need to start talking to each other and asking a simple question: why is Huawei still here if it is a security risk? What is it doing subverting our universities? I am deeply concerned about all the levels of security equipment—I have talked about Hikvision and others—that are busily working away not in the interests of the UK, and there are plenty more.

The UK Government now have to act. There is so much more that they could and should do. They should lead the rest of the world and not follow the actions of those who abuse human rights. They have a treaty obligation to uphold. I call on the Government today, as we commemorate the disaster that is taking place in Hong Kong now, to be bold and brave and to take action. That is what we owe those decent people that have put their trust in us. Sadly, it appears we have failed them.

9.49 am

**Margaret Ferrier** (Rutherglen and Hamilton West) (Ind): It is a pleasure to serve under your chairmanship, Mr Efford. I congratulate the right hon. Member for Chingford and Woodford Green (Sir Iain Duncan Smith)

on securing this incredibly important debate on an issue that I know he feels very strongly about—he has shown dedication in raising it in this House—and I congratulate him on a superb speech.

This Friday will mark 25 years since Hong Kong's sovereignty was transferred to the People's Republic of China. The world is quite a different place from how it was in 1997, and in many ways that is a positive thing. Unfortunately, in Hong Kong, there is a concerted effort from the PRC to force the region to regress.

June is another, more recent anniversary in Hong Kong: it is two years since the introduction of the highly undemocratic national security law. That law, intended to clamp down on pro-democracy activism, has no place in the modern world. It is intentionally vague and open to misinterpretation. Its desired effect is to ensure that activists, dissenters and critics of the Chinese state are too afraid to continue fighting the good fight and to speak up for Hongkongers' human rights. It is a façade intended to create the illusion of legitimacy and law and order, but in reality it is a mechanism for exerting the control of the totalitarian PRC.

The PRC has extended its reach so far that the law even says that it applies to anyone and everyone, no matter where in the world they live, and regardless of whether they are even a Hong Kong citizen. I understand that the Hong Kong authorities have attempted to apply the law outwith the borders of their authority, in order to try to arrest activists living abroad. The law's official punishments would be excessive, even if it had been legislated in good faith. The reports of citizens being subjected to torture and maiming under the new laws are frightening. Living under that constant threat must be overwhelming and exhausting.

The “patriot only” election system, implemented and controlled by Beijing, is an affront to democracy and the joint declaration, which, as a key negotiator and signatory, Britain has a moral duty to ensure is upheld. Hong Kong's new Chief Executive, John Lee, elected through a process that can barely be described as an election, has set out a worrying legislative agenda—an agenda that will see Hong Kong slip further and further away from the pursuit of democracy.

In fairness to the UK Government, they have responded in several ways to the breaches of the declaration. The one on which I will focus is the British national overseas—BNO—visa. Along with many others, I wholeheartedly welcome the visa. It is absolutely right that we offer sanctuary to Hongkongers fleeing human rights abuses and oppression.

That said, there is always room for improvement. A huge number of the people who have protested against the system are young—18 to 23-year-olds—and are at great risk of political persecution. The Under-Secretary of State for the Home Department, the hon. Member for Torbay (Kevin Foster), who is responsible for immigration, announced a few months ago forthcoming further changes to the scheme, allowing those born after July 1997 and with a BNO parent to apply. I hope that the change will allow some of that cohort to take up the scheme. However, I worry that those young people will still need to meet the other, financial requirements of the visa. That will be a significant hurdle for them because of their age and the persecution that they face at home. I also worry about those young people who are without a BNO parent and so are

[Margaret Ferrier]

ineligible for the scheme despite sharing those circumstances. Although I of course appreciate the lower fee for the visa, the immigration health surcharge is no small sum—in fact, it is huge. It is a significant obstacle for low-income citizens who may desperately need to leave Hong Kong.

I have in the past been critical of the Government's approach to asylum policy, but I urge them to look closer at this matter. The BNO scheme is, when we look at intent, about asylum from persecution, but it is dependent on relative affluence, and it leaves a large group of vulnerable citizens without a route to safety in the UK. I reiterate that as a signatory to the joint declaration, we have a responsibility here.

For those who do get to the UK under the BNO scheme, further flexibility is needed around access to further education and adult training. There will still be challenges to overcome for those people, but they can access those training opportunities only once they have been in the UK for three years. Allowing them to access that support earlier would allow them to integrate into British society faster and flourish a little easier.

The bigger picture in all this is China's growing assertiveness and lack of respect for international treaties and territorial sovereignty. We see that in the growing tensions with Taiwan, too. That country has also openly offered refuge for Hongkongers. That move has not been an easy one to choreograph; in fact, Hongkongers who have relocated to Taiwan have been asked to keep a low profile. There are the dual priorities of offering a home to pro-democracy activists and not antagonising Beijing.

Given the consequences they face, so many Hongkongers have shown an immense amount of courage in their campaign for respect and freedom. I hope that we will see some autonomy and democracy in Hong Kong not too far in the future. I hope that the Minister can shed light on the Government's plans to support that. Perhaps that plan will involve consequences for China, in the form of meaningful sanctions, to show Beijing that we stand with Hong Kong and support its right to a democratic future.

9.55 am

**Jim Shannon** (Strangford) (DUP): First, I congratulate the right hon. Member for Chingford and Woodford Green (Sir Iain Duncan Smith) on his contribution and his commitment to this issue—something that has been noticed by all of us in the Chamber. He has the fearless courage to highlight the issues on behalf of the people of Hong Kong, who just want the freedom and liberty that we have. That is not too much to ask, but it seems to be a big challenge. I commend the right hon. Gentlemen for all that he has done and continues to do.

This is an important debate. Many years on from the attempt at peaceful withdrawal, Hong Kong has been thrown into years of coercion and protest caused by Chinese political aggression. It is great to be able to discuss those issues; I wish we could be more positive—my nature is to be positive—but there is so much to be negative about with China that it is hard to find anything good to say about it. These issues impact on the UK, and the UK has an immense responsibility to help the situation in Hong Kong. We have the opportunity to help, but we do not seem to have done that, as the right

hon. Gentleman said. His freedom of information requests will no doubt get to the bottom of what is going on—I look forward to the replies.

Since the new security law was passed by the People's Republic of China in 2020, there have been increasing moves by the Chinese Government to remove all autonomy from Hong Kong. As everyone will know, I am the chair of the all-party parliamentary group for international freedom of religion or belief; I despair when I think of all the things that happen in China, and how that is impacting Hong Kong. China suppresses human rights, religious belief and opportunity.

As the right hon. Gentleman said, China is involved in the persecution of Uyghur Muslims, and of Christians, who have their churches damaged or destroyed. Christians are policed by the secret police if they attend church; the secret police sit in the church and take notes of who is there and what is said. Members of Falun Gong, who I have a particular interest in, have had their organs commercially harvested over a number of years. They are a small religious group who have a right to worship their god as they wish. I would stand up for that.

The same China that did those terrible things is now turning the screw and putting the boot into Hong Kong. It is understandable why we feel aggrieved to have to have this debate. China stands condemned in the world, alongside North Korea. Both countries are part of an axis of evil. They are a trio—or add Iran and make it a four—of nations that are a danger to the very existence of the world.

The 2020 national security law allowed for the complete override of Hong Kong's Legislative Council, and completely downplays Hong Kong's right to democracy. That is against the agreement the United Kingdom signed with China some years ago. There were extreme concerns about the 2019 local elections, where 82 out of the 90 seats went to pro-China candidates, with a turnout as low as 32.8%. That is astonishing. There was a term used in Northern Ireland many years ago: gerrymandering. I think there was the Chinese equivalent of gerrymandering in that vote. It has shown China's clear disregard for the one country, two systems principle that was installed in 1998.

The law has been abused since day one of its implementation, and it can mean virtually anything in terms of national security. In other words, whatever the Chinese think national security is, it is. Whether the legislation stands up to international law is immaterial to China. It has the potential to apply anywhere on the globe, meaning that vocal criticism of China anywhere is a crime.

The right hon. Member for Chingford and Woodford Green referred to the influence of this United Kingdom, and the things that we should be doing that other countries have already done. As the hon. Member for Rutherglen and Hamilton West (Margaret Ferrier) said—it is always a pleasure to follow my dear friend—the United Kingdom has been left with tough decisions to make, and has been unable to take much action. However, we have proved to be instrumental by extending our BNO visa scheme, which the hon. Lady referred to. It provides opportunity, but it perhaps needs some help to make it work better. The scheme covers Hong Kong residents who were born after 1997. This Government have provided a lifeline for those who desperately need to get away from Chinese interference. I ask the Minister:



how many people have taken up the BNO visa scheme? How many have applied, and how many have actually got here? That would be an indicator. I am not putting pressure on the Minister; I am just keen to find out how the scheme is working.

I can sympathise with those in Hong Kong. Some may say those with British identities living in Northern Ireland, where I have lived all my life, have similar feelings. They often feel that they have had their culture threatened by the words and actions of republicans. Politically, culturally and electorally, China has picked away at Hong Kong piece by piece, encouraging pro-democracy protests and then retaliating with violent crackdowns. That has resulted in 47 defendants being convicted of sedition, which is shocking given that nobody else has been jailed for sedition since 1997. The right hon. Member for Chingford and Woodford Green named some of those who have been directly impacted. He was right to do so, because it is important that we find a way to help those who have stood for freedom, liberty and democracy.

There is an overwhelming sense of terror—I use that word on purpose, because that is what I believe it is—for Hong Kong nationals, as the law is so coercive. They have no idea how it might affect what they can or cannot do next, because there are no parameters for how China can enforce the law against those from Hong Kong. The smallest comment or action will be seen as an act against national security. The right hon. Gentleman has been instrumental in voicing concerns about China's aggression, and he is right to do so.

For a start, we must ensure that we have the correct facilities to make sure that China cannot stop Hong Kong nationals coming to the UK on a BNO visa. We should also take measures similar to our complete boycott of the Beijing Olympics, given our concerns about the appalling human rights situation. If we cannot directly support Hong Kong through action, we have the power to do so indirectly through sanctions against China. While other countries have taken some steps on sanctions, we have not. I feel that we are letting the side down and, more importantly, we are letting the people of Hong Kong down, and we should be doing better.

China poses a real threat to this world, along with North Korea, Russia and Iran, and we cannot ignore that axis of evil when those countries are determined to do anything. They will go to whatever lengths, so we need to be strong in our response. We have seen the lengths to which those four countries will go to show their powers of coercion. They remind me of the insatiable appetite of a crocodile, because they just want to keep on eating. We cannot allow their ability to produce technological goods and sufficient trade to cloud the abuses they often enforce on other states, especially those that are most vulnerable, such as Hong Kong. We have seen the influence of China in Africa. There is probably not a country in Africa where China is not involved or helping financially in some way, but there is a price for that help, and we need to step up to the mark in the countries where we have influence across the world.

I urge our Government and the West to come together as a force against the cruel nature of China. Our resources are limited, but we should use the means we have to do more to help process visas efficiently, and we should be vocal in our defence of Hong Kong. Today's debate is a way to make that happen, and we are deeply grateful to

the right hon. Member for Chingford and Woodford Green for initiating it. China has been engrossed in human rights violations for years, and Hong Kong is now subject to those violations. We cannot continue to allow the people of Hong Kong to walk on eggshells. For that reason, I support the calls from the right hon. Member for Chingford and Woodford Green and the hon. Member for Rutherglen and Hamilton West. I look forward to hearing from the Front Benchers, the hon. Members for Leeds North East (Fabian Hamilton) and for Argyll and Bute (Brendan O'Hara), who I know will endorse what we have said, and to hearing the Minister's response.

10.5 am

**Brendan O'Hara** (Argyll and Bute) (SNP): It is a pleasure to see you in the Chair, Mr Efford. I too begin by thanking the right hon. Member for Chingford and Woodford Green (Sir Iain Duncan Smith) for securing the debate. I thank the hon. Members for Rutherglen and Hamilton West (Margaret Ferrier), and for Strangford (Jim Shannon), for their contributions, too. I will also put on the record my sincere thanks to Hong Kong Watch and the International Federation of Journalists for what they have done and continue to do in defending human rights and the freedom of the press in Hong Kong.

Although not hugely over-subscribed, today's debate has been very well informed. It has united Members from all sides of the House in support of the people of Hong Kong, their democratic institutions and the fundamental human rights they have enjoyed for many years, including freedom of speech, a free press, the right to free assembly, the right to strike, freedom of travel, freedom of association and, of course, freedom of religion or belief.

As we have heard from hon. and right hon. Members, those fundamental rights—personal and political freedoms that were guaranteed to the people of Hong Kong—are being systematically undermined and dismantled by the Chinese state. The right hon. Member for Chingford and Woodford Green was right to bring up the 1984 Sino-British declaration, in which the people of Hong Kong were promised that they would enjoy a high degree of autonomy for 50 years following the handover, and that during that period only foreign affairs and defence would be the responsibility of the Government in Beijing. Indeed, the declaration went much further. It legally enshrined the doctrine of the one country, two systems approach, which guaranteed that the social and economic environment and the lifestyle of Hongkongers would remain intact and unchanged for half a century beyond 1997.

This year—almost to the day—marks the halfway point of those 50 years, but already those legally guaranteed freedoms and basic human rights that Hongkongers were assured would remain are becoming a distant memory. Sadly, Lord Patton's famously optimistic line that "Now, Hong Kong people are to run Hong Kong" could not be further from the truth.

It will come as no surprise to anyone that the SNP will always support democratic demands for self-determination, not just for ourselves but for people around the world. We believe that the people of Hong Kong must be free to democratically choose their own Government, and that Government must act in the

[Brendan O'Hara]

interest of the Hong Kong people. While we recognise that the 1997 handover was an important step in global decolonisation, we deeply regret that—contrary to what it promised to the people of Hong Kong, and in the face of a legally binding international agreement—the Chinese Communist party is reneging on its end of the deal. As we have heard from all speakers, over the past 25 years, we have seen the steady erosion of the personal and political freedoms that Hongkongers were guaranteed, and the hasty assimilation and integration of Hong Kong into the Chinese mainstream by the Government in Beijing.

While in recent years we have witnessed the clamping down on any form of pro-democracy movement in Hong Kong, things have deteriorated significantly in the past two years since the introduction of the national security law, which is little more than a full-on attack on the rights and freedoms of Hongkongers. It completely dismantles the one country, two systems framework and deliberately creates doubt and ambiguity in the minds of the people of Hong Kong as to whether what they are doing and have always done could be considered a crime. As the hon. Member for Rutherglen and Hamilton West said, the Chinese Government have done that by introducing deliberately vague and undefined changes into the Hong Kong legal system, which would see advocating for secession, being involved in what they define as terrorism, subverting state power or colluding with a foreign political force punishable by between 10 years to life in prison.

Of course, the big problem with that is that the only people who know what the law means are those who make it, and no one is really clear what actually constitutes an offence that would “endanger national security”. The hon. Member for Strangford was right to say that Hongkongers live in a world in which they have no way of knowing if the things they may have done routinely in the past, the ideas that they may have expressed, the words that they may have written down, and the meetings that they would normally attend now constitute a criminal offence that leaves them at risk of prosecution, deportation or imprisonment on the Chinese mainland. That is exactly what the national security law was designed to do. That is why Amnesty International described it as, “another example of a government using the concept of ‘national security’ to repress political opposition, with significant risks for human rights defenders, critical media reporting and civil society at large.”

Sadly, it has had the desired effect, with dozens of civil society organisations and trade unions now disbanding, including the Hong Kong Confederation of Trade Unions, the Civil Human Rights Front and the Hong Kong Professional Teachers' Union. At the end of last year, fearing reprisals, Amnesty International also closed its office in Hong Kong.

China's placemen in Hong Kong now have this draconian legislation to create a climate of fear among the population, which they can use against anyone who dares publicly challenge the official narrative. As if to prove that the national security law was not a scare tactic to silence China's critics, as the hon. Member for Strangford reminded us, in January 2021 almost 50 pro-democracy activists were arrested and charged with sedition, purely for attending and organising a primary election to run candidates for Hong Kong's Legislative Council.

Later that year, the police raided the office of the pro-democracy *Apple Daily*, as the right hon. Member for Chingford and Woodford Green said, and arrested its editors for violating the national security law. They froze its bank accounts and, shortly afterwards, the paper closed down its website and social media before announcing its complete closure. Of course, the regime was always going to move against the independent press—that is what authoritarian Governments have always done—but the speed at which it moved against what was once a beacon of press freedom in Asia has been remarkable.

Since the national security law came into effect, 20 journalists and freedom campaigners have been arrested, and a dozen media workers and journalists are currently facing charges or awaiting trial, while others have fled Hong Kong and are now in exile. The Hong Kong police have even introduced a new definition of what it is to be a journalist—effectively imposing restrictions on freelance reporters, online journalists, student journalists and citizen journalists.

That climate of fear has also spread to the creative industries, with authors, publishers, filmmakers and artists all now self-censoring, for fear of crossing those invisible lines that would constitute a breach of the national security law. In short, the national security law has not only accelerated the dismantling of the free press in Hong Kong, but curtailed artistic freedom and put a straitjacket on civil society, while the personal liberty and fundamental political rights of the people of Hong Kong diminish by the day. It is a grim situation, and sadly there is no prospect of it getting better any time soon.

The SNP believes that the UK has a unique responsibility to help and protect the people of Hong Kong. We welcome the 90,000 applications to access the BNO route since its introduction, but there must be more that we can do to assist the 1.3 million Hongkongers who are not covered by that scheme. What conversations is the Minister having with the Home Office about finding a solution that would help those people, particularly—as my hon. Friend the Member for Rutherglen and Hamilton West said—those young people who have bravely stood up against the regime? What can we do to help them?

Last month, Hong Kong Watch published a report showing that nine Hong Kong officials and around a dozen members of Hong Kong's “patriots only” legislature and their families have property overseas, including here in the UK. Will the Government commit to undertaking and publishing the results of a full audit of the UK assets held by Hong Kong and Chinese officials who are linked to human rights abuses?

At exactly the same time as the national security law was being introduced, the UK Government announced new Magnitsky-style sanctions to target those who have been involved in the gravest human rights violations and abuses. I add my voice to those here today who are equally bewildered—why has no human rights-violating Hong Kong political official been put on those Magnitsky-sanctions by the UK Government?

10.15 am

**Fabian Hamilton** (Leeds North East) (Lab): It is a pleasure to serve under your chairmanship this morning, Mr Efford. I thank the right hon. Member for Chingford and Woodford Green (Sir Iain Duncan Smith) for securing

this important debate, and for his consistent and unrelenting support to the Hong Kong people, which he knows is shared across the House and very specifically by my own party.

The right hon. Gentleman opened the debate in his usual very plain and emphatic style by talking about the treaty that guaranteed the freedoms of Hong Kong residents and should be respected—the one country, two systems policy—and which is of course no longer respected by the Chinese and Hong Kong authorities. He said clearly, and he is absolutely right, that the UK has a moral duty to uphold the treaty, but has not done nearly enough. The passport scheme, he said, has helped 100,000 Hong Kong residents. Many have come to my constituency and have been welcomed by the churches and the community organisations. I have been invited to meet them, which was interesting but very sad; they had to give up everything they knew in the place where they grew up.

The right hon. Gentleman said that young pro-democracy activists are now eligible for residence in the UK. That has to be an improvement on the current situation, but we have a responsibility to hold to account those who have used violence against pro-democracy campaigners in Hong Kong.

The right hon. Gentleman rightly welcomed the Foreign Secretary's support for the withdrawal of UK judges from Hong Kong, but he and many others had to campaign for that. He rightly expressed his concern about the position of retired UK judges who remain in Hong Kong. I hope that the Minister will be able to answer that question, which was so expertly put by the right hon. Gentleman.

The right hon. Gentleman—and other hon. Members, including the hon. Member for Argyll and Bute (Brendan O'Hara), who spoke for the Scottish National party—said that the UK Government should implement sanctions on those Hong Kong officials involved in the clampdown. None has yet been sanctioned. Why not? As the right hon. Gentleman said, the US Administration have sanctioned those individuals, so why have we not? I hope we will get an answer from the Minister shortly.

We heard from the hon. Member for Rutherglen and Hamilton West (Margaret Ferrier), who reminded us that it was two years ago this month—30 June, tomorrow—that the national security law was implemented in Hong Kong, and it has, of course, radically changed the dynamics of the city. British national overseas visas are strongly welcomed, but the hon. Member for Rutherglen and Hamilton West is concerned about the cost. That is a really good point and I hope the Minister will be able to respond. The hon. Lady said it was dependent on family affluence, which it should not be; it should be entirely dependent on the need and level of persecution that those individuals face in their native city of Hong Kong.

Taiwan, the hon. Lady said, has offered sanctuary to Hong Kong dissidents, but Taiwan is in a precarious position, as we all know, and will have to be very careful. She said that Taiwan had asked Hongkongers who have sought sanctuary there to keep their heads down. That is a very sad situation, but at least they are safe for now in Taiwan. We thank the Taiwan Government very much. The hon. Lady also said that meaningful sanctions must be used against those who are persecuting democracy activists in Hong Kong.

We then heard from the hon. Member for Strangford (Jim Shannon). It is lovely to see him today, and I saw him yesterday at this time during a debate on freedom of religion or belief. The hon. Gentleman said that there is so much negativity about China. I know him well, so I know that he always tries to see the positive and the good in everybody, and he wishes he could be more positive about China. That is not possible right now. Since 2020, considerable actions have been taken to remove autonomy and human rights from Hongkongers, and he is concerned about the oppression of religious minorities, including the Falun Gong, and of course the Uyghurs. He said that China stands condemned, along with North Korea. That is some condemnation when we think of what North Korea does each and every day, and of what a shocking and appalling system it has. I hope China does not reach those depths, but it seems that it is heading towards them.

The hon. Gentleman said that the 2018 local elections were a travesty of democracy of Hong Kong. He described the BNO visa scheme as a lifeline for Hongkongers, but how many have been granted? Again, I hope the Minister will come back to us on that. As the hon. Member for Strangford and other Members said, there is an overwhelming sense of terror among Hongkongers because they do not know the extent of the national security law or what that legislation does and does not apply to. There is a sense of fear, which autocracies do their best to engender among the people they rule over. China must not be allowed to stop BNO visa holders coming to the UK, the hon. Gentleman said.

Interestingly, in 1984, when the declaration was made and the plan was to hand over Hong Kong in 1997, UK GDP was more than twice the size of China's. The figure was similar in 1997, but today China's economy is more than five times larger than that of the UK. Perhaps that explains the declining importance of Britain and Hong Kong in the eyes of Beijing.

In the debate, we have heard many Members express their views and concerns about the direction of travel in Hong Kong and the ongoing erosion of freedom that has been experienced in recent years, which has finally brought to reality the fears held by many before the handover 25 years ago this Friday after 156 years of British rule. I well remember, as will many other Members, that handover date. I was a new MP, and I remember my friend and colleague, the late Derek Fatchett, who was Minister of State at the Foreign Office, flying to Hong Kong to witness the handover. When he returned to the UK, he told me in detail exactly how that had gone, and his hopes for and optimism about the future once the treaty was fully implemented. Hongkongers would have 50 years to continue to experience the freedom—economically, politically and socially—that they had enjoyed for the last years of British rule.

However, since being first elected in 1997, I have seen the situation in Hong Kong change beyond recognition from those last few weeks as a British colony and the early years of cautious optimism about the freedoms promised to the people of Hong Kong being respected, at least in part—I made my first visit there in 2004—to the awful reality of the last vestiges of freedom and autonomy, long promised to Hongkongers, being all but eradicated by the Chinese Communist party as it pursues an ever tighter grip on the city.



[Fabian Hamilton]

The realities and the impact of the handover 25 years ago were always going to be uncertain and would have taken some considerable time to be realised, but we can now say with some confidence that the Chinese Government have materially and demonstrably broken the international commitments made in the legally binding Sino-British agreement, and that they are barely paying lip service to their own promises, which were made in the years leading up to the handover.

With the passing of the national security law, the sham so-called election of Chief Executive John Lee and his promises of further, rather disturbing legislation, we face the reality that Hongkongers are at the mercy of the long arm of the Chinese state, and have no means to effect real change in their city, or to choose their own leadership, as was always promised.

As the right hon. Member for Chingford and Woodford Green said, even the judiciary, which was long considered the failsafe that would protect Hong Kong's liberties and the rule of law, which the British passed on to the city, has been hamstrung. The decision was not easy, but with reasonable and considered opponents making valid and logical arguments, we also called for the withdrawal of British and Commonwealth judges from the Court of Final Appeal when it became clear that their presence was doing little more than legitimising ever growing intrusion on Hong Kong's liberties, and that the court was no longer able adequately to challenge the status quo. It is no wonder that thousands have fled in recent years to Canada, the United States, Australia, Taiwan and the United Kingdom, following the relaxation of the BNO passport rules, for which my party, among others, has long argued.

Although it is right to extend the hand of friendship and sanctuary to Hongkongers, it is simultaneously disheartening that the great city of Hong Kong is seeing its brightest minds flee Chinese communist control, in a manner reminiscent of the dark days of the cold war in places such as East Berlin. It is certainly a departure from those early days of cautious optimism in 1997, not long after I was first elected, and seven years later when I visited for the first time in 2004, and subsequently in 2006.

The Minister is acutely aware of the House's view on Hong Kong. That will have been reinforced by the feelings expressed in the debate. I will ask her the questions my party has long asked, but which have not yet been answered. Will sanctions be implemented on Hong Kong and Chinese officials so closely involved in the erosion of the city's freedoms? What engagement is she having with international partners on Hong Kong? What steps are being taken to protect the Hong Kong community in the United Kingdom from Chinese Communist party harassment?

It is vital that we work together across the House to protect Hongkongers' fundamental freedoms. Finally, I will quote this:

"The right to peaceful protest is one of the rights China promised to protect as guaranteed in both Sino-British Joint Declaration and the Basic Law."

The Minister said that herself this month; I would like to know what the Government are doing to back that up.

10.27 am

**The Minister for Asia and the Middle East (Amanda Milling):** It is a pleasure to serve under your chairmanship, Mr Efford. I congratulate my right hon. Friend the Member for Chingford and Woodford Green (Sir Iain Duncan Smith) on securing this timely debate and thank him for all the work he does to highlight the erosion of rights and freedoms in Hong Kong. I am grateful to all Members for their contributions, and I hope I will be able to address some of their questions.

The 25th anniversary of the handover of Hong Kong is a really important moment of reflection. On 30 June, 25 years ago, the UK and China both implemented their agreement to transfer sovereignty of Hong Kong peacefully. In that agreement—the Sino-British joint declaration—China promised to preserve Hong Kong's distinct "social and economic systems" and "high degree of autonomy", and the "rights and freedoms" of its people, for at least 50 years. Those included freedom of speech, freedom of the press and freedom of assembly. I will come on to talk about those.

For more than two decades following the handover, those rights and freedoms were broadly upheld, underpinning Hong Kong's prosperity and way of life. Over the past three years, things have changed. China has disregarded its commitments under the joint declaration and Basic Law, and taken deliberate actions that undermine the rights and freedoms that it promised to uphold. The UK is clear that China remains in an ongoing state of non-compliance with the joint declaration.

Tomorrow is not only the 25th anniversary of the handover. As my right hon. Friend the Member for Chingford and Woodford Green said, it also marks two years since the imposition of the national security law on Hong Kong by Beijing. The national security law was imposed in 2020, following mass protests in Hong Kong. Those protests were in response to proposed extradition legislation, which was a move by Beijing to exert increasing control and erode promised rights and freedoms.

The national security law is sweeping in its nature and is a serious breach of the joint declaration. It has been used by the Hong Kong authorities, under the direction of Beijing, to stifle opposition and criminalise dissent. The crackdown that accompanied the national security law and its pervasive, chilling effect has meant that alternative voices in Hong Kong's executive, legislature, civil society and media have been all but extinguished. Independent NGOs, trade unions and human rights organisations that have not been supportive of the Government's agenda have been forced to disband or leave. Direct and unwarranted action against independent media outlets has continued to erode Hong Kong's free press, as we have been hearing.

Most of the legislators who represented Hong Kong's pro-democracy opposition have been detained or have chosen to leave Hong Kong. With Beijing assuming almost complete control of Hong Kong's law-making process, the judiciary is now being required to enforce Beijing's laws and the values they contain. It was against this backdrop that the President of the Supreme Court, in consultation with the Foreign Secretary and the Deputy Prime Minister, decided that it was no longer tenable for serving UK judges to sit on the Hong Kong Court of Final Appeal. I have been asked by Members

from across the House about the non-permanent judges who remain in the court of final appeal who are retired from judicial service. It is down to them to make their own personal decisions on their continued service in Hong Kong.

In terms of arrests—

**Sir Iain Duncan Smith:** My right hon. Friend just touched on the retired judges and then moved on. What is the Government's opinion on the continued service in Hong Kong of those who are not serving judges here? Do the Government think they ought to step aside, or do they have no opinion on the matter?

**Amanda Milling:** I am grateful to my right hon. Friend for his intervention. As I have said, the decision of the President of the Supreme Court in relation to the serving judges was that it was no longer tenable. As for those retired judges, it is for them to make their own personal decisions as to whether they feel they can continue to serve.

**Sir Iain Duncan Smith** *rose—*

**Amanda Milling:** As I say, I think it is a decision for them; but for serving judges, the decision has been made that it is not tenable.

**Sir Iain Duncan Smith:** All I am asking for is a view. I know that the Government cannot direct them, but it is important that Government have a view. The Government had a view about existing judges. Surely the same view must exist in this case, because the same principles are at risk. If that is the case, I urge my right hon. Friend to say when she gets back up: "We think that they ought not to serve, but it is their decision." Could she possibly stretch herself to that?

**Amanda Milling:** I think, by virtue of the fact that the Government supported the decision that it was untenable for serving judges, that that is a clear position from the Government; but it is down to the retired judges to make their own decisions.

Individuals such as Jimmy Lai, Andy Li and Cardinal Zen have been arrested and are facing prosecution. We have spoken out against these arbitrary arrests and raised our concerns with the Hong Kong Government and Beijing authorities, and we will continue to do so.

Many colleagues have raised issues relating to media freedoms. Freedom of the press is explicitly guaranteed in the Sino-British joint declaration and the Hong Kong Basic Law, and is supposedly protected under article 4 of the national security law. We always defend media freedom and the right of journalists to do their job. As the House knows, the UK responded rapidly and decisively to the imposition of the national security law.

Within 20 days, we extended our arms embargo on mainland China to Hong Kong and indefinitely suspended our extradition treaty with it. We also launched the bespoke BNO immigration route, which many Members referred to, to enable British nationals to come to the UK. That reflects our historical and moral commitment to the people of Hong Kong who chose to retain their ties to the UK by taking BNO status at the point of handover in 1997.

I am very pleased to see the hon. Member for Strangford (Jim Shannon) in his place—a Westminster Hall debate would not be quite the same if he were not present—and I will address his specific questions about numbers. Since the launch of the route, the UK Government have approved more than 110,000 applications from BNO passport holders to live in the UK. As of 31 March 2022, there have been 123,400 applications, and 113,742 have been granted. We have helped those who have moved here to integrate fully and feel safe in their communities, including by providing about £43 million of support through the welcome programme.

The hon. Member for Leeds North East (Fabian Hamilton) and others touched on international engagement. The UK has spearheaded international efforts to call out China's systematic undermining of Hong Kong's rights, freedoms and autonomy, and to raise wider human rights concerns. Yesterday's G7 leaders' communiqué called on China to honour its commitments made in the joint declaration and the Basic Law, which enshrine rights, freedoms and a high degree of autonomy for Hong Kong. That follows the selection of the new Hong Kong Chief Executive in May. Alongside G7 partners, we called on China to act in accordance with the joint declaration and other legal obligations. A global diplomatic effort by the UK helped to secure the support of 47 countries for a further critical joint statement on Xinjiang, Hong Kong and Tibet at the UN Human Rights Council. The Chinese and Hong Kong authorities can be in no doubt about the seriousness of our concerns and those of the international community.

Nearly everyone, if not all Members, including my right hon. Friend the Member for Chingford and Woodford Green, mentioned sanctions. I noted the report issued by Hong Kong Watch in April, and I recognise the strength of feeling in this House about Hong Kong. Some Members believe that we should impose sanctions on those involved in the erosion of rights and freedoms in the city. The Global Human Rights Sanctions Regulations 2020, introduced by this Government, enable us to sanction individuals responsible for serious human rights violations, although it is not appropriate for me to speculate on who may be designated under the sanctions regime, as that could reduce the impact of the designations. I assure the House that we keep all potential designations under close review, and we are guided by the evidence and the objectives of our sanctions regime.

**Sir Iain Duncan Smith:** I am grateful to the Minister for addressing that part of the debate. What does she believe the United States knows, and we do not, about the individuals it has sanctioned? Why is it that, as a co-guarantor of the treaty, we have not sanctioned a single person responsible for these abuses? Will she answer those two questions, even if she is not prepared to say whether we will sanction anybody?

**Amanda Milling:** I am aware of the US sanctions, and I assure the House that we keep the sanctions, the evidence and potential listings under review. I cannot speculate here today on future sanctions and designations, because that would reduce their impact.

**Fabian Hamilton:** I absolutely and fully understand why the Minister cannot speculate about individuals, but will she reassure Members that she will keep the use of those sanctions as something that could be introduced if the situation gets worse?

**Amanda Milling:** I reassure the House that we keep all the evidence under review for possible future designations. I am not going to speculate, but right hon. and hon. Members should be reassured that we keep everything under very close review.

**Brendan O'Hara:** What evidence would the Government require, that they do not currently have, that human rights are being abused and fundamental rights undermined in Hong Kong?

**Amanda Milling:** As I said, the sanctions regime enables us to sanction individuals responsible for human rights violations. I am not going to speculate, but I reassure the House that we take this matter seriously and keep it under very close review.

The hon. Member for Blackley and Broughton (Graham Stringer) is no longer in his place, but he made a point about businesses. The Government monitor the operation and function of the financial sector and its participants on an ongoing basis, across a wide range of matters, but it is for the businesses themselves to make their own judgment calls. We do not comment on individual companies.

China's increasing international assertiveness and the growing importance of the Indo-Pacific will be among the most significant geopolitical and geoeconomic shifts of the 2020s. It is precisely because we recognise China's influence in the world that we expect China to live up to its international obligations and responsibilities.

As we reach the 25-year anniversary of the handover, our long-standing ties to Hong Kong and its people are just as strong as they were in 1997. We share history. We have enduring cultural, economic and social links. We want Hong Kong to succeed and thrive. This Government believe that the most effective path to long-term prosperity for Hong Kong is through respect for fundamental rights and the rule of law and genuine political participation by the full breadth of Hong Kong's society. We must protect what remains of Hong Kong's unique social, political and economic systems. That is why we will continue to bring our international partners together to stand up for the people of Hong Kong, to call out the violation of their rights and freedoms, and to hold China to its international obligations.

10.43 am

**Sir Iain Duncan Smith:** The reason for the debate was to commemorate the process and the destruction that has taken place since the original signing of the joint declaration, which, as the Minister has said, comes from our cultural, historic ties and our requirement to strengthen those ties. My problem today is that some of

the questions have simply not been answered. What is the issue around Hikvision and Departments? Why are we still engaged with a company that has been declared a security risk? Why will we not get rid of these things? What is happening over Huawei? It is distorting universities by its constant presence and money—it is not alone in that. What about the selling of British-owned, strategic security companies to Chinese companies? Very little is being done about that.

Those are all background issues. The main issue, which simply cannot be answered, is that we are dealing with a Chinese Government that have invaded the South China sea, killed Indian soldiers on their border, and are carrying out a declared genocide in Xinjiang. They use forced labour; they have sold products to the world—which we have bought—made by slave labour. They are persecuting Christians and, as I now understand it, Inner Mongolians. They distort the global trading system, and they are guilty of enormous, as yet unprosecuted, human rights abuses.

That Government is responsible for Hong Kong. In what world would we think that our current complaints carry any weight whatsoever? The persecutions and arrests in Hong Kong of peaceful democracy campaigners are an abomination. However, my Government need to do much more. I simply cannot understand why America can sanction the people who are trashing the agreement, and my Government talk of keeping it under review. Sophistry is what we have got, and it is simply unacceptable. I am sorry that I should be saying this, but the Foreign Office's failure to act is a damnation of its capability. Time and again we tiptoe around those issues instead of confronting them.

Today was an opportunity for my Government to say, "Enough is enough. We are now going to sanction them." There are people who own property here. We had to drag the Government kicking and screaming to start sanctioning over Ukraine—now we have to do it over Hong Kong. Let us stand up for freedom, democracy, the rule of law and human rights. Let us not spend our time worrying about whether we will get a trade contract from a country that is abusive and disgraceful. I did not hear enough today on that; I press the Government to act—and act soon.

*Question put and agreed to.*

*Resolved,*

That this House has considered the anniversaries of the handover of Hong Kong and the implementation of the National Security Law.

10.47 am

*Sitting suspended.*



## NDAs: Universities

11 am

**Clive Efford (in the Chair):** I will call Layla Moran to move the motion and then call the Minister to respond. As is the convention for 30-minute debates, there will not be an opportunity for the Member in charge to wind up.

**Layla Moran (Oxford West and Abingdon) (LD):** I beg to move,

That this House has considered non-disclosure agreements and alleged cases of sexual violence, bullying and harassment in universities.

It is a pleasure to serve under your chairmanship, Mr Efford. At the outset of this debate I want to commend the brave young women who have spoken out about their experiences of sexual assault and harassment. This campaign started with survivors and it is a testament to their courage that it has reached this place today. I start this debate by sharing their words. First is Naomi's story. She said:

"I and several of my friends were involved in a case with a serial offender in my college. He behaved generally creepily towards me, and on one occasion came into a room I was sleeping in. He also assaulted multiple people in College. They confided in me and we decided to report him to our College. We decided to do this rather than going to the police, because we believed College would provide a safe space for us. My friends just wanted to be able to breathe when walking around College, and weren't concerned about getting the guy locked up.

College ran a disciplinary case during which we were all brutally questioned on the truthfulness of our stories. Around three weeks after the hearing, we were informed by email that the panel had found insufficient evidence and wouldn't be doing anything. They did not tell us what would amount to sufficient evidence. The whole process felt deliberately untransparent.

We all signed no-contact agreements, which contained really important safety measures that we wanted in place, but also...a gagging clause. For me, it...felt like the icing on the cake of a ridiculous system that had let us down. The disciplinary process had failed to sanction a rapist, but was threatening us with sanctions if we talked about it. I can see how for other people it could be very damaging."

The sad thing is that Naomi's story is not unique. Another survivor—I will call her Lucy—had a similar experience, but at a different college. After being assaulted by her then partner in her dorm room, she was given a no-contact agreement that included a clause that forbade her from making any information about the assault or the subsequent investigation publicly available. Speaking about the clause, she said:

"I signed it, feeling terrified that if I didn't agree to it he would be able to enter my accommodation without any consequence. But I was incredibly upset about the effective gag clause. I was terrified of telling absolutely anyone anything, because what if college interpreted that as 'publicly available'? I felt I couldn't talk to anyone, my friends or my mental health support or my GP, because of it and felt very alone."

That is not just one story in one college that happened a long time ago, and not just one incident of bad management by a rogue member of staff. That is recent and these stories are rife. From speaking to the student group, It Happens Here, which supports survivors of sexual assault at the University of Oxford, I know that there are survivors in colleges across universities who have all too similar stories.

**Jim Shannon (Strangford) (DUP):** I thank the hon. Lady for securing this debate on something that is often discussed and seen in the papers. It is something that, unfortunately, happens in universities right across this great United Kingdom of Great Britain and Northern Ireland. Does she agree that universities have been aware of the problem and the potential for mischief with non-disclosure agreements for some time now, and yet the necessary safeguarding has not been put in place? Now is the time for the Minister to take the steps that universities have thus far refused to put in place to protect staff and students alike.

**Layla Moran:** I could not agree more. There are now movements in place—I will come to those in a moment—but they are far too slow, and by the time that they come into force all the young women who are affected have moved on.

Gagging clauses have significant emotional and psychological effects on the survivor. Young women who have just suffered a traumatic ordeal are then presented with what looks like a sophisticated legal contract, written by their superiors who control the fate of their degrees. The fact that these contracts are not legally enforceable does not really matter. How on earth can a vulnerable university student know that? I am not sure I would either.

The imbalance of power between the institution and the victim is huge. We must understand that this issue is not with the no-contact agreements themselves. They actually contain important safety and security measures that survivors stressed they wanted in place. Those measures are what makes it all the more challenging to object to the gagging clause. As Lucy said, survivors feel they have no choice but to sign in order to protect themselves.

The perception of a lack of choice and the coercion to sign against their instincts and wishes is the issue I hope to address today. Expecting a young person who is in extreme psychological distress to challenge staff at their university and then seek to renegotiate a contract that contains important safety measures is absurd. We would not expect it of ourselves, and we certainly should not expect it of them.

That is why I have written to all 39 Oxford colleges, asking them to sign this pledge against the use of non-disclosure agreements in the cases of sexual harassment, abuse or misconduct. I am pleased to report that three colleges—Lady Margaret Hall, Keble and Linacre—have now done so. I express cautious optimism that a number of colleges have made their own statements, albeit not signed the pledge. I urge colleges that are reluctant to sign the pledge or have concerns about it to meet me to discuss it.

University is a stepping stone between childhood and adulthood. It is supposed to be a place of safety and security—a home away from home. It is where young people learn how to behave as an adult and how they can expect to be treated. My fear is that these young women are being taught that their voice and their pain is less important than the institution's reputation.

Signing the pledge is a no-brainer, but it should be only the beginning of the work that needs to be done to stamp out this deeply deplorable practice. In my view, the pledge does not go far enough. Students have expressed concerns that colleges and universities will sign up to it

[Layla Moran]

and then sneak clauses into agreements like no-contact agreements and argue that it does not actually constitute a no-disclosure agreement. Clarification on that point from the Minister would be really helpful.

There is also no real consequence of breaking the pledge. Can't Buy My Silence provides a platform to report breaches of the pledge, with the only listed sanction being the removal of the university's name from the list of pledges. I have met with the Office for Students—which comes to the point the hon. Member for Strangford (Jim Shannon) made—to discuss its role in regulating the behaviour of universities and investigating how the sector is to meet the standards set.

I am pleased that the Office for Students recognises that there is more it can do and intends to do on bad behaviour by universities. However, I am concerned that this work is far too slow. I ask the Minister to do whatever she can to expedite this process and get some real regulatory bite behind that statement of expectation. I welcome the steps taken by the Government and the Department for Education. I am pleased that the Minister has backed the university pledge, created by the campaign group Can't Buy My Silence. I welcome her response to my letter earlier this year, especially her offer of a meeting. We are still waiting on that meeting. I wonder if today she could reiterate that offer, so that we might discuss in private some of the details I was unable to give in the debate today. I am sorry to say that I think she will be shocked by them.

Survivors need more than commitments, pledges and statements. They need concrete action. If this is happening in Oxford colleges, it is happening in other universities and other institutions. The Can't Buy My Silence campaign began with Zelda Perkins being placed under an NDA by her then employer Harvey Weinstein. She was paid £120,000 to keep quiet about Weinstein's abuse and mistreatment of her and her team.

NDAs occur in many different walks of life—in settlement agreements of severance packages as well as in cases of wrongdoing. Where both parties agree to sign to an NDA, we do not take issue. It is not a problem when it is signed freely. Whether it be a university student or an employee reporting their boss's bad behaviour, the practice of individuals feeling in any way pressured or forced to sign up to these clauses needs to stop.

If we decide to regulate the use of non-disclosure agreements, we will not be the first. Prince Edward Island in Canada is one step ahead, having already passed a Bill to regulate such agreements. It is called the Non-disclosure Agreements Act, and it was passed in May 2022. It states that

“A party responsible or person who committed or who is alleged to have committed harassment or discrimination may only enter into a non-disclosure agreement with a relevant person...if such an agreement is the expressed wish and preference of the relevant person concerned”—

the expressed wish of the survivor, the victim, the person who is reporting. It is so simple: no one in any circumstance, in any university or otherwise, should enter into a non-disclosure agreement or gagging clause against their will. As such, I will table a private Member's Bill today to establish exactly that principle. I hope that colleagues and Ministers who I know are on board with the campaign will consider supporting that Bill.

Moreover, the vehicle to attach my Bill to is on the horizon. The Ministry of Justice, in consultation with the Home Office, is bringing forward a victims Bill that will contain measures to, in the Ministry's own words,

“amplify victims' voices and make sure victims are at the heart of the criminal justice system”.

I had a positive meeting with the Home Secretary, at which she agreed to work with me on trying to include a ban on NDAs in that Bill. She further agreed that no one in any setting, of any age, should be able to silence the voice of a victim of crime. I have urged the Government to back my Bill, and to insert the language needed to tackle that egregious practice once and for all into the victims Bill.

Finally, though—this is a point made by some who do not want to sign the pledge—we have to acknowledge that tackling gagging clauses will only scratch the surface of the problems faced by women and girls. It is far and away the lowest-hanging fruit, but it is important. One survivor said to me:

“If they can't do this, then I don't have confidence they'll do anything.”

Women and girls are keenly aware of the dangers that face us when we are walking home at night, venturing into a nightclub, or staying in our own homes. We are frequently subject to harassment, with 71% of women of all ages in the UK having experienced some form of sexual harassment in a public space. A smaller number, but still substantial, are subject to sexual offences, with the number recorded by the police reaching an all-time high in 2021—over 170,000.

At the top of that pyramid—or the bottom—are, I am afraid, those who have lost their lives. This weekend, I attended a vigil at my local church in Botley. We read out the names of the 140 women who were killed by men in 2021, of whom Sarah Everard was probably the most famous. Local artist Alice Brookes hand-stitched every name into a pillowcase. They were hung in a line wrapped around the church—it was incredibly moving. While those statistics are appalling, I do not think anyone is surprised by them any more. The scale of the crime is enormous, and what struck me about my conversations with survivors was that they had no faith in even reporting to the police. Sadly, the statistics confirm why: just 2.9% of reported sexual offences and 1.3% of recorded rapes result in a charge or summons.

While there is clearly much to do to end the epidemic of violence against women and girls, I hope that we can at least work together today to end the misuse of non-disclosure agreements and gagging clauses, not just in university settings but elsewhere in society. Young women up and down the country, not just those in Oxford, have been silenced by a system that is supposed to protect them, so I ask the Minister to not just encourage colleges and universities to sign the pledge, but work with colleagues across Government to stamp out that deeply harmful practice in its entirety. Through the victims Bill, we have a golden opportunity to enshrine in law the principle that no victim's voice should be silenced, and although sexual violence takes so much from survivors, we can restore what should never have been taken away in the first place: their voice, their agency, and their power.

11.14 am

**The Minister for Higher and Further Education (Michelle Donelan):** I thank the hon. Member for Oxford West and Abingdon (Layla Moran) for securing this vital debate on an issue that I am personally passionate about and that is, as she knows, very close to my heart.

Some of the issues that we deal with come down to a simple assessment of whether something right or wrong. I have said for some time that the use of non-disclosure agreements to silence victims of sexual harassment, bullying and other forms of abuse in universities is very much one of those issues—it is simply wrong. That is why, back in January, I launched a pledge, with the support of Can't Buy My Silence, for universities to commit to stopping using NDAs in this way. Sixty-seven institutions have now signed up, protecting more than 1 million students. I do want to correct the record: it was not the case that the Government supported the pledge; the Government created the pledge.

I am pleased to hear that the Members present share my view that it is simply wrong to use NDAs in this way. It is a gross and grotesque misuse of our legal system and one that I personally find indefensible. The only thing worse than a person experiencing this kind of horrific abuse is their then being forced to remain silent about it, even to friends and family—loved ones—for life, when they are trying to deal with the horrendous incident.

If you will permit me, Mr Efford, I want to put the voices of real victims on the record today, because, like the hon. Member for Oxford West and Abingdon, I feel that the weight of their stories will convince anyone who does not perceive the issue in the way I have outlined. One anonymous victim said:

“I was asked to sign an NDA so that I would not tell anyone my experience of sexual harassment to protect the university...I felt helpless, hopeless, and powerless. It was a feeling worse for me than the year and a half of sexual harassment I endured from my employer.”

Another victim said:

“I signed an NDA a few years ago after more than a year's bullying by two managers at a university...The process of negotiating the NDA was very one sided and stressful. I was given a short timescale to comply and told the university would not negotiate the offer.”

That is simply not acceptable, and it is just a tiny snapshot of the sickening result of powerful institutions using NDAs to silence students and staff. There are many more cases below the surface. We must empower and enable those people to speak up. As is clear from the testimonies logged by Can't Buy My Silence, this is not simply one group victimising another. Those silenced include men and women, staff and students, and people in senior positions as well as junior positions. It is not good enough to simply confine our concern to one of those groups; we need a holistic and comprehensive response to the problem.

In considering some of the solutions suggested by the hon. Member for Oxford West and Abingdon, it may be helpful to Members newer to the campaign if I briefly recap how we got to where we are and what prompted me to take action on behalf of the Government. Last year, I received correspondence from the newly established campaign group called Can't Buy My Silence. Only a few lines into the explanation of the campaign, my heart sank at the thought of the victims who had been

on the wrong side of an NDA in our universities. I immediately voiced my support for the campaign and went further than had been asked for by calling a meeting with it to establish what I could do as the Minister.

Our discussions on the best solutions led to the conclusion that although universities are of course autonomous institutions, they are accountable to their students and staff. In deciding which university to attend, students are looking for providers to show that they will value not only their academic growth and their professional growth, but their safety and wellbeing. The students I meet throughout England want to learn in an environment where they are free and comfortable to go forward and flourish and to report incidents and get appropriate support.

Of course, the same goes for staff—the people who make our universities such wonderful places to learn. Overwhelmingly, they want the institutions that they work for to commit to creating a safer and fairer working environment. Establishing that clear and direct channel of accountability between students, staff and a university therefore became my priority. That is why on 18 January I launched a pledge that commits universities to never using NDAs to suppress the student voice or the staff voice in relation to reporting incidents of sexual violence, harassment and bullying.

I must put it on the record that it is an honour to have supported the work of Can't Buy My Silence, which was co-founded by Zelda Perkins, the first woman to break an NDA against Harvey Weinstein. I am grateful to her and all the campaigners at Can't Buy My Silence for both their advocacy on this issue and their support of my pledge.

I am pleased to report that, as of 22 June, 67 institutions have signed up to the pledge, including 63 providers in England and three Oxford colleges. Of course, that is not far enough—we must go further—but it does mean that more than 1 million students are now studying at institutions covered by the pledge. That is around half the English student population. That milestone was reached in just a matter of months, before the issue received wider attention in Parliament beyond my own speeches and advocacy. I am therefore confident that, with the support of the Members present—especially those with universities that have not yet signed up to the pledge in their constituencies—we will be able to ensure that every student in this country is covered by the pledge.

I take this opportunity to once again call on Members of the House and every university to sign the pledge. It is vital that they put on the record publicly that stamp: that they will not tolerate this kind of behaviour in their institution. I ask anybody who has not already contacted their universities to do so. I will not hesitate to publicly name and shame any provider that has not signed up to the pledge.

However, as Members have said, we must go further. The Everyone's Invited campaign has highlighted that there is much more to be done in a lot of areas to ensure that students are adequately safeguarded at university and have the best experience while they are there. I have made it clear that I believe that the Office for Students, as the higher education regulator, has a key role to play in achieving that.



[Michelle Donelan]

In April 2021, the Office for Students published a statement of expectations on harassment and sexual misconduct. The framework provides a set of consistent recommendations to support higher education providers in England to develop and implement effective systems, policies and processes to prevent and respond to incidents of harassment and sexual misconduct. Section 6 of the statement makes clear the expectation that providers

“should have a fair, clear and accessible approach to taking action in response to reports and disclosures.”

It seems to me that not using NDAs in such cases is one obvious way that providers can meet that expectation.

I have asked the Office for Students to work on a new condition of registration and am pleased to report to the hon. Member for Oxford West and Abingdon that it is doing that. I have regular conversations about the progress of the registration condition.

**Layla Moran:** The Office for Students told me about the new condition, which will potentially be very useful. However, my heart sank when it said that it now has to have a long process of consultation, so it will potentially take years to come into effect. Is there anything the Minister can do to expedite that process?

**Michelle Donelan:** I would be shocked if the Office for Students said verbatim that it would take years, because it certainly will not. Of course, it is right and proper that a regulator would consult on such a change, but it certainly will not take years. It is a priority for me, the Secretary of State for Education and the Government at large. The registration condition would mean that higher education providers could be sanctioned for failing to take seriously their duties—including on NDAs—with a fine, suspension or even deregistration as a university. It will really have the teeth to effect change.

Back in September 2021, I welcomed Universities UK publishing its sexual misconduct guidance, which explicitly advises vice-chancellors not to use NDAs in sexual harassment, abuse and misconduct cases and

highlights the fact that there is support from the sector on this very issue. Additionally, the Government provided £4.7 million of funding to the Office for Students for safeguarding projects between 2017 and 2020, and providers have been leading and sharing best practice from those projects.

I also wish to highlight the publication last July of the Government’s strategy to tackle violence against women and girls, in the wake of the absolutely tragic murder of Sarah Everard. The strategy includes reviewing options to limit the use of NDAs in cases of sexual harassment in higher education.

I should add that the ask for higher education providers to commit to the pledge in order to spearhead a cultural shift against the misuse of NDAs in their own universities is only a first step towards ridding the sector of the use of NDAs in sexual harassment cases. I reiterate that although I consider commitment to the pledge to be important, it is of course not good enough on its own. That is why I have continued to go further and why I will not stop pressing this case to ensure that more is done.

I again thank the hon. Member for Oxford West and Abingdon and those who attended the debate. Today’s discussion shows that there is a collective resolve, and not just here in Parliament; many members of the university sector have spoken up against NDAs, along with victims among students and staff. It is absolutely clear that we must address this issue, which is why this is the first Government to put this issue on the agenda and to begin to tackle it.

I conclude by urging every university to sign up to the pledge. Universities are in many ways the engines of social change, often showing the leadership required to effect major change in our society. I believe that if our higher education sector tackles the issue head on, more institutions and more sectors in public and private life will follow its example.

*Question put and agreed to.*

11.26 am

*Sitting suspended.*

## Windrush Review

[ESTHER McVEY *in the Chair*]

2.30 pm

**Kate Osamor** (Edmonton) (Lab/Co-op): I beg to move,

That this House has considered Wendy Williams' Windrush Lessons Learned Review progress update.

It is a pleasure to serve under your chairpersonship for the first time, Ms McVey. I will endeavour to keep my comments as brief as possible, but you know MPs find that difficult.

I want to talk about Wendy Williams' progress update following her "Windrush Lessons Learned Review", published in 2020. More than five years have passed since a steady stream of constituents began approaching me who realised that they or someone in their family had been victims of the Windrush scandal. Some were from families who had been torn apart, with a father or mother wrongly deported. Others had been falsely imprisoned, lost their jobs and homes and were denied medical care and access to benefits. They all suffered at the hands of a Government that dehumanised them as they tried to implement the hostile environment policy at all costs. They were British citizens who had been asked to jump over impossible hurdles to prove their status and, having failed to do so, endured incredible cruelty at the hands of the Home Office.

Five years later, the media, some politicians and the Government have largely moved on, but many victims have been unable to, with only a small minority having received a personal apology from the Home Office or any compensation. Most of those affected by this terrible scandal are still waiting for any kind of justice. For most victims, the compensation scheme is the most visible response to the scandal and their path to a resolution. However, rather than delivering justice for victims, the scheme has been so mismanaged that it has become an extension of the scandal itself.

In her 2020 progress report, Wendy Williams stated that her recommendations boiled down to three factors, including that the Home Office should open up to "greater external scrutiny" and recognise that migration policy is "about people" and "rooted in humanity." It is clear that the compensation scheme has failed to meet those challenges, being described in the progress report by claimants as "traumatic", chaotic, "very stressful" and a "game of back and forth".

The most notable failure of the compensation scheme has been the painfully slow progress of cases—so slow, in fact, that at least 28 people have now tragically died without ever having received any compensation offer. At least 28 victims will never get the justice they deserve. For most, the process has been slow, lengthy and painful. Often, they are given few updates and have little to no understanding of how their claims are progressing. Incredibly, only one in four applicants has received any compensation, and fewer than 7% of the 15,000 compensation claims the Government originally expected have been paid.

For one of my constituents, waiting for a compensation offer took more than two years. In that time, he was forced into more and more debt. His son died tragically,

having passed away in his sleep. While he was awaiting a decision, he was unable to even bury his son. His experience is not unique. In her progress report, Wendy Williams highlights the timeliness of compensation payments as one of the main concerns raised by those she consulted. The Home Office must listen to Wendy Williams and the victims of this scandal. I urge the Minister act now to speed up the process.

**Abena Oppong-Asare** (Erith and Thamesmead) (Lab): I thank my hon. Friend the Member for Edmonton (Kate Osamor) for securing this important debate. I echo her points; Wendy Williams has said that the process is slow. Other issues raised with me include how poorly trained the advisers are, which is causing issues. As well as being slow, the scheme lacks independence and is not paying costs quickly. Does my hon. Friend agree that this is further evidence of putting a broken system ahead of those who are dying without redress? The Government need to take this issue seriously and implement Wendy Williams' recommendations. Not only has she done the report on lessons learned, but she did a progress report earlier this year, and the Government are still failing to implement those recommendations. We do not have the time; people need the support right now.

**Kate Osamor:** I thank my hon. Friend for her powerful intervention, and I wholeheartedly agree. I urge the Minister to act now to speed up the process wherever possible by increasing staff numbers and simplifying the decision-making process. The victims of this scandal have been trapped in limbo for long enough. It is time to give them the resolution they are entitled to.

Often, the scheme fails even the lucky few who have received an offer of compensation. The headline figures for compensation may seem like sizeable amounts, but they do not reflect the life-changing trauma that so many experienced. Wrongful imprisonment can lead to an award of just £300 per day of detainment. The headline figure for deportation is £10,000, but for administrative removal the amount drops to £5,000. Claimants who have lost out on potentially years of child benefit or working tax credit are only given just over £1,000—far less than the amount they were wrongly denied. If claimants were denied access to housing, they are given £1,000. Denial of education results in a one-off award of £500. I know of at least one incident in which the total compensation offered to my constituent was less than the total debt they had been forced into as a result of the scandal. How can that be right?

**Florence Eshalomi** (Vauxhall) (Lab/Co-op): I thank my hon. Friend for making such a powerful speech. She may recall the *Guardian* article last week that featured the issue of compensation. It featured my constituent Cuthbert Prospere, who has lost out on years of working and earning because he is still waiting for compensation. Does she agree that many more people continue to be failed on a daily basis and are not able to live their lives because of this issue?

**Kate Osamor:** I thank my hon. Friend for that powerful intervention. I will pick up on that in my speech. I urge the Minister to ensure that the guidance issued to caseworkers on the levels of awards is urgently reviewed

[Kate Osamor]

by the Home Office. The awards must reflect the life-changing trauma inflicted on victims of the scandal. Those who are not happy with their compensation offer are faced with a so-called appeals process that is neither truly independent nor transparent. Claimants can request a review of a decision by the adjudication officer, but ultimately the Home Office has the right to refuse a decision reached by the adjudicator. The Department is marking its own homework.

Although the number of claimants who request reviews is published, we have no idea how many appeal results have led to increased or reduced offers of compensation. There is no external scrutiny of a process through which we hope to achieve some justice for the Windrush generation. I urge the Minister to make public the outcome of the compensation appeals process, publish appeal outcomes and work to make the process as independent from the Home Office as possible.

Given the concerns I have outlined, it is clear that Windrush compensation is anything but rooted in humanity. In her progress report, Wendy Williams pointed to a lack of empathy on the part of the decision makers and said that caseworkers often fail to signpost vulnerable claimants to services that could offer non-monetary support. The claims are as complex as the humans making them and must be treated as such.

My constituent, Joel, who submitted a claim on behalf of his 89-year-old grandmother, spent 14 months going back and forth with the compensation scheme, repeatedly providing information and evidence that was requested time and time again, until suddenly, for no apparent reason, his caseworker stopped communicating with him. He feared that his grandmother would die without seeing a penny in compensation.

My constituent's grandmother, who lives in Jamaica, has now received notice that she has been deemed not in a position to be offered any compensation. Joel is an articulate lawyer, familiar with navigating bureaucracy, yet even he was unable to navigate the compensation scheme without my intervention. It is clear that the culture change called for in the lessons learned review has not taken place.

In conclusion, all these failings amount to a second trauma for the victims of the Windrush scandal. They continue to be treated inhumanely, being forced to navigate a compensation scheme not fit for purpose. The scheme has been too slow and does not provide a transparent, independent appeals process.

**Paul Blomfield** (Sheffield Central) (Lab): My hon. Friend is making a powerful case about the way the scheme has been mishandled and about compensation. Will she forgive me if I ask about a policy issue arising from the Williams review? She mentioned Williams' statement that migration policy should be about people. One issue in the discussion was the treatment of those who came to the UK as small children—or were even born here without citizenship—and who grew up here, were schooled here and shaped here, and were then deported as adults.

In his review of immigration detention, conducted for the Home Office, Stephen Shaw recommended that the Home Office should no longer seek to remove those

who were born in the UK or had been brought up here from an early age. There are countless examples, of which my hon. Friend will be aware. I tabled an amendment to the Nationality and Borders Bill to prevent the deportation of those who arrived here before they had reached the age of criminal responsibility; obviously, the Government rejected that. Does my hon. Friend agree that the UK has a responsibility to those who have never, in practical terms, known another country, and for whom the UK has been home from before they reached the age of criminal liability?

**Kate Osamor:** My hon. Friend will not be surprised that I agree wholeheartedly with everything he just said. Wendy Williams' report highlighted the fact that Home Office policies are not rooted in humanity. They do not reflect a caring society; people who have lived here all their lives are no longer welcome by a click of the finger. We need to change that, and we are now in a position to do so. The Home Office is actually in a position to make a difference and a change, to help those people who need it now.

There are so many people watching this, or stuck in the Caribbean or west Africa, who cannot get back into this country because they are not deemed British, even though they have lived here all their lives. In many instances, they actually have passports but cannot get into the country. We need to look at this wholeheartedly. The Windrush generation and scandal is one part of it, but the hostile environment is overarching and overbearing. It dictates the way that the Home Office responds to people who are, let us be honest, very vulnerable. They need our support right now; they cannot wait. They have waited long enough.

Unfortunately, we are where we are, which is why this debate is important. Claimants must be offered a complete package, not only guidance and advice. We also need the Department to reach out to those victims who have not come forward. I am not surprised they have not come forward if they have seen how those who have come forward have been treated.

The Government must look at the damage they have done. They need to fix the compensation scheme or hand it to an organisation that can deliver it, and give justice to those who need it. The Windrush generation need us to step in for them now. The Windrush generation need us to ensure all the damage and everything that they have been through is righted. At this point, it has not been, which is an injustice. We must look at everybody as a victim and make a difference for them.

**Esther McVey (in the Chair):** Order. We will come to the Front Benchers no later than 3.30 pm. It does not look as though I will need to set speech limitations just yet. Minister, please do not forget to leave some time for Kate Osamor to wind up.

2.45 pm

**Marsha De Cordova** (Battersea) (Lab): I congratulate my hon. Friend the Member for Edmonton (Kate Osamor) on securing this important and timely debate. Just last week, we celebrated Windrush Day: it is 74 years since the Empire Windrush arrived at Tilbury docks. I had the wonderful opportunity of celebrating with my constituents, including many of those from the Windrush generation, at the Balham & Tooting Sports & Social Club.



The Windrush generation—including my grandparents, who travelled from Jamaica—were invited here to help to rebuild this country after the second world war and to work in the newly formed national health service. The Windrush generation were British citizens when they arrived here. Their contributions to rebuilding our country and its infrastructure have been invaluable. That is why the treatment they have received from successive Governments—not least in respect of the Windrush scandal—is such a stain on this country. We are here to discuss that scandal because, as a result of it, Wendy Williams conducted her lessons learned review and the update that has followed. The Windrush generation have been and continue to be treated in a way that does not compare with the many sacrifices they made to help to rebuild our country. Unfortunately, with this scandal, the racism and discrimination they experienced when they arrived here remains today.

Over the past 12 years, we have seen the hostile environment, with policies introduced as part of the Immigration Act 2014 and the Immigration Act 2016, many of which meant that people could access support and public services only if they were able to prove their status. Subsequently, thousands of people from the Windrush generation were denied access to public services, stretching from housing, with many people ending up homeless, to access to social security, with many ending up in destitution. Sadly, for those who were unable to prove their status, those policies led to devastating consequences. Many people who had spent their whole lives in this country—working, paying their taxes and making a valuable contribution—but who were unable to prove their status ended up homeless. Many were deported to countries they had not been back to for 10, 20, 30 or 40 years. In some cases, as we have heard, people died as a result of this scandal.

It is vital to recognise the role that institutional and structural racism has played in this scandal. I believe that it happened only because many of these people were black and brown and because of the countries they had come from. No one can deny or dismiss that fact; it is proven.

The Government chose not to recognise this scandal until it became unavoidable. It did not just happen overnight; the Government were warned about it many years ago. It took campaigning, pressure from the victims of the scandal and from MPs, including my right hon. Friends the Members for Tottenham (Mr Lammy) and for Edmonton—

**Kate Osamor:** I am not right hon. yet!

**Marsha De Cordova:** She is soon to be right hon. [Laughter.]

It took many activists campaigning for justice. I first came to this place in 2017, and within a year, the scandal did really hit. I had to stand up in the Chamber and make so many representations for my constituents who were caught up in this scandal and genuinely could not believe what was happening.

Despite the impact of those cruel and inhumane policies, I do not think the Government have really learned the lessons of the scandal, because if they had, they would not have passed the inhumane Nationality and Borders Act 2022. What have they actually learned? If they had learned the lessons of Windrush, we would

not have seen so many people waiting for compensation from the scheme. We know that many, many people have not received compensation and that when people do, it is so small that it really does not amount to much or compensate them for what they have endured. We also know that many people have lost their life before even receiving compensation.

**Ms Diane Abbott** (Hackney North and Stoke Newington) (Lab): Does my hon. Friend agree that one of the worst things about the Windrush scandal was that this was a very proud generation, and a generation who thought they were British? They had travelled here on passports that were from the United Kingdom and the colonies. We are here today talking about cash and compensation, but actually it is the emotional impact on that generation that is the worst thing of all.

**Marsha De Cordova:** I thank my right hon. Friend for that intervention, and I could not have said it any better; she absolutely hits the nail on the head. They were British citizens when they came to this country. In fact, they call it the mother country—that is what my grandparents called Britain. That is how they saw it and they were British citizens, so then to be treated in such a way—it really was not right.

I strongly believe that the whole compensation scheme should be moved outside the Home Office. It should be an independent, fair, compassionate and accessible scheme that does not have the Home Office's hands over it. Wendy Williams's progress report highlights that many of her 30 recommendations have not been met, so my question to the Minister is: why? I am really concerned that the recommendation to have a full review of the hostile environment policy—it has now been called the "compliant environment", but we all know that it is still hostile—has not been achieved.

Wendy Williams also called on the Home Secretary to commission officials to undertake a full review, designed in partnership with external experts, and evaluation of the hostile policy measures, individually and cumulatively. I do not believe that any work has been progressed on that.

Given the significant role that the hostile environment policy played in causing the Windrush scandal, I would have expected the Home Office to prioritise completing a full review in the last 18 months. I would therefore like the Minister, when he responds, to explain why the Home Office has not yet completed a full review in partnership with those external experts. When does it intend to do that?

Wendy Williams stated in her progress report that "the results of the review of the...policies remain an essential element in the department's efforts to demonstrate it is learning".

However, legislation has been produced that shows that the Department really has not done so. For me, and I am sure for all of my colleagues, this process really is about righting these wrongs and bringing justice for those people caught up in the scandal, but it is also about ensuring that it can never happen again.

I come back to this question: have the Government learned? I ask that because they then introduced the Rwanda policy. I am genuinely baffled as to when this Government and the Home Office will finally begin to learn that their policies have consequences and that if

[*Marsha De Cordova*]

they did some simple things, such as carrying out impact assessments, then just maybe that would highlight some of the problems with their policies, which are being implemented with hostility and have a hostile impact on our communities.

2.54 pm

**Ms Diane Abbott** (Hackney North and Stoke Newington) (Lab): As I said in my earlier intervention, my parents were of the Windrush generation. They came here in the 1950s and I remember how proud they were and how they believed that they were citizens of the United Kingdom. The whole Windrush scandal has been so painful and humiliating for them, and what has made the pain and humiliation worse is the very slow progress in handing out compensation. Only one in four of the applicants have got their compensation. One has to wonder whether the Home Office is not waiting for some of them to die, to rid itself of the obligation to pay compensation.

As the Minister will be aware, the Home Affairs Committee visited Sheffield, where the casework for the compensation scheme is done. He will also be aware that the Committee produced a report on the issue, in which we made a number of specific recommendations. One of the most important recommendations is that the whole Windrush compensation operation should be handed to an independent organisation, because one of the startling facts is that the number of people who have applied for compensation is much lower than was expected.

Those people do not want to go to the Home Office for anything—think about it and put yourself in their shoes—whereas if an independent organisation was responsible for the scheme, I believe that many more of the people who are entitled to compensation would come forward. I believe that an independent organisation would be speedier and more effective in processing the claims. The Home Office has rejected the suggestion out of hand, but I am bringing it forward once again. The delays, the incoherence and the unwillingness of possible claimants to come forward all point to the need to move this work to an independent organisation.

Another Home Affairs Committee recommendation that the Home Office rejected was to reimburse claimants for their legal costs. When we put that to the Home Office, it said, “It has all been devised so that people don’t need a lawyer,” but we need to tell that to the claimants. We have to remember that the Windrush generation are not necessarily used to doing things online. Many of them find that they have to use lawyers, some of whom are charging extortionate costs and might get a third of the compensation, if not half. It cannot be fair to offer compensation yet allow victims to be gouged by lawyers. The Committee has said that the Government should reimburse claimants for their legal costs. The other issue we have raised is how opaque some of the criteria are for the amount of compensation that claimants get, and we want to see more clarity on that.

The Home Affairs Committee went to Sheffield to see the unit that is dealing with this issue. They were very nice people, but one of the things that concerned us was what they told us about the backlog. The Home

Office has tens of thousands of claimants in a queue, and they have not yet been allocated to caseworkers—the Minister is looking startled, so he needs to go to Sheffield and ask them for himself. There are tens of thousands of cases that have not been allocated to caseworkers, and nobody in Sheffield could tell me when they will be allocated. They are dealing with more recent cases, but they have a big queue. The caseworkers were very nice—we met them, their managers and all those people—but not one of them was from the same background as the majority of claimants.

**Marsha De Cordova:** My right hon. Friend is making an excellent speech, and I thank her for it. This really harks back to the issue of representation and leadership. The compensation scheme needs people who are compassionate and who can empathise, so does she agree that it is vital that those administering the scheme should reflect those who have been affected by it?

**Ms Abbott:** I agree with my colleague. It is very regrettable that none of the caseworkers, managers and advisers reflects the diversity of the claimants to the Windrush compensation scheme. It seems to me that if the Home Office were serious about running the scheme efficiently, it would have made more effort to ensure that the officials dealing with the scheme reflected the communities from which most of the claimants come.

We cannot overstate the sadness and disappointment of claimants who find themselves caught up in the labyrinth and waiting, sometimes for years, to understand what has happened to their claim. It is all very well and desirable that we had a Windrush monument unveiled last week, but nobody will take this Government’s concern about Windrush seriously until they make the compensation scheme much speedier, much more efficient and much more likely to reach the claimants before some of them pass away.

3 pm

**Bell Ribeiro-Addy** (Streatham) (Lab): I congratulate my hon. Friend the Member for Edmonton (Kate Osamor) on securing this vital debate. The Windrush generation have given the UK so much. When they docked in Tilbury, they brought not just extra hands to rebuild this country, but dance, art, writing, cuisine and music, which transformed British culture. Areas across the UK such as Brixton, which partly falls in my constituency, were completely reshaped by the Windrush generation and became central hubs of British culture.

For the past five years we have had the opportunity to celebrate Windrush Day and recognise the contributions of that community up and down the country. Next year, when we celebrate the 75th anniversary of the docking of the Empire Windrush, I sincerely hope the Government will plan nationwide celebrations that are suitable for the commemoration of a day of such national significance.

I also sincerely hope that those celebrations will be a vast improvement on the £1 million act of gesture politics that was unveiled at Waterloo station this year. Although I commend Basil Watson’s artistry, it would have been nice if the Government had properly consulted Windrush campaigners and organisations, including the Windrush Foundation, to discuss its design and location. If the Government truly intend to honour the Windrush generation, they will take meaningful steps to fix the

Windrush compensation scheme. The Government estimate that there are up to 15,000 people eligible to claim Windrush compensation. More than three years after the launch of the scheme, just 26% of that number have applied and only 11% have received compensation. At least 23 people have died waiting.

The compensation scheme is a scandal in itself, as my hon. Friend the Member for Edmonton outlined. The Government's failure to deliver compensation to victims of the Windrush scandal shows that it was a mistake to entrust the scheme to the Department that administered the Windrush generation's suffering in the first place. The Windrush monument is a nice gesture, but an even nicer one would be justice. Take the scheme out of the Home Office's hands and transfer it to an independent organisation that will properly deliver the compensation that those people deserve.

It adds insult to injury that the Government continue to deny the existence of institutional racism, which members of the Windrush generation and their descendants continue to experience. If the Government really want to honour the Windrush generation, they ought to complement that, starting with just immigration policies. Instead, they choose to push on with their hostile environment and the shameful Nationality and Borders Act 2022, as if they have learned nothing from the Windrush scandal.

A leaked Home Office report concluded recently that the deep-rooted racism of the Windrush scandal lies in the fact that between 1950 and 1981, every single piece of immigration or citizenship legislation was designed at least in part to reduce the number of people with black or brown skin who were permitted to live and work in the UK. That was an assessment of immigration policy from 50 years ago, but it feels like a similar assessment could be made of immigration policies today.

Wendy Williams boils down the 30 recommendations in her "Windrush Lessons Learned Review" to three main factors, one of which is that the Home Office must recognise that migration and wider Home Office policy are about people, and that, whatever the objective, they should be rooted in humanity. What part of the Rwanda policy would the Minister say is rooted in humanity? What part of splitting up families would the Minister say is rooted in humanity? What part of the recently announced deportation flights to Nigeria and Ghana, which, during Pride month, will attempt to deport LGBT asylum seekers, is rooted in humanity? Attempting to deport mothers and grandmothers of people who are British citizens and have been in this country for over 25 years—what part of that is rooted in humanity? It is only recently that the Government have changed their rules on citizenship fees for children who were born in this country or have lived here their entire life. The fees have now been reduced for those who cannot afford them, but what part of denying people who were born here access to the rights they deserve was rooted in humanity?

It seems that the Home Office, rather than enacting genuine change to apologise and atone for the Windrush scandal, would rather gesture towards change but continue with the same culture and practices. If it was serious about its commitment to change, it would enact in full the recommendations of the lessons learned review, it

would invite Wendy Williams back in 18 months' time to reassess its progress against those recommendations, and it would do more to implement change.

One of the clear recommendations, already mentioned today, is not deporting people who came here at a very young age. The Government repeatedly do that. They even want to do that to people who have been born here but do not have a certain type of immigration status at the time of being accused of a crime. When people have been here since a young age, no matter what offence they may have committed, the reality is that they are a product of British society. Where on earth are we sending them if they have already paid their dues in prison?

I put it to the Minister that there are some people among us—I will name the Prime Minister again—who were not born in this country. The Prime Minister has committed an offence, I would say. Should he be deported if he was somebody who needed to register for citizenship here? The Government have at times stated that they would want to do that—to see anyone who has committed some sort of offence removed from this country. I think that is absolutely disgraceful. The Government must implement Wendy Williams's review in full if they want to move past the Windrush scandal.

3.7 pm

**Mrs Paulette Hamilton** (Birmingham, Erdington) (Lab): It is a pleasure to serve under your chairship, Ms McVey. I thank and congratulate my hon. Friend the Member for Edmonton (Kate Osamor) on securing this important debate. The points made this afternoon have been powerful and brilliant.

Last Wednesday marked the 74th anniversary of the Windrush migration. It was a journey that started with a call for help to rebuild Britain following the devastation of the second world war. To mark the anniversary, I attended the launch of an amazing new exhibition in Birmingham called "Home from Home: Wassifa's 50th Anniversary at Birmingham Back to Backs". The exhibition recreates a Caribbean household from the 1970s in Handsworth, which is where I grew up. It was very personal to me; the experience brought back so many memories of what our front rooms and our homes used to look like when I grew up. I will highlight the Blue Spot 'gram.

**Ms Abbott:** The cocktail cabinet!

**Mrs Hamilton:** The cocktail cabinet—they were all there and it brought back some lovely memories.

**Ms Abbott:** Does my hon. Friend agree with me that in the Windrush generation there were many black women who came to work as nurses—my mother was one—and without those nurses from the Caribbean we would not have the NHS we have today?

**Mrs Hamilton:** I absolutely agree with my right hon. Friend. As my background is in health, I will also say that I would not have gone into nursing if it was not for my parents, and for other people from Caribbean heritage, who were so proud to be British. They are not immigrants or migrants; they came here on a British passport—they were British.



[Mrs Paulette Hamilton]

The exhibition is a collaboration between the Mykal Wassifa Brown Heritage Foundation, the Blackstory Partnership and the National Trust. It was great to see a major organisation such as the National Trust back this project and recognise the importance of black people in British history. I take this opportunity to thank everyone who was involved. At the launch, however, I also heard distressing stories about the treatment of British Windrush citizens, and some were at the event.

The Windrush scandal began to surface in 2017, after it emerged that hundreds of Commonwealth citizens had been wrongly detained and deported, and denied their legal rights. In April 2018, the Government were forced to apologise for the trauma they caused to so many people who made Britain their home for decades.

To fix the wrongs, the Home Office quite rightly introduced the Windrush compensation scheme but, to add insult to injury, the scheme has been a failure. It is complex to navigate. There is a lack of free legal advice. Claims take months to process and compensation offers are insultingly small. The vast majority of people who have applied for compensation through the Home Office, to its disgrace, have yet to receive a penny. As was highlighted earlier, sadly, it is too late for those who passed away before they could secure justice. Many people in this room have been to funerals where people have had to use GoFundMe, because the deceased could not afford to bury themselves because of what they had been through.

The Windrush generation have been failed by a deeply flawed and discriminatory immigration system, created by a hostile environment. Where once immigrants were welcome to work and live, today, Britain's hostile environment has created a culture of fear and suspicion. The policies were introduced in 2012 by the then Home Secretary, the right hon. Member for Maidenhead (Mrs May), with the aim of making life unbearably difficult in Britain for those who cannot show the right paperwork.

Three months ago, I was so proud to be elected as the first ever black Member of Parliament in Birmingham. As a child of the Windrush generation, it is painful to hear the harrowing experiences of people who still cannot get the respect and dignity they are entitled to. One constituent told me that they have struggled to make a successful claim under the Windrush compensation scheme. The burden of proof needed when a person is unable to get access to employment makes it very difficult for those affected.

The journey for many migrants began in 1948 but, in 2022, more than 74 years later, they are still fighting to be treated with the dignity they deserve. I urge the Minister to take these concerns and all the others that he has heard this afternoon on board and address the important issues. The Windrush generation built the foundations of the Britain we enjoy today. The least we can do is give them the justice they deserve.

3.13 pm

**Gill Furniss** (Sheffield, Brightside and Hillsborough) (Lab): It is a pleasure to serve under your chairpersonship, Ms McVey, as usual. I commend my hon. Friend the Member for Edmonton (Kate Osamor) for securing this

incredibly important debate. The powerfulness and eloquence she brought to her opening comments say everything. My hon. Friends' speeches have really put things into perspective.

The Windrush scandal will forever cast a dark shadow over our nation's history. We owe a huge debt of gratitude to the Windrush generation, who have worked hard and contributed so much to our society, not least to the NHS, as we have heard in some personal stories today. The way the Windrush generation has been treated is nothing less than sickening. Let us make no bones about it: the Windrush scandal was a direct consequence of this Government's hostile environment policy. This approach to policy making must be scrapped, but the circumstances that allowed the Windrush scandal to happen have not been properly addressed. I will touch on that more later.

I want to talk about the experiences of some constituents who were affected by the Windrush scandal and the hostile environment. My constituent Tanya and her family had immense struggles with the Home Office as a result of the scandal. She, her brother and her then 12-year-old daughter all had multiple passport applications refused. The reason, according to the Home Office, was that none of them were British citizens. That is despite the fact that they were all born in Britain, had never stepped foot outside Britain and had worked and paid taxes their entire lives in Britain. Never before had their British citizenship been called into question.

The distress and hurt caused is unimaginable. Tanya's mother could travel; her older sisters had passports and could travel, but she and her younger brother were unable to travel with her family unit. They were unable to visit where her mum and dad had been born when the older sisters went. They were unable to take advantage of going on any trip abroad. How would they have felt, not being able to understand that? They got no sense from the Home office, which is a terrible way for Government to react to that sort of situation.

Another constituent came to the UK from Jamaica with his grandparents when he was two years old, following the death of his father. He left Jamaica with no family members remaining there, as his mother had also left. He built his life in the UK and had two children. As an adult, he was convicted of a criminal offence and received a custodial sentence. Nobody is defending his actions, but he rightly paid his debt to society. Upon his release, he was told he was to be deported to Jamaica. That came as a huge shock, as he had a young family in the UK and no ties to Jamaica whatsoever. Furthermore, he feared for his safety in Jamaica after his father, who died when he was just two, was killed in a gang-related attack.

My constituent was deported to a country he had little to no memory of and with no family around him. Many years later, thanks to his solicitors and my office, he was finally given permission to return to the UK and see his children again. By then, his partner had moved on to another life and his children barely knew him. That is unthinkable yet it was done to him by this Government. That is the hostile environment policy in action.

Far from tackling the endemic problems, the Home Office is instead going forward with the same mindset that caused the Windrush scandal. It is clear that the hostile environment policy is here to stay. Wendy Williams'

review makes it absolutely clear that cultural and systemic changes are needed in the Home Office—that is so important to ensure that another Windrush scandal can never happen again. But time and again we have seen that not to be the case. The Home Office is still guided by its hostile environment policy.

Steps must be taken to make Britain once again a welcoming place for migrants, refugees and their families. Change has to come from the very top, but the Home Secretary has shown a complete lack of willpower to make positive change happen. What we have got so far is nowhere near enough. We are asking for justice and closure for all those of the Windrush generation and their families who were affected. The Government must ensure that those people get justice and closure and, most of all, the compensation that they are entitled to.

Tanya, who I referred to earlier, got her compensation just last year, after four years. She was one of the just one in four people out there who received compensation. That is not good enough. It is bad enough that these people were in the situation they were in, but to leave them hanging year after year, making unreasonable requests for information that the Home Office already knows they will not have or are unlikely to have, is cruel. The Government must step up and do the right thing.

3.19 pm

**Olivia Blake** (Sheffield, Hallam) (Lab): It is a pleasure to serve under your chairship, Ms McVey, and I thank my hon. Friend the Member for Edmonton (Kate Osamor) for securing this timely debate. It has been a pleasure to hear from all those Members whose families have been impacted by this scandal or come from the Windrush generation.

The Windrush scandal is surely one of the most sickening episodes in recent Home Office history, so it is important that we carefully examine what progress has been made on the lessons learned review. The report concludes that there has been some progress in certain areas, such as training in the Equality Act 2010 and the history of immigration legislation. However, it is horrifying that little or no progress has been made on the future risk areas identified in Wendy Williams' review. The failure to appoint a migrant commissioner, the lack of engagement with the publics affected by the scandal, and the absence of a formal training and development programme are all cause for concern.

Following the revelations of the scandal, Amber Rudd, the now former Home Secretary and former Member for Hastings and Rye, said that the Department had become "too concerned with policy and strategy and sometimes loses sight of the individual."

Centring the voices of individuals affected by Home Office policy, and ensuring that staff have a deep and continued engagement with the issues at stake, is integral to building a just and humane immigration system. I agree with the comments made by my hon. Friend the Member for Battersea (Marsha De Cordova) about the need for representation within the workforce and an independent process. It is therefore disappointing that there has been no forward movement on the risk areas highlighted in the report.

I am also worried that the former Home Secretary's observation about the Department being too concerned with policy and strategy is a mistake that the Government

are continuing to repeat, such as by sending Afghan young people back home last summer, just before the crisis in that country struck. That is "home" in quotation marks, because those young people were brought up here from as far back as 2003 or 2004. In the original lessons learned report, Williams said that

"the political focus from ministers on demonstrating a system 'getting a grip' on the 'immigration problem' drove internal targets, priorities and behaviour in the Home Office immigration system".

When I read that, I could not help but think of the truly worrying debates we have just had on the Nationality and Borders Act 2022.

Recommendation 13 of the lessons learned review rings in my ears:

"Ministers should ensure that all policies and proposals for legislation on immigration and nationality are subjected to rigorous impact assessments in line with Treasury guidelines. Officials should avoid putting forward options on the binary 'do this or do nothing' basis, but instead should consider a range of options. The assessments must always consider whether there is a risk of an adverse impact on racial groups who are legitimately in the country."

I have lost count of the number of times I have raised the policy impacts that will affect individuals, such as those making legitimate asylum claims, only to hear Government Members intone that their policy is the only way to deal with the illegal immigration problem, and that anyone who disagrees is in favour of doing nothing. The Nationality and Borders Act was subject to an impact assessment that said explicitly that it risked indirectly disadvantaging protected groups, but that impact assessment was ignored by Ministers. The same problems and the same ineffective decision making are happening again and again.

Matters of policy and legislation do not fall within the terms of reference of either the lessons learned review or the report on progress. That is why it is so important that we are discussing them today as lawmakers, because those matters also contribute to the picture. The political focus on a hostile environment strategy designed to discourage people from coming to this country was at the heart of the Windrush scandal. To avoid future scandals and make good on the apologies that have been issued, that focus—one could even call it an obsession—needs to change, and we need to see that change manifest in the lived experience of the Windrush generation and in the compensation scheme.

3.23 pm

**Anne McLaughlin** (Glasgow North East) (SNP): It is a pleasure to serve under your chairpersonship, Ms McVey. I pay tribute to the hon. Member for Edmonton (Kate Osamor) and other Members present who have been so tenacious in pursuing this issue, and I guarantee they will continue if it is not resolved.

The key point here is that after a dreadful, shameful thing happened, there was an inquiry led by Wendy Williams and a report. The Government accepted the recommendations of that report, but today, some five years after the scandal unfolded and two years after accepting those 30 recommendations, they have only implemented eight of them. When promising to implement those recommendations, the Home Secretary said that there would be

"a total transformation of our culture."

[Anne McLaughlin]

That has not happened, but let us remind ourselves why it was so necessary to transform that culture. What had it led to? What was so scandalous about the Windrush scandal?

As we have heard from others today, people's lives were turned upside down through no fault of their own. The hon. Member for Edmonton talked about the gentleman who got further and further into debt through no fault of his own, but through the fault of the Government—so much so that when his son tragically died he could not even pay for his funeral. Let us think about that. How must that have made him feel?

The hon. Member for Sheffield, Brightside and Hillsborough (Gill Furniss) rightly said that many of the people had never even set foot outside of the UK. These are people we should be celebrating. As the hon. Member for Streatham (Bell Ribeiro-Addy) said, these people transformed our culture with, for example, music and food. On her idea that the 75th anniversary of the Windrush celebrations should happen across these islands next year, I guarantee that Glasgow and Scotland will be up for that. I will, as a board member of Flag Up Scotland Jamaica, make sure that it happens in Glasgow at least.

When the hon. Member for Birmingham, Erdington (Mrs Hamilton) made her speech, I was very interested to listen to the memories evoked by the festival. I can tell her that my Jamaican partner has amassed a very large collection of whisky and I am trying to persuade him to get a cocktail cabinet. He, the Jamaican, is not up for it, but I will get one, anyway.

How was the scandal able to happen? It is as the Home Secretary acknowledged when she pledged a total transformation of culture in the Home Office. The culture there is what allowed it to happen. Its own internal report, the one that it hoped to suppress but which was leaked to *The Guardian*, said as much. The hon. Member for Streatham alluded to it. The leaked Home Office report stated:

“Every single piece of immigration or citizenship legislation between 1950 and 1981 was designed, at least in part, to reduce the number of black or brown people permitted to live and work in the UK.”

How utterly scandalous is that? As the hon. Member for Battersea (Marsha De Cordova) said, the case is proven and that quote is proof.

I say to the Home Secretary through the Minister that she should not suppress the report. It is empowering and freeing to own up to the truth. I speak as someone who was involved in a campaign and subsequently a major theatre production called “Emancipation Acts”, which was aimed at getting the people of Scotland to own up to our past connections to slavery. It worked because people like the truth and they like honesty. It is now widely accepted in Scotland that we were just as culpable as other countries for the Caribbean slave trade. Organisations from the University of Glasgow to Glasgow City Council and many more besides are saying sorry and making reparations, and people respect that.

The Home Secretary was not in her position in the years I mentioned previously. She is not personally responsible for what happened then, so why not publish

the report, admit how awful the situation was and get on with making the promised reparations? As we have heard, there are multiple failings in following through on Wendy Williams' recommendations. The vast majority of people do not have their compensation. People have died waiting for justice. People do not trust the process, and I do not blame them. They talk of being treated with scepticism by officials. As the Home Affairs Committee reported, the burden of proof on applicants is too great.

We heard from the right hon. Member for Hackney North and Stoke Newington (Ms Abbott) about the extortionate legal fees that people have to pay and about the tens of thousands of cases not yet allocated to a caseworker. On the point about caseworkers not reflecting the Windrush communities, I get that. I did not always get that, but I do now. If the Minister does not, there is a room full of experts here who can explain it to him.

Given that the scheme is too slow, that people are still treated with scepticism, that applicants do not trust officials, and that the Home Office is not keeping up with the rest of its work—for example, my constituents seeking asylum are now waiting exceptionally long times for their initial interview—will the Minister not finally accept the recommendation of the Home Affairs Committee that the scheme be transferred to an independent organisation? It would resolve those issues and free up valuable Home Office time.

The Government do not mind outsourcing all manner of other jobs to all manner of other companies—Mears and Atos, to name but two—so why can they not do the same with the Windrush compensation scheme? Nobody is looking to get rich. One reason is that an independent organisation might act more fairly and might offer decent compensation. If someone is offered less than the scandal has cost them, surely that is theft—there is no other word for it. The other reason the Government do not want an independent company to administer the scheme is that, put simply, stalling, making people jump through hoops and letting them die while they wait is all part of the doubling down on the hostile environment to which they are so wedded.

As the hon. Members for Streatham and for Sheffield, Hallam (Olivia Blake) both noted, we only have to look at the Nationality and Borders Act 2022 to know that nothing has been learned. The hon. Member for Sheffield, Hallam made a great point about the equality impact assessments being completely ignored. We only have to think about the plan to send asylum seekers thousands of miles to Rwanda—a country whose human rights record means that its own people flee to seek asylum with us—to know that the hostility continues. We only need to remember the Government's announcement last week of the pilot scheme, which will tag asylum seekers as if they were wild dogs, to know that they simply do not care. If they did care, they would not be doing those things, and they would do a very simple but effective thing by outsourcing the compensation scheme to an independent organisation that would treat people—who, let us not forget, the Government have traumatised—with care and compassion. People would feel comfortable approaching this organisation, which would expedite their claims and ensure that the victims of the Windrush scandal were treated with respect.



Like the hon. Member for Battersea and the right hon. Member for Hackney North and Stoke Newington, my partner has family members who came here from Jamaica to rebuild this country. His father arrived from Jamaica before Windrush. Had he been caught up in the scandal, I would be at the Minister's door every single day until he got justice. Even the thought of it is distressing to me, and I cannot imagine the distress not just to the victims but to their families, their friends and the West Indian community as a whole.

Again, I pay tribute to the hon. Member for Edmonton and others—including Members who are not present but who have continued to be part of the effort to get justice—for their tenacity and for their refusal to let the Government off the hook. I pay tribute to all my fellow citizens out there whose lives were turned upside down by the Windrush scandal. I hope some are watching, so that they will know we will always fight for them, given everything they have been through. They are still standing, and we are proud to stand with them.

I have lost count of the number of debates and meetings that have been held in this place to discuss the Windrush scandal. Why will the Minister not just get it sorted and let us move on to other matters? More importantly, we need to let the people who are caught up in this move on with their lives. As frustrating as I find it to constantly have to revisit these matters, the Government are wrong if they think that their procrastination will lead to us eventually giving up. We will have as much energy as it takes, and we will not walk away from people. We will keep on fighting for what, after all, are their rights.

3.33 pm

**Stephen Kinnock** (Aberavon) (Lab): It is a pleasure to serve under your chairship, McVey. I thank my hon. Friend the Member for Edmonton (Kate Osamor) for securing this important debate on the latest report by Wendy Williams. My hon. Friend delivered a powerful and moving speech, as did my hon. Friend the Member for Battersea (Marsha De Cordova), my right hon. Friend the Member for Hackney North and Stoke Newington (Ms Abbott) and my hon. Friends the Members for Streatham (Bell Ribeiro-Addy), for Birmingham, Erdington (Mrs Hamilton), for Sheffield, Brightside and Hillsborough (Gill Furniss) and for Sheffield, Hallam (Olivia Blake).

I have been moved and humbled by much of what we have heard today—the personal experiences, the family connections, the profound hurt, and the disrespect that was shown to a generation who helped to rebuild this country after the second world war. It is a stain on our conscience and it has not been adequately dealt with. That should shame us all, because we in this House should be united on the need to thank the Windrush generation, who did so much for us, worked so hard and paid their taxes, but who have been treated abysmally. I gently say to the Minister that, given the cross-party nature of the concerns about the Windrush scandal, it is disappointing that not a single Conservative Back Bencher has contributed to the debate.

The Wendy Williams report is a damning indictment of the culture at the Home Office. The sad reality is that the report has been published at a time when, rather than learning the lessons of the Windrush scandal, the Government are doubling down on their hostile environment policy and mindset.

Perhaps worst of all, none of the Government's immigration policies is actually designed to solve any of the challenges that we face. In fact, they are just for show. The Rwanda plan is not putting people off crossing the channel. We were told that the mere threat of sending asylum seekers to Rwanda would be enough, yet hundreds of people are still coming every week on small boats. Even if a flight does one day get off the ground, the numbers will be so small that the policy will not deter people and will not break the business model of the people smugglers. As has been said, the Nationality and Borders Act is profoundly lacking in any basic human decency, and the Government have no answer to the growing backlog of 73,000 asylum seekers waiting for more than six months to be granted a decision.

Those examples are directly relevant to the topic of today's debate because of the message they send to the Windrush generation: the hostile environment is alive and kicking in the Home Office. These strong-arm approaches, of course, are all designed to create *Daily Mail* headlines and keep the Prime Minister in power. In policy terms, they only make the situation worse, as the attempts to crack down on those who have sought to make a home here have caused so much unnecessary pain in so many areas, as we have heard from the powerful contributions today. Those examples are also indicative of the culture change needed at the Home Office. That is emphasised in the Williams report, which makes clear that we must treat every individual as a human being, not just slap a number on a forehead—or worse, use them as a political football.

I associate myself with all of the comments made about the compensation scheme. The decision to place that scheme in the hands of the Home Office was a grave error. The Windrush generation have absolutely no reason to trust the Home Office, so how can anyone possibly be surprised that people are reluctant to even apply for compensation, as we have seen from the very low number of applications? Responsibility for the scheme must therefore be handed to an independent organisation. I can confirm that I will do everything that I can, as the shadow Minister for Immigration, working with my colleagues here and beyond, to push for that to happen as urgently as possible.

The Williams report is clear that the Home Office must open itself up to external scrutiny. Ministers should not be marking their own homework. The report is also clear that culture change is simply not happening quickly enough. In her foreword, Wendy Williams states:

“My hope for the future is that the department acknowledges the efforts of its staff and the achievements it has made so far, but also recognises that there is still a great deal to be done.”

She later writes:

“The failure to implement changes promptly and consistently is a common thread running through the revisit...there are many examples where the department has not made progress at the pace it envisaged, or in some cases at all.”

The lack of progress on training is also a concern:

“Alongside internal training, there is the failure to make progress on certain outward-facing activities, such as senior-level engagement with those affected...and stakeholder engagement...But equally concerning is the pace of developing wider external scrutiny arrangements.”

[Stephen Kinnock]

Wendy Williams also makes it clear that the culture at the Home Office is not conducive to positive change:

“The lack of progress goes to the heart of how the department operates and is indicative of an organisation which was not yet confident enough to secure an increase in the type of independent insight and scrutiny that my recommendations envisaged.”

That is all extremely worrying, and external stakeholders are not impressed either. The report states that

“the majority of external stakeholders who chose to take part in the revisit believe that little, if anything, has changed. This view is also held by some of the people I spoke to in my original review, who expressed scepticism about the department’s progress.”

Wendy Williams therefore feels:

“The concerns voiced remain deep-rooted and will have to be addressed if the department is to truly transform the way it engages with those who were affected.”

Finally, the report makes clear that, all these years later, Government Ministers are still to show that they understand the true extent of the wrong and harm done to the victims of the Windrush scandal. All of that is very damning, in terms both of the specifics of Home Office incompetence and indifference, and of the broader issues with the hostile environment.

I am deeply concerned that we are not witnessing the changes that need to be made inside the Home Office. I have long said that the Home Office is not fit for purpose under the current Home Secretary, based on failures over crime levels, prosecution rates, the English channel crossings, the Passport Office and the Afghan and Ukrainian migration issues. The failures on Windrush go to the very heart of the wretched culture encouraged by consecutive Conservative Home Secretaries.

I will put to the Government today the very questions that Wendy Williams puts in her report. How will the Department demonstrate to the Windrush generation that it has changed and show improvements on how it carries out its duties? How will the Department demonstrate a focus on outcomes rather than outputs, to assure itself that it has made the necessary changes? How will the Department show that its culture is improving? What measures will it use to check that it has brought all staff with it? How will the Department harness local initiatives and good will, and scale them up to demonstrate to its workforce that it is a learning organisation?

How will the Department be more dynamic in its efforts to develop, achieve and retain a more diverse and inclusive senior leadership cadre? How will the most senior leaders convey to the whole organisation what the priority is in terms of culture? How willing is the Department to hear from a range of voices, whether supportive or opposing? How will the Department demonstrate that it is truly taking action continuously to improve, in order to rectify some of the scandalous decisions and acts that have taken place?

The Minister has a prime opportunity today to answer all of those questions head on. I truly hope that he will grasp that opportunity.

3.42 pm

**The Parliamentary Under-Secretary of State for the Home Department (Kevin Foster):** It is a pleasure to serve under your chairmanship. Ms McVey. I thank the hon. Member for Edmonton (Kate Osamor) for securing the debate, and all right hon. and hon. Members for

their contributions, many informed by their own, in some cases, very personal experiences and memories of the impact of the Windrush generation. Although she is not in her place now, I was struck by the hon. Member for Birmingham, Erdington (Mrs Hamilton) recalling her family’s experience in the 1950s and ’60s.

Although I might not agree with the hon. Member for Edmonton on every aspect, I know from my regular engagement with her on casework issues that she is a committed representative of her constituents and all those affected by the Windrush scandal. Wendy Williams’s report outlined that that scandal was formed under successive Governments and over many decades. This is not about one particular period but an accumulation of issues. Those who read the physical version of the report will know that the case on the front page is from 2009. This is an immensely important subject, and I welcome the chance to debate it again.

With this debate taking place so soon after Windrush Day, I want to take this opportunity on behalf of the Government to pay tribute to the Windrush generation. They are an essential part of our national story, and we should recognise, cherish and celebrate the enormous contribution that they and subsequent generations have made, and continue to make, to our country. As the hon. Member for Battersea (Marsha De Cordova) and others have outlined, Britain would not be what it is today without them. As the right hon. Member for Hackney North and Stoke Newington (Ms Abbott) pointed out, many viewed themselves as British, coming to the mother country, having been invited here.

Many, particularly from the Caribbean, had already been here defending this country in its darkest hours. Our democracy survives partly due to the immense contribution of many members of the Commonwealth who volunteered to come thousands of miles, under no compulsion, when this country faced its darkest hours, to stand on our shores in the face of a potential Nazi invasion. They felt that this was their country, not a country that they were migrating to. This was not a matter of arriving in a foreign land for them.

I will turn to the core focus of today’s debate. In September 2021, Wendy Williams and her team returned to the Home Office to assess the progress made since the publication of her original report in March 2020. The progress update, which was published in March this year, found that there are several areas where good progress has been made, noted that structures have been put in place that should provide appropriate levels of oversight of the Department in the future, and also commended some excellent behaviours and initiatives from members of staff and teams.

In her original lessons learned report, Wendy Williams made 30 recommendations. Her progress update assesses that eight have been met, a further 13 partially met, and the remaining nine not met. I certainly recognise that there is more work to be done. As the update report acknowledges, change on the scale required takes time. It is also right that the Home Office is held to account on recommendations where sufficient progress has not been made. I want to be clear that it remains our commitment to deliver each and every one of the recommendations.

Regarding training, significant progress has been made, as has already been touched on. For example, training has been developed that covers the history of the UK’s

immigration and nationality system from 1960 to 2020. This training has been delivered to policy makers and continues to be undertaken by operational staff across the Department. Colleagues may be aware that, following a campaign by the hon. Member for Liverpool, Riverside (Kim Johnson), we are seeking to add to that the experience of Chinese seamen who faced deportation shortly after world war two.

As has been said, it is also important that senior leaders are at the forefront of the effort to drive change across the Home Office. Abi Tierney, the director general of Her Majesty's Passport Office and UK Visas and Immigration, has taken on the role of ethics adviser to the Home Office board, in which she will champion ethical behaviour and systems, advise on ethical considerations and spearhead the roll-out of a new ethical decision-making model, making clear that this is at the core of what we should be doing and at the core of how our systems should function.

As has been touched on, it is also vital that we continue engaging outwardly and openly, and not just with people who are likely to agree with the Home Office or to share the views and opinions of any particular party or Government. Earlier today, I welcomed to the Home Office some of the groups that have received funding from the Windrush community fund, both to thank them for their fantastic efforts in helping to promote the Windrush compensation scheme and to hear their views on where we can go further and what more work we can do to reach out to more people. We are clear that we work with those groups—the funding is supplied to support their work for their community.

We remain committed to the relationships we have formed with these hard-working grassroots and community organisations. Their insight and experience are invaluable, and we will ensure that the Home Office is proactively listening and learning all the time from their experiences and comments.

Understandably, a lot of people have focused on the Windrush compensation scheme. Indeed, among the reasons I regularly meet some of the Members present is to discuss individual cases. We recognise that although financial compensation is an important part of this process and is necessary, it is, as has been touched on in other debates, only part of it. For many people, this issue was about not just the monetary impact on them but feeling that their identity had been taken away. We must recognise that as well.

We have made significant progress and have now paid or offered a total of more than £48 million in compensation. We have also made changes to the Windrush compensation scheme in order to ensure that people receive the compensation to which they are entitled as quickly as possible. In many cases, those changes were made in direct response to feedback we have been given, including from Members of Parliament.

I was pleased that we were able to welcome members of the Home Affairs Committee and other stakeholders to the Windrush compensation scheme office in Sheffield on 14 June, following the invitation that I extended during a previous Westminster Hall debate. Again, I say to Members who have a particular interest in this issue—particularly those who represent areas with a number of Windrush communities—that we are very happy to

welcome them, subject to all the usual arrangements that people would expect to put in place, to meet our team so that they can understand the work they are doing.

**Stephen Kinnock:** Before the Minister moves off the compensation scheme, he will know that at the end of January only 960 people had applied to the scheme, which is only about 20% of those eligible. Those statistics are in the Home Affairs Committee report on the compensation scheme, which he just mentioned. Does he agree that putting the compensation scheme into the hands of the Home Office—the very institution that is so profoundly mistrusted by the Windrush generation—was a grave error, and that the only way this will get sorted is by moving it out of the Home Office and into an entirely independent organisation?

**Kevin Foster:** I am not sure where the shadow Minister gets his figures from. He said that 960 claims have been made, but the actual figure is 3,878, and more than 1,800 had been made by 1 January 2021.

On the engagement figures, we continue to encourage people to apply to the compensation scheme. I have visited some of the community fund groups in Birmingham, Cardiff, Edinburgh, Nottingham and London. It was evident during those visits that innovation and collaboration are helping to support local communities and raise awareness of the Windrush schemes. We have also written to 6,200 individuals to encourage them to consider applying. In January, we launched the second phase of our national communications campaign, which featured new content to address misconceptions that could prevent people from applying to the scheme. It included campaign videos that have been played across community TV stations.

**Marsha De Cordova:** I want to take the Minister back to the work that the Home Office is doing to deliver the scheme. My right hon. Friend the Member for Hackney North and Stoke Newington (Ms Abbott) and I talked about the representation issues surrounding those actually delivering the scheme. I wondered whether the Minister heard that and wants to respond to the point about having people deliver the scheme who are more empathetic and representative of the groups they are seeking to compensate.

**Kevin Foster:** As Members are aware, we are recruiting additional people into the compensation scheme team, so we are increasing the number of staff working on it. To be clear, despite recent pressures, the area we never took people from was Windrush work, because we thought it was appropriate that that was seen as a priority. It is important that our caseworkers can empathise with people's situations, which is why we have programmes of engagement. We want them to work proactively with the community groups, hear their experiences, and listen and understand where people are coming from. I understand that this is about not just immigration status, but people's very strong identity; they felt—this was eloquently put earlier—that they were British. We recognise that it is important to ensure that that experience is there for all caseworkers.

I want to address the idea that there are tens of thousands of applications outstanding. The number of applications received so far is just under 4,000, which would make that rather difficult numerically. There are



[Kevin Foster]

not cases that are “unallocated”; we understand that that point arose from a misunderstanding. All cases are being worked on and pursued, and in some cases we are waiting for responses or, for example, for probate to be resolved so that we can take things further. I will be writing to the Chair of the Home Affairs Committee shortly to confirm that.

**Ms Abbott:** Whatever the Minister has been told, the Home Affairs Committee obtained quite different figures when we went to Sheffield. I will be happy to write to him and set them out.

**Kevin Foster:** We had a letter from the Chair of the Home Affairs Committee following the visit. We will shortly be replying, and I will be happy to reply in further detail to those points when I receive them.

One of the points that has been focused on is whether the Windrush compensation scheme should be transferred to an independent organisation. I understand why that might sound appealing, but it would risk delaying payments to people even further, and many cases would have to come back to Home Office records and other parts of the Home Office, which would mean that we would still be heavily involved. I do not believe for one minute that anyone is suggesting that we should contract this out—that might have been partly suggested—to a private sector operator. It is right that we have a team who operate separately and independently from other areas of the Home Office and are able to take matters forward with clear delineation. Certain information supplied to the Windrush team is not available to wider Home Office operations. The focus needs to be on paying compensation and moving the scheme forward, rather than on who is actually administering it.

**Marsha De Cordova:** Will the Minister give way?

**Kevin Foster:** I will give way one last time; I am conscious that I need to allow time for the hon. Member for Edmonton to wind up.

**Marsha De Cordova:** I will try to make my point succinctly. No one is asking for any scheme to be contracted out to a private company. The point is about the scheme being independent from the Home Office. The Home Office administers the policy, so how can the people who have to do the marketing videos and everything else be the ones administering it? People are still reluctant and fearful due to the hostile environment. It is about the scheme being independent, but it could be an independent charitable organisation, not a private company.

**Kevin Foster:** I hear the hon. Member's point; we all agree that a private company would not be the right option. Setting up a different organisation would clearly take time. Again, it would be reliant on the vast majority of records and processes coming from the Home Office. However, we recognise that people will not necessarily want to approach the Home Office in the first instance, which is why we work with community groups, and are having some helpful and productive conversations with some of the high commissions in London about whether they could host events, particularly now that we have returned to having drop-in events. We all know why, over the past two years, the ability to hold drop-in

events has been far more limited than we would have liked, but our focus is on getting on and making the compensation payments.

One point that was picked up was on the migrants commissioner. I recognise that Wendy Williams mentioned her disappointment on that matter. I reassure colleagues that a substantial amount of work has been done on options to deliver this recommendation. We are working with external stakeholders and have set up a sub-group of the Windrush cross-Government working group to advise on the function of a migrants commissioner. The sub-group has submitted its recommendations on what the functions should look like, including the scope of the role and the best model for delivering it, and we are now considering those views. To be clear, the suggestion is that it may not necessarily be an individual but could be a group that fulfils that role. Certainly, we are keen to take it forward, but in a way that builds confidence.

I want to thank the hon. Member for Edmonton for securing the debate and all hon. Members who have contributed. As I have set out, we have taken some important strides forward in responding to the Wendy Williams report, but we recognise there is still a lot of work to do in the Home Office—work that is always enhanced by constructive challenge, such as that which we have received from hon. and right hon. Members today. The failings of the past were unacceptable, and I know there is a real determination across the Home Office to learn the lessons of Windrush.

There is a strong focus across the Department on delivering the improvements set out in the Wendy Williams review and, as colleagues and the public would expect, the implementation of her recommendations is closely monitored. Concerted action is taking place to drive cultural change and make a Home Office that is fit for the future—a Department that is open and outward working, that views people as faces not cases and as individuals not numbers, and that is committed to making fair and just decisions and ensuring that we treat people as they have the right to be treated. The injustices of the Windrush scandal should never have happened. That is why we are wholeheartedly committed to doing all we can to right those wrongs.

3.58 pm

**Kate Osamor:** I want to thank everyone for their powerful contributions, for speaking up for the voiceless and for supporting the Windrush generation. The Minister will not be surprised that I am not happy with a lot of the things he said, based on the fact that Wendy Williams has made it clear that the Department has overstated the progress made and closed some recommendations prematurely. It shows that the report has not landed well and is still not being taken seriously. The scheme is too slow and victims are still waiting for compensation. Not until we see more victims getting compensation will the other victims who are not coming forward start to come forward. We need to look at the Department and understand why it is not working. Wendy Williams has made it very clear. I ask the Minister to take the report as something that will only help, not hinder, the Department.

Again, I thank everyone for their contributions. I want the Windrush generation to know that we will continue to speak up for them until justice is done.

*Motion lapsed (Standing Order No. 10(6)).*

## **Flooding: Irwell Vale and Surrounding Areas**

4 pm

**Esther McVey (in the Chair):** I will call Jake Berry to move the motion, after which I will call the Minister to respond. There will not be an opportunity for the Member in charge to wind up, as is convention for a 30-minute debate.

**Jake Berry (Rossendale and Darwen) (Con):** I beg to move,

That this House has considered flooding in Irwell Vale and surrounding areas.

It is a pleasure to serve under your redoubted chairmanship for the first time, Ms McVey.

Flooding affects communities all over the United Kingdom. Many Members present will live in an area affected by flooding and will understand that when communities flood, the effect is profound and devastating. It is completely debilitating for those communities. Yes, they may have accepted moving to an area with a 100-year flood risk, but, by gum, have they been surprised to have been flooded two, three or four times in a decade. In the past few years, hundreds of lives across my constituency of Rossendale and Darwen have been negatively affected. Homes and businesses in Whitworth, Bacup, Stacksteads, Waterfoot, Darwen, Rawtenstall, Helmshore, Irwell Vale, Strongstry and Chatterton have been devastated by floods in the past 10 years.

The reason why our area floods is the same reason we are one of the most picturesque and beautiful areas in the United Kingdom: our lovely rivers. We have the Limey Water, the Whitewell brook, the Darwen, the Spodden, the Ogden and the Irwell. In the summer, they are beautiful, burbling brooks; in the winter, they become raging torrents. It is those last two rivers—the Ogden and the Irwell—that really affect the residents of Irwell Vale, where there is a confluence just before the village. Irwell Vale, Chatterton and Strongstry have been flooded repeatedly by those rivers, which has been devastating.

It has proved historically difficult to mitigate the flood risk because the water comes from a wide catchment area. I have visited those communities on several occasions after they have flooded and the impact on their lives has been completely devastating. It is something the Prime Minister has demonstrated that he understands. He recently visited Didsbury, in Greater Manchester, after some flooding, and said that there is a

“huge psychological, emotional and financial cost”

to the communities that flood. I absolutely agree. That is why I am grateful that over the past nine years, the Minister and her Department have already provided £1 million of investment for our local communities to try to stop the flooding. Back in 2014, residents of the village of Stubbins were delighted when their long-awaited flood defences were opened by me and others after finally being completed.

Today, I want to talk about the ongoing challenge in the catchment area that makes up the River Irwell and covers other areas. Floods have particularly affected Irwell Vale, but they also affect tens of thousands of people across the country. That is why the issue is such a priority for the Government.

The Irwell, which cuts through my constituency, is a river that was previously thought to flood very infrequently. In fact, it had a 100-year flood risk. However, it has flooded in 2007, 2012, 2015 and 2020. The communities of Irwell Vale, Strongstry and Chatterton also have the dual risk of overland flooding. It is not just raised river levels; they are in a deep, sheer-sided valley and when there is heavy rainfall, combined with rising river levels, the flooding can come from the back of the houses as well as the front.

In February, I was down there talking to the community, who explained how family members felt they could not leave home because they were constantly clicking “refresh” on the Government’s online flooding monitor; they sort of felt they would be more likely to flood if they were not in the house. Although that is not particularly rational, it shows what a huge impact living on a flood plain and in a community that floods has on the mental health of these families. That is why it is really important we debate that impact today.

For a number of years now, I have worked very closely with the Environment Agency, the Government and the communities, to find a solution that will serve this community not just in the short term, but for generations to come. The Government’s policy is that flood defences are not about how big a community is. This is a small community, but all communities must be supported. I hope the Government will reaffirm that commitment today, because the whole point of the Government’s levelling-up agenda is that no community gets left behind. The smallest hamlet is as important to the Minister as the greatest city, but all too often it is the smallest hamlet that gets flooded and needs the flood defences. I hope the Minister will reaffirm today that no community is too small to have the benefit of Government flood defence spending.

I want to talk more directly about the Environment Agency plan for Irwell Vale, Chatterton and Strongstry. Following the 2015 flooding, the Environment Agency worked closely with me and the local community. It did a large-scale appraisal on a whole catchment basis for the River Irwell and its tributaries. That was followed by a capital funding bid to further reappraise flooding issues and possible mitigation work for the community.

Following the 2020 floods, which were again devastating, the Environment Agency did further extensive work to ensure that solutions would deal properly with increased flooding frequency. I find it extraordinary that between 2015 and 2020 there was such a change in the expectations of flooding in the community that the EA had to revisit all the work that had already been done. That tells us how concerned we should be for these communities, which will be subject to more frequent flooding.

**James Daly (Bury North) (Con):** I pay tribute to my right hon. Friend for his efforts to secure funding. I know we will hear a little more about that in a second. I was also at Irwell Vale during the period of severe flooding and it was catastrophic—genuinely appalling. Irwell Vale is about 1.5 miles from my constituency. My right hon. Friend knows the fine town of Ramsbottom in my constituency well. How does he feel that the scheme he is about to describe will help flood defences in Ramsbottom?

**Jake Berry:** Irwell Vale is a wonderful place, as my hon. Friend knows, as he has visited it. It is my main dog-walking route. I always do the leaflets there at

[*Jake Berry*]

elections as well, although that is not relevant to today's debate. It is part of a string of villages and towns along the River Irwell, and the next significant town along is Ramsbottom, which is a wonderful place as well. A lot of what the Environment Agency is proposing in its current plan is about slowing the water flow down on the River Irwell. Although the plan is described as a linear flood defence, which might make colleagues think of me campaigning just to swoosh the water past my constituency and let it come over the top in Ramsbottom, that is absolutely not the proposal of the Environment Agency—even if it were mine, which it is not.

All the mitigation measures that the EA is taking further up the Irwell valley will benefit Ramsbottom, which has had significant flood events, particularly for local businesses, which I know my hon. Friend works closely with. Even though only 100 or so houses are identified to directly benefit from the work, it would in fact benefit the whole River Irwell catchment. As my hon. Friend will know, this is a river that goes into the centre of Manchester and has been responsible for flooding in Salford in the past. I know the Minister will want to look at the whole catchment approach. What we do in Irwell Vale benefits Ramsbottom.

**James Daly:** And obviously Waterside.

**Jake Berry:** And Waterside, of course. An economic assessment has been undertaken by the Environment Agency, and the benefit and cost of all of the options has been assessed. The most economically favourable solution—frankly, the one that is likely to gain the maximum amount of grant in aid from the Government—has been identified. There was a long list of options, many of which I looked at. That was turned into a shortlist. The preferred option has now been chosen. It is what the Environment Agency refers to, slightly misleadingly, as a linear defence. It includes several mitigation measures to slow down flow.

That brings me to where we are today. The problem faced by Irwell Vale residents and communities, and other communities, is that the grant in aid funding will not cover the cost of the project needed in my constituency. It has been clear for a while that, if the scheme is to deliver meaningful and sustainable solutions, we will have to look at a cocktail of Government funding to support it, unless we ask communities to pay significant amounts that they cannot afford. The estimated cost of the project is £19.6 million, which I appreciate is not an insignificant amount. If the Minister, or any of her colleagues, were to visit Irwell Vale and speak to the community there, she would see that the community understands that it is an expensive scheme. They have been completely realistic and pragmatic about the need to work hard to find funding.

Of that £19 million—which sounds like a huge amount of money—we have already secured just over £11 million. That brings me to the rump—the £8 million—for which we are looking to the Government for support. The Environment Agency, supported by me and the community, has already applied to the fund for frequently flooded communities, as well as other Government Departments. It is also looking to increase the local levy contribution to try to make up some of that shortfall. We believe that the frequently flooded communities fund is absolutely

central to delivering the scheme in Irwell Vale, although the Minister may have a different view. We know that the Government have not yet made decisions about the fund; one of the purposes of this debate is to gently nudge the Department and tell it that giving us that funding would be a good thing to do for the residents of Irwell Vale, Strongstry and Chatterton.

Last year, the Government announced that another £5.2 billion would be available for flood work over the next five years, and that it would be invested in flood alleviation schemes. That is really important, not just for my constituency but for the wider River Irwell catchment. I am excited that the Government have allocated so much more funding—more money than any Government in history—to tackling flooding. I hope that the Government look favourably on our local scheme, which is supported by the Environment Agency and the council that covers the areas that my hon. Friend the Member for Hyndburn (Sara Britcliffe) and I represent. It is supported locally and by Parliament. I thank my hon. Friend for attending the debate.

**James Daly:** My right hon. Friend is making an excellent speech outlining the threat posed by the River Irwell, pretty though it is. The Government have recognised that. In my constituency, and in Bury South, £30 million has been invested in Radcliffe and Redvales because of the threat that the Irwell poses to housing in that area. My right hon. Friend's strong case for investment cannot be overstated, because the evidence clearly shows that destruction will follow unless money is invested.

**Jake Berry:** I know those areas well. There are thousands of houses there. In the beautiful villages in my constituency, there are just 100-plus houses. I understand that the Government have to prioritise funding; there is not an endless pot of money. However, we have been waiting a very long time, and we have been flooded lots of times. Now that Radcliffe, other areas of Bury and Ramsbottom have had significant flooding investment, I hope that the Minister understands why we think that it is our turn.

We need the investment. We are talking about relatively few houses, but in truth, no one cares whether there are 100 or 1,000 houses in their community. In politics, we talk about houses when we should really talk about homes. We do not live in a house; we live in our home, and it is not just four walls and a roof. It is where we have our photograph albums from when our children or grandchildren were at school, loved items of furniture that have been in the family for generations, and all our possessions. When water comes through the air bricks in the house, or up through the floorboards, it is not just damaging people's house; in many cases, it is washing away a life—a lifetime of memories, and all those happy events that took place in their home. That is why the scheme is so important. People who live in Irwell Vale, Chatterton or Strongstry have had that happen to them five times in the last decade.

In politics, we do not often point back at things and say, "I am really proud that I was part of that." We probably should do a bit more of it. However, if I can deliver this money to the community that I have the privilege of representing, it will give me—though this is not about me—the opportunity to say proudly that debates in Parliament, and this debate, transformed people's lives. I would be grateful to hear from the



Minister about future funding, and the Government's ambitions for funding the scheme. I do not want to go back to these communities next winter, or maybe the winter after that, and have to explain to people why their life has been washed away again. We have a real opportunity today to change that.

4.16 pm

**The Minister for Farming, Fisheries and Food (Victoria Prentis):** It is a great pleasure to serve under your chairmanship once again, Ms McVey.

I thank my right hon. Friend the Member for Rossendale and Darwen (Jake Berry) for securing this important debate on the flooding in Irwell Vale, and for describing the area and its inhabitants so passionately and so well. It is also good to see my hon. Friends the Members for Hyndburn (Sara Britcliffe), and for Bury North (James Daly), who remind us through their very presence that raging torrents do not stop at constituency boundaries, and that we have to look at the problem in a whole-catchment, or catchment-sensitive, way.

The Under-Secretary of State for Environment, Food and Rural Affairs, the hon. Member for Taunton Deane (Rebecca Pow), who has responsibility for the environment, is sorry not to be responding to the debate, but she is at the United Nations oceans conference in Lisbon, so I am afraid that my right hon. and hon. Friends have her stand-in today. However, I undertake to speak to her about this debate, and will ensure that she meets interested colleagues once again to discuss the issues to do with the scheme that have been outlined this afternoon.

The devastation caused by flooding is terrible. Having lived all my life in the Cherwell valley, I sympathise deeply with all those affected, including those who have been affected repeatedly over the past 10 years. It is even more devastating when a location is affected time and again. As my right hon. Friend the Member for Rossendale and Darwen described graphically, residents rarely have a moment's peace when the rain is coming from both directions.

I pass on my sympathies to all residents in my right hon. and hon. Friends' constituencies who have been affected by flooding, including during really dreadful events in February 2020, when 56 houses were flooded, and on Boxing Day 2015—that was the really bad one—when 94 properties were flooded.

**Sara Britcliffe (Hyndburn) (Con):** My hon. Friend mentioned the Boxing day flooding. As she will know, it brought all our communities together, but these events also take away from all our local police services and other services. On that day, police came from Blackburn, Bolton and Burnley to tackle the problems, but as we know, there are sometimes other issues in communities on Boxing day. Does she agree that whole communities are affected? Also, we want people to live in these beautiful places on our patches, but house insurance is nearly impossible to get, because of flooding.

**Victoria Prentis:** My hon. Friend makes some important points. It is always good to have conversations and debates on flooding with a group of interested colleagues, so that decisions can be made in a joined-up way.

Irwell Vale and nearby areas, including Strongstry and Chatterton, face a combination of risks from river, surface water, and groundwater flooding, which are all

interconnected and therefore difficult to deal with in isolation. When flooding has taken place, the water has been very deep and fast-flowing, and has cut off access to communities, in many cases very badly. The EA recognises the importance of trying to alleviate the flood risk as much as possible, especially given the complexity of the risks. That is why the EA, working closely with partners including Lancashire County Council, has installed a permanent automatic pump to help reduce the frequency of surface water, and has done various works on banks and embankments in those communities, as well as having removed gravel.

My right hon. Friend the Member for Rossendale and Darwen mentioned that the Irwell Vale scheme is sometimes described as a linear scheme; he rightly said it was much more than that. The estimated cost of the scheme is £19.5 million. The EA has secured around £11 million for the scheme through various sources, such as grant in aid, a local levy and the assets replacement allocation. As he said, that leaves a funding gap of £8.5 million.

**Jake Berry:** I do not expect an answer on this today, but I would be grateful if the Minister could write to me. I have been told by the EA that one of the challenges is that it cannot start work on any part of the scheme until it can do the whole scheme. It is very frustrating for local residents to know that the £11 million is secured but cannot be drawn on until they have the full £19 million. Could the Minister, with her officials, undertake to see whether it is possible to do some elements of the scheme, particularly the wall rebuilding in Irwell Vale, which would protect properties now, in the hope and belief that further assets in the scheme could be funded at a later date?

**Victoria Prentis:** I would be delighted to undertake that. I met with the EA team earlier today, and one of my questions was whether part of the scheme could be delivered while we continue to work together on further sources of income for the remaining £8.5 million. I was told that it was not quite as easy as that, but I undertake to ask for a detailed answer for my right hon. Friend, because some of the wall rebuilding might alleviate some residents' concerns.

The frequently flooded communities fund may not be the correct route for further funding applications, but I was firmly reassured by the EA that it is leaving no stone unturned to try to source the remainder of the funding, and that several routes are being considered. I encourage all interested colleagues to continue to work with the partners who are determined to make that happen.

I take on board my right hon. Friend's point about how all communities must be protected. The fact that 100 hundred houses are affected is not in itself a barrier to finding a substantial amount of funding. He said that the area is on his dog walking route; it is a beautiful area, and there is biodiversity that needs to be protected as well. It is not just about the homes, although they are the most significant factor.

**James Daly:** This is an excellent scheme with a fantastic champion, but all communities need to be protected. Ramsbottom in my constituency is a mile and a half down the road from Irwell Vale. We have had £484,000

[James Daly]

of investment in the whole constituency. It is not enough to protect families and businesses on Kenyon Street. Will the Minister or someone from her Department meet me to discuss what we can do to ensure that Ramsbottom has adequate flood defences?

**Victoria Prentis:** The Environment Minister, my hon. Friend the Member for Taunton Deane, would be delighted to meet my hon. Friend. I know that the Radcliffe and Redvales scheme has been useful in his constituency.

My right hon. Friend the Member for Rossendale and Darwen made the valid point that this is not a linear scheme and the aim is not to move the water from one constituency to another and cause problems there. That is why it is important that we continue to deal with these flooding issues holistically, looking at these schemes as part of a wider picture. He mentioned the benefits of wider catchment approaches to flood management. I very much agree that a whole-catchment approach can unlock opportunities for areas such as the one we are discussing. The Government have committed to transforming the approach to local flood and coastal erosion risk planning. Every area of England will have a more strategic and comprehensive plan that will drive long-term local action. That will be in place by 2026.

The EA is already implementing an approach that considers wider-catchment benefits, and is taking that whole-catchment approach to new funding bids. It is collaborating with partners such as Moors for the Future and the National Trust to deliver a suite of natural flood management measures in the upper Irwell catchment. That includes moorland restoration on Holcombe moor and slow-the-flow measures in Buckden brook. It is very important that we continue to look at the wider picture when managing this water.

My hon. Friend the Member for Taunton Deane has asked me to reassure all hon. Members that flood and coastal risk management is a top priority for the Government. I reiterate that she would be delighted to meet Members from this area to discuss the specifics of the bid, the new plan, and how that funding gap can be filled. I thank all hon. Members for this informative debate.

*Question put and agreed to.*

4.26 pm

*Sitting suspended.*

## Miners Strike 1984-85: UK-wide Inquiry

4.30 pm

**Owen Thompson** (Midlothian) (SNP): I beg to move,

That this House has considered the potential merits of a UK-wide inquiry into the miners' strike of 1984-85.

I am grateful for the opportunity to secure this debate and talk about an issue that is very close to my heart and that of my community, and an integral part of Scotland's—and the UK's—history and present. After being told I had secured the debate, I reached out the community in Midlothian, and asked for the views and memories of many of those who were involved at the height of the miners strikes. I was overwhelmed by the response of the residents of Midlothian and am thankful to them for sharing their memories and experiences.

As events fall into the past and become history, it is easy to forget that the people involved were real people; their lives mattered and they were affected in tangible ways. In the case of the miners strike of 1984-85, the history is not that long ago, and the people at the heart of it still feel real pain and injustice. I moved to the town of Loanhead at the height of the strikes. Criminal records, lost pensions and social stigma were the real-world consequences, which many are still living with, but those issues have never been fully addressed, nor the people listened to. That could change. Ex-miners and their families deserve to feel listened to, and for the Government to take action off the back of what they say. That is why I am calling for a public inquiry into the strikes—to get answers and redress for those affected by the many injustices caused by those events.

This is not about a grievance, nor dwelling in the past. It is about the future and recognising that we need to heal the wounds of the past in order to move forward. How we approach the past says a lot about who we are today. Do we learn from injustice and listen to the lessons, or would we do it all again given the chance? Those are the questions that need answered for the sake of communities across the country, especially my own in Midlothian. The way we achieve that is through a public inquiry into the policing of the strikes.

Mining in Midlothian dates back all the way to the 12th century, when the monks of Newbattle Abbey first began extracting coal. By the 20th century, mining was integral to the area's way of life. Midlothian was home to a range of pits, from Bilston Glen and Monktonhall to the first Victorian super-pit at the Lady Victoria colliery, which is still home to the National Mining Museum Scotland; I recommend that all Members visit.

But by the 1980s, mines meant miners strikes. A token picket of six was maintained at Monktonhall, but Bilston Glen and Loanhead saw mass picketing and some of the most bitter conflicts of the strike in Scotland. Such was the significance of Bilston Glen in the story of the strike that Tom Wood, the former deputy chief constable of Lothian and Borders police said,

"Did we have violent confrontations? Yes, we did, and they were mainly on the days when visiting pickets came to Bilston Glen."

According to Professor Jim Murdoch, miners' stories "showed without doubt that the criminal justice system all too often reacted in an arbitrary and disproportionate manner."

The unfair and unbalanced reaction from the authorities often took the form of arbitrary sentences being handed out, whether charges stuck or not.

During the recent Committee stage of the Scottish Government's Miners' Strike (Pardons) (Scotland) Bill, a former miner at Monktonhall and former colleague of mine on Midlothian Council, Alex Bennett, said,

"I was snatched by one of the snatch squads. They went for the union officials and they knew our names. The original charges were for rioting but that wasn't going to stick so they changed it to breach of the peace."

The tactic was simply to use whatever means necessary to get miners, especially union officials, off the picket line and into the cells. Breach of the peace, obstructing a police officer, breach of bail and theft—all those charges and more were twisted to justify the snatch squad style of policing. It would be better suited to Putin's Russia today. That is not what good policing looks like and it does an injustice to the rule of law. Serious questions still remain to be answered about the extent of alleged political interference in the policing of the strike.

**Mike Amesbury** (Weaver Vale) (Lab): The hon. Member is making a very powerful speech. The events of 1984-85 shaped many of our politics, including mine. I grew up in Castleford, West Yorkshire, a mining community. I remember some of the police tactics—stopping us from going about our community—and the Metropolitan Police in particular. Those events shaped my politics, so I am grateful not only for that experience but also to Margaret Thatcher, would you believe it, for my membership of the Labour party. I commend the hon. Member for his campaigning, with others across the Chamber, for truth and justice for Orgreave.

**Owen Thompson:** Absolutely, and I thank the hon. Member for his intervention. Those events and others like them have shaped the politics of so many and brought many to a more active role in politics, through whatever means, be it the Labour party, the SNP or whatever else. Events such as those bring people forward. The hon. Member mentioned Orgreave. I had a conversation earlier with Chris Peace of the Orgreave Truth and Justice Campaign. It is certainly worth highlighting that, from their side of things, there are still serious unanswered questions.

The disproportionate response to the strikes did not stop in the courts. It also affected miners' financial futures. Arrested strikers were sacked and denied redundancy payments and pension rights. Again, Alex Bennett said in evidence to the Holyrood Committee:

"Only later on did we realise that...anybody who had been arrested was not just going to get fined; they were going to lose their job and lose their redundancy payment. I was an official in the miners union, and we used to sit in when men were getting made redundant. I knew exactly what I would have got if I had been made redundant at that time: I would have qualified for £27,000 in 1985. I never got that, and it is still bitter to this day that I was denied that because of the attitude of the coal board in Scotland."

He was one of over 100 miners who were blacklisted. It took many of them years to find work. On top of that, a former spy chief, Dame Stella Rimington, revealed that MI5 tapped union leaders' phones during the strike. That was broadcast by Channel 4's "Dispatches" as far back as 1994.

Midlothian is today, much as it was in the '80s, a place where community is king. We only have to look at the community events and gala days held every weekend

over the last month, including gala day just this Saturday past at Loanhead, the home of Bilston Glen, where we have the miners memorial. Remembering those who lost their lives in the pits is now an integral part of gala day celebrations; but it is also important that, as part of that, we remember what else happened around the pits.

Within each town and village, people know each other, and folk from all walks of life intermingle. That is exactly what made the strikes such a bitter affair. In Danderhall, the local miners club had a bowling green that the Lothian and Borders police would use for their annual competition. Police and miners would have a good bevvy together afterwards, and chat and chew the fat. After the strike, that connection was severed, which is no small thing for a close-knit community such as Midlothian and many others. But it is worth being clear that this is not just an exercise in digging up the past; it is about recognising that a wrong has been done and that now we have the power to address it.

The Scottish Government rightly recognised the scale of the injustice back in 2018, when they commissioned an independent review, led by John Scott QC, of the impact of policing on communities during the strike. Following testimony from former miners, police officers and mining communities, the review group made one single recommendation: that the Scottish Government should introduce legislation to pardon miners convicted for certain matters related to the strike. The Miners' Strike (Pardons) (Scotland) Bill was welcomed by the National Union of Mineworkers for removing the stigma of a criminal record. I am delighted to say that that Bill was passed unanimously by the Scottish Parliament in the last couple of weeks.

Some might ask why we need a UK inquiry if the Scottish one was such a success. Aside from the fact that miners and their families across the rest of the UK also deserve justice, it is important to look at what the Scottish inquiry could not do. It could not consider elements of policy reserved to the UK, including the crucial issue of trade union relations, nor could it address the allegations of political interference by the UK Government—an absolutely critical question. Without those missing pieces, ex-miners and their families will never get the full truth. Only a UK-wide inquiry can deliver that.

On top of that, we have to consider the question of compensation—it is only natural. In many cases, a pardon simply will not be enough to undo decades of financial loss suffered by many miners. Unfair dismissal, and the subsequent loss of redundancy payments and pension rights, has a lasting effect and affects many people to this day. Ex-miners and their families deserve a compensation scheme to ensure not only moral justice, but economic justice. As such, the Scottish Government support the idea, but their hands are tied by devolution. Employment and industrial relations are reserved to this place, so it is up to the UK Government to devise such a scheme. A compensation system that is uniform and fair across the UK is something that only a UK-wide inquiry could deliver.

It is crucial that any inquiry should put reconciliation at its heart, just as the Scottish inquiry did. The principles at the heart of the review were put eloquently by Professor Jim Murdoch, who stated:

"As members of the independent review, our task was primarily to listen: to show that those affected by the miners' strike had a voice more than a third of a century later. At each of the meetings



[Owen Thompson]

we held, it was clear that the pain felt by former miners and their families was still raw...Our task was to seek to promote a sense of reconciliation”.

The miners strike is a part of our history and continues to shape communities such as Midlothian to this day. My predecessor in this place—the former MP Sir David Hamilton, or Davie, as he is still known in Midlothian—was not only an ex-miner; he was arrested on the Bilston Glen picket line and blacklisted. As I understand it, he was the only miner to face trial by jury and be acquitted. It is hard to overstate the impact of the strike on our politics, even today—as the hon. Member for Weaver Vale (Mike Amesbury) said—but mining communities also shape our future. Midlothian’s mines are now abandoned and flooded, but the water in the mines is an energy source that is rich with huge potential. By tapping geothermal energy from the heat in that mine water, we could use that power in the future. I applaud local activists, academics and the Coal Authority for working to make mine-water energy a reality across the country, and it is something that I continue to push for in Midlothian.

Looking to the future, it is never too late to right the wrongs of the past. Sometimes time needs to pass before our society is mature enough to throw its hands up and admit that it did wrong, so it is not unusual to have historical inquiries into events long after the fact. For example, it took 36 years for an inquiry to be launched into the Bloody Sunday shootings, and the final report was published 15 years after that. It should have happened sooner—nobody can deny that—but, likewise, we should have had an inquiry into the miners strike years ago. The best time to plant a tree may have been yesterday, but the second best time is now. It is never too late.

All history is contested, and there are two sides to every story—whether it comes from miners, police, communities or the Government—but a Government prove their maturity by being able to listen to both sides of a story and represent them equally. By weaving the injustices of the miners strike into our national story, we show that our history is for everyone and is truly national. By picking up the Scottish Government’s baton and delivering, the process of healing could start today.

**Esther McVey (in the Chair):** I will call the Front Bench at no later than 5.10 pm, so please be mindful of allowing everybody enough time to speak.

4.43 pm

**Alex Davies-Jones (Pontypridd) (Lab):** It is an honour to serve under your chairship, Ms McVey. I thank the hon. Member for Midlothian (Owen Thompson)—the vice chair of the all-party parliamentary group on coalfield communities, which I proudly chair—for securing this important debate, which is close to all our hearts, as he mentioned.

My hon. Friend the Member for Weaver Vale (Mike Amesbury) mentioned that the 1984-85 strike shaped our politics. It made me: I am who I am because of that strike. My dad was a miner who was on strike in 1984-85, and I have spoken about how I am very proudly my father’s daughter. He instilled in me all the beliefs that I hold dear today and that have put me in

this place, as has my community, for which I am very thankful. It is because of that that I stand here today, and I will focus my comments on the shocking events of 18 June 1984, which are crystallised in the minds of all our communities.

Scenes of mounted police officers charging towards miners with their truncheons raised are images that many people have found impossible to forget. Today, Orgreave is widely recognised as one of the most aggressive acts of state-sanctioned violence in recent British memory. Indeed, the Orgreave Trust and Justice Campaign called it “one of the most serious miscarriages of justice in this country’s history”.

which is why we fundamentally need a UK-wide inquiry, because accounts of the events on that day are still contested. An inquiry would finally establish the facts and set the record straight once and for all.

We all know that, as part of the wider effort to discredit unions, the Thatcher Government, aided and abetted by South Yorkshire police, sought to amplify the narrative that it was the miners and not the police who initiated the violence. Well, my dad was there. He was present at Orgreave and saw what happened with his own eyes. He, alongside thousands of others, will attest that that narrative was untrue. Alongside others, he fled from horrific scenes of assault and brutalisation at the hands of South Yorkshire police with genuine fear for his own safety. It is a huge act of generational injustice for that to have never been investigated by a public inquiry.

The prosecutions against the 95 arrested protesters all collapsed precisely because their trials exposed the flimsy testimonies and unreliable evidence from police officers, some of which was later found to be perjurious. Serious allegations have emerged about the extent to which South Yorkshire police acted to cover up their wrongdoing, from the submission of misleading evidence to junior officers having their testimonies dictated to them by their superiors. What happened at Orgreave and in the years that followed was a serious failure of policing. Only a full public inquiry can right that fundamental wrong.

Much of the groundwork for an inquiry, as we have heard, has already been done. Colleagues will be aware that in June 2015 the then Home Secretary, the right hon. Member for Maidenhead (Mrs May), commendably opened the door to a public inquiry by inviting submissions for why an inquiry was needed, but the following year her successor stood up in the Chamber and ruled out an inquiry of any kind. That was in 2016, six years ago, and much has changed since then.

The 2019 election saw a wave of new Members elected to this place, myself included, many of whom were new Conservative Members who now represent large ex-mining communities. If those colleagues were here today and bothered to represent their constituencies, I would tell them to call on their friends in government to hold an inquiry. Many of their constituents will have been at Orgreave and will know at first hand that the popular narrative in the media about Orgreave was utterly false.

In October 2020, the Scottish Parliament, as we have heard, accepted the findings of the Scottish review into policing during the strike, and Conservatives in the Scottish Parliament supported it and its outcome. The precedent, the groundwork and the cross-party support

for an inquiry is all there. We just need the Tory Government here in Westminster to listen. If they are serious about retaining the red wall seats, which I hope does not happen—it will not—they would be wise to pay attention. But this is bigger than politics. Fundamentally, an inquiry is one of the many steps that we urgently need to take to restore public trust in policing.

Public trust in policing is vital. I know from my own constituency in Pontypridd and Taff Ely that when police play a positive, integrated role in our communities, everyone benefits. My brother is now a police officer, so that shows it goes full circle, but the events of Orgreave served to seriously undermine public trust in the police. In the case of South Yorkshire police, trust was undermined even further by the Hillsborough disaster just a few years later, and we now know that police negligence was instrumental.

Failures at Hillsborough and Orgreave have been widely connected and understood to be part of the systemic culture that was at the heart of South Yorkshire police. Just as the Hillsborough inquests brought vindication and comfort to the families of the 97 victims found to have been unlawfully killed, an inquiry into Orgreave would bring clarity, accountability and finally justice.

Trust in the police, particularly the Metropolitan police, has eroded further in recent years in the wake of revelations about systemic racism and misogyny in the force. I will never forget the image of Metropolitan police officers pinning women to the ground at a peaceful protest—actually it was not a protest; it was a vigil—to commemorate the horrific murder of Sarah Everard at the hands of a serving Metropolitan police officer. Just as those women were brutalised for daring to hold a commemorative vigil, protesters at Orgreave were assaulted and brutalised for daring to come together to fight for their rights.

As colleagues will be aware, only yesterday the Met police was placed under special measures by the police watchdog for “serious or critical shortcomings”. If action is to be taken to address failures at the Met, it is only right that action is taken to address the historic failures that led to the battle of Orgreave. Ultimately, we must not allow the rot of eroded public trust to fester any longer. If the Government are committed to rebuilding public trust, as they say they are, they know what they can do: hold an inquiry now, without any further delay, and provide justice to the families who greatly deserve it.

4.49 pm

**Ian Lavery** (Wansbeck) (Lab): It is a pleasure to serve under your chairmanship, Ms McVey. I congratulate the hon. Member for Midlothian (Owen Thompson) on securing this extremely important debate.

I have to declare an interest. I was one of those 11,000 miners arrested during the strike. I make no apologies for that. I am probably the only Member of Parliament now sitting who was part of the miners strike. I was on strike for the full year, for which I am again extremely proud.

Those were extremely difficult times. Miners are generally very hard-working, conscientious people. Very few miners had ever been in trouble with the police before. In communities up and down the UK, they were hard-working, hard-playing individuals who were the backbone of the nation. I will never forget what I experienced as a young

lad. My hon. Friend the Member for Pontypridd (Alex Davies-Jones) said it shaped her character; it definitely shaped mine, for better or worse. Some might say it is for worse, and some that it is for better.

My father, brothers, family and community were all out on strike to save the British coalmining industry. What we experienced was an absolute disgrace. There is an appetite for a public inquiry into what went on, whether we want to talk about the actions of the police, which have already been well documented by the previous two speakers, or about the actions of the courts, the magistrates and the Crown courts, or about the way miners suffered abuse, really, by the legal system through plea bargains—“Accept this and you’ll not go to prison,” or, “Accept this charge and you’ll not get a longer sentence,” when many of those people had not committed anything at all. They deserve justice, because those were hard-working, honest individuals, who, as has already been explained, were basically attacked by the police state, as it were, at the time.

I could recite a number of occurrences I was personally involved in, but I will not bore people to death with that, though they were significant. I had never been involved in anything with the police all my life till the miners strike, and I have never been involved with the police since. I am proud of my record; my record with the police is industrial and was to save communities. We could talk about a number of things, such as police infiltration and whether we had armed forces in the strike. We could talk about how an individual might have been picked off the picket line for no reason whatsoever, and might have lost their job and pension, and been blacklisted, never to get a job again. Some even ended up in prison. There needs to be an inquiry to sort that out.

Who was pulling the strings at the time? Recent documents show that it was the Thatcher Cabinet, if not Margaret Thatcher herself, that made a series of interventions. We want to know what happened. We need to understand and try to draw a line under what happened, which smashed our communities to smithereens.

The Orgreave Truth and Justice Campaign ran a marvellous campaign over many years, seeking an inquiry into what happened at Orgreave. That campaign was all well and good, and well deserved, and I congratulate everyone involved on their tenacity. But mining communities in south Wales, Scotland, the north-east, Northumberland, Durham and Yorkshire all suffered as a consequence of the miners strike, through some form of intervention by the police. This goes beyond Orgreave, but Orgreave was the worst of the worst. It is nearly 40 years, but we can look back and think, “Did that really happen in this country?” The BBC reversed the coverage to say that the miners attacked the police. How bizarre that that could be allowed to happen in the UK.

I am absolutely delighted that Scottish Parliament has decided to pardon the miners in the Scottish areas. Compensation is something that we need to discuss and debate, as has already been highlighted. However, there is an overwhelming appetite for a public inquiry. If the Scottish Parliament can unanimously agree to pardons, perhaps the Minister can explain why that cannot be achieved for the rest of the UK.

I could speak for hours on this subject but will wind up my contribution. The miners deserve to be able to be draw a line under this. Many miners went to the grave

[*Ian Lavery*]

with criminal charges for fighting for their communities—picked off a picket line by police from 300 miles away, in order to serve a cause that we were terribly opposed to. I ask the Minister to not simply discount the idea of potentially having an inquiry—not just into the policing, but into the miners strike in its entirety—but instead take a lesson from the Shrewsbury 24 campaign. That campaign began in the 1970s, with a strike of building workers. They fought and fought and fought for justice, and they only just got recognised last year, through papers that had to be disclosed to the public by the Government, which outlined all the wrongdoings of the police. We will keep campaigning for this inquiry, because the miners, their families and their communities are still very raw about this, even though it was 40 years ago.

4.56 pm

**Stephanie Peacock** (Barnsley East) (Lab): It is a pleasure to serve under your chairship, Ms McVey, and to follow my hon. Friend the Member for Wansbeck (*Ian Lavery*).

I congratulate the hon. Member for Midlothian (*Owen Thompson*) on securing this incredibly important debate. Before the forced closure of the pits, mining once helped to sustain 30,000 jobs in my constituency of Barnsley East, and it formed the heart of many working-class communities across the coalfields. In dirty and dangerous conditions, miners risked their lives and their health to keep our lights on. Striking is always a last resort but, faced with the politically motivated destruction of their livelihoods and having been branded “the enemy within” by the Tory Government, many in Barnsley and beyond were forced to last for a year without income in order to stand up for their jobs.

I will focus my comments today on Orgreave. In keeping with the narrative that the miners were the enemy rather than workers simply defending their jobs, footage of this event is widely understood to have been reversed, portraying miners as having provoked the violence rather than having responded to police aggression. Indeed, although 95 miners were arrested at the time, all those charged were later acquitted as police evidence was discredited.

Since then, evidence of police intent to orchestrate the violence and pervert the course of justice afterwards by manufacturing statements has mounted. However, despite that, there has been a distinct refusal to investigate what really occurred. When South Yorkshire Police handed itself over to the Independent Police Complaints Commission after new evidence emerged, the IPCC took two long years to decide that allegations of assault and misconduct could not be pursued.

I would like to place on the record my thanks to my hon. Friend the Member for Sheffield, Heeley (*Louise Haigh*) for the work that she did in securing and sharing a meeting with the then Home Secretary, in which she called for an inquiry into Orgreave. The right hon. Member for Maidenhead (*Mrs May*) subsequently invited submissions to explain why an inquiry was needed, going on to express the importance of restoring public trust in our police, saying:

“We must never underestimate how the poison of decades-old misdeeds seeps down the years.”

Shortly afterwards, however, her successor as Home Secretary decided that there would be very few lessons learned from the events at Orgreave and that there were

no deaths or wrongful convictions, and that an inquiry was therefore not needed. That decision was later revealed to be politically motivated, out of a will not to slur the memory of Thatcher.

However, people do not have to die for a deep injustice to have occurred. Those who suffered violence at the hands of the police, those wrongfully arrested and those whose reputations were publicly and politically tarnished still matter. It matters to all of us, too, because if we are to have trust in our institutions, we have to believe that wrongdoing and malpractice will be investigated and addressed.

Recent inquiries, such as the uncovering of the role of spy-cops, the Hillsborough review and the Scottish review of policing during the miners strike, have all demonstrated that, with vital lessons being learned and those affected being given a chance to be vindicated by the truth.

What action will the Minister’s Department take to bring to light all available evidence, including the full IPCC scoping report and the Association of Chief Police Officers files relating to Orgreave, which are embargoed until 2066? Will it consider all that new evidence in an inquiry to which all those with an interest and experience are invited to participate?

I pay tribute to all who have campaigned on this issue, including many of my colleagues, the NUM and the Orgreave Truth and Justice Campaign. I first called for justice for those at Orgreave in my maiden speech five years ago. Since then, many miners have sadly passed away. We cannot wait any longer. The Government should grant an inquiry now.

5 pm

**Olivia Blake** (Sheffield, Hallam) (Lab): It is a pleasure to serve under your chairship for the second time today, Ms McVey. I thank the hon. Member for Midlothian (*Owen Thompson*) for securing this debate, which comes after the Miners’ Strike (Pardons) (Scotland) Bill. Finally, Scottish miners who were wrongly convicted for defending their livelihoods during the strike will have some form of justice. Justice delayed is better than justice denied, but we should all be clear that the damage caused by this delay has been huge.

As a Sheffield MP with a constituency only a few miles over from the site of the Orgreave coking plant, I understand just how deep this runs. I have heard directly from miners and their families about the ordeal they were put through during the strike. That is why I am proud to join the Orgreave Truth and Justice Campaign in its annual rally every 18 June to call for justice for the 95 miners who wrongly faced charges for what happened at Orgreave. Many potentially faced life imprisonment; the seriousness of the claims against them was huge. The farce of their trials, the speed at which the prosecutions fell apart and the obviously false testimony given by the police is a stain on our justice system and South Yorkshire’s policing. The policing on that day not only inflicted great physical injury to people at the picket but left long-term scars on individuals and communities, which no one has answered for.

The survivors of Orgreave deserve a full inquiry into what happened and why. This is not about digging up history; it is about understanding the role the police played on that day and why, who was involved in making decisions, and how far to the heart of Government



those decisions went. Those are important questions not just for the miners who suffered directly; they are the concern of every single citizen in this country. There is an unbroken line between the police violence at Orgreave and the cost of living crisis today. It laid the foundations for the low-paid, zero-hours economy that we currently live in. It meant defeating and demoralising the trade union movement. The idea that the police were used to that end should chill the bones of everyone in this Chamber. We are already seeing the chilling effect of the anti-protest legislation on street protest. The prosecution of the Scottish miners and those at Orgreave raises questions about the relationship between politics, policing and the justice system. Those questions will be increasingly relevant as we head into what looks like a summer of industrial action, with people rightly seeking to defend their pay and conditions while profits soar.

The need for an inquiry is pressing. It must have the power to require that all the relevant information and evidence is produced and presented to it. Everyone with an interest must be able to participate fully and get their voices heard. The panel should be independent and objective and should have the skills to understand all the issues at stake. It should be transparent, open and not overly long. After the Miners' Strike (Pardons) (Scotland) Bill, that is the next step in righting the historical wrong that was done to communities up and down the country during the strike.

**Esther McVey (in the Chair):** We move now to the Front Benchers. Once the Minister has spoken, we will go back to Owen Thompson, who will do the wind-up.

5.3 pm

**Chris Stephens** (Glasgow South West) (SNP): It is a pleasure to serve under your chairmanship, Ms McVey. I congratulate my good friend and comrade, my hon. Friend the Member for Midlothian (Owen Thompson), on securing this debate. I say that not just because he is the Chief Whip of our group, but because he and I regularly found ourselves on the front pages of some of the more right-wing newspapers in Scotland, which condemned us for having the temerity to ask for a miners inquiry in Scotland. For many years, my hon. Friend, along with a number of others, has asked for a Scottish inquiry. It would be only right and fair to praise the efforts of a friend of mine, former Member of the Scottish Parliament Neil Findlay, who was one of the lead campaigners in ensuring a miners inquiry in Scotland. Neil is sadly missed in the Scottish Parliament, but I know he is continuing to do great work with trade unions in Scotland.

I congratulate all hon. Members who have spoken. I say to my friend, the hon. Member for Wansbeck (Ian Lavery), that he has nothing to apologise for at all. Events have maybe been for the better; they have certainly made him a very good Member of Parliament.

The Miners' Strike (Pardons) (Scotland) Bill is an important and historic step towards reconciliation. It is going to help to heal some of the wounds in Scotland's mining communities. It is groundbreaking legislation, which will restore dignity to those convicted, provide comfort to their families and, I hope, start to bring some closure on the sense of injustice that members of mining communities may continue to feel. We very much

sympathise with the miners who lost out in redundancy payments and pension rights as a result of being sacked by the National Coal Board after being arrested or convicted for actions while participating in the strike.

I hope the legislation will end some of the demonisation of trade unions who take industrial action on behalf of their members. The demonisation we saw during the miners strike was very much in evidence last week towards the rail workers. I take the view that those who take industrial action are exercising their human rights; they have a human right to withdraw their labour from any employer.

Professor Jim Murdoch of the School of Law at the University of Glasgow, who worked with John Scott QC on the independent review, said:

"As members of the independent review, our task was primarily to listen: to show that those affected by the miners' strike had a voice more than a third of a century later.

At each of the meetings we held, it was clear that the pain felt by former miners and their families was still raw.

The response to the miners' strike at the time left a deep scar on too many communities. Their stories showed without doubt that the criminal justice system all too often reacted in an arbitrary and disproportionate manner.

Our task was to seek to promote a sense of reconciliation, and we are pleased that our report and its recommendation have received clear support today in the Scottish Parliament."

The Miners' Strike (Pardons) (Scotland) Bill pardons the offences of breach of the peace, obstructing a police officer, breach of bail and theft that occurred during the 1984-85 dispute. The legislation has been welcomed by the National Union of Mineworkers in Scotland.

That brings us on to why the UK Government should now launch a UK-wide inquiry. The Cabinet Secretary for Justice in Scotland, Keith Brown, put it rather well when he said:

"It is now right that the UK Government recognises the passing of this historic legislation and gives further consideration to a UK-wide public inquiry and the payment of compensation to former miners. I have written to the Home Secretary this week urging her to reconsider her position given the strong support for this landmark Bill."

Will the Minister tell us if the Home Secretary has received that letter and when the Scottish Government will see a response?

Many of us who support an inquiry were surprised when the then Home Secretary, Amber Rudd, said in October 2016 that the UK Government were ruling out an inquiry into the events at Orgreave in South Yorkshire, probably one of the most notorious flashpoints in the miners strike. I have also received an excellent briefing from the Orgreave Truth and Justice Campaign. It is correct to ask the UK Government to reconsider, because of new evidence that has come to light since October 2016, including the disclosure of documents that are embargoed until 2066—I do not think we should wait until then—as well as the existence of documents in the South Yorkshire archives. New evidence is also coming to light as a result of the ongoing undercover police inquiry, in which the National Union of Mineworkers is a core participant.

There is also—this is of most concern to me—the recent *Daily Mirror* article that exposed a conversation with Amber Rudd about the reasons not to hold an Orgreave inquiry, which were given as because it would "slur the memory of Thatcher" and upset party members.

[Chris Stephens]

Protecting someone's legacy is not a reason not to have the inquiry. That raises alarm bells with me, as I am sure it does with other Members.

**Ian Lavery:** I totally agree with the hon. Member in regard to Neil Findlay; he has run a tremendous campaign. Would the hon. Member like to comment on the fact that during the miners strike Scotland represented 10% of the National Coal Board workforce, but 30% of all those arrested were Scottish, with many being sacked? That was terribly unequal. Would he like to comment on why that might have been?

**Chris Stephens:** The independent review makes it very clear: it is because of the disproportionate actions of the police and the justice system at that point. I was also alarmed by those figures when they were brought to my attention. The hon. Gentleman will be aware of the Labour party report, prepared by Gordon Brown and Merlyn Rees—a future Prime Minister and a former Home Secretary—which also raised and highlighted the concerns in 1985 about the strike. It recommended that there should be a royal commission into the circumstances leading up to the strike and the conduct of the strike, as well as looking at the wider constitutional aspects of the development of policing—including accountability. Even then, in 1985, the demands from that report talk about some of the issues that the hon. Member for Wansbeck raised.

I hope the Minister will respond positively. He should take serious note of what myself and other Members have said about the current vilification of trade union activity. We saw that vilification during the miners strike of 1984-85, and we are seeing some of it today. Perhaps, he could encourage some of his colleagues to engage in a better discourse when discussing such issues.

5.12 pm

**Alex Cunningham** (Stockton North) (Lab): It is a pleasure to serve under your chairmanship, Ms McVey. I am sorry for my dodgy voice; excuse me occasionally if I have to drink.

I congratulate the hon. Member for Midlothian (Owen Thompson) on securing this debate. He spoke powerfully to the experience of miners and their communities throughout the strikes, and of how the Scottish review has helped to begin to heal some decades-old wounds. He referred to bowling green bevvies among police and miners; sadly they are no more, and I do not think it is a tribute any of them would have wanted.

I pay tribute to the Orgreave Truth and Justice campaign and all those who have campaigned to shine a light on the policing of the 1984-85 strike. My hon. Friend the Member for Pontypridd (Alex Davies-Jones) spoke of the police charges, but she also spoke of her pride in her dad. It is lovely to hear people talk about pride in their dads. My dad is nearly 91, and his dad worked in the mines, so I also have that legacy—it helped to shape me as well.

Labour has long supported calls for a full and independent public inquiry into the matter, and particularly into the events at the Orgreave coking plant on 18 June 1984. My hon. Friend the Member for Sheffield, Hallam (Olivia Blake) spoke of the horrors of what happened there. As I have indicated, I grew up in a mining

community with a proud family heritage in the industry, so I understand the impact of the Government's handling of the strikes on miners and their families and communities. It is an impact that endures to this day.

My hon. Friend the Member for Wansbeck (Ian Lavery) spoke openly and honestly about his own history, but also spoke about those hard-working individuals in the mines who were criminalised during the strike. He also spoke of his continuing pride in his colleagues.

In 2015, and for most of 2016, it looked as though the Government were moving in the right direction on the issue. Following the findings of the Independent Police Complaints Commission scoping exercise in June 2015, the right hon. Member for Maidenhead (Mrs May), then Home Secretary, invited submissions for why a public inquiry was needed. In September 2016, a meeting took place with the subsequent Home Secretary, the former Member for Hastings and Rye, at which the potential format of an inquiry or investigation was discussed.

Many across the House were understandably confused and deeply disappointed when, only a couple of months later in October 2016, the then Home Secretary confirmed, in response to a parliamentary question, that no inquiry of any kind would take place. There was great sadness on that day. Will the Minister confirm that that was not for the reasons raised in Sasha Swire's book—that an inquiry into Orgreave would

“slur the memory of Thatcher and the...party won't like it”?

If that was true, it would be disgraceful. That said, even the official reasons given by the former Member for Hastings and Rye are extremely thin.

It is important that we address the wrongdoings of the past—not just for Orgreave, but across the whole country. Just because no one died as a result of the state's handling of the strikes does not mean there are not valuable lessons to be learned from examining them. This morning, I spoke to Chris Pearce from the Orgreave Truth and Justice Campaign, who reminded me that time is of the essence. Many of the miners affected have already died; others are elderly, but still hope for a fair hearing.

**John McDonnell** (Hayes and Harlington) (Lab): We all have history on this. As a youngster, I was the deputy head of the social insurance department at the National Union of Mineworkers, managing the mineworkers' pension scheme. As my hon. Friend says, many of the miners are now elderly. They, or their widows, are pensioners. There could be an act of good will by the Government on this matter by their implementing the recommendations of the Business, Energy and Industrial Strategy Committee on the mineworkers' pension scheme. The elderly mineworkers and their widows could then have a greater share of the pension scheme that they funded throughout their lives.

**Alex Cunningham:** My right hon. Friend makes the point clearly and concisely: action needs to be taken. It is about not just the miners who have died, but their families who follow them.

As has been outlined in this debate, a number of developments have occurred since 2016. Home Office files from '84 and '85 have been released to the National Archives. The National Police Chiefs' Council has disclosed the existence and location of files from the Association

of Chief Police Officers relating to Orgreave and the miners strike, which I understand were actually embargoed until 2066. I will be 111 in 2066, if I live that long. New evidence has come to light as a result of the ongoing undercover police inquiry, to which others have referred, in which the National Union of Mineworkers is a core participant. I hope the Minister gives each of those developments full and proper consideration.

Perhaps more significant is the trigger for this debate: the findings of the Scottish miners review. I wonder if seeing the support from MSP colleagues for the Scottish review and its outcome will encourage the Minister, Conservative MPs and the rest of the UK to reconsider their position. I certainly hope it will. Over the past six years, however, the Government have continually rejected calls for an inquiry. In November 2021, the Minister present said that such an inquiry:

“is not in the wider public interest or required for any other reason.”—[*Official Report*, 22 November 2021; Vol. 704, c. 2P.]

Opposition Members completely disagree. We believe that it is only by properly investigating those events that we can secure the justice that has long evaded all those affected.

In the words of the former Conservative Home Secretary, the right hon. Member for Maidenhead, in her speech to the Police Federation annual conference in 2016, we must all understand

“the need to face up to the past and right the wrongs that continue to jeopardise the work of police officers today. Because historical inquiries are not archaeological excavations. They are not purely exercises in truth and reconciliation...they are about ensuring justice is done...We must never underestimate how the poison of decades-old misdeeds seeps down through the years and is just as toxic today as it was then. That’s why difficult truths, however unpalatable they may be, must be confronted head on.”

No matter how long it takes, justice must be done and be seen to be done. The Labour party does not turn a blind eye to and shrug off historic injustices; from the quote I have just read from the former Home Secretary and Prime Minister, we can see that there was once a time that the Conservative party did not, either.

Instead of heeding the lessons of historic heavy policing, the Home Office is presiding over draconian changes in protest legislation, some of which came into force just yesterday, and expanding police powers for protest disproportionately through the Public Order Bill. The deplorable actions of this Home Office show more than ever why learning the lessons of the past through inquiries such as the one we are discussing is the necessary work of good government. I hope the Minister will do the right thing and order the inquiry without further delay.

5.20 pm

**The Minister for Crime and Policing (Kit Malthouse):**

It is a great pleasure to appear before you, Ms McVey. We have both come a long way since we were teenagers together in south Liverpool.

I am grateful to the hon. Member for Midlothian (Owen Thompson) for securing the debate. I know he has a long-standing interest in these issues. Obviously, I have listened carefully to all the contributions. I recognise the significance of the miners strike and its impact on mining communities throughout the United Kingdom, including those affected by what occurred at the Orgreave coking plant on 18 June 1984. I remember the footage well. I was a teenager at the time and a student shortly

thereafter in the north-east, and I know that the events of that period continue to resonate in those communities.

The House is calling for a wider inquiry into the policing of the strikes. Successive Home Secretaries have given careful consideration to the issues arising from the calls for an inquiry into the policing of the strikes at Orgreave and, by extension, the miners strikes more broadly. As Members have mentioned, the former Home Secretary Amber Rudd announced the decision in October 2016 not to undertake an inquiry, and her successor, my right hon. Friend the Member for Bromsgrove (Sajid Javid), upheld that decision in September 2018. In the spirit of transparency, in 2017 the Home Office released the files held by the Department to the National Archives, and those files are available there for public review. We have urged other Departments to do the same, and South Yorkshire police is in the process of reviewing its files to release them as well.

The core argument given by the Home Secretaries was that, given the passage of time and the large number of legislative and systemic changes since 1984, an inquiry is unlikely to result in relevant lessons for today’s system. The Government stand by that decision. Crucially, there have been significant changes to policing since then, including major reforms to criminal procedure, changes to public order policing and practice, stronger external scrutiny and greater local accountability. Specifically, the Police and Criminal Evidence Act 1984, which came into force from January 1985, and other legislative and operational changes made since then, have vastly improved the way police investigations and powers operate. The exemplary standards of behaviour expected of everyone who works in policing were reinforced by the introduction of a statutory code of ethics, which was laid before the House in 2014 and is currently being reviewed.

The introduction of further provisions through the Policing and Crime Act 2017 has increased the powers of the Independent Office for Police Conduct, clarified its investigative processes and further safeguarded its independence. Those reforms were introduced in 2018 and 2020, alongside wider reforms to the police discipline and complaints systems. The legislative reforms in 2020 to overhaul the police complaints and disciplinary systems were wide-ranging and designed to simplify processes while increasing transparency and independence. Furthermore, the creation of the Crown Prosecution Service in 1986, with the introduction of independent CPS prosecutors, fundamentally altered the prosecution of offences and ended the existence of ad hoc prosecution arrangements throughout the country.

Given the fact that the landscape has changed so markedly, it is difficult to see how a review of the events and practices of more than three decades ago would yield significant lessons for the policing system today. In the light of the significant changes since the strikes, there are no plans to undertake an assessment of the potential merits of establishing an independent inquiry into the policing of the miners strike in 1984 to 1985 in England and Wales. The Government do not plan to review the decision not to establish a public inquiry into the events at the Orgreave coking plant on 18 June 1984. For the Government’s part, we are completely focused on ensuring that policing is the best it can be, including through reforms to improve accountability and transparency. Public confidence is pivotal to our model of policing by consent.



**Chris Stephens:** The Minister is giving his reasons not to have an inquiry, but obviously in Scotland there was an independent review, and pardons have been issued for certain offences. Is that something the UK Government are considering?

**Kit Malthouse:** We are not currently considering that particular route of action. We have received the letter the hon. Gentleman referred to—indeed, we have received a number of letters over the past couple of years on the matter, to which we have responded. I know that my right hon. Friend the Home Secretary is considering that letter and will respond in due course.

I thank everybody who has participated in the debate. I have listened carefully to the points that have been raised and am grateful for the opportunity to underline how far UK policing has come since the miners strike. Progress has undoubtedly been made, but that is not to say that we are in any way complacent; on the contrary, we are constantly challenging the police to get better in all they do. We have overseen significant reform, and continue to drive improvements for the benefit of policing and those whom the police serve.

5.25 pm

**Owen Thompson:** I thank all Members for their contributions this afternoon. We have heard a wide range of views from communities across the mainland

UK and its countries, with each Member effectively saying very similar things: that our communities all bore the brunt of the effects of the miners strike.

Despite that, I am quite frankly afraid that the Government are still not listening. I thank the Minister for his response but I am very disappointed in it. The release of files is not good enough—it does not cut it—and time cannot be used as an excuse for not doing the right thing. Whatever changes have taken place in policing over the intervening years do not change the need for an inquiry. Despite the response the Minister has given to the debate, I ask him to genuinely consider the whole range of comments that have been made, because this is something that is not going to go away. I am certainly not going to stop asking these questions, so the Government need to take a good look at this issue and seriously consider the fact that there is still a need for an inquiry.

*Question put and agreed to.*

*Resolved,*

That this House has considered the potential merits of a UK-wide inquiry into the miners' strike of 1984-85.

5.26 pm

*Sitting adjourned.*

# Written Statements

Wednesday 29 June 2022

## BUSINESS, ENERGY AND INDUSTRIAL STRATEGY

### Industrial Development Act 1982: Use for Coronavirus-related Assistance

**The Parliamentary Under-Secretary of State for Business, Energy and Industrial Strategy (Lee Rowley):** I am tabling this statement for the benefit of hon. Members to bring to their attention spend under the Industrial Development Act 1982. In addition to the obligation to report on spend under the Industrial Development Act annually, the Coronavirus Act 2020 created a new quarterly reporting requirement for spend which has been designated as coronavirus-related under the Coronavirus Act. This statement fulfils that purpose.

The statement includes a report of the movement in contingent liability during the quarter. Hon. Members will wish to note that measures such as local authority grants, the coronavirus job retention scheme and self-employed income support scheme, and tax measures such as the suspension of business rates are not provided under the Industrial Development Act 1982 and hence are not included below.

This report covers the fourth quarter of 2021, from 1 October to 31 December 2021, in accordance with the Coronavirus Act.

The Department for Environment, Food and Rural Affairs has a negative expenditure in the fourth quarter of 2021 because the process to recover grant money underspent by applicants began in October 2021.

The written ministerial statement covering the third quarter of 2021 was published on 7 March 2022.

#### *Spend under the Coronavirus Act2020*

Under the Coronavirus Act 2020, there is a requirement to lay before Parliament details of the amount of assistance designated as coronavirus related provided in each relevant quarter. In the period from 1 October to 31 December 2021, the following expenditures were incurred:

Actual expenditure of assistance provided by Her Majesty's Government from 1 October to 31 December 2021	£ 207,341,876
Actual expenditure of assistance provided by Her Majesty's Government from 25 March 2020	£ 3,825,302,126

#### *Expenditure by Department*

Actual expenditure of assistance from 1 October to 31 December 2021 provided by:	
Department for Business, Energy and Industrial Strategy	£ 199,303,263
Department for Environment, Food and Rural Affairs	£ -213,724
Department for Transport	£ 8,252,337

## *Contingent liability under the Coronavirus Act2020*

Contingent liability of assistance provided by the Secretary of State from 1 October to 31 December 2021	£1,863,365,448
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All contingent liability of assistance provided by the Secretary of State from 25 March 2020	£74,541,176,467
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[HCWS153]

## DIGITAL, CULTURE, MEDIA AND SPORT

### Short-term Holiday Letting in England: Call for Evidence

**The Parliamentary Under-Secretary of State for Digital, Culture, Media and Sport (Nigel Huddleston):** The Government are today publishing a call for evidence looking at short-term and holiday letting in England. This call for evidence will improve the evidence base on the tourism sector, gathering views and information on a range of issues related to short-term lets. This will improve the Government's understanding of the benefits and challenges of the increase in short-term and holiday letting in England in recent years, and will help us to determine whether there are options the Government should pursue through a formal consultation, in line with commitments set out in the tourism recovery plan which was published in June 2021.

The guest accommodation sector has changed significantly over the last 15 years, both within England and across the world. In particular, there has been a major expansion in the number and range of accommodation suppliers operating in the market, driven by the growth of online platforms. While such platforms provide a new route to market for many forms of guest accommodation, it is the increase in short-term letting of residential premises through them that is perhaps the most notable development.

The sharing economy has brought many benefits, both to the tourism sector and the wider economy, but also to individual homeowners by creating an additional income stream, and to consumers by broadening the range of available accommodation. However the Government also recognise that the rise in short-term and holiday letting has prompted a range of concerns. These include the impact on the housing market and local communities, particularly in tourism hotspots, and a sense that new entrants in the market are not being held to the same health and safety standards as traditional operators of guest accommodation such as hotels and bed and breakfasts. Many other countries and cities have introduced measures in recent years in response to some of these issues. As the tourism sector recovers from covid-19, the Government believe that now is the right time to assess the picture in England.

The call for evidence will allow us to collect information on this important issue, and if necessary develop proportionate, evidence-based policy options for a possible future consultation. I am also cognisant of commitments in the levelling-up White Paper to explore proposals for introducing a national landlord register in England, and my Department will continue to work closely with the Department for Levelling Up, Housing and Communities to ensure the Government are joined up in identifying the right solutions for each sector.

The Government are keen to hear from all interested parties, including hosts, guest accommodation businesses, online peer-to-peer platforms, enforcement agencies and tourism representative bodies. I will place a copy of the call for evidence in the Libraries of both Houses.

[HCWS156]

### Newsquest/Archant Merger

**The Secretary of State for Digital, Culture, Media and Sport (Ms Nadine Dorries):** On 18 March 2022, local news publisher Newsquest Media Group Ltd acquired Archant Community Media Ltd.

On 26 April the Department for Digital, Culture, Media and Sport wrote to Newsquest Media Group Ltd and Archant proprietor, RCapital, to inform them that I was “minded to” issue an intervention notice. I outlined that public interest grounds specified in section 58 of the Enterprise Act 2002 may be relevant to the transaction—in particular, the need for, to the extent that it is reasonable and practicable, a sufficient plurality of views in newspapers in each market for newspapers in the United Kingdom or a part of the United Kingdom.

In line with the statutory guidance on media mergers, the “minded to” letter invited further representations in writing from the parties. I have now come to a final decision, which needs to be made on a quasi-judicial basis, on whether to issue an intervention notice.

In light of the new information provided to me by the parties to the merger, I have decided not to intervene in the merger. The information provided by the parties addressed my concerns regarding the potential grounds for a public interest intervention, including the need, to the extent that it is reasonable and practicable, for a sufficient plurality of views in newspapers in each market for newspapers in the United Kingdom or a part of the United Kingdom.

Officials have written to Newsquest and RCapital to inform them that, without prejudice to my ability to intervene if new or additional information comes to my attention, I do not intend to intervene in the merger on media public interest grounds.

[HCWS157]

## HEALTH AND SOCIAL CARE

### Correction to PQ107645

**The Parliamentary Under-Secretary of State for Health and Social Care (Maggie Throup):** I would like to amend a written answer that I gave to the House on 28 April 2022.

In response to written question 107645, I stated that those who are on legacy benefits and have change in status such as a new child would move to universal credit in order for their benefit claim to accommodate their change in status, and therefore will be eligible for the Healthy Start scheme. However, this information was not wholly accurate. Families on legacy benefits who have a first child move automatically to universal credit and so become eligible for the Healthy Start scheme. Families having a second or subsequent child may choose to remain on legacy benefits and, if they do, would not be eligible for Healthy Start.

[HCWS158]

## A Plan for Digital Health and Social Care

**The Secretary of State for Health and Social Care (Sajid Javid):** I would like to inform the House that “A Plan for Digital Health and Social Care” has been published today. This document sets out how we will build a more digitised, more efficient and more personalised health and care system.

Earlier this year, I made a speech setting out my four priorities for reform in health: prevention, personalisation, people and performance. We cannot deliver the change we need to see, unless we embrace the opportunities from digital technologies.

We are now embarking on a transformative programme of reforms that will make sure the NHS is set up to meet the challenges of 2048, not of 1948, when it was first established, and also to make the vital changes that are so urgently required in social care.

On 13 June we published a strategy for a data-enabled health and social care sector, “Data Saves Lives”, which draws on lessons learned about the power of data from the response to the covid-19 pandemic. Data Saves Lives includes a range of commitments that will help connect systems and details how we will use data flowing through the digitised health and social care system to continually improve services while maintaining the highest standards of privacy and ethics.

The long-term sustainability of health and social care is dependent on having the right digital foundations in place, and so digital transformation is crucial in achieving and delivering these reforms.

This plan sets how the delivery of health and social care will change, taking forward what we have learnt from the pandemic, and from tech pioneers across the world. The aim is something that we can all get behind: a health and social care system that will be much faster and more effective, and delivers more personalised care.

Digital is not, and will not, be the only means of access to health and social care services, but through it we can ensure that the needs and preferences of individuals are reflected in the services we provide.

Health and social care organisations and partners from industry can use the plan to help shape their strategies to digitally transform services for their populations.

The NHS app will be at the heart of these plans. We saw during the pandemic how people grasped the opportunity to have healthcare at their fingertips.

I am determined to make this app the front door to NHS services, and this plan shows how we will add an array of new features over the coming months and years, with new functionality and more value for patients every single month. My vision is one in which the app is an assistant in your pocket and a permanent feature of how we do healthcare in this country.

With digitised services and a connected system that supports integration and harnesses the power of data, technology can create a transformed health and social care system that is more responsive to the needs and preferences of all people, identifies and reduces health disparities and delivers improved outcomes for everyone.

We have already made huge progress. Over 28 million people now have the NHS app in their pocket, over 40 million people have an NHS login, and most NHS trusts have an electronic patient record system in place. This is on top of unprecedented investment in the



digitisation of adult social care, including £150 million of funding for digital adoption that we announced in our recent White Paper.

This plan sets out the next chapter of this story of digital transformation. It sets out a vision of how we will build a more connected and much more efficient system.

The opportunities offered by digital transformation are huge, with benefits over the next decade running to billions of pounds in efficiencies, economic growth and private investment.

That plan includes a raft of other initiatives, £2 billion of funding to support electronic patient records to be in all NHS trusts, and help over 500,000 people to use digital tools to manage their long-term health conditions in their own homes.

Just as we are putting the right technology in place, we also need to make sure that people are confident and supported in using it. The plan also shows how we will relentlessly focus on digital skills, leadership and culture as well as building patient trust, at all levels, so we can make transformation durable right across the board.

This agenda matters more than it did when this pandemic began. I am determined to use the power of technology and the skills, leadership and culture that underpins it, to drive a new era of digital transformation. So that our health and care system, and our country, will thrive long into the future, delivering vast benefits for patients.

I will deposit a copy of the plan in the Libraries of both Houses.

[HCWS159]

## HOME DEPARTMENT

### Proceeds of Crime Act 2002 Codes of Practice: Consultations

#### **The Minister for Security and Borders (Damian Hinds):**

The Proceeds of Crime Act contains a comprehensive package of measures designed to make the recovery of unlawfully held assets more effective. The operation of certain powers within POCA are subject to guidance in various codes of practice issued by the Home Secretary, the Attorney General and the Advocate General for Northern Ireland, the Department of Justice and Scottish Ministers.

An existing code of practice needs to be updated to reflect changes made to the UWO regime following the commencement of the expedited Economic Crime (Transparency and Enforcement) Act on 15 May 2022.

POCA provides that before a revised code of practice is issued, I must consider any representations made and modify the codes as appropriate, and subsequently lay the codes before Parliament for approval.

I intend to consult on changes to the following code of practice:

The Investigations Code Of Practice issued under s.377 of the Proceeds of Crime Act, which provides guidance for investigators in England, Wales and Northern Ireland.

My right hon. and learned Friend the Attorney General (Suella Braverman) will also launch a consultation in tandem with this one, to seek a view on one further code, which provides guidance for prosecutors in England, Wales and Northern Ireland.

I will arrange for a copy of the consultation on the Investigations Code of Practice to be placed in the Libraries of both Houses.

The Attorney General will arrange for a copy of the consultation on the code providing guidance for prosecutors to be placed in the Libraries of both Houses.

Following the introduction of the upcoming Economic Crime and Corporate Transparency Bill, I will launch another consultation on further changes to the same code in relation to new powers to support the recovery of crypto-assets.

I then intend to lay a statutory instrument to issue an updated code of practice under the Proceeds of Crime Act 2002 to reflect both sets of changes once the ECCT Bill is in force.

[HCWS155]

## TRANSPORT

### Road Safety Investigation Branch

#### **The Secretary of State for Transport (Grant Shapps):**

I wish to inform the House that my Department has today published its response to the Government consultation on establishing a Road Collision Investigation Branch.

This Government are committed to improving road safety and reducing the number of people who are killed or seriously injured on our roads each year. I am pleased to announce that the Government intend to bring forward new measures to enable the creation of the branch, which, following discussions with stakeholders, will be named the Road Safety Investigation Branch.

This independent, safety-focused branch will learn the lessons from road collisions and other incidents, including those involving self-driving vehicles, by carrying out independent investigations and making recommendations to prevent future incidents, make our roads even safer and save lives across the country. The branch will also provide vital insight into safety trends related to new and evolving technologies, which will help to ensure road safety policy keeps pace with new developments.

We expect to include measures to enable creation of the branch in the forthcoming Transport Bill.

[HCWS154]

### European Train Control System

#### **The Secretary of State for Transport (Grant Shapps):**

I am pleased to announce over £1 billion investment in the East Coast Digital Programme, which aims to introduce the European Train Control System (ETCS) to the Southern section of the East Coast Mainline.

European Train Control System, also known as digital signalling, brings signalling onto a screen in the train's cab. This provides drivers with continuous real time information, for example maximum allowable speeds, and removes the need for line-side signals. Trackside sensors are retained to track the train on the network and support adaptive decision making, through assessing and understanding that particular train's characteristics such as speed and braking distance. This investment will fund the fitment of trains and lineside technology

on the stretch of line from London King's Cross to Stoke Tunnel, just North of Peterborough, as well as the integration of this technology into the network and its operating companies.

This will be the first deployment of European Train Control System on a mixed-use mainline in the UK rail network, increasing punctuality and reliability for both passenger and freight services across the whole line. Trains will be able to run closer together safely, enabling more services to run on the same stretch of track. Fewer signalling failures and faster recovery from any delays will make the service more reliable for the customer.

This programme of work presents a unique opportunity to enable a positive step-change in technology on the network, with a move away from systems of signalling that emerged from Victorian times, and towards a high-performing digital alternative. As the rail sector continues to recover from the pandemic, it is vitally important that capacity and reliability are both increased in a financially viable way as demand returns.

This large upfront investment in the rail sector also presents an opportunity for savings in the long run, as maintenance of these assets is more affordable across the whole life of the signals. Furthermore, this programme will create approximately 5,000 highly skilled jobs in the rail industry.

Initial enabler projects have already begun, including the fitment of trains and some infrastructure on the Northern City Line, with works to continue through the 2020s.

This major investment is symbolic of this Government's ongoing commitment to modernising our railways, making them fit for the 21st century. Deployment of this innovative technology for the first time on a mixed-use mainline in the UK will deliver improvements for the user, support the creation of a financially sustainable railway and also grow and level up the economy by delivering an upgrade to this vital economic artery which stretches along the spine of this country.

[HCWS160]

# Ministerial Correction

*Wednesday 29 June 2022*

## HOME DEPARTMENT

### **Rights of Children (Police Custody)**

*The following is an extract from the Westminster Hall debate on Rights of Children (Police Custody) on 28 June 2022.*

**Rachel Maclean:** I very much welcome the comments from the hon. Member for Halifax (Holly Lynch), who spoke about the excellent work done by the violence reduction units in her area. However, they are national schemes and I think the House would be interested to know a little bit more about that work. I will not go into a huge amount of detail because time prevents me, but this is a truly groundbreaking, long-term project, and a Conservative Government initiative. My officials will correct me if I am wrong, but I think we have committed

£500 million over a very long period to work out, as she said, which initiatives and practices actually work to divert young people away from crime and prevent them from getting involved in the first place.

*[Official Report, 28 June 2022, Vol. 717, c. 63WH.]*

*Letter of correction from the Parliamentary Under-Secretary of State for the Home Department:*

An error has been identified in my speech.

The correct information should have been:

**Rachel Maclean:** I very much welcome the comments from the hon. Member for Halifax (Holly Lynch), who spoke about the excellent work done by the violence reduction units in her area. However, they are national schemes and I think the House would be interested to know a little bit more about that work. I will not go into a huge amount of detail because time prevents me, but this is a truly groundbreaking, long-term project, and a Conservative Government initiative. **We have committed £200 million over 10 years** to work out, as she said, which initiatives and practices actually work to divert young people away from crime and prevent them from getting involved in the first place.





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